

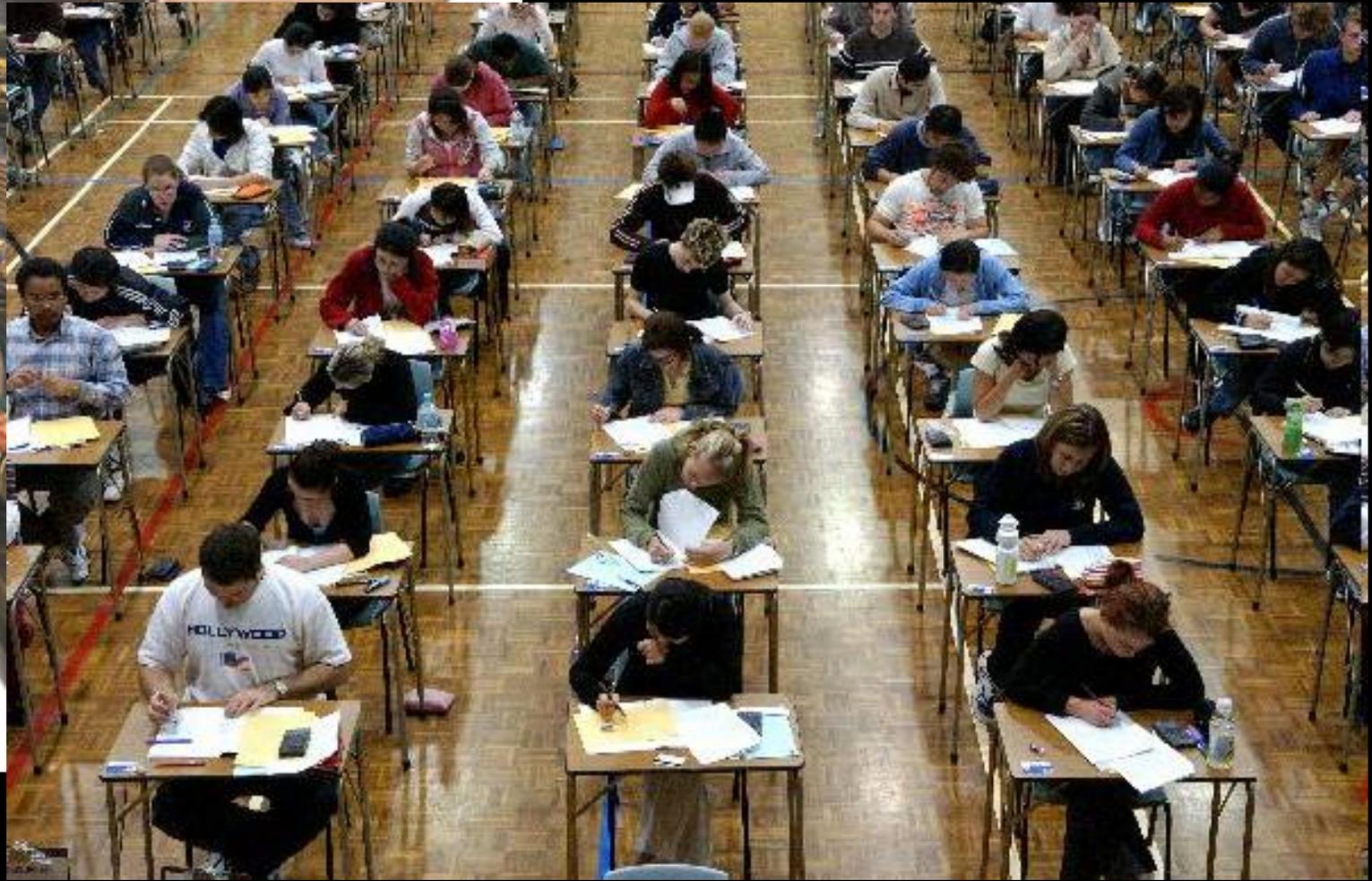
**The role of 'ancient'
regulation in the teaching of
a copyright LLM course**

