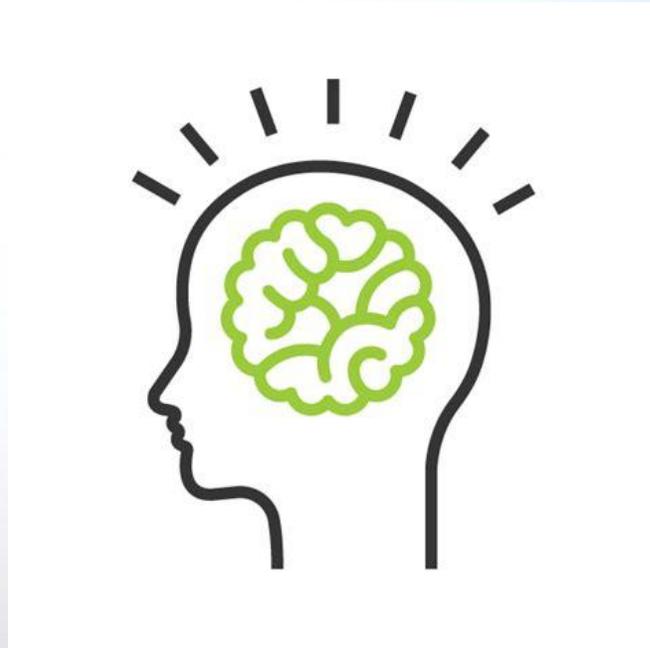


# Intellectual Property

Methods of Protection



# Objectives

Students should be able to

- Define the term Data Privacy
- State the laws that protects individual private data
- Describe the contents of the data Protection Act
- Define the term Intellectual Property
- Outline the copyright rules and regulations
- Describe ways to protect copyright materials
- Describe types of software licenses



# What is Data Privacy?

- **Data Privacy** refers to the proper handling, processing, storage, and protection of personal data—any information that identifies or can be linked to an individual.
- Examples:
  - Name, ID number, location, online behavior, biometric data).





# Why is Data Privacy Important?



It is a fundamental **human right** to keep our data private data protection laws exist to guard that right.

Personal data can be misused in several ways

- ✓ Criminals can use personal data to **defraud or harass** users.
- ✓ Entities may **sell personal** data to advertisers or other outside parties without user consent, which can result in users receiving unwanted marketing or advertising.
- ✓ When a person's activities are tracked and monitored, this may **restrict their ability** to express themselves freely, especially under repressive governments.



# What are Fair Information Practices?

The Fair Information Practices are:

- ✓ There should be limits to how much personal data can be collected
- ✓ Personal data, when collected, should be accurate and related to the purpose it is being used for
- ✓ The use for personal data should be specified
- ✓ Data should not be used for purposes other than what was specified
- ✓ Data should be kept secure
- ✓ Personal data collection and usage should not be kept secret from individuals
- ✓ Individuals have a number of rights, including the right to know who has their personal data, to have their data communicated to them, to know why a request for their data is denied, and to have their personal data corrected or erased
- ✓ Anyone who collects data should be held accountable for implementing these principles

The Personal data shall be:

- processed lawfully, fairly and in a transparent manner in relation to individuals
- collected for specified, explicit and legitimate purposes
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- Accurate and, where necessary, kept up to date
- Should not be kept longer than it needed.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures

# Data Protection Act



# Intellectual Property

*Intellectual property* (IP) refers to unique and original works such as ideas, inventions, art, writings, processes, company and product names, and logos.

**(creation of the mind)**

**Intellectual property rights** are the rights to which creators are entitled for their work.

A **copyright** gives authors and artists exclusive rights to duplicate, publish, and sell their materials. A copyright protects any tangible form of expression.

A common infringement of copyright is **piracy**.

People pirate (illegally copy) software, movies, and music. Many areas are not clear-cut with respect to the law, because copyright law gives the public fair use to copyrighted material.



