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CFTIPQ - JAXON MOLLY

Intermediate Examination Paper from the year 2010 in the subject Law - Comparative Legal Systems, Comparative Law, grade: befriedigend, Queen Mary University of London (Centre for Commercial Law Studies (CCLS)), course: International Studies in Intellectual Property Law (LL.M.) - End of first term dissertation, language: English, abstract: Rapidly developing technologies are providing new and very powerful means to sort, combine and analyse data. This data exists in a networked environment, thus personal information can be collected and processed on any computer on the Net and is, at least in theory, accessible by every computer on the Net. The development of the Internet has made it possible to transfer this data "around the globe at the click of a mouse". Fresh business models such as "cloud computing", the newest "driver to illustrate the speed and breadth of the environment", allow this data to be processed across national borders on a routine basis. Individuals and companies are "increasingly immersed in social networking, search technologies, on-line commerce and many other activities in which information about an individual is sent worldwide from one point to another". These activities became more and more borderless, because the Internet, as an open window to the world, blurs the lines between public and private space, firstly since globalisation and the outsourcing of economic actors entrain an ever growing exchange of personal data, additionally because of the security pressure in the name of the legitimate fight against terrorism opens the access to a significant number of data to an increasing number of public authorities and finally this is due the tools of the digital society accompany everyone at each stage of life by leaving permanently individual and borderless traces in both space and time. Therefore, calls of both the public and private sectors for an inter-

national legal framework for privacy and data protection have become louder. Privacy Com

The sharing economy is just one of several possible expressions to designate the complex model of social and economic relationships based on the intensive use of digital technology. Constant permutations and combinations allow these relationships to be established through the intervention of a third party making traditional contractual positions flexible in such a way that today's employee is tomorrow's entrepreneur, or today's consumer is tomorrow's supplier of goods and services. The current legal framework is, in many respects, unable to accommodate such big changes and new legal regulations are required where adaptation of the existing ones proves to be inadequate. This book highlights where changes are needed and where adaptations are required, with a particular focus on the Portuguese, Spanish, Italian, British and Brazilian contexts. For that, four different approaches are undertaken, namely the meta-legal, macro-legal, micro-legal and transnational approaches. The study that results from these different approaches enables readers to acquire a general view on the current legal problems arising from the sharing economy, and was a direct result of a research project of the Centre for Legal and Economic Research, at the University of Porto, funded by Fundação para a Ciência e Tecnologia.

Emerging technologies present a challenging but fascinating set of ethical, legal and regulatory issues. The articles selected for this volume provide a broad overview of the most influential historical and current thinking in this area and show that existing frameworks are often inadequate to address new technologies - such as biotechnology, nanotechnology, synthetic biology and robotics - and innovative new models are needed. This collection brings together

invaluable, innovative and often complementary approaches for overcoming the unique challenges of emerging technology ethics and governance.

The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts.

This research, entitled The Evolution of a Regulatory Framework for E-commerce: Metamorphosis of Traditional Contract Principles, is set against the background of the general question whether there is the need for a whole new legal structure for contract formation in the on line environment, or if the existing traditional laws of contract are sufficient by adapting the current provisions to cyber space. In the first chapter, the research examines the context of e-contract, laying a foundation for the analysis of the legal framework through which electronic business transactions are conducted. The research covers matters such as the rudimentary use of the prefix e as an attempt to translate commerce from its traditional form to its cyber-based equivalent. This chapter also explores a description of the technological infrastructure for various avenues of e-commerce. Chapter Two provides a functional definition of the law of e-commerce. From the proposal that the virtual world is completely devoid of law to the view that

