

Name: _____ Suggested AnswersStudent No.: _____ P-17-1234-5

Section A (Multiple choice) This section carries 30 marks. Each question of this section carries 1 mark. Circle the letter of the correct answer (like (b)).

1. Which of the following rights is **not** a right of a copyright holder?
 - (a) The right to reproduce the copyrighted work.
 - (b) The right to distribute the work to the public.
 - ☒ (c) The right to prevent others from producing competitive works.
 - (d) The right to perform the work in public.
2. Sometimes it is legal to reproduce a copyrighted work without the permission of the copyright holder. These circumstances are called
 - (a) reciprocity
 - ☒ (b) fair use
 - (c) piracy
 - (d) public domain
3. The decision by the U.S. Court of Appeals, Ninth Circuit in *RIAA v. Diamond Multimedia Systems Inc.* established the concept of
 - (a) open source
 - (b) fair use
 - ☒ (c) space shifting
 - (d) time shifting
4. The U.S. Supreme Court decision in *Sony v. Universal City Studios* established the concept of
 - (a) open source
 - (b) fair play
 - (c) space shifting
 - ☒ (d) time shifting
5. Google Books is
 - ☒ (a) an effort to scan millions of books and make all their words searchable.
 - (b) an effort to gain copyrights on millions of books in the public domain.
 - (c) a book reader designed to compete with the Kindle.
 - (d) an online store competing with Amazon.com.
6. In 2005 Sony BMG Music Entertainment made headlines by
 - (a) announcing they would begin shipping CDs without digital rights management.
 - (b) shipping CDs that would only play on devices manufactured by Sony.
 - ☒ (c) shipping CDs that secretly installed a rootkit on Windows computers.
 - (d) purchasing the iTunes Store from Apple.
7. After the RIAA sued Napster,
 - (a) Napster renamed itself KaZaA
 - ☒ (b) Napster went off-line
 - (c) the Supreme Court ruled in favor of Napster
 - (d) Congress made peer-to-peer networks illegal
8. The Digital Millennium Copyright Act is controversial, in part, because
 - (a) it extends the length of time that a piece of intellectual property is protected by copyright.
 - (b) it makes it illegal for consumers to circumvent encryption placed on digital media.
 - (c) it extends copyright protection to music broadcast over the Internet.
 - ☒ (d) All of the above
9. Apple's digital rights management system is called
 - (a) iPlay
 - (b) AirPlay
 - ☒ (c) FairPlay
 - (d) FairDeal
10. The court's ruling in *Apple Computer v. Franklin Computer Corp.* established that
 - ☒ (a) object programs can be copyrighted
 - (b) source codes can be copyrighted
 - (c) computer hardware can be patented
 - (d) the "look and feel" of a program can be patented
11. Who wrote an influential paper in the 1890s urging that privacy rights be enacted into law?
 - (a) Benn and Brandeis
 - (b) Levine and Benn
 - ☒ (c) Warren and Brandeis
 - (d) Benn and Thomson

12. Who wrote that every violation of a “privacy right” is also a violation of another right?
☒ (a) Judith J. Thomson (b) Stanley Benn (c) Morton Levine (d) Samuel Warren
13. Most commentators cite the benefits of privacy as a reason why people ought to have some privacy rights. A right that benefits society is called a
(a) legal right (b) natural right (c) social right ☒ (d) prudential right
14. A public record contains information about an incident or action reported to a government agency for the purpose of
(a) enhancing public safety ☒ (b) informing the public
(c) protecting the innocent (d) regulating the economy
15. An RFID is a
(a) bar code ☒ (b) wireless transmitter (c) media player (d) biometric device
16. The OnStar system allows
(a) a vehicle owner to initiate a conversation with an OnStar representative
(b) the vehicle to automatically send a message to an OnStar representative after an accident
(c) an OnStar representative to disable the gas pedal of the vehicle without the driver’s permission
☒ (d) All of the above
17. Flash cookies are controversial, in part, because
(a) they are commonly used by identify thieves to steal credit card numbers
(b) they consume huge amounts of hard disk space.
☒ (c) they are not controlled by the privacy controls of most web browsers
(d) they allow online retailers to track online shopping on other web sites
18. The process of searching through one or more databases looking for patterns or relationships is called
(a) credit reporting (b) microtargeting ☒ (c) data mining (d) information gathering
19. When information is put to another purpose, that is called a
☒ (a) secondary use of the data (b) backdoor exploit
(c) collaborative filter (d) data leveraging opportunity
20. A policy that requires consumers to explicitly give permission for sharing information with another organization.
(a) Fair use (b) Opt-out ☒ (c) Opt-in (d) Nondisclosure
21. Which of the following is **not** one of the categories in Daniel Solove’s taxonomy of privacy?
(a) information collection ☒ (b) information filtering
(c) information processing (d) information dissemination
22. The Census Bureau has not always kept confidential the information it has collected. According to the textbook, this became apparent
(a) during the Civil War (b) during the Vietnam War
☒ (c) after the attack on Pearl Harbor (d) after September 11, 2001
23. The FBI’s National Crime Information Center database
☒ (a) contains more than 39 million records
(b) has information about every American citizen
(c) has never led to a false arrest
(d) All of the above