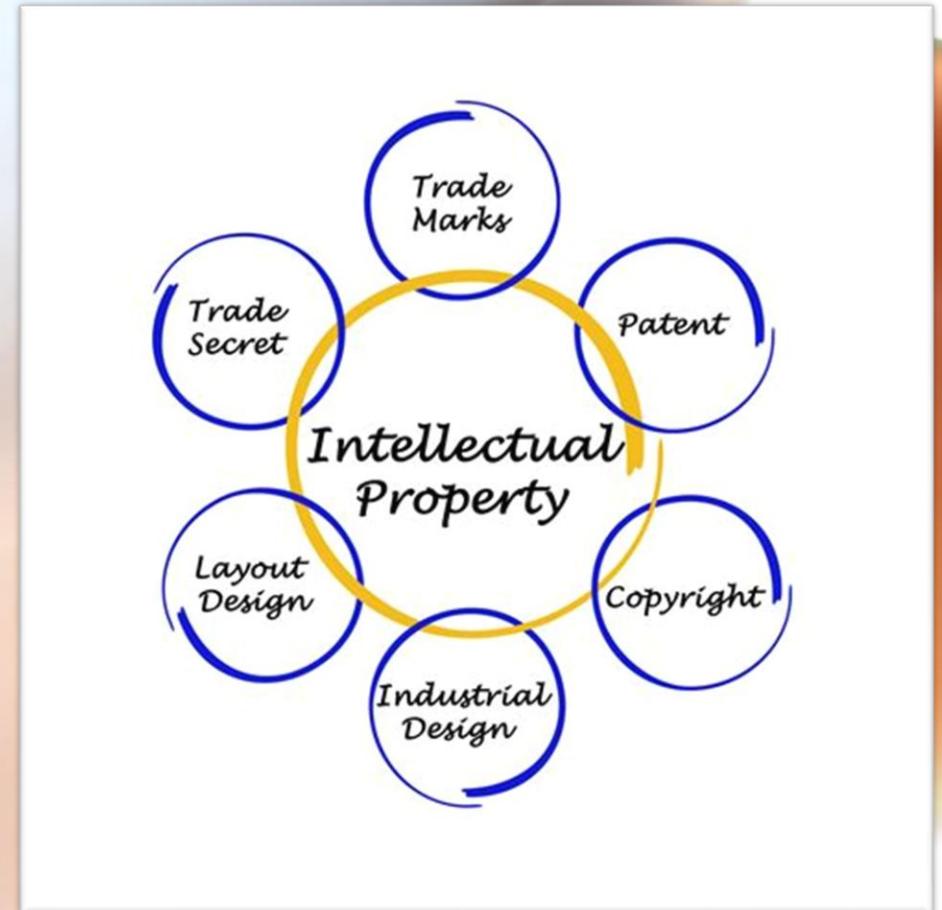
# Ways to Protect Intellectual Property

Intellectual Property protection is not just necessary to ensure that your innovations/creation won't be copied or stolen.

It also focuses an incentive that what work you created will benefit a lot of people without violating your rights.

There are different ways to protect your intellectual property.

- ✓ Copyright
- ✓ Digital Right management (DRM)
- ✓ Patent
- ✓ Trademarks
- ✓ Licensing



# Copyright Licensing

Copyright is the artwork of the Intellectual Property world. Copyrights exist works of visual art, like paintings, or movies, or songs. Copyrights also exist in characters, like Mickey Mouse.

Copyright licensing agreements are often used for consumer goods, just like trademark licenses. They are also used for distributorships, such as with musical works or movie



# *Digital Rights Management (DRM)*

Digital Rights Management (DRM) provides content providers with the means to protect their proprietary music or other data from unauthorized copying and other illegal uses.

DRM technology protects digital content by encrypting it and attaching to it usage rules that determine the conditions under which a user can play back the content.

Usage rules typically prevent copying or limit the number of times that the content plays.

The operating system works together with drivers to enforce these rules

# Licensing

A software license also provides legally binding description for the distribution and use of the software.

End-user rights, such as installation, warranties, and liabilities, are also often spelled out in the software license, including protection of the developer's intellectual property.

Most software falls under one of two categories that have distinct differences in how they are viewed under copyright law:

- ✓ Closed source also called Proprietary
- ✓ Open source also called Free and open-source software (FOSS)



# Types of Software Licenses

**Open source /FOSS software licenses** – give rights to the customer that include modification and reuse of the software code, providing the actual source code with the software product(s).

This open-source type of licensing affords the user authority to modify the software functions and freedom to inspect the software code.

**Proprietary software licenses** – provide no such authority for code modification or reuse and normally provide software with operational code only, and no source code. A proprietary software license often includes terms that prevents the modification of the object code at anytime.



# Software Licensing

## **Free Software Foundation:**

- License gives user freedom to run, copy, distribute, study, change and improve software.
- Condition: any redistributed version of software must be distributed with original terms of free use, modification, and distribution (aka copyleft)

## **The Open Source Initiative:**

- Source code of an open-source software is readily available to users under a copyright; does not enable user to re-distribute the software
- Concept of open-source program relies on fact that a user can review a source-code for eliminating bugs in it

## **Shareware:**

- Demonstration software that is distributed for free but for a specific evaluation period only
- Distributed on trial basis and with an understanding that sometime later a user may be interested in paying for it
- Used for marketing purposes

**Commercial:** Requires payment before it can be used, but includes all program's features, with no restrictions

# What is a licensing agreement?

A licensing agreement is a legal contract by which one party that owns certain Intellectual Property allows another party to use that Intellectual Property.

The party who owns the Intellectual Property (the licensor) receives payment (a royalty) when the other party (the licensee) uses the Intellectual Property .

Licensing agreements can be broken down by the types of Intellectual Property they license.



# Patent Licensing

Patents cover science and innovation.

Patent licensing agreements are the documents through which a patent owner allows someone else to use their patent.

Patents protect the owner's invention from being made, sold, or used by anyone else for a certain amount of time.

Patents give inventors the right to sell their product or to make a profit from it by transferring that right to another person or business

These are generally the most complex types of license agreements because of everything involved in obtaining and maintaining a patent



# Trademark Licensing

Trademarks help to protect the names, marks, and slogans of products and companies.

Trademarks make it easy for customers to distinguish competitors from one another, help to avoid any confusion, and deter misleading advertising.

Trademark licensing agreements allow trademark owners to let others use their Intellectual Property.

Most often, trademark owners license their trademarks for commercial goods, like clothing, iPhone cases, or food product



# *Objectives Evaluation*

Revisit the objectives given

Make a checklist to show if you have achieved what was laid out

