

**Information and Communications Technology Industry Training Advisory Committee  
Software Products and Software Services (SW) branch  
Unit of Competencies**

1. Title	Protect intellectual property rights and data privacy, and observe relevant laws	
2. Code	ITSWG505A	
3. Range	Protect intellectual property rights and data privacy within the context of upholding ethics and professionalism in an organisation [Generic Skills – Ethics and Professionalism – Business Ethics]	
4. Level	5	
5. Credit	4	
6. Competency	<p>6.1 Know the intellectual property rights and data privacy requirements</p> <p>6.2 Understand the legal protection applicable to copyright work</p> <p>6.3 Understand different types of licenses</p>	<p><u>Performance Requirement</u> Be able to</p> <ul style="list-style-type: none"> <li>▪ identify the various legal and regulatory rights to protect the company data and results of creative effort</li> <li>▪ identify different types of intellectual property such as: <ul style="list-style-type: none"> <li>➢ copyright which covers literary, dramatic and musical works, artistic works, cinematographic films, sound recordings, broadcasts, published editions;</li> <li>➢ patents</li> <li>➢ trademarks</li> <li>➢ trade secret</li> </ul> </li> </ul> <p>Be able to</p> <ul style="list-style-type: none"> <li>▪ understand the Copyright Acts in different countries</li> <li>▪ understand the Doctrine of Faire Use and identify the cases for applying “fair” and “unfair” of usage</li> </ul> <p>Be able to</p> <ul style="list-style-type: none"> <li>▪ distinguish various types of licenses in relation to any of the exclusive rights owned by the copyright owner including: <ul style="list-style-type: none"> <li>➢ fixed term or indefinite period</li> <li>➢ over a particular geographical area or industry section</li> <li>➢ exclusively or non-exclusively</li> <li>➢ using a copy in a certain way/certain number of times</li> </ul> </li> <li>▪ identify public domain and royalty materials</li> </ul>

	<p>6.4 Respect and protect the proprietary interests of the information owners</p> <p>6.5 Make protection for the data privacy</p> <p>6.6 Perform the protection of intellectual property and data privacy in a professional way</p>	<p>Be able to</p> <ul style="list-style-type: none"> <li>▪ prepare the Copyrights Guidelines for the members of organization</li> <li>▪ protect against copyright infringement activities in the organization</li> <li>▪ raise the level of awareness about the copyright infringement in the organization</li> <li>▪ reject any job assignments that infringe on copyrights</li> <li>▪ identify the copyright ownership for outsourcing works and draw the attention on the copyright issue during the contract preparation</li> <li>▪ seek copyright clearance through Clearinghouses, Stock Houses, Multimedia Networking Legal Counsel</li> </ul> <p>Be able to launch appropriate measures according to the various principles</p> <ul style="list-style-type: none"> <li>▪ Collection limitation principle</li> <li>▪ Data quality principle</li> <li>▪ Purpose specification principle</li> <li>▪ Use limitation principle</li> <li>▪ Security safeguards principle</li> <li>▪ Openness principle</li> <li>▪ Individual participation principle</li> </ul> <p>Be able to perform the protection of intellectual property and data privacy</p> <ul style="list-style-type: none"> <li>▪ in an efficient and effective manner</li> <li>▪ in accordance with the organization's policies and procedures</li> <li>▪ in accordance with local and international laws and regulatory requirements</li> <li>▪ with the endorsement of stakeholders involved</li> </ul>
7. Assessment Criteria	<p>The integrated outcome requirements of this UoCs are the abilities to:</p> <p>(i) protect intellectual property such that no copyright infringement activities are carried out in the organization; and</p> <p>(ii) make protection to the data privacy such that there is no leakage of personal data in all information systems managed by the organizations.</p>	
Remark		