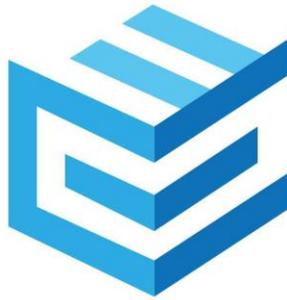


Learning Bundle New Technology Law Branch

Summer Program 2019



**EUROPEAN CENTRE
FOR CAREER EDUCATION**



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Career Development

Work-related needs and preferences evolve and change continuously throughout life. At the same time, the world of work is continuously evolving and adapting to economic, political and social changes.

Career development focuses on enabling people to understand and develop their skills and preferences to manage these challenges, make good decisions about their working lives, and maximise their contribution to the communities in which they live and work. (Career Development Association of Australia, <https://www.cdaa.org.au/about-career-development>)

There are multiple sources of career development support that are not “professional” support but that can be highly effective. These include parents, networks, mentors, and employers. Many people manage their own career development independently and/or with the help of their own circles of contacts and supports and never seek external assistance.

Why is Career Development important?

Career Development is about navigating your journey through learning and work. The word “career” is defined as “a path or progress through life or history.” Yet people often think about career as “a” or “one” occupation chosen for life. This just doesn’t fit, either with the origins of the word or with the realities for the majority in the world of work today.

We do not make “one perfect education choice” or find “one perfect job for life”. We navigate options, make choices without perfect information, bounce back from disappointments and constantly learn from experience. We have multiple roles throughout our journeys. Some will be formal jobs; some will not. Though we cannot guarantee what will be around the next bend in our life journey, we can keep learning about ourselves and what we can and want to do.

Navigating is about making the best choices you can on your journey so that you can live the kind of life you want for yourself.

(Career Development Association of Alberta, <https://www.careerdevelopment.ab.ca/whatiscd>)



Business Legal Dictionary

Business Law: The definition of business law, also known as commercial law, deals with legal issues in business and commerce. An example of business law is the type of law dealing with corporate contracts. (Yourdictionary.com)

Stakeholder: A person, group or organization that has interest or concern in an organization. Stakeholders can affect or be affected by the organization's actions, objectives and policies. Some examples of key stakeholders are creditors, directors, employees, government, etc.

Procurement: The act of obtaining or buying goods and services. The process includes preparation and processing of a demand as well as the end receipt and approval of payment.

Without Prejudice: Law phrase: Without abandonment of a claim, privilege, or right, and without implying an admission of liability.

Private Limited Company: A type of company that offers limited liability, or legal protection for its shareholders but that places certain restrictions on its ownership. These restrictions are defined in the company's bylaws or regulations and are meant to prevent any hostile takeover attempt.

Accountability: The obligation of an individual or organization to account for its activities, accept responsibility for them, and to disclose the results in a transparent manner. It also includes the responsibility for money or other entrusted property.

Product: 1. A good, idea, method, information, object or service created as a result of a process and serves a need or satisfies a want. It has a combination of tangible and intangible attributes (benefits, features, functions, uses) that a seller offers a buyer for purchase. For example a seller of a toothbrush not only offers the physical product but also the idea that the consumer will be improving the health of their teeth.

2. Law: A commercially distributed good that is (1) tangible personal property, (2) output or result of a fabrication, manufacturing, or production process, and (3) passes through a distribution channel before being consumed or used.



Conflict of Interest: 1. A situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.

2. A situation in which a party's responsibility to a second-party limits its ability to discharge its responsibility to a third-party.

BusinessDictionary.com



Corporate Law

The practice of corporate law involves general corporate matters, such as the incorporation of companies, directors' and shareholders' rights, articles of association, board meetings, secretarial matters and the public listing or delisting of companies.

No two corporate transactions or deals are the same. The differences can depend upon several factors, such as the type of industry, whether it involves single or multimarket businesses, and the size of the companies involved.

Clients in this area range from multinational corporations, investment banks and privately-held companies, to small and medium scale businesses, regulatory bodies and governments.

What does corporate law involve?

As a corporate lawyer, your portfolio of work will usually involve: acting on mergers and acquisitions (M&A), the restructuring of corporate entities and the hiving-off of unprofitable sections.

You might help list clients on stock exchanges across the world, secure finance from private equity players and venture capitalists.

Your work on any deal or transaction will move through different stages. Firstly, you might negotiate and prepare draft documentation in association with your client's various accountants, financial advisors and managerial representatives.

Helping to procure finance, either from banks or private investors, securing guarantees and other assets, might form part of the deal, as will completing due-diligence reports and checking on debts, employees, ownership details and existing liabilities.

