# IT Ethics

## Internet

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## Topics

Internet
- Domain Names
- Freedom of Expression
- Democracy

Social Implications
- Digital Divide
- Worklife



## Domain Names

- is the distribution of domain names fair?
- until 1998: NSF
- "first come first served"
- taking domain names of others: *cybersquatting*
- after 1998: ICANN
- a non-profit organization
- Uniform Domain-Name Dispute-Resolution Policy
- trademarks apply on domain names

# Dispute Resolution

- WIPO Arbitration and Mediation Center
- for a domain name to be transferred:
- the name has to be the same as or very similar to a trademark
- the previous owner should have no rights on the name
- there has to be malicious intent



# Example: TomCruise.com

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Tom Cruise wins TomCruise.com

Decision exposes systemic flaws

By Kieren McCarthy - Get more from this author

Posted in Music and Media, 23rd July 2006 12:59 GMT

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Comment Tom Cruise has won his domain namesake, TomCruise.com, from notorious cybersquatter Jeff Burgar.

Burgar contested the complaint and paid for a three-person panel at domain name arbirtrator WIPO to decide the issue. In the end though, they decided for the movie star and against Burgar - who is a regular at WIPO judgments, having registered hundreds of famous peoples' name which he redirects to his Celebrity1000.com website.

The decision comes as no surprise to anyone who follows the uniform domain resolution policy (UDRP). But Burgar, - indisputably the most infamous domain name registrant - once again highlights flaws and inconsistencies in the UDRP model.

Tom Cruise's lawyers made three basic points: the actor has "common law trademark and service mark rights" in the term Tom Cruise; Burgar was making money from the domain through third-party ads on the Celebrity1000 website; and that internet users were likely to be confused and think that TomCruise.com was affiliated personally with the website.

- WIPO takes the domain name TomCruise.com from registrant and gives it to the actor Tom Cruise (2006)

`http://www.theregister.co.uk/2006/07/23/tom_cruise_dotcom_win/`
`http://www.theregister.co.uk/2004/12/17/ronaldinho_scores_own_domain_name/`
`http://www.theregister.co.uk/2006/10/13/rooney_wins_dotcom/`
`http://www.theregister.co.uk/2012/03/19/pope_benedict_cybersquatter/`



# Example: milka.fr

BBC NEWS

Watch One-Minute World News

Last Updated: Monday, 14 March, 2005, 16:50 GMT

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French designer to lose milka.fr

A French court has ordered fashion designer Milka Budimir to hand over her website to the Kraft Foods company, which owns the Milka chocolate brand.

Judges said the US giant Kraft Foods was entitled to the www.milka.fr website because it had owned the brand long before Mrs Budimir, 58, was born.

Milka Budimir may appeal against the court's ruling

Her lawyer said it was regrettable that the rights of a brand had triumphed over the rights of an individual.

Mrs Budimir now has a month to comply with the order.

The court said that "by reserving and using the domain name milka.fr, Mrs Milka Budimir made unwarranted use of the Milka brand name owned by Kraft Foods".

Kraft had suggested that Mrs Budimir launch a new website under the domain name www.milkacouture.fr, the French news agency AFP reported.

- French designer Milka Budimir registers milka.fr
- Kraft claims it
- court gives the name to Kraft (2005)

`http://news.bbc.co.uk/2/hi/europe/4348585.stm`



# Example: Gmail

BBC NEWS

Watch One-Minute World News

Last Updated: Wednesday, 19 October 2005, 14:28 GMT 15:28 UK

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Google drops Gmail address in UK

By Tim Weber

Business Editor, BBC News website

Gmail, the free e-mail service run by internet search giant Google, will change its name for new UK users.

Following a trademark dispute the mail account will be renamed Google Mail.

Google's Gmail account comes with 2.6 Gigabyte storage

London-based Independent International Investment Research says it started using the Gmail name for a web-mail application two years before Google.

Current UK users of Google's service will be unaffected, but a separate trademark dispute forced Google to drop the Gmail name in Germany in May.

Talks between both companies broke down several months ago, after they failed to agree a financial settlement.

