

Who Owns the Software on Your Computer?

Be a Power Reader

Active Reading Here is a way to keep your mind focused on the material as you read. Keep pencil and paper next to you as you read and write down important phrases or put main ideas into your own words. Review your writing immediately after you finish reading and go back and check on any ideas that do not seem clear.

Software Licenses

You've just bought a new game and rush home to try it out. As you quickly open the jewel case to remove the CD-ROM, you notice some small print on the back of the cover. Of course you don't have time to read this right now. As you install the game, a message comes on-screen. Once again, there's a bunch of small text. You quickly click the "Accept" button at the bottom and continue on. Soon you are busy admiring your new game's 3-D graphics.

But just a minute—what was that small print on the booklet? What did that screen say? This text is the **software license**. All **commercial software** is licensed. If you had read the license, you would have learned some surprising news. You don't really own the software on which you just spent good money.



An Example of a Software License

All you own is the CD-ROM and any manuals and other material that came with the game. The company that sold you the game actually owns the software. This software is **copyrighted**.

What Is a Copyright?

Imagine that you have created a computer game. This game is very special and the idea is all yours. How would you feel if someone else stole your game and tried to sell it on the Internet? You probably would not be happy. You would want credit for your hard work. And, if it the game made any money, that money should be yours, right? The copyright protects you from others who might misuse your game, for example by selling it or claiming it as their own. If someone is caught stealing your work, a court may order him or her to pay large fines or even spend time in jail.

How Copyrights Work

If you create an original work, it is automatically copyrighted. However, to make this protection clear, you can place the copyright symbol (©) on the work. Also include the date and your name. Here is an example:

© 2004 Erica Somano

The U.S. government has many laws about copyrights. If you wish, you can obtain a federal copyright for your work.

The U.S. Copyright Office has a Web site that explains how to do this:

<http://www.copyright.gov>

Remember: you can copyright an item without applying for a federal copyright. However, registration with the Copyright Office gives you additional advantages. Having a federal copyright is helpful if you need to take legal action against someone who has stolen your work.

Types of Software Licensing

There are a number of different ways that software is licensed. Let's take a look at some of them.

As we've discussed, the software that you buy at the store or order online is commercial software. This software is licensed and you must follow the licensing rules when using it.

You may have seen software that is free to anyone. This is called **public domain software**. It is not copyrighted. Public domain software usually consists of fairly small programs such as simple games. Hundreds of public domain programs are available on the Internet.

Two other types of software licensing fall between commercial software and public domain software. They are shareware and freeware. **Shareware** is copyrighted, but the developer allows you to "try out" the software before buying it. If you like the software, you are instructed to send a specific amount of money (say \$25) to the software's developer. If you don't like the software, you simply erase it from your computer. Shareware works on the honor system. **Freeware** is also copyrighted and given freely to anybody wanting it. The author hopes that users will find the software useful. No payment is necessary.

Can You Ever Copy Software?

You may wonder if it is ever okay to copy commercial software. Well, this is why it's important to read the software license. Some licenses allow you to copy a program

onto only one computer. Others let you copy a program onto several computers, but only one copy can be used at a time. This is useful for people who have more than one computer. Many software licenses will allow you to make a single copy of the program. You can then use this copy if your original disks become damaged. Remember: follow the rules on your software license and you won't need to worry about breaking the law.

The Software Police

"Freeze. This is a software raid." These are words that companies and schools may fear if they are using software illegally. Illegally copying and then using, selling, or giving away software is called **software piracy**.

One company that carries out software raids is the Software Publishers Association (SPA). In a software raid, workers are instructed to stop using their computers. The SPA inspectors use special software to see what kinds of commercial packages are contained on each computer. Once this is done, the inspectors check whether the company has purchased this software. Let's say a company has 30 computers and each one contains a copy of the word processing application WordPerfect. The company must have purchased the rights to use WordPerfect on 30 computers. Otherwise, it is breaking the law.



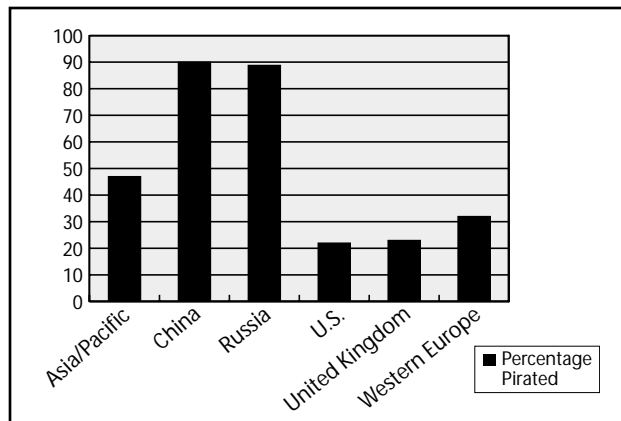
Problems around the World

Many countries have a great deal of difficulty in controlling software piracy. For example, about 92 percent of the software in China is illegal.

The World Intellectual Property Organization (WIPO) works to get countries around the world to enforce copyright laws. The WIPO consists of 179 countries. Unfortunately, in many countries copyright

laws are rarely enforced. Best-selling books and movies are freely copied and sold.

In 2000, the SPA estimated that software developers lost about 10 billion dollars due to software piracy. Software developers spend millions on making new software for us. They must hire talented people to create state-of-the-art programs. If people use software illegally, companies lose money. Eventually, they won't want to develop new software. So, it is to everybody's advantage to follow the law.



Percentage of Software Pirated



Review Questions

1. Find an example of a software license and read it. What does it say concerning how the software can be used?
2. What is the difference between commercial software, shareware, and public domain software?
3. Why is it important that software developers have their rights protected?
4. What is software piracy? Which countries have the highest percentage of software piracy?



What Do You Think?

1. Do you have any ideas not mentioned here about how software companies might reduce software piracy?
2. You have a new software package that lets you create really neat Web pages. Your friend wants you to loan her your software package so she can make a copy. What would you say? Why?
3. You have written a program that makes learning spelling fun. You have tried out the program on your 9-year-old brother and his friends. They like it and are becoming better spellers. Do you think you should apply for a federal copyright for this program? Why?

Glossary

commercial software Copyrighted software that is developed and sold with the idea of making a profit. It cannot be copied or sold without the owner's permission.

copyright A form of protection for works such as books, music, and software. It protects the copyright owner from others who might misuse the work, such as by copying and selling it.

freeware Copyrighted software that is provided freely to anyone.

public domain software Programs that can be used in any legal way without paying the developer.

shareware Copyrighted software that the author makes readily available to anyone. If the user wants to continue using the software, he or she is instructed to pay for it.

software license A legal agreement stating how commercial software can be used, the conditions under which it can be copied, and so on.

software piracy Stealing commercial software, usually by copying it.