Introduction to Computer Law
CS4984
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Why are we here?

• “It was on the Internet so it must be free…”
• “Kazaa didn’t make me pay for it…”
• McSleep Inn?
• It’s ok, it’s open source! (uh-oh)
• The FBI called
• $$$ ???
These People Care About IP
(As of August 5, 2003)

- Oracle
  - 413 patents
- Microsoft
  - 2,726 patents
- Sun Microsystems
  - 3,369 patents
- IBM
  - 34,404 patents
- Intel
  - 6,951 patents
- Toshiba
  - 19,619 patents
- Pfizer
  - 2,791 patents
- Virginia Tech!
  - 56 Patents

Internet Success Story 1:
Christopher Klaus

Technology’s 100 Wealthiest

NEW YORK - 51 Christopher Klaus - Founder/CTO This whiz kid played with supercomputers in high school before starting ISS, the Internet security software vendor of choice. He modeled ISS's products after shareware he developed as a student at Georgia Tech (he dropped out). He owns 26% of his company, which went public in 1998. Klaus is also the youngest member of this year's list.

Internet Security Sys
AGE 25
LOCATION Atlanta, GA
HOLDINGS $4.3M
INDUSTRY Internet
ESTIMATED WEALTH $187.5M

Internet Success Story 2: Robert Silvers

CS 4984 – Topics

- Internet, Software, Computers and the Law
  - Intellectual Property Protection
  - Internet
  - Open Source Agreements (e.g., GNU Pub. Lic.)
  - Computer Crimes
  - Business Issues
  - Anything else?
The Law - Statutory Laws

• Supremacy Clause, U.S. Const., Article VI
  – “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the Contrary notwithstanding.”

State Laws

• U.S. Const., 10th Amendment:
  – The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.
The Law – Judicial
(Common) Law

U.S. Supreme Court

State Supreme Courts

12 Regional Circuit Courts

State Appellate Courts

Federal Circuit Court

Federal District Courts

U.S. Court of Claims

State Trial Courts

How do you protect software?

• Copyrights
• Patents
• Trademarks
• Trade Secrets
• Contract
• Technology (encryption)
U.S. Constitution, Art. I, § 8

Congress shall have power … to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries

Assignment 1: Case Briefs

• Sections
  – Case Name/Roles
  – Procedural Background
  – Facts
  – Legal Issue
  – Decision/Holding
  – Reasoning
  – Disposition

• Instructions and cases are posted on the web site.
• Due: email to me PRIOR to next class
Assignment 2: “On-Deck”

Cases for Next Time

- Lotus Development Corp. v. Borland Int’l Inc., 49 F.3d 807 (1st Cir. 1995).
- Sega Enterprises v. Accolade, 977 F.2d 1510 (9th Cir. 1992).

Everything is on the website: http://courses.cs.vt.edu/~cs4984/computerlaw/