|  |  |  |  |
| --- | --- | --- | --- |
| **Qualification Details** | | | |
| **Training Package Code & Title** | **ICT - Information and Communications Technology (Release 3.1)** | | |
| **Qualification National Code & Title** | | **State code:** | |
| **ICT40415 Certificate IV in Information Technology Networking** | | **AWG1** | |
| **ICT41015 Certificate Iv In Computer Systems Technology** | | **AVZ7** | |
| **ICT40115 Certificate Iv In Information Technology** | | **AWB5** | |
| **ICT40415 Certificate IV in Information Technology Networking** | | **AWG1** | |
| **ICT50715 Diploma of Software Development** | | **AWE6** | |
| **ICT40515 Certificate IV in Programming** | | **AWF2** | |
| **Cluster** | | | |
| **N/A** | | | |
| **Units of Competency (UoC) detailed in this cluster:** | | | |
| **Unit National Code and Title** | | | **State Code:** |
| **ICTICT418 Contribute to copyright, ethics and privacy in an IT environment** | | | **AUU49** |

*Students to sign this document when submitting an assessment*

|  |  |  |  |
| --- | --- | --- | --- |
| **Assessment description** | AT 2.2 – Portfolio of Written work on Copyright | | |
| **Assessment date** |  | | |
| **Student Name** |  | | |
| **Student ID** |  | | |
| **Student Declaration** | I have read and understand the details of the assessment.  I have been informed of the conditions of the assessment and the appeals process.  I agree to participate in this assessment.  I certify that the attached is my own work. | | |
| **Assessors Name** |  | | |
| **Date Due:** | Session 10 | **Date Submitted:** |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **STUDENT FEEDBACK** | | | | | | |
| **Assessment Decision** | Attempt 1 | | ☐ Satisfactory | | ☐ Not Yet Satisfactory | |
| Attempt 2 | | ☐ Satisfactory | | ☐ Not Yet Satisfactory | |
| Attempt 3 | | ☐ Satisfactory | | ☐ Not Yet Satisfactory | |
| **Assessor Name** |  | | | | | |
| **Assessor Signature** |  | | | **Date:** | |  |
| **Feedback to student** | | | | | | |
| Feedback will be given to you in class or via Blackboard Learning Resource | | | | | | |
| **Feedback from student** | | | | | | |
|  | | | | | | |
| **Student signature** | |  | | **Date:** | |  |

|  |  |
| --- | --- |
| **INSTRUCTIONS** | |
| **TO THE ASSESSOR** | | |
| Type of Assessment | Portfolio | |
| Submission of Assessment | Week 10 | |
| Location of Assessment | Classroom or at home | |
| Conditions | This is an individual activity. Students may complete the tasks in class or at home and submit electronically via Blackboard. Students must prepare and deliver a presentation face-to-face. | |
| Elements and Criteria | UoC elements:   * Protect intellectual property * Contribute to copyright policy * Protect rights of stakeholders * Contribute to privacy policy * Maintain privacy policy * Contribute to creation of ethics code * Maintain ethics code | |
| **TO THE STUDENT** | | |
| Purpose of Assessment | Demonstrate competency all of the elements being covered and questions being asked in the assessment, these must be addressed and answered to the satisfaction of the assessor.  Complete the following assessment in class or online, no plagiarism allowed and no copying from other students otherwise a resit will be required.   * Arrange with your Lecturer for the date and time of your Presentation. | |
| Allowable materials | Weekly Readings, Class notes, Weekly Activities | |
| Required resources | Computer with:   * Computer operating system; * Internet Access; * Word processing software; * Access to Blackboard; | |
| Assessment Presentation and Submission | Read through and answer the following questions in each of the three sections. The resources to assist you answer the questions are located within each of the course sections and associated resources.   * Please provide detailed answers for your response to each question. * Create a series of PowerPoint slides for your Presentation. * Questions can be answered into the Word template located on Blackboard.   All questions and activities should be attempted.  Use of research tools and peers in formulating answers are acceptable – but work submitted must be your own work.  For further details and links to the worksheets see the Blackboard course created for this unit.  Final session worksheets are to be uploaded to the appropriate area in the Blackboard course created for this unit.  If you are marked as NYS (Not Yet Satisfactory) on your first attempt you will be provided with another opportunity to re-attempt the assessment at the discretion of the lecturer. | |
| Portfolio contents | This portfolio consists of three (3) questions:  Q6. Types of Intellectual Property – Research  Q7 Corporate Copyright – Research  Q8 Personal Copyright – Case Study | |

Your assessor will use the following checklists to assess your understanding of the issues and participation and communications skills for this competency.

