

References

- American Libraries Association. At <http://www.ala.org/advocacy/copyright>. Retrieved June 2005.
- American Association of Law Libraries. At <http://www.aallnet.org/main-menu/Advocacy/copyright>. Retrieved February 2005.
- Aogail. 2004. Re: "Legitimate" Uses. At <http://macslash.org/comments.pl?sid=4434&op=&threshold=0&commentsort=0&mode=thread&pid=70578#70581>. Retrieved February 22, 2005.
- Association for Computing Machinery. At <http://www.acm.org/public-policy>. Retrieved February 2012.
- Banks, J. 2005. Opening the Pipeline: Unruly Creators. Paper presented at the Digital Games Research Association, Vancouver, CA, June.
- Barber, B. R. 1984. *Strong Democracy: Participatory Politics for a New Age*. Berkeley and Los Angeles: University of California Press.
- Barlow, J. P. 1996. A Declaration of the Independence of Cyberspace. At <http://homes.eff.org/~barlow/Declaration-Final.html>. Retrieved January 2006.
- Barlow, J. P. 1994. The Economy of Ideas. *Wired* 2 (3). At <http://www.wired.com/wired/archive/2.03/economy.ideas.html>. Retrieved February 2012.
- Biegel, S. 2001. *Beyond Our Control? Confronting the Limits of Our Legal System in the Age of Cyberspace*. Cambridge, MA: MIT Press.
- Borland, J. 2003a. Apple Unveils Music Store. At http://news.com.com/Apple+unveils+music+store/2100-1027_3-998590.html. Retrieved February 9, 2005.
- Borland, J. 2003b. Hackers: iTunes Can Be Shared over Net. At http://news.com.com/Hackers+iTunes+can+be+shared+over+Net/2100-1027_3-1001121.html. Retrieved February 9, 2005.
- Borland, J. 2003c. iTunes Helper Allows MP3 Downloads. At http://news.com.com/iTunes+helper+allows+MP3+downloads/2100-1027_3-5107196.html. Retrieved February 10, 2005.

Borland, J. 2004a. Hackers Revive iTunes Music Sharing. At http://news.com.com/Hackers+revive+iTunes+music+sharing/2100-1026_3-5316700.html. Retrieved February 10, 2005.

Borland, J. 2004b. iTunes Song Swap Helper Vanishes from Net. At http://news.com.com/iTunes+song+swap+helper+vanishes+from+Net/2100-1027_3-5171519.html. Retrieved February 10, 2005.

Boyle, J. 1997. A Politics of Intellectual Property: Environmentalism for the Net? At <http://www.law.duke.edu/boylesite/intprop.htm>. Retrieved June 2005.

Boyle, J. 1996. *Shamans, Software, and Spleens: Law and the Construction of the Information Society*. Cambridge, MA: Harvard University Press.

Brown, R. H. 1992. The National Information Infrastructure: Agenda for Action. At <http://www.ibiblio.org/nii/toc.html>. Retrieved January 2006.

CDT (Center for Democracy and Technology). 2005. About Us. At <http://www.cdt.org>. Retrieved June 2005.

Chaosmint. 2003. QTFairUse, MyTunes, and Protected AAC Explained: Don't Believe Everything You Read. At <http://www.chaosmint.com/macintosh/articles/qtfairuse-myitunes-itunes.shtml>. Retrieved February 15, 2005.

Chilling Effects: n.d. Cease-and-Desist Clearing House at <http://www.chillingeffects.org>. Retrieved June 2005.

CIS (Center for Internet and Society), Stanford University. 2005. About Us. At <http://cyberlaw.stanford.edu>. Retrieved June 2005.

Cohen, J. 2005. The Place of the User in Copyright Law. *Fordham Law Review* 74 (1): 347–374.

Cohen, P. 2003. Apple Releases iTunes 4, QT 6.2. iPod Update 1.3. At <http://www.macworld.com/news/2003/04/28/software>. Retrieved February 7, 2005.

Cohn, C. 2003. California Supreme Court Upholds Free Speech in DVD Case. At http://www.eff.org/IP/Video/DVDCCA_case/20030825_eff_bunner_pr.php. Retrieved June 2005.

