

<<美国财产法-第2版-英文版>>

图书基本信息

书名：<<美国财产法-第2版-英文版>>

13位ISBN编号：9787566305404

10位ISBN编号：7566305409

出版时间：2012-11

出版时间：薛源 对外经济贸易大学出版社 (2012-11出版)

作者：薛源

版权说明：本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问：<http://www.tushu007.com>

<<美国财产法-第2版-英文版>>

内容概要

《美国财产法(第2版)(英文版)》共分为六章，通过财产的取得、不动产权益、不动产租赁、私人对土地使用的控制、不动产转让、国家对土地使用的管理这六个方面介绍了美国的财产法，书中还加入了案例分析。

书籍目录

第一章财产的取得 第一节财产的原始取得 一、通过捕获取得财产 案例1 Graves v.Dunlap 二、通过创造取得财产 案例2 Martin Luther King, Jr., Center for Social Change, Inc.v.American 案例3 Hecht V.Superior Court 第二节财产的继受取得 一、通过拾得取得财产 案例4 Powell V.Four Thousand Six Hundred Dollars (\$ 4 600.00) U.S.Currency 二、通过赠与取得财产 案例5 Cravens V.Holliday 案例6 Woo v.Smart 三、通过时效占有取得财产 案例7 Wadkins v.Melton 第二章不动产权益 第一节现时利益和未来利益 一、终身所有权 案例8 Thorn V.Stephens 二、可终止的完全所有权 案例9 Higbee Corp.V.Kennedy 第二节共有 一、联合共有的终止 案例10 Minonk State Bank v.Grassman 二、共有人的权利和义务 案例11 Stylianopoulos V.Stylianopoulos 三、共有财产的分割 案例12 Eli v.Eli 四、夫妻共有财产 案例13 Hoak v.Hoak 案例14 Corasanti V.Corasanti 第三章不动产租赁 第一节租赁关系的设立 案例15 Cox V.Parishi 第二节不动产租赁的种类 案例16 Philpot v.Fields 案例17 Boyles V.Petrucelli 第三节出租人的义务 一、向承租人交付出租的不动产 案例18 Cheshire V.Thurston 二、出租人关于安宁享受权的默示承诺 案例19 First Wisconsin Trust Co.v.L.Wiemann Co. 三、出租人关于可居住性的默示担保 案例20 Javins v.First Nat.Realty Corp. 第四节承租人的义务 一、承租人支付租金的义务 案例21 Hargis v.Mel—Mad Corp. 二、承租人避免对租赁财产造成损害的义务 案例22 U.S.Gypsum Co.v.Schiavo Bros., Inc. 第五节租赁的转让 案例23 Joscar Co.v.Arlen Realty 第四章不动产转让 第一节不动产买卖合同 一、合同的形式要件 案例24 Forsberg v.Day 二、卖方的义务 案例25 Lovell v.Jimal Holding Corp. 案例26 Eickmeyer v.Blitz Organization, Inc. 第二节不动产转让书 案例27 Chandlerv.Chandler 第三节不动产利益的保障 案例28 Smith V.Arrow Transp.Co., Inc. 第五章私人对土地使用的控制 第一节妨害 一、对私人的妨害 案例29 Massey v.Long 二、对公众的妨害 案例30 People of Redford Tp.v.McGregor 第二节用益物权 一、用益物权的设立 案例31 Schwartz v.Murphy 案例32 McCormick v.Schubrin 案例33 Algermissen v.Sutin 二、用益物权的范围 案例34 Hertz v.City of Concord 三、用益物权的转让 案例35 Champaign Nat.Bank v.Illinois Power CO. 四、用益物权的终止 案例36 Board of Educ., East Irondequoit Central School Dist.v.Doe 第六章国家对土地使用的管理 第一节规划 一、规划的权力 案例37 Dvorak V.City ofBloomington 二、规划的目的 案例38 City ofNichols Hills v.Richardson 三、规划法规的效力 案例39 Good Neighbors of South Davidson V.Town of Denton 案例40 BAC, Inc.V.Board of Sup ' rs of MiUcreek Tp 四、规划的灵活性 案例41 City of Sugar Creek v.Reese 第二节征收 一、为公共目的 案例42 Kelo v.City ofNew London, Conn. 二、构成征收的行为 案例43 Tahoe—Sierra Preservation Council, Inc.V.Tahoe Regional Planning Agency 三、补偿 案例44 First English Evangelical Lutheran Church of Glendale v—Los Angeles County, Cal.

章节摘录

版权页： The right of publicity is assignable during the life of the celebrity, for without this characteristic, full commercial exploitation of one's name and likeness is practically impossible. *Haelan Laboratories v. Topps Chewing Gum*, supra, 202 E2d at 868. That is, without assignability the right of publicity could hardly be called a "right". Recognizing its assignability, most commentators have urged that the right of publicity must also be inheritable. The courts that have considered the problem are not as unanimous. In *Price v. Hal Roach Studios, Inc.*, supra, 400 ESupp. 836, the court reasoned that since the right of publicity was assignable, it survived the deaths of Stanley Laurel and Oliver Hardy. Other decisions from the Southern District of New York recognize the descendibility of the right of publicity, which has also been recognized by the Second Circuit Court of Appeals (infra). In *Factors Etc., Inc. v. Pro Arts, Inc.*, 579 F.2d 215 (2d Cir. 1978), Elvis Presley had assigned his right of publicity to Boxcar Enterprises, which assigned that right to Factors after Presley's death. Defendant Pro Arts published a poster of Presley entitled "In Memory". In affirming the grant of injunction against Pro Arts, the Second Circuit Court of Appeals said: "The identification of this exclusive right belonging to Boxcar as a transferable property right compels the conclusion that the right survives Presley's death. The death of Presley, who was merely the beneficiary of an income interest in Boxcar's exclusive right, should not in itself extinguish Boxcar's property right. Instead, the income interest, continually produced from Boxcar's exclusive right of commercial exploitation, should inure to Presley's estate at death like any other intangible property right. To hold that the right did not survive Presley's death, would be to grant competitors of Factors, such as Pro Arts, a windfall in the form of profits from the use of Presley's name and likeness. At the same time, the exclusive right purchased by Factors and the financial benefits accruing to the celebrity's heirs would be rendered virtually worthless."

<<美国财产法-第2版-英文版>>

编辑推荐

《美国财产法(第2版)(英文版)》由对外经济贸易大学出版社出版。

版权说明

本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问:<http://www.tushu007.com>