New Media

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Intellectual Property Issues and the Internet

1. Copyright

COPYRIGHTED WORKS

Copyrighted works on the WWW include news articles, stories, software, novels, screenplays, graphics, pictures, video images and even E-mail. This material is generally subject to the same laws or material published in print or in other media such as CD-ROM. Thus, it is illegal to post copyrighted material on the Internet without permission of the copyright holder, a fact that was thoroughly reinforced when the Church of Scientology successfully sued when copyrighted church documents were posted on the Internet in an effort to discredit the Scientology movement (for details start at <http://www.cs.cmu.edu/~dst/Fishman/>).

Similarly, it is illegal to download and retain illegally posted copyrighted material. This concept applies especially to copyrighted software that may be illegally posted on an Internet server or on a Bulletin Board System. In the same vein, while there are many works of art that have been scanned and made available on the Internet, it is likely that most of this material does not enjoy legal status.

PUBLIC DOMAIN WORKS

However, there are still a lot of works on the Internet that are in the public domain. The Public Domain is that repository of all works that are not protected by copyright for whatever reason. As such, they are free for all to use without permission. A rich source for public domain works is Project Gutenberg (<http://promo.net/pg/>) or the E-text Archive (<http://www.etext.org/>).

COPYRIGHT CLEARANCE CENTER

Those persons with money and a special desire to follow the rules of copyright carefully are advised to review the rules and payment options at the Copyright Clearance Center (<http://www.copyright.com/>).

MORE SITES

More sites on copyright you may find interesting include:

[a] The Copyright Website

This site "endeavors to provide real world, practical and relevant copyright information of interest to info-nauts, netsurfers, webspinners, content providers, musicians". Go to <http://www.benedict.com/>

[b] The US Government Copyright Website

A number of valuable resources on copyright are available from the US government at <http://lcweb.loc.gov/copyright/>

[c] Fair Use Web Site

For information on the doctrine of "fair use," under which limited copying of copyrighted works without the permission of the owner is allowed for certain teaching and research purposes and for information on legal provisions that establish special limitations and exemptions for the reproduction of copyrighted works by libraries and archives, I recommend a visit to <http://fairuse.stanford.edu/>

2. Information philanthropy

Information philanthropy or intellectual property philanthropy is the term used to describe the free availability of high-quality information resources for educational purposes without the requirement of obtaining prior permission to copy and redistribute

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materials. It is important to recognize that these materials are not usually public domain property, as the holder usually still retains the copyright to the material. The proviso that the material must not be altered or edited, and that credit information is retained, is usually part of this "copyleft" arrangement.

An example of a "copyleft" publication is the GASNet-sponsored journal "Educational Synopses in Anesthesiology and Critical Care Medicine", often abbreviated as ESIA, and which is soon to be reincarnated as the Online Journal of Anesthesiology. Articles from ESIA as well as entire issues and collections of issues may be freely distributed in electronic or in paper. Indeed, some anesthesia societies have made ESIA available to their members in paper format as an educational service.

However, free information is only of value if it is of high quality. Thus, there is a continuing need for an audit process to assure readers that the information made available is well written and accurate, a sort of "seal of approval". In the academic world the peer-review process is the mechanism behind quality. Many medical Internet resources have expert panels or boards to review (formally or informally) the material submitted to it. In the case of ESIA, the Journal's Editorial Board reviews all submitted articles and any needed changes are carried out either by the author or the editors before publication.

Some software is also "copyleft", such as the Pediatric Anesthesia Worksheet, an excellent, free, clinical software tool reviewed later in this section. While the authors retain their copyright, they allow unrestricted free distribution of their program. Another example of high-quality but completely free software is an amazing real-time spectral analysis program I use in my phonocardiogram research (Homepage <http://www.monumental.com/rshorne/gram.html>). You can also use the program for speech analysis, bird-call research or dolphin speech processing, and scientists around the world are using the program for exactly that, since the program transforms your PC into a research instrument that would ordinarily cost quite a bundle.

On the other hand, most software authors want to get money for their efforts. On the Internet, the most common form of software distribution is as "shareware", an arrangement whereby you can try the package for a stated period (usually 30 days), after which if you wish to continue to use the product you must pay and register, often using a registration web site. For a starting point to look at shareware packages, start at <http://shareware.netscape.com>.

The Doctor's Online Radio Network

The Doctor's Online Radio Network (DORN) is a free online radio program that uses RealAudio technology to distribute news and interviews to physicians via the Internet. It simulates familiar radio broadcasts, with discussion, music and advertising, but uses the Internet as the delivery mechanism rather than radio waves.

This experimental service is provided at the MDLink web site (<http://www.mdlink.com>), sponsored by The Medical Post, Neil Schneider Productions, and Hoffman-LaRoche. It provides programming especially targeted for doctors, including:

- clinical, business and political news
- interviews with experts on current medicine
- features on practice management, new technology and personal finance
- human interest stories about doctors by doctors

The network provides interviews featuring high quality international guests to discuss important clinical and political issues in medicine. There are often visual images available to further enhance the demonstrations or discussion. An e-mail address is also provided to allow listeners to send in question about the topic being discussed. Topics covered in previous shows have included ethical issues, financial advice, continuing medical education, treatments, space medicine, and clinical and industry news.

To access the network, one must download the free RealAudio Player from <http://www.real.com>. Free registration is required before access is granted. Programs are broadcast live every Wednesday and are archived so they can be heard later via the web site.

I had no trouble downloading the player and using the system. As with all streaming audio systems via the Internet, the quality of the audio is adequate, but far from CD quality. I listened to an interview on pediatric pain management that was timely and authoritative, but I soon found that, as in real life radio, the broadcast came complete with advertisements.

The Doctor's Online Radio Network is an example of an audio-streaming CME site supported by advertising sponsorship. Many radio stations broadcast via Internet audio-streaming technology in addition to broadcasting via the air (for a list of sites, visit <http://www.timecast.com/stations/>).

At the moment there is no mechanism to obtain "type 1" CME credits from the DORN broadcasts, but I can imagine eventual future enhancements that would make this easy, such as interactive examinations via the Web to facilitate testing and certificate administration.