To top it off, you might finalise the deal with all involved parties, getting necessary approvals through resolutions at board meetings, and completing registration and other formalities wherever necessary.



Amongst the different types of deals and transactions which constitute corporate law, a big portion of work involves dealing with private equity funds and listing clients' companies on recognised stock exchanges.

(All About Law, <https://www.allaboutlaw.co.uk/stage/areas-of-law/corporate-law>)



Contracts

Simply put, a contract can be described as a legally binding oral or written agreement which exchanges any combination of goods, services, money and property. It is a common misconception that a contract may only be in written form, as oral or conduct agreements can be just as credible in contract formation. A contract is unique in that unless certain exceptions apply, parties are free to agree to whatever terms they choose, this is known as the 'freedom of contract'.

You may unknowingly enter hundreds of contracts a year, for example, in buying groceries from a supermarket, you have entered into a contract for the exchange of money in return for goods. This is an example of a very simple contract, but contracts can be extremely complex, owing to the parties' freedom to agree to whatever terms they see fit.

Contract law aims to provide an effective legal framework for contracting parties to resolve their disputes and regulate their contractual obligations. The law of contract is mostly self-regulatory, with the majority of contracts requiring no intervention. The courts make no consideration for whether the contract was fair or not; if it was agreed, it should be enforced. Despite this, on some occasions, the courts are willing to depart from the principal of contractual freedom. This is often where there has been an abuse of bargaining power by one contracting party.

Contract law covers:

- Formation – How is a contract formed, how does an individual create a legally binding agreement with another and what may prevent an agreement operating as a contract?
- Privity Of Contract – Exactly who are contractual obligations owed to?
- Construction – What kind of obligations can be included in a contract?
- Vitiating Factors – When might a contract be void, or voidable?
- Discharge Of Obligations – At what point are the parties free from their contractual obligations?

(Law Teacher, <https://www.lawteacher.net/modules/contract-law/>)



VIP lecture: The challenges facing Chinese companies' cross-border M&A

For an acquisition to be successful, the goal or desired outcome of pursuing the M&A needs to be clear. Is an M&A being pursued for the purpose of vertically or horizontally integrating into existing business networks? Or possibly, being pursuing for the purpose of absorbing tacit knowledge, expanding distribution capabilities, or simply gaining international recognition. Whatever the purpose for expansion, it is an imperative that this objective is well-communicated within the team.

Timescales and a clear plan for how the acquired business will benefit and integrate with the existing entities are vital for success. Thoroughly research needs to be undertaken on the target market and may benefit from utilising local industry knowledge from third-parties in the industry or the target market. Consider what is commercially viable for the current business structure and how this can be adapted for a Chinese or foreign market and audience.

Finally, the purchasing companies need to consider the governmental bodies such as the Ministry of Commerce (MOFCOM) that need to be contacted regarding the M&A, particularly when involving foreign investors and inbound investment. Within China, foreign investors wishing to establish a significant operation with 25% or more foreign equity must do so via one of the several forms of Foreign-Invested Enterprises (FIEs). FIEs are regulated slightly differently to domestic enterprises and have historically experienced more tightly-regulated investment procedures, although this gap is slowly diminishing.

Other documents that may need to be submitted to MOFCOM to signal the intent to acquire a firm inside China include:

- Precedent approvals such as business name registration or special approvals
- Investor and Officer identity documents such as passport photocopies or a bank credit reference letter
- New or target company constitutional documents
- Any shareholder consents and acquisition or merger agreements

Despite some remaining restrictions on FDI, Hong Kong resident companies experience more liberal investment access than other overseas firms under the Closer Economic Partnership



Arrangement (CEPA). CEPA allows Hong Kong-based firms preferential treatment over firms located in other Jurisdictions.

Meanwhile, Chinese business seeking to acquire overseas need to obtain the "Certificate of Outbound of Enterprises" from MOFCOM.

(LehmanBrown, <https://www.lehmanbrown.com/wp-content/uploads/2019/01/PDF-Gateway-to-Cross-Boarder-Acquisitions.pdf>)



Sport Regulation

Sports law refers to a specialized practice focused on legal issues pertaining to the sports industry. As with entertainment, arts, or hospitality law, sports law generally refers more to the target industry rather than a separate body of law, though there are a few unique legal issues only faced by professional sports leagues. Common sports law issues include labor law, contract issues, unfair competition and antitrust law, and torts.

