

Anti-Piracy – Copying Colleague’s Software?

Question: Is it OK to copy my colleague’s software?

Answer: No, it’s not okay to copy your colleague’s software. Software is protected by federal copyright law, which says that you can’t make such additional copies without the permission of the copyright holder. By protecting the investment of computer software companies in software development, the copyright law serves the cause of promoting broad publish availability of new, creative, and innovative products. These companies large portions of their earnings to the creation of new software products and they deserve a fair return on their investment. The creative teams who develop the software – programmers, writers, graphic artists and others – also deserve fair compensation for their efforts. Without the protection given by our copyright laws, they would be unable to produce the valuable programs that have become so important in our daily lives: educational software that teaches us much needed skills; business software that allows us to save time, effort and money; and entertainment and personal productivity software that enhances leisure time.

Question: That makes sense, but what do I get out of purchasing my own software?

Answer: When you purchase authorized copies of software programs, you receive user guides and tutorials, quick reference cards, the opportunity to purchase upgrades, and technical support from the software publishers. For most software programs, you can read about user benefits in the registration brochure or upgrade flyer in the product box.

Question: What exactly does the law say about copying software?

Answer: The law says that anyone who purchases a copy of software has the right to load that copy onto a single computer and to make another copy for “archival purposes only.” It is illegal to use that software on more than one computer or to make or distribute copies of that software for any other purpose unless specific permission has been obtained from the copyright owner. If you pirate software, you may face not only a civil suit for damages and other relief, but criminal liability as well, including fines and jail terms of up to five years for a first offense, ten years for a second offense.

Question: So, I’m never allowed to copy software for any other reason?

Answer: That’s correct. Other than copying the software you purchase onto a single computer and making another copy “for archival purposes only,” the copyright law prohibits you from making additional copies of the software for any other reason unless you obtain the permission of the software company.

Question: At my company, we pass disks around all the time. We all assume that this must be okay since it was the company that purchased the software in the first place.

Answer: Many employees don't realize that corporations are bound by the copyright laws, just like everyone else. Such conduct exposes the company (and possibly the persons involved) to liability for copyright infringement. Consequently, more and more corporations concerned about their liability have written policies against such "soft lifting". Employees may face disciplinary action if they make extra copies of the company's software for use at home or on additional computers within the office. A good rule to remember is that there must be one authorized copy of a software product for every computer upon which it is run.

Question: Do the same rules apply to bulletin boards and user groups? I always thought that the reason they got together was to share software.

Answer: Yes. Bulletin boards and user groups are bound by the copyright law just as individuals and corporations. However, to the extent they offer shareware or public domain software, this is a perfectly acceptable practice. Similarly, some software companies offer bulletin boards and user groups special demonstration versions of their products, which in some instances may be copied. In any event, it is the responsibility of the bulletin board operator or user group to respect copyright law and to ensure that it is not used as a vehicle for unauthorized copying or distribution.

Question: What about schools and professional training organizations?

Answer: The same copyright responsibilities that apply to individuals and corporations apply to schools and professional training organizations. No one is exempt from the copyright law.

Question: I'll bet most of the people who copy software don't even know that they're breaking the law.

Answer: Because the software industry is relatively new, and because copying software is so easy, many people are either unaware of the laws governing software use or choose to ignore them. It is the responsibility of each and every software user to understand and adhere to copyright law. Ignorance of the law is no excuse. If you are part of an organization, see what you can do to initiate a policy statement that everyone respects. Also, suggest that your management consider conducting a software audit. Finally, as an individual, help spread the word that the users should be "software legal."