

FENNEMORE CRAIG

I - Law

INTELLECTUAL PROPERTY LAW ALERT

Fennemore Craig I-Law, a bi-weekly e-mail from Fennemore Craig's Intellectual Property Group provides an update on e-commerce, Internet, trademark, patent, licensing and copyright news.

Fennemore Craig counsels clients on Internet, branding and e-commerce issues and protection and commercial exploitation of patents, copyrights, trademarks, and trade secrets. Clients include a range of domestic and international businesses from Internet start-ups to large multi-nationals, in industries ranging from computer software and hardware to pharmaceuticals, toys, games, optics, and electronics.

If you think other people would benefit from this communiqué, please let them know that they can subscribe by sending an e-mail to Cheryl Martin-DeVries at cdevries@fclaw.com. Back issues of *Fennemore Craig I-Law* can be found at the Issues & Answers section of our web site at www.fennemorecraig.com.

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PATENTS

Should gene patents be allowed?

<http://www.law.com/servlet/ContentServer?pagename=OpenMarket/Xcelerate/View&c=LawArticle&cid=1039054501276&t=LawArticleIP>

ONLINE & E-COMMERCE ISSUES

- Here is another article on the recent 4th Circuit Internet jurisdiction decision.
[http://ipcenter.bna.com/PIC/ippic.nsf/\(Index\)/8F6F5875C3CA3B3A85256CA3005388BA?OpenDocument](http://ipcenter.bna.com/PIC/ippic.nsf/(Index)/8F6F5875C3CA3B3A85256CA3005388BA?OpenDocument)
- Canadian court refuses to enforce Merrill Lynch online disclaimers and user agreement.
<http://www.provincialcourt.bc.ca/judgments/pc/2002/05/p02%5F0535.htm>
- It's dead, Jim. Online privacy, that is.
<http://www.ecommercetimes.com/perl/story/20346.html>
<http://wired.com/news/privacy/0,1848,56954,00.html>
- Maybe e-mail is not so free after all. Spam costs US companies \$8.9 Billion (yes, billion!) annually, according to a new study. Ouch.
<http://www.nandotimes.com/technology/story/703052p-5192188c.html>
- Hollywood's effort to prosecute teenager fails. A Norwegian teenager was found not guilty of DVD hacking and illegally posting DVD de-encryption software online.
http://news.com.com/2100-1023-979414.html?tag=cd_mh
<http://www.nandotimes.com/technology/story/707794p-5216325c.html>
- The media is biased in favor of conservatives. At least, online political polls are. How do we know? They did a survey?
<http://www.washingtonpost.com/wp-dyn/articles/A16761-2003Jan6.html>
- January 1st was the Internet's 20th birthday. Rather, it is one of the Internet's many birthdays.
<http://www.wired.com/news/infrastructure/0,1377,57013,00.html>
- 60% of Americans regularly use the Internet.
http://news.com.com/2100-1023-978843.html?tag=cd_mh
- Fool me once.... Watch out for hoax virus alerts that tell you to delete important files from your computer.
http://news.com.com/2100-1001-979045.html?tag=fd_top

COPYRIGHTS

- Copyrights were the big story in 2002.
<http://www.washingtonpost.com/wp-dyn/articles/A46079-2002Dec27.html>
- C'est la vie. European copyrights on 1950s records are beginning to expire.
http://www.nytimes.com/2003/01/02/international/02CND_COPY.html
- Tiger costume gets copyright protection, but sales of similar costume can continue anyway.

[http://ipcenter.bna.com/PIC/ippic.nsf/\(Index\)/056FCE211148201985256CA700525138?OpenDocument](http://ipcenter.bna.com/PIC/ippic.nsf/(Index)/056FCE211148201985256CA700525138?OpenDocument)

- Toner cartridge replacement company sued for circumventing technology of copier makers allegedly in violation of the Digital Millennium Copyright Act.
http://news.com.com/2100-1023-979791.html?tag=fd_top

DOMAIN NAMES

- Register.com obtains injunction against competitor's "domain name slamming."
http://news.com.com/2100-1023-978862.html?tag=fd_top
- The folks who run the .biz domain have agreed to pay \$1.2 million to settle a lawsuit claiming that its initial lottery for handing out popular domain names was illegal.
http://news.com.com/2100-1023-978870.html?tag=cd_mh
- VeriSign hands over control of .org domain.
<http://zdnet.com.com/2110-1106-978940.html>
- The Ninth Circuit Court of Appeals has asked the California Supreme Court for an opinion on the applicability of traditional state conversion laws to domain names.
<http://www.wired.com/news/business/0,1367,57065,00.html>
[http://ipcenter.bna.com/PIC/ippic.nsf/\(Index\)/A6DD4E944BD4E15585256CA90054808F?OpenDocument](http://ipcenter.bna.com/PIC/ippic.nsf/(Index)/A6DD4E944BD4E15585256CA90054808F?OpenDocument)

TRADEMARKS

- The New York Times gives us its views on the Lindows vs. Windows trademark dispute.
<http://www.nytimes.com/2002/12/30/technology/30LOGO.html?ex=1042088400&en=54d820bf353050af&ei=5062>
- Furniture retailer shuts down a critique web site that referred scores of complaints to the state authorities. State regulators are displeased.
<http://www.news-press.com/news/business/030108state3.html>
http://www.usatoday.com/tech/webguide/internetlife/notablesites/2003-01-07-kane-suit_x.htm

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