Presentation On Software Piracy

Course Name- B.A.LL.B 4th sem/ LL.B 2nd sem

Subject- Cyber Law

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Concept- Software Piracy

Outlines

1. Introduction
2. Types of software piracy
3. Why Software Piracy
4. Effects On Users
5. Effect on a Business
6. How to stop piracy
7. Punishment
8. Organizations For Protecting Piracy

Software Piracy

☐ Software piracy is the illegally using, copying and reselling of software without the consent of the software creator.

☐ The unauthorized copying may be done for personal use or business use. [1]

Types Of Software Piracy

1. Soft Lifting

2. Hard Disk Loading

3. Renting

4. OEM Unbundling

5. Counterfeiting

6. Online Piracy[2]

Soft Lifting

- means sharing a program with someone who is not authorized by the license agreement to use it.

- Also known as soft loading/end-user piracy.

- A common form of soft lifting involves purchasing a single licensed copy of software and then loading the software onto several computers

Hard Disk Loading

- Often committed by hardware dealers
- This form of piracy involves loading a unauthorized copy of software onto a computer being sold to the end user
- To attract customers

cont...

Renting

- Renting involves someone renting out a copy of software for temporary use, without the permission of the copyright holder.

- The practice, similar to that of renting a video from Blockbuster, violates the license agreement of software.

cont...

OEM Unbundling

- Original Equipment Manufacturer Unbundling

- means selling stand-alone software originally meant to be included with a specific accompanying product.

- An example of this form of piracy is someone providing drivers to a specific printer without authorization.

Counterfeiting

- means producing fake copies of software, making it look authentic.
- This involves providing the box, CDs, and manuals, all designed to look as much like the original product as possible.

Counterfeit or Authentic?

Authentic   Counterfeit

Online Piracy

- The fastest-growing form of piracy is Internet piracy.

- There are hundreds of thousands of "warez" sites providing unlimited downloads to any user.

WHY SOFTWARE PIRACY?

- Expensive

- Availability

- Not convenient to buy for each computer

- Ask to buy new version although having original one

- The CD/backup damaged

Effects On Users

1. Lower productivity

2. Malware Infection

3. Subject to raid

cont…

Lower productivity

- Pirated software often includes incomplete or damaged programs

Malware Infection

☐ Pirated software can also include computer viruses (malware) which can destroy data on a user's hard drive.

☐ Computer viruses can have a devastating impact on any computer user -- from the home user to a large business.

Subject to raid

- Companies can also be subject to raids by the SIIA (Software & Information Industry Association).

Effect of Piracy on a Business

Distribution Methods

- Pirated material is distributed in two ways.

    ◦ Unknowing consumers buy pirated items.
    ◦ Others buy pirated items knowing they are pirated.

Revenue Diverson

- Piracy diverts money away from producers and distributors of items such as audio recordings, making those companies who make an investment in production and distribution less profitable.

cont...

Tax Revenues

☐ Except in the case where pirated items are sold through retail channels and taxed, tax revenue is not generated from pirated items.

☐ For example, when music is downloaded with no tax charged when it is supposed to be, as dictated by tax laws, that revenue is lost as well. Lost tax revenue reduces funds available by the taxing government to spend.

Lessening Piracy

- To lessen the effect of piracy on a business, businesses can implement methods to discourage software piracy, such as changes to how software is distributed to make it harder to download.

- Another way to lessen piracy is to educate the public about the impact of piracy on their lives.

How to prevent piracy

- Purchase only legitimate software products.

- When buying software, it is necessary to be sure to get genuine disks, manuals and license documentation.

- When one purchases illegal or counterfeit copies, his money goes straight into the pockets of software pirates .

- Buy from an authorized dealer.

- Check the prices and ask for receipts.

DO YOU KNOW IT ?

PUBLIC DOMAIN SOFTWARE

- These software are not under the copyright act. They are free programs & can be used w/o restrictions. It means the user of the software can copy, distribute & even modify the software.

Cont...

FREEWARE

☐ It is a copyright software which is given free by its author. The user of the software redistribute the software but cannot be modified by the end user. It also covers

1. Donatio n ware : A donation is required by the author or to the 3rd party from the user of the software

2. Postcard ware : The user has to send a post card to the creator of the software.

3. Abandon ware : The abandoned software are in this category.

4. Ad ware : To promote the s/w as advertisement the software s are given free of cost.

SHAREWARE SOFTWARE

- Shareware or trialware is the software, which comes with the permission for the people to redistribute copies for a limited period. So far a continues use of the software one have to pay for the software.

- E.g. Winzip

COMMERCIAL SOFTWARE

- These are the software purchased from the software publishers. It is available in stores & has some objective to fulfill.

- E.g. Windows software, Ms Office etc.

OPEN SOURCE SOFTWARE

- These are created by generous programmers & related to the public use. The programming code is available to the users so that they can read it and make changes according to their use & needs. They can build the new versions of the software by using the same code.

- E.g. Linux software.

PROPRIETY SOFTWARE

☐ It describes a technology or product that is owned exclusively by a single company that carefully guards the knowledge about the technology and the product internal working. Some proprietary product can function when used with other products owned by some other company.

☐ E.g. Acrobat reader   PDF (Portable document format).

Cont...

FIRM WARE SOFTWARE

- It is a combination of the software and h/w which is permanently stored in the memory. It is a program or data that has been written onto ROM.

Punishment

- In India, the copyright of computer software is protected under the Indian Copyright Act of 1957.

- The minimum jail term for software copyright infringement(violation of law) is seven days and the maximum jail term is three years.

- Fines range from a minimum of 50,000 to a maximum of 200,000 rupees.

Organizations For Protecting Piracy[7]

BSA
(Business Software Alliance)

- It established in 1988 and representing a number of the world's largest software makers

- Its principal activity is trying to stop copyright infringement of software produced by its members.

SIIA
(Software & Information Industry Association)

☐ It offers global services in business development, government relations, corporate education, and intellectual property protection to companies

☐ It also advocates a legal and regulatory environment that benefits the entire industry.

CAAST

(Canadian Alliance Against Software Theft)

- Its mission statement is to "reduce software piracy in Canada through education, public policy and enforcement."

- The CAAST was established in 1990.

FAST
(Federation Against Software Theft)

- It was set up in 1984 by the British Computer Society's Copyright Committee, and was the first software copyright organization in the U.K.

- Its first action was to raise the awareness of software piracy

THANK YOU