

How to avoid plagiarism

- ♦ **Cite** all considered ideas, perspectives.
 - ♦ *According to **Smith (2007)**, education in professional ethics is a kind of vaccination against self-serving thinking.*
- ♦ **Quote** all borrowed text.
 - ♦ *"Without a sense of professional ethics, individuals might justify to themselves conduct that would be much more difficult to justify in front of others." (Smith, 2007).*

Computer Ethics (English)

Spring 2014

BLG412E

Weeks 7-10: Intellectual Property

Contents of today's lecture

Intellectual property:

- Definitions.
- Theories of Property:
 - Labour.
 - Utilitarian.
 - Personality.
 - Application: Piracy.
- Trade Secrets.
- Copyright.
 - Criteria.
 - Exceptions: Fair Use & First Sale.
 - Reverse engineering.
 - Copying v. distribution.
 - Licenses.
- Patents.
 - Criteria.
 - Software Patents.
 - Design Patents.
- Principles of Sharing:
 - Natural law.
 - Intellectual Commons.

Lecturer: Damien Jade Duff.

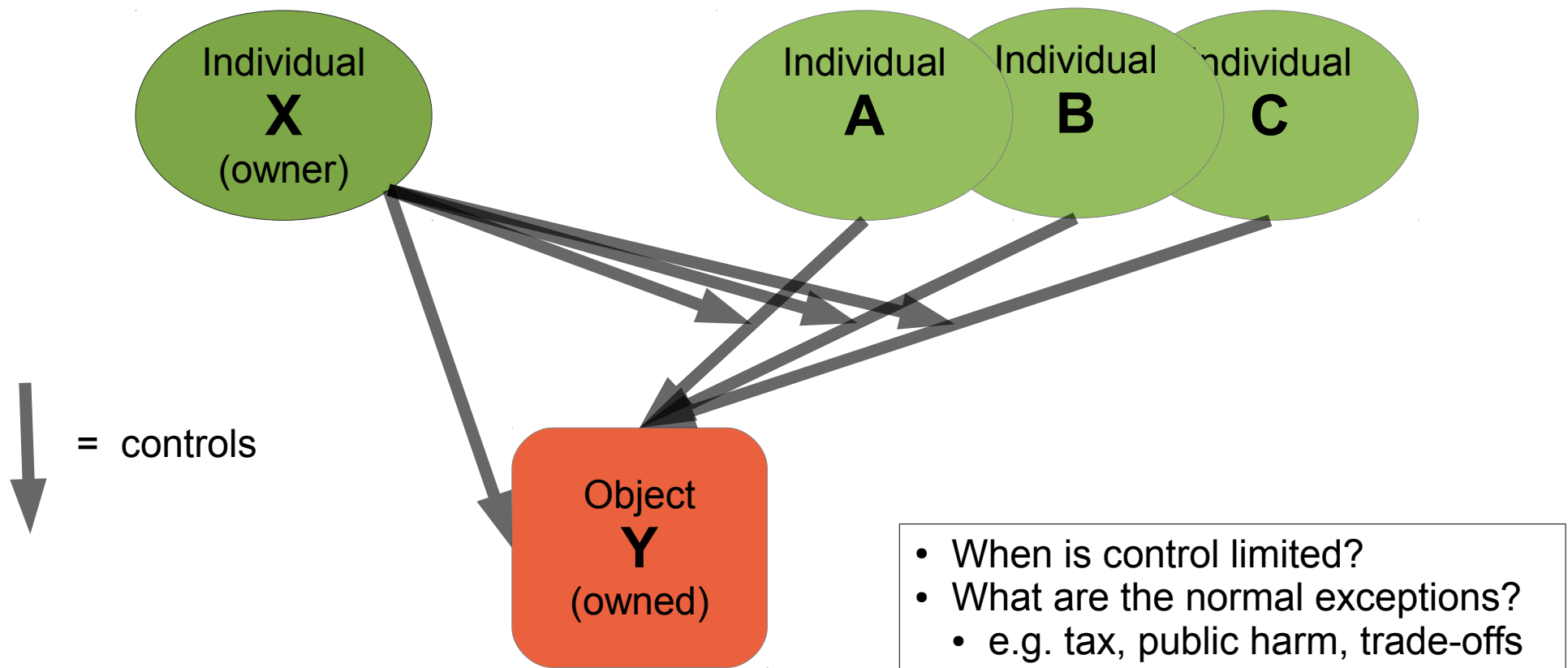
Office: EEf 2316.

Office hour: <http://djduff.net/my-schedule>

[-Theory-] [-----Pratice-----]

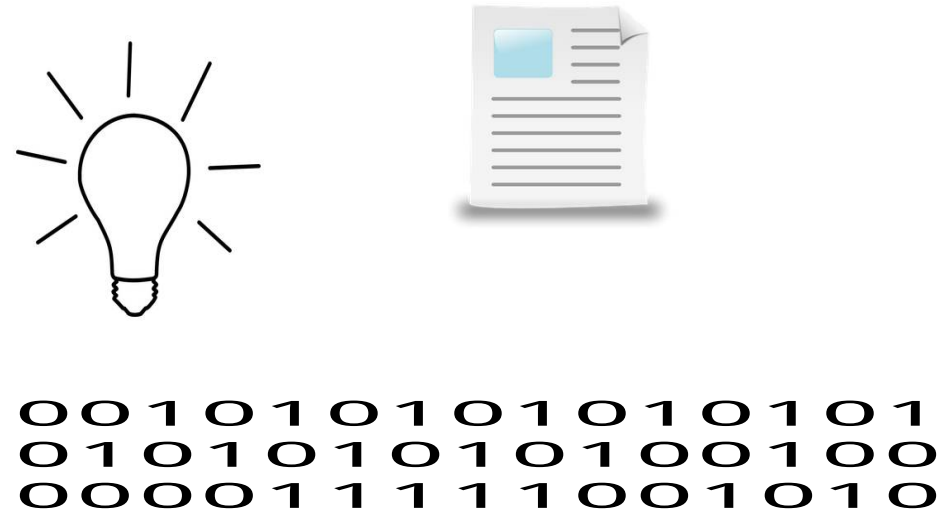
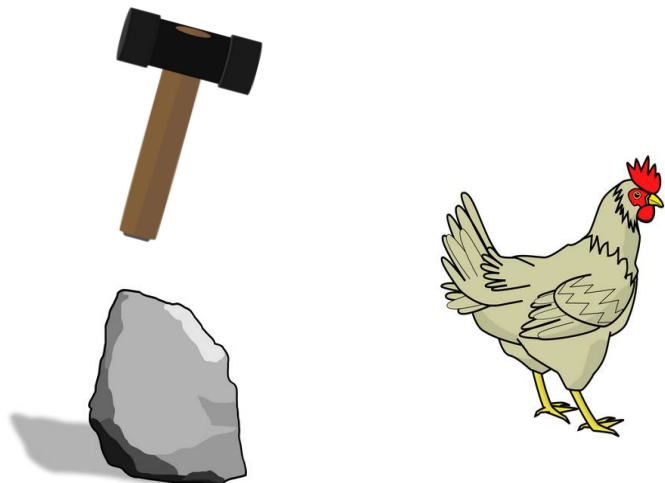
What is property?

