

LEGAL LITERACY IN THE INFORMATION AGE
TEN (easy to understand) RULES OF THUMB

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RULE #1

The Internet isn't free.

Technological literacy has quickly outpaced legal literacy. The culture of free access to the Internet gets confused with the notion that everything on it is free for the taking. That's not true. The reality is that the Internet is part storefront, part library, part business office, part schoolhouse, part living room, and part the guy on the corner asking "wanna buy a watch?" What you can do on the Internet depends on which part you're using.

RULE #2

In cyberspace, you can break the law with the click of a mouse.

You don't have to physically touch anyone or physically take anything.

RULE #3

Snooping without permission is what *Peeping Toms* do.

Life is not a *Jerry Springer Show*. Despite culturally sanctioned voyeurism, privacy remains a core value in our society. It's true in our personal lives. It's true in business. Competitive advantage often rests on employees maintaining the confidentiality of proprietary information. The *Golden Rule* is a good rule.

RULE #4

Electronic shoplifting is nevertheless shoplifting.

There's something about the adrenaline rush that comes with walking out of a store without paying for something that gets lost online. And it gets even more complicated. In cyberspace, it's possible to take something and leave the original intact. It's easy to be left with the feeling that you're not *really taking* anything. But, as far as the law is concerned, it doesn't matter that you left the original intact. It doesn't matter that you can't afford something. It doesn't matter that it's only some big corporation that won't miss it anyway. It doesn't matter that the way they sell it isn't in the form you want to buy it. Shoplifting is shoplifting.

RULE #5

You don't have to *do* anything to *get* a copyright.

Copyright protection begins when you create something. You don't need to register it. You don't need to put a copyright notice on it. (But so many people don't know this; it's a good idea to do it anyway.) These are the rules because Congress wrote them that way. It's as simple as that.

RULE #6

Owning a copy is not the same as owning a copyright.

In the Information Age it's easy to get confused about what you're buying. For example, when you buy a piece of software, you own a disk with electronically stored code. The disk is tangible. The code is intangible. The rules of law governing tangible property are different from the rules of law governing intangible property. Owning a piece of software is like renting an apartment. You own the disk and bought the right to use the code. You don't own the code.

RULE #7

Borrowing a book isn't the same as borrowing software.

Typically, when you borrow a book, its owner doesn't keep a copy. When you *borrow* software, its owner often does. That is, the code remains on his or her hard drive. It's against the law for the owner of a software disk to *lend* the software disk while keeping a copy of the code on his or her hard drive.

RULE #8

If you wouldn't write it on company letterhead or post it to a company web site, don't send it via company e-mail.

The rules of etiquette apply despite the informality of electronic communication. Water cooler gossip belongs at the water cooler.

RULE #9

Your personal life belongs on your personal account.

Employers are legally entitled to restrict your personal use of company property. Employers can monitor your use of company property and aren't necessarily required to tell you about it.

RULE #10

Respect your hard drive!

Hard drives don't lie. Hard drives don't forget. Your hard drive can and will be used against you in a court of law!

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