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<div align="center">Copyright, Fair Use, and License Terms and Agreements</div>

There are many steps that we can take as programmers to avoid ethical problems. The best way to ensure a programmer does not run into legal or ethical trouble is to get educated through sources such as the ACM Code of Ethics or the IEEE Code of Ethics. The ACM and IEEE codes of ethics are collections of principles and guidelines designed to help computing professionals make ethically responsible decisions in professional practice. They are similar and different in a number of ways. The ACM Code of Ethics is composed of 25 ethical principles and is more specific. It is made up of four sections: general ethical principles, professional responsibilities, professional leadership principles, and compliance with the code. The IEEE Code of Ethics is very broad and only lists ten principles. Both codes of ethics, however, list many of the same principles, such as protecting the privacy of others and not engaging in the discrimination or harassment of others.

Many beginner programmers are not aware of the copyright laws behind a computer program and may unknowingly violate them, which is illegal. "Copyright protection for a computer program extends to all of the copyrightable expressions embodied in the program. The copyright law does not protect the functional aspects of a computer program, such as the program's algorithms, formatting, functions, logic, or system design." (US Copyright Office) This means that the author of a computer program can control who accesses it, which complies with principle 2.8 of the ACM Code of Ethics that states, "A computing professional should

access computing and communication resources only when authorized or when compelled by the public good." (ACM Code of Ethics) A computer program is automatically protected by copyright without the author doing more than simply creating the program and storing it (Findlaw).

A software license agreement is a contract between two parties that allows the licensee to use and modify software, but not own it (Ironclad). This is consistent with principle 4.1 in the ACM Code of Ethics that states, "A computing professional should uphold, promote, and respect the principles of the code." (ACM Code of Ethics) I would have more than one license agreement based on the circumstance. If my code is a large part of someone's program, I would like to be given credit for the given code and a share of the profit if there is some being made. If my code plays a relatively small role in someone's program then I would just like to be given credit for the given code. This acts in accordance with principle 5 of the IEEE Code of Ethics that states that computer professionals should, "credit properly the contributions of others." (IEEE Code of Ethics)

Reusing code from the internet can be a tricky situation to deal with. If the code being reused is not copyrightable, then it is free to use with no problems. According to the ACM and IEEE codes of ethics, programmers should only use the code of others when they are given permission, and should credit the authors when they do so. It does not matter what the code is being used for or if profit is being made from the code. Even if the code is being used for a simple assignment, credit should always be given to those who wrote it. Reusing copyrighted code without the proper authorization to do so can lead to many problems. A large fine may be enforced and a job could be hard to find after such a legal battle.

Works Cited

"How and Why to Register Copyrights for Computer Programs." *Findlaw*,

https://corporate.findlaw.com/intellectual-property/how-and-why-to-register-copyrights-for

-computer-programs.html#:~:text=In%20the%20United%20States%2C%20copyrightable,i

s%20protected%20by%20the%20copyright.

U.S. Copyright Office. "Copyright Registration of Computer Programs: U.S. Copyright

Office." *Copyright Registration of Computer Programs | U.S. Copyright Office*,

https://www.copyright.gov/circs/circ61.pdf.

"What Is a Software License Agreement?." *Ironclad*, 16 Nov. 2021,

https://ironcladapp.com/journal/contracts/software-license-agreement/.

ACM. "ACM Code of Ethics and Professional Conduct." 2018,

https://www.acm.org/code-of-ethics.

IEEE. "IEEE - Code of Ethics."

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