

Sponsored by **Microsoft**

Glossary

copyright: The exclusive legal rights reserved for the author or creator of a literary, musical, or artistic work to reproduce, publish, perform, sell, or distribute the work, or authorize any of these activities. U.S. copyright laws protect a work as soon as it is created, whether or not the creator has registered for formal copyright protection.

creative rights: The rights that protect creative works; copyright.

digital rights management (DRM): A technical system for protecting digital media by limiting access to and usage of it. DRM technologies include encryption and digital watermarks, which are designed to reduce illegal duplication and distribution.

fair use: A doctrine of U.S. copyright law that allows some copyrighted materials to be used without permission of the author or creator for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. In determining whether any particular use is a fair use, the following four factors are considered:

- the purpose and character of the use, whether for commercial or nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- the effect of the use upon the potential market for or value of the copyrighted work.

file sharing: The process of reproducing and distributing digital files over a computer network or Web site. Typically, file sharing follows a peer-to-peer model, where the files are stored on one or several personal computers, and are accessible from any other computer connected to that network.

intellectual property: A creation of the mind, such as an idea, invention, process, or creative work.

open source: A type of software license that makes the software's programming code available to the general public with limited or no copyright restrictions. Open source licenses typically enable others to legally modify and distribute the software to others if certain conditions are met.

patent: An instrument that grants an inventor of a new and useful invention or process the legal right to preclude others from making, selling, or using the invention for a specific period of time, usually 20 years.

peer-to-peer network: A system for sharing digital files directly between individual computer network users, with or without a central server. LimeWire is an example of this type of system.

piracy: The large-scale infringement of another's creative work. Piracy could involve uploading, downloading, and/or copying copyrighted music, photos, or software to or from the Internet, without the permission of the creator.

plagiarism: The act of using the creative works of someone else and passing it off as one's own. Also, to use another's intellectual property without crediting the source.

public domain: Creative works that are not subject to copyright protection. Generally, public domain includes works whose copyright has expired (generally, those published before 1923), works that are not protected because of failure to comply with a formality (such as registration or publication without a copyright notice, but only for pre-1978 works), as well as those produced by the U.S. government. A public domain work may be used freely, in any form, without permission from the creator.

trademark: A word, phrase, design, or combination thereof that indicates the unique source of goods and/or services. It amounts to a legal right to exclusive use of the relevant trademark with respect to particular goods/services. It is a right that arises through commercial use of the trademark in some countries. In other countries, one must obtain a government registration of the mark in order to own the trademark right. "Coke" is an example of a trademark. "Microsoft" is an example of a trademark that is also the name of the underlying company.