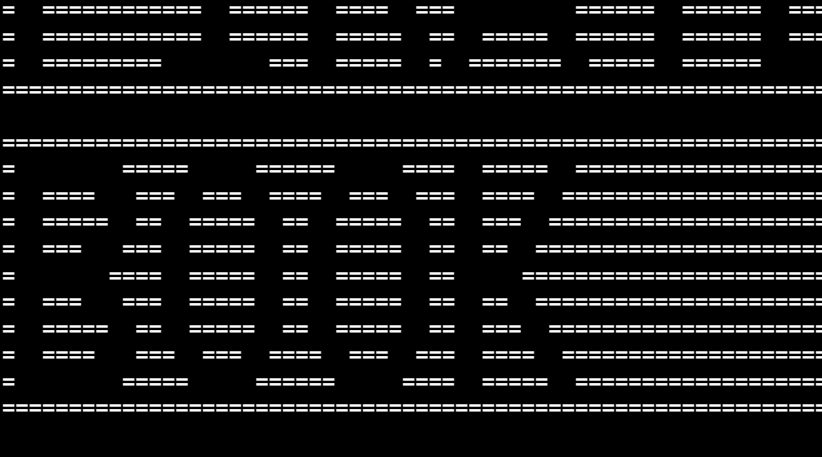

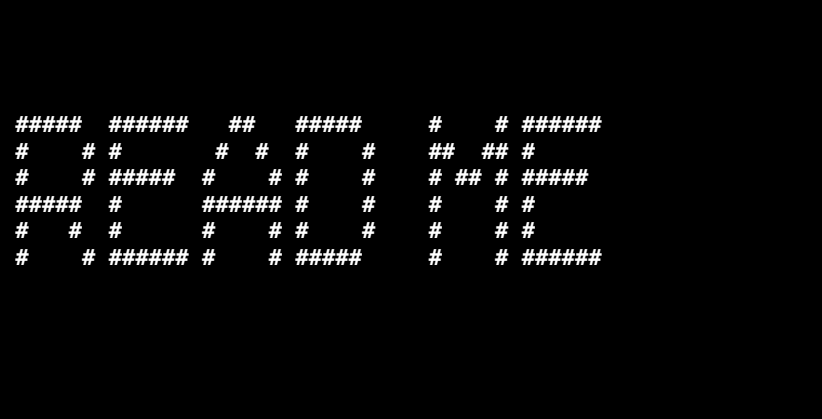

Edited by Nicolas Maigret & Maria Roszkowska | thepiratebook.net

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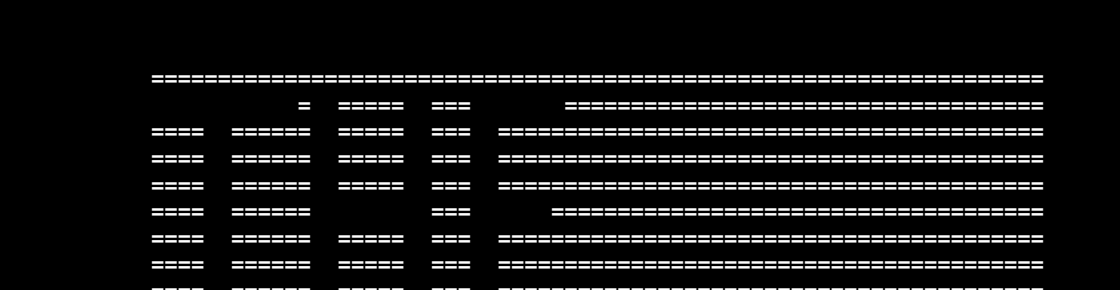

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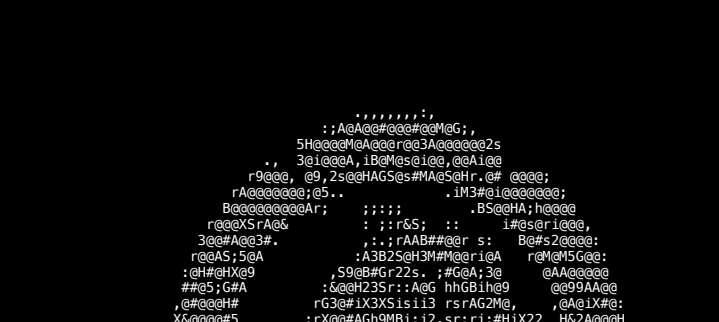
THE PIRATE BOOK
+
A compilation of stories about sharing, distributing, and experiencing cultural content outside the boundaries of local economies, politics, or laws



Sorry WE'RE
OPEN

PREAMBLE

The Pirate Book by Nicolas Maigret and Maria Roszkowska is both a visual essay and anthology, written in the wake of the Jolly Roger's infamous skull and crossbones and compiled during its journey across the four corners of the world. In this book, the authors invite us to shift our perspective on piracy itself. This polyphonic work constitutes an attempt at probing the ambiguity inherent to piracy and at re-evaluating the issues related to it. *The Pirate Book,* moreover, signifies a departure from the one-sided approach adopted by the cultural industries which consists in designating the figure of the pirate as public enemy number 1.
Intellectual property was, in fact, called into existence in order to ward off those that Cicero, in his time, called "the common enemy of all." At the outset, intellectual property's purpose was to protect authorship and promote innovation; however, it eventually hindered technological progress and encouraged cultural products, which had hitherto belonged to the public domain, to be snatched away from it.

This book arises from a previous installation-performance by Nicolas Maigret, The Pirate Cinema[1], where the artist visualizes the covert exchange of films in real time at dazzling speed under the cover of worldwide peer-to-peer networks. The advent of the Internet and its users' unbridled file sharing capability on peer-to-peer networks has resulted in an unprecedented proliferation of illegal downloading since the 1990s. This situation also very quickly led to online piracy being singled out as the primary cause of the crises affecting the music and film industries, whereas certain other voices deemed piracy to be the scapegoat of the cultural sector that had not managed to properly negotiate the transformations it underwent following the onset of the digital era.

Piracy as Experimentation

The term piracy more generally designated the unauthorized usage or reproduction of copyright or patent-protected material. This is almost a far cry from the word's original etymology. "The word piracy derives from a distant Indo-European root meaning a trial or attempt, or (presumably by extension) an experience or experiment," writes Adrian Johns in *Piracy: The Intellectual Property Wars from Gutenberg to Gates*[2] in which he highlights the fact that "It is an irony of history that in the distant past it meant something so close to the creativity to which it is now reckoned antithetical."

The Pirate Book endeavours to gain an insight into this very creativity. By calling on the contributions of artists, researchers, militants and bootleggers, this book brings together a large variety of anecdotes and accounts of local and specific experiences from Brazil, Cuba, Mexico, China, India, and Mali, all of which foreground the lived, personal and perceived aspects of such experiences. Despite the legal arsenal that has unfurled as well as the economic and political restrictions in place, *The Pirate Book* provides an illustration of the vitality of pirate (or peer-ate) culture. A culture that arose from necessity rather than convenience. A culture that has devised ingenious strategies to circumvent the armoury in place in order to share, distribute, and appropriate cultural content and thereby corroborate Adrian Johns' view that "piracy has been an engine of social, technological, and intellectual innovations as often as it has been their adversary." The author of *Piracy* believes that "the history of piracy is the history of modernity."

Steal This Book

The concept of intellectual piracy is inherited from the English Revolution (1660–80) and, more specifically, from the book trade. *The Pirate Book* is, as its name suggests, a book. An e-book, to be precise; a format that at the time of publication is currently very popular due to the development of tablets and readers. The increase in illegally available content that is

concomitant with the growth of the e-book sector has raised fears that this sector will be doomed to the same fate as the film and music industries. By way of example, Michel Houellebecq's latest blockbuster novel *Soumission* was pirated two weeks prior to its release. This marked the first incident of its kind in France. The arrival of the first printing press in England in the 1470s brought about the reinforcement of intellectual property rights regarding books. More specifically, this was achieved by way of monopolies granted by the Crown to the guild of printers and booksellers that was in charge of regulating and punishing those who illegally reprinted books. In 1710, the London guild obtained the Statute of Anne, the first law to recognize author's rights, but also to limit copyright (which until then had been unlimited under the guild) to 14 years, with a possible extension if the author was still alive.

The Pirate Book places side by side the Statute of Anne with the Digital Millennium Copyright Act (DMCA), the American copyright law of 1998 that aimed at curbing the new threats posed by the generalisation of the Internet. *The Pirate Book* revisits some of the milestones of this history of piracy, by juxtaposing and comparing an image from the past with its contemporary counterpart. Such is the case with the musical score of Stephen Adams' Victorian ballad, *The Holy City,* that became the most "pirated" song of its time towards the end of the 19th century and is presented opposite the album, *Nothing Was the Same,* by the Canadian rapper Drake that became the most pirated album of the 21st century (it was illegally downloaded more than ten millions times).

