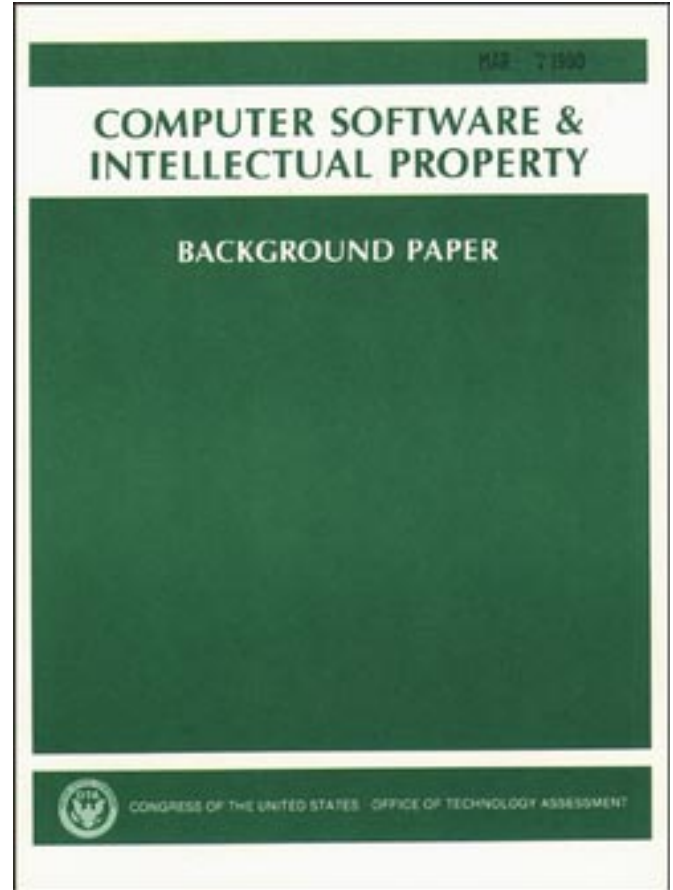


Computer Software and Intellectual Property

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Foreword

In the past, programming was viewed as a support activity for computer hardware or as a hobby for “hackers.” As the software industry matured, it has become less driven by technology and more concerned with the needs of users and the demands of the market. Today software is a lucrative industry of its own, amounting to some \$60 billion per year in domestic sales and services. Internationally, the United States dominates the software market, holding the edge in innovation over Western Europe, Japan, and the Soviet Union. Accompanying this growth and maturity has come concern about the amount and type of intellectual-property protection available for software.

This background paper examines existing intellectual-property protection for computer software—copyrights, patents, and trade secrets—and provides an overview of the often conflicting views and concerns of various stakeholders. It was prepared in response to a request from the Subcommittee on Courts, Intellectual Property, and the Administration of Justice of the House Committee on the Judiciary.

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