DCIT 65 (Social Professional Issues) MIDTERMS REVIEWER

LECTURE 1: SOCIAL CONTEXT OF COMPUTING

The Digital Divide

- technological inequalities among people in one country and between countries

Key critical issues:

• Whether there is such a thing as a digital divide

• Indicators that should be used to measure such a divide if it exists and

• The best ways to close such a divide

Access

- crucial component in the digital divide

- involves obstacles that exist even if all the other remaining indicators are in place

Obstacles:

• Geography

• Income

• Ethnicity

• Age

• Education

Geography

There is a big digital divide between the rich industrialized countries and the poor, less industrialized countries. The poor, developing countries, geographically are more deprived of the access to information

Digital inclusion describes the effort to ensure that every individual and community has access to Information Communication Technology (ICT), along with the skills to make use of it.

Income

- Greatest predictor of Internet and other ICT technologies' use

Key findings (ICT):

• Broadband at home

• Internet use

• Mobile phones ownership

Ethnicity

- One's ethnicity has a great influence on ICT access

There have been interesting changes in the issue of ethnicity and access to ICT technologies. These dramatic changes have been brought about by the rapid changes in modern communication technologies, more specifically Internet-able mobile communication technologies.

Age

• there were 85.16 million internet users in the Philippines at the start of 2023, when internet penetration stood at 73.1%.

• The Philippines was home to 84.45 million social media users in January 2023, equating to 72.5 percent of the total population.

• Filipinos have the highest average screen time spent on phones, and rank consistently high for average screen times on computers, social media and gaming.

• Filipinos spend nearly a third of their day (32.53%) on their phones

• younger people are more likely than older adults to own a phone in the Philippines (41%)

Education

The profound impact of the educational digital divide on students' overall development, safety, and welfare, as well as their potential for present and future success, has led numerous community and business leaders to consider addressing this issue at a local level

• Universal Connectivity/Enhancing Connectivity

• Adaptable Educational Platforms

• Engaging with Families on an Individual Basis

Technology is shaping our contemporary society. Here are several ways in which it is enhancing our everyday existence:

• Enhancing Business Efficiency

• Enhanced Communication Speed

• Advanced Lifestyle

- Information Availability

Hardware

There has been a steady increase in the number of computers, telephones, and other modern communication technologies in almost all countries of the world in the last couple of years, quantity, quality, and maintenance of these technologies are still a big problem, challenging the narrowing of the ICT digital divide

Software

Countries that have seen benefits from ICT, either produce their own software or they have enough financial capacity to source software with few problems. This is not the case in many developing countries.

Humanware (Human Capacity)

Human capacity development is complex usually consisting of many parts including:

- Creating awareness of the potential for ICT to meet one's needs
- Creating, developing, and strengthening capacity to use information and ICT effectively, using local inputs
- Building capacity to produce and package information so that it adds value to local inputs
- Ensuring ongoing technical capacity development and developing a format for knowledge and information sharing
- Preventing the local capacity from being drained to other, usually developed countries.

Infrastructure

- Fixed communication structures

- The availability of these resources helps to speed up the development of ICT

Enabling Environments

An ICT-enabling environment is an environment in which ICT can thrive. There are several things that can bring about such an environment, including:

- politics
- public policy and management styles

Politics

ICT thrives in a good political environment that ensures:

- A climate of democratic rights and civil liberties conducive to ICT adaptation
- Respect for the rule of law and security of property rights
- Investment in human capacity
- Low levels of government distortions.

Public Policy and Management Styles

There are currently ICT-related laws and policies on the books which are not enforced. Such policies must be updated where necessary and enforced strictly and fairly. New competitive policies such as the liberalization of the telecommunication and energy sectors must be developed, and the sectors must be staffed with competent managers with appropriate expertise. These ICT regulatory policies need to be efficient, predictable, and easy to understand. Licensing bodies need to be efficient and staffed with professionals. In addition, there must be government support for taxing policies. Finally, there must be transparency in government to create a moral bar for the rest of the country

Obstacles to Overcoming the Digital Divide

- digital divide requires considerable efforts and a plan in addressing the following types of access:

- Physical access
- Financial access
- Political access
- Cultural access

ICT in the Workplace

The automation of the workplace has been the most vigorously pursued concept since the industrial age. Despite the original fear that workplace automation would mean the end to human work, except in a few areas, workplace automation has proceeded hand in hand with increases in employment numbers.

