

Professional Ethics in Computing – Seminar 7

In today's seminar we will run some *mock* court cases around Intellectual and Intangible Property.



Step 1. Each team will be allocated one of the cases listed on the next page. They will be assigned as prosecutor or defence. (5 minutes)

Step 2. The team will discuss their case and come up with the best prosecution or defence argument. (15 minutes)

Step 3. A mock court case will be run for each case. Two teams will be selected to debate in court and a judge assigned to control proceedings and 5 jurors to decide. (45 minutes)

The procedure of each court case will be as follows:-

- (1) The prosecution make their case (<4 minutes);
- (2) The defence put their position (<4 minutes);
- (3) The prosecution respond (<2 minutes);
- (4) The defence respond (< 2 minutes);
- (5) The jury discuss and come to a decision (1 minute)

Do not worry about winning or losing – just prepare the best case you can!!!

Case 1. Copyright.



Orkney Software Company develop a chess playing computer program with pieces designed on the historical Isle of Lewis Chess Set (12th or 13th century AD). The game proved very popular and profitable for the software company. One year later, their rival Faroe Software develops its own version also with pieces designed from the Isle of Lewis Chess Set. Orkney attempt to sue Faroe for breach of copyright.

Further information: Faroe can demonstrate that their software was developed independently to Orkney's (i.e. it is not copied code), and that the design of chess piece art in their game was independent and made no reference to Orkney's artwork. They just referenced the historical chess set.

Case 2. Patents.

Amazon developed its 1-Click option to allow a customer to order items with one click, using shipping and payment details set up on their user account. This was patented in 1999. A new company ABC Chairs, which only sells chairs, wants to use a similar one click facility on their order system. However, they need to pay Amazon a fee to use the idea since it is patented. ABC disputes Amazon's patent in the courts.

Case 3. Trademarks

This is T-Mobile's logo:-



In particular, the colour magenta has been trademarked. A small start-up business called P Mobil decides to adopt this logo on their shop front in England:-



P Mobil sell mobile phones and accessories, but they do not provide a mobile phone network. In this scenario, suppose T-Mobile sue them for breach of trademark.

Further information: The name of one of the founders of P Mobil is *Paul Mobil* and that is how it got its name.