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Visual Images Search Patent

We bring to you this special law alert on a patent that has been granted in Singapore over a method of locating images using visual images. Please do not hesitate to contact us if you need specific advice.

Patent Grant

It has come to our attention that a patent has been granted in Singapore for a "method of locating web-pages by utilising visual images". Patent Publication number 95940 was granted via the Patent Cooperation Treaty process following the grant of a patent by the Australian Patent Office in 2003. We understand similar patents were also granted by the US Government Patent Office and the New Zealand Patent Office.

Vuestar

We also understand that a Singapore-incorporated company, Vuestar Technologies Pte Ltd ("Vuestar") (<http://www.vuestar.biz>), has been licensed or has been contracted to administer the rights to such patent. Vuestar is offering a "Licence of Use" for "locating web sites that are using visual images" pursuant to the patents granted.

Licensing

According to Vuestar's website, a license from it for the Vuestar Technologies is required for the clicking, scrolling or streaming over a Visual Image to connect with a website or web page. Such licences

are available on a per territory and per year basis. According to Vuestar, any website with visual images, Internet Service providers, telcos whose phones connect to the web and anybody else contributing to the use of the patent will require the license. In addition all search engine portals and web sites that have search facilities and images will require separate licenses.

More ominously, we understand that Vuestar has sent invoices for around S\$5,000 to various parties in Singapore asking them to enter into such license agreements or to cease allowing images on a parties' website to be downloaded or used in Singapore.

Conclusion

We believe that this development would have a wide-ranging impact on the Internet community in Singapore given the wide claims being made by Vuestar on the intellectual property covered by the patents. Parties operating web-sites, offering web services or developing web-based and WAP-based products and services need to be especially careful.

Challenging a patent is an expensive process especially if copies prior art searches are undertaken.

We therefore believe that the claims of Vuestar should be taken seriously and urge clients to seek legal counsel. We would also caution that as pointed out in a recent case involving Internet

technologies infringement, parties intending to undertake such licenses should also carefully examine the terms of such licenses and the claims of the licensors.

Keystone Law Corporation is a boutique technology law firm with an emphasis on information technology, telecommunications, competition and dispute resolution, in the areas of commercial and construction arbitration and litigation. The firm is committed to client care based on its principles of hard work, integrity, competence, responsiveness and reasonableness.

The firm is recommended for its work in Information Technology and Intellectual Property by Legal 500, Asia-Pacific 2005/2006, 2006/2007 and 2007/2008 Editions.

The information contained in this newsletter is correct to the best of our knowledge and belief at the time of writing. Specific professional advice on such information should be sought before any action is taken.

If you are interested in any of the topics presented in this newsletter, please contact us using the contact information in the box on the right.

KEYSTONE LAW CORPORATION

9 Shenton Way #06-01
Singapore 068813

PHONE:
+65 62262539

FAX:
+65 62206539

E-MAIL:
info@keystonelawcorp.com

CONTACT



Bryan Tan
Director

Contact Details
E-mail:
bryan.tan@keystonelawcorp.com

For more information and updates, please visit our website at
www.keystonelawcorp.com