



Entertainment Industry Targets Individual Downloaders

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The entertainment industry, led by the Recording Industry Association of America (RIAA), plans to clamp down on file sharing and downloading this September with legal action against individual users.

Because the industry can't touch the file sharing services themselves – though that is currently in the 9th Circuit Court of Appeals -- the music industry has targeted individuals and the communications companies that provide them with Internet access. Starting this month, the RIAA plans to start filing hundreds of lawsuits against individual listeners. People caught with copyrighted songs on their computer could be fined up to \$150,000 per song.

Every computer that signs onto the Internet is assigned an identity, a set of numbers known as an IP (Internet Protocol) address. Internet service providers, like Verizon Internet Services, keep logs of what files travel to and from the IP addresses on their networks. Using “digital fingerprints” – bit patterns unique to each file – the RIAA can log onto a network and match the files at any of the IP addresses with their library of protected material. This way, the RIAA can tell where those files came from – whether it was a legally purchased CD or downloaded off the Internet. The RIAA already says it traced nearly 1,000 songs to a Brooklyn woman's IP address and is trying to force Verizon to identify her.

Privacy vs. Property

Internet advocates argue that allowing the entertainment industry to use communications companies and other technology to identify users is an invasion of privacy.

"In combating Internet piracy, we are destroying the opportunity of the Internet to serve as a tool for extraordinary creativity and innovation," Lawrence Lessig, a professor at Stanford University and an expert on Internet law, said.

But the entertainment industry, which includes movie, music and television companies, says it isn't a question of privacy, but of property.

“Why should you pay for a CD at a record store when you can get it for free simply by slipping it into your pocket and heading out the door?” the RIAA said in a press release, arguing that illegal downloading means millions of dollars in lost revenues. “Unauthorized downloading is just as illegal as shoplifting, and it is every bit as wrong.”

Peter Chernin, chief operating officer of the media giant News Corporation, which includes Twentieth Century Fox Studios and Fox Television, says 50 percent of the motion picture industry's revenue comes from DVD and video sales.

"If all these products are pirated and stolen on the Internet ... if 50 percent of the income for this business goes away, the business is over as we know it," he said.

School of hard knocks

Because so much of the file sharing that goes on happens on university campuses, when students often get their first taste of high speed broad band Internet connections, school administrators are under pressure to do something about the file sharing going on through their networks.

UC Berkeley is including an orientation session for incoming students that not only teaches how to connect to and use the Internet, but also warns about the dangers of downloading copywritten material. Students' access can also be cut off if they transfer more than five gigabytes worth of files per week.

Other universities are cracking down by using software that blocks song-swapping on their network. And some are looking into making a download fee part of room and board, so that students can buy the music legally.

"If music is that important to our students, some of the things we might do is simply provide the music to them," said Graham Spanier, president of Penn State University.

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