

Re: OT (sort of anyway) – Now get this, it may be illegal to turn on your computer...

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Source: <http://linux.derkeiler.com/Mailing-Lists/Fedora/2007-12/msg04303.html>

- *From:* Todd Zullinger <tmz@xxxxxxxxxx>
 - *Date:* Sun, 30 Dec 2007 22:51:21 -0500
-

(This is **really** far off topic IMO.)

Craig White wrote:

get a load of this...it's not something someone can just make up

No, but reporters that want to sensationalize a story can do as much or more damage by just selectively quoting and not providing context (as well as not have much of a clue about the legal system or in general).

<http://www.washingtonpost.com/wp-dyn/content/article/2007/12/28/AR2007122800693.html>

Clearly Apple, Microsoft et al. are turning us into lawbreakers (probably Fedora too)

Bah to piss poor reporting. Where's the link to the case in question in that article? Why don't they quote more of it?

I am in no way a sympathizer with the RIAA and their tactics. However, I do have a soft spot for accurate information, and in this instance, the reporting is just plain inaccurate. Whether that is due to an agenda on the part of the article's author or just good, old fashioned ineptitude, I leave to the readers. (I believe Hanlon's razor may be appropriate here.)

A slightly larger quote from the brief in question[1]:

Virtually all of the sound recordings on Exhibit B are in the ".mp3" format. (Exhibit 10 to SOF, showing virtually all audio files with the ".mp3" extension.) Defendant admitted that he converted these sound recordings from their original format to the .mp3 format for his and his wife's use. (Howell Dep. 107:24 to 110:2; 114:1 to 116:16). The .mp3 format is a "compressed format [that] allows for rapid transmission of digital audio files from one computer to another by

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electronic mail or any other file transfer protocol." Napster, 239 F.3d at 1011. Once Defendant converted Plaintiffs' recording into the compressed .mp3 format and they are in his shared folder, they are no longer the authorized copies distributed by Plaintiffs. Moreover, Defendant had no authorization to distribute Plaintiffs' copyrighted recordings from his KaZaA shared folder.

I have not read the entire brief, but what I read above indicates that the position of the RIAA in this case is not that simply ripping a CD is unlawful, but that ripping it and putting it the shared folder of a tool like KaZaA is what constitutes "unauthorized copies" of copyrighted work.

I happen to think the RIAA are scum and that their lawsuits against file sharing users will only continue to hurt record sales. But I'm also appalled at the lack of attention to detail by the Washington Post. Of course, I'm not surprised. I don't expect to get accurate reporting from any major news media these days. :)

[1] http://www.ilrweb.com/viewILRPDF.asp?filename=atlantic_howell_071207RIASupplementalBrief

Todd OpenPGP -> KeyID: 0xBEAF0CE3 | URL: www.pobox.com/~tmz/pgp

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Until you spread your wings, you'll have no idea how far you can walk.

— Demotivators ([www.despair.com](http://www.despair.com))

**Attachment:** [pgpEfwIq1mm1e.pgp](#)

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