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Program Support Notes

e-Pirates of the Digital Age Copyright Issues in Software and Music

Senior Secondary - TAFE

27mins

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e-Pirates of the Digital Age – Copyright Issues in Software and Music

For Teachers:

Introduction

Piracy is having significant financial impacts on both the business software and music industries. Piracy is also affecting the type of music that is being produced and limiting the amount of software available to the public. This program looks at piracy and copyright in relation to music and the Internet and covering issues such as: using copyrighted information, software copyright law, the facts and figures surrounding piracy and how to respect intellectual property.

'e-Pirates of the Digital Age' analyses a variety of contemporary issues which are related to the use of ICT in society – focusing specifically on piracy and copyright of computer-related media, including software, games and music. New technology has had an incredible impact on the way people use information. Some of the issues facing our society are not yet covered by government policy, ethical and legal issues are not always in sync and are often difficult to police, and conflict with each other does occur.

Industry professionals and musicians alike have their say, and help inform us on how piracy affects their industries through their own experiences.

Program Timeline

00:00:00	Introduction
00:01:25	Chapter 1 – Copyright and the internet
00:05:40	Summary – Copyright and the internet
00:06:15	Chapter 2 – Issues in using copyrighted information today
00:10:25	Summary – Issues in using copyrighted information today
00:11:05	Chapter 3 – Copyright law
00:15:15	Summary – Copyright law
00:16:10	Chapter 4– Facts and figures
00:19:44	Summary – Facts and figures
00:20:25	Chapter 5 – Respecting intellectual property
00:24:35	Summary – Respecting intellectual property
00:25:40	Credits

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e-Pirates of the Digital Age – Copyright Issues in Software and Music

Student Worksheet:

Before Viewing the Program

1. Discuss, brainstorm, and identify copyright issues.
2. Give examples of ethical and legal considerations of organisations and individuals with respect to copyrights.
3. Identify laws that are in place to protect copyrights. What are the possible consequences of the breaching of such laws?

e-Pirates of the Digital Age – Copyright Issues in Software and Music

While Viewing the Program

1. Most people have participated in piracy, or breached copyright at some point, and some strongly believe that you are not hurting anyone when you download a song or use pirated software.

a) In what forms does piracy takes place?

b) Where is piracy having a significant impact?

2. The Internet continues to present many new and exciting opportunities for the ICT industry. However, the internet has also dramatically increased the rates of music and software piracy. What is internet piracy?

3. Myspace and YouTube have fast become two of the most popular websites in the history of the internet. These sites provide a platform for users to _____
_____ and _____. Another great feature is
that users can view other people's content _____.

4. What measures have MySpace and YouTube taken to prevent copyright breach?

5. Under the copyright act, downloading or copying illegal business software for the purpose of obtaining a commercial advantage is a crime. Do copyright laws apply to the internet?

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a) Complete this sentence:

Not all copyright owners are the mega rich multinational record labels or software companies. The majority are struggling bands and software developers who work out of a home office. All musicians and software developers have a right _____

6. What are other issues apart from the ethical issues surrounding piracy?

7. Individuals and organisations need to be aware of their legal rights and responsibilities regarding the use and ownership of copyrighted material. What are they obliged to do?

a) Why?

8. How does copyright law work?

a) What is the cost of copyright protection?

9. Copyright law varies from country to country but Australia, Europe, the US and other westernised nations have to a large extent aligned their laws. Where is Australian copyright law detailed?

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10. How does the Copyright Act protect people?

a) Why do artists generally feel that copyright law is not protecting them from piracy?

11. What are music and software piracy generally described as?

a) What is internet piracy?

12. Even if you're not copying and distributing music for profit you're still in breach of copyright, and as such subject to charges and penalties. What is the basic principle?

13. The Australian Record Industry Association, ARIA, has recently released a research paper that confirms internet file sharing and the burning of CDs is having a significant negative effect on record sales in Australia.

The statistics speak for themselves. ARIA's research found that within the 6 months prior to their research:

a) Over _____ Australians illegally burnt a CD.

b) _____ Australians illegally downloaded music files via the internet.

c) _____ of all music owned by those aged 17 and under was obtained illegally.

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14. “Intellectual property” is a broad phrase containing various areas of law. Copyright is one of these areas. Intellectual property is often more valuable than physical property. Why?

15. In very specific situations, people are sometimes allowed to use copyright material without permission. Give such an example.

16. Fill in the empty spaces:

Severe penalties exist for those who choose to breach copyright law. The penalties can be both criminal and civil. Individuals can face fines up to \$ _____ for each individual offence, and corporations can face fines up to \$ _____ for similar offences. Individuals and CEOs can face up to _____ in prison.

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After Viewing the Program

1. Research project:

In Australia, copyright law is detailed in the *Copyright Act 1968*. The legislation applies throughout Australia. Although it came in to effect in 1968, it has been constantly updated to bring it in line with new developments in technological and social norms.