Much of sports law is divided between amateur and professional sports. Amateur sports [in the US] are often governed by collegiate athletic associations, like the National Collegiate Athletic Association (NCAA). The NCAA propagates various rules governing issues like ethical conduct, amateur eligibility, financial aid, recruiting, gender equity, championship events, and academic standards. Gender equality is one area of particular interest in amateur collegiate sports. While membership in the NCAA is voluntary, the NCAA has enforcement power and can introduce a series of punishments against both students athletes and member schools. These punishments even include the so-called "death penalty:" the full shut-down of a sporting activity at an offending college.

Doping has also become an issue for professional sports in recent years. Player drug violations may lead to suspensions and loss of salary. The issues even became so pointed in the early part of the 2000's that congressional hearings occurred to investigate the widespread use of performance enhancing drugs in professional sports.

Of course, some of the most famous issues related to sports law have to do with contract negotiations. Players hire agents to represent them in negotiations of multimillion dollar player contracts, trades, promotional deals, etc. Cities negotiate for franchise rights to have a resident team. Stadiums have a stream of commercial contracts with vendors for food and merchandise. Media companies contract for broadcast rights. Obviously, there are many other types of contracts involved in sports law, as well.

In fact, there are a variety of legal matters routinely faced by members of the sports industry. In many ways, it is a general practice with a particular type of clients. The resources below will help provide additional information on sports law, and the "Law Firms" tab, above, will provide you with information about attorneys in your area that can help you with these kinds of legal matters.

(HG.org, <https://www.hg.org/sport-recreation-law.html#3>)



Mergers and Acquisitions

Mergers and acquisitions (M&A) refer to the buying, selling, and combining of companies. In an M&A deal, two companies become one.

M&A deals are typically facilitated by investment bankers. Before going through with a merger or an acquisition, both sides of the deal will conduct due diligence – a thorough analysis of all aspects and consequences relating to the proposed deal – to make sure it will be beneficial to their side of the deal. Mergers and acquisitions are a normal part of business happenings in a healthy economy.

Although many combine these two terms, there is a difference between mergers and acquisitions. Mergers refer to the combination of two companies. Mergers are often mutually acceptable by both companies and the new entity often combines the names of the two original entities. In a merger, the two companies that merge combine and become a new company. Furthermore, this involves surrendering the stocks of the old companies and issuing stock for the new company.

Acquisitions refer to one company purchasing another company. This typically occurs when one of the companies is significantly larger than the other company – the acquirer is larger than the target. In an acquisition, the target company ceases to exist as a separate entity and becomes a part of the acquiring company. Acquisitions are not always mutually acceptable to both parties. For example, a company can buy another company even if the target company does not want to be bought. Sometimes mutually acceptable acquisitions are called mergers to make the deal sound friendlier.

(James Wilkinson, <https://strategiccco.com/mergers-and-acquisitions-ma/>)



Banking and Finance

Banking and finance is a giant sector internationally, intersecting with various industries and overlapping with multiple other practice areas. Banking and finance lawyers may work in any one of the specialist areas described below, but all deal with the borrowing of money or the management of financial liabilities. Their task is to negotiate and document the contractual relationship between lenders and borrowers, and to ensure that their clients' best legal and commercial interests are reflected in the terms of loan agreements. It is a hugely technical, ever-evolving and jargon-heavy area of law.

What lawyers do:

- Meet with clients to establish their specific requirements and the commercial context of a deal.
- Carry out due diligence – an investigation exercise to verify the accuracy of information passed from the borrower to the lender or from the company raising finance to all parties investing in the deal. This can involve on-site meetings with the company's management, so lawyers can verify the company's credit profile.
- Negotiate with the opposite party to agree the terms of the deal and record them accurately in the facility documentation. Lenders' lawyers usually produce initial documents (often a standard form) and borrowers' lawyers try to negotiate more favourable terms for their clients. Lawyers on both sides must know when to compromise and when to hold out.
- Assist with the structuring of complicated or ground-breaking financing models and ensure innovative solutions comply with all relevant laws.
- Gather all parties to complete the transaction, ensuring all agreed terms are reflected in the loan and that all documents have been properly signed and witnessed. Just as in corporate deals, many decisions need to be made at properly convened board meetings and recorded in written resolutions.
- Finalise all post-completion registrations and procedures.

(Chambers Students, <https://www.chambersstudent.co.uk/practice-areas/banking-and-finance>)



Transnational Trade and EU

Immigration Policy Regulation and Challenges

Migration is one of the political priorities of the Juncker Commission. The main aim is to approach the issue in a comprehensive way.

