

Charleston Southern University

Ethics Paper

Intellectual Property and Software Ownership

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Software ownership is a critical topic for technology developers and companies.

Copyrights ensure that the developers are the ones who own the software, and intellectual property rights are related to software ownership. There is controversy regarding the connection between intellectual property and software ownership, but it is generally agreed that there is no legal link between the two. There is a way for intellectual property and software ownership to coexist to elevate learning, advance as technology advances, and improve society.

Technology is a field that advances continually, and ideas make significant strides in which it is appropriate to discuss these specific ideas. Intellectual property is where these ideas are protected due to the amount of time, effort, and resources it takes to develop this idea into something significant with these advances. Intellectual property should have some form of ownership of significant ideas. The issue of taking that idea without crediting that individual is a complete violation of that intellectual property. According to *Intellectual Property Rights and Computer Software*:

"Developers of computer software have attempted to address the more difficult problem of maintaining trade secrecy in mass marketed software, extensive distribution of which might otherwise destroy requisite secrecy by what is known as a "shrink wrap" license.

The shrink wrap license signals further secrecy, and is established by marketing software in a sealed package with a notice and a license agreement that is visible on the package's exterior" (Bowman).

The issue is a significant statement because there are rival competitors in developing software.

There has to be proper patent work, copyrights, funding, and everything, along with the terms of this "shrinkwrap" license (Bowman). The name of this license is substantial to the severity of

everything being extraordinarily constricted so there is absolutely no way for any competitors to get any benefits from this software.

Software ownership should be taken seriously, so the casual copying of a friend's code should not be a solution. At Charleston Southern University, there are severe consequences for those who share a code with another student (*STUDENT HANDBOOK*). This code developed for classes is technically intellectual property, so if students are sharing code, the basic principles of software ownership cannot be applied to this intellectual property. Therefore, this will make the intellectual property utterly useless due to the owner being a critical factor in the success of that specific code. According to, *Software Ownership: Who Should 'Own' Software Licenses Within an Organization?*, it is crucial to remember that no individual, department, or organization possesses any software ("Software Ownership: Who Should 'Own' Software Licenses within an Organization? - the ITAM Review"). Software publishers control all of the software's rights and are just providing a license to use it ("Software Ownership: Who Should 'Own' Software Licenses within an Organization? - the ITAM Review"). However, assigning ownership of software and software licenses inside an organization is critical to guaranteeing that all users, departments, and senior staff members are aware of what licenses they have and where they should be applied in concept ("Software Ownership: Who Should 'Own' Software Licenses within an Organization? - the ITAM Review"). These are essential details for software ownership in which owners are allowed to protect their property at all costs.

Software ownership and intellectual property are meant to improve society in the hopes that there will always be growth and prosperity in this specific field. There are plenty of things that will continuously improve, such as software development and intellectual property. Owners can protect their work if they decide to obtain the necessary documents to make that happen.

## References

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