

## Chapter 4

- Which philosopher argued in *The Second Treatise of Government* that people have a natural right to property?
  - Jeremy Bentham
  - Immanuel Kant
  - John Locke
  - John Stuart Mill
  - Jean-Jacques Rousseau
- Intellectual property is a unique product of the human intellect that
  - has commercial value.
  - can be reproduced digitally.
  - has been produced on paper.
  - can be performed in public.
  - cannot be understood by anyone other than the creator.
- The value of intellectual property is recognized
  - in the Constitution of the United States.
  - in the free market.
  - in legislation passed by the U.S. Congress.
  - through court decisions.
  - All of the above
- The proper noun “Kleenex” is protected
  - as a trade secret.
  - with a trademark.
  - with a patent.
  - with a copyright.
  - All of the above
- Which of the following rights is **not** a right of a copyright holder?
  - The right to reproduce the copyrighted work.
  - The right to distribute the work to the public.
  - The right to perform the work in public.
  - The right to prevent others from producing competitive works.
  - The right to produce new works derived from the copyrighted work.
- Since the first Copyright Act was passed in 1790
  - Congress has repeatedly increased the number of years of copyright protection.
  - Congress has made more kinds of intellectual property protected under copyright.
  - Congress has attempted to reconcile American copyright law with European copyright law.
  - All of the above
  - None of the above
- Sometimes it is legal to reproduce a copyrighted work without the permission of the copyright holder. These circumstances are called
  - fair use.
  - noncommercial use.
  - piracy.
  - public domain.
  - reciprocity.
- The Audio Home Recording Act of 1992
  - protects the right of consumers to make backup copies of CDs.
  - requires manufacturers of digital audio records to incorporate the Serial Copyright Management System.
  - requires manufacturers of digital audio recording devices and blank digital media to pay a royalty to songwriters and music publishers.
  - All of the above
  - None of the above

9. The U.S. Supreme Court decision in *Sony v. Universal City Studios* established the concept of
  - a) fair use.
  - b) intellectual property protection for movies.
  - c) licensing fees for videotapes.
  - d) space shifting.
  - e) time shifting.
10. The decision by the U.S. Court of Appeals, Ninth Circuit in *RIAA v. Diamond Multimedia Systems Inc.* established the concept of
  - a) fair use.
  - b) intellectual property protection for movies.
  - c) licensing fees for videotapes.
  - d) space shifting.
  - e) time shifting.
11. The decision by the U.S. Court of Appeals, Ninth Circuit in *Kelly v. Arriba Soft Corporation* established that the display of thumbnail images by a search engine
  - a) is a fair use of those images.
  - b) is not a fair use of those images.
  - c) is an unfair use of network bandwidth.
  - d) is an illegal attempt to circumvent Web filters.
  - e) is legal, even when the original images are pornographic.
12. Google Books is
  - a) an effort to scan millions of books and make all their words searchable.
  - b) an effort to gain copyrights on millions of books in the public domain.
  - c) a book reader designed to compete with the Kindle.
  - d) an online store competing with Amazon.com.
  - e) None of the above
13. In 2005 Sony BMG Music Entertainment made headlines by
  - a) purchasing the publishing rights to the Beatles' songs from Michael Jackson.
  - b) purchasing the iTunes Store from Apple.
  - c) announcing they would begin shipping CDs without digital rights management.
  - d) shipping CDs that would only play on devices manufactured by Sony.
  - e) shipping CDs that secretly installed a rootkit on Windows computers.
14. After the RIAA sued Napster,
  - a) the Supreme Court ruled in favor of Napster.
  - b) Congress passed the Digital Millennium Copyright Act that legalized file sharing.
  - c) Congress made peer-to-peer networks illegal.
  - d) Napster renamed itself KaZaA.
  - e) Napster went off-line.
15. Suppose you buy a Microsoft game at the bookstore. Under current U.S. law, which of the following actions is illegal?
  - a) Copying it onto a CD to give or sell to someone else
  - b) Preloading it onto the hard disk of a computer being sold
  - c) Distributing it over the Internet
  - d) All of the above are illegal
  - e) None of the above is illegal
16. The Digital Millennium Copyright Act is controversial, in part, because
  - a) it extends the length of time that a piece of intellectual property is protected by copyright.
  - b) it makes it illegal for consumers to circumvent encryption placed on digital media.
  - c) it extends copyright protection to music broadcast over the Internet.
  - d) it increases penalties for on-line services providers whose customers are misusing copyrighted materials.
  - e) All of the above

