Digital Futures

Class schedule

Class	Topic
9/10	Introduction
9/17	Copyrights
9/24	Trademarks
10/1	Patents
10/8	**Digital futures**

Course materials

Presentations are available on
www.queenlake.com/wise/ip-course

Worcester Institute for Senior Education

In the news

Worcester Institute for Senior Education
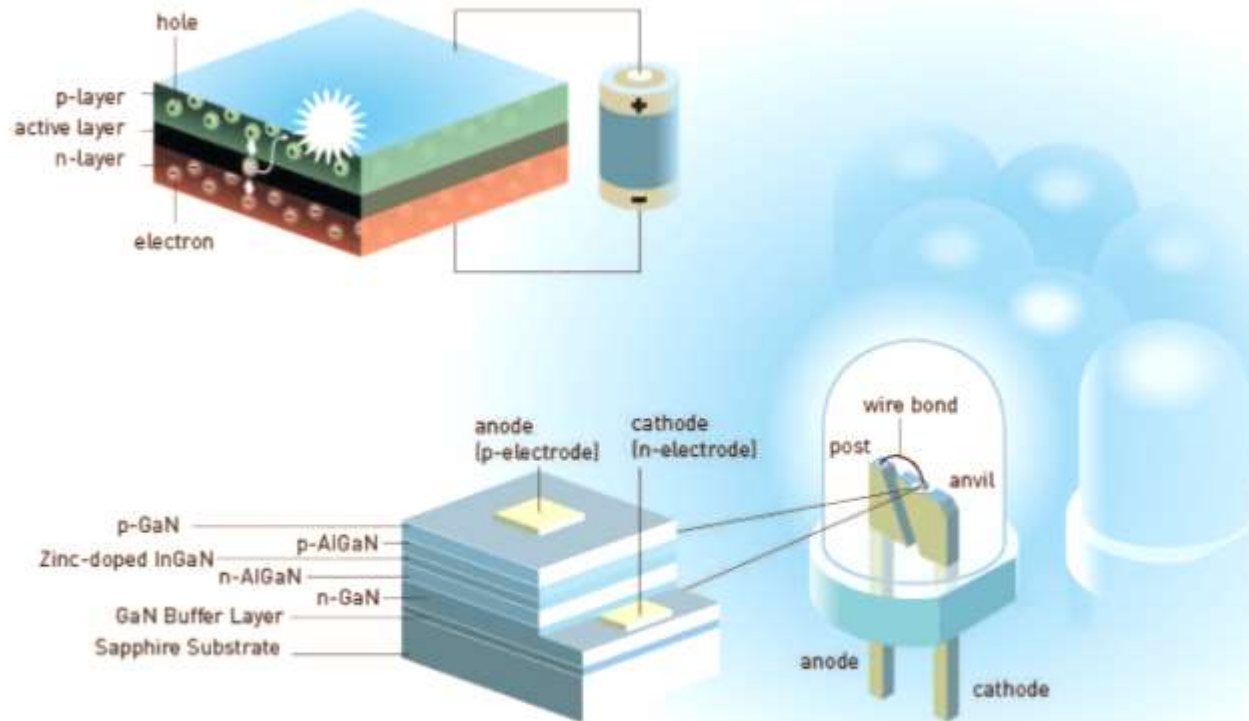
Japanese Company to Pay Ex-Employee $8.1 Million for Invention

Nobel winner Shuji Nakamura initially got less than $200 for his creation.