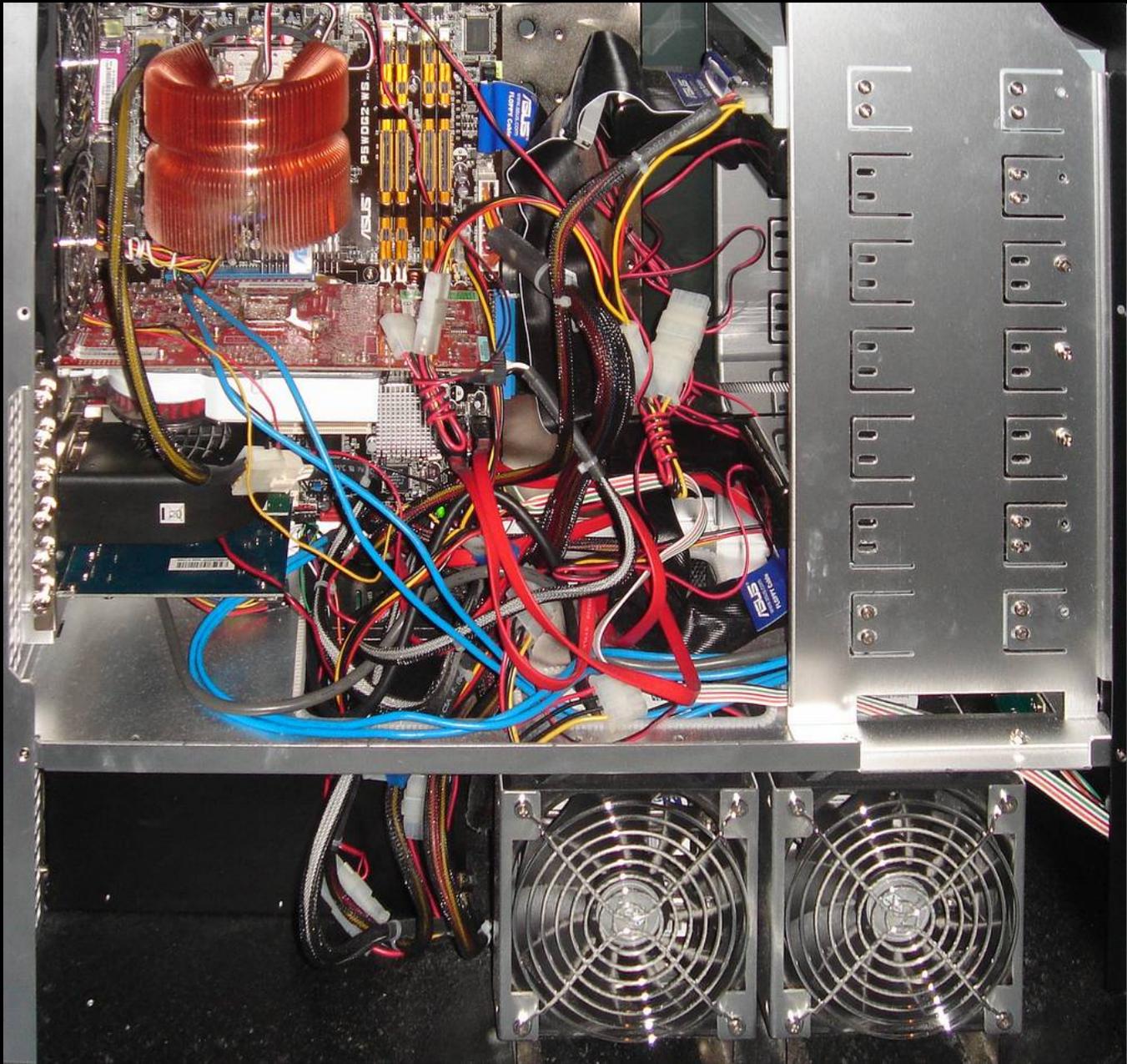
**James Griffin,
University of Exeter**

Setting the scene

digital technology







```
navbar.htm - Notepad
File Edit Format View Help
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<body bgcolor="#ffffff"
onLoad="MM_preloadImages('showroomoverf2.gif','showroomdownf3.gif','news_
eventsoverf2.gif','news_eventsdwnf3.gif','ownersoverf2.gif','ownersdownf
3.gif','financial_svcsoverf2.gif','financial_svcsdwnf3.gif','previewsove
rf2.gif','previewsdwnf3.gif');">
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fwdocid = "1976519683" fwnested="0" -->
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<td><a href="http://www.macromedia.com"
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onMouseOver="MM_nbGroup('over','showroom','showroomoverf2.gif','showroomd
ownf3.gif',1);"
onClick="MM_nbGroup('down','navbar1','showroom','showroomdownf3.gif',1);"
></a></td>
<td><a href="http://www.macromedia.com"
onMouseOut="MM_nbGroup('out');"
onMouseOver="MM_nbGroup('over','news_events','news_eventsoverf2.gif','new
s_eventsdwnf3.gif',1);"
onClick="MM_nbGroup('down','navbar1','news_events','news_eventsdwnf3.gif
',1);"></a></td>
<td><a href="http://www.macromedia.com"
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onMouseOver="MM_nbGroup('over','owners','ownersoverf2.gif','ownersdownf3.
gif',1);"
onClick="MM_nbGroup('down','navbar1','owners','ownersdownf3.gif',1);"><im
g name="owners" src="owners.gif" width="131" height="40" border="0"
alt=""></a></td>
<td><a href="http://www.macromedia.com"
onMouseOut="MM_nbGroup('out');"
```

WinInfo - Microsoft Word Enterprise Edition

File Edit View Insert Format Tools Table Window Help

Normal Times New Roman 12 B I U

Judge in Java Hearings Suggests Sun Go to Trial

With a second day of hearings completed in Sun Microsystems' lawsuit against Microsoft, a federal judge unexpectedly recommended that Sun to consider easing its complaint against the software giant and let the case go to trial. Though he didn't explain the comments further, Judge J. Frederick Motz said that Sun might consider dropping its preliminary injunction to force Microsoft to bundle Java with Windows, and set aside its claim for over \$1 billion in damages. Sun said it would consider the advice. If Sun had been granted a preliminary injunction, Microsoft would have been forced to bundle Sun's Java version with Windows immediately. But doing so would require Sun to show that Java will suffer immediate and irreparable damage because of Microsoft's actions toward the Sun technology.

Legal experts believe that Motz is basically providing Sun with a way to fast track its case against Microsoft, since the damage claim would require lengthy hearings. Besides, as Motz noted in a previous decision, Microsoft's liability was already established through the Findings of Fact in the software giant's wider antitrust case, much of which Motz ruled is applicable in the Sun case.

In two short days of hearings, Motz has been decidedly friendly to Sun's request that Microsoft be forced to bundle Sun Java with the monopoly Windows operating system. Tuesday, for example, Motz said the bundling plan was an "elegant solution."

In the Wednesday hearings, economist Dennis Carlton, a Sun witness, said that Microsoft was overstating Java usage in the market, because much of the installed base was Microsoft's outdated, incompatible version. Interjecting at this point, Motz did a decent

Home

Open

- WinInfo
- Office 11 Preview
- CHEX Short Takes
- 021031 VMWare
- More...