The Commission's agenda on migration defines immediate measures needed to prevent human tragedies and to strengthen emergency responses.

And while the crisis in the Mediterranean has put the spotlight on immediate needs, it has also revealed much about the structural limitations of EU migration policy and tools. The EU needs to strike the right balance and send a clear message to Europeans that migration can be better managed collectively. This is why the agenda also defines a new strategic approach to managing migration in the medium to long term.

Full details can be found on the website of the Directorate General (department) for Migration and Home Affairs.

To address the unprecedented emergency situation along the Eastern Mediterranean-Western Balkans route, the EU and the countries in this area most affected agreed on 17-point plan of action. Measures cover:

- permanent exchange of information
- limiting secondary movements
- supporting refugees and providing shelter and rest
- shared management of migration flows
- border management
- tackling smuggling and trafficking

The EU is also working with the African Union as part of its global approach to migration and mobility. An action plan adopted in April 2014 focuses on:

- trafficking in human beings
- Remittances



- Diaspora
- mobility and labour migration (including intra-African mobility)
- international protection (including internally displaced persons)
- irregular migration

(European Commission, https://ec.europa.eu/commission/priorities/migration_en)



Capital Markets

“The term capital market covers anything related to either the public or private sale of interests in some product – a corporation, a partnership or a loan – and the selling of interests in that product.” So, capital markets are an arena – an arena in which businesses that need an injection of cash seek out investors. Investors, meanwhile, are on the lookout for profitable businesses in which they can grow their investment. There are many ways in which this investor-lender relationship can be organised, and many ways to make money out of the process.

The equity capital markets are the easiest to understand. They’re the world’s stock markets. Private companies raise money by listing themselves on a stock market and then selling shares in their domestic market and often internationally as well. This is known as a flotation or IPO (Initial Public Offering) and means that the company’s stock can be bought and sold by investors.

An IPO is a transformational event for a company – it changes from a private affair, run by a small group of shareholders to a public company, subject to significant regulation and to the will of its shareholders. For example, after floating Virgin, Richard Branson found having to run ‘his’ company in a way that pleased his new institutional shareholders incompatible with his entrepreneurial style of management, so he bought back the company, returning it to private status.

Following an IPO, a company and/or its shareholders can offer further stock in subsequent share offerings. For the investor, the profit on shares consists of any dividends they receive and any increase in market value of the shares. Shares pay dividends when the company is profitable – the level of the dividend being determined by directors and shareholders. Share values are not repayable by the company unless it is being wound up or operating a buyback of shares, but investors can realise their asset by selling in the market.

On the debt capital markets, borrowers/issuers – which can be companies, banks or governments – raise money by selling debt obligations (tradable loans) to investors. These are called bonds and the investor becomes the owner of the bond. At predetermined intervals, the owner of the bond receives interest payments from the company, which can be at a fixed or floating rate, depending on the terms of the bond.

(Chambers Student,

<https://www.chambersstudent.co.uk/where-to-start/newsletter/capital-markets-explained>)

Law Firm Development plus Reward Structuring

The three most important things – Market, Marketing, Marketplace

If this heading doesn't make it clear, let me sum it up as follows: Marketing will be the difference between your success or your failure. Full stop. Period. End. Of. Story.

What do I mean by this?

First – know the market you intend to serve. Will you be a generalist or a specialist? Will you be tied to one geography or be global? Will you start a small firm that is intended to stay small and serve small clients or will you start a small firm intended to grow? You need to know the market you will serve.

Second – marketing is the key to success. The legal industry is by and large, with limited exceptions, pretty universally dismal in marketing. Most of the marketing is copycat/derivative, lacking in originality, full of stuffiness and far more interested in boasting about degrees and experience rather than being focused on marketing how the legal solutions will help the client.

I understand how the legal industry got to this point of marketing banality and I understand why it continues to this day. I also understand that if you want to build a new firm or legal business for tomorrow's solutions, you should not recycle the tired old marketing tricks from yester-year. This is your chance to set yourself apart from the crowd. Seize the opportunity.

Third – making sure to know your marketplace and to build your reputation within that marketplace will help you succeed. And that marketplace includes lawyers. You will need referral work and you will learn to love referral work. Lawyers (everything from classmates, to colleagues to opposing counsel) are pleased to make referrals to trusted counsel. Work hard to increase your profile through writing and speaking engagements and other reputation and



profile enhancers, and then work hard to cultivate and grow those relationships. This marketplace will be the source of your work.

(Peter Carayiannis, <https://www.alpma.com.au/a-survival-guide-for-legal-practice-managers/3-initial-steps-to-starting-your-own-law-firm>)



Dispute Resolution

What Is Dispute Resolution?

