

## Software Piracy



### WHAT IS SOFTWARE PIRACY?

Software piracy refers to the illegal copying and use of software. While most people would never think of stealing a copy of a program from a store, they might not think twice about making a copy of a program they bought to use on their laptop, or even to loan to a friend. However, just like books, music, and other types of intellectual property, software is protected by copyright law. Copyright protects original works from unauthorized copying, adaptation, distribution, performance, and display. When you purchase a program you are generally purchasing a single license to use the software. This license usually allows you to install the software on a single computer and to make one archival copy of the software for backup purposes. Making additional copies for use on other computers is not allowed and is against the law.

### TYPES OF SOFTWARE

Software can be classified into four broad categories according to the different licensing agreements governing their use.

#### Commercial Software

Commercial software is what most people think of when they think of software. It's the software you buy from computer stores, mail-order catalogs, etc. Commercial software is protected by copyright and in general the license specifies that you are only allowed to make a single archival copy. This copy is for backup purposes only in case of damage to the original copy and cannot be used while the original copy is being used. You are not allowed to make modifications to the software or decompile (reverse engineer) the program code. You also cannot develop new works based on the original software without permission of the copyright holder.

Most commercial software is covered by what has come to be known as a "shrink wrap" license. This license is printed on the box and says that you signal your agreement to its terms simply by opening the plastic wrap on the box. Sometimes the license is on the envelope containing the disks. As soon as you open the envelope you are bound by the license.

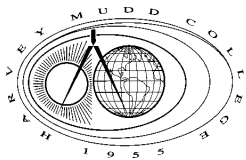
#### Shareware

Shareware software is also protected by copyright. The main difference between commercial and shareware software is that the copyright holders (*continued on page 2*)

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*Piracy continued from page 1*

of shareware allow users to make and distribute copies of their software with the stipulation that if they decide to keep and use the software, that they pay for it. The exact conditions of the licensing agreement may vary from program to program but in general they are very similar to those of commercial software. Users can make only one archival copy of the software, the software may not be modified, decompiling (reverse engineering) of the program code is not allowed, and users cannot develop new works based on the original software without permission of the copyright holder.

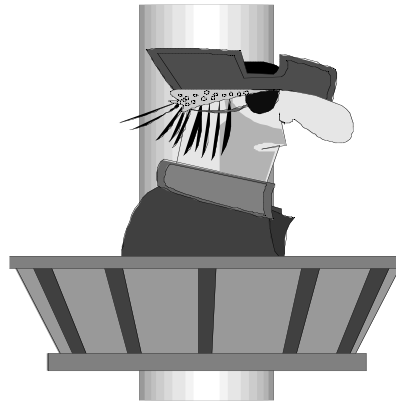
### Freeware

While freeware software can be copied, used, and distributed without fee, it is still protected by copyright. The copyright holders of freeware software can place different restrictions on the use of their software, but in general freeware software licenses stipulate that you may copy and distribute their program but you cannot charge for it. Changes to the software, decompiling and the development of new works based on the original software are sometimes allowed but often with the condition that derivative works must also be distributed as freeware.

### Public Domain Software

Public domain software is the only category of software not protected by copyright. Since current copyright law does not require that the copyright symbol or declaration appear on intellectual property for it to be copyrighted, you cannot assume a work is in the public domain just because it does not say it is copyrighted. A work must be explicitly declared to be in the public domain. The creator of a program in the public domain

has given up all of his/her copyrights. The software may be freely copied and distributed; it may be modified and decompiling and derivative works are allowed with no restrictions on how the derivative work can be used or distributed.



### THE CONSEQUENCES OF SOFTWARE PIRACY

Software piracy is a particular problem because it is so easy to do. Unlike printed books or audio or video tapes where copying involves some degradation in quality, copies of software are

indistinguishable from the original. It is easy to copy the software to floppies or another medium or to simply install the software on multiple computers. Just because it is easy to do doesn't make it any less wrong, however. Software piracy has very real consequences.

Software piracy leads to significant lost revenue for software publishers and developers and results in higher software prices. The SPA and the Business Software Alliance (BSA) commissioned a survey on global software piracy and released the results in December 1996. The study estimated worldwide software piracy losses at \$13.1 billion in 1995. The United States reported revenue losses of \$2.9 billion with a piracy rate of 26 percent.

Software piracy hurts users, too. Users of pirated software do not have access to documentation or user support and do not receive information about product updates.

Software piracy at an institution or company can make the institution liable legally. The institution may also have problems negotiating subsequent licensing agreements with software companies. In March 1996 the Software Publishers Association (SPA) filed suit against a Florida junior college, International Fine

Arts College, for unlawful duplication of computer programs published by several software companies. The lawsuit was settled for \$135,000 and the school agreed to destroy the illegal copies and purchase authorized software.