New

- Blank Document
- Templates on Microsoft.com
- More...

Office on Microsoft.com

Search

All Office on Microsoft.com

Example: "monthly calendar template"

Spotlight

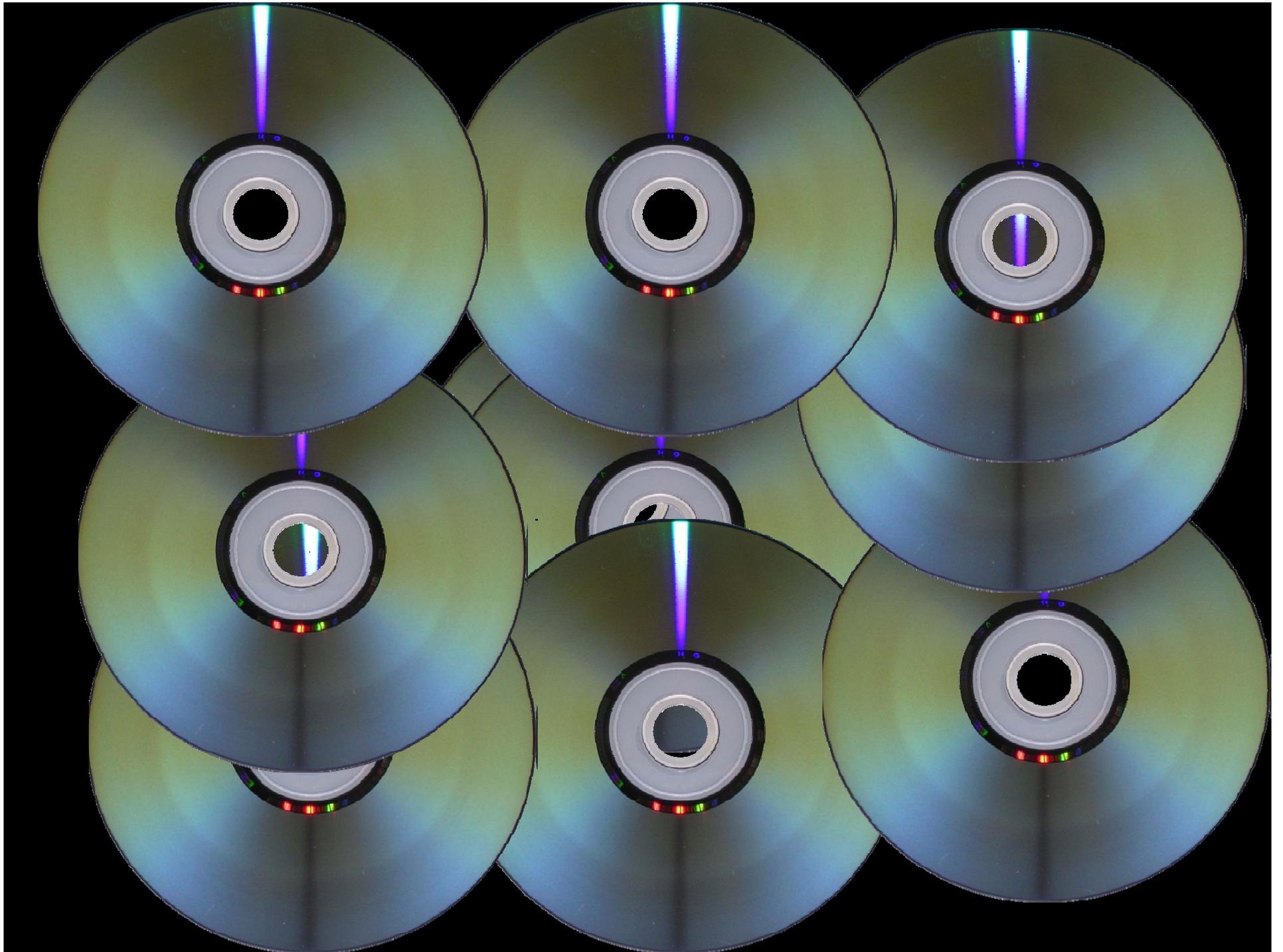
- Welcome to the Office 11 Beta
- Enter a bug
- Read newsgroups
- More...

