



University of Brighton

Information Services

A guide to the ethical and legal use of software for staff and students

The purpose of this guide is to provide a brief outline of what you legally can and cannot do with software

Last updated
16th July 2015





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1 What you should know?

Unauthorised copying of software is illegal. Copyright law protects software authors and publishers, just as the patent law protects inventors.

- Breaking the law could have serious consequences for you and the University, threatening both your own and the University's reputation and future prosperity.



- The legal penalties include unlimited fines and up to two years in prison. Also, the University may find it more difficult to negotiate agreements that would make software more widely and less expensively available to the academic community.



- Unauthorised copying and use of software can deprive publishers and developers of a fair return for their work, increase prices, reduce the level of future support and enhancement and inhibit the development of new software products.



- Respect for the intellectual work of others has traditionally been essential to the mission of colleges and universities. As members of the academic community, we value the free exchange of ideas. Just as we do not tolerate plagiarism, we

do not condone the unauthorised copying of software, including programs, applications, databases and code.



- Misuse of software constitutes a violation of the Conditions of use of University of Brighton computing facilities and may subject you to disciplinary action.

2 What do I need to know about the Copyright Law?

All intellectual works (programs, data, pictures etc.) are automatically covered by copyright. Under the Copyright, Designs and Patents Act of 1988, the owner of the copyright has the exclusive right to copy the work. For computer software, this means that it is illegal to copy or distribute software, or its documentation, without the permission of the copyright owner.

The conditions and restrictions of licenses vary from program to program and you should always read these very carefully. In general, software licenses stipulate that:

- modifications to the software are not allowed
- decompiling (reverse engineering) of the program code is not allowed
- development of new works built upon the package (derivative works) is not allowed

without the permission of the copyright owner.

3 Software

3.1 May I copy software from facilities on campus?

: so that I can use the software more conveniently from my own room or office?

Software acquired by the University is usually licensed. The license restricts how and where the software may be used. The restrictions apply to software whether installed on stand-alone or networked systems, in private offices or in public laboratories. Some institutional licenses permit copying for certain purposes. Consult Information Services if you are unsure about the use of a particular product.



3.2 Isn't it OK to copy software if the purpose in sharing it is purely educational?

No. It is illegal to make and distribute unauthorised copies of software to class members or colleagues. Some educational licenses do make provision for this type of activity, but this is unusual. Again, you can contact Information Services if you are unsure about the use of a particular product.

3.3 May I lend software that I have purchased myself?

When you buy software you are buying a license to use it, not own it. Most software licenses only allow you to have the software installed or resident on one machine. Some licenses even restrict the use of a copy to a specific machine. In general, if you want to use the software on a different machine, you must delete it from the original machine. Unless the license specifically states otherwise you should assume that one license means one machine.

4 Legal alternatives

4.1 Site licensed or bulk purchased software.

The University has negotiated site licenses and bulk purchases for a number of products. We have also taken advantage of several deals organised by [CHEST](#) (The Computers in Higher Education Software Team). Software available through bulk purchase or institutional licenses is subject to restrictions. Normally the copying and distribution of software can only be carried out by a central office (Information Services) which must maintain inventories of who receives it. You may not make or distribute copies without express permission. Information Services can supply details of the site licenses and bulk-purchase software available at Brighton.

4.2 Public Domain and Shareware software - UK MIRROR Service

Lancaster University Computer Centre operates a large archive of microcomputer software for the Higher Education community. This service is known as the UK Mirror Service. As the software is stored and distributed electronically, the marketing costs are considerably reduced and the software can be much cheaper, or even free. There are two main classifications of software available, Public Domain and Shareware. It is important to understand the difference between these classifications to avoid breaking the law.

4.3 Shareware software

Shareware software is **copyrighted** and is **not free**. The developer will normally state the conditions and restrictions of the license and distribute this information with the software. You should read these conditions carefully. You may try out the software for a specified period. If you like the software and decide to keep it, you **must pay** for it.

4.4 Public Domain software

Some developers choose to give up the copyrights and dedicate their software to the Public Domain. Public Domain software is not copyright and may be distributed and used freely. The developer will supply clear notification that the software is Public Domain. If they don't, you must assume it has copyright.

You can access the Mirror archive via the link above. Contact Information Services for further details. Software available from this source is not normally maintained or supported by Information Services.

You use it at your own risk.

Restrictions on the use of software vary from program to program. You should check each piece of software and the accompanying documentation yourself. In general **you do not** have the right to:

- receive and use unauthorised copies of software
- make unauthorised copies of software for others

If you have questions about the proper use and distribution of a software product which are not answered by this brochure, contact [Information Services](#) for advice.

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