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## File-Sharing Students Fight Copyright Constraints

By RACHEL AVIV

When Zachary McCune, a student at Brown, received an e-mail message from the university telling him he might have broken the law by downloading copyrighted songs, his eyes glazed over the warning and he quickly forgot about it. "I already knew what they'd say about file-sharing," he said. "It's become a campus cliché."

But the next day, he realized the message had an attachment from the [Recording Industry Association of America](#), a trade group that is coordinating legal efforts by record companies to crack down on Internet piracy. The attachment told Mr. McCune he faced a lawsuit with potential fines of \$750 to \$150,000 for every illegally downloaded song.

"I was stunned by the extremity of the punishment for taking songs I could have bought for a few cents," he said. "It seemed grossly out of proportion."

Twelve Brown students received these letters; Mr. McCune ended up paying \$3,000 to settle the claim. But the experience made him interested in changing intellectual property regulations. Last spring he co-founded Brown's chapter of Students for Free Culture, a national organization sprouting up on college campuses that advocates loosening the restrictions of copyright law so that information — from software to music to research to art — can be freely shared.

"The technology has outpaced the law," said Mr. McCune, who is now a sophomore.

Established at Swarthmore College in 2004, the group has chapters at more than 35 universities across the country. "We will listen to free music, look at free art, watch free film and read free books," reads its manifesto, posted on its Web site, [freeculture.org](#). "We refuse to accept a future of digital feudalism."

Members assert that the Internet has made it necessary to rethink copyright law, and they talk about the group's goals with something like the reverence that earlier generations displayed in talking about social or racial equality.

"People wonder why college students aren't rallying more around the Iraq war," Mr. McCune said. "If there were a draft, we probably would be. Students are so quick to fight for this cause because we're the ones bearing the burden."

Cory Doctorow, co-editor of the popular technology blog Boing Boing, said the recording industry lawsuits were not "scaring students away from file-sharing, but scaring them into political consciousness." Last year, Mr. Doctorow was an adviser to the Students for Free Culture chapter at the [University of Southern California](#) while teaching a course on the history of copyright law.

Opposition to the music industry and its efforts to protect copyrights often dominates discussions on campuses. Chapters have organized demonstrations in front of major record stores and held “[iPod liberation](#)” parties where students have downloaded software together that makes it possible to swap songs.

Many chapters have held forums to discuss legal decisions and developments in copyright, frequently debating what it means to “steal” something as amorphous as a digital file.

But in recent months, the group has made a point of branching out beyond music copyrights. At its first national conference, held at [Harvard](#) in May and attended by more than 130 people, speakers gave presentations on topics like enhancing Internet access in impoverished countries, and loosening patent regulations for pharmaceutical drugs.

“File-sharing may have brought these issues to public consciousness, but it’s not our only inspiration,” said Elizabeth Stark, founder of Harvard’s Free Culture group.

Some chapters have rallied around the Federal Research Public Access Act, a bill that would make it mandatory for government-financed research to be published in online journals, free to the public.

The movement is not without its critics. Early on, Ethan Zuckerman, a research fellow at the Berkman Center for Internet and Society at Harvard Law School, said the group should pick more consequential problems to rally around than access to music.

“Part of what’s so tricky about this movement is trying to pry apart access to entertainment from some of the more serious issues, like access to medicine,” he said. “The movement does itself a disservice by blending all the issues together.”

There are student dissenters, too. At Brown, David Harrington, a senior who did not join the new chapter, said he sometimes felt like the “grumpiest, curmudgeonliest old man in the conversation” for understanding the position of the recording industry.

“I’m a musician, so I’m thinking, how are these artists going to earn a living?” he said. “The technology makes stealing so easy that it’s hard to tell whether this debate is about ethics or just convenience.”

Jonathan Lamy, a spokesman for the recording industry group, said he had never heard of Students for Free Culture. But he said his group did not plan to let up on its efforts to protect music copyrights.

“Some say illegal downloading couldn’t possibly hurt successful artists, which may very well be true,” he said. “But we rely on a few successful artists to compensate for all the new, risky ones who don’t recoup what’s invested in them.”

The movement has its roots in an incident at Swarthmore, when two sophomores posted online internal e-mail messages from Diebold Election Systems, which makes electronic voting machines. The company ordered the students to remove the documents, asserting that the messages were its own intellectual property, and threatening a lawsuit. Instead, the students won a lawsuit against Diebold for abusing copyright law.

Propelled by their victory, the students started the group, which they named after the 2004 book “Free

Culture” by [Lawrence Lessig](#), a professor at Stanford Law School. The book applies principles from the so-called free software movement — the idea that computer users should have the liberty to copy, distribute and modify software as they wish — to all aspects of culture. Too many copyright restrictions, Mr. Lessig argued, dampen creativity.

“Copyright should be a boring subject, but more and more people are realizing how big this is,” said Cameron Parkins, 21, a member of Students for Free Culture at the University of Southern California. “You mention the name Lawrence Lessig to the right people, and they’ll just go bananas.”

Before beginning their meetings, the members of [New York University](#)’s chapter place a copy of “Free Culture” at the center of their conference table.

“I wouldn’t say it’s a bible, but we do often reference it,” said Fred Benenson, 23, president of the group and a master’s student in N.Y.U.’s Interactive Telecommunications Program. His group has held lectures, protests and an art exhibition, with all work licensed under Creative Commons, a nonprofit organization that allows authors to change copyright terms from “All Rights Reserved” to “Some Rights Reserved” or “No Rights Reserved.”

There are around 15 regular members in N.Y.U.’s chapter, Mr. Benenson said, and the mailing list includes more than 600 people. He said he and others were working on composing a list of the top 10 universities with the most restrictive policies for licensing scholarly research, software and student work.

“Students want to know which universities are going to take away their freedom on the Internet,” he said. “The academy is meant to be this wonderful, separate part of the world that exists for the sharing and reusing of culture.”

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