

Respecting Software Copyright

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SUMMARY

Software piracy is a common, rampant, and illegal use of intellectual property that has the potential to jeopardize a firm's entire computer network. To maintain software compliancy, firms may take the following steps: develop a software management policy, communicate the policy to employees, centralize the software management process, recognize software as an asset, and stay compliant.

DO UNTO OTHERS...

Legendary architect Frank Lloyd Wright once said that an architect's most useful tool is an eraser at the drafting board.

How times have changed. His eraser and drafting board have been replaced by a computer keyboard with a delete key and sophisticated CAD (computer-aided design) software. One thing remains unchanged, however, since Wright's first pioneering work: the importance of respecting intellectual property born of creativity. Today as before, it would be unthinkable for one architect to steal another's designs and drawings.

The importance of respecting ownership rights is no different when it comes to another kind of intellectual property: software. The cutting-edge CAD software that makes architectural firms so efficient and productive requires an enormous investment of time, money, and creativity on the part of software developers. Yet, too often, software is duplicated and distributed throughout a company—in violation of licensing requirements and with no recompense to the developer. This kind of intellectual property theft is called software piracy. It is illegal, and it is distressingly rampant.

SOFTWARE PIRACY COSTS JOBS

According to a recent Business Software Alliance (BSA) study, the distribution of unlicensed software is a \$1.8 billion-a-year problem in the United States alone, totaling nearly \$11 billion worldwide and costing thousands of software industry workers their jobs. Piracy deprives software developers of the

funding and the incentives needed to create the next generation of CAD tools.

As the leading international organization promoting a safe and legal online world, the BSA educates companies about the risks of using unlicensed software and offers "best practice" tips on becoming and remaining software-compliant.

UNDERSTANDING THE RISKS

Many business leaders don't realize how easy it is for software to be unlawfully copied within their company or how severe the consequences can be. In a matter of minutes, an employee can copy a software program onto multiple hard drives, enable unauthorized access from a network server, or download a pirated copy from the Internet via a high-speed connection. This problem is particularly prevalent in small to medium-sized businesses, which typically are unprepared to monitor the software that exists on their computers.

The BSA receives reports of this type of activity every day and takes aggressive enforcement action against violators. Under U.S. law, civil damage awards for software theft range up to \$150,000 per product copied. In some cases, criminal prosecution is possible. But legal troubles aren't the only risk faced by companies that use unlicensed software. Unlicensed software installed or downloaded by employees without proper authorization could jeopardize the integrity of a firm's entire network by introducing a computer virus or security flaw.

MAINTAINING SOFTWARE COMPLIANCE

Fortunately, there are simple steps a company can take to guard against pirated software and maintain software compliance:

1. **Develop a software management policy.**
This policy should cover software acquisition and installation procedures as well as acceptable uses. In addition, it should express the company's goals to use only legal software and manage it for maximum benefit.

2. Communicate the policy to employees.

Once the policy is in place, employees need to understand it. Placing it in the employee handbook, conducting training sessions, and posting regular notices are effective ways of educating employees.

3. Centralize the process. One person or one team should be responsible for overseeing the company's software management efforts, including the installation of new software.

4. Recognize software as an asset. Proper software is essential for conducting business in the modern world. Software must be treated as an asset and budgeted accordingly.

5. Stay compliant. A company should conduct regularly scheduled audits to ensure that it has enough licenses to support the software it has installed. The BSA's Web site, www.bsa.org/usa, provides free, downloadable tools that will help a company through this process.

Architecture thrives on creative innovation, and that can happen only when professionals respect the boundaries of copyright protection and intellectual property ownership. Software developers deserve the same respect.

RESOURCES

More Best Practices

The following AIA Best Practices provide additional information related to this topic:

- 10.02.02 Electronic Data Transfer: A Guide To Managing Opportunities and Risks
- 10.02.03 Electronic Data Transfer: Receiving Information from Others
- 10.04.02 Getting Started with BIM

For More Information on This Topic

See also "Virtual Design and Construction: New Opportunities for Leadership" by James R. Bedrick, AIA, *The Architect's Handbook of Professional Practice, Update 2006*, p. 33.

See also the 14th edition of the *Handbook*, which can be ordered from the AIA Bookstore by calling 800-242-3837 (option 4) or by email at bookstore@aia.org.



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Key Terms

- Practice
- Information management
- Firm management automation



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