

Intellectual property law

Law



In the shop where I spotted this original HTC phone, it was selling at \$120. However, according to what one of the shop attendants told me, the price was slightly negotiable. I guess it could sell as low as \$110.

The price of this product according to the shop, in which I spotted it, was \$52. Comparing with the previous similar phone (real) that I had seen earlier, I got interested in why it was selling so cheap. At a glance, I could not notice any difference. However, after a close look at the phone, I noticed some differences from the original phone.

Manufacturer

The original HTC phones are manufactured by a company called HTC Corporation, with its headquarters in Xindian, New Taipei City, Taiwan. The company was formerly known as High-Tech Computer Corporation.

The manufacturers of the fake HTC phone is not well identified, as in some area; the phones are seen as clones. However, rumors have it that the manufacturer of fake phones is a Chinese company.

How the product violated the intellectual property laws

State laws protect intellectual properties. Any attempt to use intellectual property without authorization is considered infringement (Hg. org, 2015).

The manufacturers of the fake have mobile phones violate the intellectual laws in a number of ways. First and foremost, their product resembles the HTC corporation's product by general look as well as the product name. The HTC label used on the phone is a trademark of HTC Corporation. Any other firm that sells products with a similar label violates the federal law No. 8 of 2002, as provided by the trade regulations in UAE. If the firm runs its businesses in the United States, it would be a violation of the intellectual law, as provided in section 396(3A) of Act 1988 (Groves, 1997).

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The production of a product similar to those patented by another company is an offense. It violates the intellectual laws related to copyright, patent, design rights, just to mention a few. The manufacturer of the fake HTC mobile, in this case, violated the intellectual laws by manufacturing phones similar to the ones that existed (from HTC Corporation).

Protecting the original owners' interests

There are a number of measures which can be taken by the original owners, to protect the copying of their products. One of the steps that the manufacturer should consider is the production of products that bear a patent number. This would limit the production of fake products.

The original manufacturer can also sue the manufacturer of the fake products, under the provisions of the federal laws. If the process is successful, the owner may injunction, hence stopping the manufacturer of the fake products.

Finally, it is a wise decision for the original manufacturer to seek advice from an attorney, on the course of actions against the manufacturer of the counterfeits. It is usually an expensive process to pursue a case relating to intellectual property, and hence if not handled with care, may render the firm bankrupt.