Despite being the nation that ostensibly spearheads the war on piracy, the United States was at its inception a "pirate nation" given its refusal to observe the rights of foreign authors. In the absence of international copyright treaties, the first American governments actively encouraged the piracy of the classics of British literature in order to promote literacy. The grievances of authors such as Charles Dickens fell upon deaf ears, that is until

STEAL THIS BOOK
ABBIE HOFFMAN
Da Capo
Fisk
UNDERSTANDING ONLINE PIRACY
PRAEGER
Adrian Johns
Piracy
CHICAGO
Piracy
MARTIN FREDRIKSSON
JAMES ARVANITAKIS
Marine Research Society
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SOFTWARE PIRACY EXPOSED
SYNGRESS
66984
MEDIA PIRACY IN EMERGING ECONOMIES
SSRC

American literature itself came into its own and authors such as Mark Twain convinced the government to reinforce copyright legislation.

Piracy, Access, and Production Infrastructure

The article "Piracy, Creativity and Infrastructure: Rethinking Access to Culture," in which the Indian legal expert Lawrence Liang situates the issue of the piracy of cultural artefacts in emerging economies, also rejects the narrow view of piracy as a solely illicit activity and goes on to depict it as an infrastructure providing access to culture. The abundantly illustrated stories brought together in *The Pirate Book* all inform this notion by inviting the reader to shift perspective. As described by the researcher and legal expert Pedro Mizukami, the emergence of bootlegged video rentals and consoles in Brazil was directly linked to the country's industrial policies of the 1980s which aimed at closing the Brazilian market to imports in order to stimulate the growth of local productions, some of which were exorbitantly priced. Cuba's isolation by the US embargo since 1962 and its ensuing inability to procure basic resources provided a fertile ground for audio-visual piracy on the part, among others, of the government itself in order to supply its official television channels with content as well as to provide its universities with books, as highlighted by the designer and artist Ernesto Oroza. Despite being poorly equipped, Cubans are able to get their hands on the latest action films, TV series, or music video thanks to a weekly, underground compilation of digital content called *El Paquete Semanal* that is downloaded by the rare Cubans who own a computer (around 5% of the population has Internet access)[3] and sold on a hard drive that can be plugged directly into a TV. The downloaders of Fankélé Diarra Street in Bamako, who are the subject of Michaël Zumstein's photographs, employ the same system of streetwise savvy. They exchange the latest music releases on their cell phones via Bluetooth, thus forming an ad hoc "African iTunes" where you can pick up the files offline in the street. This small-timer operation is also a must for local musicians to raise their profile.

From Copy to Creation, the Shanzhai Culture

Liang claims that piracy makes cultural products otherwise inaccessible to most of the population available to the greatest number of users, but also offers the possibility of an "infrastructure for cultural production." The case of the parallel film industry based in Malegaon is literally a textbook case. The Indian researcher Ishita Tiwary tackles the case study of this small backwater of central India that has arisen thanks to an infrastructure created by media piracy and the proliferation of video rentals. Using the same mode of operation as Nollywood in Nigeria, people seize the opportunities provided by cheap technology in order to make "remakes of Bollywood successes" by adapting the content to the realities of the target audience's lives. Servile replication, one of the objections often levelled at piracy, then gives way to "creative transformation" according to Lawrence Liang's own terms.

Another noteworthy example is the Chinese village of Dafen that is notorious for its painters who specialize in producing copies of well-known paintings. Dafen has now become home to a market for Chinese artists selling original works, which just goes to show how *"A quasi-industrial process of copying masters has led to the emergence of a local scene."*

This same process is aptly described by Clément Renaud, a researcher and artist, who took an interest in *Shanzhai* culture (literally meaning "mountain stronghold"), the flourishing counterfeiting economy of China, a country whose non-observance of copyright law is decried worldwide. "When you have no resources, no proper education system and no mentors at your disposal, then you just learn from your surroundings: you copy, you paste, you reproduce, you modify, you struggle – and you eventually improve," resumes Clément Renaud by noting the rapid versatility and resourcefulness of these small-scale Chinese companies when faced with the demands of the global market. These "pirates [work] secretly (…) in remote factories, they have built a vast system for cooperation and

competition. They shared plans, news, retro-engineering results and blueprints on instant messaging groups," observes the researcher for whom this form of collaboration is reminiscent of open-source systems.

Warez Culture and Freeware

Computer-based piracy was originally a means of distributing, testing, and getting to grips with technologies amongst a small group of users. It was indeed not too dissimilar from the type of group activity that brought into existence the free software movement. It was a commonplace occurrence to supply your friends and colleagues with a copy of software. Clubs formed and began to learn the basics of computer programming by decoding software programmes to the great displeasure of the then infant IT industry, as attested by Bill Gates' infamous letter of 1976 that *The Pirate Book* has exhumed and which denounces amateur IT practitioners for sharing the BASIC programme created by his fledgling company Altair. IT manufacturers made a concerted effort to shift the original meaning of the word *hacker* (which until that time had been associated with a positive form of DIY) that was then conflated with *cracker* which translates as "pirate." The view underpinning this semantic shift was later adopted by the cultural industries with regards to P2P users, and is analysed by Vincent Mabillot[4].

This privatisation of the code and the creation of software protection mechanisms led users to rebel by cracking digital locks and by fostering anti-corporate ideas in the name of free access. At a time when commercial software and IT networks gained momentum and complexity, a more or less independently instituted division of labour emerged among specialised pirates who belonged to what is termed The Scene. The Scene is the source of most pirated content that is made publicly available and then disseminated via IRC, P2P, and other file sharing services used by the general public. The Scene comprises, amongst others, small autonomous groups of pirates who compete to be the first to secure and release the pirated

version of digital content. *The Pirate Book* sheds light on the modus operandi and iconography of this Warez culture (the term designates the illicit activities of disseminating copyright protected digital content) from which the content consumed online in the most well connected countries originates and which is subsequently resold at heavily discounted prices at stalls across the globe.

Torrent Poisoning: What the Fuck Do You Think You're Doing?
In the context of this continual game of hide and seek, the cultural industries have proven to be surprisingly creative in the strategies they employ to combat piracy as substantiated by the documents on display in this book: from educational flyers to intimidation, from hologram stickers to game alterations, from false TV signal detectors (mysterious vans equipped with weird and wonderful antenna that are supposed to strike fear in the hearts of those who have not paid their TV licence) to show trials such as the 2009 high-profile case of the Swedish founders of the emblematic peer-to-peer platform, The Pirate Bay. Pirate or "privateer" tactics are even employed by certain corporations. These tactics include torrent poisoning which consists in sharing data that has been corrupted or files with misleading names on purpose.

In this particular case, the reader is at liberty to copy the texts of this book and do with them as he/she pleases. The book's authors (editors?) have opted for copyleft, a popular alternative to copyright. The term copyleft was brought into popular usage by Richard Stallman who founded the freeware movement and refers to an authorization to use, alter and share the work provided that the authorization itself remains untouched. Pirates' challenging and transgression of the conventions of intellectual property have become a form of resistance to the ever increasing surveillance of users of digital technologies by corporate and state interests. In doing so, pirates have opened the way to new "perspectives of counter-societies that work along different lines."[5]

The Pirate Book makes its own particular contribution to this debate by painting a different picture, one embedded in the geographic realities of piracy, of these frequently scorned practices. In the same way that piracy itself is difficult to pinpoint, this book endeavours to capture the breadth of the phenomenon through images and accounts garnered online. It combines the global and the hyper local, states of being on and offline, anecdotes and immersion, poetic references, and technical decryption, thereby eschewing conventional categories used to classify publications. *The Pirate Book* is indeed neither an artist book, nor an academic dissertation, nor an archive, nor a forecast study. It is a blend of all of the latter and forms a prolific guide that can be read as much as it can be looked at. By focusing on situations, objects, documents, and individuals, this work enables us to envision the potential for future cross-purpose practices that could emerge in a networked society.

Marie Lechner

1 http://thepiratecinema.com/
2 Adrian Johns, “Piracy: The Intellectual Property Wars from Gutenberg to Gates”, Ed. University of Chicago Press, 2009
3 The Internet Dealers of Cuba, Jason Koebler (http://motherboard.vice.com/read/the-internet-dealers-of-cuba)
4 “Culture pirate et les usages du P2P”, Vincent Mabillot (Tracés. Revue de Sciences humaines, “Pirater”, ENS Editions)
5 “Transgressions pirates”, Samuel Hayat & Camille Paloques-Berges (Tracés. Revue de Sciences humaines, “Pirater”, ENS Editions) https://www.cairn.info/revue-traces-2014-1-page-7.htm

CHAPTER 1
+
Historical Perspective
Echoes Over Time

A PIRATE CRAFT.

