

# Review of e-business and intellectual article

Law



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Review of E-business and intellectual article Article Synopsis The article summarizes how companies violate the patent, copyright and trademark rights in the society. The three aspects are business issues that determine the legitimate operation of companies and their products in the market. In this case, Cisco systems and Hewlett Packard Inc. were indicted of placing a patent of routers and wireless networks in the market. Such activities would cause a ban for US imports of all the products that the two companies were producing. On the other hand, customers and business rivals around Europe accused Google Inc. of being part of an antitrust investigation carried out by European Union regulators. Google was indicted of being discriminative against other companies in producing search results in relation to their trademarks. At the same time, BET stands in the articles as the main violator of copyright rules. That is why it was sued by TV ONE over the essence music festival broadcast that was staged in 2010.

#### Legal issue

In this case, copyright rights protect the original intellectual works of the manufacturer in the market. At the same time, trademark is essential in the market since it indicates the source of the products and gives a distinction of one product from the other. Also, a patent is the property right issued by the patent and trademark office to the inventor of the ideology.

#### Managerial Perspective:

##### How the Legal Issues Affect Business

Violations of patent rights are evident in operations carried out by Cisco system Inc. and Hewlett Packard Company. That is why ChriMar systems Inc. filed a complaint at the US International Trade Commission against their operations. Cisco Systems Inc. and Hewlett Packard Company violate the <https://assignbuster.com/review-of-e-business-and-intellectual-article/>

intellectual property through creating a patent for a system to connect with their electronic equipment. In this case, Cisco makes networking equipment while Hewlett Packard makes computer network switches to counter telephones, wireless access points and routers. These products limit the industry standard of transmitting electrical power over the Ethernet cables since Cisco and HP make their products out of US territories. ChriMar systems manufacture Ethernet related products and specify their licenses technology by placing the exact location where products are made. That is why companies are accused of not specifying the exact location where their products are manufactured, and yet they benefited from the US markets. At the same time, violation of trademark rights is evident through Google Inc. The company faces nine complaints from customers and competitors through an antitrust probe by European Union regulators. The commission states that Google is discriminating against other services in its search results. It has also limited some websites from accepting advertisements. Rival companies have also gone an extra mile and filed a case against Google through the Brussels-based antitrust authority.

Copyright violation is not exceptional in the complaints filed in the market economy. In this case, BET faces accusations from TV ONE on their essence music festival broadcast that aired in 2010. BET is accused of airing a program from the essence music festival of African American music and culture without authorization. The violation of copyright terms confused the public that there was an affiliation between BET and the festival.

Realistic solutions

Patent rights violation in the market can be avoided through applying for property rights as the legitimate inventor of the company. The government <https://assignbuster.com/review-of-e-business-and-intellectual-article/>

should give the inventor the right to exclusive protection and sale of their invention over a fixed period. The defendant may raise the question of the validity of the patent so that the court of law makes the final decision. Given that an infringement is determined by the language of the claim in the patent, the defendant may succeed in the court case. In most cases, ChriMar systems Inc. should apply for a patent from the US patent and trademark offices in order to secure their products over a period of 20 years. The statute of the patent rights grants an opportunity to a company that exists within the US territories to exclude other companies from manufacturing or importing the invention into the country (Bouchoux, 2008, p. 406).

On the other hand, copyright issues can be resolved by applying the legal and exclusive rights to copy or reproduce intellectual property. The legitimate owner of a copyright has the freedom to prevent any other party from duplicating, distributing or displaying their work over a specified time. Therefore, BET would use the copyright rights and freedom in justifying their operations in New Orleans.

Trademark rights can also be avoided by being careful in picking a business product name. A company must ensure that they hire a professional trademark search firm in searching for federal and common law trademarks. The trademarks must be similar to the name that the company wants to use in its operations. This strategy will ensure that the name given for a product, brand or service does not contradict with other names in the search results. Therefore, customers and competitors in the market should consult their respective professional trademark companies in order to match the results given by Google.

## Reference

Bouchoux, D. E. (2008). Intellectual property for paralegals: The law of trademarks, copyrights, patents, and trade secrets. New York: Cengage Learning.