Page 1 Sec 1 1/2 At 1" Ln 1 Col 9 REC TRK EXT OVR

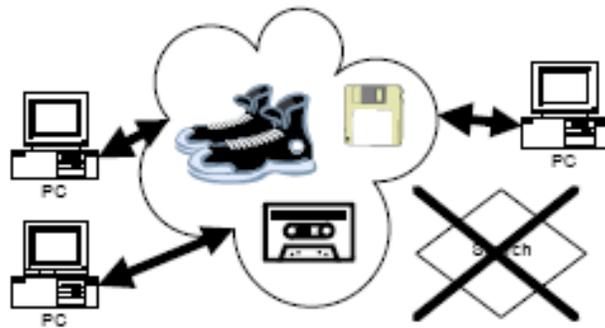
start WinInfo - Microsoft ... 1:50 PM



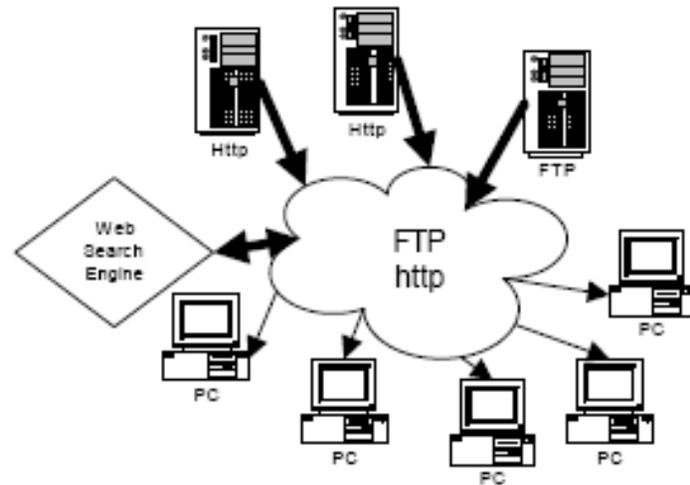




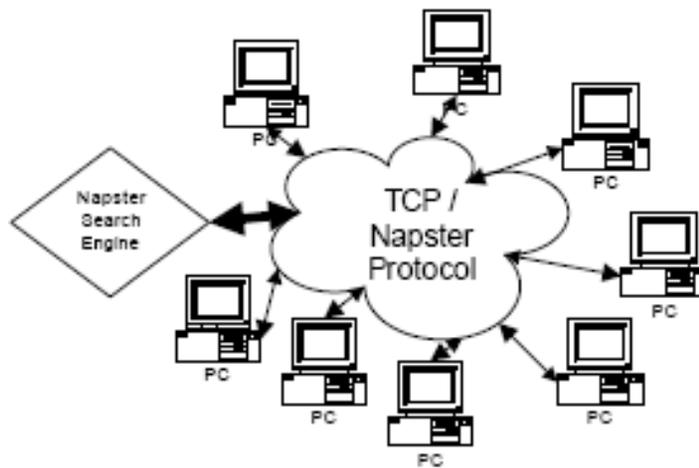
(a) - "Sneaker Net"



(b) - The World Wide Web



(c) - Napster



(d) - Gnutella

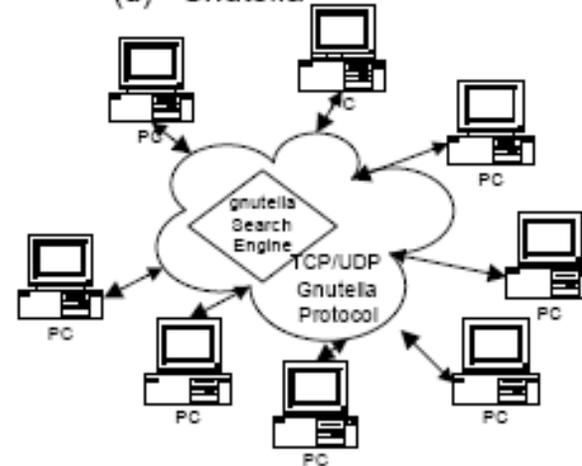


Figure 1: Historical evolution of the Darknet. We highlight the location of the search engine (if present) and the effective bandwidth (thicker lines represent higher bandwidth). Network latencies are not shown, but are much longer for the sneaker net than for the IP-based networks.

P2P Search

Quick | **Advanced**

Search for:

linux

Performing search, please wait...

Everything
 Audio Playlists
 Documents Software
 Images Video

Upgrade to
grokster pro
 AD-FREE & AD-WARE FREE!
 For only \$29.95! Download Now

Start | linux (123) x | linux (5) x



[SUSE Linux Prof 9.3](#)
\$89.99

Buy from amazon.com



[Linux Pocket Guide](#)
\$9.95

Buy from amazon.com



[Linux ThinkGeek T-shirt!](#)

Buy from amazon.com

Title	Developer	Size	Preview	Price	Download	Integrity	User	ETA	Bandw
Learning Linux - Coll...	Unknown	22,621KB			Download		Vortex2wir...	0:46:24	
Complete Linux Co...	Unknown	5,004KB			Download		Don_Gorgo...	11:07:19	
Win Linux (2)	Unknown	220,175KB			Download		2 Users	244:38:...	
10 Minute Guide to P..	Unknown	44KB			Download		Don_Gorgo...	0:05:56	
Red Hat Linux 6 Unl...	Red Hat	2,069KB			Download		lexicondevi...	4:35:52	

Web Search



Free cursors for your screen!
[Click here!](#)



Top level content

APIs [Application Programming Interface]