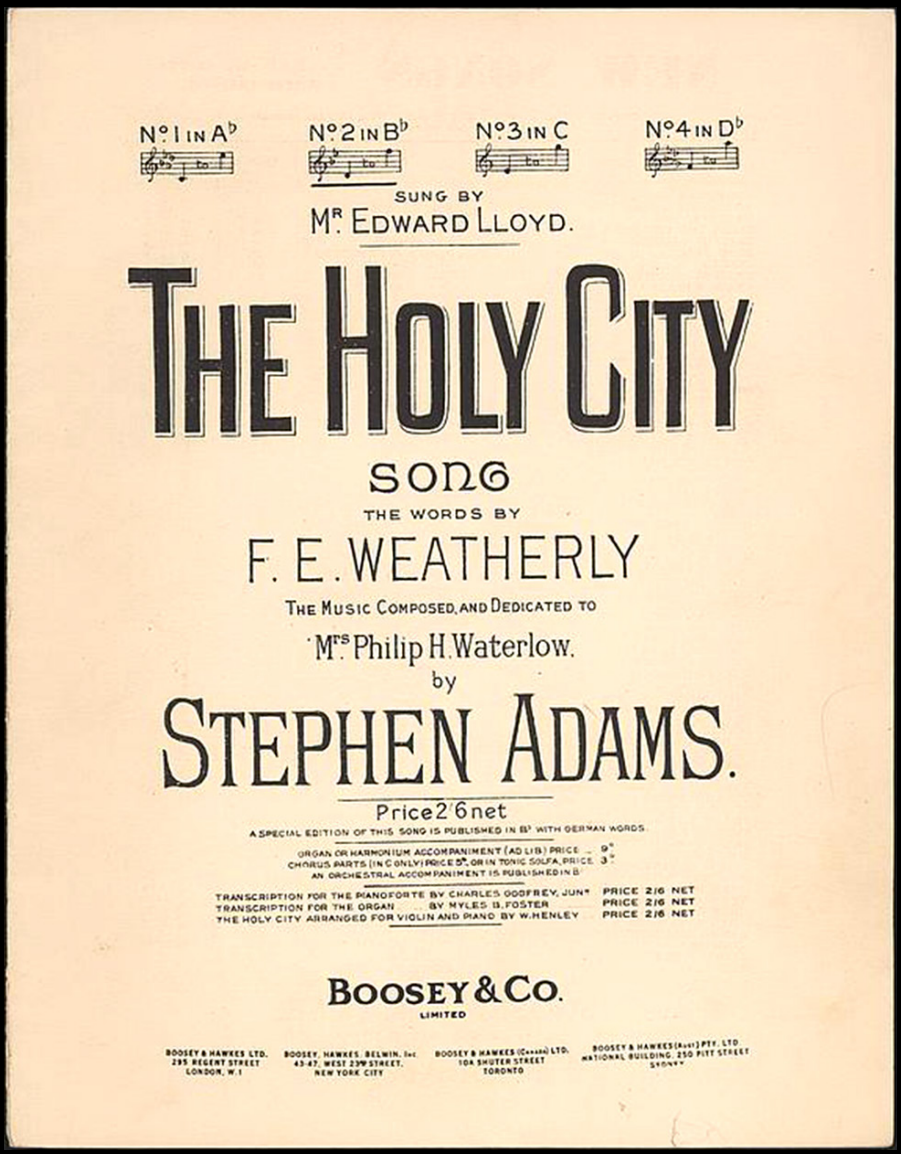
T. P. O'CONNOR (*Captain of War Sloop in chase*). "THE ROGUES! THIS OUGHT TO SINK 'EM!"

ECHOES OVER TIME

It is the beginning of a new century, and the music industry is facing a crisis. New technology, new media, and innovative business practices are challenging the copyright principles that have underpinned the industry for as long as anyone can remember. Taking advantage of a revolutionary process that allows for exact copying, "pirates" are replicating songs at a tremendous rate. The public sees nothing wrong in doing business with them. Their publicity, after all, speaks of a mainstream music industry that is monopolistic and exploitative of artist and public alike. The pirates, by contrast, are ostentatiously freedom loving. They call themselves things like the People's Music Publishing Company and sell at prices anyone can afford. They are, they claim, bringing music to a vast public otherwise entirely unserved. Many of them are not businesses on the traditional model at all, but homespun affairs staffed by teenagers and run out of pubs and even bedrooms. In reaction, the recently booming "dot" companies band together to lobby the government for a radical strengthening of copyright law – one that many see as threatening to civil liberties and principles of privacy. In the meantime they take the law into their own hands. They resort to underhand tactics, not excluding main force, to tackle the pirates. They are forced to such lengths, they say, because the crisis of piracy calls the very existence of a music industry into question.

The beginning of the 20th century described by Adrian Johns in "Piracy"

MOST PIRATED MUSIC ARTIST (THE LATE 19TH CENTURY)



Stephen Adams's "The Holy City" song, probably the most pirated musical piece (on printed sheet music) prior to the Internet.

MOST PIRATED MUSIC ARTIST (EARLY 21ST CENTURY)

Drake's "Nothing Was the Same", the 7th best-selling album of 2013 with over 1.34 million copies sold in the US alone was pirated, at least, an astounding 10 million times (MP3 files). According to ExtraTorrent, this makes it the most pirated music album after the arrival of the Internet.

PETER KENNEDY
PHYSICIAN (1730)

mention out of the ſame Author, to prove yet more fully his Opinion, ſpoken of above, in relation to Cataracts, as in *Page* 123, where he ſays, —— *Mais une alteration entiére de tout le Cryſtallin, qui change de couleur & perd ſa tranſparance, & que c'eſt ce Cryſtallin ainſi alteré qu'on détourne avec léguille.* But now e'er we entirely finiſh this Affair of the *Plagiariſm*, let us try a little how far we can turn the Tables on our notable Accuſer. Let us now, I ſay, make a ſhort Excurſion on the *Afric* Coaſt, without carrying our Reſentment to the very Gates of *Carthage*, or endeavouring the entire Demolition of that *proud City*, but rather to bombard ſome more modern ſmall pyratical Fortreſs there. Firſt, then, I ſhall wave the other parts of this Author's Treatiſe, nay even that of the Eye, only ſome little Part thereof, ſuch as may ſerve as a Specimen of the reſt; tho' I muſt in general obſerve, that he has not thought proper to take the leaſt notice of *a Horſe's Eye* in particular, or ſpoke of *comparative Anatomy*, only to have ſuch account of *a human Eye*, as he thought would ſerve his purpoſe. I ſhall then take notice, that altho' I was well perſuaded that this Book of his was only a *ſcanty Hotch-potch* of the noted Authors (before him) on that Subject; yet I could ſcarce have imagin'd him to have been *a ſhameleſs Plagiary*, even of, or from him he had the Aſſurance to call ſo, or rather to *downright pyrate him* (as Bookſellers term it) for to be a *Plagiary* from him he charges to be ſo, nay, even moſt *ſhamefully to pyrate him*, without *owning it*, is ſurely the *Devil*. Or for a *Jockey* to ſteal a Man's Horſe, and then pretend to *ſell him to the Owner again* (in an open Market) without at leaſt *diſguiſing him a little*, with *a falſe Tail or Mane* faſten'd to him, is certainly a moſt conſummate piece of *Aſſurance*. I ſhall then obſerve, I ſay, that as I was well convinced he had made very free on this occaſion with

Peter Kennedy in "A Supplement To Kennedy's Ophthalmographia", 1730

BILL GATES
COMPUTER PROGRAMMER (1976)

February 3, 1976

An Open Letter to Hobbyists

To me, the most critical thing in the hobby market right now is the lack of good software courses, books and software itself. Without good software and an owner who understands programming, a hobby computer is wasted. Will quality software be written for the hobby market?

Almost a year ago, Paul Allen and myself, expecting the hobby market to expand, hired Monte Davidoff and developed Altair BASIC. Though the initial work took only two months, the three of us have spent most of the last year documenting, improving and adding features to BASIC. Now we have 4K, 8K, EXTENDED, ROM and DISK BASIC. The value of the computer time we have used exceeds $40,000.

The feedback we have gotten from the hundreds of people who say they are using BASIC has all been positive. Two surprising things are apparent, however. 1) Most of these "users" never bought BASIC (less than 10% of all Altair owners have bought BASIC), and 2) The amount of royalties we have received from sales to hobbyists makes the time spent of Altair BASIC worth less than $2 an hour.