Comments Submitted for the Public Hearing on Intellectual Property Issues Involved in the National Information Infrastructure Initiative, Andrew Mellon Auditorium, Washington, DC. 1993. US Patent and Trademark Office, US Department of Commerce. At <http://www-personal.umich.edu/~jdlitman/NOV18NII.TXT>. Retrieved February 2012.

Comments Submitted for the Public Hearing of the National Information Infrastructure Task Force, Washington, DC; Los Angeles, Chicago. 1994. US Patent and Trademark Office, US Department of Commerce. At http://w2.eff.org/IP/ipwg_nii_ip_report_acis.comments.txt. Retrieved February 2012.

- Copyright. 2005. About Us. At <http://copyright.corante.com>. Retrieved June 2005.
- CPSR (Computer Professionals for Social Responsibility). n.d. At <http://cpsr.org/about>. Retrieved June 2005.
- Creative Commons. 2005. About Us. At <http://www.creativecommons.org>. Retrieved September 2005.
- Dalrymple, J. 2003. MyTunes Exploits iTunes Windows Playlist Sharing. At <http://www.macworld.com/news/2003/11/12/mytunes>. Retrieved February 9, 2005.
- DFC (Digital Future Coalition). n.d. At http://www.artistsresourceguide.org/Digital_future_coalition. Retrieved June 2005.
- Downhill Battle. 2005a. About Us. At <http://www.downhillbattle.org>. Retrieved August 2005.
- Downhill Battle. 2005b. Downhill Battle Labs: Strategic Software for Music Activism. At <http://www.downhillbattle.org/labs>. Retrieved August 2005.
- Downhill Battle. 2004. Grey Tuesday. At <http://www.greytuesday.org>. Retrieved June 2005.
- DVD Encryption Cracked. 1999. *2600: The Hacker Quarterly*. At <http://www.2600.com/news/view/article/20>. Retrieved June 2005.
- Earl, J., and A. Schussman. 2003. The New Site of Activism: On-line Organizations, Movement Entrepreneurs, and the Changing Location of Social Movement Decision Making. *Research in Social Movements, Conflicts, and Change* 22:155–187.
- EFF (Electronic Frontier Foundation). 2005. About Us. At <http://www.eff.org>. Retrieved June 2005.
- EFF (Electronic Frontier Foundation). 2001a. EFF “Intellectual Property: Digital Millennium Copyright Act (DMCA): U.S. v. ElcomSoft & Sklyarov” Archive. At http://www.eff.org/IP/DMCA/US_v_Elcomsoft/. Retrieved June 2005.
- EFF (Electronic Frontier Foundation). 2001b. FBI Arrests Programmer in Las Vegas: Distributed Tool That Increases Purchaser’s Control of eBooks. At http://www.eff.org/IP/DMCA/US_v_Elcomsoft/20010717_eff_sklyarov_pr.html. Retrieved June 2005.
- EFF (Electronic Frontier Foundation). 2001c. Key Legislators on Fair Use and DMCA: Boucher & Ashcroft Speak against Criminalization of Legitimate Software. At http://www.eff.org/IP/DMCA/US_v_Elcomsoft/boucher_ashcroft_dmca.html. Retrieved June 2005.
- EFF (Electronic Frontier Foundation). 2001d. Protest Adobe’s Role in Jailing Programmer Sklyarov. At http://www.eff.org/IP/DMCA/US_v_Elcomsoft/20010719_eff_sklyarov_pr.html. Retrieved June 2005.

