

# Busniss law



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Business law Law defines a set of rules that regulate behavior among parties within a jurisdiction. It stipulates legally acceptable and unacceptable behavior and offers avenues for legal redress against breach of parties' legal right or freedom. Business law is a branch of law that regulates interactions within business environments. This paper explores cases in business law to identify possible legal liabilities their essential elements.

Stamford Engineering Inc and Cornell Code Corporations' case

In the case, Stanford made an advertisement alleging that Cornell, a competing firm, does not test its products but instead let its consumers test the company's software through using it. This accusation is not true and causes Cornell to lose its customers to Stanford.

The issue to be determined is whether Stanford's allegation constituted sufficient ground for a suit on defamation.

The legal definition of defamation involves false accusation against a person, which has a potential of adversely affecting the victim's reputation or competitive advantage in trade. In order to establish a case on defamation's basis, the plaintiff must prove a number of essential elements. First, the plaintiff must have been subjected to a "defamatory statement" (Beatty and Samuelson, p. 78). The statement must have been false and the defendant must have communicated the statement leading to injury on the plaintiff.

Defamation can be either slander or libel (Beatty and Samuelson, p. 78).

In the case, Stanford made an advertisement whose claim was defamatory.

The claim was false and caused Cornell its customers who went to Stanford's business, thereby causing financial losses, in revenues and profits, to Cornell. This forms a legal ground for defamation as was held in the case of Bose Corporation v Consumers Union of the United States (Jernings, p. 289).

Cornell could therefore sue on grounds of defamation that could be either libel or slander, depending on Sanford's mode of advertisement. If Stanford used a permanent medium such as an audio recording or a print media, then Cornell could sue for injuries on grounds of libel. An unrecorded oral advertisement could however lead to suit on ground of slander.

#### Flow's case

The case involves Dan, a driver to EZ Delivery Company, who leaves his car in a neutral mode and does not set brakes. The car then rolls while Dan makes delivery and crashes into a petrol station, causing flames of fire. The fire spreads to a close building that collapses, causing injury to Flow.

The facts of the case identify negligence that defines a breach of a duty of care by a party to another, leading to injury. This is because a driver owes elements, in his environment, a duty of care and Dan's failure to set the brakes identifies breach of his duty of care to people in his environment.

In order recover damage from Dan, Flow must therefore prove that Dan was the vehicle's driver as this identifies the duty of care. She must also show that Dan breached this duty by failing to set the brakes and that Dan's negligence was the cause of her injury. Flo must further establish that the incident was foreseeable and that she suffered injuries from the incident.

Prove of these factors, essential elements of negligence, institutes liability towards damages as was held in the case of *RA v Superior Court (Beatty and Samuelson, p. 93- 93, 93)*.

#### Works cited

Beatty, Jeffrey, and Samuelson, Susan. *Introduction to business law*. Mason, OH: Cengage Learning, 2012. Print.

Jennings, Marianne. Business: Its legal, ethical, and global environment.

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