The Electronic Office

- a technology-augmented office with knowledgeable employees.

The technology in the environment may include computers and computer-driven devices that help in interpersonal oral and electronic communication; distribution and receipt of correspondence; telecommunication devices with text-processing and storage capabilities to enable the office staff to design, develop, edit, and store material electronically; and other office support equipment to streamline decision-making tasks.

2 Factors Fueling the Growth of Electronic Office

1. Increasing productivity of office employees, to counter the rising costs of office operations

2. Acquiring of technology necessary to handle the ever-increasing complexity and modernization of office communication and decision-making processes.

Office on Wheels and Wings

As electronic gadgetry has been invading the office and the overall workplace, workers have been leaving the office in droves, a few of them replaced by the new technology, others transplanted by it, but many for the experience of working outside their original office confines.

The Virtual Workplace

With the latest developments in telecommunication and computer technology, the virtual workplace is home to increasing type of employees who work very briefly in their corporate workplaces, are mostly on the road, and often telecommute using personal or company-provided equipment. This breed of worker is rarely in a fixed workplace, but nevertheless he or she performs a full day's work even if at the beach.

The Quiet Revolution: The Growth of Telecommuting

Categories of Telecommuters

1. workers who use their homes as an adjunct to their conventional office jobs

2. consists of workers who use their homes as the base for their businesses

3. consists of those who have full-time jobs with large companies but prefer through their own initiative to work from home.

The Quiet Revolution: The Growth of Telecommuting

Company Role in Telecommuting

The home office has always been prompted by new advances in technology and by the need of businesses to become more productive with minimum expenditures. As the Internet and globalization open up new international competition and as new technologies make telecommuting more acceptable to employees, company-sponsored telecommuters will increase.

Effects and Benefits of Telecommuting (individual)

1. Gender

2. Nature of Work

3. Labor Supply

4. Age

Effects and Benefits of Telecommuting (employees and employers)

• eliminates the time, trouble, and expense of physically commuting to work.

• translate directly and immediately into more discretionary time, less stress, and general health improvements.

• More autonomy in work decisions and having more control over time and more flexibility in job variations.

• Less commuting expenses on an individual.

• More quality time with family with less to no frustration at home

• Employers benefit from the extra productivity that has been reported to be consistently at 10–15% in many studies in the last two decades.

• Employers also save on expenses through having fewer employees on company premises

Employee Social and Ethical Issues

Office automation is used to conjure up terrifying images of less control, helplessness, joblessness, and the stagnation of humanity. Within the context of office automation, the concept implies the idea of massive layoffs because offices with intelligent machines may require fewer people.

Diskilling - stripping an employee of job skills as a result of changes either in job content or procedures

Intraoccupational - case the skill content of the job decreases over time

Entraoccupational - very few people gain the skills needed for the job, causing either low-paying jobs or layoffs

Employee Social and Ethical Issues

Factors that prevent diskilling

- The willingness of employees to retrain and use the newly acquired technology
- The historical patterns show that more efficient production techniques lead to expanded operations and added growth, which leads to more hiring rather than firing of existing employees.
- more employees are usually hired to cope with the new technology and to handle the expanded work capacity

Employee Monitoring

Theory X Management - characterized by a top-down autocratic style of management in which the manager—literally from the top floor — commanded the activities of the factory workers on the factory floor with almost omniscient and demeaning power

Theory Y Management - put more faith and empowerment in the hands of the employees; was hierarchical with the employee ranks broken down into small semi-independent units

Scientific Management - management is trying to wrest back control of the work process away from the workers and slowly bring back the techniques of Theory X.

Fear Management - aimed at keeping worker in line, just like all other management styles, but with "voluntary" compliance by workers to company management policies and practices they would normally have questioned or challenged

Workplace Privacy and Surveillance

2 Channels where the employers collect information to the employees:

1. Voluntary channel
2. Surveillance

Electronic Monitoring

- the monitoring of employees using electronic devices

- it measures the quality and usually the quantity of work and the ability and effectiveness of the worker

- measures the worker's habits on and off the work premises

2 Important Issues that Emerged

1. Very often an intended goal of a monitoring program may be clouded by a different goal perceived by the monitored group.
2. The psychological effects on the monitored employees may be more severe than previously thought and anticipated.

