

Copyright Concerns

1. SDX Alliance is a large company that sells computers, computer components, and software. Ralph is hired as an entry-level software engineer at SDX Alliance. His first project was to assist in writing the code for SDX Alliance's new hard disc controller. He had previously worked on a similar system interning at a start-up and had written a code which greatly enhanced the performance of their product. Ralph quietly re-uses this same code in the SDX Alliance product, and does not think to tell anyone that he has used the code from his last job. His manager is thrilled with the speed improvements this code brings to the product.

Before the product is released, it has to undergo a four-month long quality assurance process review. During the review of the product, it was found the code which Ralph developed had been copyrighted by the startup he had previously worked for. Even though Ralph had developed the code, his previous company still owned the intellectual property rights to it.

When his manager informed Ralph of the problem, Ralph admits he did not realize he had made a mistake because he was not familiar with copyright laws. Ralph then goes on to explain that the start-up he used to work for is now out of business and is unsure if SDX Alliance would be able to get in contact with the owner of the copyright. If SDX Alliance can't use Ralph's code, then it will have to rewrite the entire code of the product, delaying its release by many months.

What should they do?

Confidentiality issue

2. A software engineer discovers that a colleague has been downloading restricted files that contain trade secret information about a new product that the colleague is not personally involved with. He knows the colleague has been having financial problems, and he fears the colleague is planning to sell the secrets or perhaps leave the company and use them in starting up his own company. Company policy requires him to inform his supervisor, but the colleague is a close friend.

Should he first talk with the friend about what he is doing, or should he immediately inform his supervisor?

3. Virginia Edgerton was senior information scientist on a project for New York City's Criminal Justice Coordinating Council. The project was to develop a computer system for use by New York district attorneys in keeping track of data about court cases. It was to be added to another computer system, already in operation, which dispatched police cars in response to emergency calls. Ms. Edgerton, who had 13 years of data processing experience, judged that adding on the new system might result in overloading the existing system in such a way that the response time for dispatching emergency vehicles might increase. Because it might risk lives to test the system in operation, she recommended that a study be conducted ahead of time to estimate the likelihood of such overload.

She made this recommendation to her immediate supervisor, the project director, who refused to follow it. She then sought advice from the IEEE, of which she was a member. The Institute's Working Group on Ethics and Employment Practices referred her to the manager of systems programming at Columbia University's computer center, who verified that she was raising a legitimate issue.

Next she wrote a formal memo to her supervisor, again requesting the study. When her request was rejected, she sent a revised version of the memo to New York's Criminal Justice Steering Committee, a part of the organization for which she worked. In doing so she violated the project director's orders that all communications to the Steering Committee be approved by him in advance.

The project director promptly fired her for insubordination. Later he stated: "It is . . . imperative that an employee who is in a highly professional capacity, and has the exposure that accompanies a position dealing with top level policy makers, follow expressly given orders and adhere to established policy."

Present and defend your view as to whether in the following case the actions of Ms. Edgerton and her supervisor were morally permissible, obligatory, or admirable.

4. An engineer working as a computer programmer played a minor role in developing a computer system for a state department of health. The system stored medical information on individuals identified by name. Through no fault of the engineer, few controls had been placed on the system to limit easy access to it by unauthorized people. Upon learning of this, the engineer first informed his supervisor and then higher management, all of whom refused to do anything about the situation because of the anticipated expense required to correct it. In violation of the rules for using the system, the programmer very easily obtained a copy of his own medical records. He then sent them to a state legislator as evidence for his claims that the right of citizens to confidentiality regarding such information was threatened by the system.

Was his behavior improper? Was his subsequent firing justified?