Core OS code

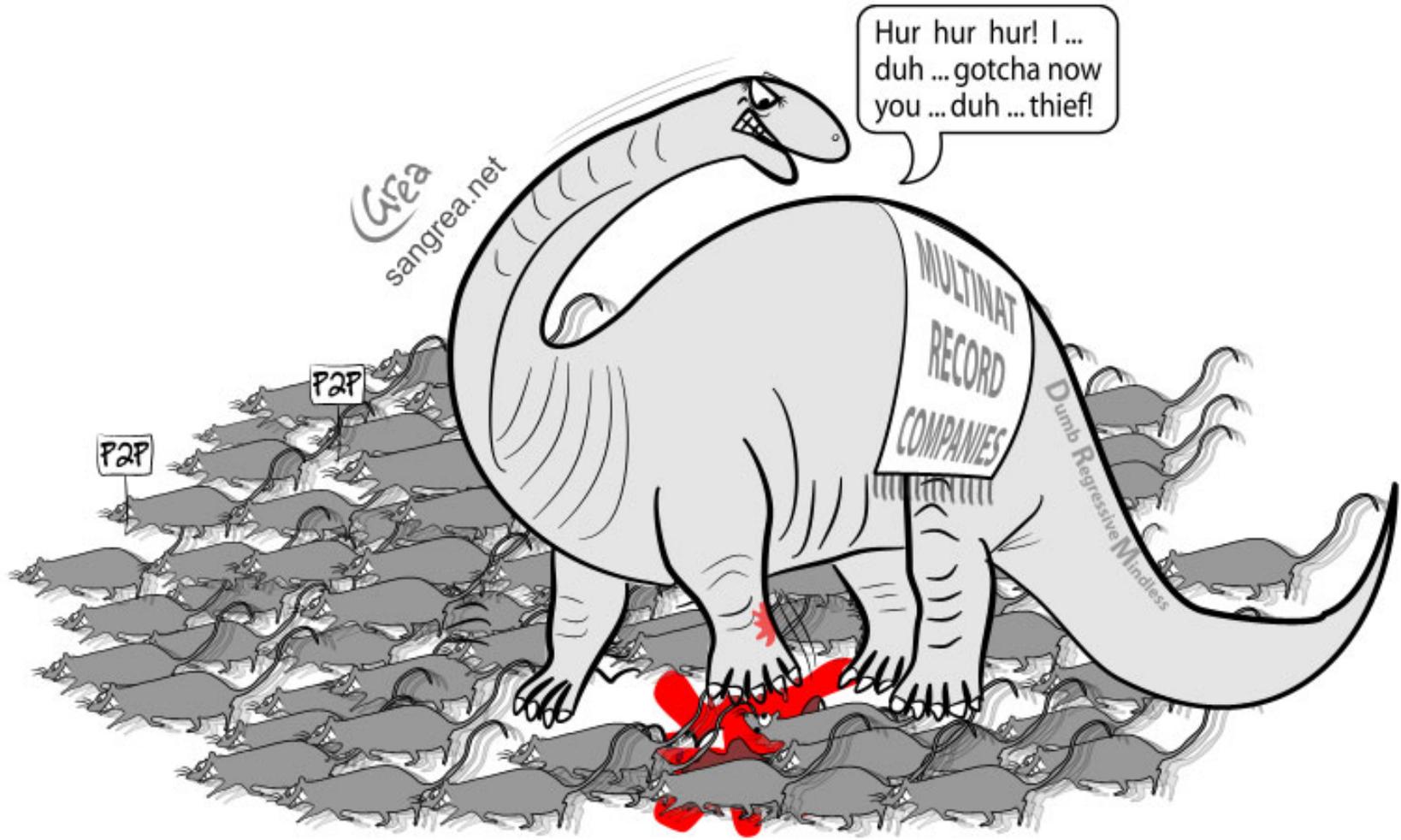


Top level content

DRM

Core OS code





Hur hur hur! I ...
duh ... gotcha now
you ... duh ... thief!

Grea
sangrea.net

MULTINAT
RECORD
COMPANIES

Dumb Regressive Mindless

P2P

P2P

iPod+iTunes+DRM



DefectiveByDesign.org



DIGITAL RIGHTS MANAGEMENT

On-demand delivery of digital movies and television could produce enormous revenues for the entertainment industry. But fears of rampant piracy — and a lack of consensus on how to prevent it — are slowing the adoption of new technologies that could make it possible.

by Patrick Gregston



An example of a DRM measure

The example of DVDs:

SUBTITLE TRACKS:

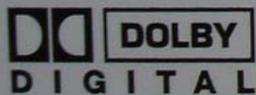
English* *Deaf and Hard of Hearing*
German*
Dutch*

SOUNDTRACK:

English  **5.1**
German  **5.1**



**Menu Screens available in these languages*



The example of DVDs:

"DVD Licensing Authority" /CSS

SUBTITLE TRACKS:

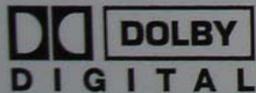
English* *Deaf and Hard of Hearing*
German*
Dutch*

SOUNDTRACK:

English  5.1
German  5.1



**Menu Screens available in these languages*



```
0x13,0x73,0xd3,0x33,0xd3,0x33,0x93,0x13,0xe3,0x63,0xa3,0x23,0xc3,0x43,0x83,0x03,
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0xfe,0x7e,0xbe,0x3e,0xde,0x5e,0x9e,0x1e,0xee,0x6e,0xae,0x2e,0xce,0x4e,0x8e,0x0e,
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0xf2,0x72,0xb2,0x32,0xd2,0x52,0x92,0x12,0xe2,0x62,0xa2,0x22,0xc2,0x42,0x82,0x02,
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0xf8,0x78,0xb8,0x38,0xd8,0x58,0x98,0x18,0xe8,0x68,0xa8,0x28,0xc8,0x48,0x88,0x08,
0xf0,0x70,0xb0,0x30,0xd0,0x50,0x90,0x10,0xe0,0x60,0xa0,0x20,0xc0,0x40,0x80,0x00
```