Electronic Monitoring

Consequences of Electronic Monitoring

- Fear of job losing
- Reduced task variety
- Lack of individual initiatives
- Reduced or no peer social support
- Lack of self-esteem
- Lack of interest in their job
- Lack of trust among workers, between workers and supervisors, and between supervisors and management
- Alienation

Workplace, Employee, Health and Productivity

Human beings always want to feel they are in control of their work and other aspects of their lives. The changing work environment gives the workers a choice either to work in a traditional office or from home. Choice brings commitment and obligation. When people make a choice of their own, they tend to commit to the requirements of their choice. The commitment to work always translates into higher productivity quotas. Although computer technology has given workers more control in decision making, it has also given them new dangers in the workplace

Ergonomics

- an applied science concerned with designing human–machine interactions that offer and maintain a safe, comfortable, healthy, and habitable work environment.

Repetitive Strain Injury (RSI)

- a set of work-related musculoskeletal disorders caused by repeated and prolonged body movement resulting in damage to the fibrous and soft body tissues like tendons, nerves, and muscles Causes

- repetitive motion, forced gripping, performance stress, alienation, static loading fixed posture, deviated wrists, and boredom

Forms of RSI

- occupational overuse syndrome (OOS), cumulative trauma disorder (CTD), carpal tunnel syndrome (CTS), and upper limb disorder (ULD) Suggested changes in work styles and techniques:

1. Use ergonomically correct work equipment. These may include chairs, tables, computer equipment like new keyboards, monitors, new software, and new lighting in the workplace.

2. Use a light touch on the keyboard to place less stress on body parts. Also, keep the wrists straight in line with your arms.

Suggested changes in work styles and techniques:

1. Take frequent breaks from your work. Do not work for long hours without a break. Once you get a break, walk around and do some stretching exercises.

2. Educate yourself about RSI.

3. If necessary, reduce the time you spend at the computer terminal.

Stress

Stress is believed to have its origins in environmental inputs, and it appears through symptoms such as fear, anxiety, and anger. Anything that increases the stress level of an individual ultimately endangers that individual's health

LECTURE 2: ETHICS AND THE PROFESSION

Profession

- a trade, a business, or an occupation of which one professes to have extensive knowledge acquired through long years of experience and formal education and the autonomy of and responsibility to make independent decisions in carrying out the duties of the profession

- a calling requiring specialized knowledge and often long and intensive academic preparation

- a principal calling, vocation, or employment

- the whole body of persons engaged in a calling".

- Webster's Dictionary

Four themes

1. evolution of professions

2. the making of an ethical professional

3. the professional decision-making process,

4. professionalism and ethical responsibilities

Evolutions of Professions

Origins of Professions

Profession

- a commitment formally professed by a person to become a member of a religious order, and a professional was the person who has professed the commitment.

- a commitment to "learned pursuits (divinity law, medicine and the military), being an authority on a body of knowledge, belonging to an occupation, being skilled or being a fractioned, not an amateur."

Two Categories of Profession

First: **learned professions** - required individuals with a deep knowledge of the profession acquired through years of formal education

Second: **common professions** - which required the individuals to be noblemen who in theory did not really need to work for a living. (military career)

Requirements of a Professional

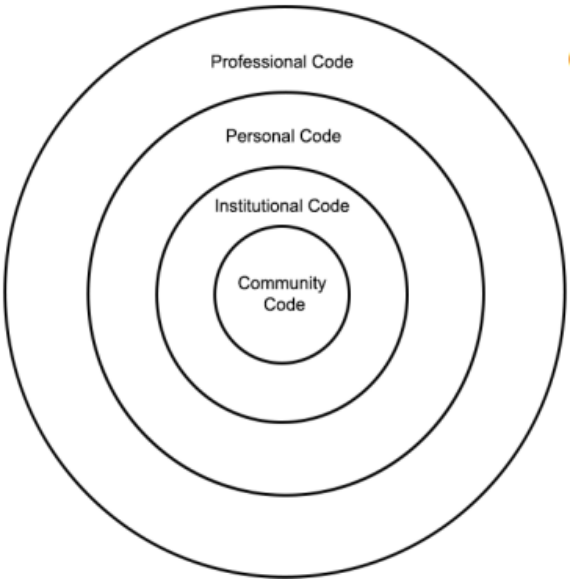
1. A set of highly developed skills and deep knowledge of the domain.

