Discussion 12 F

Discussion Chapter 12

What penalties should be imposed for using unlicensed software? Should software vendors be allowed to probe your computer secretly for illegally installed software? Why?

Would you rob a bank if you could do it from the comfort of your home, with minimal effort, and you were almost 100% certain that you wouldn’t get caught, and if you did, the punishment would be minor or nothing at all? While this analogy might be over-simplified as a general rule, it’s arguable that these are the dominant factors influencing millions to distribute and/or use pirated software. According to Revulytics, there is an estimated seventeen billion dollars’ worth of pirated software across the top twenty piracy-reporting countries, China and the United States leading the way. Software piracy is immoral and correctly treated as a crime in the United States. This is not limited to programs and applications, but also includes music, videos, games, and any digital content which is stolen or misused according to the explicitly written or ethically implied terms of service. The crime is punishable with fines expanding into the hundreds of thousands of dollars, to jail time of up to five years.

We venture into a grey area when trying to assign penalties for using unlicensed software. Just as a small child, unfamiliar with the concept of money and trade, may ignorantly take a candy bar from a store, many adults ignorantly acquire and use pirated software. Others, possibly the majority, know full-well which of their software is purchased, that which is freeware, and that which is pirated. Because individuals should be treated innocent until proven guilty, most found with pirated software should receive a warning, informing them of their crime, and an order to either remove or pay for the software. If the same individual begins to acquire multiple offenses, then the penalties should increase appropriately. Ultimately, the penalties for stealing software should be treated as harshly as its physical counterpart of theft.

With millions of people ignorantly, or knowingly, using pirated software, should greater measures be taken to crack down on these perpetrators? Generally, two wrongs don’t make a right. Allowing software companies, even “trusted” ones like Microsoft, to secretly probe your computer for illegally acquired software is, in my opinion, not ethical. Instead, companies should take legal avenues which allow them to verify software license and activation. This is a common practice today, however, it’s no longer a question of if, rather, when a particular software’s protection will be cracked. In the end, there will always be malicious users, software pirates, and some caught in the web of ignorance. The real solution to the problem comes down to a personal level of education, morality, and good ethics. In the mean-time, software vendors should only take legal and ethical avenues, made aware and agreed upon by the users, to protect their products.

Resources:

1. <https://www.revulytics.com/resources/stat-watch>
2. <https://legalbeagle.com/6130124-legal-penalties-software-piracy.html>
3. <https://www.thepcinsider.com/most-pirated-windows-software/>

Hi Charles,

Thanks for posting your ideas and sharing your research.

I remember when Windows XP first came out. It was the first Windows OS which required activation. I remember having activation issues at times and calling Microsoft's help center to get an activation code. It's been over 15 years since then, and Windows XP has long since been cracked and pirated to millions upon millions of users. Every year software companies create new and more complex ways to protect their products, however, it is fully understood that any software can eventually be cracked. Programs are, after-all, just a collection of 1's and 0's which can be re-arranged in such a way to cancel out any license check or other validity checks.

As an aspiring computer programmer, I've given some thought about how to best protect my future products. Unfortunately, no level of security can ultimately prevent all pirating and malicious use.

Cheers!

