information as property

intangible to impractical?

History of Information

April 12, 2009
midterm

In class midterm on March 18.
Arrive promptly at 9:30am.
Bring a blue book.

essay

March 18 at 8am: paper is due. No extensions will be granted, and no late papers will be accepted. Please submit one electronic copy submitted via bSpace ...
Trade Papers Struggling in Hollywood

LOS ANGELES — Variety, the show business bible, was born nearly 105 years ago when young Sime Silverman, by his own account, was fired by The Morning Telegraph for a review in which he declared a new theatrical sketch by a performer who happened to be one of the paper’s advertisers “N. G. (No Good).”

Mr. Silverman started a paper of his own. Its first issue promised notices “that will not be influenced by advertising.” Thus began a feisty tradition of entertainment trade reporting and criticism that has been so severely tested in recent weeks that some wonder whether the entire era is drawing to a close.

Variety’s cost-cutting decision to lay off two of its most prominent critics and others last Monday sent shock waves through Hollywood. For generations, Variety’s critics had a clout that far outweighed their number of readers, providing early readings on coming films and Broadway shows to an audience of powerful industry insiders.

Then, on Tuesday, it faced a lawsuit that accused the paper of having lured a film producer into the Oscar race with promises of wide-ranging support through a $400,000 promotional package — only to wreck his movie’s prospects with a negative review. The owner of the film, Stone Corner, was threatened from the outset.
where does it fit?

A new law to give learned men property they had not had before.

--AG Thurlow, 1774
where does it fit?

"A new law to give learned men property they had not had before."

--AG Thurlow, 1774
skin in the game?

- patents
- copyrights
- trademarks
rights and wrongs?
rights and wrongs?

Student Hit With $675,000 Fine in RIAA File-Sharing Case

Written by Ernesto on July 31, 2009

Joel Tenenbaum has lost his trial against the RIAA and was ordered to pay $22,500 for each of the 30 songs he shared via Kazaa. Tenenbaum, who pleaded guilty to downloading and sharing files earlier this week, will be left paying off the $675,000 to the music labels for the rest of his life.
Jury in RIAA Trial Slaps $2 Million Fine on Jammie Thomas

rights and wrongs?

TorrentFreak

Student Hit With $675,000 Fine in RIAA File-Sharing Case
Written by Ernesto on July 31, 2009

Joel Tenenbaum has lost his trial against the RIAA and was ordered to pay $22,500 for each of the 30 songs he shared via Kazaa. Tenenbaum, who pleaded guilty to downloading and sharing files earlier this week, will be left paying off the $675,000 to the music labels for the rest of his life.
skin in the game?

- patents
- copyrights
- trademarks
"We're going to aggressively protect our intellectual property ... Our single greatest asset is the innovation and the ingenuity and creativity of the American people ... It is essential to our prosperity and it will only become more so in this century. But it's only a competitive advantage if our companies know that someone else can't just steal that idea and duplicate it with cheaper inputs and labor.

"There's nothing wrong with other people using our technologies, we welcome it ... We just want to make sure that it's licensed and that American businesses are getting paid appropriately. That's why the [US Trade Representative] is using the full arsenal of tools available to crack down on practices that blatantly harm our businesses, and that includes negotiating proper protections and enforcing our existing agreements, and moving forward on new agreements, including the proposed Anti-Counterfeiting Trade Agreement."
sampling?
beyond sampling?

Pink Floyd score victory for the concept album in court battle over ringtones

EMI told not to sell single tracks as downloads in ruling which could mean further losses for music label

Robert Booth
guardian.co.uk, Thursday 11 March 2010 20.54 GMT
Article history

David Gilmour and Roger Waters of Pink Floyd at the Live 8 concert in Hyde Park,
And when she comes, my heart knows all, and no longer beats like a heart, but rings as a bell. I lay my hand on her.

"Tie my shoe-string," she says, with flushed cheeks.
Penguin *Pan*:

"And when she comes my heart understands, and it no longer beats, it peals. And she is naked under her dress from head to foot. I lay my hand on her.

"Tie my shoelace," she says with flaming cheeks. And a little later she whispers directly against my mouth, against my lips, Oh, you're not tying my shoelace, sweetheart, you're not tying ... not tying my ..."
The first version by W.W. Worster (Knopf, 1921), was bowdlerized, all the expressly erotic elements, however innocuous, having been deleted.
beyond sampling?

"Imagine Having a Library of 29,768 Niche Market Articles at Your Fingertips...