2. Autonomy

3. Observance of a code of conduct

- professional code
- personal code
- institutional code
- community code

Codes Governing Human Actions



1. Commitment

2. Integrity

3. Responsibility

4. Accountability

Pillars of Professionalism

Characteristics of commitment

1. The person making the commitment must do so willingly without pressure.

2. The person responsible must try to meet the commitment, even if help is needed.

3. There must be agreement on what is to be done, by whom, and when.

4. The commitment must be openly and publicly stated.

5. The commitment must not be made easily.

6. Prior to the committed date, if it is clear, it cannot be met, advance notice must be given, and a new commitment negotiated.

Maxims of Integrity

✓ Vision

✓ Love

✓ Commitment

Types of Responsibility

- Personal
- Communal
- Parental
- Professional
- Responsibilities of a Professional as a Provider
- Service Responsibilities
- Product Responsibilities
- Consequential Responsibilities

3 Key Elements of Accountability

1. A set of outcome measures that reliably and objectively evaluate performance.

2. A set of performance standards defined in terms of these outcome measures.

3. A set of incentives for meeting the standards and/or penalties for failing to meet them.

The Making of an Ethical Professional: Education and Licensing

Formal Education

1. Students take formal courses in professional ethics in a number of professional programs in their respective colleges.

2. Without taking formal courses in their curriculum, students are taught a good amount of the information ethics sprinkled throughout their courses, either in general education or in their major.

3. Using a capstone course in the general education requirements and in that course adds information ethics content. Many colleges now require computer literacy as a graduation requirement. Use that course to add ethics content.

4. Require an exit information ethics course which can be taken online.

Licensing Authorities

Licensing - grants individuals formal or legal permission to practice their profession

Professional Codes of Conduct

- purpose is to promote the public image of the profession by specifying and enforcing the ethical behavior expected from its members.

• Moral and legal standards

• Professional–client relationship

• Client advocacy

• Professional–public relationships

• Sanction mechanics

• Confidentiality

• Assessment

• Compliance

• Competence

• Certified professional credentials for those professions that use certification

In order for professional codes of conduct to be effective, a profession must institute a system of *enforcement, reporting, hearing procedures, sanctions, and appeals.*

Enforcement

• Drawing up the codes of ethics for the profession if none exist

• Revising codes if and when necessary

• Conducting education campaigns at the membership level

• Distributing copies of the codes to every member

• Developing disciplinary procedures

• Receiving complaints, conducting hearings, counseling members, and sanctioning members found guilty

• Promoting the image of the profession

Professional Decision Making and Ethics

Professional Dilemma in Decision Making

Advances in Technology

Incomplete or Misleading Information

Guilt and Making Ethical Decisions

Reporting of Grievances

2 Main Reporting Procedures

1. Typical organizational route in which a complaint is reported first to the local chapters if it exists. The complaint then makes its way to the top, usually to the national ethics committee.

2. Short-circuit procedure in which reporting can be done at any level, and then from there a complaint is forwarded all the way to the top.

Hearing Procedures

Sanctions

Appeals

Professional Decision Making and Ethics

Guilt and Making Ethical Decisions

• *Utilitarian criterion* —where decisions are made solely on the basis of their intended outcomes or consequences.

• Rights criterion—where decisions are made based on the set of liberties the society enforces such as the Magna Carta.

• *Justice criterion*—which reflect justice. Decisions are made so that they are fair, impartial, and equitable to all.

• Examining the ethically relevant issues, principles, standards, and practices

• Determining the different parties (and their special interests) who will be affected by the decision

• Deciding on an alternative course of action if and when the outcome of the decision is not what is expected

• Considering the probable consequences (short and long term) of each alternative on each of the different parties involved

• Thinking of consulting with a trusted colleague if the situation is complex, risky, or there is undue personal involvement

• Determining how personal values, biases, beliefs, or self-interests influenced the decision (either positively or negatively) and whether the consequences of the decision have been evaluated

• Being prepared to assume responsibility for the consequences of the action including correction of negative consequences.

Whistle-blowing

- blowing gives the impression of an act of seeking public attention

Different Methods of Whistle Blowing

- Computer Aided Methods
- Traditional Methods
  - ❑ Fear of reprisals
  - ❑ Suspicion surrounding whistle blowing
  - ❑ Membership in organizational channels

Harassment and Discrimination

1. Awareness

2. Prevention

Ethical and Moral Implications

• The act of whistle-blowing is meant to alert and call the public to be witnesses to illegal acts that may be hazardous to their health and well-being or to waste of public resources.

