

ESOCE-NET

European Society of Concurrent Engineering - Net

www.esoce.net

State Of The Art Of Research On Legal Issues Related
To The IS Technologies and further needs

www.legal-ist.org

www.ve-forum.org/legal-ist_community

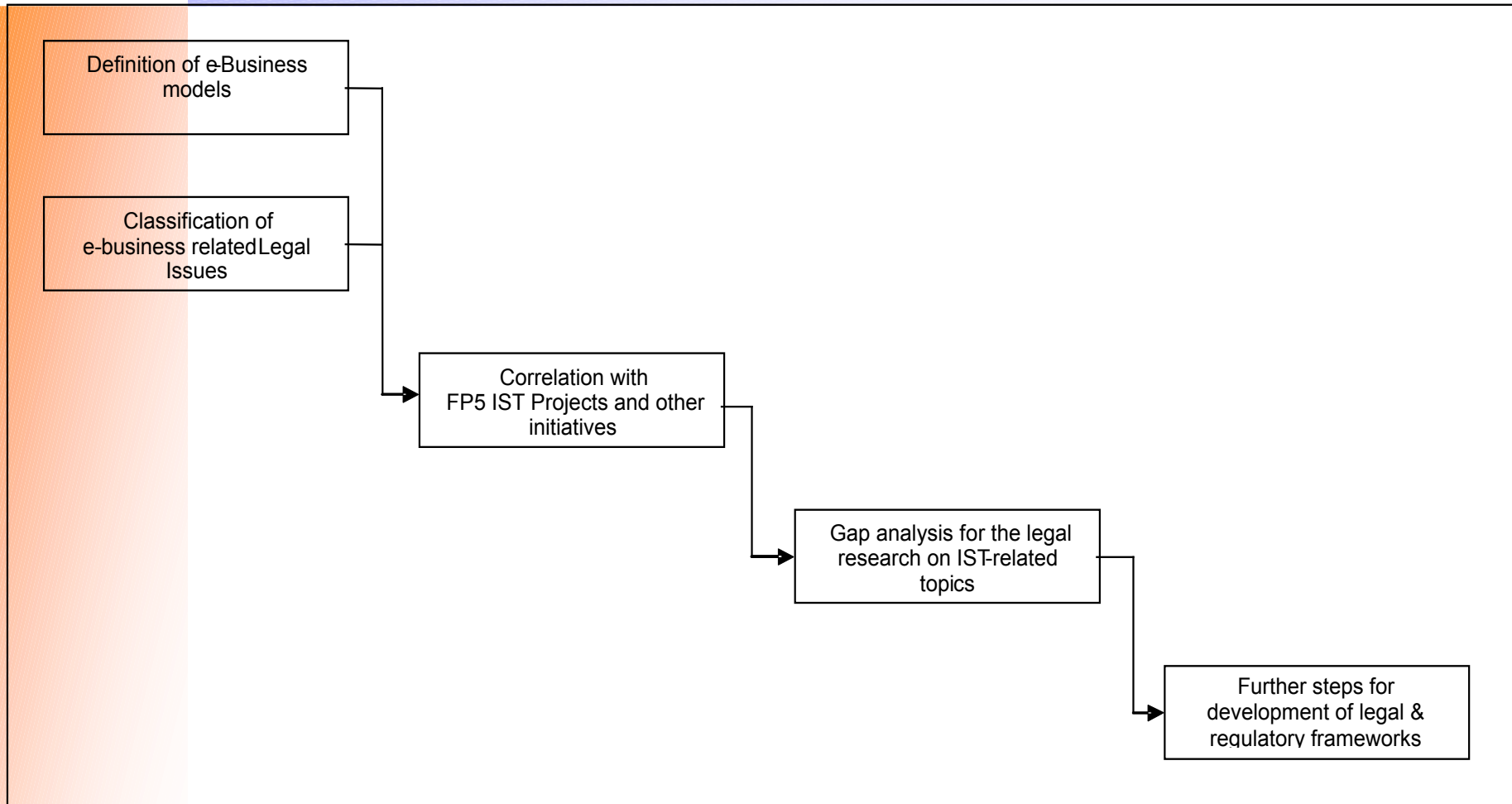
18th April 2005, Digital Ecosystems
Re-tuning users requirements

