(Berti,2009) The copyright law was created to maintain control over the copying and distribution of created work. Once work is produced, it is automatically protected under the copyright law, making it illegal for others to copy, and reproduce without the creator’s permission. Some might say that copyright opposes the open source movement, but on the contrary, it is part of the open source movement with its copyleft license component. Copyleft is a form of copyright; copyleft is based on copyrighted work with the ability to modify, and distribute the product only if the original terms are passed along with the distribution. If a user decides to distribute copyrighted work that has been assigned a copyleft license, they must follow the original terms, and if they choose to distribute it, they must also pass the terms to the next person. Even though it’s still part of the open source movement, there are some restrictions that people must follow if it’s under the copyleft license. Even though there are some issues and misconceptions about copyrighted work, there are some counter measurements one can take.

Berti (2009) mentions that technology has reached a point where users can illegally copy something easily; the issue with copying work without following the rules, and/or the laws is that it robs away from the original author. If the author does not allow free distribution or does not allow a certain portion of their code to be distributed, there could be potential profit losses if someone chooses to infringe on their work. The main cause of copyright infringement is due to the younger generation not understanding that what they are doing is violating the author's rights Big companies, such as, the Motion Picture Association of America (MPAA), and the Recording Industry Association of America (RIAA) have tried to stop copyright infringement by shutting down illegal websites, or pursuing legal action against individuals. Many people believe that they should focus on the problem from a different angle. Berti (2009) suggests possible solutions to avoid copyright infringement by targeting the educational system by teaching younger individuals about copyright and its licenses, or assigning appropriate fair pricing to software to discourage people from copying work (Berti, 2009). (El-Wahed, Elfatatry, & Abougabal, 2007) Additional issues arise when it comes to copyrighting software. Copyright laws do not protect computer algorithms; sometimes programmers will code very similar from each other due to them using code generators or similar algorithms. There exists numerous tool to detect software plagiarism, but all they do is detect duplicate code. Anyone can copy software code and not get into trouble if there is only one way to do it.  The idea of open source software is to encourage people to stop pirating; there are issues when it comes to following the licenses of copyrighted work, even with the concept of copyleft. Despite the issues and misunderstandings of copyright, and the financial losses due to copyright infringement, there are ways to protect yourself against it.

Open source provides freedom. Sometimes an individual might want to protect a certain aspect of their work. (Arai, 2011) Actual damages and statutory damages are two ways that an individual might act if their work has been violated. Actual damages are hard to prove; actual damages are based on how much money you lost during the time the infringer stole your work, and violated your terms. Proving the exact amount that you lost is often hard, so in many copyright cases the court decides on statutory damages; statutory damages can range from $750 to $30,000. Statutory damages are decided on the circumstances, and the amount depends on the seriousness of the infringement. Open source promotes freedom while still protecting your rights using copyright. People can distribute their copyrighted work with copyleft licenses. There are many social benefits to open source, especially when combined with freeware. The usability of open source is limitless, with many popular programs being part of the open source campaign.

NEW SOURCE

Cuellar, L. (March 18). Open source license alternatives for software applications: is it a solution to stop software piracy?. *ACM-SE 43*, 2, 269-274. doi: [10.1145/1167253.1167314](https://doi-org.proxy.binghamton.edu/10.1145/1167253.1167314)