Title page

Legal and ethical environment

1. Ryan Coogler v. Ripoff

Court’s rule in case of Ryan Coogler v. Ripoff will act in favor of Coogler because Ripoff has violated the copyright infringement law. Coogler filled suit of copyright infringement against Ripoff and Sleazy claiming that they have used the design costumes that were similar to the ones worn by the characters of his movie ‘Black Panther’. Court’s rule in case of Ryan Coogler v. Sleazy will also act the favor of Coogler because Sleazy has also violated the copyright infringement laws.

Both Ripoff and Sleazy will be liable to pay the monetary damages to Coogler because the defendants have used the costume designs from Black Panther without permission of the owner. This reflects the unlawful conduct of Ripoff and Sleazy. The Copyright Act of 1976 states that “rights of reproduction, exhibition, and sale are not part of the license you received and are reserved by the copyright holder”. The rule of court will be based on purpose and character of use, the nature of the copyrighted work and the substantiality of the portion used. Vessel Hull Design Protection Act (VHDPA) depicts that Ripoff and Sleazy did not acquire permission from the owner of Black Panther they are liable to pay the damages.

1. Agency

The court’s rule in case of Stalker v. Lady Panther will consider Agency’s law and agent’s authority. It states that agent can act on behalf of the actual principal. Agency explains the legal relationship between the agent and an authorized person in which the agent acts to conduct the business only after seeking permission from the principal. The principal (Peeper) could contract with the agent (Sleazy) verbally or in written. Because no contract existed between Sleazy and Jazzmine, the court will act in the favor of Sleazy.

Peeper sued Lady Panther for breach of contract and claimed damages of $25,000. Implied authority is applicable in this case that states that agent’s relationship with the principal is based on custom and usage. The contract states that, “the duties imposed on a party may be transferred to another party by delegation, unless the contract expressly restricts delegation, or there is a substantial interest in personal performance by the original party to the contract”. Lady Panther is not liable to pay the damages as claimed by Peeper because Jazzmine was not acting as her agent, neither she fulfills the conditions of agency. Peeper can sue Jazzmine for damages not Sleazy.

1. Business entities

The business of starting a swimming lessons camp involve certain degrees of risks. It is appropriate to get insurance for covering the cost of damages. The sisters will need to sign the business forms before starting the business. A partnership agreement will be signed by the sisters that will include details of business, capital, profit and loss, interests, salaries and banking details. The section of death will explain who will be responsible for carrying business activities after the death of either partner. Other forms that the sisters will need for starting the business include independent contractor agreement that will identify duties, terms and compensations in case of each partner (Lau & Johnson, 2013). This form also include details about confidentiality and conflict of interest. The confidentiality agreement will also be signed by the partners that will explain which information can be disclosed and which information is kept protected.

1. Bankruptcy

The option most suitable for Kevin and Carlos is keeping their personal home and property (including that of parents) from being taken by creditors. The creditors demanded $50,000 from the company in addition to $100,000 claimed by child’s parents. U.S Bankruptcy Code offers several protections to the small businesses. Bankruptcy under chapter 7 states that unsecured personal and business debts are discharged. The debtors are not liable to make payment from their future earnings. It has also exempted the home occupied by the owner (WHITE, 2006). The law also states, “exemption up to $500,000 e.g. in Massachusetts and Minnesota”. The total amount claimed by the creditors and the child’s parents is $150,000 so Kevin and Carlos can be exempted. It is also possible for the owners to gain homestead exemption that will allow them to save their personal property.

1. Discrimination

Jennifer was denied the job at the Barclays Bank due to her black color. She is liable to sue the company for denying her job because this reflects discrimination. Abercrombie & Fitch agreed to pay $50 million for their act of discrimination. The company faced allegations for hiring the white employees. This reflects their engagement in discriminatory activities because many African-Americans were denied jobs (NPR, 2004). Discrimination is illegal because it is not fair to hire people on the basis of their physical appearance or skin color. The case of Jennifer can be defended on the basis of Civil Rights Act that stresses on offering equal job and employment opportunities to the people. “Title VII also prohibits acts of retaliation against anyone who complains about, or participates in, any employment discrimination complaint”. This indicates that Jennifer can file suit and claim monetary damages by proving that the rejection on the basis of color has impacted her personality and emotional wellbeing. Employment Discrimination", Section 12.3 "Other Federal Antidiscrimination Laws will be used for defending the case of Jennifer. Barclays will be liable to pay the damages because it is responsible for causing emotional destruction to an African-American woman.

1. Discrimination

Boutique Clothing Store in Boca Raton, Florida adopted a policy of hiring people who are fit and their BMI is not above a specific level. Jessica Chin an Asian female was terminated from the job when the company found that she was overweight and did not maintained average BMI as company’s policy. Jessica has a legal right to sue the company and get her job back by proving that the act of company was discriminatory. The strategy of company depicts that it preferred physical appearance by hiring smart girls. The Employment Non-Discrimination Act prohibits discrimination on the basis of personal appearance or characteristics such as obesity. The Act claims that it is unlawful to terminate employees on the basis of obesity or disability if their performance is not affected. Jessica can claim monetary damages from the company and also file suit for rejoining it. Her termination is the result of discrimination that is illegal.

1. Research question

Slickster could be responsible for violating the stature H.R 361. He is violating the Sports Agent Responsibility and Trust Act (SARTA) because he is engaged in unfair practices of such as by offering a gift (house) to buddy’s dad for getting a contract signed. The evidence suggests that 35 states in America are following this stature for regulating agent conduct by using SARTA. The unfair practice involve, “providing anything of value to a student athlete or anyone associated with the student athlete before the student athlete enters into an agency contract” (CSR, 2003). This reflects that Slickster has been engaged in unfair practice by offering a house to the father of Buddy.

References

CSR. (2003). *Federal Regulation of Sports Agents: Sports Agents Responsibility and Trust Act (SPARTA).*

Lau, T., & Johnson, L. (2013). *The Legal and Ethical Environment of Business.*

NPR. (2004). *Abercrombie & Fitch Settles Discrimination Suit*. Retrieved 07 26, 2019, from https://www.npr.org/templates/story/story.php?storyId=4174147?storyId=4174147

WHITE, M. J. (2006). *BANKRUPTCY AND SMALL BUSINESS — LESSONS FROM THE U.S. AND RECENT REFORMS.* DICE.