



# Digital Copyrights and Internet

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# ITMS and its impact in Japan

- ◆ ITMS=“i-Tunes Music Store”, operated by Apple
  - Recently started download service online “Music Store”
  - Very COMPETITIVE position in Japanese Market
- ◆ Not buy CD but download tunes?
  - Networks guarantee reasonable speed?
  - Authors and performers agree upon reasonable costs?
- ◆ Digital network will replace Pirated CD /DVD/VCD in most countries, sooner or later
  - This alteration has already started in;
    - US, Europe, Japan, South-Korea....



# Another side: copyright infringement on the NET (not on the street)

- ◆ Peer to Peer, P2P--- Recent network technology in order to exchange files without servers.
- ◆ Some P2P applications are used for file-sharing of music, movie, and the other copyrighted materials.
- ◆ Some of developers are arrested or accused by right holders or police.



# General (Existing) Principles in copyright law

- ◆ Control of intellectual property:  
Generally controlled by authors
- ◆ Law assists authors' substantial control
- ◆ Protection focuses on the market transaction and not intervene in any actions for home-use



# The impact of ICT

## ◆ Digital Copy (reproduction)

- Tremendous Digital Music Data
- Tremendous Digital Movie Data
- School Report by “cut and paste”

## ◆ Free Flow of Information

- Any inter-country borders has disappeared, at least, on the net.
- Anyone can express his/her opinion and share with any other person



# Important Suggestion on your work

## Respect others' rights

- ◆ Now, users can others' works by “Copy and Paste”
- ◆ Necessary to know Nepali rule
- ◆ International standard rule
  - Possible to be used for academic/research purpose
  - At least necessary to show the original source (URL, or author/title/publishers/year)
  - Modification: necessary to get permission from authors





# Important Suggestion on your work

## Respect others' rights


- ◆ Most of all creative activities are based on the others' works and technology enlarges the possibilities of creative activities
- ◆ But DON'T forget: Authors' rights and other related rights should be respected appropriately.
- ◆ In the presentation, at least, students should show the source.



# Digital music/movie data can be distributed by Peer-to-peer application/network

- ◆ Anyone can exchange data anonymously.
  - Others' work (text, photo, music, movie)
  - Telephone call between users
- ◆ Difficult for right holders to detect right infringement (illegal use) on the network.





# How should we find an appropriate framework for efficient diffusion of digital contents?

## 1. Surveillance of User's Activities

- ENFORCEMENT is important and critical

## 2. Online Payment Clearance

- With DRM (Digital Rights Management)
- Sometimes, it is controlled too much by right holders

## 3. Attach Right holder's Information to each data, about terms and conditions on reproduction and/or modification

- It promotes the production of derivative works
- Right holders' control is inevitably limited.



## Case Study

- ◆ In Country A, penetration rate of broadband connection (DSL and/or Optical Fiber) was improved rapidly. On the other hand, copyrighted works come to be infringed, not on the street, but on the net. Many countries want Country A to improve this situation and protect their own nationals' right.



## Case Study (contd.)

- ◆ You are one of the government officials in the country A, and directed by the boss to write “Basic Policies on copyright law”, especially considering Digital content related issues including the balance between the benefit of right holders and Users.



## Case Study (contd.)

- ◆ Please analyze and discuss about each item (policy options), and then itemize positive/negative factors for each, consequently write down your proposal for country A.