*Continue to the next page*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Did the candidate satisfactorily answer the following questions:** | | **Satisfactory**  **Y/N** | **Assessor Comments** | |
| **Ethics – (E1, 2, 3)** | |  |  | |
| Q6. Types of Intellectual Property | |  |  | |
| Q7 Corporate Copyright | |  |  | |
| Q8 Personal Copyright | |  |  | |
| **Did the candidate demonstrate the following skills** | | **Satisfactory**  **Y/N** | **Assessor Comments:**  *(This section must contain lecturer’s notes/comments)* | |
| Clearly identified each type of intellectual property | |  |  | |
| Realist explanation on copyright use and distribution | |  |  | |
| Contents of the presentation are communicated clearly using non-technical language and appropriate tone. | |  |  | |
| Student copyright policy aligns with current Australian legislation | |  |  | |
| **Student Name:** |  | | **Date Observed:** |  |

### **Q6. Types of Intellectual Property**

1. Research the following types of intellectual property and in your own words provide a detailed description and example of each type. Include all references used.

|  |  |  |
| --- | --- | --- |
| **Intellectual property type** | **Description** | **Example** |
| Patent | Description:  A patent is an idea involving a process, device, method or substance that involves an innovative or inventive element. For Australian IP laws to apply, the inventive element must be useful within a specific field or industry, and it must not be an idea that would occur within standard operation or regular performance within the industry or field. The right to a patent is legally enforceable, depending on the type of patent applied; 20 years for a standard patent, and 8 years for an innovative patent.  Reference:  https://www.ipaustralia.gov.au/patents | CRISPR  Patent name: CRISPR-Cas systems and methods for altering expression of gene products.  CRISPR is a gene editing technology that was originally developed to modify the genes of single celled organisms by the University of California, Berkeley. It was then improved within the non-profit organisation, Broad Institute, who partnered with Harvard and Brown Universities to initialise use of CRISPR on multi celled organisms. It is now used widely today to modify crops and livestock, and is being developed in a multitude of other industries to treat diseases, and enhance quality of life. |
| Trademark | Description: A trademark is a visual identifier associated with the company that owns the trademark. It must be a form of iconography, and not related to the design of a product. The icon can be a pattern, shape, configuration or ornamentation.  Reference:  https://www.ipaustralia.gov.au/trade-marks/understanding-trade-marks | The McDonalds golden arches  The golden arches are a well-known trademark of the McDonalds franchise. The arches were originally a design feature of the restaurant building and were only incorporated into the logo design in 1962. The arches were originally developed to increase visibility street side and promote brand awareness |
| Design | Description: A design is an identifying feature or set of features that give the product a unique appearance. A design is mostly cosmetic, and can be related to the shape, configuration, pattern and ornamentation of a product.  Reference:  https://www.ipaustralia.gov.au/designs/understanding-designs | Louis Vuitton pattern  The Louis Vuitton brand is one of the most counterfeited brands in the world. This is due to the highly exclusive nature of it’s products, and it’s image as a status symbol. The level of counterfeiting led to the company designing the signature monogram canvas, which today is widely used in counterfeit production as it is so recognisable. |
| Copyright | Description:  Copyright is the legally enforceable right by a creator to decide how and when their works can be distributed by others.  Reference:  https://en.wikipedia.org/wiki/Copyright | Barrack Obamas “HOPE” poster – The Associated Press vs Fairey.  In 2008 Shepherd Fairey created the iconic hope poster for Obamas first presidential run. The poster became a symbol for his campaign and the image gained a lot of fame. The original photograph that the painting was based upon however, belonged to the Associated Press. They retained legal rights to the source image. As a result Fairey had used a copyrighted works, and essentially recreated the work without asking for permission to do so, or giving credit to the associated press for the original photo. |

