

Netanel Software

Mark A. Lemley, Peter S. Menell, Robert P. Merges, Pamela Samuelson

Copyright in the Age of Online Access João Pedro Quintais, 2017-05-15 In addition to proving virtually impossible, online enforcement of copyright may be undesirable because it risks encroaching upon fundamental rights and freedoms. However, the problem remains that creators are often not fairly remunerated for the online use of their works. This book addresses the urgent need to study pragmatic legal solutions that enable Internet users to access works in the digital environment, while assuring remuneration to rights holders and promoting the development of the information society. This study examines legalisation schemes that favour remunerated access over exclusivity and enforcement for large-scale online use by individuals. It investigates whether and to what extent these schemes (referred to as alternative compensation systems) are admissible under EU copyright law and consistent with its objectives, responding to such questions as the following in depth: - What existing copyright schemes provide an alternative to the exclusive right in copyright law? - What online rights apply to the activities of Internet users? - What types of models exist for the legalisation of online use of copyright works? - How can the public interest shape the scope of protection of copyright? - Can and should we legalise non-commercial file sharing and online use in EU copyright law? The book carefully examines these questions in light of EU primary law, relevant directives (with a focus on the InfoSoc Directive), case law (especially that of the CJEU), and legal literature in the field of copyright. The analysis culminates with a proposed blueprint for a compensated limitation for non-commercial individual use that is consistent with EU copyright law. As a thoroughly researched and balanced response to the urgent need to rethink EU copyright law in light of its lack of social acceptance and technological adequacy, this book will be of inestimable value to lawyers, policymakers, and scholars in the field, as well as to interest groups involved in discussions for reform and modernisation of EU digital copyright law.

From Maimonides to Microsoft Neil Weinstock Netanel, 2016-02-04 Jewish copyright law is a rich body of jurisprudence that developed in parallel with modern copyright laws and the book privileges that preceded them. Jewish copyright law owes its origins to a reprinting ban that the Rome rabbinic court issued for three books of Hebrew grammar in 1518. It continues to be applied today, notably in a rabbinic ruling outlawing pirated software, issued at Microsoft's request. In *From Maimonides to Microsoft*, Professor Netanel traces the historical development of Jewish copyright law by comparing rabbinic reprinting bans with secular and papal book privileges and by relaying the stories of dramatic disputes among publishers of books of Jewish learning and liturgy.. He describes each dispute in its historical context and examines the rabbinic rulings that sought to resolve it. Remarkably, the rabbinic reprinting bans and copyright rulings address some of the same issues that animate copyright jurisprudence today: Is copyright a property right or just a right to receive fair compensation? How long should copyrights last? What purposes does copyright serve? While Jewish copyright law has borrowed from its secular law counterpart at key junctures, it fashions strikingly different answers to those key questions. The story of Jewish copyright law also intertwines with the history of the Jewish book trade and with steadfast efforts of rabbinic leaders to maintain their authority to regulate that trade in the face of the dramatic erosion of Jewish communal autonomy in the eighteenth and nineteenth centuries. This book will thus be of considerable interest to students of Jewish law and history as well as copyright scholars and practitioners.

Harvard Law Review: Volume 130, Number 3 - January 2017 Harvard Law Review, 2017-01-11

Anticipatory Troubleshooting Netanel Hasidi, 2017 Troubleshooting is the process of diagnosing and repairing a system that is behaving abnormally. It involves performing various diagnostic and repair actions. Performing these actions usually incur costs and traditional troubleshooting algorithms aim to

minimize the costs incurred until the system is repaired. We propose anticipatory troubleshooting algorithms, which aims to minimize the troubleshooting costs incurred to repair the system over time, reasoning about both current and future failures. To reason about future failures, we use techniques from the survival analysis literature that relate a system component's age with the likelihood that it will fail. We show that incorporating this prognostic information in a troubleshooting algorithm enables (1) better fault isolation and (2) more intelligent decision making in choosing repair actions. In particular, this prognostic information helps address two main dilemmas that arise in the context of anticipatory troubleshooting: the Fix-Replace dilemma and the Replace-Healthy dilemma. The Fix-Replace dilemma is the question of how to repair a faulty component: fixing it or replacing it with a new one. The Replace-Healthy dilemma is the question of whether a healthy component should be replaced with a new one in order to prevent it from failing in the future. -- abstract.