*An object **Y** to which an owner **X** has the right to control access by other individuals (**A**, **B**, **C**).*



Characteristics of intellectual objects

Conventional Objects	Intellectual Objects
Concrete	Abstract
Exclusionary	Non-exclusionary
Constrained production	Easily reproduced
Contingent legal protection	Contingent legal protection



Kinds of intellectual property

Copyright	Patent
Expressions.	Functional ideas.
Must be original.	Novel, non-obvious.
Fixed in medium.	Material implementation.
Books, songs.	Machines, processes.
Software generally copyrightable.	Software itself generally not patentable (abstract idea) Needs <i>practical/technical application</i> .

Also:

- Trademarks.
- Trade secrets.
- Design patents.

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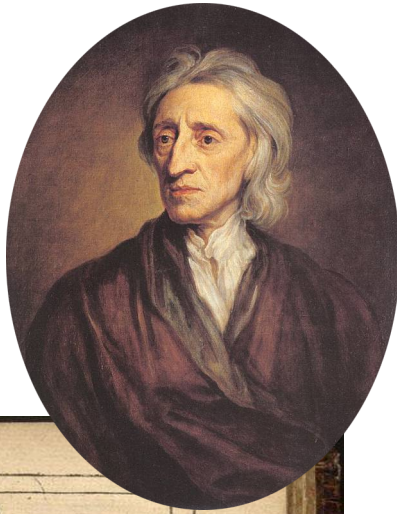
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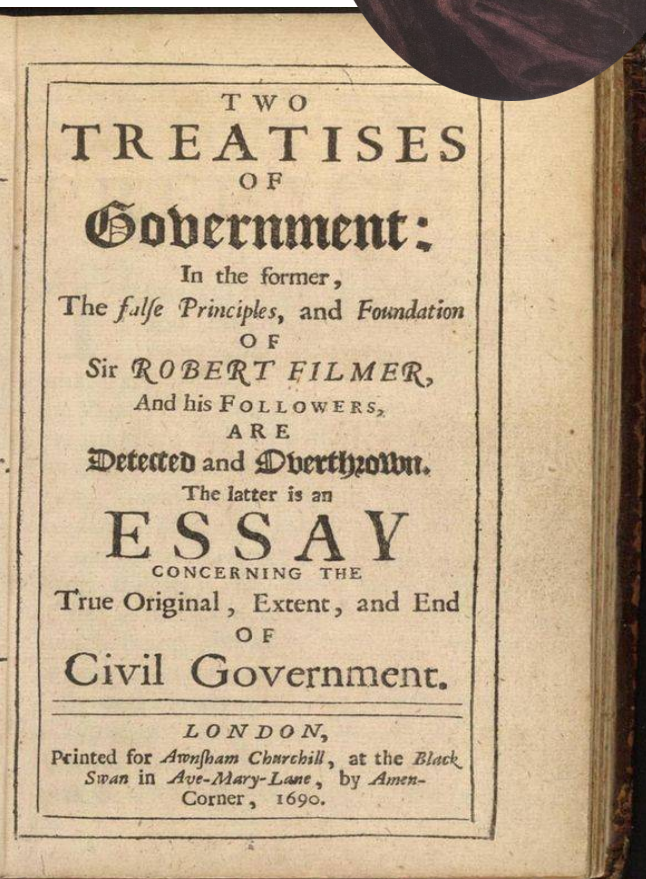
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[-Theory-] [-----Pratice-----]

Labour Theory of Property



- ♦ Locke 1689:
 - ♦ People own themselves, their labour.
 - ♦ Mix labour with commons → own result.
- ♦ Issues:
 - ♦ What if I put labour into an unoriginal intellectual product?
 - ♦ Investment-based capitalism, monopolies: not labour-derived.



Profit off property without labour



Open Source Report
Joe Brockmeier

Anti-competitive Apple policies kill iOS app, company

Developers: Don't bet your future on Apple

By Joe Brockmeier on Wed, 05/11/11 - 11:45am.

The Seattle Times
Winner of Eight Pulitzer Prizes

Microsoft



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Originally published May 11, 2011 at 9:37 PM | Page modified May 12, 2011 at 7:53 AM

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Long antitrust saga ends for Microsoft

Microsoft has spent 21 years — more than half its lifetime — fighting antitrust battles with the U.S. government. Both sides will finally be at peace Thursday, when an antitrust consent decree expires.

Profit off property without labour

- ♦ 'The Network of Global Corporate Control':
 - ♦ A small core of companies control most other large companies.
 - ♦ Banks & financiers.



Utilitarian Theory of Property

- ♦ Economic/material benefits.
 - ♦ Incentivise production.
- ♦ Intellectual property:
 - ♦ Incentivise invention.
 - ♦ Incentivise realising ideas.
- ♦ But can work other way:
 - ♦ Patent trolling.
 - ♦ Fear of litigation → reduced innovation.

Patent wars

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Mar 26, 2014, 6:33am PDT

Apple wins another patent case against Samsung — in Japan

Sarah Drake

Contributor-
Silicon Valley Business Journal

Apple Inc. has won another patent ruling against rival Samsung Electronics Co., this time in Japan. A court ruled Apple does not owe damages because it did not steal Samsung ideas.



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CNET > Internet > Patent trolls curb innovation and cost the U.S. \$29B in 2011

Patent trolls curb innovation and cost the U.S. \$29B in 2011

A new study shows that patent lawsuits are not only costing the country billions of dollars but are also placing the burden on small and medium-size companies, which slows invention.

by **Dara Kerr** @darakerr / June 26, 2012 5:41 PM PDT / Updated: June 26, 2012 6:56 PM PDT

23 / 0 / 0 / 0 / 0 / more +

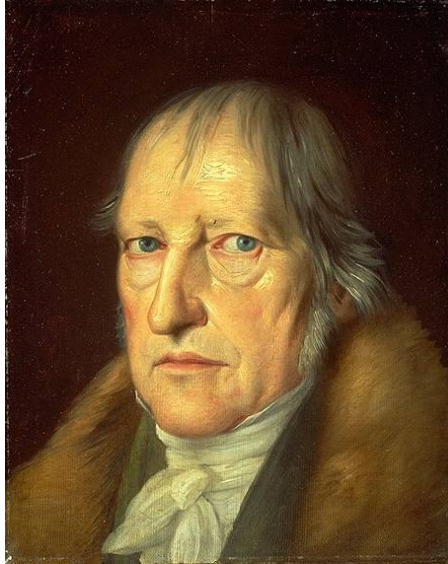
Patent lawsuits seem to be getting more common -- continually there are daily headlines of this company suing that company over intellectual property rights.



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<http://www.cnet.com/news/patent-trolls-curb-innovation-and-cost-the-u-s-29b-in-2011/>
<http://www.bizjournals.com/sanjose/news/2014/03/26/apple-wins-another-patent-case-against-samsung-in.html>

Personality Theory of Property



Hegel 1821:

1. Right to own personality, will inalienable.
2. Creations = expressions of personality, will.
3. Hence, right to those expressions.



Lennon/Beatles song "Revolution" used in Nike commercial after Lennon's death.

- Political song used for advertising.
- Is this okay?