- EPIC (Electronic Privacy Information Center). 2005. About Us. At <http://www.epic.org>. Retrieved June 2005.
- Fallout from Def Con: Ebook Hacker Arrested by FBI. 2001. At <http://yro.slashdot.org/comments.pl?sid=13272&threshold=1&mode=nested&commentsort=0&op=Change>. Retrieved June 2005.
- Feenberg, A. (1999). *Questioning Technology*. New York: Routledge.
- FMC (Future of Music Coalition). n.d. At <http://futureofmusic.org/about>. Retrieved June 2005.
- Fried, I. 2003a. Apple Limits iTunes File Sharing. At http://news.com.com/Apple+limits+iTunes+file+sharing/2100-1027_3-1010541.html. Retrieved February 11, 2005.
- Fried, I. 2003b. Music-Swapping Software Makes Comeback. At http://news.com.com/Music-swapping+software+makes+comeback/2100-1027_3-997039.html. Retrieved February 10, 2005.
- FSF (Free Software Foundation). 2005. About Us. At <http://www.fsf.org/about>. Retrieved June 2005.
- FutureProof. 2004. JHymn Info and Help. At <http://www.hymn-project.org/jhymndoc/#whatsnew>. Retrieved February 26, 2005.
- Geekpatrol. 2003. QTFairUse in Use. At <http://www.geekpatrol.ca/archives/2003/12/08/qtfairuseinuse.php>. Retrieved February 16, 2005.
- GILC (Global Internet Liberty Campaign). 2005. About Us. At <http://www.gilc.org>. Retrieved June 2005.
- Gillespie, T. 2007. *Wired Shut: Copyright and the Shape of Digital Culture*. Cambridge, MA: MIT Press.
- Greenman, B. 2004. The Mouse That Remixed. *The New Yorker*, February 9.
- Hartley, J. 2006. Facilitating the Creative Citizen. At <http://www.onlineopinion.com.au/view.asp?article=5036>. Retrieved November 2006.
- Heidi, J. 2003. iTunesDL and iSlurp: Downloading via iTunes Sharing. At http://www.macilife.com/2003_05_11_archive.html. Retrieved February 11, 2003.
- Hess, D., & Martin, B. (2006). Backfire, Repression, and the Theory of Transformative Events. *Mobilization. International Quarterly*, 11(2), 249–267.
- Holcomb, G. 2003. iSlurp b3. At <http://www.oatbit.com/iSlurp>. Retrieved February 12, 2005.
- HRRC (Homer Recording Rights Coalition). n.d. At <http://www.hrrc.org>. Retrieved June 2005.

- Hymn Project. 2004a. Home Page. At <http://hymn-project.org>. Retrieved February 2005.
- Hymn Project. 2004b. Hymn-ReadMe (Version 0.7.1). At [Hymn-project.org](http://hymn-project.org).
- Hymn Project. 2004c. Hymn User Manual. At <http://www.hymn-project.org/docs/hymn-manual.html>. Retrieved February 27, 2005.
- Hymn Project. 2004d. iOpener FAQ. On iOpener (Version 0.2).
- Hymn Project. 2004e. Old News. At <http://hymn-project.org/forums/viewtopic.php?t=3>. Retrieved February 22, 2005.
- Illegal Art Audio. 2004. At <http://www.illegal-art.org/audio/liner.html>. Retrieved November 2005.
- iTunes 4 Tip—Sharing iTunes Libraries over IP; It's Not Just for Rendezvous. 2003. *MacObserver*. At <http://macobserver.com/article/2003/04/28.14.shtml>. Retrieved February 11, 2003.
- iTunesDL. 2003a. *MacUpdate*. At <http://www.macupdate.com/app/mac/5661/apple-itunes>. Retrieved February 12, 2005.
- iTunes Tracker 1.0. 2003b. *MacUpdate*. At <http://www.macupdate.com/info.php/id/12088>. Retrieved February 11, 2005.
- Jailed under a Bad Law (editorial). 2001. *Washington Post*, August 21.
- Jenkins, H. 1992. *Textual Poachers: Television Fans & Participatory Culture*. New York: Routledge.
- Johansen, J. 2004. "Readme" for DeDRMS (Version 0.1).
- Jordan, T. 2002. *Activism! Direct Action, Hacktivism, and the Future of Society*. London: Reaktion Books.
- Jordan, T., and P. A. Taylor. 2004. *Hacktivism and Cyberwars: Rebels with a Cause?* 1st ed. New York: Routledge.
- Katalov, V. 2001. Advanced Acrobat eBooks Are NOT Really Secure. At <http://www.planetpdf.com/mainpage.asp?webpageid=2393>. Retrieved June 2005.
- Khaney, L. 2003. iTunes Music Swap Just Won't Die. At http://www.wired.com/news/mac/0,2125,59127,00.html?tw=wn_story_related. Retrieved February 14, 2005.
- Kucklich, J. 2005. Precarious Playbour: Modders and the Digital Games Industry. *Fibreculture* 5. At http://journal.fibreculture.org/issue5/kucklich_print.html. Retrieved September 2005.
- Lasica, J. D. 2005. *Darknet: Hollywood's War against the Digital Generation*. Hoboken, NJ: Wiley.

