**QUESTION 1: Compare Copyright, Patent and Trade Secrete briefly?**

**Copyright**

Copyright and patent protection was established through the U.S. Constitution, Article I, section 8, clause 8, which specifies that Congress shall have the power “to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries.”

A copyright is the exclusive rights to distribute, display, performs, or reproduce an original work in copies or to prepare derivative works based on the work. Copyright protection is granted to the creators of “original works of authorship in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.”8 The author may grant this exclusive right to others. As new forms of expression develop, they can be awarded copyright protection. For example, in the Copyright Act of 1976, audiovisual works were added, and computer programs were assigned to the literary works category.

Copyright infringement is a violation of the rights secured by the owner of a copyright.

Infringement occurs when someone copies a substantial and material part of another’s copyrighted work without permission. The courts have a wide range of discretion in awarding damages—from $200 for innocent infringement to $100,000 for willful infringement.

**Patent**

* Grant of property right to inventors
* Issued by the U.S. Patent and Trademark Office (USPTO)
* Permits an owner to exclude the public from making, using, or selling the protected invention
* Allows legal action against violators
* Prevents independent creation as well as copying
* Extends only to the United States and its territories and possessions
* Patent infringement:
  + Making unauthorized use of another’s patent
  + No specified limit to the monetary penalty
  + Most common defense is counterattack
  + Plaintiff must still prove that every element of the claim was infringed
  + Infringement caused some kind of financial loss
* Trade Secret:
  + Business information
  + Represents something of economic value
  + Requires an effort or cost to develop
  + Some degree of uniqueness or novelty
  + Generally unknown to the public
  + Kept confidential
* Information is only considered a trade secret if the company takes steps to protect it
* Trade secret law has a few key advantages over patents and copyrights
  + No time limitations
  + No need to file an application
  + Patents can be ruled invalid by courts
  + No filing or application fees
* Law doesn’t prevent someone from using the same idea if it is developed independently
* Trade secret law varies greatly from country to country
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* Trade secret law varies greatly from country to country
* Employees are the greatest threat to trade secrets
* Unauthorized use of an employer’s customer list
  + Customer list is not automatically considered a trade secret
  + Educate workers about the confidentiality of lists
* Nondisclosure clauses in employee’s contract
  + Enforcement can be difficult
  + Confidentiality issues are reviewed at the exit interview

**QUESTION 2: Do you believe that spam is actually harmful? What would be your recommendations for law making regarding spamming?**

To determine whether the spam is harmful or not depends on the message itself or how big the message is. If a spammer sent a lot of messages that’s really big, it might slow your computer or the **internet speed**, **decrease your working efficiency**. But if the messages contain **worms or virus**, it might cause problems to your computer.

If the spam does not contain any virus or neither slows your computer down, then it’s just **annoying messages** which causes no harm if you ignore it.

**QUESTION 3: What type of online information about a candidate should employment managers consider when screening candidates for a job interview? Give three examples of information that should automatically disqualify a candidate from a job offer. Give three examples of online information that should increase a candidate’s chances of a job offer.**

* Companies may reject candidates who post:
  + Information about their drinking or drug use
  + Provocative or inappropriate photos
  + Discriminatory remarks relating to race, gender, or religion
  + Confidential information of previous employers

**Almost as many, 44% of hiring managers want to see if a candidate is creative.**

**45% are researching potential hires on social media to find out more about that candidate’s qualifications.**

**More than half of hiring managers (51%) say that they’re looking to see if the candidate will be a good fit with the corporate culture.**

**Involved in community.**