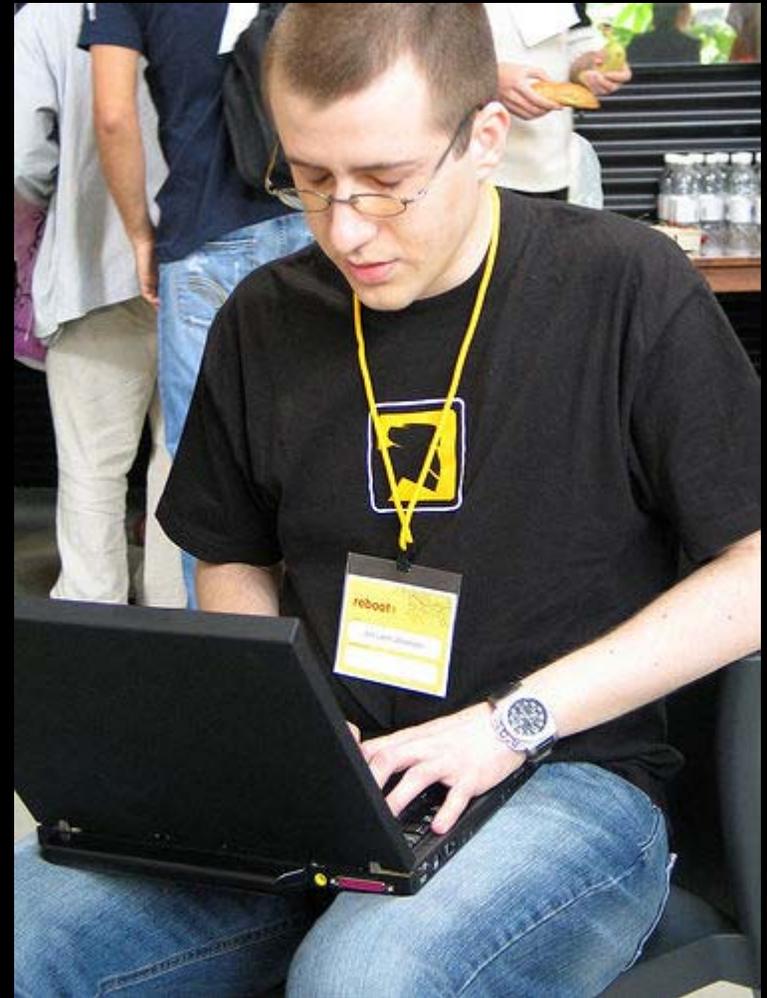
```
};
```

```
void CSSdescramble(unsigned char *sec,unsigned char *key)
```

```
{
    unsigned int t1,t2,t3,t4,t5,t6;
    unsigned char *end=sec+0x800;

    t1=key[0]^sec[0x54]|0x100;
    t2=key[1]^sec[0x55];
    t3=*((unsigned int*)(key+2))^*((unsigned int*)(sec+0x56));
    t4=t3&7;
    t3=t3*2+8-t4;
    sec+=0x80;
    t5=0;
    while(sec!=end)
    {
        t4=CSStab2[t2]^CSStab3[t1];
        t2=t1>>1;
        t1=((t1&1)<<8)^t4;
        t4=CSStab5[t4];
        t6=((((((t3>>3)^t3)>>1)^t3)>>8)^t3)>>5)&0xff;
        t3=(t3<<8)^t6;
    }
}
```

- **Jon Johanssen**



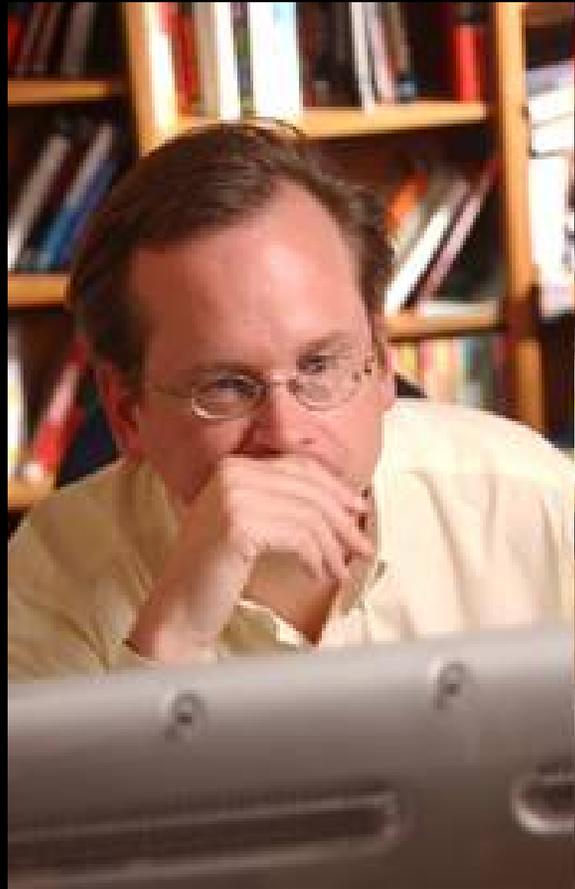
Options

- 1. Become as skilled in circumvention**
- 2. Find a “hacked” copy**
- 3. Find a circumvention program**

What is all this about?

.... architecture





**# “Traditional IP
teaching”**

Subsistence

Infringement

Defences

Licensing

But what about.....