17. Apple's digital rights management system called FairPlay prevented
  - a) songs from being played on more than five computers.
  - b) songs from being copied onto CDs more than seven times.
  - c) music purchased from the iTunes Store from playing on non-Apple MP3 players.
  - d) A and B.
  - e) A, B, and C.
  
18. Compared with other peer-to-peer networks, BitTorrent takes advantage of the fact that broadband Internet connections
  - a) continue to drop in price.
  - b) are immune from surveillance by the police.
  - c) provide higher speeds for downloading than for uploading.
  - d) have become the standard in most homes in the United States.
  - e) All of the above.
  
19. The court's ruling in *Apple Computer v. Franklin Computer Corp.* established that
  - a) computer hardware can be patented.
  - b) computer software can be copyrighted.
  - c) object programs can be copyrighted.
  - d) the "look and feel" of a computer program can be patented.
  - e) Apple Computer could not patent its desktop icons.
  
20. The Linux operating system is an example of
  - a) free-market software.
  - b) open-source software.
  - c) pirated software.
  - d) proprietary software.
  - e) unreliable software.

## Chapter 4

1. In *The Second Treatise of Government*, **John Locke** makes a case for a natural right to property.
2. The U.S. Congress addresses the tension between society's desire for inventions to be in the public domain and the inventor's expectation of profit by giving inventors exclusive rights to their discoveries **for a limited period of time**.
3. Merchandise 7X, the formula for Coca-Cola<sup>®</sup> syrup, is a famous example of a type of intellectual property known as a **trade secret**.
4. A company's logo is an example of a type of intellectual property that can be protected by a **trademark**.
5. **Kodak** had to pay Polaroid \$925 million for violating seven of Polaroid's patents for instant photography.
6. In 1991 a U.S. District Court judge ordered **Kinko's** to pay \$510,000 to a group of eight book publishers for violating their copyrights by producing photocopied packets of reading materials for college students.
7. Since the first Copyright Act was passed in 1790, both the length of copyright protection and the kinds of intellectual properties that can be copyrighted have **increased significantly**.
8. Under some circumstances it is legal to reproduce a copyrighted work without permission. These circumstances are called **fair use**.
9. In *Sony v. Universal City Studios*, the U.S. Supreme Court ruled that time shifting is **legal**.
10. In *RIAA v. Diamond Multimedia Systems, Inc.*, the U.S. Court of Appeals ruled that space shifting is **legal**.
11. Arriba Soft Corporation was sued for copyright infringement because its Web search engine returned **thumbnail images of photos**. A court later ruled this was a fair use.
12. In December 2004 **Google** announced a plan to scan millions of books held by several of the world's largest libraries.
13. Sony BMG Music Entertainment's Extended Copy Protection system provoked controversy because it **secretly installed a rootkit on Windows computers**.
14. FairPlay was the name of Apple's **digital rights management / DRM** system.
15. A **peer-to-peer** network allows computers running the same networking program to connect with each other and access files stored on each other's hard drives.
16. BitTorrent speeds file downloading by **allowing different pieces of a file to be downloaded simultaneously from different computers**.
17. In September 2003 the RIAA sued 261 individuals for **distributing copyrighted music over the Internet**.
18. The legal case *Apple Computer, Inc. v. Franklin Computer Corp.* established that **object programs** are copyrightable.
19. A "**clean room**" software development strategy helps ensure a company's software program does not duplicate any code in another company's product.
20. Thanks to the work of Stanford law professor Lawrence Lessig and his collaborators, you can use a **Creative Commons** license to retain the copyright while allowing some uses of your intellectual property under certain circumstances.