- Lehman, B. 1994. *Intellectual Property and the National Information Infrastructure: A Preliminary Draft of the Report of the Working Group on Intellectual Property Rights*. Washington DC. At <http://cool.conservation-us.org/bytopic/intprop/ipwg>. Retrieved February 2012.
- Lessig, L. 2004. *Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity*. New York: Penguin.
- Lessig, L. 2001. Jail Time in the Digital Age. *New York Times*, July 30.
- Lessig, L. 1999. *Code and Other Laws of Cyberspace*. New York: Basic Books.
- Levy, S. 1984. *Hackers: Heroes of the Computer Revolution*. New York: Penguin.
- Lindsay, C. 2003. From the Shadows: Users as Designers, Producers, Marketers, Distributors, and Technical Support. In N. Oudshoorn and T. J. Pinch, eds., *How Users Matter: The Co-Construction of Users and Technologies*, 29–50. Cambridge, MA: MIT Press.
- Litman, J. 2001. *Digital Copyright: Protecting Intellectual Property on the Internet*. Amherst, NY: Prometheus Books.
- Localman. 2004. Re: Overseas. At <http://macslash.org/comments.pl?sid=4434&op=&threshold=0&commentsort=0&mode=thread&pid=70575#70578>. Retrieved February 22, 2005.
- Madden, M., and L. Rainie. 2005. *Music and Video Downloading Moves Beyond*. Washington, DC: Pew Internet and American Life Project.
- McAdam, D., J. D. McCarthy, and M. N. Zald. 1996. *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*. New York: Cambridge University Press.
- Menta, R. 2003. MyTunes Turns iTunes into File Trading Service. At <http://www.mp3newswire.net/stories/2003/mytunes.html>. Retrieved February 12, 2005.
- Newton, J. 2005a. Pay \$22.5K, RIAA p2p Victim Told. At <http://www.p2pnet.net/story/7273>. Retrieved November 2005.
- Newton, J. 2005b. Software Piracy Is Rampant. At <http://p2pnet.net/story/7267>. Retrieved January 3, 2006.
- Orlowski, A. 2004. iTunes DRM Cracked Wide Open for GNU/Linux. Seriously. *The Register*, January 5. At http://www.theregister.co.uk/2004/01/05/itunes_drm_cracked_wide_open. Retrieved February 18, 2004.
- Orlowski, A. 2003. There's a Noose in the Hoose—iTunes Shoppers Discover DRM. At http://www.theregister.co.uk/2003/12/02/theres_a_noose/. Retrieved February 15, 2005.
- Oudshoorn, N., and T. J. Pinch. 2003. *How Users Matter: The Co-Construction of Users and Technologies*. Cambridge, MA: MIT Press.