Why is this? As the majority of hobbyists must be aware, most of you steal your software. Hardware must be paid for, but software is something to share. Who cares if the people who worked on it get paid?

Is this fair? One thing you don't do by stealing software is get back at MITS for some problem you may have had. MITS doesn't make money selling software. The royalty paid to us, the manual, the tape and the overhead make it a break-even operation. One thing you do do is prevent good software from being written. Who can afford to do professional work for nothing? What hobbyist can put 3-man years into programming, finding all bugs, documenting his product and distribute for free? The fact is, no one besides us has invested a lot of money in hobby software. We have written 6800 BASIC, and are writing 8080 APL and 6800 APL, but there is very little incentive to make this software available to hobbyists. Most directly, the thing you do is theft.

What about the guys who re-sell Altair BASIC, aren't they making money on hobby software? Yes, but those who have been reported to us may lose in the end. They are the ones who give hobbyists a bad name, and should be kicked out of any club meeting they show up at.

I would appreciate letters from any one who wants to pay up, or has a suggestion or comment. Just write me at 1180 Alvarado SE, #114, Albuquerque, New Mexico, 87108. Nothing would please me more than being able to hire ten programmers and deluge the hobby market with good software.

Bill Gates

Bill Gates
General Partner, Micro-Soft

Bill Gates in “An Open Letter to Hobbyists”, 1976

PRIVATE PIRATE BUS ON PUBLIC ROADS (1851)

Above: Pirate Bus in Regent’s Park, during the General Strike, 1926

In London, independent bus operators appeared in the mid of 19th century, following the tourism boom that accompanied the Great Exhibition of 1851. Their vehicles were soon popularly termed “pirate” buses.

PRIVATE GOOGLE BUS ON PUBLIC ROADS (2013)

In late 2013, Google private shuttle buses have become a focal point for social justice protests in San Francisco. Protesters viewed the buses as symbols of gentrification and displacement in a city where the rapid growth of the tech sector has driven up housing prices. Activists also opposed the unpaid use of public bus stops by private companies, which transit officials said leads to delays and congestion.

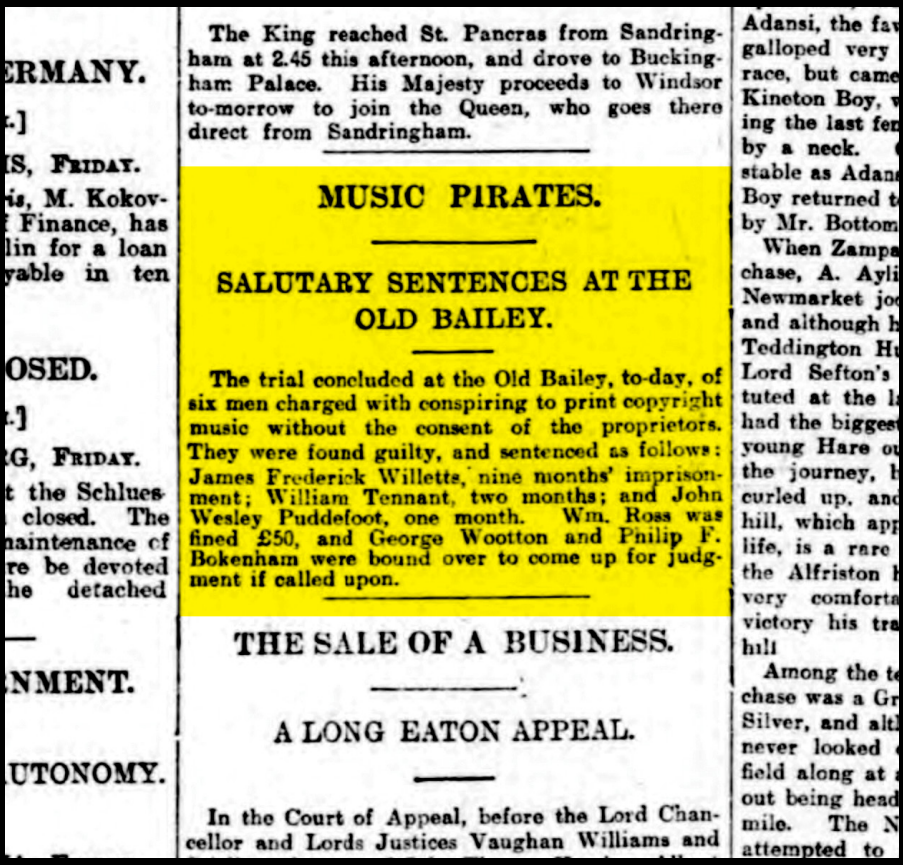
BOOTLEG RECORDINGS BY LIONEL MAPLESON (1900–1904)

Lionel Mapleson was the Metropolitan Opera's librarian from the 1890s until he died in 1937. In 1900, he purchased an Edison "Home" Cylinder Phonograph, smuggled the gadget into the prompter's box, and started recording excerpts from Metropolitan performances. In 1904, Mapleson's piratical activities came to an end, but by then he had amassed an extraordinary collection that has been called one of the most valuable legacies in the history of recorded sound.

BOOTLEG RECORDINGS
BY MIKE THE MIKE (70S–80S)

Mike Millard, nicknamed “Mike The Mike” was an avid concert taper in the 1970s and 1980s, recording mostly Led Zeppelin, Pink Floyd, and The Rolling Stones concerts in California, especially at the Los Angeles Forum. Starting with a basic mono recorder in 1974, Millard upgraded to a Nakamichi stereo recorder with AKG Acoustics microphones for the 1975 Led Zeppelin shows in the area. He often used a wheelchair to conceal his equipment, pretending to be disabled. Unlike most 1970s audience bootlegs, Millard’s recordings are noted for their great sound quality, and are to this day considered some of the finest audio bootlegs available.

THE PIRATE KING TRIAL (1904)



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NMENT.
UTONOMY.

The King reached St. Pancras from Sandringham at 2.45 this afternoon, and drove to Buckingham Palace. His Majesty proceeds to Windsor to-morrow to join the Queen, who goes there direct from Sandringham.

MUSIC PIRATES.

SALUTARY SENTENCES AT THE OLD BAILEY.

The trial concluded at the Old Bailey, to-day, of six men charged with conspiring to print copyright music without the consent of the proprietors. They were found guilty, and sentenced as follows: James Frederick Willetts, nine months' imprisonment; William Tennant, two months; and John Wesley Puddefoot, one month. Wm. Ross was fined £50, and George Wootton and Philip F. Bokenham were bound over to come up for judgment if called upon.

THE SALE OF A BUSINESS.

A LONG EATON APPEAL.

In the Court of Appeal, before the Lord Chancellor and Lords Justices Vaughan Williams and

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James Frederick Willetts alias John Fischer
People's Music Publishing Company / Trial: 1904-1906, UK
The Nottingham Evening Post, January 19, 1906, page 6

THE PIRATE BAY TRIAL (2008)

cours avec le groupe AB sur une éventuelle reprise d'une partie de ses activités. À ce jour, ces discussions n'ont donné lieu à aucun accord », a reconnu TF1 dans un communiqué. Il confirme ainsi les

qui permettrait à Claude Berda de détenir entre 4 % et 8 % du capital de TF1. Toutefois, les discussions, qui devaient aboutir avant le 2 avril, traînent encore en longueur.

E. R *et* **P. G.**

EN BREF

La prison pour les responsables de Pirate Bay

INTERNET. Les quatre responsables du site Internet The Pirate Bay, important serveur de torrents qui facilite l'accès aux fichiers piratés, ont été condamnés à un an de prison ferme par un tribunal de Stockholm pour infraction aux droits d'auteur. Ils devront verser 2,7 millions d'euros de dommages et intérêts aux ayants droit, dont Warner Bros et Sony.