Dispute resolution is a term that refers to a number of processes that can be used to resolve a conflict, dispute or claim. Dispute resolution may also be referred to as alternative dispute resolution, appropriate dispute resolution, or ADR for short.

Dispute resolution processes are alternatives to having a court (state or federal judge or jury) decide the dispute in a trial or other institutions decide the resolution of the case or contract. Dispute resolution processes can be used to resolve any type of dispute including family, neighborhood, employment, business, housing, personal injury, consumer, and environmental disputes.

In addition, the United States Federal Government utilizes dispute resolution processes to assist government employees and private citizens resolve complaints and disputes in many areas including workplace, employment, and contracting matters.

Why Use Dispute Resolution?

Dispute resolution processes have several advantages. For instance, many dispute resolution processes are cheaper and faster than the traditional legal process. Certain processes can provide the parties involved with greater participation in reaching a solution, as well as more control over the outcome of the dispute. In addition, dispute resolution processes are less formal and have more flexible rules than the trial court.

What Are the Different Types of Dispute Resolution Processes?

Dispute resolution takes a number of different forms. Here are brief descriptions of the most common dispute resolution processes:

- Arbitration
- Case Evaluation
- Litigation
- Mediation
- Negotiations
- Settlement conferences
- Facilitation

(American Bar Association,

https://www.americanbar.org/groups/dispute_resolution/resources/DisputeResolutionProcesses/)



Contract and Data Management in in-house departments

An in-house legal team has one client: the company they all work for. In saying that, an in-house legal team ends up doing a bit of everything and being part of all the legal backbones of the organization. These could include mergers, acquisitions, contracts, employment issues, and advising on all those issues.

Most in-house counsel lawyers are generalists so they can support all general aspects of the business. They are super efficient at it because they have one client and have direct access to the client and management team at all times. They are expected to do the best they can as issues arise in the time allotted. Because they are involved at all levels, they are also expected to foresee potential problems and try to stop them before they materialize into something bigger.

One difference is that in-house counsel lawyers tend to focus more on the business side and the risk and exposure for their business, while traditional lawyers in law firms tend to recognize legal issues. In-house lawyers would participate in meetings and discussions with the management team and learn the business inside and out, so they tend to have more in-depth knowledge about an industry, the working parts of the company, and how it operates within a larger strategy.

However, in-house counsel tend to not do a lot of litigation work. When a company is preparing for trial, they tend to turn to outside counsel, for it is just not practical for a lawyer to drop everything to prepare for trial. In-house counsel also generally rely on outside counsel for expert issues.

(Paperclip Law, <https://www.papercliplaw.com/legal-counsel-for-your-business>)



Telecommunications

From landlines to mobiles to broadband, telecommunications networks and services are the backbone of our information society. The EU's policy framework improves competition, drives innovation, and boosts consumer rights within the European single market.

In September 2015, the European Commission launched public consultations on the [broadband needs](#) and on the [review of the current telecoms framework](#). The Commission then presented its proposal on how to address the identified challenges in achieving a [Gigabit society](#) and the way telecoms sector regulation could be adapted to support it.

The Commission therefore proposed a new [European Electronic Communications Code](#) including forward-looking and simplified rules that make it more attractive for all companies to invest in new top-quality infrastructures, everywhere in the EU, both locally and across national borders. The Code further stimulates competition, and strengthens the internal market as well as consumer rights. The Commission also presented an [action plan](#) to deploy 5G, the fifth generation of wireless communication systems, across the EU as from 2018.

The Code proposes:

- **Clear and inclusive rules:** the same rules will apply all over Europe with a vision of an inclusive single market where consumers enjoy the same level of protection and have access to affordable communication services, including broadband;
- **Better quality:** the Code will foster competition for investments, meaning higher connection speeds and higher coverage; the proposed rules are fit for the next generation of mobile systems and for Wi-Fi users to really have quality of experience;
- **Better prices:** by multiplying the offers available and bringing more capacity, we expect unit prices to go down;
- **More services:** more and more actors provide communication services; the Code proposes a light regulatory approach which allows all actors, from traditional telecom operators to online players, to provide interpersonal communication services with the same level of protection for the end-user.

The Commission has also proposed to reinforce the role of national regulators to ensure consistent and predictable application of the rules throughout the [Digital Single Market](#), via new Regulation on the Body of European Regulators of Electronic Communications (BEREC).

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The connectivity package also includes an initiative aiming at helping European communities offer free Wi-Fi hotspots to their citizens.