1. Explain in a paragraph your understanding of Intellectual property.

Intellectual property is an immaterial form of property that is a person’s ideas, design or creation. For example. A person might create a painting. The painting is created with paint and a canvas as the material, and that person has material ownership of that painting. Material ownership of that painting can be transferred via transaction to another party. If that occurs, then the material of that painting belongs to the new party, but the new party is not allowed to recreate and distribute copies of that painting, because the intellectual property (the image of the painting) still belongs to its original creator. That image is his intellectual property, and he did not sell that to the new party when he transferred the ownership of the material painting.

### **Q7 Corporate Copyright**

1. Use the link below and in your own words explain South Metro TAFE’s copyright policy.

<http://guides.dtwd.wa.gov.au/ld.php?content_id=31395042>

The South Metro Tafe copyright policy is a document that outlines what copyright is, what it applies to. How it applies, when it applies and what rights it gives to the person that owns the copyright, as well as breach of copyright and the penalties it applies. The document also describes the difference between copyright and plagiarism, (plagiarism is copying someone else’s ideas and passing them as your own whereas copyright infringement is the reproduction of works that are not your own without consent outside of fair dealing constraints and Creative Commons licenses.)

1. How could you ensure that staff followed the organizational copyright laws?

Create a second set of documentation that details the penalties associated with infringement of copyright and plagiarism from a legal standpoint, and from an organisational standpoint. (Legal infringement may result in the owner of the copyright pursing legal action against an individual,

1. Explain how you would distribute a copyright policy to students?

The copyright policy would be easily accessible via learning and student resources (intranet homepage, blackboard, etc) IF it was mandatory for the students to know the copyright policy, it would be easiest to include the copyright policy guidelines within orientation/induction/mandatory preliminary units to ensure that students have a full understanding of the copyright policy before they had a chance to accidentally infringe upon copyright.

### **Q8 Personal Copyright**

Read the following scenario and answer question:

*The textbook you use for your course is very expensive, and you only need half of it. So you decide to borrow a book from the library, scan the book and then print out five of the ten chapters.*

1. Is this allowed? Explain your answer in a short paragraph.

No, Fair dealing only allows the reproduction of material for learning purposes of one chapter or up to 10% of the source material.

1. Create a simple student copyright policy that will help students understand their responsibilities. Ensure your policy aligns with current Australian legislation. Use the template provided below.

