# Assignment 4(Part-II)

## 4.

I) What is the article’s primary argument? What are your thoughts about it?

The implantation of health devices must go through a verification by FDA (Food and Drug Administration). The completion testing of the software or the hardware devices related to health can not be done by FDA. The customer cannot file a case when the devices are approved by FDA. There are few chances to get compensation when filing the case against the device making companies. The company which are in the medical fields consider the code written for Software as exclusive property and does not allow other to access their code and test its security. The transparency in the field of medical studies is the interest of public. It unifies various research into the privacy and security risks of medical device software and the benefits of published systems over closed, proprietary alternatives. Making the software an open source would eliminate the system vulnerabilities entirely.

Making software source code as open source can be observed in the Department of Defense. By allowing open source code, People continuously work on it and improves software reliability and security by eliminating the defects that might go otherwise by the core development team. Even the professionals of the academia and internet security think that the auditable source code gives users the ability to independently assess the exposure of a system and the risks associated with using it.

We can see wide range of contribution towards open source code that allows the development of more reliable software. Android is one of the example for open source software and there is so much contribution towards its improvement.

II) Alternative Argument:

Even though we see great usefulness with Open source code, there are remarkable things happening for these kind software. We have seen Java as open source for many years, later it is purchased by Oracle and imposing cost to buy the software. Ultimately, the public contribution towards one software turning into profits for some other organization. Making the code an open source has its own consequences. There might be situations where the whole source can be plagiarized and it may lead to a lot of patent fights.

Applying the same techniques to Software Testing might be different. Open source softwares used by many people, they can take that code and add their own flavors. In case testing, it wholly depends the objective of the testing. It may vary based on the context. If it is regular software that is okay, we can use the system designs and test suits which are available online without exposing the code. Even there is an error that doesn’t affect too much but that that is not the case with the medical devices. Since the open-source in the is for now out of the question for the IMD’s the FDA has to rise the standards and sophisticate their level of testing so that no vulnerabilities can be

allowed. Typical software life cycle follows the schedule to complete the testing. It depends on lot of factors. we can’t sat sufficiency of the testing.

**5.Technology related patent dispute**

1. Allure Energy sues Honeywell over Lyric thermostat

Allure Energy filed a patent infringement lawsuit against Honeywell on Thursday over that company's Lyric thermostat, which was released last year.

ii Explain specific technical details (related to hardware, software, design, and/or name/logo) behind the claim/IP violation?

The lawsuit takes issue with Lyric’s use of location-based controls, which Allure Energy claims is protected by patent. The lawsuit, filed in U.S. District Court for the Western District of Texas, claims that Honeywell infringes on two patents, No. 8,626,344 and No. 8,457,797.

[**Allure Energy’s EverSense thermostat**](http://www.greentechmedia.com/articles/read/allures-eversense-says-its-one-better-than-a-learning-thermostat)uses geolocation technology that relies on mobile phones to adjust the home environment. Depending on whether your smartphone is within range of the home, the EverSense sets the home environment accordingly.

iii) outcome:

The case is not yet cleared. As Greentech Media noted in 2013 when covering Allure Energy, it was not the only company at that time which was integrating location-based controls. Allure may have to fight not just incumbent Honeywell, but many others as well. "As a small company pioneering this important space, it’s critical that we protect our intellectual property and enforce our exclusive rights to this technology under the U.S. patent laws.