

# What if patents applied to literature?

By *srlinuxx*

Created 11/03/2005 - 2:37pm

Submitted by srlinuxx on Friday 11th of March 2005 02:37:17 PM Filed under [Legal](#) [1]

I'd like to compare software with another field whose work is also principally protected by copyright - literature. Perhaps the comparison seems odd to you, but I assure you that software developers are just as involved with their programs as any author is with his next novel. The creative process is just as difficult, and the protection offered by copyright is just as strong. The law certainly sees no difference between an artful sonnet and a carefully crafted subroutine.

Most authors do not write bold avant garde novels. They work to find their own distinctive voice within established genres. Is the work of J.K. Rowling diminished by the debt she owes to J.R.R. Tolkien or Thomas Hughes? No. She has taken ingredients from the best of her predecessors, added her own special magic and created something that is wholly her own [The Inspiration for Harry Potter].

Now imagine a literary world restricted by patents. A patent protects not just the work itself, but the idea behind the work.

[Full Story](#) [2].

[Legal](#)

---

**Source URL:** <http://www.tuxmachines.org/node/262>

## Links:

[1] <http://www.tuxmachines.org/taxonomy/term/106>

[2] <http://www.kuro5hin.org/story/2005/3/9/93357/91614>