

Free research paper on a research memorandum of apple company

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The company under the discussion of my legal research problem is Apple. In this study, this paper analyzes the Apple Company from its background information, legal analysis, ethical analysis, market analysis, alternative solutions and implementation of the proposed solutions.

In the background information, Apple Company is defined in terms of where it is location and operationalization structure (Marcia). The services that it engages in are also outlined in the background information. The legal issue under discussion is also introduced.

In legal analysis, the matter under crisis is brought out clearly. Facts are illustrated, and the contention between apple and Samsung Company is identified. Arguments by the parties are also bookmarked. In this section, it further follows that, specific laws and legal principles under reliance are to be discussed.

The section that deals with the ethical issues tries to link the relationship between laws, morality and the issue at hand. The section is in respect to the fact that, however, much a decision is regarded by the courts, societal values must be followed. Laws do not exist in a vacuum.

Market analysis is the section that will deal will market circumstances that dictate the operationalization of Apple Company. The impact of the legal issue to the global market is also under discussion.

Alternative resolutions section outlines the possible solutions that can be put into place. The effectiveness of the solutions is highlighted.

On implementations of the solutions, factors that must be considered for effective implementation are discussed. It is in the regard that, yes solutions can be there to solve a problem. However, the most important thing that

should be enhanced is the implementation of the program or solution to the same effect

Lastly, documents and information that has assisted in my research are outlined under the references and citations column.

My chosen company of study is Apple. In the context of its operationalization structure, it acquires a matrix form. In this regard, the matrix structure dictates its hierarchical nature. At the topmost position, we have a chief executive officer . The person with this position is the one responsible for all actions that the company gets Involved. Under the emblems of the chief executive officer, we have ten other posts for people responsible for running different disciplines and areas that the company is under association. In this regard, these ten chiefs are referred to as presidents. The president responsible for hardware engineering is responsible for the functions of the company that involves the hardware physical part of machines that the company manufactures (Paul). This can be in the form of tablets, laptops and many other gadgets that come along the package of apple. Similarly, the IOS manager is the person responsible for coordination of issues that entail the Internal running of the machines. In this case, the los managers determine the operating system that is relevant for a particular machine.

The Worldwide product manager is the president in charge of marketing products made by the company. His roles include advertising products. Contracts that correlate with running and profit making of the company's products fall under his line of service for the company. The president of industrial designs is responsible for verification and ensuring that designed

are well followed. It is in the interests of making profits by the company. It would be unnecessary to come up with repeated designs. For the reasons of competition and making maximum profits in the industry, challenges that face the Company can effectively be curbed under these lines. Similarly, just as it is the case for other disciplines, the general retail and counsel team of intellectuals offers advice on smooth operations of the company . Without their presence, the company would probably be under liquidation as a result of the effects and further challenges that are probably to be ensured. The chief industries of this company include those specialized in the manufacture of phones, tablets and other related machines. In the location and the spread of the apple company, it is located in almost all countries since it has outlets and centers in countries that aid in promoting its businesses.

In the Apple's case, legal issues that underlie its parameters is patent law. It is under the establishments of intellectual property rights. The issue of patent and patent protection marks the warring events that have been under the sight thorny effects that affect the operationalization of Apple Company. In this regard, Apple recently was in conflicts with Samsung over the legitimacy of an Ipad that was under contention (Ireland). In a dispute, Apple stated that, Samsung was in breach of their International law entitlement and provisions on the aspects of patent law. Similarly, the apple company was of the idea that, the idea that was under application by the Samsung Company was their original, novel and unique style of manufacturing tables. Samsung had, therefore, violated its rights by without authority, deciding to use the technology that was the novel of Apple (Lashinsky).

The federal laws did not take center stage in this issue because it was an

international crisis hence dwelt under the laws that administer and guide international commercial activities.

Key factors that will affect the application of the law that is being sought by the Apple to be granted patent entitlement and be given include the effects that the grant and the application of the patent law will because to other companies (Paul). Questions that will be under the discussion by most stakeholders and companies will be, it is plausible to state that the company has all the inherent and invested rights to use the grant as a limitation to competition that is always encouraged in the International market? If it happens that the answer is to the affirmative, the likely occurrence is that, more suits will be logged in courts . Sale of Goods Act has the rules that relate to and guide the applicability of such laws (Lashinsky). There exists an ethics compliance program on this issue in that; people and relevant stakeholders that advocate for the provision of patents and the opposing side per took the issue on the scale of ethics.