it is too strictly regulated, this chapter examines whether or not there can be a legal mechanism for governing businesses online - as distinct from the general law of contract - what that mechanism might be, and the efficacy of any such law. In Chapter Three a model of a virtual contract formed by the use of electronic media is examined. This model of contract formation is aided by importing the rules of traditional contract into the virtual shop. The contract rules are tested for relevance and applicability in the online environment. Chapter Four deals with a crucial feature of many online contracts: 'standard forms'. It answers the question whether there is anything significantly different from the day-to-day standard form paper contracts when these contracts are formed and/or executed online. In Chapter Five the concept of a separate legal personality for automated agents is discussed. There is an analogous review of the creation of personality from other non-human v legal persons. Signature and other authenticating means as key to contract formation, though not necessarily ingredients for determining validity, are discussed. In Chapter Six the research explores the relevance and increased use of authentication features like pin numbers, biometrics and e-signatures, particularly the legal aspects of electronic signatures (statutory requirements, practical problems with their use, and case law response to the use of electronic signatures). Finally the work turns to the core issues surrounding complex e-commerce transactions: choosing a forum for the adjudication of disputes. The work, while dealing with keys aspects of contract, moves from the traditional contract form to contracts in the virtual environment, and questions the applicability of the existing law, then proposes an approach specific to the uniqueness of the online market.

The material and discussions in this law school casebook assume familiarity with the first year legal courses, but not beyond. Subjects covered include online contracts, digital signatures, privacy, liability of Internet service providers and other intermediaries, electronic payment systems, and taxation issues. Because understanding the legal issues frequently depends on understanding the technology underlying Internet communications, glossaries for help with technical terms are provided. Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical guide to information technology law - the law affecting information and communication technology (ICT) - in the United States of America - covers every aspect of the subject, including the regula-

tion of digital markets, intellectual property rights in the digital context, relevant competition rules, drafting and negotiating ICT-related contracts, electronic transactions, and cybercrime. Lawyers who handle transnational matters will appreciate the detailed explanation of specific characteristics of practice and procedure. Following a general introduction, the monograph assembles its information and guidance in six main areas of practice: (1) the regulatory framework of digital markets, including legal aspects of standardization, international private law applied to the online context, telecommunications law, regulation of audio-visual services and online commercial platforms; (2) online public services including e-government, e-health and online voting; (3) contract law with regard to software, hardware, networks and related services, with special attention to case law in this area, rules with regard to electronic evidence, regulation of electronic signatures, online financial services and electronic commerce; (4) software protection, legal protection of databases or chips, and other intellectual property matters; (5) the legal framework regarding cybersecurity and (6) the application of criminal procedure and substantive criminal law in the area of cybercrime. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this monograph a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in the United States of America will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative law in this relatively new and challenging field.

This study presents an overview of the current state of play in the area of e-commerce. It discusses the existing legislative framework of the Digital Single Market as well as the technology-driven changes of market and economy that have taken place over the last twenty years. The analysis identifies areas prone to producing a positive reaction to legislative intervention. This document was provided by the Policy Department for Economic, Scientific and Quality of Life Policies at the request of the committee on the Internal Market and Consumer Protection (IMCO).

This collection of essays by well known specialists in e-commerce and Internet law, drawn from both academe and practice, analyses recent crucial legislation which has created, for the first time, a legal regime governing European electronic commerce. The central focus is on the European Electronic Commerce Directive and its implementation in the UK since August

2002. The E-Commerce Directive develops a distinctive European strategy for regulating and promoting on-line business and the information society. Areas of the Directive analysed include contracting on-line, Internet service provider liability, consumer privacy including spam and 'cookies', country of origin regulation, and on-line alternative dispute resolution (ODR). Further chapters move beyond the Directive to discuss other important new laws in this domain, including the Privacy and Electronic Communications Directive, the Distance Selling Directives, the Electronic Money Directive, the Lawful Business regulations on employee surveillance, the disability discrimination rules affecting websites and the extension of VAT to on-line transactions. Both the European framework and the rules as implemented in the UK are examined and critiqued for how well they meet the needs of business and consumers.

