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Copyright, Ethics and Privacy in an IT Environment

What is intellectual property

The term intellectual property, or ‗IP‘, refers to the various rights which the law accords for the protection of creative effort – and especially for the protection of economic value of creative efforts. IP is ‘intangible’ as opposed to ‘physical’ in character. [COA12]

The Convention Establishing the World Intellectual Property Organisation 1967 (WIPO) defines ‘intellectual property’ as rights relating to:

* Literary, artistic and scientific works
* Performances of performing artists, phonograms and broadcasts
* Inventions in all fields of human endeavor
* Scientific discoveries
* Industrial designs
* Trade marks, service marks and commercial names and designations Protection against unfair competition and
* All other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.

What is copyright

Copyright law creates incentives for people to invest their time, talent and other resources in creating new material – particularly cultural and educational material, which benefits society. The key points are followings. [ACC14]

* Copyright provides creators with an incentive to create new works and a legal framework for the control of their creations.
* Copyright protection is free and applies automatically when material is created.
* There is NO registration system for copyright in Australia.
* Copyright does not protect ideas, information, styles or techniques.
* Copyright does not protect names, titles or slogans.
* There are no general exemptions from copyright law for non-profit organisations.
* There are some situations where copyright law allows people to use copyright material without permission for their own personal use, but these are narrow and specific.
* Australian copyright law applies to actions that take place in Australia, even if the material used was created or first published in another country.

Contribute to copyright policy

Copyrights belong to employee

Any idea comes from employee, the copyright belong to employee. Employee can send them to [copyright@WebDev.com](mailto:copyright@WebDev.com) to declare and protect their copyright.

Copyrights belong to company

Programs, scripts and documents produced at WebDev, the copyright belong to WebDev.

Statement of corporate obligations regarding copyright

* No employee of WebDev may reproduce any copyrighted work in print, video or digital form in violation of the law.
* To obtain permission to reproduce copyrighted works outside of WebDev and/or to use such works in ways that are not covered by our license or other prior agreements, employees should request permissions from [copyright@WebDev.com](mailto:copyright@WebDev.com) or contact the Rights and Licensing Department of the copyright holder.

Protect rights of stakeholders

Outcomes are the purpose or the reason for the existence of the organization, unit, or work group.  Outcomes have a unique definition, and are somewhat synonymous with the way that the word “mission” is used.   There are three components to outcomes: (1) what good is sought, (2) for which people, (3) and at what cost. [BDM00]

A privacy policy is a statement about how an organisation manages the personal information it collects. It is a general, not exhaustive, statement about how personal information flows through an organisation. [VPC11]

The following checklist may be useful in drafting an organisation’s privacy policy:

* What personal information does the organisation collect?
* Where does the information flow to and how is it used or handled?
* How is the information held by your organisation stored and protected?
* Does the organisation transfer or store personal information legally?
* Does the organisation collect or deal with sensitive information?
* Does the organisation actually comply with your privacy policy?

Organizational ethics is the ethics of an organization, and it is how an organization ethically responds to an internal or external stimulus. Organizational ethics is interdependent with the organizational culture. [WIK14]

Code of Ethics’ Principles: [RMC14]

* Principle I: Confidentiality

It is a primary obligation for all employees to safeguard information about works and customers.

* Principle II: Professional Conduct

High standards of professional behavior and responsibility will be maintained.

* Principle III: Quality of Service

The maintenance of high standards of professional competence and quality of service is the responsibility of all employees.

* Principle IV: Moral and Legal Standards

Employees will show regard for the social codes and moral expectations of the community in which they work. Employees will recognize that violations of accepted moral and legal standards may result in personal harm and injury of reputations of our customers, colleagues, themselves, and WebDev as well as cause unnecessary risk to WebDev.

Contribute to privacy policy

Information Collect

* What kind of personal information should be collect?
* Why is the information collected?
* What is the source of the information?
* Where do we get the information?
* Who collects the information?
* How is the information gathered?
* How is the information kept?

Information Use

* Information / Documents should be classified by security level called InfoSec, like InfoSec1, InfoSec2 and InfoSec9.
* Users should be classified by security level called Role, Like Manager, Engineer, IT staff, etc.
* Define the relation about InfoSec and Role – native permission of every Role
* Assign who has responsibility for giving permission for every InfoSec.

Maintain privacy policy

Information Storage

* Electronic data should store in the database through the check-in process
* Paper data should be put in a locked place and scan into computer, then has the same process as electronic data.

Keep Information Updated

* Regular review which information should be destroyed or aged out
* Regular review Role permission
* Regular review information security level

Information System

* Implement an information system for maintenance
* Information should be stored through a check-in process to complete the flow to get their security level.
* The use of information should through a check-out process to guarantee they are used under control.

Contribute to creation of ethics code

While maintaining sensitivity to the diverse social and cultural settings in which we conduct our business, WebDev aims to set the standard for ethical. We will achieve this through behavior in accordance with five virtues: Honesty, Integrity, Respect, Trust and Responsibility.

* I will strive for technical excellence in the IT profession by maintaining and enhancing my own knowledge and skills.
* When possible I will demonstrate my performance capability with my skills via projects, leadership, and/or accredited educational programs and will encourage others to do so as well.
* I will not hesitate to seek assistance or guidance when faced with a task beyond my abilities or experience
* I will strive to convey any knowledge that I have gained to others so everyone gains the benefit of each other's knowledge.
* I will not advance private interests at the expense of end users, colleagues, or my employer.
* I will not abuse my power. I will use my technical knowledge, user rights, and permissions only to fulfill my responsibilities to my employer.
* I will not steal property, time or resources.
* I will reject bribery or kickbacks and will report such illegal activity.
* I will not injure others, their property, reputation, or employment by false or malicious action.
* I will not use availability and access to information for personal gains through corporate espionage.
* I am obligated to report all system vulnerabilities that might result in significant damage if I know.
* I respect intellectual property and will be careful to give credit for other's work. I will never steal or misuse copyrighted, patented material, trade secrets or any other intangible asset.
* I will accurately document my setup procedures and any modifications I have done to equipment. This will ensure that others will be informed of procedures and changes I've mad
* Respect the privacy of my co-workers' information. I will not peruse or examine their information including data, files, records, or network traffic except as defined by the appointed roles, the organization's acceptable use policy, as approved by Human Resources, and without the permission of the end user.
* I will obtain permission before probing systems on a network for vulnerabilities.
* I respect the right to confidentiality with my employers, clients, and users except as dictated by applicable law. I respect human dignity. . [SAN04]

Maintain ethics code

* Implement a questionnaire system about ethics code and issue random question to employees every quarter. Employees will receive a new questionnaire again and again everyday if they can’t pass the test.
* Review the ethics code every quarter to ensure it is under the law and not out of date.
* Listen to employees opinions about the ethics code, if somebody has different thinking. Talk to other employees about this issue and determine whether to change the code or not.

Reference

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