These Articles are Yours to Use as You please...

- Use them as content for your websites
- Use them as posts for your blogs
- Use them to create backlinks to your sites
- Even create One-of-a-Kind eBooks with the Built in eBook Creation Wizard.
fair use?
so what are we talking about?

what is property?

in what way is information property?

“No good case exists for the inequality of real and intellectual property, because no good case can exist for treating with special disfavor the work of the spirit and the mind”

Mark Helprin
Digital Barbarism
2009
aspects of property

what is property?
rules governing access to material goods

kinds of property
common
collective
private

properties of private property
rivalrous
excludable

property rights
how extensive?
one right--or a bundle?

"No one shall be ... deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation"
how acquired?

occupatio, for property res nullius  
--Codex Justinianus, 534

Blackstone's rules for acquisition
  descent
  purchase
  escheat
  occupancy
  prescription
  forfeiture
  alienation
Mr Moore's spleen & 'human ingenuity'

United States Patent
Golde, et al.

Unique T-lymphocyte line and products derived therefrom

Abstract

Human T-lymphoblast cell line, Proteinaceous products produced therefrom, messenger RNA and DNA expressing the proteinaceous products. A human T-lymphoblast cell line (Mo) maintained as a continuous culture constitutively produces proteins, including immune interferon, neutrophil migration inhibition factor, granulocyte-macrophage colony-stimulating activity and erythroid-potentiating activity, as well as other proteins produced by T-cells.

Inventors: Golde; David W. (Los Angeles, CA), Quan; Shirley G. (Los Angeles, CA)
Assignee: The Regents of the University of California (Berkeley, CA)
Appl. No.: 06/458,177
Filed: January 6, 1983
and while we're at it ...
problems with *property*

"... no one possesses the less because everyone possesses the whole of it. He who receives an idea from me receives [it] without lessening [me], as he who lights his [candle] at mine receives light without darkening me."

information

rivalrous?

excludable?

a public good?
"Though the Earth...be common to all Men, yet every Man has a Property in his own Person. This no Body has any Right to but himself. The Labour of his Body, and the Work of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his Labour with, and joyned to it something that is his own, and thereby makes it his Property. It being by him removed from the common state Nature placed it in, it hath by this labour something annexed to it, that excludes the common right of other Men."

--Two Treatises of Government, 1689
"True Wit is Nature to advantage dress'd
What oft was thought, but ne'er so well express'd"

Alexander Pope, "Essay on Criticism," 1708
"What form of wealth could belong to a man if not a work of the mind... if not his own thoughts .. What comparison could there be between .. the very substance of a man, his soul, and afield, a tree, a vine ... that an individual has only appropriated through cultivating it?"

--Denis Diderot

*Lettre Historique et Politique sure le Commerce de la Librarie*, 1763
"There seems ... to be in authors a stronger right of property than by occupancy; a metaphysical right, a right, as it were of creation, which should from its nature be perpetual..."

--Samuel Johnson, 1773
"A Book is the Author's Property, 'tis the Child of his Inventions, the Brat of his Brains; 'tis as much his own, as his Wife and Children ... [but] these Children of our Heads are seiz'd, captivated, spirited away, and carry'd into Captivity."

--Daniel Defoe, Review, 1710
originality

"every Author, as far as he is great and at the same time original, has had the task of creating the taste by which he is to be enjoyed,"

William Wordsworth, *Lyrical Ballads*, 1802
Locke's limits

"That any person or company should have patents for the sole printing of ancient authors is very unreasonable ... it may be reasonable to limit their property to a certain number of years after the death of the author, or the first printing of the book, as suppose fifty or seventy years."

--Locke to Edward Clarke, 1682/3
Edward Young,  
*Conjectures on Original Composition*, 1759

"There seems ... to be in authors a stronger right of property than by occupancy; a metaphysical right, a right, as it were of creation, which should from its nature be perpetual; **but** the consent of nations is against it, and indeed reason and the interests of learning are against it; for were it to be perpetual, no book, however useful, could be universally diffused amongst mankind, should the proprietor take it into his head to restrain circulation."

--Samuel Johnson, 1773
making information?

**China**

"I transmit rather than create."

--Confucius

**Islam**

*Shari'a* law against "imposture" and "fraud" but not theft

**Christianity**

"Scientia Donum Dei Est Unde Vendi non Potest"

--Canon law
early disagreement

**Abbot Fennian & St Columba**

560s: dispute over the psalter

"St Columba, sitting up all night ..., furtively made a copy of abbot Fennian's Psalter... the abbot protested ... and brought an action in detinue ... for Columba's copy. .. King Diarmed .. gave judgement for the abbot, saying *la gache boin a boinin*, ..."to every cow her calf, and accordingly, to every book its copy."

