

The Knockoff Economy: How Imitation Sparks Innovation

Kal Raustiala, Christopher Sprigman

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"A fascinating look at the surprising relationship between creating and copying."
—David Chang, Chef/Owner of Momofuku

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christopher sprigman

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Kal Raustiala, Christopher Sprigman : The Knockoff Economy: How Imitation Sparks Innovation before purchasing it in order to gage whether or not it would be worth my time, and all praised The Knockoff Economy: How Imitation Sparks Innovation:

0 of 0 people found the following review helpful. Very fun read! Great gift for aspiring law studentsBy Zahr SaidThis book is a brilliant, convincing, and, above all, really fun read. It will interest aspiring law students; foodies; fashionistas; lovers of standup comic; and football fans. I recommend it as gift for those expressing an interest in

intellectual property, or for those buying a gift for friends and loved ones headed off to law school. Full disclosure: I'm a copyright professor at a top-20 law school and I've found this work really helpful in teaching my students. It's material that they loved reading, too. It puts the law into real-world contexts. Raustiala and Sprigman's *Knockoff Economy: How Imitation Sparks Innovation* is an important book by two very well-regarded law professors who are at the forefront of an academic movement known as "low-IP." The organizing idea can perhaps most simply be boiled down like this: certain artistic and economic areas in which no intellectual property ("IP") law exists show us that other, non-legal norms operate to create some protections and to spur innovation. This book represents the culmination of work in that area that has long been persuading other academics to think differently about intellectual property law and whether it's really as necessary to promote innovation as has been presumed in the past. The authors know law, they know economics, and they know--in tremendous and authentic detail, often due to their own exhaustive field research--the industries they tackle here. So this book has serious scholarly chops as well as street cred. But far from the regular snooze-inducing literature that can sometimes characterize legal scholarship, this book is a really enjoyable romp through popular culture by two witty authors conversant in high culture, low culture, and everything in between. In chapters that range from fashion, cuisine, and comedy, to football and fonts, Sprigman and Raustiala show us firsthand how creative cultures that lack intellectual property protection thrive without it. More than that, *Knockoff Economy* shows how a lack of IP may actually produce creative environments that are even more innovative and productive than areas where IP operates. This is the book's central--and very powerful--insight. Given the ease of copying in today's technological landscape, the news is really good. The authors argue that the greater the amounts of copying, the greater the range of options consumers face. For examples, the authors point us to the Korean taco, the "No Huddle Offense," kitten heels, long-form standup comedy, and molten chocolate cake as products of creative evolution in environments that allow copying to spur competitors and better serve consumers. The flipside has something important to tell us about copyright, too. For "tweakers" or innovators who work by making small improvements of or adaptations to prior works, areas governed by copyright will prove problematic, thus potentially stifling innovation if they can't be sure they are operating within the parameters of fair use. Overall, this is an incredibly accomplished book and a pleasure to read. 0 of 0 people found the following review helpful. Fascinating Fun Read By Kristen K. Tunney A really thoughtful and enjoyable study and a fascinating look at the copycat culture all over the world. Recommend for anyone interested in intellectual property conundrums OR fashion OR who has bought a fake purse. 5/5 stars would recommend. 0 of 0 people found the following review helpful. Real Evidence about Imitation and Innovation By Ama Neel Economists like myself know a lot about mathematical models of imitation and innovation but know little about how the real world deals with the threat of knockoffs with laws or otherwise. This highly readable book deals with fashion and jokes and restaurant meals, as well as movies and music. You cannot guess how each setting deals with imitation, can you? Read this book. You will enjoy it. It's not just for lawyers and economists!

From the shopping mall to the corner bistro, knockoffs are everywhere in today's marketplace. Conventional wisdom holds that copying kills creativity, and that laws that protect against copies are essential to innovation--and economic success. But are copyrights and patents always necessary? In *The Knockoff Economy*, Kal Raustiala and Christopher Sprigman provocatively argue that creativity can not only survive in the face of copying, but can thrive. *The Knockoff Economy* approaches the question of incentives and innovation in a wholly new way--by exploring creative fields where copying is generally legal, such as fashion, food, and even professional football. By uncovering these important but rarely studied industries, Raustiala and Sprigman reveal a nuanced and fascinating relationship between imitation and innovation. In some creative fields, copying is kept in check through informal industry norms enforced by private sanctions. In others, the freedom to copy actually promotes creativity. High fashion gave rise to the very term "knockoff," yet the freedom to imitate great designs only makes the fashion cycle run faster--and forces the fashion industry to be even more creative. Raustiala and Sprigman carry their analysis from food to font design to football plays to finance, examining how and why each of these vibrant industries remains innovative even when imitation is common. There is an important thread that ties all these instances together--successful creative industries can evolve to the point where they become inoculated against--and even profit from--a world of free and easy copying. And there are important lessons here for copyright-focused industries, like music and film, that have struggled as digital technologies have made copying increasingly widespread and difficult to stop. Raustiala and Sprigman's arguments have been making headlines in *The New Yorker*, the *New York Times*, the *Financial Times*, the *Boston Globe*, *Le Monde*, and at the *Freakonomics* blog, where they are regular contributors. By looking where few had looked before--at markets that fall outside normal IP law--*The Knockoff Economy* opens up fascinating creative worlds. And it demonstrates that not only is a great deal of innovation possible without intellectual property, but that intellectual property's absence is sometimes better for innovation.

"Raustiala and Sprigman have some good news: copying and creativity can co-exist. Using extensive industry case studies of fashion, fonts, jokes, recipes, and other sectors, they remind us that a coherent intellectual property policy

inherently involves trading off protection and imitation. Let us hope that policymakers get the message and restore balance to our intellectual property system." -Hal Varian, Chief Economist, Google "Policymakers still-astonishingly-have a mistake at the core of their understanding of how innovation happens. This beautifully written and brilliant book by two of America's most creative thinkers corrects that mistake, and launches an incredibly important project to understand just how much law creativity requires." -Lawrence Lessig, author of *Remix* and *The Future of Ideas* "Kal Raustiala and Christopher Sprigman have written a fascinating look at the surprising relationship between creating and copying. It's amazing to see the parallels across industries as diverse as cuisine, comedy and football." -David Chang, Chef/Owner of Momofuku "The Knockoff Economy is the most entertaining portent of doom I've read in a long time." -Patton Oswalt, stand-up comedian and actor "This book shines a powerful searchlight onto some neglected aspects of the intellectual property field, in the process revealing some fascinating insights that require us to rethink past assumptions about the incentives to create." -David Nimmer, author of *Nimmer on Copyright* About the Author Kal Raustiala is Professor of Law at UCLA and the author of *Does the Constitution Follow the Flag?* Christopher Sprigman is the Class of 1963 Research Professor at the University of Virginia School of Law.