



(Knowledge for Development)

KIBABII UNIVERSITY

**UNIVERSITY EXAMINATIONS
2020/2021 ACADEMIC YEAR**

**END OF SEMESTER EXAMINATIONS
YEAR FOUR SEMESTER TWO EXAMINATIONS**

**FOR THE DEGREE OF
BACHELOR OF SCIENCE COMPUTER SCIENCE**

COURSE CODE : CSC 422

**COURSE TITLE : LEGAL & ETHICAL ISSUES IN
COMPUTING**

DATE: 28/09/2021 TIME: 02:00 P.M – 04:00 P.M

INSTRUCTIONS TO CANDIDATES

ANSWER QUESTIONS ONE AND ANY OTHER TWO.

QUESTION ONE (COMPULSORY) [30 MARKS]

- a. i. Computer scientists at Kibabii University study Ethics as a compulsory course. As one of the students do you think that as being noble idea? [1 Mark]
- ii. Give reasons for your answer above. [2 Marks]
- b. i. Ethical standards make sense only if they equally apply to everyone. Can this statement be said to be true by replacing ethics with morals? [2 Marks]
- ii. Immanuel Kant, John Stuart Mill and John Locke.
- iii. What area of study do the above three people have in common [2 Marks]
- c. i. Illustrate your understanding of the relationship between laws and ethics [4 Marks]
- ii. Why is it important for a computer scientist to understand what a contract is and what contracting entails? [3 Marks]
- d. i. In the absence of law, there still exists some form of 'law' called liability. Describe what it entails. [3 Marks]
- ii. Discuss two components of liability [4 Marks]
- e. i. "People with ideas – people who own ideas – have more power than people who work machines and, in many cases more powerful than the people who own machines."
(Howkins, 2002). Do you agree with this statement? [3 Marks]
- ii. What is a patent? [2 Marks]
- iii. Why is a patent important to a computer scientist? [2 Marks]

QUESTION TWO[20 MARKS]

a. i. As an ICT manager in your company you are faced with an ethical decision to make. Between subjective relativism and cultural relativism which one will influence you more to make a decision on the matter? [4 Marks]

ii. Detail the arguments against cultural relativism [3 Marks]

iii. What is the relationship between personal character traits and the success or failure in a decision making position? [4 Marks]

b. i. Differentiate between consequential damage and aggravated damage awarded to a client for a breach of contract. [4 Marks]

ii. Simplify to your friend what libel and slander are with illustrations that may occur in a computing environment. [5 Marks]

QUESTION THREE [20 MARKS]

As a computing student at Kibabii University, Louisa uses Google's email gmail and also stores her stuff in the Google drive, all for free. After school she seeks employment with MabatiniTech, an ICT content development company in Nairobi which develops much content that Google uses. The company in it's background checks asks Google to share with them any information they have appertaining to Louisa which Google does without consulting her.

a. i. Which ethical system theorizes best the above illustration? Give two reasons [2 Marks]

ii. Would you consider the above to be a legal or ethical issue? Give reasons [2 Marks]

iii. Between Google and MabatiniTech, who is on the wrong in your opinion [3 Marks]

Louisa later learns that she missed the job due to some information given to MabatiniTech by Google and she decides to go to court and sue Google. This becomes the first case of its kind in Kenya

- b. i. Why will this case be of special interest? [2 Marks]
- ii. Under which type of law will this issue best fit to come up for hearing? [2 Marks]
- c. i. What is a crime? [1 Mark]
- ii. Using legal jargon, explain to your friend the distinction between less serious offenses and more serious offenses. [4 Marks]
- d. Show your understanding and ability to distinguish between civil and criminal law to someone who seeks your assistance. [4 Marks]

QUESTION FOUR [20 MARKS]

a. Erickson a student at Kibabii University is a renowned neoclassical poet. Recently he gave a poetry recital at the first year's induction ceremony held at the University. On this occasion, he extemporized his poetry, that is to say he made it up on the spot. Mario Maina, a first year student with an exceptional memory, returned to the hostels afterwards and wrote down from memory one of Erickson's extemporized poems. He published it in a local daily under the name "Conversations."

- i. Does Erickson have a claim for copyright infringement against Mario? [2 Mark]
- ii. Who owns the poem? [2 Marks]
- ii. Evaluate different rights that copyright provides the owner of an original work. [4 Marks]

b. An undergraduate course required for graduation has a reputation for being extremely hard to pass, much harder than similar courses. When posting materials to the class website, the teacher accidentally posts a test with answers indicated at the end. The teacher notices the error immediately and deletes the test, but before he does so a student downloads the test. The website does not allow the teacher to see whether the test was downloaded, and because he deleted the test with the answers so quickly, the teacher later uploaded the same test without the answers and required students to take the test. The Student Code of Ethics prohibits students from taking a test when there is reason for them to believe they have confidential information regarding the answers to a test they are not supposed to have. Violations of the Student Code of Ethics are punishable.

- i. What are the issues of integrity, ethics and law posed in the case study? [6 Marks]
- ii. What options do the teacher and the student have? [3 Marks]
- iii. What should they do and why? [3 Marks]

QUESTION FIVE [20 MARKS]

You are working for a private company as the lead developer on a new computer controlled device for carrying out intricate and delicate eye surgery that is planned to be much more accurate than previous devices. The computer controls direction, intensity and timing of a beam allows surgeons to save patients eyesight. However, delays have put the project behind schedule, it is not fully tested and the deadline for delivery to hospitals is approaching.

Your manager wants you to authorize the delivery of the devices to hospitals on time so that the machines can be immediately used on patients, even though he is aware that the planned testing is not complete. He threatens to fire you if you do not.

Identify the stakeholders then discuss the legal, ethical, social and professional implications of both following and not following your manager's instructions and come to a conclusion.

[11 Marks]

Rozzy Fashion is a large African clothes outlet for leading brands in many cities in Africa. The company is considering creating a 'try-it-online' web site for customers to visualize through the web site how clothes look on themselves. Rozzy Fashion is not the first company to provide an online provision of this type.

a) Explain how Rozzy Fashion can protect its intellectual property for the new service using:

i) Trademarks,

[3 Marks]

ii) Copyright and design rights, and

[3 Marks]

iii) Domain names.

[3 Marks]