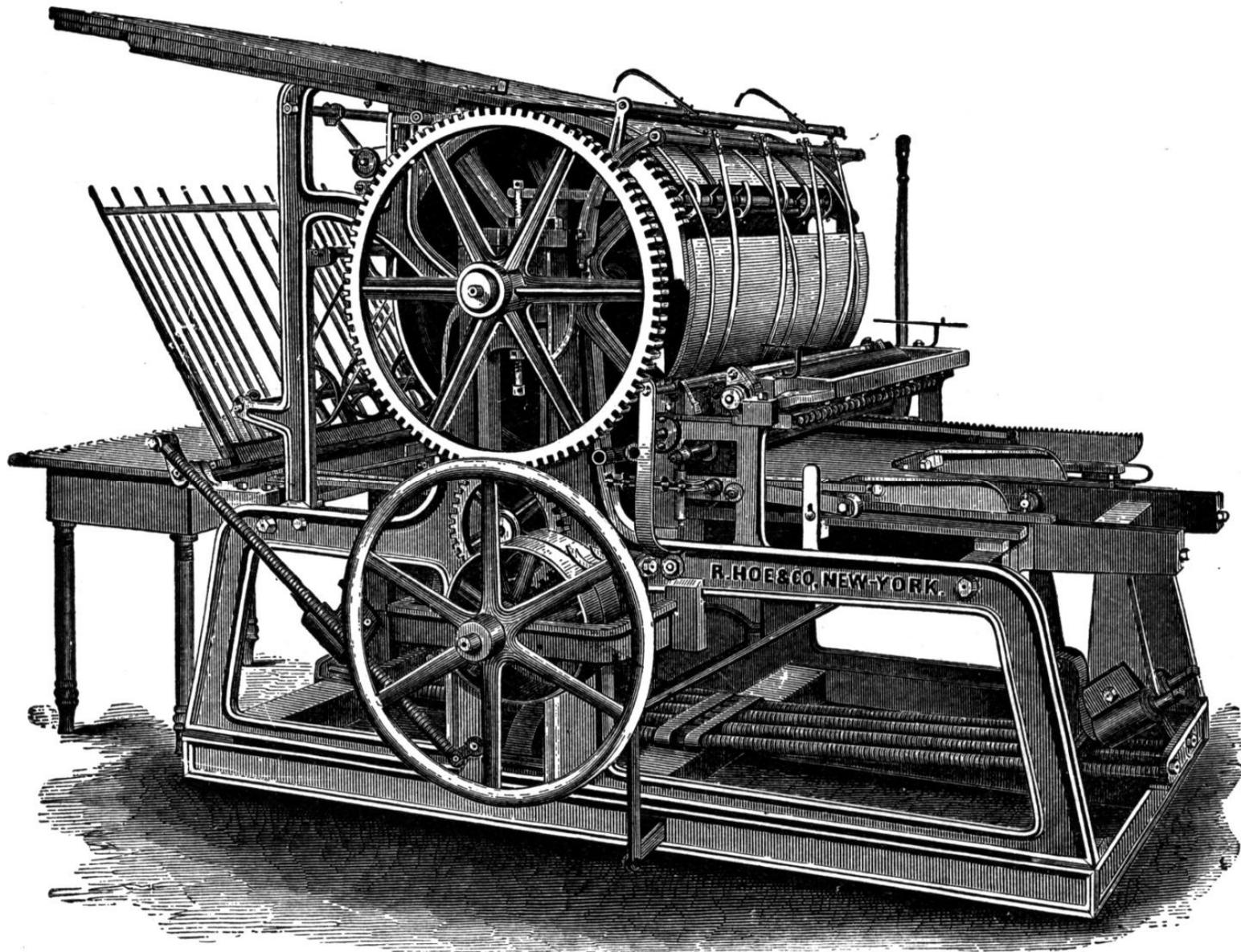
..... Architecture?

So, what is architecture all about?

**Broader approach to the history of
copyright regulation?**

John Gaultier
Christie Ballew
du seigneur de...

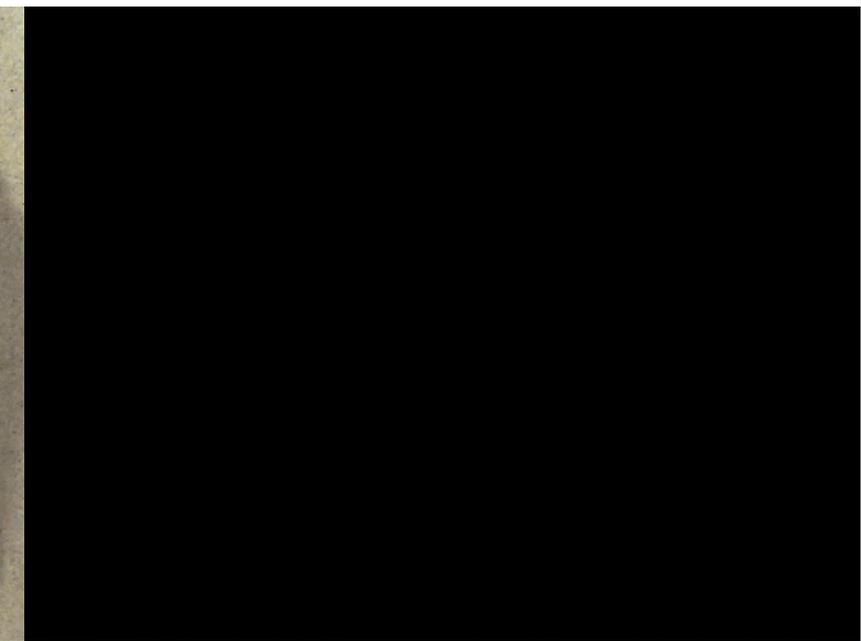
Whereas sundrie Doctores and
state persons have of late frequētly taken
the liberty of printing and reprinting
or causing to be printed and reprinting
and publishing sundrie booke and other
writinges without the consent
of the author or proprietors of such booke
and writinges to the very great detrimēt
too often to the service of their
families
For preventing the same
practices for
the future and for the encouragement
of learning to compose and write
usefull booke
May
it please your Majesty that it may
be enacted And be it enacted by
the Kings Most Excellent Majesty
by and with the advice and
consent of the Lords Spiritual and
Temporal and Commons in this
present Parliament assembled
and by the authority of the same
That from and
after the fourth day of April
the said booke and other
writinges already printed shall not
be transferred to any other
the Copy or Copies of such
booke or booke shall or shalbe
thereof or the
booke or booke printer or
printers or other person or
persons who shall or shalbe
purchase or acquire the Copy
or Copies of any booke or
booke in order to print or
reprint the same shall have
the sole right and liberty of
printing such booke and
booke for the term of
fourteen years to commence
from the said fourth day
of April and not longer
And that the author of any
booke or booke already
composed and not printed
and published or that shall
hereafter be composed and
not assigned or assigned
shall have the sole liberty
of printing and reprinting
such booke and booke for
the term of fourteen years
to commence from the day
of the first publishing the
same and not longer And
that if any booke or booke
printer or other person
whosoever from and after the
fourth day of April