--Birrell, *Seven Lectures on the Law and History of Copyright*, 1899
untangling privileges
patents & copyrights

regulation
825: Chinese regulation of almanacs

privileges
1236: Bonafasus' dyeing
1332: Bartholomeo Verde's windmill

patents
1421: Brunelleschi's boat
1441: Eton stained-glass
Venice's contribution

1469: John Speyer, printing patent, Venice

1474, Venetian patent law

"whoever makes in this city any new and ingenious device, not previously made within our jurisdiction, is bound to register it at the office of the Provveditori di Comunas soon as it has been perfected, so that it will be possible to use and apply it"

1496: Aldus Manutius' first patent

1502: patent on italic
"Know ye that we, considering and manifestly perceiving that certain seditious and heretical books, rhymes, and treatises are daily published and printed by divers scandalous malicious schismatical and heretical persons ... wishing to provide a suitable remedy ..."

Stationers' Charter

1504: William Facques, "King's printer"

1504: Guillaume Cop, Paris University signed almanac

1511: Durer's, patent

guild privileges

Venetian glassblowers

English Stationers' company 1557 monopolies on bibles, prayer books, almanacs, law books, music, ...
All Monopolies and all Commissions, Grants, Licences, Charters and Letters Patent heretofore made or granted or hereafter to be made or granted to any Person or Persons, Bodies Politick or Corporate whatsoever, of, or for the sole Buying, Selling, Making, Working or Using any Thing within this Realm... or of any other Monopolies, or of Power, Liberty or Faculty... are altogether contrary to the Laws of this Realm, and so are and shall be utterly void and of none effect ... any Declaration before mentioned, shall not extend to any Letters Patents and Grants of Privilege for the Term of one and Twenty Years, or under, heretofore made of the sole Working or Making of any Manner of new Manufacture within this Realm, to the first true Inventor or Inventors of such Manufactures.

Statute of Monopolies, England, 1624
publishing patents

civil war ends printing privileges

"the old patentees and monopolizers."

"We must not think to make a staple commodity of all the knowledge in the Land, to mark and licence it like our broad cloath, and our wool packs.

"And though all the winds of doctrine were let loose to play on the earth, so Truth be in the field, we do injuriously by licensing and prohibiting misdoubt her strength. Let her and Falsehood grapple; who ever knew Truth put to the worse in a free and open encounter?"


John Milton
1608-1674
from printers' patent...

changing views of print

-- growing readership
  the reading nation

-- politics and the public sphere

-- the end of patronage

--1694/5: end of licensing acts
  booksellers v printers
Defoe channels RIAA

"The law would also put a Stop to a certain sort of Thieving which is now in full practice in England, and which no Law extends to punish, viz, some Printers and Booksellers printing Copies not their own. ... This is really a most injurious piece of Violence, and Grievance to all Mankind ... robs Men of the due Reward of Industry ... robs the Reader, by printing Copies of other Men uncorrect and imperfect, making surreptitious and spurious collections ... the printing of other Mens Copies...as unjust as lying with their Wives."

--Defoe, *Essay on the Regulation of the Press*, 1704
To author's copyright

Statute of Anne

Whereas printers, Booksellers and other persons have of late frequently taken the liberty of printing reprinting and publishing or causing to be printed reprinting and published Books and other writings without the consent of the authors or proprietors of such books and writings to their very great detriment and too often to the Ruin of them and their families. For preventing therefore such practices for the future and for the encouragement of learned men to compose and write useful books... That from and after the tenth day of April One thousand seven hundred and ten terms?
"The clause in the law is a patent to the author and settles the propriety of the work wholly in himself, or in such to whom he shall assign it."

--Defoe, Essay on the Regulation of the Press

1710: statute of Anne

"any books or books already printed ...."

"any book ... not printed ..."

"nothing ... unless the title ... be ..."

"if any Bookseller ... sell or expose to sell any book ..."

"provided that nine copies ..."

"A new law to give learned men property they had not had before."

--Attorney General Thurlow
1741: Pope v. Curll

"it is only a special property in the receiver, possibly the property of the paper may belong to him; but this does not give a licence to any person whatsoever to publish them."