• Even people with high moral standards can be prevented from doing what is morally right because of the privileges, rights, and freedoms they stand to lose within the organization if they become known.

• Harassment and discrimination are both evil acts that challenge not only the conscious of an individual doing the acts, but also, they create a situation that brings discomfort and inferiority to the targeted individual. It is, however, unfortunate that most individuals perpetuating the acts of discrimination and harassment lack the moral conviction and conscience

LECTURE 3: INTELLECTUAL PROPERTY

Intellectual Property (IP)

- system relates to rights and obligations, as well as privileges and incentives–all rooted from the creation and protection of IP, which "refers to creations of the mind: inventions; literary and artistic works; and symbols, names, and images used in commerce."

- IP rights as basic human rights involve "the right to benefit from the protection of moral and material interests resulting from authorship of scientific, literary, or artistic productions."

Why Promote and Protect IP?

First, the progress and well-being of humanity rest on its capacity to create and invent new works in the areas of technology and culture.

Second, the legal protection of new creations encourages the commitment of additional resources for further innovation.

Third, the promotion and protection of intellectual property spurs economic growth, creates new jobs and industries, and enhances the quality and enjoyment of life

- WIPO Publication 450

IPOPHL Mandate and Function

The Intellectual Property Office of the Philippines (IPOPHL) is the government agency mandated to administer and implement State policies on intellectual property (IP) to strengthen the protection of IP rights in the country.

Development-Oriented

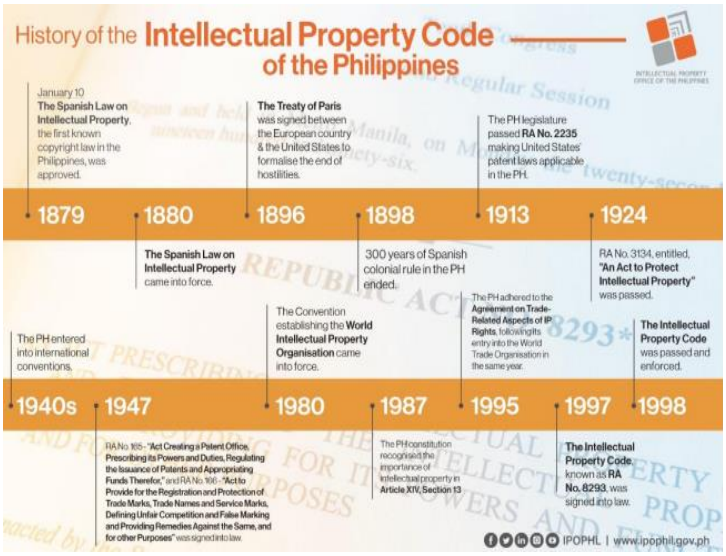
Regulatory

Enforcement

Adjudicatory

Policy-**M**aking

History of IPOPHL



IPOPHL Vision

A progressive Philippines using intellectual property assets for inclusive economic and social development by 2030

IPOPHL Mission

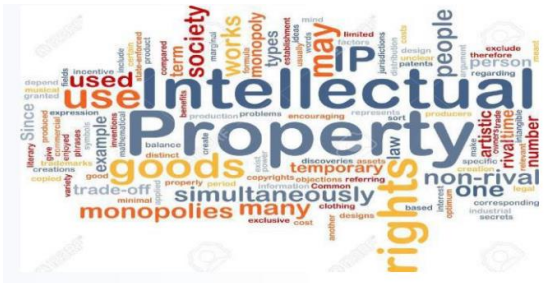
We commit to build an inclusive intellectual property system serving the needs of Filipinos.