- Our Media. At <http://www.ourmedia.org/node/4972>. Retrieved August 2005.
- Participatory Culture. n.d. At <http://www.pculture.org/pcf/about>. Retrieved June 2005.
- Patterson, L. R. 1968. *Copyright in Historical Perspective*. Nashville, TN: Vanderbilt University Press.
- Pfaffenberger, B. 1992. Technological Dramas. *Science, Technology, & Human Values* 17 (3): 282–312.
- Planet eBook. 2001a. Adobe Acrobat eBook Reader Updated after Security Issue: Adobe Systems Threatens Legal Action for Alleged Copyright Infringement. At <http://www.planetebook.com/mainpage.asp?webpageid=157>. Retrieved June 2005.
- Planet eBook. 2001b. Adobe and Electronic Frontier Foundation Want Dmitry Sklyarov Released. At <http://www.planetebook.com/mainpage.asp?webpageid=191>. Retrieved June 2005.
- Planet PDF. 2001. Index of ElcomSoft, Dmitry Sklyarov, Adobe, US Government, and DMCA-Related Coverage. At <http://www.planetpdf.com/mainpage.asp?webpageid=2365>. Retrieved June 2005.
- Postigo, H. 2010. Information Communication Technologies and Framing for Backfire in the Digital Rights Movement: The Case of Dmitry Sklyarov's Advanced e-Book Processor. *Social Science Computer Review* 28 (2): 232–250.
- Postigo, H. 2008. Video Game Appropriation through Modifications: Attitudes Concerning Intellectual Property among Modders and Fans. *Convergence: International Journal of Research into New Media Technologies* 14 (1): 59–74.
- Postigo, H. 2007. Of Mods and Modders: Chasing Down the Value of Fan Based Digital Game Modifications. *Games and Culture* 2 (4): 300–312.
- PRC (Privacy Rights Clearinghouse). At http://www.privacyrights.org/about_us.htm. Retrieved June 2005.
- Public Knowledge. 2005. About Us. At <http://www.publicknowledge.org>. Retrieved June 2005.
- QTFairUse? 2003. *MacRumors*. At <http://forums.macrumors.com/showthread.php?t=48482>. Retrieved February 15, 2005.
- Rainie, L., & Madden, M. (2004). *The Impact of Recording Industry Suits against Music File Swappers*. Washington, DC: Pew Internet and American Life Project.
- Raymond, E., ed. 2001. *The Cathedral & the Bazaar: Musings on Linux and Open Source by an Accidental Revolutionary*. Sebastopol, CA: O'Reilly Media.
- Re: Overseas. 2004. At <http://macslash.org/comments.pl?sid=4434&op=&threshold=0&commentsort=0&mode=thread&pid=70575#70578>. Retrieved February 22, 2005.

Rose, D., & Blume, S. 2003. Citizens as Users of Technology: An Exploratory Study of Vaccines and Vaccination. In N. Oudshoorn and T. J. Pinch, eds., *How Users Matter: The Co-Construction of Users and Technologies*, 103–132. Cambridge, MA: MIT Press.

Samuelson, P. 1999. Intellectual Property and the Digital Economy: Why the Anti-Circumvention Regulations Need to Be Revised. *Berkeley Technology Law Journal* 14 (519): 46. At people.ischool.berkeley.edu/~pam/papers/dmcapaper.pdf. Retrieved February 2012.

Samuelson Law, Technology, and Public Policy Clinic, Berkeley Boalt School of Law. 2005. About Us. At <http://www.law.berkeley.edu/clinics/samuelson>. Retrieved June 2005.

Sarovar. 2004. PlayFair Has Been Taken Down. At http://sarovar.org/forum/forum.php?forum_id=474. Retrieved February 20, 2005.

Sclove, R. 1995. *Democracy and Technology*. New York: Guilford Press.

Shirky, C. 2008. *Here Comes Everybody: The Power of Organizing without Organizations*. New York: Penguin.

Sperberg, R. 2001. The Adobe Security Imbroglia: Roger Sperberg Looks at Russian Software That Decrypts Purchased Adobe eBook Files. Part 2. At <http://www.ebookweb.org/opinion/roger.sperberg.20010715.aebpr.htm>. Retrieved June 2005.

Speth, J. G. 2005. iCommune. At <http://icommune.sourceforge.net>. Retrieved February 9, 2005.

Stallman, R. 2002. *Free Software Free Society: Selected Essays of Richard Stallman*. Boston: GNU Press.

Steele, S. 2001. EFF Letter from Executive Director Shari Steele to Attorney General John Ashcroft. July 20. At http://www.eff.org/IP/DMCA/US_v_Elcomsoft/20010720_eff_ashcroft_letter.html. Retrieved June 2005.

Strahilevitz, L. J. 2003. Charismatic Code, Social Norms, and the Emergence of Cooperation on the File-Swapping Networks. *Virginia Law Review* 89 (3): 505–595.

Students for Free Culture. n.d. At <http://freeculture.org/about>. Retrieved June 2005.

Tarrow, S. G. 1994. *Power in Movement: Social Movements, Collective Action, and Politics*. New York: Cambridge University Press.

Testimony, Public Hearing of the National Information Infrastructure Task Force Working Group on Intellectual Property, Andrew Mellon Auditorium, Washington, DC. 1994. US Patent and Trademark Office, US Department of Commerce.

