Licenses; human subjects data

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Intellectual property

- Manuscripts/journal articles
- Books
- Software
- Data sets
- Ideas, inventions
- Lab/research notebooks
- Instructional materials
- Web sites
IP protection

- Copyright
- Patents
- Trademarks, Trade “dress”
- Trade secrets
Copyright

- Copyright is automatic
- In “works for hire,” the employer holds the copyright
- In academics, it is customary that researchers control copyright
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- In academics, it is customary that researchers control copyright
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Breaking copyright $\iff$ plagiarism

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CC licenses: issues to consider

- **BY** may be an unnecessary hassle.
- **CC-BY** on a paper would allow a company to include it in a book
  - but maybe you don’t care
- **ND** is really restrictive
  - all or none
  - no modifications at all
- **NC** means people in a company can’t use it at all
  - might not be usable within a course
Data copyright

- Individual data points are generally considered facts
  - Can’t be copyrighted

- Compilations of data can be copyrighted
  - Involves some creativity, so an “original work of authorship”

- But someone can just extract and reformat the data

- Can assign a license to the data files to prevent extraction and redistribution

- See bitlaw.com/copyright/database.html
Keep data open

- Cite the source; cite the relevant papers
- Talk to the originator of the data
  - Even if redistribution is legal, don’t piss them off.
- For your own data, use **CC0** (public domain)
- If you want more control, talk to a lawyer
Human subjects research

- Avoid human subjects research
Human subjects research

▶ Avoid human subjects research
   (just kidding!)
Human subjects research

- If there are humans involved, they’re human subjects
  - e.g., surveys

- Human subjects research must be reviewed by an Institutional Review Board (IRB)

- Not everything is research
  - e.g., data used solely in a course

- Most things are research
  - If you publish a paper about it, it’s research

- Anonymized data may be exempt
  - But the IRB wants to make that determination
HIPAA

- HIPAA = Health Insurance Portability and Accountability Act of 1996
- Special rules about medical data with any identifying information
  - Private
  - Secure
- Full zip code may be considered identifying information.
- Dates of test results are considered identifying information.
Summary

- Pick a license, any license
- Use MIT or GPL for software
- Use CC0 for data
- Cite sources of software and data
- Talk to the source of data
- Be careful with human data
  - If you’re unsure, ask for help