

DIGITAL



BRIDGES

# Latest News From the Front

Tom Knox '84

# Hot Off the Press!

- P2P File Sharing
- Digital Rights Management
- Terms of Service
- Electronic Surveillance
- Expectations of Privacy

# P2P File Sharing

- Verizon Case Reversed!
  - DMCA subpoena power only available in cases where offending content is *stored* by ISP
  - Verizon does not have to release the names of its subscribers to the RIAA
- MGM v. Grokster
  - No contributory copyright infringement by software vendor

# Digital Rights Management

- Digital copies are perfect copies
- DMCA: Illegal to try to beat copy protection
  - But what ever happened to fair use, reverse engineering?
- DeCSS case: Dropped, but beware DMCA
- HDTV rollout: Delayed
- Digital music players: Incompatible

# Terms of Service

- Click-through agreements are enforceable, so ignore them at your peril
  - Warning: You'll have to sue AOL in Virginia
- Terms of Service on web sites might not be enforceable if you aren't required to read them

# Electronic Surveillance

- US VISIT
  - Photograph and fingerprint millions of non-US visitors
  - Some countries exempt
- CAPPS 2
  - Airlines to submit your personal info to gov't
  - You'll get a risk score and live it
  - Is everyone safer?

# Expectations of Privacy

- None in the work place
- Little in private life
- Ever read a privacy policy?
- Is help on the way?
  - Federal Trade Commission
  - NY and CA
  - European example

# Questions

- How do we balance artists' rights against users' desire to share and use content on variety of devices?
- Do we value convenience more than privacy?
  - EZPass, Amazon OneClick, Preferred Traveler
- As business owners, what do we do when law enforcement wants customer data?
  - AOL, Airlines, Verizon