Manque de concurrence dans la diffusion TV

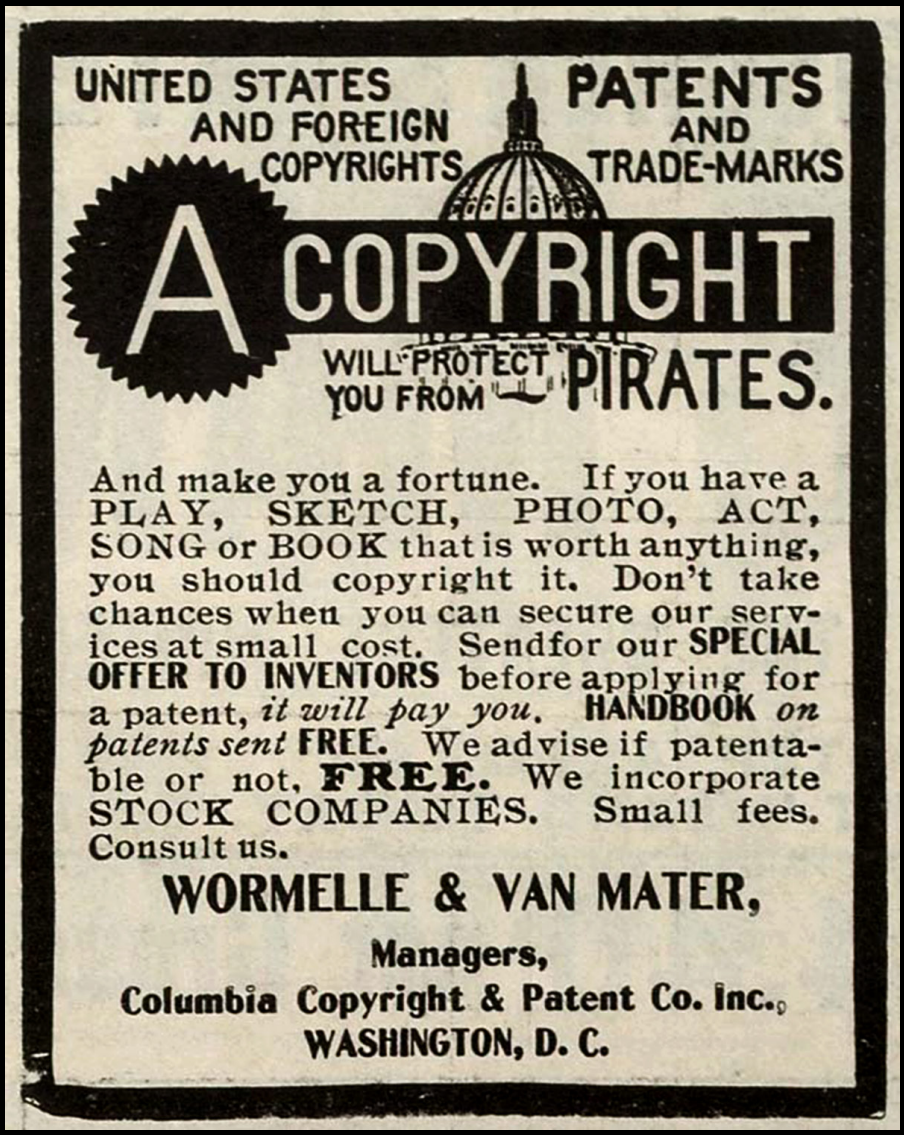
AUDIOVISUEL. L'autorité de la concurrence considérant que le diffuseur TDF est en position dominante depuis le rachat d'Antalis, Emettel, soutient l'Arcep dans sa proposition de renforcer sa régulation sur les coûts de TDF et sur l'accès des concurrents à ses sites de diffusion.

« Madame Figaro » lance l'album « Madame Aime »

PRESSE. *Madame Figaro* a réuni 13 comédiennes dont Nathalie Baye, Emmanuelle Béart ou Mélanie Laurent pour interpréter 14 chansons d'amour sur un album intitulé « Madame Aime » qui sortira le 4 mai. Un documentaire a été réalisé qui sera diffusé le 7 mai sur Canal +.

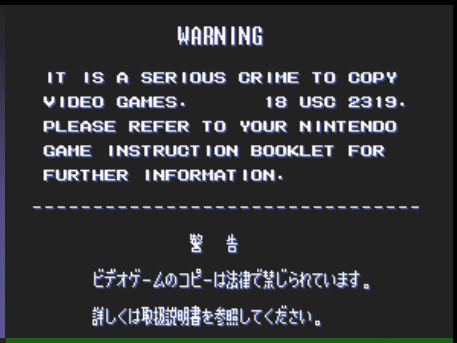
Hans Fredrik Neij, Per Gottfrid Svartholm Warg, Peter Sunde Kolmisoppi
The Pirate Bay / Trial: 2008-2009, Sweden
Le Figaro, April 18-19, 2009, page 26

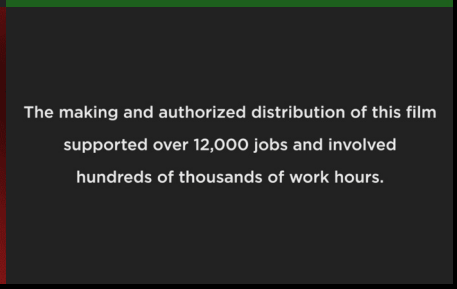
ADVERTISEMENT FOR COPYRIGHT (1906)



An advertisement for copyright and patent preparation services from 1906, when copyright registration formalities were still required in the USA.

ANTI-PIRACY WARNINGS (1980–PRESENT)





"The Anti-Piracy Warning (APW) Seal has been approved by the U.S. Attorney General as an official insignia of the FBI and the U.S. Department of Justice. The purpose of the APW Seal is to help detect and deter criminal violations of U.S. intellectual property laws by educating the public about the existence of these laws and the authority of the FBI to enforce them. Any copyright holder who complies with the conditions of 41 CFR Section 128-1.5009 can use the Seal."
The FBI, Federal Bureau of Investigation

STATUTE OF ANNE
(1710)

Cap 19

Anno Octavo

Annæ Reginæ.

An Act for the Encouragement of Learning, by vesting the Copies of Printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned.

Whereas Printers, Booksellers, and other Persons have of late frequently taken the Liberty of Printing, Reprinting, and Publishing, or causing to be Printed, Reprinted, 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; May it please Your Majesty, that it may be Enacted, and be it Enacted by the Queens most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Tenth Day of April, One thousand seven hundred and ten, the Author of any Book or Books already Printed, who hath not Transferred to any other the Copy or Copies of such Book or Books, Share or Shares thereof, or the Bookseller or Booksellers, Printer or Printers, or other Person or Persons, who hath or have Purchased or Acquired the Copy or Copies of any Book or Books, in order to Print or Reprint the same, shall have the sole Right and Liberty of Printing such Book and Books for the Term of One and twenty Years, to Commence from the said Tenth Day of April, and no longer; and that the Author of any Book or Books already Composed and not Printed and Published, or that shall hereafter be Composed, and his Assignee, or Assigns, shall have the sole Liberty of Printing and Reprinting such Book and Books for the Term of Four-

The Statute of Anne, an act of the Parliament of Great Britain, was the first statute to provide for copyright regulated by the government and courts, rather than by private parties. This legislation was intended to limit the omnipotence of publishers and “encourage education”. It gave authors the full ownership of their work for a period of fourteen years, renewable only once.

DIGITAL MILLENNIUM COPYRIGHT ACT (1998)

THE DIGITAL MILLENNIUM COPYRIGHT ACT OF 1998
U.S. Copyright Office Summary

December 1998

INTRODUCTION

The Digital Millennium Copyright Act (DMCA)[1] was signed into law by President Clinton on October 28, 1998. The legislation implements two 1996 World Intellectual Property Organization (WIPO) treaties: the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty. The DMCA also addresses a number of other significant copyright-related issues.

The DMCA is divided into five titles:

- Title I, the "**WIPO Copyright and Performances and Phonograms Treaties Implementation Act of 1998**," implements the WIPO treaties.
- Title II, the "**Online Copyright Infringement Liability Limitation Act**," creates limitations on the liability of online service providers for copyright infringement when engaging in certain types of activities.
- Title III, the "**Computer Maintenance Competition Assurance Act**," creates an exemption for making a copy of a computer program by activating a computer for purposes of maintenance or repair.
- Title IV contains six **miscellaneous provisions**, relating to the functions of the Copyright Office, distance education, the exceptions in the Copyright Act for libraries and for making ephemeral recordings, "webcasting" of sound recordings on the Internet, and the applicability of collective bargaining agreement obligations in the case of transfers of rights in motion pictures.
- Title V, the "**Vessel Hull Design Protection Act**," creates a new form of protection for the design of vessel hulls.