- a) Identify the main points of the 1968 Act
- b) When and why have there been changes to the Act?
- c) What are the Australian National privacy points?

2. Investigate what policies and procedures are in place with respect to copyrights.

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Suggested Responses

During the Program

1. Most people have participated in piracy, or breached copyright at some point. And some strongly believe that you are not hurting anyone when you download a song or use pirated software.
 - a) In what forms does piracy takes place?
From copying clothing designs through to downloading music and business software.
 - b) Where is piracy having a significant impact?
Piracy is having significant financial impacts on both the software and music industries.
2. The Internet continues to present many new and exciting opportunities for the ICT industry. However, the internet has also dramatically increased the rates of music and software piracy. What is internet piracy?
Internet piracy is the unauthorised uploading, downloading or distribution of intellectual property such as movies, television, music, video games and business software programs.
3. Myspace and YouTube have fast become two of the most popular websites in the history of the internet. These sites provide a platform for users to **post their stories , identities, and creativity online**. Another great feature is that users can view other people's content **from all around the world**.
4. What measures have MySpace and YouTube taken to prevent copyright breach?
Both MySpace and YouTube have improved their fingerprinting software to recognise copyrighted material and block it from being uploaded.
5. Under the Copyright Act, downloading or copying illegal business software for the purpose of obtaining a commercial advantage is a crime. Do copyright laws apply to the internet?
Copyright law applies to the internet and other forms of piracy such as burning CDs and software programs.
 - a) Complete this sentence:

Not all copyright owners are the mega rich multinational record labels or software companies. The majority are struggling bands and software developers who work out of a home office. All musicians and software developers have a right to **be paid for the hours of work they have put into developing something**.
6. What are other issues apart from the ethical issues surrounding piracy?
File sharing websites can open the family computer to worms and trojans that can reduce privacy and security. Violent, pornographic and other unwanted material can also be imbedded within files that appear to be innocent.
7. Individuals and organisations need to be aware of their legal rights and responsibilities regarding the use and ownership of copyrighted material. What are they obliged to do?
They are all legally obliged to make sure that the music and software they use is fully licensed and paid for.
 - a) Why?
Because harsh penalties exist for those caught breaching copyright.

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8. How does copyright law work?
Copyright gives legal protection to people who express information and ideas. Information and ideas are commonly expressed through writing, photographs, paintings, movies, music, and software.
 - a) What is the cost of copyright protection?
Copyright protection doesn't cost anything and in Australia it's automatic, there's no registration procedure. As soon as you have created something, you own the copyright.
9. Copyright Law varies from country to country but Australia, Europe, the US and other westernised nations have to a large extent aligned their laws. Where is Australia copyright Law detailed?
In Australia, copyright law is detailed in the *Copyright Act 1968*. The legislation applies throughout Australia.
10. How does the copyright Act protect people?
The Copyright Act provides that people who breach copyright can be charged and may face both criminal and civil penalties.
 - a) Why do artists generally feel that copyright law is not protecting them from piracy?
Because these laws are hard to reinforce.
11. What are music and software piracy generally described as?
Music and software piracy are generally described as the deliberate infringement of copyright for commercial or personal gain. Physical piracy is burning cds, and also includes recording a concert without the artists permission.
 - a) What is internet piracy?
Internet piracy is music or software that is transmitted globally via the internet without the permission of the copyright owners. It can be transmitted via websites, email or through peer to peer file transfers.
12. Even if you're not copying and distributing music for profit you're still in breach of copyright, and as such subject to charges and penalties. What is the basic principle?
The basic legal principle is that if you don't have permission from the copyright owner you are not allowed to copy music or software and distribute it.
13. The Australian Record Industry Association, ARIA, has recently released a research paper that confirms internet file sharing and the burning of CDs is having a significant negative effect on record sales in Australia.
The statistics speak for themselves. ARIA's research found that within the 6 months prior to their research:
 - a) Over **3.6 million** Australians illegally burnt a CD.
 - b) **3.4 million** Australians illegally downloaded music files via the internet.
 - c) **31%** of all music owned by those aged 17 and under was obtained illegally.

e-Pirates of the Digital Age – Copyright Issues in Software and Music

14. “Intellectual property” is a broad phrase containing various areas of law. Copyright is one of these areas. Intellectual property is often more valuable than physical property. Why?

Take software as an example, it routinely costs more money to develop and create software than it does to construct the actual computer it’s eventually installed on.

15. In very specific situations, people are sometimes allowed to use copyright material without permission. Give such an example?

For example, there are special provisions that permit libraries, educational institutions and government bodies to use copyright material without permission. However strict rules exist and fees apply.

16. Fill in the empty spaces:

Severe penalties exist for those who choose to breach copyright law. The penalties can be both criminal and civil. Individuals can face fines up to **\$60,500** for each individual offence, and corporations can face fines up to **\$303,500** for similar offences. Individuals and CEOs can face up to **five years** in prison.