

COMPUTER ETHICS for the Midshipman Focus: Copyright Law

Yes, this is testable material!

THE QUESTIONS:

1. Can I print copies of online material?
2. Can I store on my personal PC files that I find elsewhere?
3. Can I download a webpage and give a printed copy of it to a friend?

Note: Files = text files, graphics, pictures, images, etc.

1

COMPUTER ETHICS for the Midshipman Focus: Copyright Law

THE QUESTIONS:

4. Can I incorporate files found elsewhere into my own webpage (or document)?
5. Can I alter files and make those files available online (or in a document)?
6. Can I excerpt material and distribute those excerpts?

We will consider each of these questions

2

Copyright Basics Direct from “We the People ...”

- Foundation is Article I, Section 8, Clause 8 of U.S. Constitution:

The Congress shall have power...To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writing and Discoveries.



- Copyrights are granted to author and artists to protect intellectual property and retain due compensation (and promote creativity)

3

COPYRIGHT BASICS What is Protected?

- Copyrights typically pertain to a written document (including all graphics, etc); compare patents and trademarks
- All published works (books, magazines, etc)
- All work on the Internet (because that is publishing), including emails
- Must be tangible (spoken words can not be copyrighted!)

4

COPYRIGHT BASICS What is Not Protected?

Public domain works:

- Includes all material with an expired copyright
- Includes any material (such as online work) that includes a specific statement such as “I grant this to the public domain”
- Are copyright notices (i.e., © or “all rights reserved”) required for a work to be protected?

5

COPYRIGHT BASICS For How Long?

- Copyrights lasted 14 years in 1792 (and could be renewed for an additional 14 years)
- In last 40 years, this period has been extended 11 times
- **Sonny Bono Copyright Term Extension Act of 1998** extended it to life of author plus 70 years (95 years if copyright owned by corporation).
 - Disney Corporation spearheaded this law as Mickey was scheduled to enter the public domain in 2004

6

INTERNET Personal Use

- Given that online material is always copyrighted, in order to **use** this material, you must:
 - Get specific permission from the owner of the copyright; (or)
 - The webpage (or part thereof) must grant explicit permission for others to use
- Some websites (i.e., author) grant explicit permission for use provided no compensation is received

7

INTERNET What does “use” mean?

1. Can I print copies of online materials?
2. Can I store on my PC files found elsewhere?
3. Can I download a web page and mail a print copy to a friend?

8

COPYRIGHT What Happens?

- Current law makes copyright violation a felony provided it involves more than ten copies with a value over \$2500
- Almost all cases that go to court, however, end up in civil court (not criminal court)
 - Frequently, the purpose is to remove the offensive material from the website
 - Sometimes compensation and damages are assessed
- Note: plagiarism is not *illegal* (except as it pertains to copyright)

9

COPYRIGHT The Compensation Issue

Is it OK to use another file (say for my own document or webpage) so long as I don't make money from it?

10

(2001)

CASE STUDY SURVIVOR

- CBS vs. Survivor Deadpool.com
- Issues:
 - Website spin-off of “Survivor—The Australian Outback”
 - Website used logo of show as well as pictures of cast members (including Mark Burnett, the producer)



11

(2001)

CASE STUDY SURVIVOR

- Ruling:
 - Removed logo and pictures
 - Included a disclaimer of certain font and in bold that it “is in no way connected with CBS...”



12

INTERNET

Publishing on the Web

4. Can I scan in or copy a file (such as a picture) and use it my personal website?
5. Can I alter text files and make those files available online?

13

INTERNET

Publishing on the Web

6. Can I significantly alter a picture (or other artwork) and present it as my own?

Related Issue: The “look and feel” of a computer screen is not protected by copyright and can be freely used. Thus (so long as you replace all the content) you may retain all of the html commands that make up a webpage and use it w/o permission.

14

COPYRIGHT

Fair Use Guidelines

- Any copyrighted material can be used without permission under certain circumstances
 - To academically excerpt from the material
 - To criticize the material (thus movie critics do not need permission to add a film clip)
 - To parody the work
- These guidelines are not based on specific law, but on court interpretations (typically on free speech)

15

CASE STUDY

Dr. Juice

- Dr. Seuss Enterprises vs. *The Cat NOT in the Hat!*
- Issues:
 - Used parody defense (Fair Use) as it spoofed O.J. Simpson under the framework of Dr. Seuss’ *Cat in the Hat*
- Ruling?

16

COPYRIGHT

Fair Use Guidelines

- Examples of Fair Use (other than criticism or parody):
 - Recording a TV program on your VCR to watch later;
 - Copying a song to a cassette, CD, or MP3 player, provided you purchased the CD from which you are making a copy
 - Use of excerpted material in teaching a class

17

CASE STUDY

Star Trek

- Paramount (Viacom) vs. Mr. Henderson
- Issues:
 - Website posted pictures and other graphics concerning Star Trek.
 - This guy was a “trekkie.” This is an example of the many fan club websites
- Resolution?

18