Social and Ethical Issues Discussion Questions

2017FA DBA-210

Please thoroughly answer the following questions. The term “brief paper” means it must contain a few paragraphs, don’t answer in one paragraph. Please include any references you might use, such as the URL to websites you might refer to.

1. Choose one of the U.S. laws mentioned in this chapter and research its origins, its provisions, and its legislative history. Summarize the arguments in favor of the law and against the law. Prepare a brief paper describing your findings.

The US Copyright Law covers authors and artists, giving them exclusive right to make and sell copies of their work, the right to create derivative works, and the right to perform or display their works. Copyrights are subject to time limit that expires 70 years after the death of the author. Copyrightable works include such things as literary work, musical work, motion pictures, architectural work, and intellectual work like slogans, symbols, or concepts.

The Copyright Law began as the Copyright Act of 1790, which protected authors of maps, charts, and books for 14 years with the right to renew for one additional 14-year term if the author was still alive. This act gave the authors the sole right to printing, reprinting, publishing, and vending of their copy written item. The Copyright Act was update several times until the US Copyright Law was enacted in 1976. In 1980, an amendment was made to cover software, source code, and object code.

Copyrighting does have its benefits. Authors and publishers are protected from having their works and ideas stolen. With a copyright, the owner has the right to bring a lawsuit for infringement, a benefit that is not available without registration. However, there are some downsides to copyrighting. Because some copyright works may last for over a century, the copyright itself may actually last longer than the material it is created on, for example in the case of paintings, photographs, or even hard drives. In this case, it may not be possible for the work to be archived before the material deteriorates. Another negative effect of copyrighting it is not legal to make copies of software that is no longer commercially available.

<https://en.wikipedia.org/wiki/Copyright_Act_of_1790>

<https://en.wikipedia.org/wiki/Copyright_law_of_the_United_States>

<http://businesslawohio.com/top-5-benefits-of-copyright-registration/>

<https://www.plagiarismtoday.com/2009/04/01/why-copyright-extensions-are-bad-for-artists/>

1. Choose one of the international conventions or agreements mentioned in this chapter and research its history, its provisions, the countries that participate in it, and its relationship to the U.S. las in the same area. Summarize the arguments in favor of the agreement and against it. If you were the president of the United States, would you subscribe to the agreement? Prepare a brief paper describing your findings.

The Paris Convention for the Protection of Industrial Property was signed on March 20, 1883. This agreement ensures that creators are given protections for their works even in other countries. One of the benefits of the Paris Convention is national treatment, which establishes that each state must offer individuals and businesses with a patent the same protections as they would give national citizens of their own country. Another provision of this act is the right of priority that gives an individual the right to file for a patent for their invention in whatever country they live in and then after a certain amount of time, file for a patent within any other countries that have agreed to the Paris Convention.

Currently there are 177 countries, which makes the Paris Convention one of the most widely adopted treaties in the world. The US entered the agreement on May 30, 1887. Most notably, Taiwan and Burma are not part of the convention, however Taiwan recognizes priority claims from contracting members.

The Paris Convention promotes growth in innovation by allowing inventors of “smaller innovations” the same global rollout periods for protections as for traditional patents. However the cost and review period may be too much for more developing countries.

<https://www.mightyrecruiter.com/learn/information-about-the-paris-convention-for-the-protection-of-industrial-property/>

<https://en.wikipedia.org/wiki/Paris_Convention_for_the_Protection_of_Industrial_Property>

<http://www.akronlegalnews.com/editorial/18970>

1. Assume you have a position as database administrator in a large corporation. The company has been collecting data about employees, include monitoring their working habits by recording their keystrokes, timing their telephone interactions with clients, and scanning their email for personal correspondence. As DBA, you are asked to help set up a record-keeping system to store such data. Does the company have a legal right to perform this kind of monitoring? What is your professional responsibility in this situation? Do the ACM and IEEE Codes of Ethics have any provisions to guide you?

The Association for Computing Machinery Code of Ethics gives help to this question. Category 3 articulates principles that apply to leaders in the profession. Among these are to establish appropriate rules for authorized uses of an organization’s computing and communication resources and of the information they contain. Company leaders should clearly and effectively communicate their policies with employees and enforce their rules taking appropriate action when violated.

Additionally, according to the Institute of Electrical and Electronics Engineers Code of Ethics, employees have a responsibility to make decisions consistent with safety and to disclose factors that might be dangerous. Employees should be honest, trustworthy, and avoid harm.

As a DBA, I would have a moral and professional responsibility to assist the leader of the corporation in this monitoring effort. Every company that I have worked for, or that anyone I knows has worked for, has always clearly stated and enforced their policies. Whether a company logs your keystrokes or blocks specifics sites, the purpose is to keep the system, employees, and other information safe.

<https://ethics.acm.org/2018-code-draft-2/>

<https://www.ieee.org/about/corporate/governance/p7-8.html>