Personality Theory of Property: Scenarios

- ♦ You sell privacy enhancing software,
its owner sells it to an advertising company.
- ♦ You release open-source positive social game,
it is used to build a shoot-em-up.
- ♦ You publish a computing article,
 - ♦ republished by publisher as excerpts.

Apply theory to software copying

- ♦ Unethical to duplicate software according to:
 - ♦ Labour theory?
 - ♦ Utilitarianism?
 - ♦ Personality theory?
 - ♦ Social contract (original, or modified)?
 - ♦ Deontology?
 - ♦ Virtue ethics?
- ?

Software copying

- ♦ Where is the harm?
 - ♦ Lost opportunities?
 - ♦ Deprivation of property rights itself harm?
- ♦ Organised vs personal copying?
 - ♦ Scale.
 - ♦ Slippery slope?
 - ♦ (careful of slippery slope arguments)
 - ♦ Universality / deontology.
- ♦ Developing countries: excusable?

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[-Theory-] [-----Practice-----]

Trade Secrets

**TOP
SECRET**

- ♦ Include:
 - ♦ Formulae.
 - ♦ Processes.
 - ♦ Designs.
 - ♦ Customer lists.
 - ♦ ...
- ♦ Criteria:
 - ♦ Maintain competitive advantage.
 - ♦ Measures are taken to keep secret.
 - ♦ Non-disclosure agreements.
- ♦ Lapse:
 - ♦ Legally, never.
 - ♦ Except if secret escapes.
 - ♦ Reverse engineering = lapse.

Are
Employment
NDAs
Compatible
with labour/
personality
theory?

Trade secrets in recent news

- ♦ Microsoft employee.
- ♦ Gave away in-house software.
- ♦ Plea bargaining:
 - ♦ \$22,500 restitution.
 - ♦ 3 months prison.

Additional detail:
MS looked at his Hotmail email and IM for evidence...

COMPUTERWORLD
PJM 1987-2014

[Home](#) > [Management](#) > [Legal](#)

News

Ex-Microsoft employee pleads guilty to trade secret theft

Prosecutors will recommend three-month prison sentence for insider who allegedly shared info with French blogger

By **Gregg Keizer**

April 1, 2014 02:45 PM ET  2 Comments

http://www.computerworld.com/s/article/9247358/Ex_Microsoft_employee_pleads_guilty_to_trade_secret_theft

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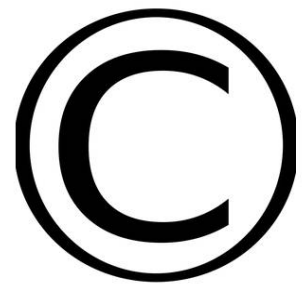
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[-Theory-] [-----Pratice-----]

What is copyright?



- ♦ Exclusive right over **expression** of idea.
 - ♦ Copying (e.g. photocopying book).
 - ♦ Deriving new works (e.g. editing book).
 - ♦ Distributing (e.g. selling book).
 - ♦ Performing (e.g. singing a song).
 - ♦ Displaying (e.g. showing art).
- ♦ Aim:
 - ♦ Encourage creators.
 - ♦ Should ultimately pass into public domain.

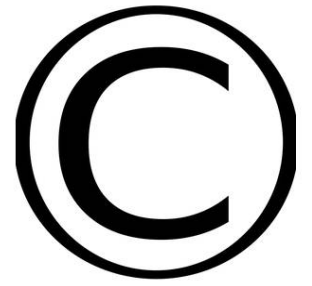
Algorithm = idea.

- Not copyrightable.

Program = expression.

- Copyrightable

What is copyright?



- ♦ Work needs to be:
 - ♦ Original.
 - ♦ Fixed in medium (e.g. paper, vinyl).
 - ♦ Non-functional (functional is for patents).
- ♦ Ownership generally transferable from author.

Case study: function

Lotus 1-2-3 vs Borland 1995:

- ♦ Menu layout "method of operation".
- ♦ e.g. buttons on a VCR.



Case study: medium

- ♦ MDY vs Blizzard 2008:

- ♦ MDY sold "bot" to play Blizzard game.



- ♦ Violates license agreement.

- ♦ 2008: Copying program to RAM is copying:

- ♦ Copyright infringement.

- ♦ 2010 appeal: Copying program to RAM not copying.

(but download of material from Blizzard's servers is)

Do you copy a painting into your brain/retina?

Period of copyright

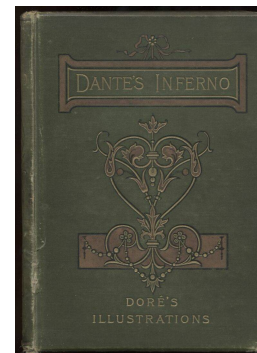
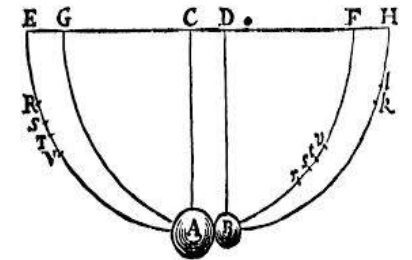
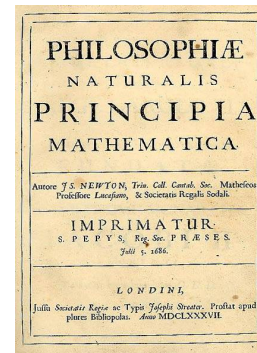
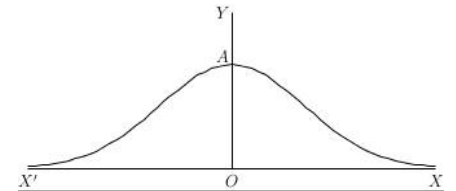
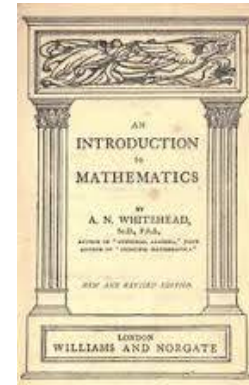
- ♦ Turkey/Europe:
 - ♦ Lifetime of author + 70 years.
 - ♦ US: complicated.
- ♦ Maximum:
 - ♦ Lifetime of author + 100 years.

Case Study: Project Gutenberg.

- Transcribe classic books online.
- Follow US copyright law.

Case Study: Eric Eldred.

- Published classic (out of copyright) books online.
- DMCA made these again copyright.
- Lost his court case.



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[-Theory-] [-----Pratice-----]

Exceptions to copyright

I: Principle of Fair Use

- ♦ Limited use for:
 - ♦ Comment.
 - ♦ Criticism.
 - ♦ Teaching.
 - ♦ Research.
 - ♦ Scholarship.

Example:

Showing Dilbert cartoon in class studying cartoon styles?

Showing Dilbert cartoon in math class to add levity?

Showing Dilbert cartoon in a business meeting to illustrate math idea?

Exceptions to copyright

I: Principle of Fair Use

Considerations:

- ♦ Transformative quality.
- ♦ Commercial vs non-commercial.
- ♦ Nature of original: Factual? Fictional?
- ♦ Substantiality of original.
- ♦ Effect on use of original.

