

# Example of research paper on protecting intellectual property against copyright a...

[Law](#), [Criminal Justice](#)



## **Background information**

Cyber crime has been a major concern to almost all countries that have embraced technology. This has been popular among the use of internet for financial transactions, in facilitating

E-governance and in other sensitive and critical websites, either directly or indirectly linked to the government. Mexico has not been exempted from this; in fact it has been named as one of the leading countries with a compromised cyber security.

There has, however, never existed a legal framework governing cyber space in Mexico, until recently when the “ The Legal Framework of Cybercrime and Legal Enforcement” was released. This was to serve both as a guideline in dealing with cybercrime and as a means of sensitizing the government and the people in general to act rapidly towards cybercrime.

## **Dealing with intellectual property copyright issues**

Intellectual property is an expression commonly used when talking of a document or an invention made by an individual or a group of persons that to a great extent involves the authors in much thinking. It has been hard in the recent past to detach this term from another common one in the globe, global information. Studies on intellectual property have been put in place, to question the ethical use of these innovations. Computer ethics crimes have been noted to be emerging at par with the rise of the technologies which they affect.

Efforts to protect intellectual properties have been made, a good indication being the founding of WIPO (World Intellectual Property Organization) whose

main purpose is to come up with laws that protect the intellectual properties. Though not followed to the latter and not by all people, at least this has given authors hope of achieving protection from ethical issues.

It should however be acknowledged that intellectual property ethical issues not only concern software piracy but it also covers other issues. It's also disturbing how far people who know what is unethical fight to make it ethical following their own moral values. The gradual multiplication of IT users has also contributed to a great extent to unethical issues in handling intellectual property.

As recorded in the Computer Crime Act, unauthorized access to information or systems is a criminal offense, just like any other and the criminal is subject to judgment in a legal court. This covers both crimes committed by people within the internal environment and those committed over the internet by external users.

## **Cybercrime issues**

This treaty covers various cybercrime issues and addresses them to the latter. These include the desire to create international awareness of the need to protect intellectual property, coordinating all the concerned parties to come up with a universally acceptable rule. It also covers the human rights involved in the use of these properties and in cases of criminality, expands more on hacking and its effects and cuddles the unique nature of internet use, providing for mechanisms to regulate this.

## **Purpose**

The purpose of this treaty is to foster protection of the intellectual property against copyright issues, unfair use and access by unauthorized users. It not only seeks to protect these materials but also to avoid conflicts with other laws, in trying to resolve crimes related to cyber space. This treaty will also link the Mexican cyber community to other internationally based countries and set an internationally acceptable set of guidelines that will be used to protect these materials.

This treaty also seeks to set high standards as regards the privacy of the materials it's concerned with. Confidentiality will be maintained and international cooperation enhanced by this treaty; also it gives some set code of conduct and prohibited conduct that governs the properties.

## **Use of the treaty**

There are numerous reasons as to why this treaty should be used. Chief among them is the fact that is so much appreciates and implements the security and privacy of the intellectual property. This is unlike other treaties that fail to consider this fact, exposing its users to dangers of access and failing to protect them once faced by these tragedies. It's also has a narrow scope, specifically dealing with intellectual properties. This alone is enough reason for it to be used since the users are sure that the treaty exploits all issues concerning these properties. Its narrow scope also means easier adaptability, understanding and flexibility of the treaty (Ty Inc. v. Clark, 2000).

This treaty is open ended and has been formed in an open forum, its

guidelines are therefore easy to adopt and it includes policies from other nations. This also explains why the treaty should be used, since all these cater for the diverse needs of its potential users.

Since its open ended, it can be used by individuals trying to protect their own properties, by organizations built to protect the rights of authors and by other parties with their own treaties who may wish to incorporate it into their plan. All these form the potential users of the treaty, all with diverse needs but working towards a common goal.

## References

Aust, A. (2007). *Modern treaty law and practice* (2nd ed.). Cambridge: Cambridge University Press.

Carr, I. (2009). *Computer crime*. Farnham England: Ashgate.

ECONOMIC POLICY PAPER ON Copyright, Trademark and Patent Protection.

(n. d.). [www. cybercrimelaw. net/documents/UN\\_12th\\_Crime\\_Congress. pdf](http://www.cybercrimelaw.net/documents/UN_12th_Crime_Congress.pdf).

Retrieved June 9, 2012, from [www. cybercrimelaw.](http://www.cybercrimelaw.net/documents/UN_12th_Crime_Congress.pdf)

[net/documents/UN\\_12th\\_Crime\\_Congress. pdf](http://www.cybercrimelaw.net/documents/UN_12th_Crime_Congress.pdf)

Garson, G. D., & Khosrowpour, M. (2008). *Handbook of research on public information technology*. Hershey, Pa.: IGI Global (701 E. Chocolate Avenue, Hershey, Pennsylvania, 17033, USA).

McQuade, S. C., Colt, J. P., & Meyer, N. B. (2009). *Cyber bullying: protecting kids and adults from online bullies*. Westport, Conn.: Praeger Publishers.

*Ty Inc. v. Clark* (2000) U. S. Dist. LEXIS.