Group 3 Synopsis

The three readings for this week consisted of a basic overview on Intellectual Property, Mark Webbink's piece on property rights pertaining to software, and Stallman's piece on the difficulties of software development.

In the IP reading for students, they discuss the four forms of exclusive rights which consist of copyrights, patents, trademarks, and trade secrets. Copyright is the most basic and/or weakest form of protection unless used in the proper context, such as open source software that is available to the public. According to the reading, patents are much harder to obtain than copyrights, and usually apply to inventions and business methods. Trademarks are a form of protection that deal with products in the stream of commerce, but don't apply to computer programming as much as the other forms of exclusive rights. The final form of protection is trade secrets, which basically prohibits someone information about that property to someone who is unauthorized.

The Webbink reading discusses the problem with patents and the ridiculously large number of patents that are filed or on hold. He discusses the similarities and differences between pharmaceutical patents and computer software patents. For example, it is much easier for a pharmaceutical company to work with patents than somebody in the software industry. Software patents are being filed at a ridiculous rate and can threaten innovation. There have been solutions offered in both Europe and the United States, but as of today the patent system needs a tune up.

In Stallman's piece, he expresses his anger with not only the patent system, but the entire idea of Intellectual property. His three main points are how to avoid using a patent, licensing a

patent, and overturning a patent in the courts. According to Stallman, IP is misleading and lumps together numerous laws that don't necessarily relate to one another.

Overall I found the readings to be somewhat dense, but interesting at the same time. I learned a lot about the differences there are between the different forms of Intellectual Property and how they apply to everyday life. I didn't realize how many patents software companies such as Microsoft file for each year, and that these patents somewhat prohibit innovation. The one thing I would like to know a little more about is how it is so easy for pharmaceutical companies to sift through patents. I'm also curious why there hasn't been a permanent solution to the intellectual property problem.