IPOPHL Values

- Justness
- Harmony and Teamwork
- Accountability
- Integrity
- Excellence

IPOPHL Logo

INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES



- Protection for your creations
- Promotion of company / products / inventors
- Competitive edge / (keeping) ahead of the competition
- Share in economic and technological development
- Better reasons (inspired) to improve or innovate
- Financial reward

Patent

- an exclusive right granted to the owner by government for a period of time in exchange of the full disclosure of their invention

- 3 Basic Requirements of Patentability (NEW, INVENTIVE and INDUSTRIALLY APPLICABLE)

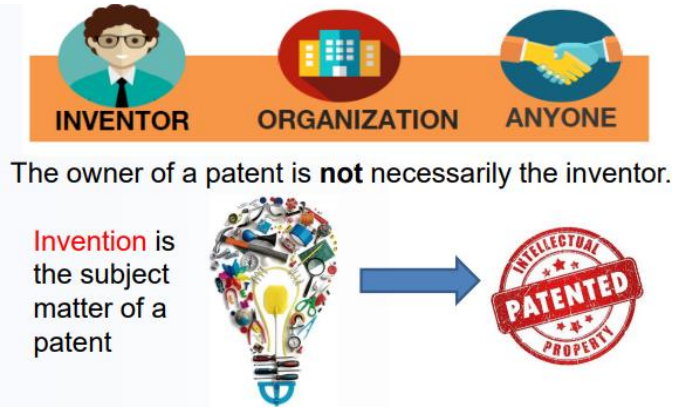
Exclusive Right

- *Product* - to restrain, prohibit and prevent any unauthorized person or entity from making, using, offering for sale, selling or importing that product
- *Process* - to restrain, prevent or prohibit any unauthorized person or entity from using the process, and from manufacturing, dealing in, using, selling or offering for sale, or importing any product obtained directly or indirectly from such process.

Who grants patents?

IPOPHL is the government agency in charged with the implementation of the law protecting intellectual property rights in the Philippines as provided for under R.A. 8293, or the Intellectual Property Code of the Philippines

Who own a patent?



What kind of inventions can be granted a patent?

It must be a technical solution to a problem in any field of human activity which is new, involves an inventive step and is industrially applicable.

Statutory Classes of Invention

- Product
- Process
- Improvement of any foregoing

Non-patented subject matter

1. Discoveries, scientific theories mathematical methods

2. Schemes, rules, and methods of performing mental acts and playing game

3. Methods for treatment of human or animal body

4. Abstract ideas or theories

5. Aesthetic creations

6. Plant varieties of animal breeds or essentially biological process for the production of plants and animals

7. Programs for computers

8. Anything which is contrary to public order, health, welfare or morality

Benefit of Patent

A patent is an exclusive right that allows the inventor to exclude others from making, using, or selling the product of his invention during the life of the patent. Patent owners may also give permission to, or license, other parties to use their inventions on mutually agreed terms. Owners may also sell their invention rights to someone else, who then becomes the new owner of the patent.

Eligibility of Patent

The Intellectual Property Code of the Philippines sets three conditions for an invention to be deemed patentable: it has to be new, involves an inventive step, and industrially applicable

Term and Protection of Patent

The term of a patent shall be twenty (20) years from the filing date of the application without any possibility of renewal. The patent must be maintained yearly, starting from the 5th year. Patents are territorial, You are only protected in countries where you applied for patent protection.

Utility Model

- a protection option to protect innovations that are not sufficiently inventive to meet the inventive threshold required for standard patents application

- provides protection of so-called “minor inventions” through a system similar to the patent system

What kind of protection does a Utility Model offer?

An **owner** of a utility model obtains the **exclusive right** to prevent or stop others from commercially exploiting the utility model for a **limited period.**

Statutory Classes of Registrable Utility Model (Rule 201)

1. Product

2. Process

3. Computer-related utility model

4. Improvement of any of the foregoing

Benefits

A Utility Model (UM) allows the right holder to prevent others from commercially using the registered UM without his authorization, provided that the UM is new based on the Registrability Report. Compared with invention patents, it is relatively inexpensive, faster to

obtain, and with less stringent patentability requirements.

Eligibility

Any technical solution of a problem in any field of human activity which is new and industrially applicable shall be registrable.