Exceptions to copyright

II: Principle of First Sale

- ♦ Buyer can:
 - ♦ Give away.
 - ♦ Resell.
 - ♦ Destroy.
- ♦ Generally allows reverse engineering.
- ♦ But much software governed by single-use licenses.

Example:

Buy textbooks and give to class?

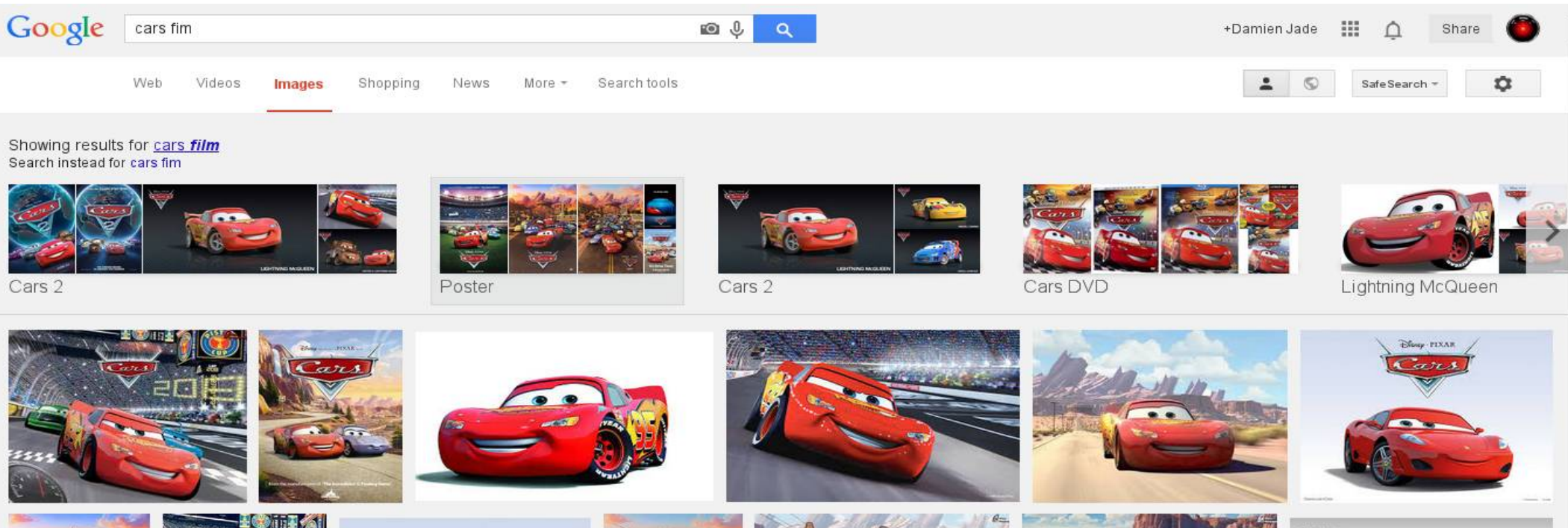
Buy textbooks and photocopy to class every year?

Fair Use example

- Perfect 10 v. Amazon et al.
 - Thumbnail images "highly transformative".
 - Inline images pass "server test" (this time).
(probably not next time).



An anti-hotlink measure



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Reverse engineering

- ♦ Normally allowed:
 - ♦ Principle of Fair Use: research, scholarship.
- ♦ US DMCA: except circumventing digital protection.

Case Study: Adobe Software v. Dimitri Skylarov 2001

- Sklyarov & co. reverse engineered Adobe eBook reader.
- Traveled to US to present results at conference.
- Sued by Adobe, US government.
- Let off: lack of intention to allow piracy.

History of Copyright Protection

- ♦ Early 19th century:
 - ♦ Human readability made a requirement.
- ♦ Conceptual muddles - code:
 - ♦ Machine code readable?
 - ♦ Medium for expression?
- ♦ 1980s - :
 - ♦ Policy vacuum.
 - ♦ Intellectual property laws getting stronger.

Contributory infringement?

- ♦ Sony vs Universal Studios 1984:
 - ♦ VCRs used to copy material.
 - ♦ Contributory infringement.
 - ♦ Legitimate purposes exist:
 - ♦ Saving for later.
- ♦ Universal City Studios v. Reimerdes 2000:
 - ♦ *deCSS* for accessing region-locked DVDs.
 - ♦ DMCA > fair use.
 - ♦ In Norway: won appeal.

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[-Theory-] [-----Pratice-----]

Distribution/indexing vs. copyright

- ♦ Napster:
 - ♦ Index for P2P network.
 - ♦ Shut down: contributory copyright infringement.
- ♦ Safe harbour (from DMCA):
 - ♦ Protects legitimate service providers.
 - ♦ Take-down notices.
 - ♦ *Napster benefiting materially from illegal copying.*
(not eligible)

Napster Successors		
Service	Intention	Legal target
Gnutella	Fast transfer protocol	Trackers, individuals
Torrents	Distribute responsibility	Individuals

ISOHUNT – safe harbour not applicable



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IsoHunt's Fung helped users infringe, blew off "red flags," say judges

File-sharing services face a practically unbroken string of court losses.

<http://arstechnica.com/tech-policy/2013/03/appeals-court-deals-a-major-blow-to-torrent-site-isohunt/>

Where is the onus to take down copyright content?

- ♦ Users?
 - ♦ Frequently don't know what fair use is.
- ♦ Content providers?
 - ♦ Not in the business of understanding content.
- ♦ Copyright holders?
 - ♦ Police the whole internet?

DMCA Procedure for copyright infringement

1. Copyright holder → Content Provider:
Takedown notice.
2. Content Provider complies.
3. Sharer → Content Provider:
Counter notice.

Case study: takedowns



Lenz v. Universal Music Corp.

- ♦ Lenz posts Video → Youtube.

- ♂ *Prince* song playing in background.

- ♦ Universal Studios → Youtube:
Takedown notice.

- ♦ Lenz → Youtube:

- ♦ Counter notice.

- ♦ Sued Universal:
misrepresentation.

- ♦ Judge: Copyright owners must
consider fair use.

- ♦ Only minimal research required.

Is my use of this video in this slide allowable under copyright law?

DMCA notice compliance: Overzealous?

Content providers frequently take down more content than necessary. E.g.

- ♦ Website hosting.
- ♦ Blog hosting.



Textbook Publisher Pearson Takes Down 1.5 Million
Teacher And Student Blogs With A Single DMCA Notice

from the 38-year-old-content-in-a-5-year-old-post-equals-1.5-million-dead-blogs dept

If there's one thing we've seen plenty of here at Techdirt, it's the damage a single DMCA takedown



UPDATED: The True Damage Of An Illegitimate DMCA
Takedown Goes Much Further Than Simple
'Inconvenience'

from the we're-done-breaking-your-stuff,-you-can-have-it-back-now dept

Whenever an artist finds their own creations removed by a erroneous DMCA takedown notice

DMCA notice compliance: Potential for abuse?

Many spurious notices sent.

- ♦ E.g. silence opponents, critics.
- ♦ E.g. automatic search & takedown.