Gmail v Google Mail

- Google cannot use the name Gmail in Britain (2005) and in Germany (2007)

`http://news.bbc.co.uk/2/hi/business/4354954.stm`
`https://mashable.com/2007/10/02/google-german-domain/`

## Name Similarities

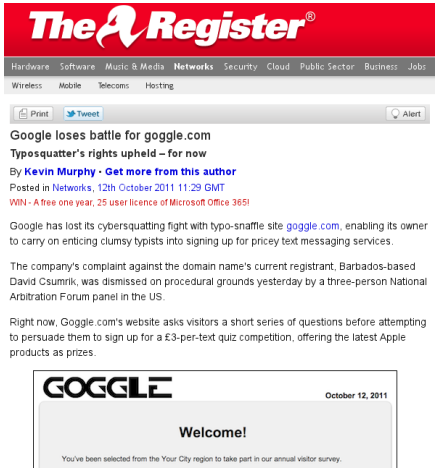
- similar names can also cause disputes
- Microsoft: mikerowesoft.com, mocosoft.com

- *typosquatting*
- don't search engines and browsers make money from this?

```
http://www.theregister.co.uk/2004/01/19/microsoft_lawyers_threaten_mike_rowe/
http://www.theregister.co.uk/2004/12/15/mocosoft_beats_microsoft/
http://www.theregister.co.uk/2008/10/23/google_and_typosquatting/
```



## Example: Google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Google loses battle for goggle.com

Typosquatter's rights upheld – for now

By Kevin Murphy · Get more from this author

Posted in Networks, 12th October 2011 11:29 GMT

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Google has lost its cybersquatting fight with typo-snaffle site goggle.com, enabling its owner to carry on enticing clumsy typists into signing up for pricey text messaging services.

The company's complaint against the domain name's current registrant, Barbados-based David Csumrik, was dismissed on procedural grounds yesterday by a three-person National Arbitration Forum panel in the US.

Right now, Goggle.com's website asks visitors a short series of questions before attempting to persuade them to sign up for a £3-per-text quiz competition, offering the latest Apple products as prizes.


GOGGLE

October 12, 2011

Welcome!

You've been selected from the Your City region to take part in our annual visitor survey.

- Google wins various domain names (2005): googkle.com, ghoogle.com, gfoogle.com, gooigle.com
- cannot get goggle.com (2011)

```
http://www.theregister.co.uk/2005/07/11/google_ruling/
http://www.theregister.co.uk/2011/10/12/google_v_goggle/
```



## Example: ICANN conflicts of interest

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ICANN prez calls out own board over conflicts of interest

Departing chief accused of risking the net

By Kevin Murphy · Get more from this author

Posted in Hosting, 19th March 2012 15:03 GMT

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The board of directors of internet overseer ICANN is said to be fuming after its ethics were called into question by the organisation's outgoing president and CEO.

Rod Beckstrom, who is set to the leave the domain name policy group in July, took to the stage at ICANN's public meeting here in San Jose, Costa Rica on Monday to criticise what he called the "tangle of conflicting agendas" on the board.

"ICANN must be able to act for the public good while placing commercial and financial interests in the appropriate context," he said. "How can it do this if all top leadership is from the very domain name industry it is supposed to coordinate independently?

"There is value in having community members with domain name industry experience but it is equally valuable to avoid even the perception of a conflict of interest," he said.

- president of ICANN points out conflicts of interest in the ICANN board of directors (2012)

