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Purposes of Copyright

Copyright when it comes to computer code is the copying, using, changing, or adding to of code that one does not own. Copyright was confirmed on computer programs and code in the 1992 COMPUTER ASSOCIATES V. ALTAI.x[1] Computer programs as described by the US code, "A "computer program" is a set of statements or instructions to be used directly or indirectly in a computer in order to bring about a certain result."[2] It means someone cannot edit or use code that they do no have the permission to. If one made the code themself then this does not matter. If someone used an open source, then while they can edit their own code, they cannot edit code that was made by one of the other people working on the project. But as the creator and owner of a code the author can choose what happens with it. The author can let people use and edit it as they please by making it free to use and part of the public domain. For a person that is not the author of a computer software or code to edit and or use said program or code the item must either be put into public domain, the user must have express permission by the author, or a licensing agreement must be made by the author.

For an author to put their code or software into public domain means that they forfeit all individual rights to that intellectual property. No one can afterwards claim that they own that code and get the benefits of owning it. If a piece of property is in the public domain anyone can use it without fear of repercussions no matter who the owner was before it was put into public domain. A copyright will

[1] COMPUTER ASSOCIATES V. ALTAI. No. 982 F.2d 693. Second Circuit. 17 December 1992.
[2] United States Code. Title 17, U.S. Government Publishing Office, 2011, www.gpo.gov/fdsys/pkg/USCODE-2011-title17/html/USCODE-2011-title17.htm.

last either seventy years after the author has died, if the author is known, or, if the author is unknown, one hundred and twenty years after its creation or ninety-five years after its first publication whichever happens first. After that time, it is put into public domain.

To have express permission to use or edit something by the author means to have written confirmation by the author for a specific purpose as designated by the author. The person cannot go outside of what the author allowed the person to use nor can that person change something that was not specified. This does mean that attributing counts as express permission. Just because someone gives credit does mean that that person has express permission. Unless the author says that a user only has to give credit.

The license agreement is like express permission but with more conditions. This legally binds you to complete certain actions to use the copyrighted item. The conditions are purely up to the author. Some of the conditions can include royalties, who can use it, and length of time the item can be used. If a person does manage to edit the item, then that person owns that version of the edit and if someone else wants to use the first person's version, they must then get the original authors permission then the second. A license agreement that I would personally use it that I must be cited and only the person that I have given permission to use the item can use and edit it. The reason is that I do not believe anyone will be using my code to make money, but this may change in the future and I will therefore add another royalty clause if they would be making money. It covers everything since it is generic. I picked it because of how generic but concise it is. I would have more depending on the circumstances.

It is the programmer's obligation to not infringe on copyright while programming. It does not matter if you are only using it in class, using it at work, or making money from it. The person has to abide by the rules that both the US government and the author has set. There are still some grey areas when reusing code. If someone finds themselves in one of those situations, they can use some well

accepted code of ethics. The first is ACM's code of ethics which summarizes to, "Respect a person and his property, be professional in all areas, be a good leader, and follow the rules as stated by the code".[3] The second code is IEEE's, "Uphold the highest level of integrity and professional behavior, treat everyone equally and without bias, be the bigger person, and help your colleagues to follow the rules." [4] There are a few differences and similarities in the two codes. The similarities include focus on a singular person, requires a person to be a leader, do not discriminate, be professional when receiving and giving criticism, and ensure everyone follows the code. The differences include IEEE's does not go into respecting the work required to make new items, IEEE's is not as specific as ACM's, and ACM's does not explicitly state that when a conflict of interests arises to tell the affected parties. One problem that can arise from not following is the loss of revenue from a person that should be receiving royalties. This means that person lost something that should be theirs and would be violating both codes in respecting someone else's property. The person that is due money should therefore receive that money in its entirety as therefore stated in the codes.

[3] ACM. "ACM Code of Ethics and Professional Conduct." Code of Ethics. 2018.
[4] IEEE Board of Directors. "IEEE Code of Ethics." Code of Ethics. 2020.

Works Cited

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