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This article examines the High Court decision in *Lantana Ltd v Comptroller-General of Patents, Designs and Trade Marks*, refusing a patent application entitled "Methods, Systems, and Computer Program products for retrieving a file or machine readable data", pursuant to s.1(2) of the Patents Act 1977. It reviews the background to the case, including the court's review of the findings of the Intellectual Property Office (IPO), and application of case law on the patentability of software.

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Cyber Attack = Armed Attack? The Implications and the Challenges 226

In this new millennium, the world's growing reliance on information technology has increased exponentially, with the internet becoming a breeding ground for all types of malicious actions—crime, espionage, attacks and political action. Owing to the unconstructive use of the innate characteristics of the internet, cyberwar has now become the drumbeat of the day. This article seeks to analyse whether the current legal framework under art.2(4) of the UN Charter is sufficient to address cyber warfare, given the tragic implications of cyber attacks. To this extent the authors submit four approaches recommended by experts: (1) the instrumentality approach; (2) the consequentiality approach; (3) the analysis of Michael Schmitt; and (4) strict liability. In addition, the authors undertake the task of analysing current state responsibility norms and the changing standards for accruing responsibility to state and non-state actors for such acts or omissions. Further, this article explores the challenges faced by the real world in identifying persons engaged in such actions due to the unique nature of this virtual world, and finally demands that nations engage in an extensive international dialogue through mutual co-operation and a clearer set of international rules to deal with this new form of warfare: "cyber warfare."

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