Worcester Institute for Senior Education

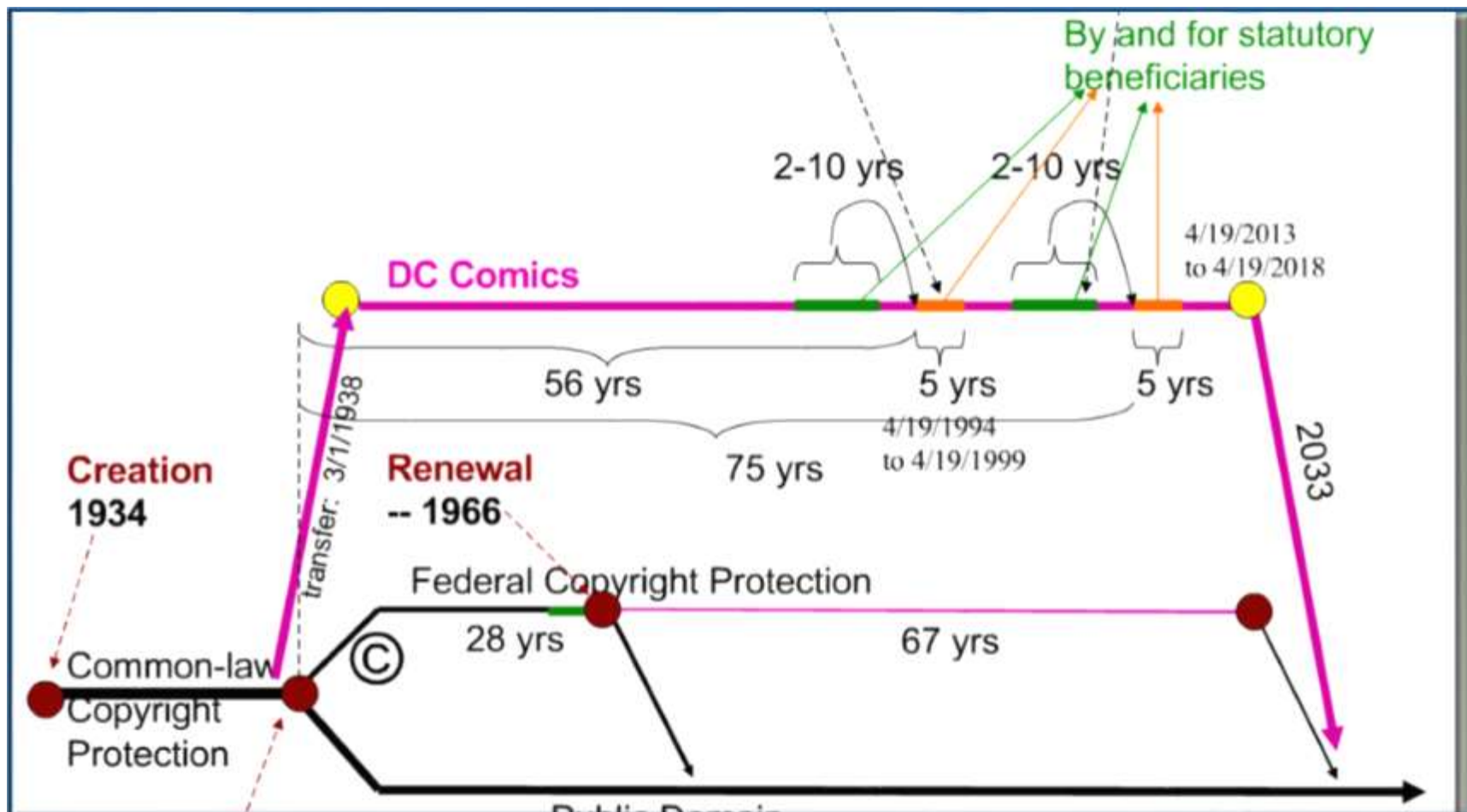# Apple will face $350M trial over iPod DRM

Worcester Institute for Senior Education

Patent dispute may slow Ebola treatment

Could Ebola vaccine delay be due to an intellectual property spat?