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Adopted Approach



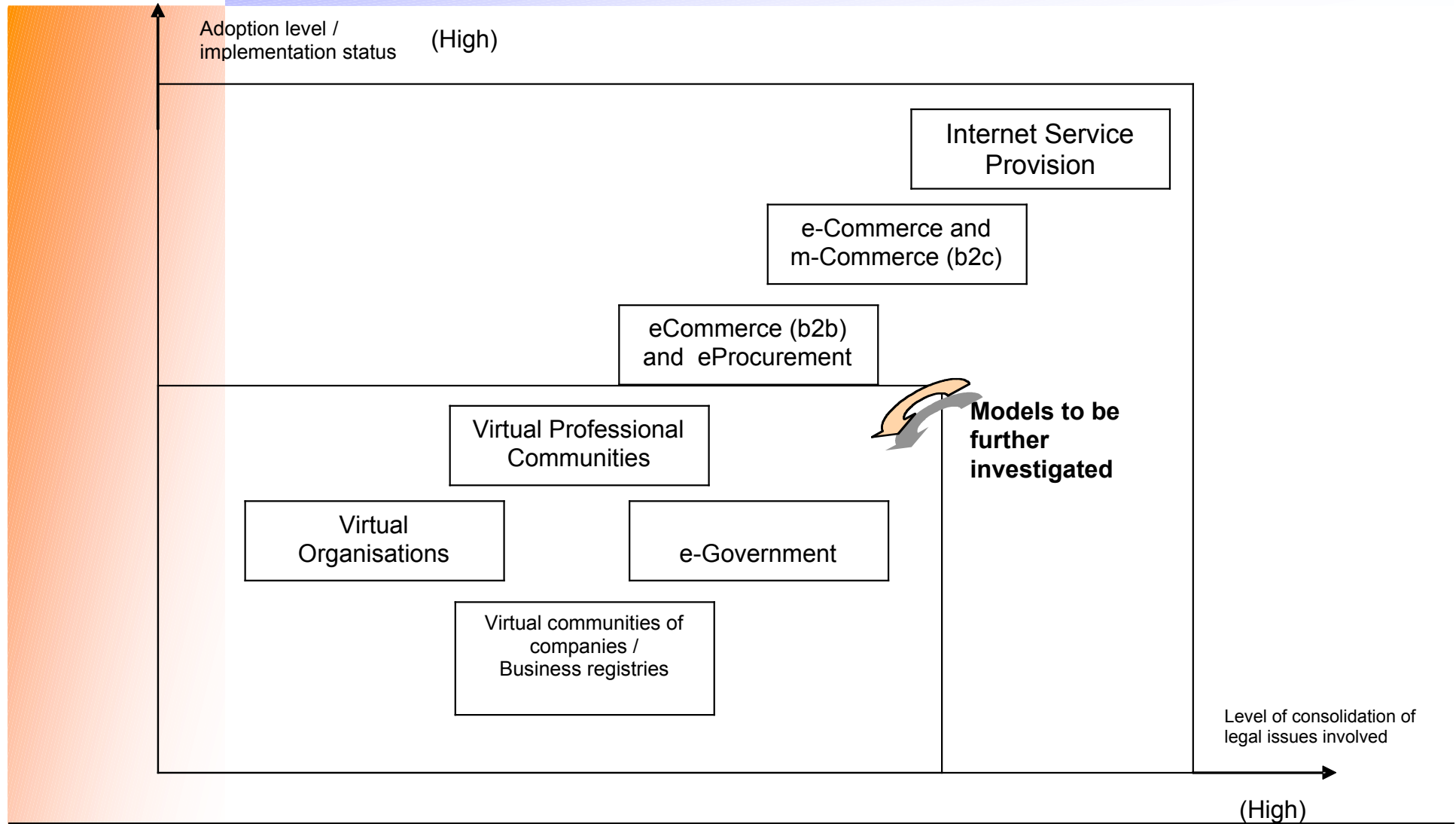
Considered e-Business Models

1. Provision of Service through the Internet;
2. eCommerce and mCommerce (B2C);
3. eCommerce (B2B) and eProcurement;
4. Virtual communities of companies / Business registry;
5. Virtual Professional Communities;
6. Virtual Organisations; and
7. eGovernment.