This memorandum summarizes briefly each title of the DMCA. It provides merely an overview of the law's provisions; for purposes of length and readability a significant amount of detail has been omitted. **A complete understanding of any provision of the DMCA requires reference to the text of the legislation itself.**

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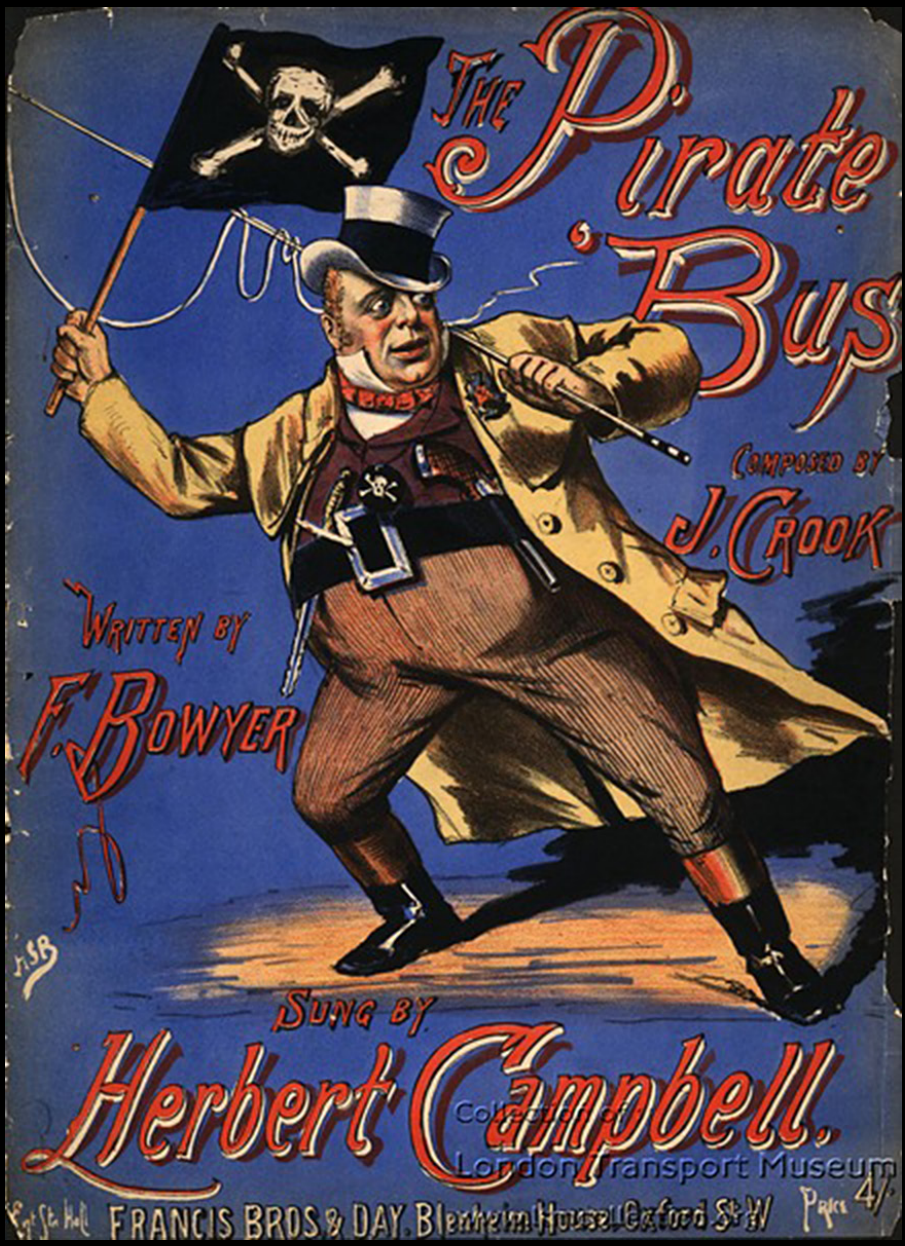
[1] Pub. L. No. 105-304, 112 Stat. 2860 (Oct. 28, 1998).

The Digital Millennium Copyright Act (DMCA) is a United States copyright law that implements two 1996 treaties of the World Intellectual Property Organization (WIPO). It was designed to manage the new threats created by the increasingly widespread adoption of the Internet.



Front page of music sheet; “The Pirate Bus” by F. Bowyer, 1886

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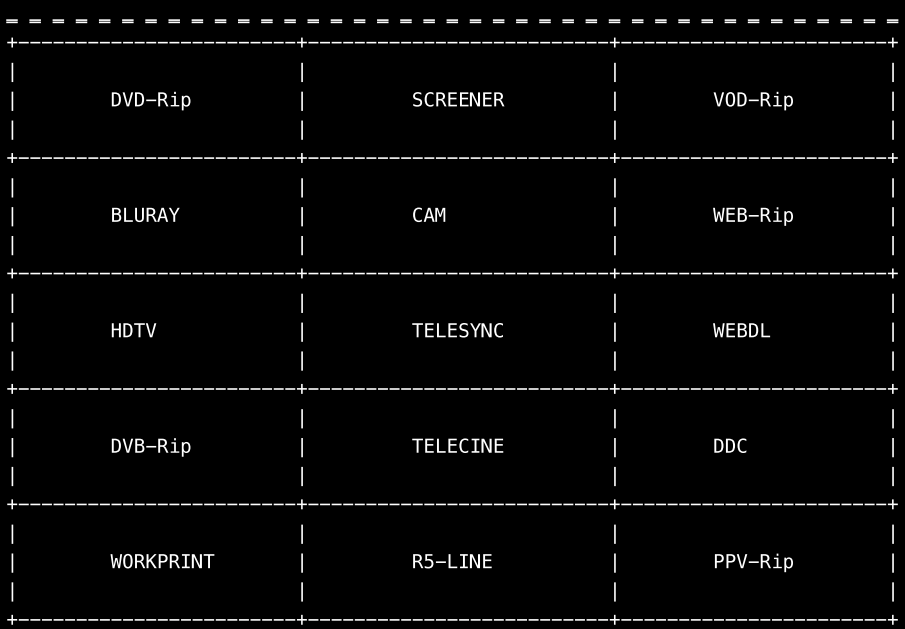
DIGITAL MILLENNIUM COPYRIGHT ACT
http://www.copyright.gov/legislation/dmca.pdf

CHAPTER 2
+
Insider Perspective
The Warez Scene



THE WAREZ SCENE

For me like many others it's a place to go and chill with your friends, not unlike the current craze of social networking. It also represents the core fundamentals of the Internet – the net should be free, not governed. If I had to put a location or a name to the scene, I would say it's a heaven for Geeks (sometimes arrogant with their extreme talent), enthusiasts, people who need to feel part of something, and people who like a challenge and like to be kept on their toes. I suppose it's full of criminals but not in the true sense of the word. What I mean by this is people who like a challenge, who get a buzz or a hit from breaking these so-called laws, being hunted by and staying one step ahead of authority. It's also a place where the "Geek" rules all. He is not frightened by the big guy who plays football, the boxer down the road, or the bullies at school because he knows he has the power to take the access away. Once you have been given access and trust, to have it taken away can be devastating for some. Same as money, I guess. I suppose it's all about power.

The Scener, interview with TorrentFreak.com

-BS-

≡≡=- P R E S E N T S -=≡≡

3D Games Construction Kit II

-*- Release Information -*-		-*- Game Information -*-	
Cracker	-	Publisher	Domark Software
Protection Type	None Located	GFX & Sound	Make your Own!
Supplier	RaZoR BLaDe	Release Date	11/20/92

Game Notes: Do not make the mistake of putting this down as a utility! This is THE ultimate 3d games creation system. Using the now famous Freescape system you can create virually anything you like in 3d Freescape from a game to a whole world you can wander round!

"This product is an amazing leap forward in software technology. With a host of new features 3d Construction Kit II is truly at the leading edge of virtual reality. The inclusion of a data disk full of pre-designed items and scenes means you no longer have to create all you own 3d objects from scratch."

"Just imagine, you can design your own dream house, then drive or fly around it, making changes - colour, shading, shape, detail, layout, sowunds, animation - anything you want. When you know what virtual reality is all about, you can really let your imagination take you into another world"

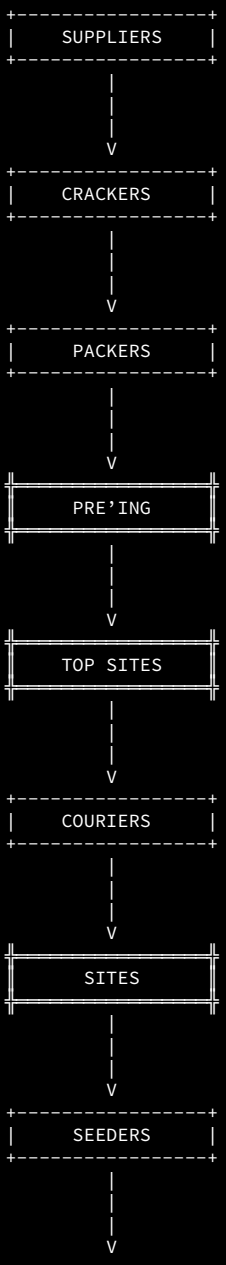
Greets: TRC, Witch King, Sector 9 & Dr.No, Butcher, Stingray, Hydro, Brynn, Hi.T, Skol, Brain Dead. Akira you will be missed!