Worcester Institute for Senior Education

No payday for Superman heirs

Supreme Court won't hear Superman heirs' copyright case

Worcester Institute for Senior Education

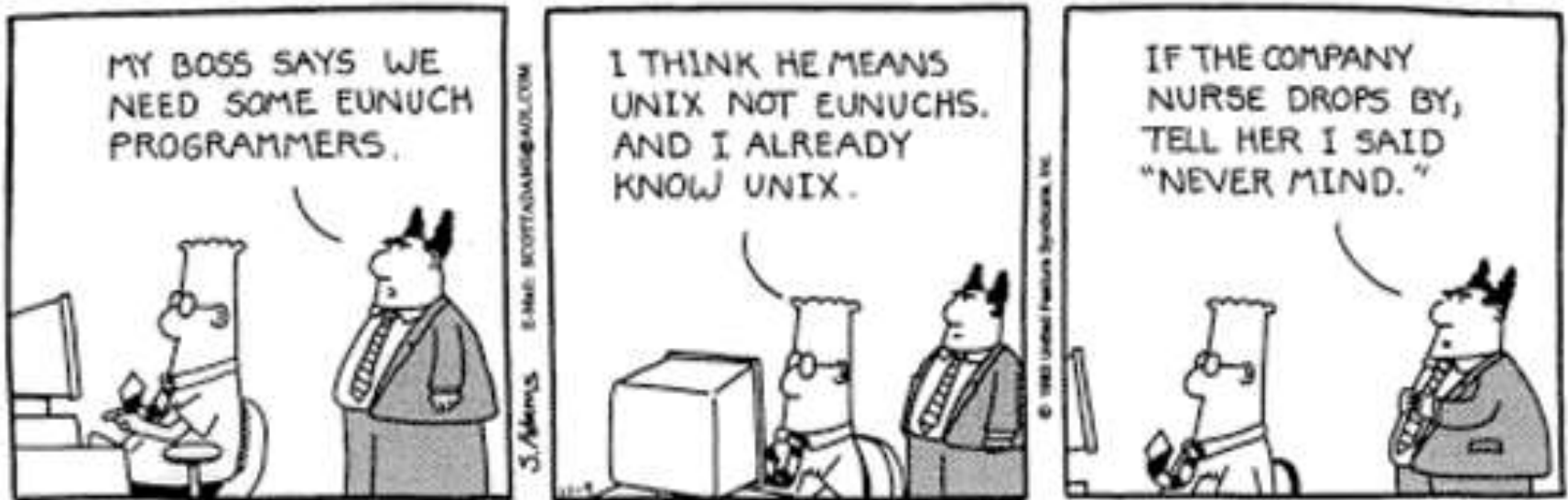# Superman copyright history

Worcester Institute for Senior Education

Where we've been

- Intellectual property overview
- Copyright
- Trademark
- Patent

A 5-minute history of free and/or open source software

Worcester Institute for Senior Education

UNIX

An operating system developed at AT&T Labs in 1969
Runs on just about every computing platform
UNIX® is a registered trademark of The Open Group.

Worcester Institute for Senior Education

The big thinkers

- Richard Stallman
  - ◦ GNU – GNU's not UNIX
  - ◦ 1977 – Developed GNU Emacs
  - ◦ 1983 – Developed GNU Operating System
  - ◦ 1985 – Established Free Software Foundation
- Linus Torvalds
  - ◦ 1991 – first release of the Linux kernel
  - ◦ 1992 – released under Gnu Public License

Free, as in ...

"Free software" is a matter of liberty, not price. To understand the concept, you should think of "free" as in "free speech," not as in "free beer."

RMS – The Free Software Definition

Worcester Institute for Senior Education

Open source license types

- Copyleft
  - Software developed under this principle can only be redistributed under the same terms.
  - Free must stay free.
- GPL
- Creative Commons

Worcester Institute for Senior Education

GNU Copyleft

The legal meaning of the GNU copyleft is less important than the spirit, which is that Emacs is a free software project and that work pertaining to Emacs should also be free software. "Free" means that all users have the freedom to study, share, change and improve Emacs. To make sure everyone has this freedom, pass along source code when you distribute any version of Emacs or a related program, and give the recipients the same freedom that you enjoyed.

What is the real legal meaning of the GNU copyleft?

Worcester Institute for Senior Education

How open source software is used

- Web servers
- Google
- Facebook
  [Inside the Open Compute Project Server](#)
- Android
- Using proprietary vs. open source products

Google

- How can Google make a gazillion dollars giving stuff away?
- Even when it [pays Microsoft for patents](#) on its Android mobile software

Worcester Institute for Senior Education

Using proprietary vs. open source products

- Quality
- Support
- Branding
- Mixing proprietary and open source products

A patent is RAND- or FRAND-encumbered where a patent holder has voluntarily agreed to license the patent on reasonable and non-discriminatory (RAND) terms or fair, reasonable, and non-discriminatory (FRAND) terms while participating in standards-setting activities at a standards-developing organization (SDO).

US Department of Justice

Standards and patents

Digital Transition

Worcester Institute for Senior Education

Digital transition

- Sound to recordings
- Stage to screen to video
- Books and newspapers to the web
- Intellectual property everywhere
- Summary

Worcester Institute for Senior Education

Real, personal, and intellectual property

- If someone appropriates your real or personal property, you can no longer use it.
  - It can't be reproduced.
  - You can be made whole by return or restitution.
- If someone appropriates your intellectual property, you still have it.
  - A digital copy is identical to the original.
  - Its value has been diminished by an unknown amount.

