

A lesson in mob rule on the Web

Brad Stone

Sophisticated Internet users have banded together over the last two days to publish and widely distribute a secret code used by the technology and movie industries to prevent piracy of high-definition movies.

The broader distribution of the code may not pose a serious threat to the studios, because it requires some technical expertise and specialized software to use it to defeat the copy protection on Blu-ray and HD DVD discs. But its relentless spread has already become a lesson in mob power on the Internet and the futility of censorship in the digital world.

An online uproar came in response to a series of cease-and-desist letters from lawyers for a group of companies that use the copy protection system, demanding that the code be removed from several Web sites.

Rather than wiping out the code — a string of 32 digits and letters in a specialized counting system — the legal notices sparked its proliferation on Web sites, in chat rooms, inside cleverly doctored digital photographs and on user-submitted news sites like Digg.com.

"It's a perfect example of how a lawyer's involvement can turn a little story into a huge story," said Fred von Lohmann, a staff lawyer at the Electronic Frontier Foundation, a digital rights group. "Now that they started sending threatening letters, the Internet has turned the number into the latest celebrity. It is now guaranteed eternal fame."

The number is being enshrined in some creative ways. Keith Burgon, a 24-year-old musician in Goldens Bridge, New York, grabbed his acoustic guitar on Tuesday and improvised a melody while soulfully singing the code. He posted the song to YouTube, where it was played more than 45,000 times.

"I thought it was a source of comedy that they were trying so futilely to quell the spread of this number," Burgon said. "The ironic thing is, because they tried to quiet it down it's the most famous number on the Internet."

During his work break on Tuesday, James Bertelson, an engineer in Vancouver, Washington, joined the movement and created a Web page featuring nothing but the number, obscured in an encrypted format that only insiders could appreciate. He then submitted his page to Digg, a news site where users vote on what is important. Despite its sparse offerings, his submission received nearly 5,000 votes and was propelled onto Digg's main page.

"For most people this is about freedom of speech, and an industry that thinks that just because it has high-priced lawyers it has the final say," Bertelson said.

Messages left for those lawyers and the trade organization they represent, the Advanced Access Content System Licensing Administrator, which controls the encryption system known as AACCS, were not answered. In an e-mail message, a representative for the group said only that it "is looking into the matter and has no further comment at this time."

The organization is backed by technology companies like IBM, Intel, Microsoft and Sony and movie studios like Disney and Warner Brothers, which is owned by Time Warner.

The secret code actually stopped being a secret in February, when a hacker ferreted it out of his movie-playing software and posted it on a Web bulletin board. From there it spread through the network of technology news sites and blogs.

Last month, lawyers for the trade group began sending out cease-and-desist letters, claiming that Web pages carrying the code violated its intellectual property rights under the 1998 Digital Millennium Copyright Act. Letters were sent to Google, which runs a blog network at blogspot.com, and the online encyclopedia Wikipedia.

The campaign to remove the number from circulation went largely unnoticed until news of the letters hit Digg. The 25-employee company in San Francisco, acting on the advice of its lawyers, removed posting submissions about the secret number from its database earlier this week, then explained the move to its readers on Tuesday afternoon.

The removals were seen by many Digg users as a capitulation to corporate interests and an assault on free speech. Some also said that the trade group that promotes the HD-DVD format, which uses AACS protection, had advertised on a weekly Digg-related video podcast.

On Tuesday afternoon and into the evening, stories about or including the code swamped Digg's main page, which the company says gets 16 million readers each month. At 9 p.m. West Coast time, the company surrendered to mob sentiment.

"You'd rather see Digg go down fighting than bow down to a bigger company," wrote Kevin Rose, Digg's founder, in a blog post. "We hear you, and effective immediately we won't delete stories or comments containing the code and will deal with whatever the consequences might be." If Digg loses, he wrote, "at least we died trying."

Adelson, Digg's chief executive, said in an interview that the site was disregarding the advice of its lawyers. "We just decided that it is more important to stand by our users," he said. Regarding the company's exposure to lawsuits he said, "we are just going to prepare and do our best."

The conflict spilled over to Wikipedia, where administrators had to restrict editing on some entries to keep contributors from repeatedly posting the code.

The episode recalls earlier acts of online rebellion against the encryption that protects media files from piracy. Some people believe that such systems unfairly limit their freedom to listen to music and watch movies on whatever devices they choose.

In 1999, hackers created a program called DeCSS that broke the software protecting standard DVDs and posted it on the hacker site 2600.com. The Motion Picture Association of America sued, and Judge Lewis Kaplan of Federal District Court in New York, citing the 1998 digital copyright act, sided with the movie industry.

The DVD code disappeared from the 2600 site, but nevertheless resurfaced in playful haiku, on T-shirts and even in a movie in which the code scrolled across the screen like the introductory crawl in "Star Wars."

In both cases, the users who joined the revolt and published the codes may be exposing themselves to legal risk. Chris Sprigman, an associate professor at the University of Virginia School of Law, said that under the digital copyright act, propagating even parts of techniques intended to circumvent copyright was illegal.

However, with thousands of Internet users now impudently breaking the law, Sprigman said that the entertainment and technology industries would have no realistic way to pursue a legal remedy. "It's a gigantic can of worms they've opened, and now it will be awfully hard to do anything with lawsuits," he said.

Disponível em: <<http://www.iht.com>>. Acesso em 3/5/2007.