Razor 1911... THE group that's CONSISTENT in QUANTITY of QUALITY!

-=RAZOR=- Members

Avalon, Azmodeous, Black Spyrit, Butcher, The Chairman, Darwin, Doctor No, Eldar, Excessive Knight, Holy Ward, Hyperion, Intrepid, Jack, Knightmare, Martial Artist, Marko Ramius, Melody Maker, Philosopher, Prime Target, Rambone, Razor Blade, Red Baron, THE RENEGADE CHEMIST, SecTor9, Stingray, The Unknown, The Witch King & Zodact

WAREZ RELEASE PROCEDURE



PRESENTS: Dungeon Hack 100% Release

Supplied By: Black Shadow	Written By: SSI
Cracked By: Black Shadow	Graphics: 9/10
Packaged By: Black Shadow	Sound: 7/10
Release Date: 12/02/93	Rating: 10/10

Game Notes: This is the 100% release version of Dungeon Hack from SSI.
Install the game from disks or a substed drive and run
HACKFLT.COM to remove the password protection!
/Black Shadow

Special welcome to Moocher as a new member..

Greets: Pentagram,TDT,Razor,Rebels and the rest

FAiRLiGHT EURO DIVISION:

STRIDER, BLACK SHADOW
Dragon, Judge, Ken Buddha & Moocher

WAREZ GLOSSARY

1. SUPPLIERS
Member of a warez group who obtains a legitimate copy of the content to be released; methods of obtaining files include copying from producers, hacking into corporate networks, videotaping movies, and retail purchasing.

2. CRACKERS
Member of a warez group who removes copyright protection from content in preparation for release to the warez scene and P2P networks. Every application and game on the market contains some type of copy protection. Despite all the time and money invested in copy protection techniques, crackers can still defeat the most elaborate and complex copy protection technology, often hours before it is placed on a store shelf. It is a mental competition: software developers create a lock and crackers digitally pick it as fast as possible.

3. PACKERS
When a release's dupe status is cleared and a title is ready to be released, the product must be packed into scene-compliant volumes. Many groups have dedicated packers who pack releases night and day. Packers act as living tools for release coordinators, informing them when a new release needs to be packed and uploaded. It takes only minutes for an experienced packer to pack a large release and then upload it to a private group site, ready for the next stage.

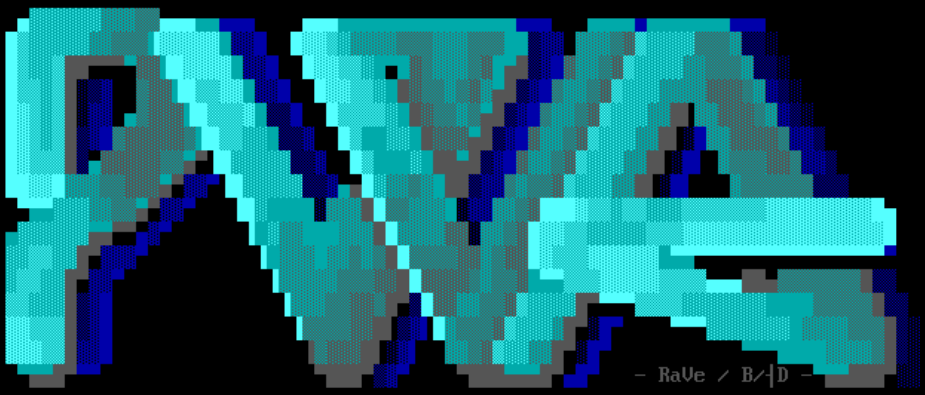
4. PRE'ING
The stage in which the release is uploaded to a group's affiliated sites and released. Group-affiliated sites want a group's release to be uploaded first; therefore, many sites insist on groups using internal prescripts.

5. TOP SITE
Underground, highly secretive, high-speed FTP servers used by release groups and couriers for distribution, storage and archiving of warez releases. Topsites have very high-bandwidth Internet connections, commonly supporting transfer speeds of hundreds to thousands of megabits per second, enough to transfer a full Blu-ray in seconds. Topsites also have very high storage capacity; a total of many terabytes is typical.

6. COURIERS
Member of a warez group who distributes pirated content between top-level warez servers. They are the worker ants of the scene, carrying releases from site to site, ensuring that each release is spread from the top-sites down to the smallest sites.

7. SITES
Scene sites are impressive, secure data warehouses that are used for piracy. Each release group must be affiliated with several decent sites if they intend to release anything.

8. SEEDER
A client that has a complete copy of the data of a certain torrent. Once your BitTorrent client finishes downloading, it will remain open until you click the finish button. This is known as being a seed or seeding.



PIRATES WITH AN ATTITUDE

SUPPLIERS METHODS

1. PHYSICAL INSIDERS
Someone who works for the company that produces, prints or packages the content (music albums, movies, software, books, images etc.), copies it, and uploads from the job site.

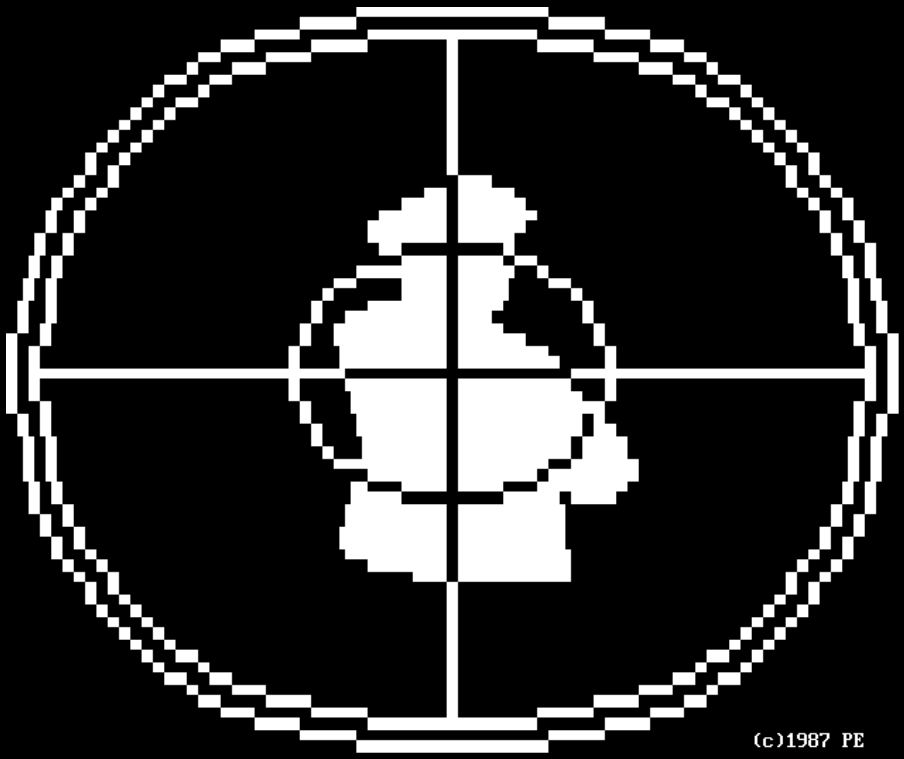
2. CREDIT CARD FRAUD
If you are a supplier in a large warez group and have a quota to meet (e.g., you have to supply at least one new release to the group every month or risk being extricated), you have the choice of using either the more strenuous methods of supplying software or buying it with a stolen credit card. Most people would probably choose the stolen credit card; an incident of credit card fraud can supply hundreds of thousands of dollars worth of software in a single night.

3. FILE TRANSFER PROTOCOL (FTP) SNOOPING
The majority of warez releases come directly from a company's FTP site. Most companies have CD images of retail software sitting on their publicly accessible FTP sites. This information is uploaded by an employee or client and used by developers to send new software releases to remote locations.

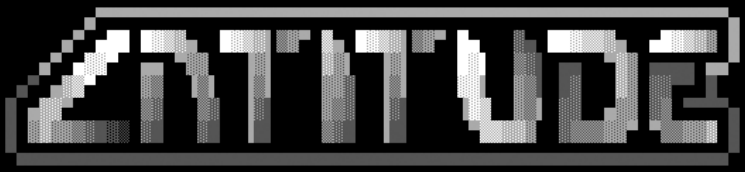
4. SOCIAL ENGINEERING
One of the most creative methods used is the "fake magazine" scam, a mixture of social engineering and plain old hard work. The suppliers create a semi-legitimate looking magazine; game publishers usually send press organizations copies of games a few weeks before the official retail release date, thereby allowing the magazine to write a review and hopefully increase sales of the product when it becomes available.