Law and Society Approaches to Cyberspace Paul Schiff Berman,2017-11-28 During the past decade, the rise of online communication has proven to be particularly fertile ground for academic exploration at the intersection of law and society. Scholars have considered how best to apply existing law to new technological problems but they also have returned to first principles, considering fundamental questions about what law is, how it is formed and its relation to cultural and technological change. This collection brings together many of these seminal works, which variously seek to interrogate assumptions about the nature of communication, knowledge, invention, information, sovereignty, identity and community. From the use of metaphor in legal opinions about the internet, to the challenges posed by globalization and deterritorialization, to the potential utility of online governance models, to debates about copyright, free expression and privacy, this collection offers an invaluable introduction to cutting-edge ideas about law and society in an online era. In addition, the introductory essay both situates this work within the trajectory of law and society scholarship and summarizes the major fault lines in ongoing policy debates about the regulation of online activity.

Software and Internet Law Mark A. Lemley,Peter S. Menell,Robert P. Merges,Pamela Samuelson,2014-12-09 Among the first casebooks in the field, Software and Internet Law presents clear and incisive writing, milestone cases and legislation, and questions and problems that reflect the authors' extensive knowledge and classroom experience. Technical terms are defined in context to make the text accessible for students and professors with minimal background in technology, the software industry, or the Internet. Always ahead of the curve, the Fourth Edition adds coverage and commentary on developing law, such as the Digital Millennium Copyright Act's Safe Harbor, the Electronic Communications Privacy Act, and the Stored Communications Act. Hard-wired features of Software and Internet Law include: consistent focus on how lawyers service the software industry and the Internet broad coverage of all aspects of U.S. software and internet law;with a focus on intellectual property, licensing, and cyberlaw The Fourth Edition responds to this fast-changing field with coverage of : the Digital Millennium Copyright Act's Safe Harbor the Electronic Communications Privacy Act the Stored Communications Act Hot News; Misappropriation Civil Uses of the Computer Fraud and Abuse Act

The Patentability of Software Anton Hughes,2019-02-18 This book explores the question of whether software should be patented. It analyses the ways in which the courts of the US, the EU, and Australia have attempted to deal with the problems surrounding the patentability of software and describes why it is that the software patent issue should be dealt with as a patentable subject matter issue, rather than as an issue of novelty or nonobviousness. Anton Hughes demonstrates that the current approach has failed and that a fresh approach to the software patent problem is needed. The book goes on to argue against the

patentability of software based on its close relationship to mathematics. Drawing on historical and philosophical accounts of mathematics in pursuit of a better understanding of its nature and focusing the debate on the conditions necessary for mathematical advancement, the author puts forward an analytical framework centred around the concept of the useful arts. This analysis both explains mathematics', and therefore software's, nonpatentability and offers a theory of patentable subject matter consistent with Australian, American, and European patent law.

The Software Interface Between Copyright and Competition Law Ashwin van Rooijen, 2010-01-01 The success of computer programs often depends on their ability to interoperate 'or communicate ' with other systems. In proprietary software development, however, the need to protect access to source code, including the interface information

Intellectual Property William T. Gallagher, 2017-09-19 This book brings together articles by leading international scholars from diverse disciplinary perspectives who focus on the legal, social and cultural dimensions of intellectual properties - including patents, copyrights, trademarks, trade secrets and rights of publicity. These articles employ a creatively eclectic approach to the study of intellectual property law and policy viewed through the lenses of traditional doctrinal analysis, historical perspectives, critical cultural study, and empirical examinations of intellectual property in action. The volume also directs critical attention to the significance of intellectual property in contemporary processes of globalization and political economy.

Peer-to-peer Computing Ramesh Subramanian, Brian D. Goodman, 2005-01-01 Peer to Peer Computing: The Evolution of a Disruptive Technology takes a holistic approach to the affects P2P Computing has on a number a disciplines. Some of those areas covered within this book include grid computing, web services, bioinformatics, security, finance and economics, collaboration, and legal issues. Unique in its approach, Peer to Peer Computing includes current articles from academics as well as IT practitioners and consultants from around the world. As a result, the book strikes a balance for many readers. Neither too technical or too managerial, Peer to Peer Computing appeals to the needs of both researchers and practitioners who are trying to gain a more thorough understanding of current P2P technologies and their emerging ramifications.

An Islamic Vision of Intellectual Property Ezieddin Elmahjub, 2019-02-21 Introduces an Islamic theory of social justice to inform the theories and design of global intellectual property regimes.

The Commodification of Information Niva Elkin-Koren, Neil Netanel, 2002-11-08 The dissemination of information via media can have many different and overlapping purposes. This text discusses the reasons why the commodification of this must be carefully scrutinized and puts forward viewpoints from across a broad spectrum.

Access-right Zohar Efroni, 2011 In 'Access-Right' Zohar Efroni explores theoretical, normative and practical aspects of premising copyright on the principle of access to works. The impetus to this approach has been the emergence of technology that many consider a threat to the intended operation, and the integrity, of copyright protection in the digital setting.

