Intellectual Property Theft and Legal Protection

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Intellectual Property, Ownership, and the Ethics of Theft

Stealing is socially and ethically wrong as it inflicts harm on others, and most people will agree that stealing is wrong. However, when it comes to intellectual property, there seems to be a lack of consensus regarding criminals who steal. Although many believe that creators have the right to own their creations, their use of the creation is debated. Moreover, the technology and easy accessibility of many products online without restriction make it difficult for people to be careful about intellectual property rights (Former). Thus, the internet has ignited the issue of intellectual property protections and the availability of the data. Even though people acknowledge the copyrights of the creator, the online availability and easy access to various products assist people in using the innovation without thinking about copyrights. Therefore, it is necessary to have a feasible balance between the copyrights of the creators and the public accessibility of the product as the product is made to be used. However, the creator must have the right to control the use and availability of the product to the public.

The creator has the right to their innovation, whether it is a computer code, app, poetry, novel, music or any other form of innovation. They can make it public or private, depending on the purpose of creation. If the innovation is for private use or institutional use, they have the legal right to restrict the public from using it (Akiyama and Furukawa). As a person has created it by spending time, effort, and resources, the person must have the right to decide who should be using it and how it should be used. It is ethical to ask the person before using it or take necessary and required steps before using it.

However, it is difficult as most of the innovations and creations are easily available online or offline. For instance, a person is searching for an app to complete some task online, and the person finds it online free and downloads it because he needs it. In such a case, the person did not pay attention to the ethics or the legal problems as the app was available online. Although the person used the app without even thinking about the consequences, shall he be punished or shall the person who posted it get the punishment? The availability of the products online and offline creates a dilemma for people and internet users (Moore). Although people might recognize ethical and copyright concerns when they are downloading, the need as well as the availability makes it hard for the users to be careful

about the problem.

Copyright Limits, Public Access, and Creative Commons

Regardless, recognizing the copyrights and obeying them would help both the public and creators. It will help the creator to be secure and earn from the creation and help the public to benefit from the creation. Innovation and creativity help cultural, technological, scientific and literary knowledge, which ultimately assists people in encouraging innovators and creators to create. Intellectual property is used to assist and appreciate the efforts of creators to enhance public knowledge (Moore). It is to encourage them for their inventions and creations. Moreover, the idea can advance the public good, especially health and wellbeing, through technological advancement and medicine.

However, copyrights and patents limit innovation from public access, and if they make it available to the public, the charges are high, and not everyone can afford to buy and use it. Intellectual property rights and laws put a barrier between the creator and the public, restricting access to the creation. In addition, the copyrights last for 20 years, giving enough time for the creators to earn from their creation, which becomes excessive compared to the efforts, time and money that the innovator puts into the creation (Akiyama and Furukawa). Even though without the public, the innovation might be useless, access to intellectual property is prohibited to the public. Excessive intellectual property regulations are a barrier to public interests.

Therefore, Creative Commons exists to facilitate the public and the creators. It helps the public by minimizing the barriers, providing access to innovation, and spreading the creation of the creator among the public with some benefits. It is a mediator of public interest and the copyrights of the creation. It enables both groups to advance their interests as it ensures public access to innovation with fewer charges and enables the creator to earn enough profit.

Balancing Creator Rights, Innovation, and Social Benefit

Although the creator’s rights to the innovation cannot be denied, the public interest must not be undermined. The innovators have the right to their product, but they must make it accessible to the public at a reasonable price so that the public has access to the innovation and it can be used to advance the public good. However, there should not be heirs of an artistic or technical creation because the heirs have not created the object, nor have they contributed to the creation (Former). For instance, if a book is copyrighted, the heirs, if they have not contributed to the innovation, must not get the copyrights or patent for the creation, but the innovation or creation must be made public for public use. As the intellectual property was enacted to appreciate the creator, the heirs must be

treated as public unless they have contributed to the creation, but this does not apply in every case (Former). For instance, apps, poems, IPs, computer codes, or pieces of writing must not be copyrighted to the creators' heirs, but other companies can be transferred to the heirs. All the creations and innovations must be made public by their creators and innovators as it helps everyone. Moreover, the copyrights of intellectual property must be affordable for the public, as without the public, innovation would not be important. It is in the presence of the public that an innovation becomes important because they use it.

Hence, it is difficult to draw a fine line between the rights of the creator, the heirs and the public, even though it is wrong to deny the rights of the creator and the public. The ethical point of view on the issue of intellectual property supports the public and the creator more than the heirs if they have not contributed to the making or creation of the intellectual property. It is unethical not to recognize the creator and not to appreciate the creator for the innovation regardless of the benefits that the public might gain if it is made available without restrictions (WTO). Thus, the creator must get recognition and appreciation for their work without restricting and affecting the rights of the public to information and innovation. The intellectual property must be made available to the public with affordable charges.

To conclude, it is essential to safeguard the rights of the creator in order to assist and encourage the person to make further creations, but it must not be difficult for the public to have access to the innovation. It is only ethical when a person accesses the information with the permission of the creator because, without recognition and the creator's permission, it is theft to use the creation. In addition, the creator must have the right to limit and restrict the rights of their creation for some groups. However, the public must not be denied their right to access the property.

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