In the end, if the decision reached favors the pleas by Apple Company, the global market will be affected since competition will be hampered. More suits will generate, as result pursuits to reverse of the decision. On a deeper scale, business will be overlooked, and the endeared efforts and regard placed upon it will be a forgotten feature. It is as a result of the center staging of suits and litigation. On the other hand, light will have been shown in the event that the patent under contention was protected. Innovation, creativity and competency, will be enhanced in most companies. The end point to this will be the diversifying the business environment that is the epicenter of the global world. Rights granted create a leeway toward the protection of further

rights.

As it regards ethics and the law, my issue under contemplation and discussion does not bring in exclusive matters on the conflicting interests between law and morality. It is because; the issue of patents narrowly resonates with moral and ethical provisions that pertain society (Marcia). However, the narrow scheme that it assumes still allows morality instances to result. It is not morally right to deny person's legitimacy to a thing just because he comes in second in the innovation of an idea. It is in the light of this that, sociologists argue that economic benefits have always disrupted structure and solid fabric of the community. On the aspect of media campaign to address in addressing this issue, it has been all over news and debates have in many nations. The main reason to why it appeared so was because the decision following the fallout of the two multibillion companies meant that the global market would suffer a detriment. It would have led to the amassing of a bundle of rights to one company that would usher in monopoly and unrealistic competition.

On the other side of the scrutinizing table, the effects of the issue under contemplation are not new to any person on the front of getting information with regards to what is going round them. What it further means is that, apple made a name for it. It had resulted from the fact that the outcome of the litigation was reflective of the world's perception. On the other hand, some companies and nations felt like Apple Company was under the umbrella of shielding itself away from the concurrent competition with its equally good companies. Its image to the global and regional acquired a new look out of the prevailing circumstances. It was inevitable for a company to

suffer a loss as most of its customers reduced in number.

In summary, publicity and the light shown by Apple Company took a different trajectory as companies that were in close competition with it such as, Samsung, Nokia and Motorola got opportunities to show to the world what they could offer. Customers who had been mesmerized over the illusion that only apple could serve their needs ended up finding more efficient, user friendly and cost effective deals with the other companies. The impacting feature of the Apple tablet patent law blossomed business operations of other companies (Ireland). Even though, apple is still in the top of the list after this incidence and the death of its pioneer Steve Jobs

In my own opinion, this legal issue could have been solved in three other different ways. Samsung Company should have negotiated outside court parameters but under its limited guidance on the negotiation process.

Instead letting bad light coming to the public, the companies should have discussed and come to a conclusive ground on what they would do to the issue that was at the verge of tainting their names in the global market.

Under this platform, the company that felt offended in her rights could be compensated. A memorandum of understanding in the form of a contract should have been logged. It must have detailed solutions to any other problem would sooner or later ensure in the course of business.

Another solution that would have been applied was the recognition that apple was entitled to the innovation. It did not mean, however, mean that people and other companies could not invest and make inventions to the same effect. It should have provided for opportunities to other companies to utilize their innovation. Its desired purpose would further diversify the global

business market.

On the other hand, the issue under contemplation would have been resolve in a win-win situation. It did not mean that, it was the ultimate rights of the Apple Company in the litigation. Samsung was equally to benefit if the legal issue was resolved in a clear and fair way. Improvements that had been made to the gadget that was under contemplation due to its hit in the global market. In this regard, the solution would have placed into consideration and appreciation of the fact that innovating something does not mean that it is to be alienated from scrutiny and application by others (Ireland).

Implementing the above solutions to the issue under discussion needs a lot of precision and due regard. In order to come to the full resultant expectations from negotiations between the companies, the primary concern should on the managerial section (Gitman). Managers of the company need to be convinced on the merits of this decision that is not as expensive as the process involving the legal process. Steps that will be of importance in the implementation of these solutions will be based on, consultation, holding talks between the companies, identifying a platform that would lead to agreeable grounds by all affected parties. Advice to the companies should also be placed under high regards. However, my envisioned goal is likely to face resistance from the top managers and leaders of respective countries. Instances of uncooperative parties are also to be expected. It can be solved by engaging other companies to come at the center of the matters under contemplation so as to bridge the lacuna created.

My solution to this problem is to take action in the immediate effect. Within a period of six months, the issue will be over, and upheavals in the global

market will be no more. Success will be measured on the scale of, how quick the solution has tried to curb the problem, how impactful the solution has been and the relevance of the solution to the global market.

Works Cited

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