Site plagiarizes blog posts, then files DMCA takedown on originals

Stories about a disgraced researcher get pulled by WordPress.

by John Timmer - Feb 6 2013, 1:33am EET



CDT Releases Report on Meritless DMCA Takedowns of Political Ads

October 12, 2010

Filed under *Digital Copyright*, *More Issues in Digital Copyright*



Email this page



Content providers pro-active take-downs

- ♦ Content providers take down content without court order.

To avoid being sued later.

- ♦ User: no legal recourse (license).

Forbes



Paul Tassi, Contributor

News and opinion about video games, technology and the internet

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TECH | 12/11/2013 @ 9:15AM

YouTube Unleashes Strange Storm Of Copyright Claims On Video Game Content Producers

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[-Theory-] [-----Pratice-----]

Private Property Model

- ♦ Source code trade secret.
- ♦ Machine code distribution copyright controlled.
- ♦ Use permitted by license.
- ♦ Not selling program → selling *use of program*.



Private Property Model: Typical licenses

- ♦ Right to return product.
- ♦ Activation, change of machine controlled.
- ♦ Reverse engineering as far as law requires.
- ♦ No guarantee.
- ♦ No liability.



Open Source Model

- ♦ Software can be customised.
- ♦ No lock-in.
- ♦ "Cathedral v. bazaar" philosophy.
 - ♦ "Many eyes".



Open Source Model:

Typical license: GPL

- ♦ Any use possible.
- ♦ Any distribution possible (including sale).
- ♦ Any alteration possible.
 - ♦ GPL: *Share-alike restriction*.
- ♦ No guarantee.
- ♦ No liability.



Other Open Source licenses

- ♦ Non share-alike:
 - ♦ BSD.
- ♦ Dual licensing:
 - QT, MySQL.
- ♦ Also:
 - LGPL, Apache, Mozilla...
- ♦ Documentation:
 - GNU Free Documentation License.
- ♦ Creative Works
 - Creative Commons.

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US court says software is owned, not licensed

Software company Autodesk has failed in its bid to prevent the second-hand sale of its software. In a long-running legal battle it has not been able to convince a court that its software is merely licensed and not sold. | 05 Oct 2009

Topics E-commerce and the internet | General contract and boilerplate
| Corporate | Software | TMT & Sourcing

Like many software publishers Autodesk claims that it sells only licences to use its software and that those who pay for it do not necessarily have the right to sell it on. It sued Timothy Vernor, who was selling legitimate copies of Autodesk software on eBay, for copyright infringement.

The US District Court for the Western District of Washington has backed Vernor, though, in his claim that he owned the software and had the right to sell it on.

**First-sale
often
upheld in
courts.**

<http://www.out-law.com/en/articles/2012/july/downloadable-software-can-be-re-sold-by-purchaser-not-for-different-number-of-users-than-originally-licensed-ecj-rules/>

<http://www.itproportal.com/2009/10/26/us-court-says-software-owned-not-licensed/>

High Court rules software liability clause not 'reasonable'

Supplier should have given more appropriate demo

A software company's stipulation that customers could not take action against it for the poor performance of its software was unfair and could not be enforced, the High Court [has said](#).

The software company should have alerted its customer to problems with the product when demonstrating it and chosen more demonstrations for it that more closely matched the customer's own business requirements, the Court said.

**Licenses
need to be
reasonable.**

http://www.channelregister.co.uk/2010/05/12/red_sky_liability_ruling/

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- Patents.
 - Criteria.
 - Software Patents.
 - Design Patents.
- Principles of Sharing:
 - Natural law.
 - Intellectual Commons.

Lecturer: Damien Jade Duff.

Office: EEf 2316.

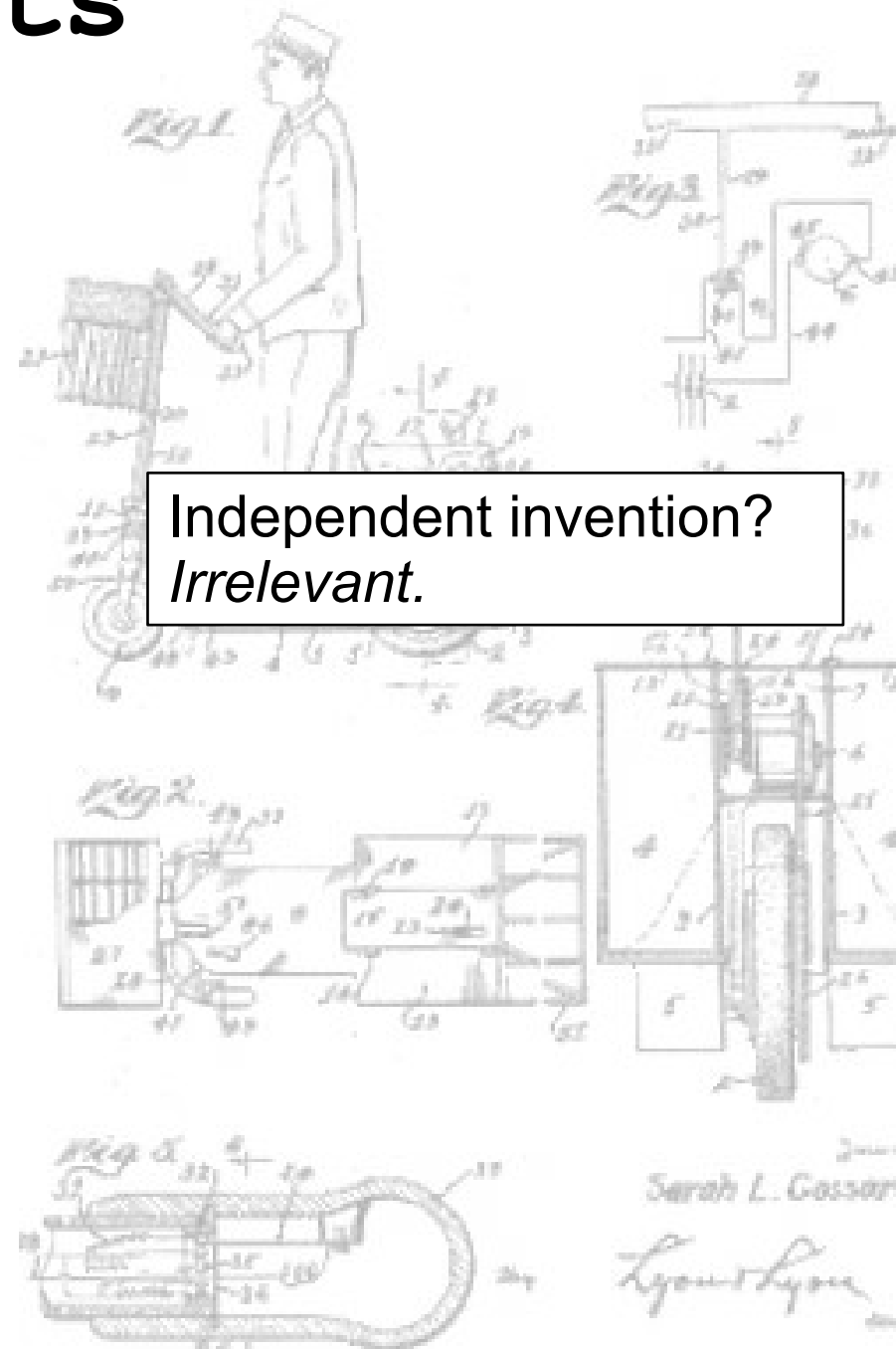
Office hour: <http://djduff.net/my-schedule>

[-Theory-] [-----Pratice-----]

Patents

- ♦ Patents: For inventions.
- ♦ Criteria:
 - ♦ Novelty.
 - ♦ Applied to technical problems.
 - ♦ Non-obviousness.
- ♦ Design Patents (EU: RCD):
 - ♦ Novelty.
 - ♦ Non-functionality.
 - ♦ Non-obviousness.

