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A User's Guide

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Court Protection Made Clear Users

Claire Wills-Goldingham,Marie Leslie

Court Protection Made Clear Users:

   The Court of Protection Made Clear Claire Wills-Goldingham,Marie Leslie,2017-06 The essential plain English guide to Court of Protection law practice Court of Protection Made Clear A User s Guide aims to help everyone involved in Court of Protection proceedings The book deliberately sets out to bridge the gap between the people using the Court and the professionals who advise them so that all involved can make fully informed decisions about money and welfare at what can be a stressful time Using plain English it demystifies the law language and procedure and is enhanced by a raft of invaluable flowcharts tables and model documents that help put the guidance into practice While accessible to the non lawyer the book also provides the professional legal adviser with a quick clear first point of reference It will therefore be an essential reference for all care home managers and senior staff local authority staff working in elderly care services other professionals acting as deputies or advising on family affairs individuals who have become involved in Court of Protection proceedings for whatever reason private client family lawyers undertaking Court of Protection work   **User Protection in IT Contracts:A Comparative Study of the Protection of the User Against Defective Performance in Information Technology** Clarisse Girot,2001-03-06 This volume considers the theme of the protection of the user in the field of Information Technology and more specifically in relation to software licences electronic information services and Internet access services Litigation in IT usually stems from the users feeling that their expectations have been frustrated at performance When dealing with such cases the courts seem to increasingly take the objective of user protection into account How is this protection implemented Is this trend generally desirable Is this judicial protection excessive What are the constraints met by IT providers that should be taken into account in litigation How can the user s position be improved User Protection in IT Contracts extensively presents the reasons why and the ways in which national courts may decide a case in favour of the user Many practical issues are considered in this respect Which factors appear relevant to deal with liability claims in IT Are exemption clauses always enforceable What are the implications of information duties for IT providers How can general conditions be safely incorporated to a contract This book exhaustively reviews these and other issues in English Dutch and French law   EU Competition Law, Data Protection and Online Platforms: Data as Essential Facility Inge Graef,2016-10-17 All are agreed that the digital economy contributes to a dynamic evolution of markets and competition Nonetheless concerns are increasingly raised about the market dominance of a few key players Because these companies hold the power to drive rivals out of business regulators have begun to seek scope for competition enforcement in cases where companies claim that withholding data is needed to satisfy customers and cut costs This book is the first focus on how competition law enforcement tools can be applied to refusals of dominant firms to give access data on online platforms such as search engines social networks and e commerce platforms commonly referred to as the gatekeepers of the Internet The question arises whether the denial of a dominant firm to grant competitors access to its data could constitute a refusal to

deal and lead to competition law liability under the so called essential facilities doctrine according to which firms need access to shared knowledge in order to be able to compete A possible duty to share data with rivals also brings to the forefront the interaction of competition law with data protection legislation considering that the required information may include personal data of individuals Building on the refusal to deal concept and using a multidisciplinary approach the analysis covers such issues and topics as the following data portability interoperability data as a competitive advantage or entry barrier in digital markets market definition and dominance with respect to data disruptive versus sustaining innovation role of intellectual property regimes economic trade off in essential facilities cases relationship of competition enforcement with data protection law and data related competition concerns in merger cases The author draws on a wealth of relevant material including EU and US decision making practice case law and policy documents as well as economic and empirical literature on the link between competition and innovation The book concludes with a proposed framework for the application of the essential facilities doctrine to potential forms of abuse of dominance relating to data In addition it makes suggestions as to how data protection interests can be integrated into competition policy An invaluable contribution to ongoing academic and policy discussions about how data related competition concerns should be addressed under competition law the analysis clearly demonstrates how existing competition tools for market definition and assessment of dominance can be applied to online platforms It will be of immeasurable value to the many jurists business persons and academics concerned with this very timely subject __International Human Rights Law and Protection Against Gender-Based Harm on the Internet__ Maria Sjöholm,2022-10-24 This book analyses gender based offences on the Internet from the perspective of international human rights law interwoven with rights theories and feminist legal theories It investigates whether international human rights law is applicable in regulating harmful online conduct and speech with a focus on sexual violence various forms of harassment sexist hate speech and harmful pornography This involves assessing whether gender based online offences are considered violations of international human rights law and if they are recognised as such explicitly or by way of interpretation the extent of state obligations The book reviews a range of international law sources such as selected international human rights law treaties case law soft law documents and academic scholarship The application of general human rights law provisions to the online sphere is evaluated by considering the online offline coherence of provisions as well as potential gaps inconsistencies and disadvantages that exist in the regulation of online gender based offences The makeup aim and effect of social spheres areas of law and legal principles are thus assessed in relation to gender and the Internet Aspects discussed include the architecture of the Internet the structure of public international law the harm principle as employed in domestic law and international human rights law and the scope of particular rights mainly involving the freedom of expression and the right to privacy Working from the premise that the transposition of international human rights law to the Internet must ensure the former s functionality and effectiveness the book argues that a contextual application of rights is called for This

requires assessing what is harmful online including the effects of online speech and conduct and what are effective means of regulating liability on the Internet In turn such assessments require a gender sensitive approach **Drafting Licensing Agreements** ,1996 **NII Copyright Protection Act of 1995** United States. Congress. House. Committee on the Judiciary. Subcommittee on Courts and Intellectual Property,1996 Legal Control of Water Resources Joseph L. Sax,2000 This thoroughly updated and revised edition contains expanded sections on water markets and the legal controversies swirling around them as well as extensive new material on both the legislative regulation of groundwater and local groundwater management The chapter on public rights has grown in light of increased concern for instream uses new attention to matters such as hydropower relicensing and the increase in importance of the Endangered Species Act and other stream restoration programs Also covers the most recent developments in federal reserved water rights *Report of Cases Determined by the Supreme Court of Appeals of West Virginia* West Virginia. Supreme Court of Appeals,Edgar P. Rucker,1995 **Computer Law Reporter** ,2000 **The Criminal Law Reporter** ,2008 **Report on Legal Protection for Databases** Library of Congress. Copyright Office,1997 This report gives an overview of the past and present domestic and international legal framework for database protection It describes database industry practices in securing protection against unauthorized use and Copyright Office registration practices relating to databases Finally it discusses issues raised and concerns expressed in a series of Copyright Office meetings to create a new federal intellectual property right in databases The report is divided into the following sections 1 Copyright Protection for Databases in the United States 2 Database Industry Practices 3 Copyright Office Registration Practices 4 The International Context 5 Prior Congressional Consideration 6 Copyright Office Meetings and 7 Issues including general needs for additional protection form of new protection definitions public interest users duration sole source data and constitutionality Appendices include the Copyright Office Circular 65 European Database Directive Proposed WIPO Database Treaty Database Investment and Intellectual Property Antipiracy Act of 1996 H R 3531 and Copyright Office Database Meeting Participants AEF **Cases and Materials on Water Law** George A. Gould,Douglas L. Grant,2000 *Symposium* ,2007 **The Australian Law Times** ,1896 *BNA's Patent, Trademark & Copyright Journal* ,2003 *Computer Software Protection Law* Cary H. Sherman,Hamish R. Sandison,Marc D. Guren,1989 **Reports of Patent, Design, and Trade Mark Cases Decided by Courts of Law in the United Kingdom** Great Britain. Courts,1918 *Soap Gazette and Perfumer* ,1901 **Computer Law** Peter B. Maggs,John T. Soma,James Alexander Sprowl,1992 Winning the War on Drugs G. John Tysse,Garen E. Dodge,1989

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