(European Commission, <https://ec.europa.eu/digital-single-market/en/policies/telecom-laws>)



Media Law

What is Media Law?

Media law is law that regulates media production and use. Media law can encompass many different types of media including broadcast television, internet and print media. The practice of media law may involve all of the types of legal issues that might arise during the production or consumption of various types of media.

Not all types of media are created the same

The [US] government treats different types of media very differently when it comes to regulations and oversight. Broadcast media has the greatest amount of regulation. Broadcast media is media that's intended for a general audience and mass consumption like radio and basic television. By contrast, subscription radio and the internet have far fewer regulations.

A media lawyer who works in film might help their clients with option agreements, distribution contracts and issues with talent. Multimedia lawyers may need to work on software licensing or sale regulations. Attorneys who practice media law need to understand their client's business in order to provide legal advice that's pertinent to the type of media involved.

Media law often intersects with other types of law

In addition to laws that directly regulate the use of media, media law involves other types of laws. One of the fields that's often an issue in the use of media is intellectual property law. With piracy and image reproduction commonplace today, media producers and other organizations struggle to protect their trademarks and copyrights. In addition, media law may involve many other types of law including:

- Employment issues
- Contract laws
- Crime
- Torts
- Labor issues
- Tax laws
- Bankruptcy
- Immigration
- Insurance regulations

(Legal Career Path, <https://legalcareerpath.com/media-law/>)



Intellectual Property

Unlike the products they protect, IP assets cannot be seen or touched. So, it can be difficult for businesses to appreciate their true value. Like other forms of property, you can buy, sell and license IP. IP Rights can enable their owner to take action under civil law to try and stop others from replicating, using, importing or selling their creation.

The different types of intellectual property rights are:

Patents protect new inventions and cover how products work, what they do, how they do it, what they are made of and how they are made.

Trade marks protect brands. This could be for a business name, a product or a service. The trade mark could be made up of words, logos or a combination of both and can even be sound or action based.

Design protects the overall visual appearance of a product.

Copyright protects literature, artistic works, photographs, music, dramatic works, software, databases, films, radio and television broadcasts, sound recordings and published editions.

Trade secrets might also be an important part of your business. The law of confidentiality protects trade secrets. To keep trade secrets protected, you must establish that the information is confidential, and ensure that anyone you tell about it signs a non-disclosure agreement (NDA). If they then tell anyone about it, this is a breach of confidence and you can take legal action against them.

(Intellectual Property Office of the Government of the United Kingdom,

<https://www.gov.uk/government/publications/ip-basics/ip-basics>)



Social Media Law

SYDNEY, Australia — What if live-streaming required a government permit, and videos could only be broadcast online after a seven-second delay?

What if Facebook, YouTube and Twitter were treated like traditional publishers, expected to vet every post, comment and image before they reached the public? Or like Boeing or Toyota, held responsible for the safety of their products and the harm they cause?

Imagine what the internet would look like if tech executives could be jailed for failing to censor hate and violence.

These are the kinds of proposals under discussion in Australia and New Zealand as politicians in both nations move to address popular outrage over the massacre this month of 50 people at two mosques in Christchurch, New Zealand. The gunman, believed to be an Australian white nationalist, distributed a manifesto online before streaming part of the mass shootings on Facebook.

If the two countries move ahead, it could be a watershed moment for the era of global social media. No established democracies have ever come as close to applying such sweeping restrictions on online communication, and the demand for change has both harnessed and amplified rising global frustration with an industry that is still almost entirely shaped by American law and Silicon Valley's libertarian norms.

“Big social media companies have a responsibility to take every possible action to ensure their technology products are not exploited by murderous terrorists,” Scott Morrison, Australia's prime minister, said Saturday. “It should not just be a matter of just doing the right thing. It should be the law.”

The push for government intervention — with a bill to be introduced in Australia this week — reflects a surge of anger in countries more open to restrictions on speech than in the United States, and growing impatience with distant companies seen as more worried about their business models than local concerns.



Even in the United States, frustration has been building as studies show that social media's algorithms and design push people further into extremism even as the platforms are protected by the Communications Decency Act, which shields them from liability for the content they host.

(Damien Cave, New York Times, March 31, 2019,

<https://www.nytimes.com/2019/03/31/world/australia/countries-controlling-social-media.html?module=inline>)



Cybersecurity

On March 12, 2019, the European Parliament (“Parliament”) approved the proposal for a regulation of the European Parliament and of the Council on ENISA, and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification (collectively, the “Cybersecurity Act”). The Parliament’s approval follows a political agreement between the European Commission, the Parliament and the Council of the European Union (“Council”) reached last December.