|  |
| --- |
| **STUDENT COPYRIGHT POLICY**  **INTRODUCTION**  South Metro Tafe requires students to adhere to and follow the Commonwealth of Australia Copyright act of 1968. This is to ensure the protection of intellectual property rights of external entities to South Metro Tafe, and to provide a moral framework for students to adhere to in relation to the submission of assigned work.  **COPYRIGHT GUIDELINES**  For the purposes of study or learning activity related work, students can copy designated portions of various works in accordance with the fair dealing exception of the Commonwealth of Australia Copyright act. These amounts are related to the type of copyright material and are listed below:   * Hard copy publications; up to 10% of the total publication, or one chapter for works longer than ten pages. * Electronic publications; up to 10% of the total number of words, or one chapter if the work is divided into chapters * Computer programs; these are considered literary works and as a result are subject to the same exceptions under fair dealing. * For information that is not textual; there is no deemed portion however you will need to consider the circumstances to decide whether the amount is fair   Creative Commons licensing will allow the reproduction of copyright property based upon the type of creative commons license that is issued for the works. This is license is determined by the holder of the copyright and different licenses will determine what you can and can’t reproduce, and the circumstances for which you can reproduce it for.  For further information on the various types of creative commons licenses, please visit:  <http://creativecommons.org.au/learn/licences/>  Referencing guidelines must be followed by students when using any copyright material under the fair dealing exception or licensed with creative commons. This is to ensure the standard of all students work, and avoid plagiarism during the submission of assigned work or activities.    **COPYRIGHT LEGISLATIONS**  **The Commonwealth of Australia Copyright act of 1968**  This document describes the conditions, limitations and legally enforceable rights to certain types of intellectual property under Australian law.  **Fair Dealing**  Fair dealing is an exception to copyright in certain situations that allow the use of and reproduction of defined amounts of certain types of copyright property within defined limitations. Fair dealing is an exception written as a part of the Commonwealth of Australia Copyright act of 1968.  **Creative Commons**  Creative Commons is a series of licensing options that the owner of copyright property can issue to allow the use, reproduction and distribution of their work situationally according to the type of creative commons license issued. Creative Commons are licenses written as a part of the Commonwealth of Australia copyright act of 1968.  **NON-COMPLIANCE**  Students are always required to adhere to the South Metro Tafe copyright policy. Penalties will apply if a student is found to be in breach of copyright or has knowingly committed plagiarism. Disciplinary action will be taken depending on the severity of the breach. All instances of plagiarism or breach of copyright will be investigated to determine the outcome. Some of these penalties can include, but are not limited to:   * Verbal warnings: these can be issued by lecturers and teaching staff for minor breaches of copyright not involving illegal distribution of works, or a student unknowingly committing plagiarism. * Formal written warning: Formal warnings will be issued for serious breaches of copyright involving the illegal distribution of copyright works, or a student knowingly committing plagiarism. * Failure of assessment: A lecturer can return an unsatisfactory mark for submitted assigned work or examination if it contains any instance of plagiarism or breach of copyright. * Expulsion from course: Any student that is found breaching copyright laws for instances of personal gain outside of marked submitted work, will immediately be disqualified from completion of their course. |

**References:**

[**https://lawhandbook.sa.gov.au/ch11s01.php**](https://lawhandbook.sa.gov.au/ch11s01.php)

[**http://creativecommons.org.au/learn/licences/**](http://creativecommons.org.au/learn/licences/)

[**https://www.alrc.gov.au/publications/17-computer-programs-and-back-ups/exceptions-computer-programs**](https://www.alrc.gov.au/publications/17-computer-programs-and-back-ups/exceptions-computer-programs)

[**https://www.copyright.org.au/acc\_prod/ACC/Information\_Sheets/Research\_or\_Study.aspx?WebsiteKey=8a471e74-3f78-4994-9023-316f0ecef4ef**](https://www.copyright.org.au/acc_prod/ACC/Information_Sheets/Research_or_Study.aspx?WebsiteKey=8a471e74-3f78-4994-9023-316f0ecef4ef)

[**https://www.copyright.org.au/acc\_prod/ACC/Information\_Sheets/Fair\_Dealing\_\_What\_Can\_I\_Use\_Without\_Permission.aspx?WebsiteKey=8a471e74-3f78-4994-9023-316f0ecef4ef**](https://www.copyright.org.au/acc_prod/ACC/Information_Sheets/Fair_Dealing__What_Can_I_Use_Without_Permission.aspx?WebsiteKey=8a471e74-3f78-4994-9023-316f0ecef4ef)

[**https://www.copyright.org.au/ACC\_Prod/ACC/Information\_Sheets/An\_Introduction\_to\_Copyright\_in\_Australia.aspx**](https://www.copyright.org.au/ACC_Prod/ACC/Information_Sheets/An_Introduction_to_Copyright_in_Australia.aspx)

[**https://blackboard.southmetrotafe.wa.edu.au/bbcswebdav/pid-1414723-dt-content-rid-7652206\_1/courses/16\_U\_EIO\_ICTICT418\_1/Students\_and\_Copyright.pdf**](https://blackboard.southmetrotafe.wa.edu.au/bbcswebdav/pid-1414723-dt-content-rid-7652206_1/courses/16_U_EIO_ICTICT418_1/Students_and_Copyright.pdf)

End of Portfolio Assessment AT2.2