Wimoweh - Solomon Linda
from www.traditionalmusic.co.uk

Wimoweh-Solomon Linda
(a.k.a. "The Lion Sleeps Tonight")

[first 2 lines are usually a capella,
although chords are given]

```
G                     C                    G              D
Weee-dee-dee-dee, da-dee-dee-dee-dee, a-wee-um-bumblay. [2x]

CHORUS:
G                          C
Uyimbube, Uyimbube, Uyimbube, Uyimbube,
G                          D
                                                    [2x]
Uyimbube, Uyimbube, Uyimbube, Uyimbube.

G                     C                    G              D
In the jungle, the mighty jungle, the lion sleeps tonight.
In the jungle, the quiet jungle, the lion sleeps tonight

            [plus a canticle section over the Uyimbubes...]
CHORUS:

Near the village, the peaceful village, the lion sleeps tonight.
Near the village, the quiet village, the lion sleeps tonight.

CHORUS:

Hush my darling, don't fear, my darling, the lion sleeps tonight.
Hush my darling, don't fear, my darling, the lion sleeps tonight.

CHORUS:


*Uyimbube = "You're a Lion" in Zulu. Pronounced as
"oo-yim-bweh-beh" and often misheard
(and misspelled) by English speakers as "a-wimoweh".
```
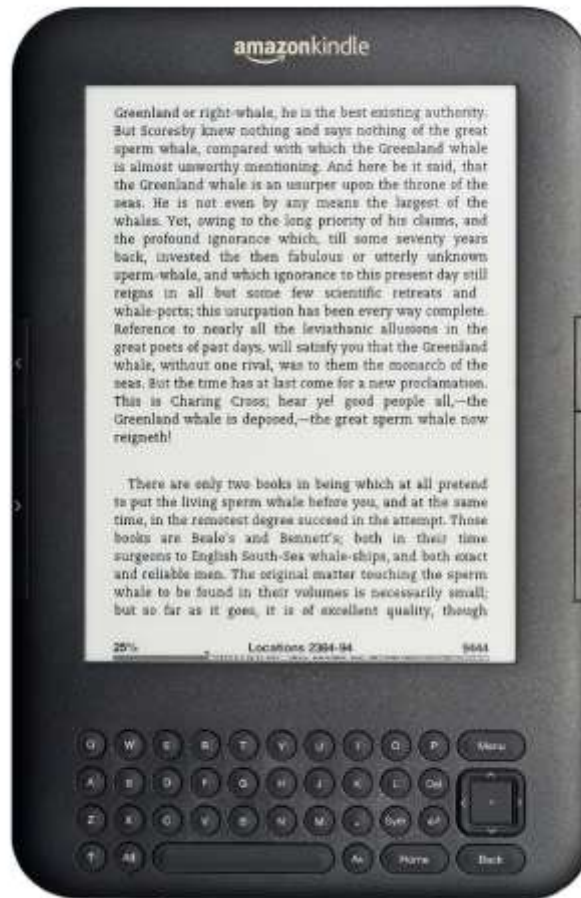
Whose song is it?

BBC – The Greatest Hits of the World

Worcester Institute for Senior Education

Stage to screen to video

Copyright registered to William K. L. Dickson for sample kinetoscope records on October , 1893.

Worcester Institute for Senior Education

Books and newspapers delivered electronically

SONY CORPORATION OF AMERICA ET AL. v. UNIVERSAL CITY STUDIOS, INC., ET AL.

The Turtles, copyright, and royalties

Royalties on pre-1972 recordings

Worcester Institute for Senior Education

Everything into electrons

Digital Millennium Copyright Act

Piracy vs. sharing vs. information wants to be free

Even your coffee maker has Digital Rights Mangaement

What else did we learn?

- Copyright
  - The © is important, but not sufficient
  - Fair use
    - What is the content?
    - How much are you using?
    - For what purpose?
    - What is the effect on the value of the copyrighted item?
- Trademark
  - ™ vs. ®
  - Likelihood of confusion
  - Use it or lose it
- Patent
  - Novel, useful, non-obvious

Worcester Institute for Senior Education