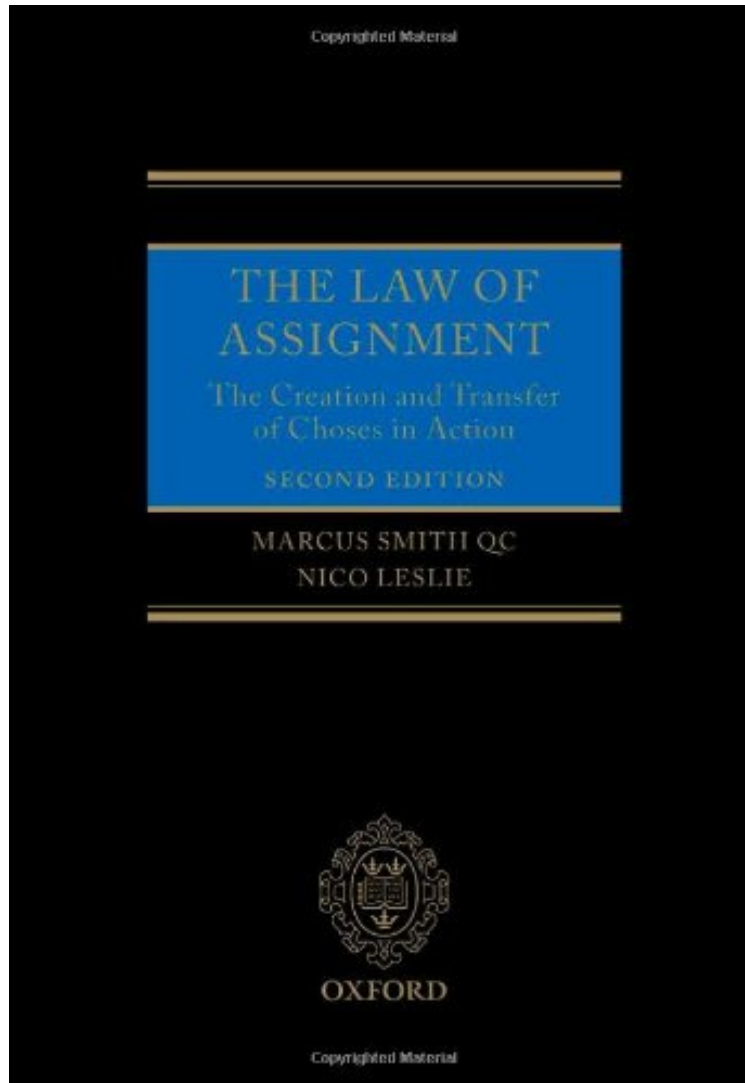


The Law of Assignment: The Creation and Transfer of Choses in Action

Marcus Smith

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This new edition of *The Law of Assignment* provides a comprehensive treatment of the law relating to intangible property or choses in action. It considers all forms of intangible property (debts, rights under contract, securities, intellectual property, leases, rights/causes of action and equitable rights). The book considers the nature of intangible property, how it comes into being and how it is transferred or assigned. It considers the consequences of transfer, including what property cannot be transferred and the difficult question of priorities. The book's approach is both analytical and practical. The first parts of the book focus on general principles regarding intangibles and their transfer. The book then moves on to consider the law relating to particular types of intangibles, securities (paper, immobilized and dematerialized), insurance contracts, leases and intellectual property. There is an expanded section on the taking of security over intangibles, as well as new material on rights or causes of action to reflect recent developments in litigation finance and no-win/no-fee arrangements. The Equities chapter is expanded to cover the transferability of notes and other debt securities, while the section on assignability of debts is expanded to include practical treatment of factoring. Also included is new comparative European and US material.

from previous edition: "The resulting 616-page volume is a triumph of text book writing. It was a job worth doing and Smith has done it exceedingly well. The book is excellently structured and easy to navigate. Its coverage is about as comprehensive as it is possible to wish for...In conclusion, Smith's treatise is a triumph, and one of the most important new works in commercial law for decades..." --Professor Gerard McMeel (2008) 37 CLWR 100"Smith is overly modest in saying that the English law of assignment is 'unnecessarily complex' (p140): he resolves a number of complexities, and demonstrates that other complexities are necessary outworkings of the different natures of the various rights concerned. Smith's achievements in these ways can be openly acknowledged, as can the many other good qualities found in his book." --Restitution Law - [2008] RLR 257 20/10/2008"To practitioners in this area of law, this book will be an invaluable companion." --International Company and Commercial Law 2008"...a splendid piece of work. The coverage is comprehensive, practical and brisk...if you are a practitioner needing an answer to (almost) any question on assignment, then Smith must be the choice: readable, well-laid-out and limpidly clear..." --Professor Andrew Tettenborn [2007] LMCLQ 571"This breadth, coupled with Smith's clear writing, gives the work a unique force." --Restitution Law - [2008] RLR 257 20/10/2008"Given the unfathomably diffuse nature of its subject-matter and the lack of any contemporary precedent, it is a tremendous achievement that Smith's book exists at all. Smith has done the legal community a huge service by bringing together much of the relevant primary and secondary material which make up the large, amorphous and growing body of law on assignment and mechanisms having an equivalent effect to transfer in one fairly compact and succinctly written volume." --Chee Ho Tham (2008) 124 LQR 175

About the Author: Marcus Smith was educated at Balliol College, Oxford (BA 1988, BCL 1990; MA 1992) and the University of Munich. He was called to the Bar in 1991, and has been in practice at Fountain Court ever since. He specialises in all aspects of commercial law, but in particular insurance, reinsurance and banking. He was a lecturer in law at Balliol College (1991-1994), teaching contract, tort and constitutional law.