There is no doubt that E-commerce is increasing daily in length and breadth. Nigeria as a Nation is catching up with the trend. There are currently no specific laws on e-commerce in Nigeria, however there exists some scanty provisions of the law, but they have not address the salient issues surrounding it. There are also several Bills on the subject before the National Assembly awaiting assent. Developing a new legal framework is needed on the subject of E-commerce in Nigeria. This paper is an attempt to analyze the regime of e-commerce in Nigeria and making an analysis of these scanty laws that regulation of e-commerce could be inferred from in Nigeria. This paper will analyze on the Bills before the National Assembly on e-commerce and the need to develop and pass them to become a legal frame work for e-commerce in Nigeria. This paper will attempt to draw lessons from U.K and Singapore in the area of e-commerce making a proposition that Nigeria can gain much from them. In the final analysis, this paper will make viable recommendation and conclusion.

This unique text deals with the most important legal areas for e-commerce related business in most of the member states in Europe as well as the USA. Topics that are dealt with include: contract law, consumer protection, intellectual property law, unfair competition, antitrust law, liability of providers, money transactions, privacy and data protection.

Preventive detention as a counter-terrorism tool is fraught with conceptual and procedural problems and risks of misuse, excess and abuse. Many have debated the inadequacies of the current legal frameworks for detention, and the need for find-

ing the most appropriate legal model to govern detention of terror suspects that might serve as a global paradigm. This book offers a comprehensive and critical analysis of the detention of terror suspects under domestic criminal law, the law of armed conflict and international human rights law. The book looks comparatively at the law in a number of key jurisdictions including the USA, the UK, Israel, France, India, Australia and Canada and in turn compares this to preventive detention under the law of armed conflict and various human rights treaties. The book demonstrates that the procedures governing the use of preventive detention are deficient in each framework and that these deficiencies often have an adverse and serious impact on the human rights of detainees, thereby delegitimizing the use of preventive detention. Based on her investigation Diane Webber puts forward a new approach to preventive detention, setting out ten key minimum criteria drawn from international human rights principles and best practices from domestic laws. The minimum criteria are designed to cure the current flaws and deficiencies and provide a base line of guidance for the many countries that choose to use preventive detention, in a way that both respects human rights and maintains security.

How will law, regulation and ethics govern a future of fast-changing technologies? Bringing together cutting-edge authors from academia, legal practice and the technology industry, *Future Law* explores and leverages the power of human imagination in understanding, critiquing and improving the legal responses to technological change. It focuses on the practical difficulties of applying law, policy and ethical structures to emergent technologies both now and in the future. It covers crucial current issues such as big data ethics, ubiquitous surveillance and the Internet of Things, and disruptive technologies such as autonomous vehicles, DIY genetics and robot agents. By using examples from popular culture such as books, films, TV and Instagram - including 'Black Mirror', 'Disney Princesses', 'Star Wars', 'Doctor Who' and 'Rick and Morty' - it brings hypothetical examples to life. And it asks where law might go next and to regulate new-phase technology such as artificial intelligence, 'smart homes' and automated emotion recognition.

The Global Electronic Commerce Market Is Growing Extremely Fast Hence The Need Arises To Establish A Coherent Legal Framework For Development Of Electronic Commerce. This Book Provides An Elaborate Discussion Centering On The Major

Topics Like The Internet; An Introduction; On-Line Marketing; The Law Firm Intranet; Knowledge Management And Intranets; Electronic Commerce; Legal Electronic Commerce; On-Line Practicalities; Web Technology; Security And The Internet; E-Commerce: Proposed Legal Framework; Uncitral Model Law On Electronic Commerce; And Cyber Crime In India Etc. The Information Contained Herein Will Benefit One And All In The Field.

