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As retailers continue to wage war on the battlefield of e-commerce, is technology the weapon of choice?

Since its inception, technology has been the foundation upon which the e-commerce industry was built. But new technologies now provide retailers with even sharper tools to use against one another as they vie for market position and the oft-fleeting attention of the consumer.

Nowadays, technology is being used to redefine the customer experience. Virtual and augmented reality technology can make the e-commerce customer feel like they are in a brick and mortar retail environment, allow for virtual “try-ons” and even scan the customer’s face to show him or her how a pair of glasses, or a new makeup shade, would look.

Retailers are widely accepting alternative payment methods and with new solutions such as crypto-currency gaining steam, e-commerce sellers may be able to use this technology to directly bill customers. Blockchain will allow for decentralized marketplaces to emerge that, will provide lower prices for consumers and clearer rules for retailers. Fulfilment centers and supply chains are shifting towards use of robots and droids or drones to fulfil orders and ultimately deliver product to customers. And artificial intelligence is making it easier than ever for retailers to gather data about their customers and predict customer behaviour.

Why do businesses need to take note?

New forms of technology raise new legal queries for which there are no easy answers. How should your business adopt a new technology where ownership of the intellectual property underpinning that technology is yet to be determined? Should your business rely on some of the new cryptocurrency models, and what issues might arise if you decide to do so? What regulatory hurdles relate to technologies being used in new product fulfilment and distribution models? What is the regulatory environment with respect to customer data as it pertains to new technologies used to market to consumers? Which privacy laws and regulations should you comply with? What do you have to do to protect your customers' data?

Whether your business has adopted one of these new technologies or is considering it, there are a host of issues that will need to be considered. Our global team has extensive experience in acquiring, protecting and commercializing intellectual property such that your valuable new inventions will be safeguarded. We can assist with matters relating to encryption, electronic payments, and new modes of supply and distribution. We are experts in social media and brand protection. The lawyers at Hogan Lovells are trailblazers: big data, the Internet of Things, wearables, AI, online behavioral advertising, cross-border transfer of personal data.

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How we help

- Consumer, distance selling and e-commerce regulations
- Web- and mobile-application development contracts
- Electronic payment systems and e-money
- Brand protection
- Distribution and social media platforms
- Domain name dispute resolution
- Internet commercial contracts
- User agreements and privacy policies
- Cybersecurity
- Developing Terms of Use and warranty provisions
- Website design, development and hosting transactions