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The loss of commercial flight MH370 pgs 2-14**

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Airport at Kuala Lumpur

The most alarming news in March 2014 is the loss of airplane flight MH370 which was to arrive in Beijing on 8 March 2014. The fate of Malaysia Airlines flight MH370, which vanished from radar en route to Beijing from Kuala Lumpur, has dominated headlines.

A commentary in the *Beijing Times* noted that Premier Li Keqiang said that he was 'very worried' over the missing plane and added that his government will continue to be a 'strong shield' for people who are overseas. He said:

'When the citizens are out of the country, their dignity is closely linked to the dignity of the country. When the country is strong and prosperous, especially if it respects the citizens and protects them, citizens will feel confident and proud when they are abroad.'

The Chinese criticised Malaysia for not responding swiftly during the initial stages of the problem, because it is now apparent that there were obvious loopholes in security checks in Malaysia airport. A commercial aircraft was missing on 8th March on its journey from Kuala Lumpur in Malaysia to Beijing in China. This frightening and sobering news brings home the fact that some computer expert could, at his/her whim; reset a flight plan to travel elsewhere by some backdoor way into the computer software system.

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A rogue passenger?

Malaysian police are investigating Mohd Khairul Amri Selamat, a 29-year-old aviation engineer flying from Kuala Lumpur to Beijing to carry out work on a plane in China. As a flight engineer Selamat, would have had some of the technical knowledge required to fly an aircraft. But the Malaysia-based technician would not have had knowledge specific to the Boeing 777.

Mechanical failure or a pilot error?

An estimated 72 per cent of air disasters are caused either by mechanical failure or a mistake by the pilot. Sudden, catastrophic failure is diminished by the evidence that the plane changed direction and continued flying for several hours. Companies such as airplane manufacturers are very loathe to open up themselves to interrogation less their trade secrets are given away to competitors and in this climate of financial downturn, it is even possible that one manufacturer may sabotage another's through stealing their trade secrets. Trade Secret protection is an important part of Intellectual Property that is of growing importance to the Competitiveness of American industry. The future of

the nation depends in no small part on the efficiency of industry, and the efficiency of industry depends in no small part on the protection of intellectual property. Unlike patents, copyrights and trademarks, there is no federal trade secrets statute as regards the United States. However, strong common law exists to protect trade secrets and the Uniform Trade Secrets Act, drafted by the National Conference of Commissioners on Uniform State Laws, has been enacted in over 39 states of the US.

Further reading

Editor, 'China and the missing airplane Boeing flight MH 370', *BBC News China*, 16 March 2014.

Editor, 'Missing Malaysia plane: Malaysia requests countries' help', *BBC News Asia*, 16 March 2014.

Turner, B. (ed), *The Statesman Yearbook 2013*, Basingstoke: Palgrave Macmillan.

Walden, I. (2007) *Computer crimes and digital investigations*, Oxford: Oxford University Press.

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