### COMBATING SOFTWARE PIRACY

Because software piracy is so widespread and so easy to do, many people simply don't think it is terribly wrong to pirate software. This creates an atmosphere of "Well, everyone else does it so I might as well do it, too." One of the ways in which institutions can combat software piracy is to make it clear that it is unacceptable behavior. One of the ways an institution can do this is by developing a computing policy that clearly states what is and is not acceptable.

#### The Appropriate Use Policy

At Harvey Mudd College everyone who receives and uses a computer account from Academic Computing is required to abide by the Appropriate Use of Campus Computing and Network Resources policy. This policy was developed by the Academic Computing Department in conjunction with the HMC Computing Committee. Academic Computing is now asking all faculty, staff and students to read and sign the policy before receiving their new accounts. This policy covers many aspects of the use of computing and network resources on campus, including the use of licensed software. If you are not familiar with the Appropriate Use Policy you can read it on the Web at <http://www.hmc.edu/comp/policy/appropriate-use.html>.

#### Licensing Models

Software publishers have also attempted to make it easier for users to abide by licensing restrictions by creating more flexible licensing models. In addition to single-user licenses in which the software can be installed and used on one computer at a time, many software publishers offer multi-user packs of their software. For

example, Adobe offers a 5-user pack for its popular desktop publishing software, PageMaker. Multi-user packs are usually somewhat cheaper than purchasing the individual licensed copies.

In addition, organizations can sometimes negotiate site licenses with software publishers. The terms of a site license can vary greatly depending on what the software publisher and organization have agreed upon, but in general a site license makes the software available to the members of the institution either by making and distributing copies of the software or through network access.

#### The KeyServer

The Academic Computing Department provides a large variety of software to the HMC community. This software has been purchased under a variety of licensing agreements, from single-user copies of some less popular programs to limited site licenses for other more popular or more expensive packages. However, instead of installing the software locally on people's computers, in accord with our licensing agreements all of the software provided by Academic Computing is installed on our main file server, *Kato*. In addition to making it easier for us to install and upgrade software, keeping our software on the file server also makes it easier to abide by our licensing obligations.

The main tool the Academic Computing Department uses to prevent software piracy and to abide by our licensing agreements is the KeyServer. KeyServer is a program developed by Sassafras Software which keeps track of how many licensed copies of a program we have and how many copies are actually in use. Software installed on *Kato* is "keyed" so that it will only run if the user is connected to the network and to the



KeyServer. When a user attempts to run a keyed program, KeyServer checks the number of copies of that program currently in use against the number of licenses HMC has for that program. The program can only be launched if there are available licenses not in use at that time. A keyed program can even be copied off Kato to a user's machine. When it is run it still makes brief contact with the KeyServer to check for license availability. This feature makes it possible to run applications off your local hard drive (which is generally faster) while preventing someone from making a copy and using it in violation of the license.

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## ditor's Notes

This issue of *Occasional Downtime* focuses on the somewhat sensitive issue of software piracy. Software piracy is so ubiquitous that it sometimes doesn't seem to be a problem that anyone can do anything about. However, it is an issue that needs to be faced and discussed, especially in the workplace environment where there are very real legal and ethical consequences. While we may think this is only a problem that affects businesses and companies, academic institutions are not exempt from the legal and ethical requirements of software copyright law. In any case we hope you find this article thought-provoking and helpful.

This will also be the last issue of *Occasional Downtime* for several months. I will be on maternity leave for most of the spring semester and so *Occasional Downtime* will not be published in April. It should be back as usual in June, though.

—Elizabeth Hodas

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*Occasional Downtime* is published bimonthly by the Academic Computing Department at Harvey Mudd College. It is also available in a variety of formats on the HMC Web Server. Comments and questions can be directed to [downtime@hmc.edu](mailto:downtime@hmc.edu).

## FILE SHARING ON THE MACINTOSH

The file sharing features of your Macintosh allow you and other users to access your Macintosh files and folders from other Macintoshes on the network.

The first step is to set up your computer to share files. Under the Apple menu in the upper left-hand corner of your Macintosh select Control Panels. In the Control Panels window double-click the Sharing Setup control panel. The top box in this control panel is labeled Network Identity. For Owner Name type your name. Then think of a password between 6 and 8 characters long and type it into the box labeled Owner Password. The next step is to type a name for your Macintosh. This is the name that you and others will see in the Chooser. Finally, turn on File Sharing by clicking the Start button. When you're done close the control panel.

