# Week5 Summary

# Legal System

In most cases, it turns out to be very hard to trace responsibility in a large legal system. There is no particularly way about how to judge things in industry, the system is not mature. Compare to some traditional professions it's a much more difficult. In fact, not all countries have set up a fully developed legal system, in some countries in Europe or Asia, the president has not much power as others.

# The difference of principles, standards and rule

Standards provide an intermediate level of constraint. Standards guide decisions but provide a greater range of choice or discretion; for example, a standard may provide a framework for balancing several factors.

Principles are even less constraining. Principles provide mandatory considerations for judges. Whereas, standards identify an exhaustive set of considerations for adjudication or policy making, a principle identifies a non-exhaustive set, leaving open the possibility that other considerations may be relevant to the decision.

Rules are the most constraining and rigid. Once a rule has been interpreted and the facts have been found, then the application of the rule to the facts decides the issue to which it is relevant.

In the US, the standard of law is under challenge. What sorts of pressure has been put on the tradition of law is what shapes the law. The formal of regulation is important—giga economy, worker need more rights than employees. The decision of a relevant court is binding. Statutes are interpreted by known principles. Interests and arguments are taken into account and balanced, also, restraint on arbitrary power need to be adjusted.

# Natural justice

People have rights to know the case against you, make your case, be heard before decision, test and bring evidence. They need to be the decider of impartial, no bias, not corrupt. And decision only on evidence and the law. In some cases, the two party in one countries is not so balanced, one is much stronger than another.

There are a lot of codes in AU, all over the code are important to follow, but sometimes it could be very difficult to figure out which code the person has broken. And sometimes, there is even no correct answer. The lawyers are going to argue like forever to prove someone guilty or not. What’s more, black is considered as white, and it always shows up that black is white.

# Professional liability, data protection and privacy

Data integrity is the overall accuracy, completeness, and consistency of data. Data integrity also refers to the safety of data in regards to regulatory compliance — such as GDPR compliance — and security. It is maintained by a collection of processes, rules, and standards implemented during the design phase. When the integrity of data is secure, the information stored in a database will remain complete, accurate, and reliable no matter how long it’s stored or how often it’s accessed. Data integrity also ensures that your data is safe from any outside forces. Professional liability is a form of liability insurance which helps protect professional advice- and service-providing individuals and companies from bearing the full cost of defending against a negligence claim made by a client, and damages awarded in such a civil lawsuit. In that way, company needs to be reliable to perform customers with trusts other than taking user’s data without asking for permission in commercial use. And privacy requires IT security, data integrity, and in most scenarios , it provides limited rights of data subjects and restricts what technology can do

# Week7 Summary

# Intellectual property

Intellectual property rights are legal rights that provide creators protection for original works, inventions, or the appearance of products, artistic works, scientific developments, and so on.

There are four types of intellectual property rights (IP): patents, trademarks, copyrights, and trade secrets.

Copyright does not protect ideas. Rather, it only covers “tangible” forms of creations and original work–for example, art, music, architectural drawings, or even software codes. The copyright owner has the exclusive right to sell, publish, and/or reproduce any literary, musical, dramatic, artistic, or architectural work created by the author.

Trade secrets are the secrets of a business. They are proprietary systems, formulas, strategies, or other information that is confidential and is not meant for unauthorized commercial use by others. This is a critical form of protection that can help businesses to gain a competitive advantage.

Trademarks are another familiar type of intellectual property rights protection. A trademark is a distinctive sign which allows consumers to easily identify the particular goods or services that a company provides. Some examples include McDonald’s golden arch, the Facebook logo, and so on. A trademark can come in the form of text, a phrase, symbol, sound, smell, and/or color scheme. Unlike patents, a trademark can protect a set or class of products or services, instead of just one product or process.

# Patents & Design

A patent is used to prevent an invention from being created, sold, or used by another party without permission. Patents are the most common type of intellectual property rights that come to people’s minds when they think of intellectual property rights protection. A Patent Owner has every right to commercialize his/her/its patent, including buying and selling the patent or granting a license to the invention to any third party under mutually agreed terms.

There are three different categories that patents can fall under:

Utility: A utility patent protects the creation of a new or improved product, process, composition of matter, or machine that is useful.

Design: A design patent protects the ornamental design on a useful item.

Plant: A plant patent protects new kinds of plants produced by cuttings or other nonsexual means.

# Why patent?

A legal contract between the patentee and the government provides right to exclude others from exploiting your invention for a fixed period in return for a full disclosure of the invention. A patent is important because it can help safeguard your invention. It can protect any product, design or process that meets certain specifications according to its originality, practicality, suitability, and utility. You cannot patent human beings or the biological process for their generation or artistic creation or mathematical models or other purely mental processes. But not all ideas are patented-worthy, so considerations need to be taken before placing it to action.