

U.S. PATENTS SET TO STIFLE EUROPEAN BUSINESS ON THE WEB

Submitted by: Prowse & Company

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Readers can post comments to the authors of the book at: <http://www.ipmatters.net/webcaught/intro.html>

Software patenting in the US is set to limit the practices of European businesses on the web whether Europe adopts American-style e-commerce patenting or not, claims a leading legal academic.

Professor Richard Stern of George Washington University Law School explains that US companies are keen to ensure that they have the same intellectual property rights abroad as they have at home. He says: "Simply having a customer complete an electronic form over the web, a European company could infringe a US Patent even though it never sets foot outside its own country."

The UK-Government is currently seeking the views of the public on whether it should follow the US example and allow patents for software and business methods.

The professor's comments are amongst several views that appear in a forthcoming book called *Caught in a Web, Intellectual Property in Cyberspace* by Derwent Information that looks at the intellectual property minefield on the web. A chapter of the book on patenting is previewed on the Internet at <http://www.ipmatters.net/webcaught/intro.html>

and net users are invited to post their views on the topic in an on-line forum.

Derwent

The chapter also examines the fears felt by many people, that smaller companies will soon be unable to compete in the harsh atmosphere of prohibitive licensing demands, whilst larger organisations will waste billions of dollars fighting pointless legal actions. The Internet could slowly grind to a halt as a result.

Caught in a Web explores whether there is a need to provide an effective intellectual property system for the Internet. In the 208-page guide, the roles of patents, trademarks and copyright with respect to the web come under the scrutiny of experts from the Internet and IP professions alike.

Francis Gurry, the Assistant Director General of the World Intellectual Property Organisation, provides the foreword and interviewees include Andrew Yeates, Director General of the British Phonographic Industry and Robin Gross the lawyer for the Electronic Frontier Foundation.

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Notes

The UK Government's consultation on software and business patenting is available on-line at <http://www.patent.gov.uk>