**Lecture 6- Chapter 4 Intellectual Property review**

1. Define intellectual property
2. Intellectual property is recognized in the US Constitution
3. True
4. False
5. What did the U.S. Congress balance when they gave authors and inventors the limited right to their intellectual property?
6. Intellectual property right is a (check any that applies)
7. limited right
8. prudential right
9. positive right
10. What are the four ways intellectual property is protected?

1 Government

2 Trademarks

3 Copyrights

4 Secrets

1. Merchandise 7X, the formula for Coca-Cola® syrup, is a famous example of a type of intellectual property known as a **---------------**.

1 Trade secret

1. A company’s logo is an example of a type of intellectual property that can be protected by a **-----------------.**

**1 Trade mark**

Give some examples

Iphone, apple, coke, pepsi. Anything with TM after it

1. How do you protect yourself from being sued for using your own idea if you do not want to protect that idea?
   * Publish it, nobody can patent it. But you can still use it
2. What is the concept of fair use?
3. You can use copyright info for noprofit purposes
4. What factors do courts consider when deciding whether a copyright violation is fair use?

2.) Educational vs commercial

3.) Amount copied

4.) Parody purposes

5.) Fiction vs nonfiction

1. In *Sony v. Universal City Studios*, Betamax VCR case, the U.S. Supreme Court ruled that ---- ---------------- is fair use

1.)Timeshifting, copies of shows for watching later

1. In *RIAA v. Diamond Multimedia Systems, Inc*., MP3 Player, the U.S. Court of Appeals ruled that --------- ------------ is fair use
2. Arriba Soft Corporation was sued for copyright infringement because its Web search engine returned -------------------- images of photos. A court later ruled this was a fair use.
3. Downloading
4. Actions/technologies that owners of IP in digital form take to protect their rights is called: ---------- -------.
5. Digital Rights Managment
6. What is a Creative Commons License?
7. Free license that tells what you can and cannot do
8. A “--------- ----------” software development strategy helps ensure a company’s software program does not duplicate any code in another company’s product.
9. Clean room software development strat.

End software patents (2 min)

<http://www.youtube.com/watch?v=xkWPGwfuQcM>

1. Define open source software

Provide source code

No restrictions

Modify and share

1. Give three examples of open source software

Android

1. What is a Patent troll?

A company that buys patents in an attempt to wait for infringements to sue

Patent trolls (6 min)

<http://www.youtube.com/watch?v=sDg-Wh0XA-w>

**Short answer questions**

1. Consider making a video of yourself lip-synching to a popular song and posting the video on a social-networking site. Is that fair use? Is it ethical to do this?
   1. Assuming we aren’t making money
   2. Fiction/non fiction
   3. Assume not for commercial purposes
   4. Depends on profits
2. A software service company A has a client C. C uses a software S made by company B. Company A made a copy of S, not to resell, but to provide service to C. Company B sued, and company A argues that the copying was a fair use. Do you agree?
   1. Company A is affecting the interests of company B even though the software wasn’t sold.
   2. Not fair use