The Cybersecurity Act aims to achieve a high level of cybersecurity and cyber resilience, and to promote individuals’ trust in the EU digital single market.

The Cybersecurity Act focuses on two key elements:

- The European Union Agency for Cybersecurity (“ENISA”)
- The Cybersecurity Act aims to reinforce ENISA’s role as the EU’s center of advice and expertise with regard to cybersecurity matters.

ENISA’s tasks under the Cybersecurity Act include:

- Development and implementation of EU policy and law
- Capacity-building: ENISA will assist Member States in preventing, detecting and improving their responsiveness to cyber threats and incidents, and in developing national strategies.
- Operational cooperation at EU level: ENISA will support cooperation at the EU level by promoting the exchange of know-how and best practices, by providing advice and guidelines, and by organizing cybersecurity exercises at the EU level.
- Support and promotion of the European cybersecurity certification framework
- Knowledge and information, awareness-raising and education, and research and innovation
- International cooperation

The Cybersecurity Act also introduces a European cybersecurity certification framework as a means of establishing European cybersecurity certification schemes for ICT products, services and processes. The Cybersecurity Act will give the Commission power to adopt European cybersecurity certification schemes.

European cybersecurity certification schemes will be supervised by a national supervisory authority (or authorities) designated by individual Member States. Existing national certification schemes will be replaced by new, EU-wide frameworks.

[\(https://www.huntonprivacyblog.com/2019/03/28/eu-parliament-approves-the-proposal-for-cybersecurity-act/\)](https://www.huntonprivacyblog.com/2019/03/28/eu-parliament-approves-the-proposal-for-cybersecurity-act/)

Artificial Intelligence

In 2018, 26 countries had created national AI strategies. Though many mention ethics, these are often little more than a general declaration that rights should be preserved.

As with data and privacy regulation, the EU is pressing ahead with rulemaking for AI. The guidelines published by the European Commission in April and drawing on high level experts follow the idea of “Trustworthy AI”.

They provide clear ethical principles and a checklist to be used when developing AI systems. The principles will now be tested by companies and other stakeholders in a pilot project to start in the summer of 2019.

The EU’s regulatory preparedness contrasts with the countries which are leading in AI research. “The US was on the path to really forward-thinking AI national policy under the Obama administration. Now, we’re not,” says Mark Latonero, a fellow at the USC Annenberg Center on Communication Leadership & Policy.

China’s AI strategy has just two passing references to ethics. But the country is not alone: ethics remains a fundamentally international problem. “AI will have the tendency to scale very quickly without really any regards to national borders,” says Mr Latonero.

Democracies may balk at handicapping their AI industry’s growth if geopolitical rivals do not follow suit, particularly when national security or business advantage could be at risk. And co-operation between friendly states with shared values is a big step away from enforcing ethical codes on a superpower like China.



(Siddharth Venkataramakrishnan, “EU backs AI regulation while
China and US favour technology”, Financial Times, 25 April

2019, <https://www.ft.com/content/4fd088a4-021b-11e9-bf0f-53b8511afd73>)



Data protection

Everyone responsible for using personal data has to follow strict rules called ‘data protection principles’. They must make sure the information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

There is stronger legal protection for more sensitive information, such as:

- Race
- ethnic background
- political opinions
- religious beliefs
- trade union membership
- Genetics
- biometrics (where used for identification)
- Health
- sex life or orientation

There are separate safeguards for personal data relating to criminal convictions and offences.

Rights

Under GDPR, you have the right to find out what information the government and other organisations store about you. These include the right to:

- be informed about how your data is being used
- access personal data
- have incorrect data updated
- have data erased
- stop or restrict the processing of your data
- data portability (allowing you to get and reuse your data for different services)



- object to how your data is processed in certain circumstances

(Government of the United Kingdom, <https://www.gov.uk/data-protection>)



Time management

Other than as a discipline, time management is also described as a skill or the ability to plan and consequently control the amount of time you spend in accomplishing your tasks. It boils down to how skilled a person is in his analysis of how his hours are spent on a specific activity. It also tells a lot about his ability to prioritize his tasks in an effort to maximize efficiency and effectiveness.

As a skill, time management is something that can be mastered with consistent practice and further developed over time (no pun intended). Once this skill has been mastered, our work and personal lives will be more organized, much easier to handle, more efficient, and definitely happier.