The provisions regarding "Non-Patentable Inventions" as provided for in Part 2, Rule 202 of the Regulations for Patents shall apply, mutatis mutandis (with things changed that should be changed), to non-registrable utility models:

1. Discoveries, scientific theories and mathematical methods

2. Schemes, rules and methods of performing mental acts, playing games or doing business, and programs for computers;

3. Methods for treatment of the human or animal body by surgery or therapy and diagnostic methods practiced on the human or animal body. This provision shall not apply to products and composition for use in any of these methods;

4. Plant varieties or animal breeds or essentially biological process for the production of plants or animals. This provision shall not apply to micro-organisms and non-biological and microbiological processes

5. Provisions under this subsection shall not preclude Congress to consider the enactment of a law providing sui generis protection of plant varieties and animal breeds and a system of community intellectual rights protection:

6. Aesthetic creations; and

7. Anything which is contrary to public order or morality

Term of Protection

A utility model is entitled to seven (7) years of protection from the date of filing, with no possibility of renewal. UMs are territorial. You are only protected in countries where you applied for patent protection

Patents vs Utility Models

Patents	Utility Models
• requires inventive step • 20 years from filing date • with substantive examination • applications published with search report after 18 months • can be enforced after grant	• no inventive step • 7 years from filing date • no substantive examination • published for 30 days prior to issuance of certificate • enforcement is determined by Registrability Report

Registrability Report

• a document showing the validity of the registration.

• shows the relevant prior art documents related to your UM application

• shows whether your UM is new or not

• if new, then, UM can be enforced by presenting your UM registration certificate together with the registrability report.

Industrial Design

- ornamental or aesthetic aspect of an article.

- design, in this sense, may be three-dimensional features (shape or surface of an article), or the two-dimensional features (patterns or lines of color).

What conditions must be met to obtain industrial design protection?

• New or original

• Article of manufacture

• Not dictated by technical or functional considerations

• Not contrary to public order, health and morals

Benefits

The owner of a registered industrial design has the right to prevent third parties from making, selling or importing articles bearing or embodying a design which is a copy, or substantially a copy, of the protected design, when such acts are undertaken for commercial purposes.

Eligibility

In order to be registrable, an industrial design must be a new or original creation. The following industrial designs shall not be registrable:

- Industrial designs that are dictated essentially by technical or functional considerations to obtain a technical result;
- Industrial designs which are mere schemes of surface ornamentations existing separately from the industrial product or handicraft; and
- Industrial designs which are contrary to public order, health, or morals

Term of Protection

The registration for an industrial design is for a period of 5 years from the filing date of the application. The registration of an industrial design may be renewed for not more than two (2) consecutive periods of five (5) years each by paying a renewal fee. The fee should be paid within a year of the expiration of the registration.

Samples of ID

Trademark

- is a word, a group of words, sign, name, symbol, logo or a combination thereof that identifies and differentiates the source of the goods or services of one entity from those of others

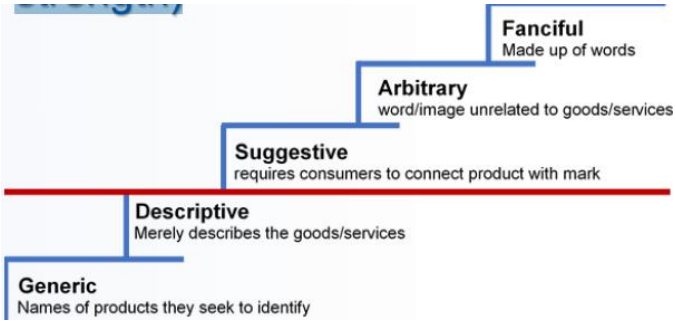
Functions of Trademark

- Source identifier and differentiator
- Quality indicator and advertisement

Types of Marks (according to composition)

• Word	NIKE
• Symbol	
• Phrase	JUST DO IT
• Combination	

Types of Marks (according to strength)



Non-registrable marks

- Immoral, deceptive, scandalous
- Flags, coats of arms, emblems
- Names, portraits, signatures
- Shapes that may be necessitated by technical factors or by the nature of the goods themselves or factors that affect their intrinsic value
- Colors, unless defined by a given form
- Misleading
- Generic
- Customary to trade

Benefits

A trademark protects a business' brand identity in the marketplace. Registration of it gives the owner the exclusive rights to prevent others from using or exploiting the mark in any way. Aside from being a source-identifier, differentiator, quality indicator, and an advertising device, a protective mark may also bring another stream of income to the owner through licensing or franchising.

Eligibility

The Intellectual Property Code of the Philippines prescribes grounds for non-registrability. The Intellectual Property Code of the Philippines, Section 123 fully explains the information about trademark. Generally, the **distinctiveness** of the mark is the key point of consideration.