The next step is to decide which folders or files you'd like to share over the network and who you would like to have access to it. As an example let's suppose you would like to create a folder where you can store files that you and others can access over the network. The first step is to create the folder using the New Folder command under the File menu. Name the folder whatever you like. Then select the folder by single-clicking on it and select Sharing... from the File menu. A dialog box will appear where you can specify who to share the folder with and what permissions they will have.

To share the folder first click the checkbox labeled "Share this item and its contents." There are three types of sharing permissions you can grant to users: "See folders," "See files," and "Make changes." As "Owner" you probably want to leave all three of the boxes checked. Ignore the line labeled "User/Group" for now. The line labeled "Everyone" is where you set the permissions for everyone else on the network. If you want people to only be able to see and copy files and folders in

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your shared folder then check the boxes labeled "See folders" and "See files." If you'd like other people to be able to modify files then also check the "Make changes" box. In general, it's a good idea to check the box labeled "Can't be moved, renamed or deleted" at the bottom of the dialog box to prevent people from accidentally or maliciously deleting files. When you're done close the dialog box and save your changes. The icon for your folder should now look different to indicate that it is a shared folder. The last step is to actually give guests permission to share files on your Macintosh. In the Control Panels window double-click the Users & Groups control panel. Double-click the icon labeled "Guest" and click the checkbox labeled "Allow guests to connect." Close the Users & Groups control panel.

To try out your new shared folder go to a different Macintosh. Select the Chooser from the Apple menu and click the AppleShare icon. Select the AppleTalk zone that your Macintosh is located in. Double-click on your Macintosh's name in the list of file servers on the right-hand side of the dialog box. You should then get a login dialog box. You can either login as a registered user in which case you would use your owner name and password (the ones you specified in the Sharing Setup control panel) or you can login as guest. When you login as the owner of your Macintosh you will have access to your entire hard drive. When someone logs in as a Guest they will only have access to the folders and files you have decided to share.

Just remember that while it is OK to share your files, freeware and shareware programs or programs that you have written, you should not share commercial software in this manner since that would constitute software piracy! ☹

# & Tricks

# QUESTIONS *and* ANSWERS

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**Q:** What version of Eudora should I be using?

**A:** Eudora is published by a company called Qualcomm. It was originally written by Steve Dorner and was named after Eudora Welty, the author of a short story called “Why I Live at the P.O.” Eudora has typically been released in two versions: a freeware version and a commercial version which is similar to the freeware version but with extra features.

Recently Qualcomm released a new commercial version, Eudora Pro 3.0. In addition to the spell checker and mail filter available in the previous commercial version, the new version has an improved Find function, a more complete Address Book feature (instead of Nicknames), multiple signatures, a toolbar, and “hot” URL’s (i.e. clicking on URL’s in e-mail messages brings up the URL in your Web browser). The commercial version of version 3.0 is available for the Macintosh and the PC. If you’re interested in finding out more about purchasing the commercial version you can visit Qualcomm’s Web site at: <http://www.qualcomm.com/>. The previous commercial version of Eudora was Eudora Pro 2.1.4.

Eudora has also released a freeware version of Eudora 3.0 for the Macintosh, called Eudora Light 3.0. The freeware version for Windows is still in beta testing but should be available soon. The freeware version includes many of the new features of version 3.0, but not all. If you’d like to see a comparison of the commercial

and freeware versions take a look at the page at: [http://www.eudora.com/prolight\\_compare\\_mac.html](http://www.eudora.com/prolight_compare_mac.html). The previous current freeware versions of Eudora were Eudora v. 1.5.5 for the Macintosh and Eudora v. 1.5.4 for Windows.

If you’d like to upgrade your version of Eudora to the most current freeware version please contact your departmental student liaison or the AC Help Desk at extension 7-7777.

**Q:** What’s the difference between Netscape Navigator 3.0 and Netscape Navigator Gold 3.0?

**A:** Netscape Navigator 3.0 is Netscape’s most recent version of it’s Web browser. It is available for Windows 3.1, Windows 95, Windows NT, Macintosh and UNIX and includes both e-mail and news features. It also supports Java for Windows 95, Windows NT, Macintosh and UNIX. A beta version, Netscape Navigator 3.01, supports Java for Windows 3.1.

Netscape Navigator Gold 3.0 is also a Web browser with all of the features of Netscape Navigator 3.0, but it includes features which allow you to create and publish Web pages. It supports WYSIWYG editing and a Page Wizard and Page Templates to help make Web page creation simpler.

If you’d like to learn more about both of these Netscape products visit their Web site at [http://home.netscape.com/comprod/netscape\\_products.html](http://home.netscape.com/comprod/netscape_products.html). 