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http://www.theregister.co.uk/2012/03/19/icann_president_calls_out_his_own_board_over_conflicts_of_
interest/
```



## Freedom of Expression

- what is not covered in freedom of expression?

- child pornography
- hate or violence propaganda
- promoting crime or harmful behaviour
  - how to make a bomb, how to commit suicide painlessly?
- defamation

## Protest Sites

- people publish web sites for protesting organizations they have problems with
- disputes are evaluated based on:
- site content (lies, defamation, freedom of expression)
- domain name (trademark)



## Example: Air France, Wal-Mart

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**US Appeals Court clarifies protest website law**

**WIPO pseudo-law sucks.com**

By **Kieren McCarthy** · **Get more from this author**

Posted in Music and Media, 5th April 2005 16:05 GMT

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A decision by the Ninth Circuit (California) of the US Court of Appeals has clarified where the law stands in relation in protest websites - and it doesn't look good for WIPO, one of the arbitrators for global domain disputes.

Despite a Mr Michael Kremer owning and running a protest website at the exact same dotcom address as a company's trademark, the Appeals Court ruled that trademark law was not broken because it was a non-commercial site.

The decision potentially sets a dramatic precedent – barring any intervention by the US Supreme Court - protecting protest sites' first amendment rights on the Internet and undermining a body of pseudo-law created by domain name arbitrator WIPO with regard to such sites.

WIPO has frequently found for the company in such situations, basing the decision on an infringement of a company's trademark. With the US stating categorically that this is not the case, it will be hard for WIPO (and other arbitrators acting under the UDRP domain rules) to follow such logic in future.

- WIPO gives the domain names such as airfrancesucks.com, wal-martcanadasucks.com to respective companies
- US Appeals Court decides that protest sites without commercial purpose are protected by freedom of expression (2005)

`http://www.theregister.co.uk/2005/04/05/bosley_case_appeal/`
`http://www.theregister.co.uk/2006/12/29/wipo_rules_against_ryanair/`
`http://www.theregister.co.uk/2009/07/28/wipo_free_speech/`



## Democracy

- is the Internet a democratic platform?
- does the Internet contribute to democracy?
- should the Internet be expected to contribute to democracy?



## Contribution to Democracy

- *yes*: facilitates access to information with little cost
- *but*: a lot of that information is incorrect

## Contribution to Democracy

- *yes*: people come together regardless of geography
- knowing different people from different cultures increases tolerance
- *but*: personal choices have the opposite effect
- we come together with people who think like we do
- makes it easier to go to extremes



## Contribution to Democracy

- *yes*: individuals and minorities can make their voices heard
- *but*: a chaotic platform
- need to attract people's attention
- registering in search engines
- requires resources: even more power to the powerful?



## Search Engines

- for most people, search engines are the entry points to the Internet
- search engine results are very important
- which pages to include in the result?
- in what order?



## Example: Google - Çin

theguardian

News | Sport | Comment | Culture | Business | Money | London 2012

News › Technology › Microsoft

We're staying in China, says Microsoft, as free speech row with Google grows

Most big internet corporations, including household names such as Yahoo and MySpace, follow Microsoft's lead

Bobbie Johnson in San Francisco, Tania Branigan in Beijing and Daniel Nasaw in Washington
guardian.co.uk, Thursday 25 March 2010 22.17 GMT



Microsoft has rejected criticism of its compliance with China's strict internet laws. Photograph: Claro Cortes/Reuters

Hopes that Google's forthright stand on censorship in China would inspire other companies to follow suit appeared unfounded today, with the move instead threatening to widen the rift between some of the world's most powerful internet companies.

Microsoft, which has considerable interests in the country, including its Bing search engine, responded directly to criticism by Google's co-founder Sergey Brin, who this week accused the company of speaking against human rights and free speech.

Brin, who pressed for the closing down of Google's self-censored Chinese search engine, said yesterday: "I'm very disappointed for them in particular.

"I would hope that larger companies would not put profit ahead of all else. Generally, companies should pay attention to how and where their products are used."

- search results from China are censored
- Google cancels censored service (2010)
- loses content provider license

`http://www.guardian.co.uk/technology/2010/mar/25/china-microsoft-free-speech-google`

## Net Neutrality

- net neutrality:
  Internet being open, accessible, and non-discriminating to all users, application providers, and carriers
- counterexamples:
- blocking applications (for example VoIP)
- limiting application bandwidth
- blocking access to some sites and services
- prioritizing access to some sites and services



## Net Neutrality Principles

- accessing all kinds of legal content
- using any application and service one wants
- using any device one wants to connect, as long as it doesn't damage the network
- benefiting from the competition between content and application providers

http://www.computerworlduk.com/in-depth/it-business/3028/net-neutrality-a-simple-guide/



## Example: Net neutrality laws

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Dutch pass net neut law

Cloggies clobber cookies, too

