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Aspects of Intellectual Property Law for HEP Software Developers

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Intellectual Property, which includes the following areas of the law: Copyrights, Patents, Trademarks, Trade Secrets, and most recently Database Protection and Internet Law, might seem to be an issue for lawyers only. However, increasingly the impact of the laws governing these areas and the International reach of the effects of their implementation makes it important for all software developers and especially software development team leaders to be aware of the implications that might exist. For example, under copyright law, if their are multiple contributors to a software development project, the contribution of even one single line of code to million line program, will vest an equal copyright ownership share in the person making that one-line contribution. While patenting of software is being debated in Europe, it is allowed in the US, and with the Grid and the Internet, the effects of these patents can reach far beyond the US border. Likewise, the recent enactment of database protection in Europe, which grants property rights to the facts contained in databases can still have impacts on users in the US where such legislation has not been put in force. A brief primer on the basics of Intellectual Property Law relevant for software developers will be provided.

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