Analysed 5th FP IST Projects

- ALIVE
- CCFORM
- E-ARBITRATION T
- eLEGAL
- OCTANE
- ECLIP
- E-COMMLEX
- VIRTUAL WINERY

e-Business model maturity: adoption level and legal consolidation



Gap Analysis

Current Situation	Vision	Gap	Step to be taken
EU regulatory framework does not fully support new e-businesses deployment	New e-business models will be fully supported in the EU regulatory framework	No legal entities available to support new e-business models	Consider / facilitate implementation of available recommendations
Low awareness of the legal solutions and implications in e-businesses	Companies are fully trained to implement e-business from a legal point of view	Lack of co-ordinated information activities on legal research development and legal Best Practices	Organise awareness / training events on available legal Best Practices on e-business
Legal Research carried out so far can be complemented to accommodate emerging needs	Legal research aligned to industry and societal needs	New e-business scenarios are partly covered by recent legal research	Identification and execution of legal issues studies on specific e-business related topics
Promising research initiatives require legal support to enable successful deployment of results	New applications and e-business models are developed taking into account the legal point of view	There is still little awareness of importance of a coordinated technological/legal approach	Provide legal support to current research initiatives (FP6 Projects)
A number of initiatives / legislative proposals are being launched at different levels	Clustering, coordination and validation of the proposals, to reach common views	Too many legislative proposals, often driven by sectoral / national needs	Develop a consensus building community at European level, to validate legislative proposal related to e-businesses

LEGAL-IST Objectives

- To consolidate the results in the legal research undertaken in the IST Framework Programme
- To support the research activities within the IST priority from a legal point of view
 - Conduction of legal support studies on selected legal issues relevant to IST-related topics
 - legal support to on-going Research Projects;
- To contribute to the definition of emerging Policies for IST related regulatory framework, identifying new research needs and the relevant implementation roadmap.

Cooperating with LEGAL-IST

- Opportunity to access first hand results on selected legal issues;
- Opportunity to have personalised definition of project legal framework/critical legal issues
- Identification of new areas to be tackled/covered as a contribution to the LEGAL-IST roadmap

1. Legal issues in SMEs' Clusters
2. Open Source Software
3. Privacy and Identity Management
4. Legal Issues in Virtual Professional Communities
5. Software agents
6. Self regulation
7. Radio frequency Identification
8. Knowledge management - Legal protection of knowledge
9. Business registries

Support to the DBE Project

Objectives

- *Actual support to the DBE project, by addressing legal issues which are being dealt with in LEGAL-IST*
- *Identification of additional gaps → new research initiatives*

Example (main topics)

- *Legal Issues in SMEs Clusters*
 - *Broker liabilities*
 - *Members' liability*
 - *Contracting*
 - *Servicing Agreement and liabilities*
- *Open Source Software*
 - *Patent law*
 - *Developer liability and rights*

LEGAL-IST event

21st June 2005, ICE Conference

- *To present LEGAL-IST results – an assessment of the state-of-art of legal research on IST-related topics, a suggested legal framework for SMEs cluster, and a review of legal issues related to Open Source Software – with a view to collecting feedback and suggestions of proposed ways forward from the audience;*
- *To launch a collaboration initiative to support current IST projects to overcome legal barriers, which could potentially prevent the full deployment of the research results; and*
- *To focus on emerging IST-related legal issues to be addressed in the short-term.*

Registration at www.ice-conference.org

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