--Lord Chancellor Hardwicke
“style and sentiment are the essentials of literary composition. These alone constitute its identity. The paper and print are merely accidents, which serve as vehicles to convey that style and sentiment to a distance. Every duplicate therefore of a work, .... if it conveys the same style and sentiment, is the same identical work ... a duplicate of a mechanical engine is, at best, but a resemblance”
- Blackstone

"Proper Words in proper places makes the true Definition of Style"
Swift, 1721

"Manner of writing with regard to language"
Johnson, Dictionary
not quite right

1774 Donaldson v Becket
booksellers defeated

"learning would be locked up in the hands of the Tonsons and the Lintots of the age, till the public become as much their slaves, as their own hackney compilers are"

--Lord Camden

"a metaphysical right ... [or] consent of the nation"

--Johnson
trend lines?

Number of titles printed in England:

<table>
<thead>
<tr>
<th>Period</th>
<th>Titles</th>
</tr>
</thead>
<tbody>
<tr>
<td>1630s</td>
<td>600</td>
</tr>
<tr>
<td>1640s</td>
<td>1,600</td>
</tr>
<tr>
<td>1650s</td>
<td>1,200</td>
</tr>
<tr>
<td>1660s</td>
<td>800</td>
</tr>
<tr>
<td>1670s</td>
<td>1,000</td>
</tr>
<tr>
<td>1680s</td>
<td>1,500</td>
</tr>
<tr>
<td>1690s</td>
<td>1,400</td>
</tr>
<tr>
<td>1700-50</td>
<td>500</td>
</tr>
<tr>
<td>1750-89</td>
<td>600</td>
</tr>
<tr>
<td>1790-1800</td>
<td>800</td>
</tr>
<tr>
<td>1800-1810</td>
<td>800</td>
</tr>
<tr>
<td>By 1827</td>
<td>1,000</td>
</tr>
</tbody>
</table>

("rising fast")

William St. Clair, *The Reading Nation*, 2004
Pink Floyd score victory for the concept album in court battle over ringtones

EMI told not to sell single tracks as downloads in ruling which could mean further losses for music label

David Gilmour and Roger Waters of Pink Floyd at the Live 8 concert in Hyde Park, London, in 2005. Photograph: Rex Features

Pink Floyd, the British rock group behind platinum-selling albums The Dark Side of the Moon and The Wall, today secured a legal victory for the much-maligned genre of the concept album against the apparently inexorable march of the instant pop download.

foreign ideas?

natural law

moral rights
Meanwhile ...

At the patent office
US patent law, 1790
revised, 1836

UK Statute of Monopolies, 1624
Patent Law Amendment Act, 1852
Patent reform, 1883

France 1791, 1800, 1844

Patent confusion
"SDG" [sans garantie du gouvernement]

Patent resistance & patent boom
copyright boundaries

international trade and © concerns
"vile French pirates"
--William Wordsworth

1842 UK copyright law
containing a provision for making reciprocal copyright arrangements

US resistance
American Notes for General Circulation
--Charles Dickens, 1842

Life of Jesus
--Ernst Renan, 1863
March 3, 1891.

CHAP. 565.—An act to amend title sixty, chapter three, of the Revised Statutes of the United States, relating to copyrights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-nine hundred and fifty-two of the Revised Statutes be, and the same is hereby, amended so as to read as follows:

SEC. 10. That section forty-nine hundred and seventy-one of the Revised Statutes be, and the same is hereby, repealed.

SEC. 11. That for the purpose of this act each volume of a book in two or more volumes, when such volumes are published separately and the first one shall not have been issued before this act shall take effect, and each number of a periodical shall be considered an independent publication, subject to the form of copyrighting as above.
owning work

1800-1900
from the skill of the craftsman
the rights of "free labor"
(and the risk of enticement)

to trade secrets
"obligation to preserve such
secrets must be implied"

non-compete clauses (Eastman Kodak, 20 years)
& work for hire (attribution vs ownership)

entrepreneurship vs corporate labs?
international agreement

1858 Brussels congress

1886 Berne convention
Germany, Belgium, Spain, France, Haiti, Italy, Switzerland, UK, Tunisia

intermediate revisions
newspapers, translations, performance, mechanical reproduction, cinema (1908)
oral works, moral rights (1928)

1988 US joins Berne convention
no © notice required
no registration required
new technology

THE MENACE OF MECHANICAL MUSIC

BY JOHN PHILIP SOUSA

WEeping across the country with the speed of a transient fashion in slings or Panama hats, political war cries or popular novels, comes now the mechanical device to sing for us a song or play for us a piano, in substitute for human skill, intelligence, and soul. Only by looking back to the day of the roller skate or the bicycle craze, when sports of admitted utility ran to extravagance and virtual madness, can we find a parallel to the way in which these ingenious instruments have invaded every community in the land. And if we were from this comparison in pure mechanics to another which may fairly claim a similar presentation of music in its soul, we may observe the English sparrows, which, introduced and welcomed in all innocence, lost no time in multiplying itself to the dignity of a pest, to the destruction of numerous native song birds, and the inevitable regret of those who did not stop to think in time.

