

Intellectual Property

Slide 1

Agenda

- Follow-up to Privacy
- Panel
- Student's Choice for Topics
- Learning Outcomes
- Intellectual Property
- Break
- Panel
- Wrap-up and Overview

CSC301, Winter, 2014

Slide 2

Learning Outcomes for Privacy

- Understand that privacy is social, but security is technological
 - Privacy is a set of collective information practices
 - Security is the technology that we use to achieve privacy
- Understand legal responsibilities and best practices for privacy.
- Apply the privilege, autonomy, and circulation lenses to privacy.

CSC301, Winter, 2014

Slide 3

Panel: Privacy Protection

CSC301, Winter, 2014

Slide 4

Topic

- What would you like privacy protections to look like?
 - Both offline and online
 - Both legal and technological
- What privacy intrusions are you concerned about?
- What do you do to protect your privacy?
 - Social media
 - Cloud computing
 - Encryption
 - Cookies
 - Incognito browsers
- What do you wish others couldn't do with your data

Student's Choice Topics

- Proposal: Change March 27 (Distributed) to a topic chosen by students
- What topic(s) would you like to see covered?
- How involved would you like to be in designing the lecture?
 - Choosing panel question, creating quiz

Today's Learning Outcomes

- Understand that intellectual property denotes a diverse set of laws for regulating the of creative works
 - These laws trade disclosure for exclusive use for a limited time
 - Physical property is a poor analogy for creative works
- Apply the circulation lens to intellectual property.

Intellectual Property

- Historical Context
 - Commons was an everyday concept
 - Guilds protected trades
 - Printing was the YouTube of its time
 - Aristocratic hobby inventors and philosophers
- Foundation of patents is to trade disclosure of an invention for exclusive use for a limited time
- Foundation of copyright is to give author exclusive printing rights for a limited time
 - King James Bible
 - Class divides
 - Intentional mis-attribution

Where do ideas come from?

- Ancient Greek model
 - Artist toils and capricious muse occasionally pays a visit
- Creative genius model
 - Philosopher/author/inventor was a unique individual
 - Selected for divine inspiration
- Networked community model
 - Ideas come from and belong to the commons
- Circulation and autonomy lenses

Metaphor of Physical Property

- Metaphor of physical property and theft breaks down for creative works and digital artifacts
 - Makes it a poor tool for reasoning, but good tool for hyperbole
- Ideas can't be simultaneously shared and protected
- Ideas don't do anything by themselves
 - Need to be turned into inventions
- All transmission of digital works is copying
- Copying is not theft
 - Originator still has a copy and can derive all benefits
 - Could be a violation of civil commercial law

Epidemic of Infringement

- John Tehranian performed a thought experiment.
 - Counted every act of unauthorized copying in the day of a law professor
 - Counted at least 83 acts of infringement with over \$12 million in liability and criminal charges
- Problem: Laws that can't be enforced are not meaningful

Panel: Piracy

Topic

- Are you a pirate?
 - Do you make unauthorized copies? How much and how often?
 - Do you worry about being caught?
 - Do you feel that you owe the creators anything?
- How would you feel about having your work pirated?
- Would you trade future ability to make money from your work for the right to make copies now?

Current Affairs

- Copyright
 - New laws are often proposed and sometimes passed
 - Canada passed new law in 2012, still being interpreted
- Currently in a holding pattern, because producers are finding ways to make money by giving things away
 - Pirates are fans. Don't prosecute your fans.
 - Remixes of songs increase sales.
 - Copies aren't exclusive, but experiences are.
- Patents
 - US Supreme Court to hear case on software patents
 - Invalidation of thousands of patents possible (likely?)

Questions

- Privacy is about "collective information practices"
 - Could the same be said about IP protections?
- What should copyright law look like?
 - Consider from points of view of author and audience
- Is technology leading or lagging law?

Today's Learning Outcomes

- Understand that intellectual property denotes a diverse set of laws for regulating the of creative works
 - These laws trade disclosure for exclusive use for a limited time
 - Physical property is a poor analogy for creative works
- Apply the circulation lens to intellectual property.

Up Next: Open

- Erik Raymond's *The Cathedral and The Bazaar*
 - Classic paper that explained to the rest of the world why open source works
- Sara Diamond's paper
 - Challenges utopian views that anyone can contribute to open source
- Tim O'Reilly's paper on open government
 - Take the concepts of open source and apply them to government
- *Autonomy and circulation lenses*