Independent invention?
Irrelevant.



Patents protect...

- ♦ Manufacture.
- ♦ Use.
- ♦ Sale.
- ♦ Right to license.

For about 20 years (varies).

Patenting process

- ♦ Time-consuming.
- ♦ Expensive.
- ♦ Hard to evaluate.
 - ♦ (Prior art search).
- ♦ Patent acceptance \neq court acceptance.

Patent problems

- ♦ Un-patentable patents given.
- ♦ Used to prevent competition.
 - ♦ "Patent pools".
 - ♦ Licensing terms should be fair, reasonable, non-discriminatory.

Patent problems

- ♦ Defensive patenting → offensive (Apple).
- ♦ Patent trolling:
 - ♦ Not to use, just to sue.
 - ♦ Use only after popularity increases.
- ♦ This is not what patents are for!

Computer Ethics (English)

Spring 2014

BLG412E

Weeks 7-10: Intellectual Property

Contents of today's lecture

Intellectual property:

- Definitions.
- Theories of Property:
 - Labour.
 - Utilitarian.
 - Personality.
 - Application: Piracy.
- Trade Secrets.
- Copyright.
 - Criteria.
 - Exceptions: Fair Use & First Sale.
 - Reverse engineering.
 - Copying v. distribution.
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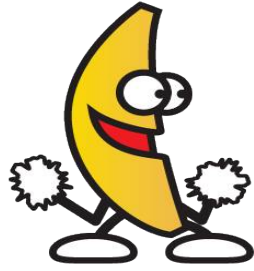
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[-Theory-] [-----Practice-----]

Software patents: possible somewhere, sometime

- ♦ Gottschalk v. Benson 1972:
 - ♦ Decimal-binary conversion algorithm.
 - ♦ Judge: Algorithm abstract like math.
- ♦ But frequently granted (e.g. LZW, RSA).
- ♦ 1994: US Federal court: programs not abstract.
- ♦ EU: "programs for computers excluded"
- ♦ More relevant than copyright?

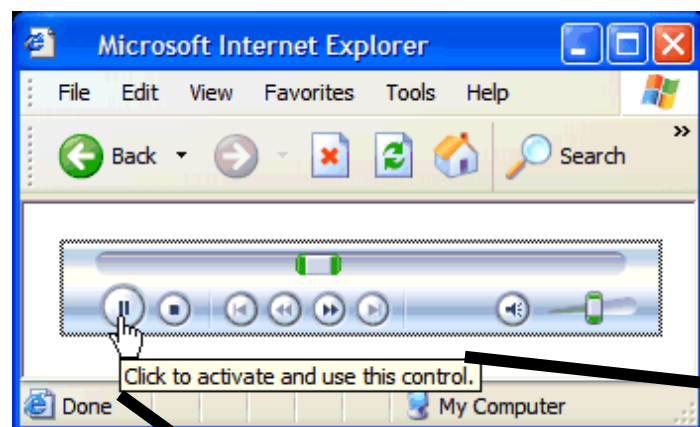


GIF case

- ♦ GIF uses LZW compression, patented.
- ♦ 1994 Unisys licensed LZW to CompuServe for GIF.
- ♦ PNG alternative.
- ♦ Patent now expired.
 - ♦ Never was tested in court.

Web browser plugins

- ♦ Eolas v. Microsoft.
 - ♦ Web browser plugins patent.
 - ♦ 2005 settlement.
 - ♦ 2009 Eolas sued 22 companies.
 - ♦ 2012 *Viola* creator demonstrated prior art.



Click to activate and use this control.

(a defensive legal measure)

Case study: Amazon 1-click.

- ♦ 1999 patent:
 - ♦ 1 click shopping (using cookies).
- ♦ In the US: enforced.
- ♦ In the EU: denied on appeal.
 - ♦ Too obvious.



Alice Corp. v. CLS Bank International.

Process patented:

Safe trading with trading software + intermediary (pseudocode).

- ♦ Against:
 - ♦ Known approach but on computer.
 - ♦ Abstract, trivial.
 - ♦ Judge: Patents not increasing competition.
- ♦ Alice Corp: Far from trivial.

IBM:
Worry about novelty
not abstractness.