On a matter upon which I feel so deeply, and which I

Digital Audio Tape
"The United States takes the view that anything made by man, under the sun, can be patented. And they have granted patents for business methods, mainly computer business methods. But as far as I can see, it would cover a new and improved method of stacking oranges on a barrel."

**DRM: Lessig's code vs code**

**DMCA, 1995; Bono Act, 1998**

**open source and copyright software copyright and patents**

**copyright, first sale, and EULAs**

"Every change .. tend[s] to advance the producer interest against the consumer" --St Clair, *Reading Nation*

"The course of twentieth century American copyright law ... has been a story of the steady strengthening of the proprietary rights of intellectual property owners at the expense of access and interest" --Carla Hesse, *The Rise of Intellectual Property*
the missing leg?

**trademark law**

**France:** 1803, 1824, 1857

**California:** 1863

**US:** 1870, 1881, 1906, 1920, 1946

**UK:** 1862, 1876, 1905, 1938
the missing leg?

**trademark law**

**France:** 1803, 1824, 1857

**California:** 1863

**US:** 1870, 1881, 1906, 1920, 1946

**UK:** 1862, 1876, 1905, 1938
legal determinism

1870: revision of patent office
registration of trademarks and the "second industrial revolution"

1879: the "trade-mark cases"
- is it intellectual?
- is it an invention?
- is it progressive?

-- USSC: NO

1881-1906: foreign treaty and indian tribes

1906: commerce clause
legal determinism

1870: revision of patent office registration of trademarks and the "second industrial revolution"

1879: the "trade-mark cases"

is it intellectual?

is it an invention?

is it progressive?

-- USSC: NO

1881-1906: foreign treaty and indian tribes

1906: commerce clause
restrictive practices?

Bass "will make no objection ..."
restrictive practices?

**Bass** "will make no objection ..."
restrictive practices?

Bass "will make no objection ..."
restrictive practices?

Bass "will make no objection ..."
culture jamming

and jamming culture jamming
Bass in Boston
Wendell & Co, Distributors, 1894

16 Feb: "engaged a reliable man to act as an amateur detective and his Agent is working up the case"

1 Sept: "Employed Detective, $7 a day and expenses"

18 Sept: "'Jim Stewart" rented desk in Wendell's Place"

23 Sept: "Searched office but found no letters ... feel sure secrets in Warehouse and must find means to get into it"

22 Feb, 1885, Wendell gets 5 months hard labour
## Public Notices

**Guinness Monopoly**

The result of selling Guinness Stout under Guinness' own label, and how it has affected Bottlers in the Ile of Man.

Gentlemen,

I write to you my unqualified Apology for having used as your best guide your Porter, which was branded as “Purcell’s” and I undertake in future to accurately label all beer sold by me, and to send all such which shall appear malicious or injurious to the company of suppliers.

I give you authority to make such as you may think necessary of this Apology.

Dated this 10th day of August, 1899.

James J. Coen.

