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Intellectual Property Rights im Blog

Einige Definitionen

2009-10-09 14:39:30

Liebe Leser,

ich benötige demnächst einige Kurzdefinitionen zu den Themen Open Source, File Sharing und DRM, die ich hier zur Debatte stellen möchte. Für Kommentare bin ich dankbar.

Open Source

The term open source (“OS”) describes a type of production, dissemination and exploitation of software opposed to the so-called “proprietary” way of distribution. OS-software is usually produced in a collaborative process by a web-based community. The ultimate aim is to create stable, compatible and free software. In order to achieve this, the source code is “open” for anyone to see and distributed along with the software and the according license. By these means, any user of the software has access to the code, can learn about it and develop it further. Free use, modification and distribution is the core concept of OS. Many, but not all OS-licenses are distributed with a so-called copyleft-clause. Copyleft licenses do not only license the aforementioned types of exploitation, they do so only under the condition of re-distribution under the same license. The Open Source Initiative awards a cachet to all licenses that are in compliance with its Open Source Definition, which is a worldwide acknowledged standard. OS-licenses have been successfully tested in courts.

Digital Rights Management (“DRM”)

DRM is a group of anti-circumvention technological measures(TM), e.g. digital-only token and audio watermark. TM creates incompatibility between digital materials, including copyrighted and public domain materials (DM). The purpose of DRM is to control and limit how DM are used and accessed. Instead of purely relying on legal tools, content providers and companies use TM to protect DM. DRM limits availability to the DM by requiring a particular platform or machine, particular keys, or validity for a certain time period. Thus, DRM is used as an anti-competition tool by businesses, and it can protect and control DM in a stricter manner than that permitted by copyright statues. For instance, DRM limits the fair use to the users who have legally obtained such DM. DRM is also expanding to the physical world instead of only digital world, i.e. by using DRM-like technologies.

File Sharing

File sharing includes but not limited to any acts or means of reproducing or making available or distributing digitally stored information or otherwise to another party.

Notes: Peer to peer (P2P) is one of the most popular types of file sharing of digitally stored information through computer networks (i.e. a computer network without the control of a central

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server), which is known as P2P network. In a P2P network, a participant in the network is called peer who is both the server and consumer of the resources or information

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