E-commerce and EU VAT: Theory and Practice Rosamund Barr, Jeroen Bijl, Nils Bleckman, Gijsbert Bulk, Ethan Ding & Matthias Luther The new EU rules governing online sales of goods and services affect all businesses that sell online to EU customers, no matter where the seller is based. This timely book, written by leading tax professionals from various EU countries, is the first to clearly explain the VAT compliance obligations and options that businesses and tax practitioners worldwide must understand in order to adapt to the new system. In addition to describing the legal framework, the authors provide examples of how the rules work in practice and illustrate available choices for businesses, with particular attention to avoiding pitfalls. Thoroughly describing the rules affecting place of supply, liability, and accounting procedures in all relevant contexts, the book covers such areas of VAT compliance as the following: • distinction between goods and services; • differences between imported goods and goods sold intra-EU; • filing and invoicing obligations under the new one-stop shop scheme; • reclaiming foreign VAT; • mitigating fears of fraud and hijacking; • distinction between business-to-customer and business-to-business transactions; and • navigating through appeals, mistakes, and adjustments. Also covered are the particular VAT variations applicable to transactions involving the major European non-EU states - Norway, Switzerland, and the United Kingdom. The important distinction between the concept of 'nexus' in the United States state and local tax rules and 'place of supply' under EU law is also fully explored. Because a very large number of remote sellers of goods and services will need to understand and comply with the changes in the EU VAT e-commerce rules, it goes without saying that this book is indispensable to in-house corporate counsel worldwide. Tax administration officials, professionals in indirect tax management, corporate tax and finance directors and other tax professionals, and academics concerned with indirect tax law are sure to welcome this essential resource.

There is a widely acknowledged evaluation gap in the field of e-participation practice

and research, a lack of systematic evaluation with regard to process organization, outcome and impacts. This book addresses the state of the art of e-participation research and the existing evaluation gap by reviewing various evaluation approaches and providing a multidisciplinary concept for evaluating the output, outcome and impact of citizen participation via the Internet as well as via traditional media. It offers new knowledge based on empirical results of its application (tailored to different forms and levels of e-participation) in an international comparative perspective. The book will advance the academic study and practical application of e-participation through fresh insights, largely drawing on theoretical arguments and empirical research results gained in the European collaborative project "e2democracy". It applies the same research instruments to a set of similar citizen participation processes in seven local communities in three countries (Austria, Germany and Spain). The generic evaluation framework has been tailored to a tested toolset, and the presentation and discussion of related evaluation results aims at clarifying to what extent these tools can be applied to other consultation and collaboration processes, making the book of interest to policymakers and scholars alike.

Recent experience confirms that participation of farmers in managing parts of an irrigation system and collecting water charges usually results in a more efficient use of water. To be effective, farmers in the hydraulic unit would need to organize themselves by establishing a "water users" association. This paper presents a comparative study of the legal framework for these associations in Colombia, India, Mexico, Nepal, the Philippines, and Turkey. Building on the theory that participation of farmers in managing and operating parts of an irrigation system will result in an optimum use of water, the document analyzes in a comparative manner how each of these countries addressed the basic aspects related to the establishment and functioning of such associations. Additional emphasis is placed on the collection of water charges.

Research universities are critical contributors to our national research enterprise. They are the principal source of a world-class labor force and fundamental discoveries that enhance our lives and the lives of others around the world. These institutions help to create an educated citizenry capable of making informed and crucial choices as participants in a democratic society. However many are concerned that the unintended cumulative effect of feder-

al regulations undercuts the productivity of the research enterprise and diminishes the return on the federal investment in research. *Optimizing the Nation's Investment in Academic Research* reviews the regulatory framework as it currently exists, considers specific regulations that have placed undue and often unanticipated burdens on the research enterprise, and reassesses the process by which these regulations are created, reviewed, and retired. This review is critical to strengthen the partnership between the federal government and research institutions, to maximize the creation of new knowledge and products, to provide for the effective training and education of the next generation of scholars and workers, and to optimize the return on the federal investment in research for the benefit of the American people.