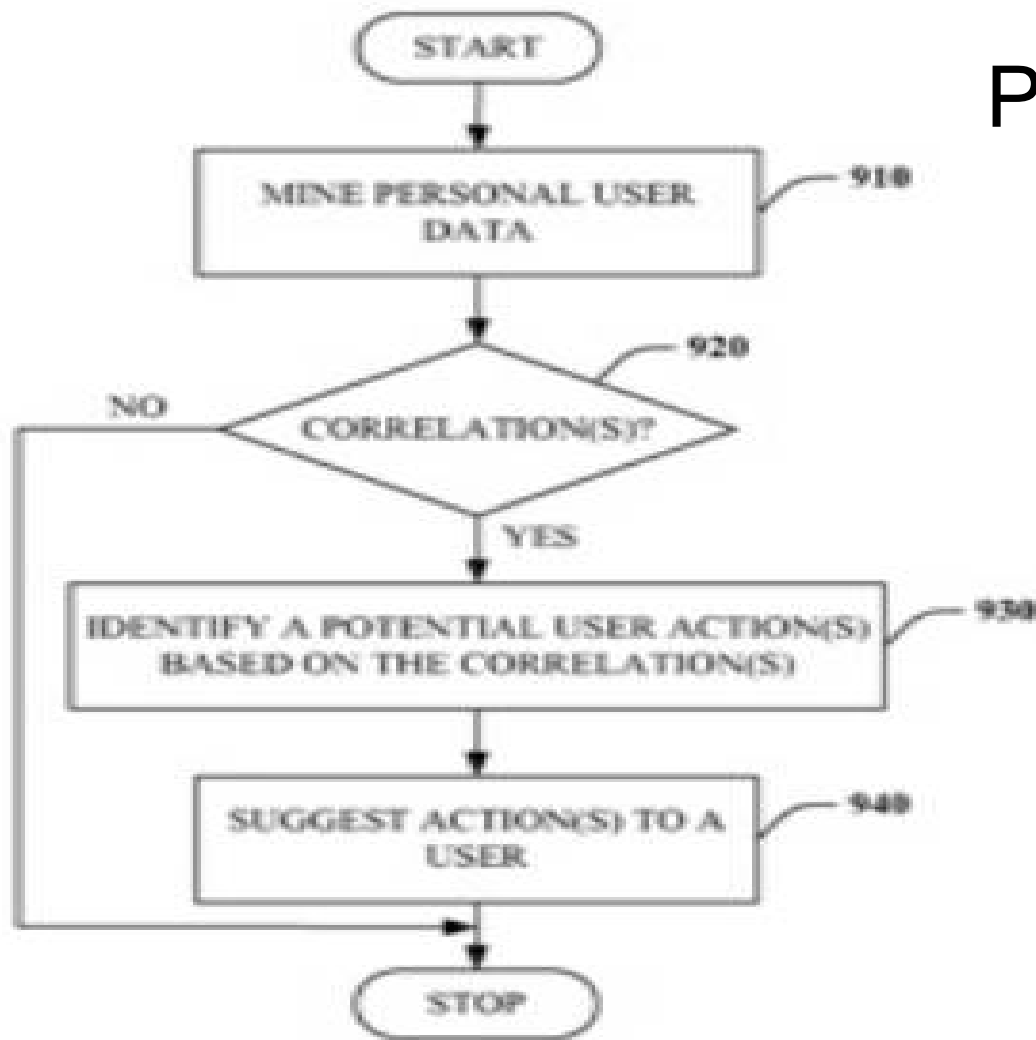
CNNMoney 

FORTUNE 

**Supreme Court to decide when
ideas become too 'abstract' to patent**

FORTUNE

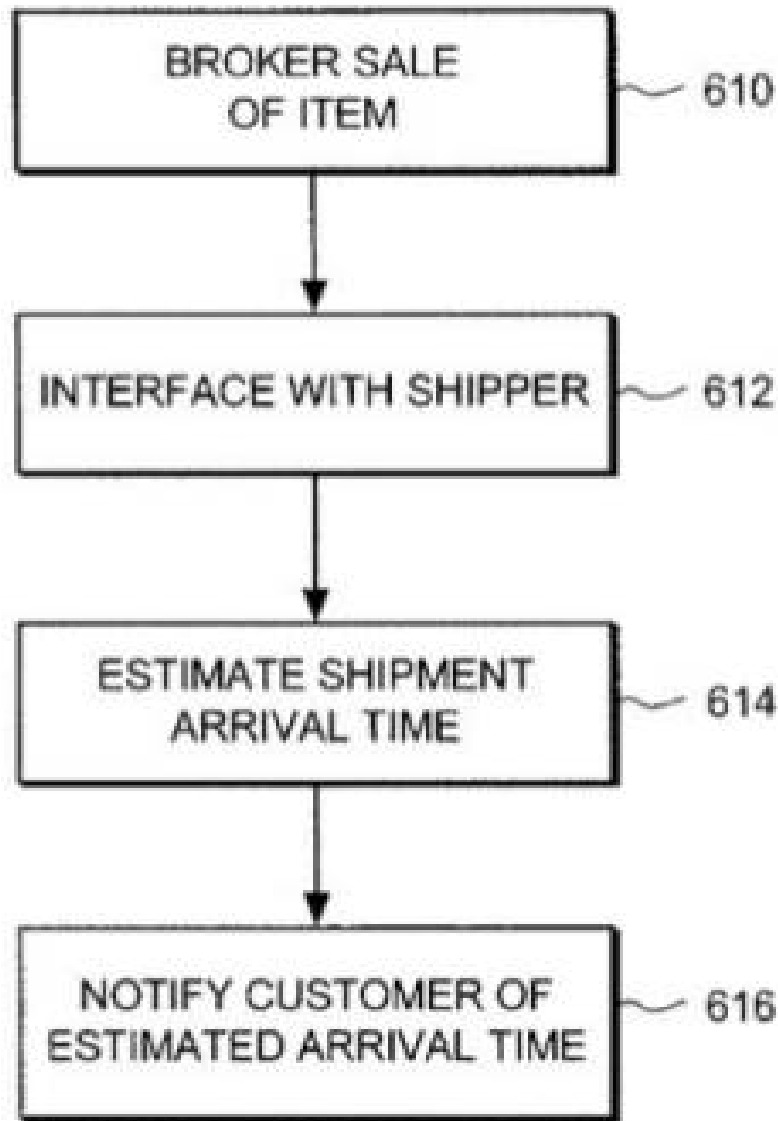
Microsoft patent 2010: personal data mining



Patent-worthy?

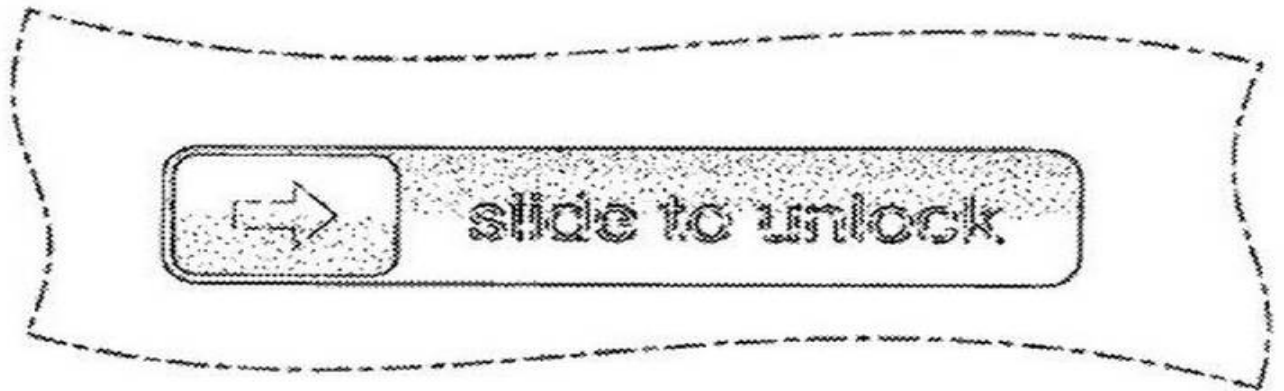
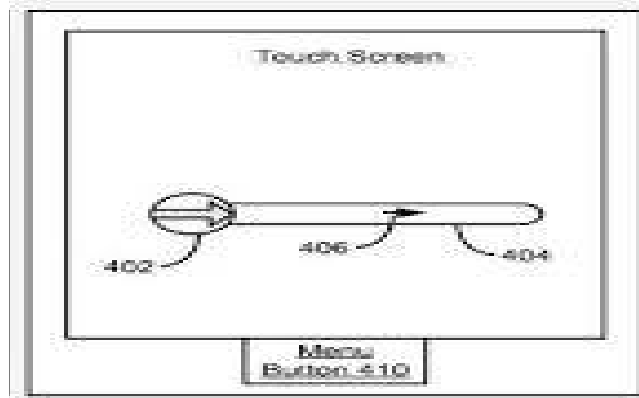
2012:
Microsoft buys 800
patents from AOL.

Google patent 2011: notification of delivery time



Patent-worthy?

Apple & google patented slide-to-unlock 2011, 2010



1991 demo.

Prior art?

