



## **STAND OUT ON THE INTERNET THROUGH INNOVATION AND CREATIVITY**

**MARCEL NAUD\***  
**ROBIC, LLP**  
LAWYERS, PATENT AND TRADE-MARKS AGENTS

Businesses which have durable success not only manage to develop certain competitive advantages, but also to properly protect them or acquire others. Internet has now become a playing field in which once dominating players are threatened, while other more agile players manage to identify opportunities and best exploit network potential, either by offering innovative products or services or by wisely computerizing their operations.

If it were necessary to identify some current IT factors likely to make businesses more performant, the following points among others would have to be considered:

### **1) On-line Advertising**

Services such as Adwords® by Google have made web-based context publicity advertising to practically everyone. It is however necessary to also try to optimize its positioning in search engine results on the basis of certain keywords, while avoiding the use of trade-names or products that are too descriptive. On the other hand, advertising may be considered unfair competition when it attracts public attention in a way that causes confusion between the wares and services of one business and those of another, which is prohibited under the Trade-Marks Act.

### **2) The “app rush”**

In the 1990s, many business persons were ahead of the competition when websites became essential for advertising and, in some cases, even to operate a business. Today, a mass migration of Internet users and software developers to mobile devices (smart phones and tablets computers) is a new opportunity for businesses to stand out if they develop, before their competitors or better than they do, mobile applications which provide for innovative ways of interacting with their customers and delivering products and services to them. To do so, these businesses must be sure to

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**ROBIC, LLP**  
1001 Square-Victoria - Bloc E - 8<sup>th</sup> floor  
Montreal, Quebec, Canada H2Z 2B7  
Tel.: 514 987-6242 Fax: 514 845-7874  
[www.robic.ca](http://www.robic.ca) [info@robic.com](mailto:info@robic.com)

have copyright in the application or hold a proper licence under the Copyright Act, the conditions of which have been negotiated with the supplier, as the case may be.

### 3) Social Networking in Business

Businesses are beginning to realize the advantages of using private social networks which revitalize the content of their intranets or extranets, especially regarding knowledge management, sharing and, in a broader aspect, cooperation and coordination in work to be performed.

### 4) “Crowdsourcing”

There exists an “open outsourcing” practice which is based on the concept of open source software development but which applies to other fields. It involves the use of creative abilities, knowledge and the know-how of all Internet users to discover the best possible solution to a problem which concerns business, implementing a specific project or creating attractive compilations of content (text, music, photographs, films, data, etc.), at a lower cost. Once again, prior agreements should be entered into with contributors to ensure that, if appropriate, the business is the owner of all intellectual property rights resulting from these innovations or creations.

### 5) Use of Personal Information

The increase of on-line activities and the requirement for Internet users to register and identify themselves offer businesses some interesting possibilities for collecting, analyzing and using data. When dealing with personal information however, it is important to ensure that the policies and practices of the business regarding the protection of such information are in compliance with legislation governing the protection of such information, such as the *Act respecting the Protection of Personal Information in the Private Sector* which applies in Quebec.