This article explores the most recent EU proposals approved regarding definitive VAT system designed for digital economy. The authors present a comprehensive overview of the actual policy trends in the field of VAT and digital economy, in order to identify the main features of the system as conceived by the Commission to respond to the current challenges posed by technological innovation. To demonstrate missing elements of the system and further stimulate debate, the authors take the example of online hosting platforms and ebooks, and use these technological innovations to identify the weaknesses of the system. Finally, the authors propose some conceptual solutions, also in light of recent innovations.

This book discusses the implementation of privacy by design in Europe, a principle that has been codified within the European Data Protection Regulation (GDPR). While privacy by design inspires hope for future privacy-sensitive designs, it also introduces the need for a common understanding of the legal and technical concepts of privacy and data protection. By pursuing an interdisciplinary approach and comparing the problem definitions and objectives of both disciplines, this book bridges the gap between the legal and technical fields in order to enhance the regulatory and academic discourse. The research presented reveals the scope of legal principles and technical tools for privacy protection, and shows that the concept of privacy by design goes beyond the principle of the GDPR. The book presents an analysis of how current regulations delegate the implementation of technical privacy and data protection measures to developers and describes how policy design must evolve in order to implement privacy by design and default principles.

This book discusses how technological innovations have affected the resolution of disputes arising from electronic commerce in the European Union, UK and China. Online dispute resolution (ODR) is a form of alternative dispute resolution in which information technology is used to establish a process that is more effective and conducive to resolving the specific types of dispute for which it was created. This book focuses on out-of-court ODR and the resolution of disputes in the field of electronic commerce. It explores the potential of ODR in this specific e-commerce context and investigates whether the current use of ODR is in line with the principles of access to justice and procedural fairness. Moreover, it examines the major concerns surrounding the development of ODR, e.g. the extent to which electronic ADR agreements are recognized by national courts in cross-border e-commerce transactions, how procedural justice is ensured in ODR proceedings, and whether ODR outcomes can be effectively enforced. To this end, the book assesses the current and potential role of ODR in resolving e-commerce disputes, identifies the legal framework for and legal barriers to the development of ODR, and makes recommendations as to the direction in which practice and the current legal framework should evolve. In closing, the book draws on the latest legislation in the field of e-commerce law and dispute resolution in order to make recommendations for future ODR design, such as the EU Platform-to-Business Regulation on Promoting Fairness and Transparency for Business Users of Online Intermediation Services (2019) and the United Nations Convention on International Settlement Agreements Resulting from Mediation (2018), which provide the legal basis for ODR's future development.

There is a fundamental contradiction at the core of health policy in the EU that makes it difficult to draw a line between EU and Member State responsibilities. This raises a number of difficult questions for policy makers and practitioners as they struggle to interpret both 'hard' and 'soft' laws at EU and Member State level and to reconcile tensions between economic and social imperatives in health care. The book addresses these complex questions by combining analysis of the underlying issues with carefully chosen case studies that illustrate how broader principles are played out in practice. Each chapter addresses a topical area in which there is considerable debate and potential uncertainty. The book thus offers a comprehensive discussion of a number of current and emerging governance issues in EU health policy, including regulatory, legal, 'new

governance' and policy-making dynamics, and the application of the legal framework in these areas.

The adoption of the United Nations Guiding Principles on Business and Human Rights in 2011 marked a watershed moment, establishing the first global standards for preventing human rights abuses by business. In light of this paradigm shift, *The Business and Human Rights Landscape* offers the most comprehensive analysis to date of the current legal framework. It includes in-depth explorations of the UN Guiding Principles from both theoretical and practical standpoints, with case studies ranging from the Rana Plaza building collapse to Kenyan resource extraction. Bookending current analyses are historical accounts (discussing the colonial slave trade) and forward-looking perspectives (analyzing labor's role). Bringing together top scholars from across the globe, *The Business and Human Rights Landscape* represents essential reading for anyone interested in the past, present, or future of business and human rights.