### Supply-Chain Struggles

**Bottlers, Printers, Retailers**

**Guinness & San Francisco, 1899**

<table>
<thead>
<tr>
<th>Bottler</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Star Bottling Works</td>
<td>Stanyan &amp; Waller sts</td>
</tr>
<tr>
<td>McGraw Bros</td>
<td>401 or 418 Devisadero St</td>
</tr>
<tr>
<td>Schults, H.A.</td>
<td>Post &amp; Larkin Sts</td>
</tr>
<tr>
<td>Schranz &amp; Waizman</td>
<td>601 Baker st, cor McAllister</td>
</tr>
<tr>
<td>Schroder, H.</td>
<td>220 California St</td>
</tr>
<tr>
<td>Francis, S.</td>
<td>430 6th St</td>
</tr>
<tr>
<td>Puvogal, Jno</td>
<td>36 6th St</td>
</tr>
<tr>
<td>Zanganelli</td>
<td>6 Mason St</td>
</tr>
<tr>
<td>Grocer, Name unkwn</td>
<td>267-269 Third St</td>
</tr>
<tr>
<td>ditto</td>
<td>121 Third Street</td>
</tr>
<tr>
<td>Tweedie, Daniel</td>
<td>408 Eight St</td>
</tr>
<tr>
<td>Burnell</td>
<td>408 Battery</td>
</tr>
<tr>
<td>Schomaker Bros</td>
<td>4th &amp; Bryant</td>
</tr>
<tr>
<td>Alper Bros</td>
<td>5th &amp; Clara</td>
</tr>
<tr>
<td>Wolking &amp; Co, H.</td>
<td>565 Fourth St</td>
</tr>
<tr>
<td>Serris, J.</td>
<td>4th &amp; Howard</td>
</tr>
<tr>
<td>Pontag</td>
<td>138 Fifth St</td>
</tr>
<tr>
<td>Bennett &amp; Witmer</td>
<td>Cor. Ellis &amp; Stockton St</td>
</tr>
<tr>
<td>E&amp;G Gold Rule Bazar</td>
<td>Market Bet 4th &amp; 5th St</td>
</tr>
<tr>
<td>Edleff Atzroth</td>
<td>336 Fift Street</td>
</tr>
<tr>
<td>Riechers, F.W.</td>
<td>601 Larkin St</td>
</tr>
<tr>
<td>Family Liquor Store</td>
<td>871 Larkin St</td>
</tr>
<tr>
<td>Shamrock Saloon</td>
<td>923 Howard</td>
</tr>
<tr>
<td>Miesner, Peter</td>
<td>Cor. Ellis and Taylor St</td>
</tr>
<tr>
<td>Kruse, Fred</td>
<td>1120 Third St</td>
</tr>
</tbody>
</table>
more chains

Colman in New York
"excitement among grocers"
the rise of intangible assets
brand wars
the power of brands
the power of brands

computer?
the power of brands

computer?

OS?
the power of brands

computer?

OS?
the power of brands

computer?

OS?

processor?
the power of brands

computer?

OS?

processor?
the power of brands

computer?

OS?

processor?

hard drive?
the power of brands

computer?

OS?

processor?

hard drive?

2000

6 hard drive companies
the power of brands

computer?

OS?

processor?

hard drive?

2000
6 hard drive companies
196 million disks
the power of brands

computer?

OS?

processor?

hard drive?

2000
6 hard drive companies
196 million disks
0 profit
the power of brands

computer?

OS?

processor?

hard drive?

2000
6 hard drive companies
196 million disks
0 profit

Dell: 7%
the power of brands

computer?

OS?

processor?

hard drive?

2000
6 hard drive companies
196 million disks
0 profit

Dell: 7%
Microsoft: 31%
the power of brands

computer?

OS?

processor?

hard drive?

2000
6 hard drive companies
196 million disks
0 profit

Dell: 7%
Microsoft: 31%
Intel: 13%
TM -- why worry?

dilution

perpetual property
Philips v Remington

which side are you on?

2000

• April: Rock band Metallica sues Napster for copyright infringement. Yale and Indiana University ban service from campus.

• Dec.: Napster sues an online clothes retailer for allegedly using its cat-like logo without permission on T-shirts and hats for sale.

Klein v. Economist
skin in the game

“New products are associated with old brand names. This ensures the prospective consumer of the quality of the product.

“Doctors, lawyers, and barbers, the high school diploma, the baccalaureate degree, the Ph.D., even the Nobel Prize, ... education and labor markets themselves have their own ‘brand names’”.

"New products are associated with old brand names. This ensures the prospective consumer of the quality of the product.

"Doctors, lawyers, and barbers, the high school diploma, the baccalaureate degree, the Ph.D., even the Nobel Prize, ... education and labor markets themselves have their own ‘brand names’".

New products are associated with old brand names. This ensures the prospective consumer of the quality of the product.

"Doctors, lawyers, and barbers, the high school diploma, the B.A., the M.A., the Ph.D., the Nobel prize, ... education and labor markets themselves have their own 'brand names'".

30 Mar: Politics and propaganda

Required reading:

- Watch the first 10-minute segment of "Divide and Conquer," one of the "Why We Fight" films that Frank Capra made for the Office of War Information in WWII. (If you want more, there are the other segments on this page.) Watch this brief video on the background of these films.
- Watch the first 7-10 minutes of Leni Riefenstahl’s "Triumph of the Will," and browse the rest to get the flavor of the rallies — it’s pretty repetitive.