The Commodification of Information Niva Elkin-Koren, Neil Netanel, 2002-11-08 The dissemination of information via media can have many different and overlapping purposes. This text discusses the reasons why the commodification of this must be carefully scrutinized and puts forward viewpoints from across a broad spectrum.

Code Lawrence Lessig, 2006-12-05 Code counters the common belief that cyberspace cannot be controlled or censored. To the contrary, under the influence of commerce, cyberspace is becoming a highly

regulable world where behavior will be much more tightly controlled than in real space. -- Cover.

Software Process Improvement and Management: Approaches and Tools for Practical Development

Fauzi, Shukor Sanim Mohd, 2011-11-30 Over the past decade, there has been an increase in attention and focus on the discipline of software engineering. Software engineering tools and techniques have been developed to gain more predictable quality improvement results. Process standards such as Capability Maturity Model Integration (CMMI), ISO 9000, Software Process Improvement and Capability dEtermination (SPICE), Agile Methodologies, and others have been proposed to assist organizations to achieve more predictable results by incorporating these proven standards and procedures into their software process. *Software Process Improvement and Management: Approaches and Tools for Practical Development* offers the latest research and case studies on software engineering and development. The production of new process standards assist organizations and software engineers in adding a measure of predictability to the software process. Companies can gain a decisive competitive advantage by applying these new and theoretical methodologies in real-world scenarios. Researchers, scholars, practitioners, students, and anyone interested in the field of software development and design should access this book as a major compendium of the latest research in the field.

The Future of the Public Domain Lucie M. C. R. Guibault, 2006-01-01 The presence of a robust public domain is an essential precondition for cultural, social and economic development and for a healthy democratic process. But the public domain is under pressure as a result of the ongoing march towards an information economy. Items of information, which in the 'old economy had little or no economic value, such as factual data, personal data, genetic information and pure ideas, have acquired independent economic value in the current information age, and consequently become the object of property rights making the information a tradable commodity. How and to what extent does the commodification of information affect the free flow of information and the integrity of the public domain? Does the freedom of expression and information, guaranteed inter alia in the European Convention on Human Rights, call for active state intervention to 'save the public domain? What means both legal and practical are available or might be conceived to guarantee and foster a robust public domain? These were the main questions that were addressed in a major collaborative research project led by the Institute for Information Law of the University of Amsterdam (IViR) in co-operation with the Tilburg Institute for Law, Technology and Society (TILT) of Tilburg University, and funded by ITeR, the Dutch National Program for Information Technology and Law. Thirteen contributions from academia worldwide make up the present book, addressing the future of the public domain from a different angle. In addition, all authors were invited to reflect upon the notion and role of the public domain in the context of information law and policy. Should this concept be limited to that of a 'negative image of (intellectual) property protection, i.e. all publicly available information not subject to a property right, and therefore freely (i.e. gratis) available, or should a broader approach be taken, e.g. all information available from public sources at affordable cost? Should information policies be aimed at maximizing the public domain or optimizing information flows? To what extent are these aims congruent? This book takes a broader, 'information law oriented approach towards the question of preserving the public domain, in which a wide range of interrelated legal questions converge. Issues treated in this book include: Economic analysis of the public domain Fundamental rights analysis of the public domain Impact of the application of technological protection measures and contractual restrictions on the public domain The impact of the expansion of copyright, database right and patent rights on the public domain The impact of the commodification of private data, government information, indigenous knowledge on the public domain The capacity of the Open Source and Creative Commons Movements to

preserve the integrity of the public domain The Future of the Public Domain is an important work for all those interested or involved in the regulation of the knowledge economy. Legal scholars, academic and research institutions, corporate counsel, lawyers, government policymakers and regulators all these and more will benefit enormously from the thoughtful and incisive discussions presented here.

Software Quality Control, Error, Analysis Judith A. Clapp,1995 Software Quality Control, Error, Analysis

Software Applications: Concepts, Methodologies, Tools, and Applications Tiako, Pierre F.,2009-03-31 Includes articles in topic areas such as autonomic computing, operating system architectures, and open source software technologies and applications.

Open Source Law, Policy and Practice Amanda Brock,2022-10-10 Open Source Software has seen mass adoption in the last decade and potentially forms the majority of software today. It is realised through legal instruments, private law agreements, licences, governance, and community norms—all of which lead to the sharing of intellectual property and to economic and commercial disruption in technology. Written by world leading Open Source and legal experts, this new edition of Open Source Law, Policy and Practice is fully updated with a global focus on technology and market changes over the last decade. The work delivers an in-depth examination of the community, legal, and commercial structures relating to the usage and exploitation of Open Source. This enables readers to understand the legal environment within which Open Source operates and what is required for its appropriate governance and curation in enterprise and the public sector. This is achieved by focusing on three main areas: intellectual property rights; the governance of Open Source; and the business and economic impacts.

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