Let's get this straight: time management is not about getting EVERYTHING done. There are two specific points that time management includes:

- Getting MORE THINGS done: You have a limited amount of time. Thus, you have to manage it so that you will be able to get a lot more work done within that limited time. In the past, when you used to barely finish two tasks in one hour, perhaps you can find a way to be able to finish three or four in the same amount of time. You can do that through time management.
- Getting the RIGHT THINGS done: It is possible that you may end up doing something other than what you originally set out to do. You planned to finish Task 1 in one hour. However, in the middle of that hour, your attention got diverted and you also started working on Task 2. When the hour was up, you ended up not finishing Task 1, and actually even had another (Task 2) pending. As a result, you did not finish anything. With time management, you may have been able to finish Task 1 before the hour was even up, and got a head start on Task 2.

(Martin, Cleverism, <https://www.cleverism.com/complete-guide-to-time-management/>)



Public Speaking

Essential Public Speaking skills:

1. Make eye contact. That means picking individual members of the audience, talking to them just like you're having a conversation, with the eye contact that naturally goes with that. DON'T look over the audience's heads.
2. Know your audience. That means understanding their issues, their concerns, their hopes and their dreams. You're not ready to talk to an audience if you don't know what's on their minds..
3. Stand up straight. Check your posture in the mirror before you start. You need to signal to the audience that you care, and a slouch indicates you don't.
4. Get the words off your PowerPoint slides. The slides are for the audience, not you. They're not speaker notes. Make them illustrations that will help the audience understand better what you're saying, NOT bulleted lists of your talking points.
5. Show up with some energy. Unless you're giving the eulogy at a funeral, the people are there because they want to be, and they're hoping for something good to happen. Don't waste their time and yours. Seize the moment – use some energy.

(Dr Nick Morgan, <https://publicwords.com/2013/05/14/5-essential-obvious-basic-public-speaking-tips/>)



Leadership

Effective management and leadership are vital in these times of complexity and fast change in organizations. But while good management, as it has been defined in the past, is critically important in the day-to-day operation of an organization, it is not enough to help an organization move towards a vision. In the past, managers have been taught to focus on setting goals, planning, motivating employees, and coaching. While all of these activities are important, they are not enough to help managers also be leaders of change.

What do we mean by leader in this context? A leader is someone who guides an organization and its people towards a future vision for the organization. A leader recognizes the opportunities inherent in organizational change and makes things happen to realize that change. A leader has integrity, credibility and instills the trust of others in the organization to move towards this organizational change.

How can a manager manage as a leader? Here are five critical factors to successfully managing as a leader:

1. Know yourself
2. Know the organization
3. Build relationships
4. Create vision
5. Manage the day-to-day relationships and operations of your team

(MIT Human Resources, <https://hr.mit.edu/learning-topics/leading/articles/basics>)



Pharmaceutical and Healthcare Regulation

Pharmaceutical Laws relate to the creation, sale, distribution, and use of pharmaceutical drugs. These laws include intellectual property rights to protect drug manufacturers' research, safety standards to protect the public from harmful side effects, restrictions on marketing drugs to the public, and rules regarding how drugs may be prescribed and distributed.

Intellectual Property

Pharmaceutical discoveries, and advances in biomedical research, have created a multi-billion dollar industry. With stakes so high, it is important for companies to be able to protect their investments. This is typically done through the use of patents. Patents can apply to the method of synthesizing a drug, the chemical makeup of a new molecule, or possibly even to certain genetic discoveries. There are many other potential uses for patents in the field of pharmaceutical law, as well.

Trademarks and copyrights also play a role in pharmaceutical law. After all, just as with any product, brand identification can be a key to success in marketing and brand loyalty.

Safety and Marketing

Another important area of pharmaceutical law is in product safety and marketing. Pharmaceuticals are among the most highly regulated products in the U.S., and must pass stringent testing by organizations such as the Food and Drug Administration (FDA) before they are even allowed onto the market. However, these products could still be misused, even if approved for their intended purpose. As such, strict laws regarding how these drugs can be marketed both to individuals and to doctors prevent false and misleading claims. If, as has often been the case, later research discovers a product is not safe, other laws are in place to immediately compel the recall of the product from the marketplace and prevent its further sale.

Distribution



Of course, many drugs are considered controlled substances in the U.S. As a result, very strict guidelines exist for which drugs may be sold without a prescription (i.e., over-the-counter) and which may only be given if approved of by a licensed medical practitioner. Other laws make it a crime to prescribe medications that are in quantities that are intended for distribution on the black market or that would be harmful to the patient. Still others criminalize the resale of prescription drugs.

(HG.org, <https://www.hg.org/pharmaceutical-law.html>)