24. What was the original purpose of Operation Shamrock?
- (a) Wiretap all calls made from public telephone booths
 - ☒ (b) Intercept all international telegrams entering or leaving the United States
 - (c) Scan email messages to identify drug dealers
 - (d) Read all letters going between the United States and Ireland
25. After the terrorist attacks of September 11, 2001, which U.S. governmental agency collected telephone call records of tens of millions of Americans without a court order?
- (a) Central Intelligence Agency
 - (b) Federal Bureau of Investigation
 - (c) Department of Homeland Security
 - ☒ (d) National Security Agency
26. The Fair Credit Reporting Act
- ☒ (a) is designed to promote the accuracy of credit reports.
 - (b) ensures that information about criminal convictions does not haunt a consumer's credit report forever.
 - (c) gives consumers the right to request a free copy of their credit report every year.
 - (d) makes it possible for a consumer to declare bankruptcy without harming his or her credit rating.
27. The Fair and Accurate Credit Transactions Act requires the three major credit bureaus to provide customers a free copy of their credit report every
- (a) 3 months
 - (b) 6 months
 - (c) 9 months
 - ☒ (d) 12 months
28. The Fair and Accurate Credit Transactions Act
- (a) allows credit bureaus to sell personal financial information they have gathered.
 - (b) makes it possible for a consumer to declare bankruptcy without harming his or her credit rating.
 - ☒ (c) gives consumers the right to request a free copy of their credit report every year.
 - (d) ensures that people with criminal convictions are still able to obtain credit.
29. The Family Education Rights and Privacy Act
- (a) gives students 18 years of age and older the right to review their educational records.
 - (b) gives students 18 years of age and older the right to request corrections to errors in their educational records.
 - (c) gives students 18 years of age and older the right to prevent educational records from being released without their permission, except under certain circumstances.
 - ☒ (d) All of the above
30. The Video Privacy Protection Act
- (a) prohibits the government from prosecuting minors who play "adult" DVDs in their own home.
 - ☒ (b) prohibits video stores from disclosing rental records without the written consent of the customer.
 - (c) makes it legal to send "adult" DVDs through the mail without a warning label on the envelope.
 - (d) All of the above

Section B (Fill in the blank) This part carries 26 marks. Each answer of this section carries 2 marks.

31. Currently, the lifetime of a U.S. patent is 20 years.
32. In *Sony v. Universal City Studios*, the U.S. Supreme Court ruled that time shifting is legal.
33. A peer-to-peer network allows computers running the same networking program to connect with each other and access files stored on each other's hard drives.

34. A clean room software development strategy helps ensure a company's software program does not duplicate any code in another company's product.
35. We can use a Creative Commons license to retain the copyright while allowing some uses of our intellectual property under certain circumstances.
36. A cookie is a file containing information about your visits to a web site that is placed on your computer's hard drive by a web server.
37. With enhanced 911 service, cell phone providers are able to determine the location of active cell phone users.
38. Manufacturers are replacing bar codes with RFIDs / RFID tags because they give more information about the product and are easier to scan.
39. FBI maintains a collection of databases called National Crime Information Center (NCIC).
40. Between 1945 and 1975 the U.S. government secretly monitored telegram traffic entering and leaving the United States. The name of this project was Operation Shamrock.
41. The Freedom of Information Act is a federal law designed to ensure public has access to U.S. government records.
42. To protect citizens from interruptions by telemarketers, FTC created the Do Not Call Registry in 2003.
43. The CALM Act requires that television commercials are played at the same volume as the programs they are interrupting. "CALM" stands for Commercial Advertisement Loudness Mitigation.

Section C (Short question) This section carries 20 marks. Each question of this section carries 4 marks.

44. Why the court case *Apple Computer v. Franklin Computer* is so important?

Ans.: The court case *Apple Computer v. Franklin Computer* is important because it established that object programs are copyrightable.

45. Why the court case *Sega v. Accolade* is so important?

Ans.: The court case *Sega v. Accolade* is important because it established that disassembling object code to determine technical specifications is fair use. In other words, **reverse engineering is okay**.

46. Give four examples of public record.

Ans.: Birth certificates, marriage licenses, motor vehicle records, criminal records. [or deeds to property]

47. Name two exemptions in the Freedom of Information Act that allow the government to withhold information.

Ans.: (1) Trade secrets or financial information. (2) Documents related to law enforcement investigations.

48. Give an example of how information gathered by the E-ZPass system has been used for a purpose other than collecting tolls.

Ans.: E-ZPass records have been provided in response to court orders in criminal and civil cases.

Section D (Essay question) This section carries 24 marks. Each question of this section carries 8 marks.

49. If a fair use related copyright issue goes to court, which four factors would be considered by the court?

Ans.: (a) Purpose and character of use.
(b) Nature of work.
(c) Amount of work being copied.
(d) Affect on market for work.

[Each factor carries 2 marks]

50. What was the Netflix prize? Why did Netflix's actions raise privacy concern?

Ans.: In 2006, Netflix offered \$1 million prize to any group that could come up with a collaborative filtering algorithm that was at least 10% better than Netflix's own algorithm at predicting user ratings for movies.

Netflix released more than 100 million movie ratings from nearly half a million customers, stripped of private information in an attempt to make the records anonymous.

A group of researchers demonstrated that ratings were not truly anonymous if a little more information from individuals was available. The release of "anonymous" movie ratings could compromise the privacy of Netflix subscribers. This led to a complaint by the U.S. Federal Trade Commission and a lawsuit.

On March 12, 2010, Netflix canceled sequel to Netflix Prize.

[The first question carries 3 marks, and the second question carries 5 marks.]

51. Which organization sued the US government in 2010, saying the use of the Advanced Imaging Technology scanners systems violated the 4th Amendment of the US Constitution? What is the result that happened in 2011 due to this lawsuit?

Ans.: Electronic Privacy Information Center sued government in 2010, saying the use of the Advanced Imaging Technology scanners systems violate the 4th Amendment and various laws.

As a result of the above lawsuit, the Transportation Security Administration announced it was developing new software that would replace detailed image with generic outline of a person in February of 2011.