Description. This handout summarizes principles, laws, frameworks and perspectives that can help in navigating intellectual property issues, especially as they apply to computing technology. All of these are discussed in Chapter 3 of the text, which is excerpted and paraphrased below. Use this handout as you consider the freedom of speech case studies explored in class, and also as you consider current events.

What is Intellectual Property, and Why Protect it? (pp.198-199)

- Intellectual property is the intangible creative work of an individual or group. This includes music, visual art, writing, and software.
- We protect intellectual property because (a) it protects the right of the creator (artists, authors, inventors) to receive compensation for their creations, and (b) it encourages people to produce creative work that is valuable to society.

Copyrightable Material and Rights of Copyright Holders (pp. 199-200)

- Copyrights protect intangible creative expression: characters, organization of ideas, music, art, etc; concepts, processes, and methods are NOT copyrightable.
- U.S. copyright law, which is found in Title 17 of the U.S. Code, provides a copyright holder with the following rights:
  - make and distribute copies of the work
  - produce derivative works (e.g., translations into other languages)
  - perform and display the work in public
  - "Fair use" doctrine (see below) grants exceptions
  - Copyrights last for a set period of time, generally the lifetime of author plus 70 years; work then goes into public domain

Patents (p. 200)

- Patents protect inventions of devices and processes.
- Patents are valid for a set period of time, generally 20 years.
- Unlike copyrights, patents protect the invention itself, not just its expression.

New Technologies Make it Difficult to Protect Intellectual Property (p. 201-202)

- Photocopiers made it easy to copy copyrighted material, but newer digital technologies make it even easier and more practical. These include
  - digitized storage formats for music, text, sound, and graphics
  - inexpensive digital storage media (e.g., CDs, DVDs, and USB drives)
  - scanners
  - compression formats, which allow traditionally large music and video formats to be easily downloaded
  - the Web, which makes it easy to find and distribute material
  - high speed Internet connectivity
  - peer-to-peer technology
  - software for manipulating video and sound, making it easy to create derivative works

Significant Copyright Law Cases (pp. 203-206)

- The first U.S. copyright law was enacted in 1790; it protected books, maps, and charts for 14 years.
- Copyright Act of 1909 expanded it to cover movies, photography, and audio. However, it dictated that the copyrighted material had to be in a form that could "read visually" by a human. This created a loophole for non-traditional media (e.g., digital media).
Copyright laws passed in 1976 and 1980 focused on software, including databases and computer programs. In addition, the laws dictated that copyrights hold irrespective of the physical medium in which the work manifests itself.

1992: It became a felony to make multiple copies of copyrighted material "willfully and for purposes of commercial advantage or private gain".

**Fair Use Doctrine (pp. 206-207)**
- Start here.

**Significant Fair Use Cases (pp. 207-212)**
- Start here.

**Regulation of Copying and Sharing of Digital Media (pp. 212-222)**
- Start here.

—More to come—