Term of Protection

A trademark can be protected in perpetuity if regularly monitored and properly maintained. The period of protection is ten (10) years from the date of registration and is renewable for a period of ten (10) years at a time

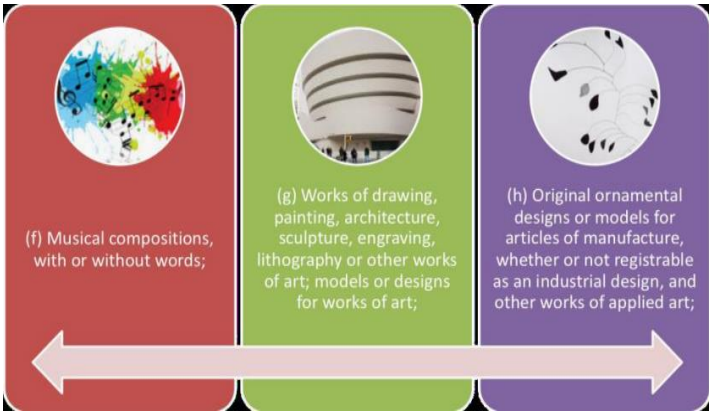
Copyright

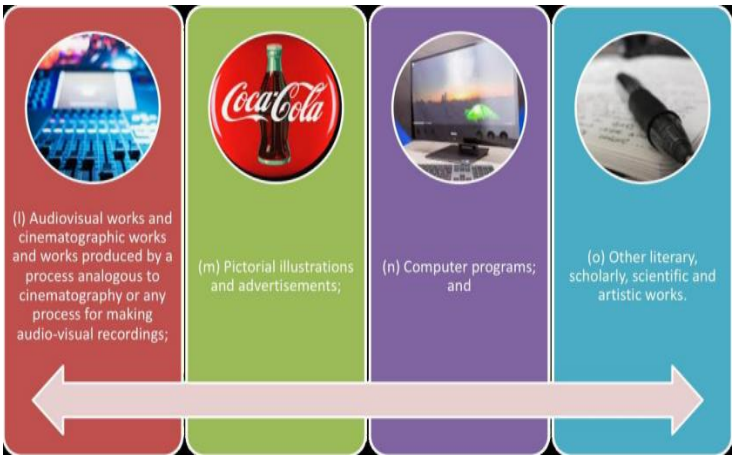
- legal protection extended to the owner of the rights in an original work that one has created. “Original work” refers to every production in the literary, scientific and artistic domain.

How is Copyright acquired?

Works are protected by the sole fact of their creation, irrespective of the mode or form of expression, as well as their content, quality and purpose.

Literary and Artistic Works





Works not protected (Unprotected subject matter)

- Ideas
- Procedure
- System
- Method of operation
- Concept
- Principle
- Discovery
- Mere data
- News and other miscellaneous facts
- Official text and any official translation

Works not protected (Works of the Government)

- But prior approval of the government agency/office is necessary for the use of such work for profit
- Agency/office may impose conditions or royalties except for rules, speeches, lectures, dissertations, addresses
- The author of speeches, lectures, addresses and dissertations shall have the exclusive right of making a collection of his works
- Government may receive and hold copyrights transferred by assignment, bequest, or otherwise

What rights does copyright provide?

Economic Rights	Moral Rights
• Reproduce • Translate • Adapt • Exhibit/perform the work in public • Distribute • Broadcast • Communicate the work to the public	• Rights which maintain a personal link between authors and their work • Be recognized as the author of the work • Object to any changes to the work, which could damage the author's honor or reputation

Benefits

The creators of works protected by copyright hold the exclusive right to use or authorize others to use the work on agreed terms. The right holder(s) of a work can authorize or prohibit: its reproduction in all forms, including print form and sound recording, public performance and communication to the public, broadcasting, translation into other languages, and adaptation, such as from a novel to a screenplay for a film

Eligibility

Works covered by copyright that can be deposited with IPOPHL are, but are not limited to: novels, poems, plays, reference works, newspapers, advertisements, computer programs, databases, films, musical compositions, choreography, paintings, drawings, photographs, sculpture, architecture, maps and technical drawings.

Term of Protection

The term of protection for copyright in literary and artistic works, and in derivative works is generally the lifetime of the author plus fifty (50) years. However, different rules may apply in:

• Works of joint authorship (life of last surviving + 50 years after death)

• Works of anonymous or pseudonymous works (50 years from publication or making)

• Photographic works

• Works of applied art

• Audio-visual works