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Ethics Paper: Copyright

Copyright is a law that protects a creator of a creative work by preventing the copying, modifying, distributing, performing, recording, and filming of said work. It also allows the creator to grant permission for others to copy, modify, etc. their work to modify or create something new. Copyright law, however, does not apply to processes, ideas, facts, titles, names, works by the US government, common information, etc. Some ideas, processes, etc. can be protected by copyright by the way they are presented. Similarly, some titles, names, etc. may “be protected under trademark law if their use is associated with a particular product or service” (Copyright Society). Also, a creative work, that is acceptable for copyright, goes “under copyright protection the moment it is created and fixed in a tangible form that it is perceptible either directly or with the aid of a machine or device” (copyright.gov).

Copyright laws for computer code follows the above rules to determine copyright eligibility. “The copyright law does not protect the functional aspects of a computer program, such as the program’s algorithms, formatting, functions, logic, or system design.” (copyright.gov, 1) For instance, code has a certain creativity threshold to reach so that it can have copyright. Code that is simple, non-creative, or contains only common knowledge will not be granted copyright. For example, “compiling phone numbers in alphabetical order for a phone

book” does not meet these minimum requirements (Hamilton and Sabety, 243). But if the way that the phone book sorter is presented is creative enough then the program will gain copyright.

Works that are free source and open source are under copyright law. This “means that the users have the freedom to run, copy, distribute, study, change and improve the software”, but the software is still owned by someone else (OpenProject). In other words, someone is allowing others to use their code. Free and open source can be free to use but often there is a fee.

My license agreement would charge a fee to anyone that wanted to use my code. The only way to avoid this fee or lower the fee would be determined by how they intended to use my code. If they wanted to use my code to help humanity, then they would get the free or lower price. But if they just wanted to make a video game, a streaming service, an everyday app, etc. they would have to pay full price.

The obligations that a Christian programmer would have if they used code from the internet would be to only use code that they have permission to use. In other words, they should only use free source and open source. They could also use simple, non-creative code that does not reach the copyright threshold. But they should make sure that they are not stealing anyone’s code and they should follow copyright law.

Works Cited

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