Retail is 'going digital,' and grocery shopping is no exception. While some businesses are relying on their corporate website to make the sale, both traditional brick-and-mortar and new disruptive business models are increasingly using online marketplaces to offer their products online. European Union law has been gradually updated to reflect this new reality, with Intellectual Property Rights legislation and Consumer Law leading the way toward a suitable regulatory framework in the Platform Economy. However, the EU has not devised a comprehensive strategy for tackling the challenges posed by the online sale of physical consumer goods, such as effective public enforcement in online environments. In fact, sector-specific legislation, including Food Law, largely ignores online transactions. In this context, the book evaluates the impact that online marketplaces are having on European Union sector-specific legislation and its enforcement. The goal is to assess whether the existing regulatory and policy framework are sufficient for promoting compliance and bridging the enforcement gap in the digital single market. Focusing on the e-food market, the book presents a state-of-the-art overview of how online marketplaces are altering EU law and its enforcement by public authorities.

Can the rules of the European Union's E-Commerce Directive, which date back to the year 2000, continue to be valid with regard to the dissemination of content in view of the constantly evolving online environment and the changing role of plat-

forms as a result of new business models? The relevant legal foundations in this respect at EU and national level are complex, and their interplay is often unclear. The resulting uncertainty about who is responsible and therefore liable for certain content requires a critical review of the current legal framework. This study, conducted by the Institute of European Media Law (EMR) on behalf of the State Media Authority NRW, analyses the current legal framework and reveals ways of enforcing the applicable provisions concerning illegal content. It pays special attention to the need for reform of the E-Commerce Directive in light of the changing role of platforms.

The contributors to *Corporate Citizen* explore the legal frameworks and standards of conduct for multinational corporations. In a globalized world governed by domestic and international law, these corporations can be everywhere and nowhere at once, reaping financial benefits and enjoying the protections of investor-state arbitration but rarely being held accountable for the economic, environmental, and human rights harms they may have caused. Given the far-reaching power and success of the transnational corporation, and the many legal tools allowing these companies to avoid liability, how can governments protect their citizens? Broad-ranging in perspective, colourful and thought-provoking, the chapters in *Corporate Citizen* make the case that because the success of corporate global citizenship risks undermining national and international democratic governance, the multinational corporation must be more closely scrutinized and controlled – in the service of humanity and the protection of the natural environment.

In less than ten years touchscreen smartphones and their apps have created an unprecedented technological revolution. Yet they are rife with serious potential for breaches of privacy and security, and a lack of uniform rules makes navigation of the legal landscape extremely difficult. Addressing this unstable regulatory environment, this concise, practical guide for the first time provides a measure of legal certainty. It examines case law and legislation in Europe and the United States to highlight the rights and obligations of all actors involved in the marketing of mobile apps, bring to light essential principles and recommend some viable solutions. Nine experts, all versed in the latest developments in international and national laws and regulations affecting digital mobile technology, examine such key topics as the following: contract law as applied to the sale and use of smartphone apps; intellectual property rights in mobile apps; protection of users; data protection; European

Union (EU) medical device legislation and its safety implications for app users; fitness or wellness apps; apps' collection of personal data; apps as hostile code and malware delivery mechanisms; competition law issues; taxation of mobile apps; liability issues for app developers and distributors; and implications of the EU's new regulatory framework on online platforms. Because it is difficult for a basic user to understand how vulnerable everyday apps can be, and because every new information technology platform delivers new risks along with its benefits, legal practitioners working in a wide variety of fields will be increasingly called upon to engage with both personal and enterprise security and privacy breach cases arising from the use of mobile apps. This deeply informed practical analysis goes a long way toward ensuring appropriate handling of legal issues which arise in the mobile app context. Every practitioner, government official and software developer will welcome this much-needed volume.

