

Word Count: 795

Upon reading chapter 4 of the book, I grew fond of Quinn's argument about the legal and ethical right to intellectual properties. To some extent, I agree with Quinn, that intellectual property should be a legal and ethical right, but otherwise under some context. I will support my critique with three examples, one from game industry in China, one from GitHub, and one from the music industry.

From the standpoint of Utilitarian, in the game industry, if everybody disregards intellectual property, they would only be copying each other's work, thus leading to a result where nobody would ever produce original work since it would be soon copied and enhanced by many other studios, and diminishing the value of creating original content to almost none existent. China's game industry is currently at the above stage. [1] Every big studio, like Tencent, no longer produces original ideas since it is expensive to develop a new genre of game from the ground up. [2] Instead, they would simply take the idea of an already published game which is currently gaining popularity and remake it as fast as possible, with more polishing added to it, beating those already published game on the marketplace. The result of doing so is destructive, no small studio could afford to produce original ideas and even if they successfully create one that is actually promising, it would be soon copied by big studios. So, every studio has been currently copying other studios', mostly overseas, creation, stalling the entire Chinese game industry from original contents. This situation would be much better if one can claim the game they make their intellectual property legally, making creating new games worthwhile and market profitable, thus flourishing the originality of the Chinese game industry.

GitHub has been the mark of the Open-Source Movement over the years. [3] Numerous good quality open-source software is produced and distributed either for free or profit. This is a direct counterexample to support intellectual property on software. In order to enforce copyrights in what is now called a digital age, increasingly hard measures are being taken. These measures infringe on our liberties. [4] Intellectual properties are hard to define and certainly not possible to control over the internet age. Even comprehensively encrypted and packaged software can be decoded in short time and little effort, the internet can easily hide one's trace and breaking the law over the internet can be hardly monitored unless the government is invading people's privacy without their consent. GitHub, however, stands on the other side of the intellectual property in its entirety. Open-Source software we see today tends to have fewer bugs because everyone can help improve the code and usually with the more desired feature as the entire development process is under the eye of the normal people. From the standpoint of utilitarian, two affected parties are the common people and the developer. Doing so will lose certain profit for the developer, but the amount of profit lose in comparison to a non-open source is unknown, because open-source produces better program and thus more buyers. Doing so will also give the common people free software to use. Combining these two together, we can easily see the benefit of no intellectual property.

Music industry holds the most interesting point. From two different study reports, the amount of album released in China and the US in 2017 are roughly the same, even though two countries have drastically different intellectual property laws. [5] China has none whereas the US is very strict. The US's music industry works in a very normal sense that is easily understandable: people make music, people make money selling the music, people make more music. Whereas in China, people making money selling the music part is non-existent. Almost every music can be accessed for free in mainland China, thus musicians cannot make money by simply selling the music, instead, they gain popularity much

faster than the musician in the US because of the ease of accessibility. They, therefore, make income from lots of other ways, mostly similar to that of a celebrity: Ads, spokesman, etc. So, they continue making music to keep themselves popular and to make more money. It's a very interesting result to see how intellectual property does not make an impact on the music industry in both countries.

All in all, under a certain context, intellectual property is ethically correct and useful to human advancement whereas under other contexts they are impeding it.

## References:

[1]: Jacky Wong, 'Games growth not a given in China', online, <https://www.wsj.com/articles/games-growth-not-a-given-in-china-1514858400>

[2]: 'How China's Copycat tech companies are now the ones to beat', online, <http://www.scmp.com/comment/insight-opinion/article/2083377/how-chinas-copycat-tech-companies-are-now-ones-beat>

[3]: 'GitHub Pours Energies into Enterprise', online, <https://techcrunch.com/2012/07/09/github-pours-energies-into-enterprise-raises-100-million-from-power-vc-andreesen-horowitz/>

[4]: Michael J. Quinn, Ethics for the Information Age, pdf, 5.

[5]: [https://en.wikipedia.org/wiki/2017\\_in\\_American\\_music#Albums\\_released\\_in\\_2017](https://en.wikipedia.org/wiki/2017_in_American_music#Albums_released_in_2017) and <http://webcache.googleusercontent.com/search?q=cache:http://www.199it.com/archives/631666.html>, online accessible.