By Andrew Orlowski · Get more from this author

Posted in Telecoms, 23rd June 2011 14:34 GMT

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The Dutch have passed a law prohibiting internet providers from slowing down traffic unless it's to ease congestion, preserve security or block spam.

The Netherlands thus becomes the first European country to legislate a rulebook for what network operators can or can't do - and only the second country in the world to do so.

The law also bans advertisers from dropping cookies on PCs without the user's consent.

Operators will also be forbidden from charging based on access to services and applications, outlawing offerings such as an old-skool shell account, or low latency ISP for gamers.

It's all expected to hit mobile operators hard: Vodafone permits Skype but charges a fee to use it on smartphones, while T-Mobile blocks Skype and VoIP apps.

- Chile (2010) and Netherlands (2011) pass laws to ensure net neutrality

http://www.theregister.co.uk/2011/06/23/netherlands_net_neutrality/



## References

### Required Reading: Tavani

- Chapter 9: Regulating Commerce and Speech in Cyberspace
- Chapter 11:
  Social Issues II: Community and Identity in Cyberspace
  - 11.1. Online Communities
  - 11.2. Democracy and the Internet

## Digital Divide

- digital divide: inequalities in benefiting from IT
- global inequalities
- most IT users in North America and Europe
- social inequalities
- income, gender, physical handicaps



## Ethical Problem

- is the digital divide an ethical problem?
- access to information
- participation in the economic system
- participation in the political system

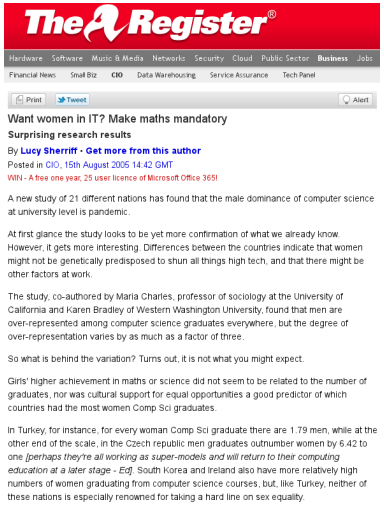


## Participation of Women

- women don't have much influence in IT
- few women are interested
- gender roles: "women don't like mathematics"
- fewer women take higher education in IT
- even fewer women work in the field
- difficult to come back after birth leave
- very few women are in managerial positions



## Example: Turkey



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Financial News Small Biz CIO Data Warehousing Service Assurance Tech Panel

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**Want women in IT? Make maths mandatory**

**Surprising research results**

By **Lucy Sherriff** · **Get more from this author**

Posted in CIO, 15th August 2005 14:42 GMT

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A new study of 21 different nations has found that the male dominance of computer science at university level is pandemic.

At first glance the study looks to be yet more confirmation of what we already know. However, it gets more interesting. Differences between the countries indicate that women might not be genetically predisposed to shun all things high tech, and that there might be other factors at work.

The study, co-authored by Maria Charles, professor of sociology at the University of California and Karen Bradley of Western Washington University, found that men are over-represented among computer science graduates everywhere, but the degree of over-representation varies by as much as a factor of three.

So what is behind the variation? Turns out, it is not what you might expect.

Girls' higher achievement in maths or science did not seem to be related to the number of graduates, nor was cultural support for equal opportunities a good predictor of which countries had the most women Comp Sci graduates.

In Turkey, for instance, for every woman Comp Sci graduate there are 1.79 men, while at the other end of the scale, in the Czech republic men graduates outnumber women by 6.42 to one *[perhaps they're all working as super-models and will return to their computing education at a later stage - Ed]*. South Korea and Ireland also have more relatively high numbers of women graduating from computer science courses, but, like Turkey, neither of these nations is especially renowned for taking a hard line on sex equality.

- IT participation of women in Turkey is higher than most other countries
- suggested reason: mathematics is mandatory in high school

`http://www.theregister.co.uk/2005/08/15/women_it_maths_mandatory/`

## Participation of Handicapped Users

- directives to ensure that handicapped users can use IT products
- World Wide Web Consortium (W3C):
  Web Accessibility Initiative (WAI)



## Internet Access

- should Internet access be a positive right?
- equal opportunities in education
- is it enough just to provide access?
- teaching skills to use IT effectively



## Unemployment

- does IT cause unemployment?
- *yes*: many people lose their jobs because of automation
- *but*: it also creates many new jobs
- nature of jobs change: require more qualifications



## Working Conditions in IT

- job security
- layoffs are very common
- project-based temporary employment is very common
- outsourcing and globalization: jobs go to other countries
- working hours
- after hours work is very common
- difficulties in overtime and compensation

## Surveillance at the Workplace

- employees use the Internet for personal activities during work hours
- employers take precautions
- monitoring web usage
- monitoring communication channels (e-mails, messaging)
- causes privacy problems



## Surveillance at the Workplace

- letting the employees know about the monitoring
- giving the employees the chance to learn the data collected about them and raise objections
- verifying the collected data before making decisions based on it



## Telecommuting

- working from home (*telecommuting*)
- attractive for companies: office rents are high
- participation of women, especially after birth
- participation of physically handicapped
- disadvantage on layoffs and promotions
- working hours get blurred



## References

### Required Reading: Tavani

- Chapter 10:
  Social Issues I: Equity and Access, Employment and Work