Software Development Unit 1, 1.7

Anna Legaspi

# 1.7 I can describe any legal or local guidelines or constraints that apply to the task or activity.

## Copyright & Intellectual Property

I’ve briefly covered in Unit 2, 1.5 about ***Copyright*** and ***Intellectual property*** (IP). Whenever a person creates something original, they would have intellectual property to their creation. There are many types of intellectual property such as copyright, trademarks and patents. Copyright is normally automatically granted whenever a person creates original artistic work such as books and art. ***Trademark*** is to protect branding such as company logos. ***Patents*** are to prohibit others from re-creating, using and selling an original invention. If I were to use any protected IP, I would need to get the license or consent from the original creator before I can use this in my website.

Saying that, some content and work aren’t always protected forever. After a certain period of time which is normally 100 years, the original work becomes ***Public domain***, which means anyone can use and redistribute the work. Also, some Copyright materials can be used with exception, as long as it’s within ***Fair use.***

With regards to my project, I need to make sure that any images or writing that I upload to my website don’t have any Copyright protection or licensing requirements. For example, my website displays my original work, but the subject of my work is based on existing work created by the company Studio Ghibli. This means that if I don’t credit Studio Ghibli, I would be implying that the subject of my work is also my original art, which is untrue. It is important that I note and credit Studio Ghibli in my website.

## General Data Protection Regulation (GDPR)

GDPR was implemented in early 2018 which replaced the Data protection Act. In this current world, information is so valuable which is why there is a regulation that states what individual’s rights are to companies handling their information. Overall, there are several rights given to individuals so there is an element of control, fairness and security for their data. The data controller are the ones that decide what data they ask for and hold in their systems. It’s important to note that if the data controller fails to abide by this regulation, they can face hefty fines which can ruin their reputation.

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| RIGHTS | WHAT IT MEANS |
| The right to be informed | Individuals need to know why a data controller is asking for their data before sharing it. |
| The right of access | Individuals have the right to ask for any data held about them by the data controller. This must be free of charge. |
| The right to rectification | If there are any errors held in an individual’s record, the data controller must rectify the error as per the individual’s request. |
| The right to erasure | Individuals have a right to request for their data to be removed by the data controller. |
| The right to restrict processing | Individuals have a right to limit what a data controller does to their data. |
| The right to data portability | It must be possible to transfer data from one organisation to the user or vice versa, if required. |

For my project, the main goal is to simply display my artwork for users to see. However, if I decide that I was going to collect people’s data for the purposes of a mailing list, I would need to abide by the GDPR rules.

## Acceptable Use Policy

On the back of GDPR, most data controllers will have their own Acceptable Use Policy to reflect or inform their customers on how their data is managed. For instance, my current employer, Coventry Building Society, has a Privacy notice which itemises how information is collected, used and why. This information is shared to our customers whenever they join us or if they were making amendments to their accounts. This information is available on our company website for anyone to check for transparency.

If I were to collect and use individuals data in my project, I may also need to disclose some sort of policy and make this clear at the time of collecting the data.