W. ROBERTS, SC. N. Y.



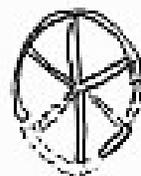
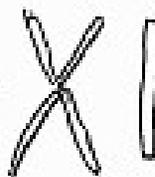
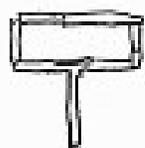
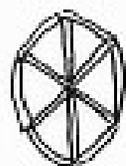
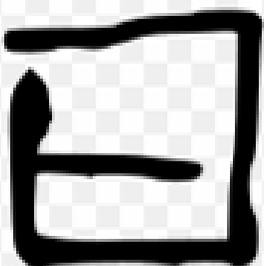
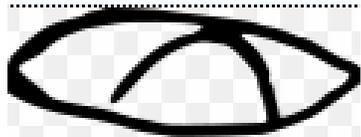
ΕΥΑΓΓΕΛΙΟΝ ΤΑΙΣ ΠΑΡΑΚΛΗΤΙΚΑΙΣ
 ΕΝΑΡΧΗΝ ΤΩΝ ΧΑΙΡΟΛΟΓΩΝ ΕΝ ΤΗ ΟΥΡΑ
 ΚΑΙ ΤΩΝ ΝΟΛΟΓΩΝ ΟΥΤΩΣ ΗΝΕΝ ΕΝ ΤΗ ΠΡΟΤΗ
 ΠΑΝΤΑ ΑΥΤΟΥ ΕΓΕΝΕΤΟ ΧΑΙΡΟΛΟΓΩΝ
 ΕΓΕΝΕΤΟ ΟΥΔΕΝ ΟΡΕΙΟΝ ΕΝ ΤΗ ΟΥΡΑ
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 ΕΓΕΝΕΤΟ ΑΝΕΡ ΟΥΤΟΣ ΑΠΕΣΤΑΛΕΝ ΟΥΣ
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 ΠΑΘΙΤΟΥ ΦΩΤΟΣ ΕΝ ΑΠΑΝΤΕΣ ΟΡΕΙΟΝ
 ΟΥΣ ΕΝ ΔΙΑ ΤΟΥ ΟΥΚ ΗΝ ΚΕΙΣ ΟΥΤ
 ΕΥΣΙΑΛΛΑ ΙΝΑ ΜΑΡΤΥΡΗΣ ΠΕΡΙ ΤΟΥ
 ΦΩΤΟΣ ΗΝ ΤΟ ΦΩΣ ΤΟ ΑΛΗΘΙΝΟ ΟΥΣ
 ΤΙΣ ΕΡΠΑΝΤΩ ΑΝΘΡΩΠΩΝ ΕΙΣ ΤΟ
 ΕΙΣ ΤΟΝ ΚΟΣΜΟΝ ΕΝ ΤΩ Κ
 ΟΣΜΩ ΑΥΤΟ ΕΓΕΝΕ
 ΜΕ ΑΥΤΟΝ ΟΥΚ ΕΙΝΑ
 ΧΑΙΡΟΛΟΓΩΝ ΑΥΤΟΝ ΟΥΤ
 Ε ΕΡΑΣΟΝ ΑΥΤΟΝ ΕΔΕΥΚ
 ΟΥΣΙΑΝ ΤΕ ΚΝΑΡΥ ΓΕΝ
 ΗΣ ΤΟΥ ΟΥΣΙΝ ΕΙΣ ΤΟΝ ΟΥ
 Κ ΕΡΑΣΙΑ ΤΩΝ ΟΥΣ Ε
 ΜΑΡΚΟΣ ΟΥΣ ΕΚΘΕΝΑΙ
 ΕΝ ΤΩ ΚΟΣΜΩ ΕΓΕΝΕΝ ΟΥ



凡欲請經先念淨口非其真言也
 備明 備明 摩訶備明 備備明 婆婆訶
 奉請除災金剛 奉請留壽金剛 奉請黃陵求金剛
 奉請白澤金剛 奉請赤濟金剛 奉請定除厄金剛
 奉請紫賢金剛 奉請大神金剛
 金剛般若波羅蜜經
 如是我聞一時佛在舍衛國祇樹給孤獨園與大
 比丘眾千二百五十人俱尔時世尊食時著衣持











Concluding Comments:

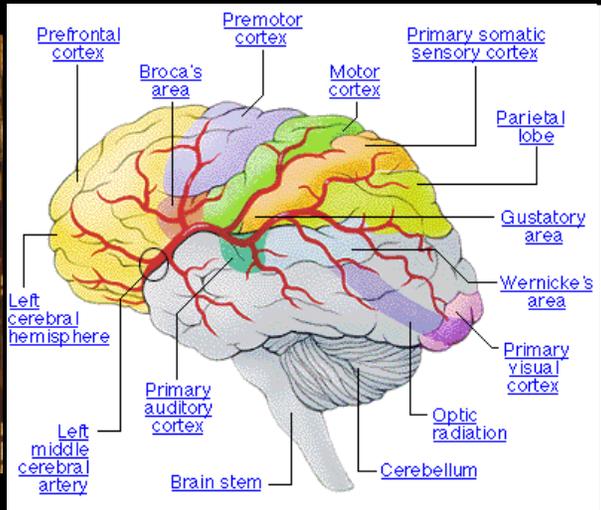
***What constitutes copyright protection?**

***What is the breadth of protection?**

*** In view of the above, is the view of copyright as traditionally taught sufficiently wide in scope?**

***Not just the issue of the intangible
content...***

***.... But the importance of the
underlying building blocks***



j.g.h.griffin@ex.ac.uk

University of Exeter