Touretzky, D. S. n.d. Gallery of CSS Descramblers. At <http://www.cs.cmu.edu/~dst/DeCSS/Gallery/index.html>. Retrieved July 2005.

Triplehorn, G. 2004a. GetTunes 2.3.6. At <http://www.macupdate.com/info.php/id/13738>. Retrieved February 14, 2005.

Triplehorn, G. 2004b. Project: getTunes: Summary. At <http://sourceforge.net/projects/gettunes>. Retrieved February 14, 2005.

US Copyright Office. 2001. *DMCA Section 104 Report*. Washington, DC: US Copyright Office.

US Copyright Office. (1998). *The Digital Millennium Copyright Act of 1998: U.S. Copyright Office Summary*. Washington, DC: US Copyright Office.

Warren, R. 2005. The Openlaw DVD/DeCSS Forum: Frequently Asked Questions. At <http://eon.law.harvard.edu/openlaw/DVD/dvd-discuss-faq.html>. Retrieved May 2005.

Werde, B. 2004. Defiant Downloads Rise from Underground. *New York Times*, February 25, 2004.

WGIP (Working Group on Intellectual Property Rights). 1995. *Intellectual Property and the National Information Infrastructure: The Report of the Working Group on Intellectual Property Rights*. Washington, DC: Information Infrastructure Task Force.

WGIP (Working Group on Intellectual Property Rights). 1994. *Intellectual Property and the National Information Infrastructure: A Preliminary Draft of the Report of the Working Group on Intellectual Property Rights*. Washington, DC: Information Infrastructure Task Force. At <http://www.google.com/url?sa=t&rct=j&q=nii+report+copyright&source=web&cd=2&ved=0CC0QFjAB&url=http%3A%2F%2Fwww.uspto.gov%2Fweb%2Foffices%2Fcom%2Fdoc%2Fipnii%2Fipnii.pdf&ei=TWxST5ekAsbwg6e66MCgAQ&usg=AFQjCNHkNgunvSlluSxgN-R0ELYDGT8mR3Q>. Retrieved February 2012.

White, D. 2003. iLeech Home. At <http://ileech.sourceforge.net>. Retrieved February 12, 2005.

Wilcox, J. 2003. iTunes store: More Than 1 million Sold. At http://news.com.com/iTunes+store+More+than+1+million+sold/2100-1027_3-999701.html. Retrieved February 10, 2005.

Winner, L. 1985. Do Artifacts Have Politics? In D. McKenzie and J. Wajcman, eds., *The Social Shaping of Technology*, 28–40. London: Open University Press.

This is a section of [doi:10.7551/mitpress/8698.001.0001](https://doi.org/10.7551/mitpress/8698.001.0001)

The Digital Rights Movement

The Role of Technology in Subverting Digital Copyright

By: Hector Postigo

Citation:

The Digital Rights Movement: The Role of Technology in Subverting Digital Copyright

By: Hector Postigo

DOI: 10.7551/mitpress/8698.001.0001

ISBN (electronic): 9780262305334

Publisher: The MIT Press

Published: 2012



The MIT Press

© 2012 Massachusetts Institute of Technology



All rights reserved. No part of this book may be reproduced in any form by any electronic or mechanical means (including photocopying, recording, or information storage and retrieval) without permission in writing from the publisher.

MIT Press books may be purchased at special quantity discounts for business or sales promotional use. For information, please email special_sales@mitpress.mit.edu or write to Special Sales Department, The MIT Press, 55 Hayward Street, Cambridge, MA 02142.

This book was set in Stone Sans and Stone Serif by Toppan Best-set Premedia Limited. Printed and bound in the United States of America.

Library of Congress Cataloging-in-Publication Data

Postigo, Hector

The digital rights movement: the role of technology in subverting digital copyright / Hector Postigo.

p. cm. — (The information society series)

Includes bibliographical references and index.

ISBN 978-0-262-01795-4 (hardcover: alk. paper)

1. Copyright and electronic data processing. 2. Digital rights management.

3. Hactivism. 4. Internet—Law and legislation. 5. Piracy (Copyright)—

Prevention. 6. Fair use (Copyright). I. Title.

K1447.95.P67 2012

345'.02662—dc23

2012004559

10 9 8 7 6 5 4 3 2 1