Legal Programming: Designing Legally Compliant RFID and Software Agent Architectures for Retail Processes and Beyond provides a process-oriented discussion of the legal concerns presented by agent-based technologies, processes and programming. It offers a general outline of the potential legal difficulties that could arise in relation to them, focusing on the programming of negotiation and contracting processes in a privacy, consumer and commercial context. The authors will elucidate how it is possible to create form of legal framework and design methodology for transaction agents, applicable in any environment and not just in a specific proprietary framework, that provides the right level of compliance and trust. Key elements considered include the design and programming of legally compliant methods, the determination of rights in respect of objects and variables, and ontologies and programming frameworks for agent interactions. Examples are used to illustrate the points made and provide a practical perspective.

The EU strategy 2020 includes ambitious plans for e-regulation that could improve Europe's competitiveness. However, the European states have very different legal frameworks in this field. This book introduces flagship initiatives and provides a detailed overview and analysis of the current standards and latest developments, offering practical insights and guidelines for practitioners and policy-makers alike. Further, as it discusses the main areas of e-regulation, it can serve as a useful platform for university education in light of the

growing need for new kinds of specialists, i.e. IT lawyers. The book concentrates on fields that are directly affected by e-regulation such as cyber-security, databases, computer programs, e-governance, IP and competition law and informatics.

The last ten years have seen the internet and e-commerce emerge as central features of our commercial, social and cultural life. Developments such as Web 2.0, the semantic web, e-government strategies, user generated content, virtual worlds and online social networks have re-shaped the way we communicate, interact and transact. The focus of this book is the regulatory framework of the internet and e-commerce. It considers how the law has developed in the context of rapid technological change and analyses how it is being applied to define rights and obligations in relation to the online infrastructure, content and practices. It offers an extensive, detailed and current analysis of several key areas of internet and e-commerce law which have undergone significant change in recent years: copyright in digital content, patents for software and e-business methods, domain names and trade marks, electronic contracting, privacy, cyber-crime, taxation of internet businesses, liability of internet intermediaries and regulation of online content. This new text is essential for business and law students studying Internet and E-Commerce law as well as information technology students and practitioners.

This book critically evaluates the EU regulatory framework for the liability of host Internet Service Providers (ISPs) for copyright and trade mark infringements and provides a cluster of novel recommendations for its improvement. The book recommends the imposition of a duty of care to host ISPs to curb the dissemination of unauthorised works and counterfeit goods, the ascription of a transparency obligation to host ISPs towards their users, and the establishment of a supervisory authority for host ISPs. Host ISPs have facilitated the dissemination of content amongst users and the purchase of goods online, enabling copyright holders and brand owners to attract a greater audience for their works and goods. However, their services have attracted a high number of copyright and trade mark violations, too. Neither Article 14 of the e-Commerce Directive nor Article 17 of the Copyright in the Digital Single Market Directive provide a solid response to the issue of host ISPs' liability. This book is a valuable resource for researchers in IT and IP law and offers a new perspective for resolving online IP disputes.

Managing Medical Devices within a Regula-

tory Framework helps administrators, designers, manufacturers, clinical engineers, and biomedical support staff to navigate worldwide regulation, carefully consider the parameters for medical equipment patient safety, anticipate problems with equipment, and efficiently manage medical device acquisition budgets throughout the total product life cycle. This contributed book contains perspectives from industry professionals and academics providing a comprehensive look at health technology management (HTM) best practices for medical records management, interopera-

bility between and among devices outside of healthcare, and the dynamics of implementation of new devices. Various chapters advise on how to achieve patient confidentiality compliance for medical devices and their software, discuss legal issues surrounding device use in the hospital environment of care, the impact of device failures on patient safety, methods to advance skillsets for HTM professionals, and resources to assess digital technology. The authors bring forth relevant challenges and demonstrate how management can foster increased clinical and non-clinical collaboration to enhance patient out-

comes and the bottom line by translating the regulatory impact on operational requirements. Covers compliance with FDA and CE regulations, plus EU directives for service and maintenance of medical devices Provides operational and clinical practice recommendations in regard to regulatory changes for risk management Discusses best practices for equipment procurement and maintenance Provides guidance on dealing with the challenge of medical records management and compliance with patient confidentiality using information from medical devices