Design patents

Microsoft Wins Patent for Slider Design



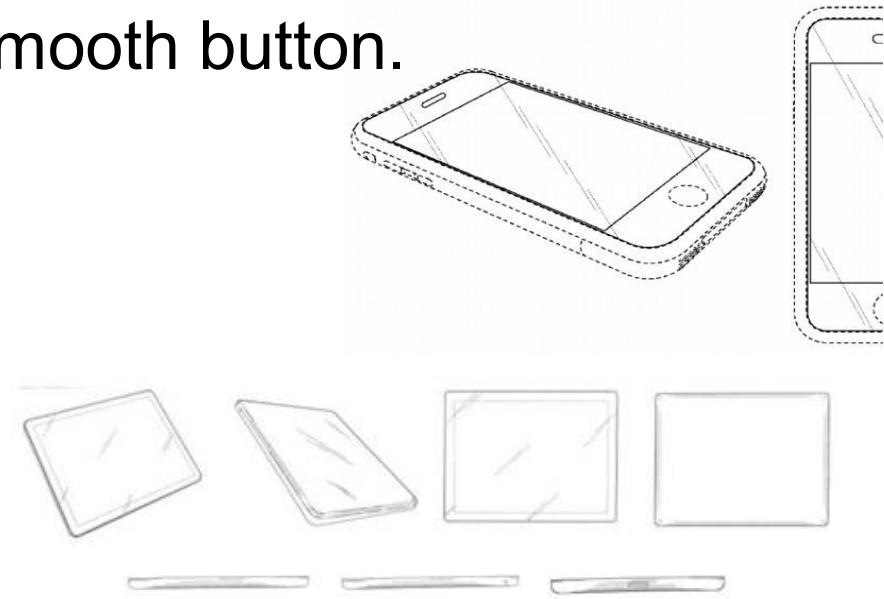
Phones that
slide out
with flush
keyboard &
screen.

Joe Arico in Gadgets & Gear, Innovations & Inventions, Microsoft, Nokia, Patents

♦ <http://www.mobiledia.com/news/102945.html>

Apple v. Samsung, HTC

- ♦ Apple tablet & phone *design patents*.
 - ♦ Tablet with rounded edges, ornament-free.
 - ♦ Phone with rounded edges, thin rounded back, single button.
 - ♦ Phone with rounded edges, smooth button.
 - ♦ ...
- ♦ Courts around the world.
 - ♦ Some wins, some losses.
 - ♦ Filing more patents.



Response

PCWorld » Blogs » Today @ PCWorld

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TODAY @ PCWORLD

Apple to Samsung: Don't Make Thin or Rectangular Tablets or Smartphones

By Melanie Pinola, PCWorld Dec 5, 2011 8:50 AM

Apple proffers design advice on how Samsung could avoid stepping on Apple's design patent toes, in a legal brief filed as part of its ongoing patent infringement lawsuit against its competitor.

Some of the alternative design options Apple has suggested for Samsung seem so farcical you'd think you were reading *The Onion*: Don't make tablets or smartphones with overall rectangular shapes or rounded corners, make tablets with front surfaces that aren't completely flat, try cluttering the appearance of the devices, and more.



Apple iPad

When Apple sued Samsung in April, the company claimed Samsung had "slavishly" copied the distinctive designs of the iPhone and iPad, thereby violating Apple intellectual property rights. In its rebuttal, Samsung argues that there are only so many ways you could design devices like the [Galaxy S](#) and [Galaxy Tab](#).

Apple obviously doesn't think so. To defend its claim that Samsung had other design options, Apple had to provide examples of design alternatives.

EU: rounded edges "banal".

But: many wins for Apple.

Computer Ethics (English)

Spring 2014

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[-Theory-] [-----Practice-----]

Interests and ethical positions: paradox?

	Business lobbyists	Individual rights activists
Position on privacy	Pro-sharing	Pro-protection
Position on intellectual property	Pro-protection	Pro-sharing

UK EDITION • THURSDAY, 20TH MARCH, 2014

INTERNATIONAL BUSINESS TIMES

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Chinese Army's Industrial Espionage Continued Even after Exposure

By Jijo Jacob November 7, 2013 06:08 GMT

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REUTERS EDITION: [U.S.](#) ▼

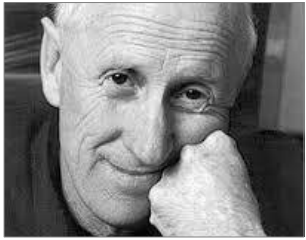
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Snowden says NSA engages in industrial espionage: TV

BY [ERIK KIRSCHBAUM](#)
BERLIN Sun Jan 26, 2014 8:25am EST

4 COMMENTS [t](#) Tweet 144 [in](#) Share 4 [f](#) Share this [g+](#) 3 [e](#) Email [p](#) Print

"Information Wants to be Free"



Descriptive (Brand):

Information is difficult to keep secret.
(even though it is valuable)



Normative (Stallman):

Useful information should be distributed.
(because it is valuable)

*Both privacy and intellectual property
would need to be enforced.*

Intellectual Commons

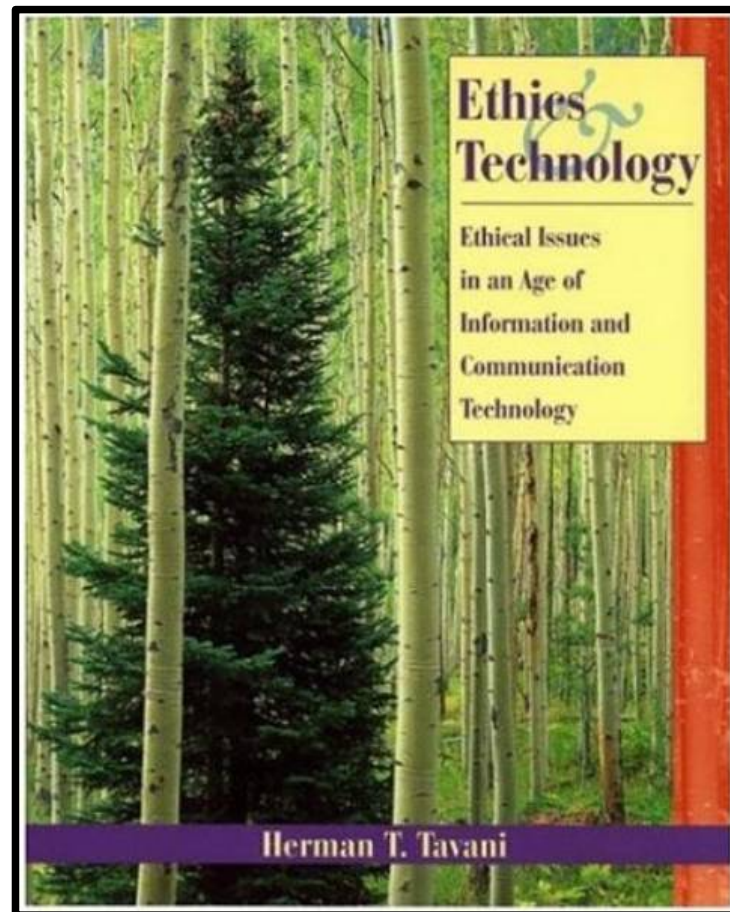
- ♦ Tragedy of the Commons.
- ♦ Mouse:
 - ♦ Xerox → Apple → PC
- ♦ HTTP:
 - ♦ Never patented...
- ♦ Gotshalk v. Benson 1972
 - ♦ ...what if?
- ♦ analogy with environment – commons v. property rights



By Sharon Loxton
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Reading:

Tavani Chapter 8: Intellectual Property Disputes in Cyberspace



8