The Law of Everyday Design
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(This is a book proposal and we are seeking feedback on it from our IPSC community.)

Design is ascendant. It is an exploding social and economic phenomenon at the center of businesses, political debates, and technological development. Not only is the design of objects and spaces a central preoccupation of our commercial and media culture, but designers themselves are taking center stage with leading roles in diverse and far-ranging companies. Designers were once important but narrowly-focused practitioners creating graphic and product designs as part of a larger industrial teams. Today, design is a pervasive way of conceiving and developing business opportunities and value of all kinds: user-interfaces, health and human services, education, industry overhauls, signage and buildings, medical and technological devices, transportation and urbanscapes. Design has evolved from a discrete set of disciplinary practices to a way of approaching how to improve the world.

This book is not about design per se. It is about design as an object of legal regulation, which presents trenchant puzzles within the law that have been exacerbated by design's phenomenological explosion as a professional practice. The puzzles have become more difficult, arise more frequently, and in more contexts. This book is a systematic study of designers and the design process based on years of interviews from the perspective of the design/law interface with the goal of informing the legal and policy debates concerning design and its place in contemporary society. It aims to update through its empirical study the understanding of design practice and designers for the purpose of informing an outdated legal system that misunderstands design output and practice and thus fails to serve it.

The book is animated by the voices of designers and the work they have accomplished. We spent over three years visiting studios and offices speaking with designers about their everyday work and professional identities and aspirations. We have since collated and analyzed the data and will conduct follow-up interviews. The book has six planned chapters expounding on themes from the interviews as they intersect with U.S. design patent law. The book's audience includes designers, lawyers, judges and anyone interested in ethnographic studies of creative and innovative professional practices that relate to doctrinal legal frameworks.

Our IPSC presentation will sketch the scope and methodological approach of the book and then describe the six chapters, seeking feedback on the book's structure and its content given its intended audience.