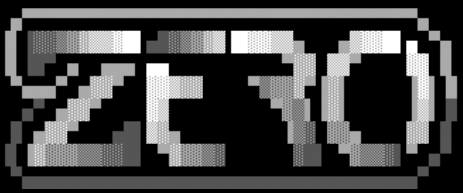
5. DEMO CDS
Commercial license managers are popular with software developers because they give them the ability to distribute an application while limiting its usability with a license code or file. A license is the only difference between a retail product and a demo or evaluation copy. Once the suppliers figure out the license scheme and have a retail license generated by a group cracker, the group has a functioning retail product that is ready for release.

6. LEGITIMATE RETAIL
Suppliers use this method to watch product web sites and to find out exact release dates. The goal is to buy the software first, and then get the copy cracked and released, all while racing two or three other groups that are trying to do the same.



(c)1987 PE





SysOp: Ren
KaskA ƒ KaskA
ANSi: Ren [MiRAGE]

NUKE LIST

Nuker	Nukee	Amount	Reason
xxxxxxx	xxxxxx	1x 4.4M	not.working.5.burn.limited
Age: 3h 56m	Dir: Lavavo.CD.Ripper.3.1.9.WinALL.Regged-XMA0D		
xxxxxxx	xxxxxx	1x 4.4M	not.working.5.burn.limited
Age: 3h 59m	Dir: Lavavo.CD.Ripper.3.1.9.WinALL.Regged-XMA0D		
xxxxxxxxx	xxxx	1x 6.0M	grp.req
Age: 12h 40m	Dir: Alcohol.120.v1.9.5.2722.Multilingual.WinALL.Cracked-D		
xxxxxxx	xxxxxx	1x 24.4M	empty.dir
Age: 15h 51m	Dir: INTEL.CPP.COMPILER.v8.1.025.NiTROUSINTEL.CPP.COMPILER		
xxxxxxx	xxxxxxx	2x 14.3M	incomplete
Age: 15h 52m	Dir: Charles.River.Media.Mobile.Device.Game.Development.Oc		
xxxxxx	xxxxxx	1x 127.0M	stolen
Age: 16h 0m	Dir: Kao.the.Kangaroo.2.Multi-TECHNiC		
xxxxxx	xxxx	1x 1.7M	bad.dir.its.v1.1.1.1
Age: 16h 25m	Dir: Fax.Server.Remote.Submit.v1.2.1.1.WinAll.Cracked-HS		
xxxxxxx	xxxxxxx	1x 4.6M	mu.031705
Age: 17h 43m	Dir: ACTUALTESTS.Cisco.642-661.Exam.Q.and.A.03.24.2005.LiB		

Read site rules to avoid being nuked :)

MAGE WHQ--WARES Eastern Courier HQ--DOSSIER HQ
NOT! Dist Site--SkateNET--Home of Groo ANSis
420+ Megs online--486/33--250 Meg tape drive
H/P/0 Day--DUal STandard/V.32bis--201-HST-ONLY

SUPPLYING GUIDELINES

1. FINAL RELEASE
Each supplied release must be final (no beta, alpha, build, or technology preview, and the release cannot be different from the retail version).

2. VIRUS- AND SPYWARE-FREE
Real warez scene sites are 100 percent virus free; each archive is virus-scanned upon upload. If a release contains a virus, it is not accepted.

3. COMPLETE
A release cannot be missing any vital parts needed for installation, and it must be true to form (e.g., if a release is labeled a CD image, it must be a complete CD image).

4. NOT FREE
The golden rule of piracy: you have to pirate something copyrighted. Each release must have a retail value.

5. USEABLE
The release must be useable by any member of the general public. It cannot require additional hardware and must work the first time after installation. Games such as Everquest, which require an online account, technically are not useable by anyone who downloads them, and thus are not pirated.

6. LATEST VERSION
The release must be the latest version available; there is no point in releasing Photoshop v6 if Photoshop v7 is in the stores.

7. NOT A MINOR UPGRADE
Minor upgrade (MU) ensures that groups do not continuously release each new minor version of an application.

```
   ____    __    ___
  /    \  /  \  / __/_
 /   |  \/    \/  |   \
 \   .__/      \  |    \
  \__|   \_____/\_____/
 Partners    In    Crime
"Piracy is a crime, Crime is our business"
```

```
[Founders]
  SALOOM            PLUTO
[Members]
  DEATH KNIGHT
  CATASTROPHIC BRAINWAVE
  BART SIMPSON
  SILVER DRAGON
[Ansi Artist]
  KING PIN
```

```
[WHQ]
                                 number     nodes
 iPSo fACtO?              (905) XXX-XXXX    1
[CHQ]
 ENTRANCE TO EXILE        (905) XXX-XXXX    1
[DISTRO SITES]
 FADING IMAGE             (905) XXX-XXXX    3
 THE PARADIGM SHIFT       (416) XXX-XXXX    2
```

PIC IS CURRENTLY LOOKING FOR COURIERS/ANSI ARTISTS/DISTRO AND MEMBER BOARDS IF YOU FEEL YOU CAN HELP PLEASE CONTACT SALOOM OR PLUTO ON... IPSO FACTO, FADING IMAGE, INCOGNITO, ""OZ"", GRAVEYARD, THE PARADIGM SHIFT OR ENTRANCE TO EXILE ...

PIRACY SUB-SCENES

1. GAMES
Game pirates are under a large amount of stress and pressure. Games are fast and hard-hitting, and require a tremendous level of dedication. With few games released each year, the competition is huge. Crackers go days without sleep because they love the rush of piracy; however, all of the high stress and work they invest can easily turn into a waste of time if another group releases the game first.

2. APPLICATIONS
Applications groups may have a release for weeks or even months before they release it. With so many applications on the market, there is less hurry and less competition.

3. E-BOOKS
With the growth of portable e-book readers and the growing popularity of digital media, e-books are fast becoming the preferred method of reading media. Also, many e-library web sites now exist, where subscribers can quickly pay for access to any printed book or just a chapter of a book. (…) Books are possibly the hardest media to protect from piracy.

4. VIDEOS
The video piracy scene is also different than the other scenes. These pirates are video buffs that commonly work in projection booths and video distribution companies. To them it is all about risk, about pulling out their beta-CAM recorder during the first screening of a highly anticipated movie. It is a thrill beyond compare.

5. TV
Although TV piracy is not as epic as Hollywood movie piracy, it is growing in popularity and becoming a full-fledged piracy scene. Groups are becoming very efficient at releasing high quality, digital TV versions of sitcoms, cartoons, and other popular late night shows. Suppliers of pirated TV range from professionals to home users.

6. MUSIC
Music is not protected as strongly as games or applications, and music groups do not require dedicated crackers to focus on the protection routines. Music piracy requires less time commitment than other types of piracy, and although pirating music can be risky, there have been only a few pirates arrested for releasing music into the piracy scene.

7. PORN
No one seems to care about the theft of pornography. Copy protection methods are non-existent and the film producers can do nothing to stop them. No one will even look for the supplier of “Teen Scream Lesbians #36.”
“I don’t see any police trying to catch us. No one really cares because it’s the pornography world. These days, if a director called the police demanding an investigation, there would be a demonstration regarding police man-hours being wasted on pornography.”*

8. EVERYTHING ELSE
If it has a price tag, someone will pirate it, and if it has a copyright, someone will distribute it. This is the nature of piracy. All you have to do is look at the piles of specialized software being released daily, applications that only a handful of people know how to use (schematics, royalty-free images, fonts, etc.).

* Interview with Dirty Old Man from “PR0NSTARS” group
(Paul Craig, “Software Piracy Exposed”, p.178)

THE 2011 DVDR RELEASING STANDARDS

[Effective Date March 1st, 2011]

DIRECTORY NAMING

Matrix.Reloaded.(2003).720p.x264.MULTI.VFF.VO.AC3.5.1.MULTISUBS.FR.EN.[YIFY]

Movie Title:	“Matrix Reloaded”
Year:	2003
Film Format:	High definition 1080x720
Video Encoding:	H.264
Language:	French / English (Audio + Subtitles)
Audio Encoding:	Dolby Digital 5.1
Group:	Uploaded by a “YIFY” group

1. GENERAL
   - 1.1. Release size MUST be between 4.33-4.37 GB unless the source is DVD5. If the release cannot achieve the minimum size allowed, a valid explanation is required in the NFO, e.g., the source was less than 4.33 GB after removing the full screen cut, etc.
   - 1.2. PAL after NTSC and NTSC after PAL is allowed.
   - 1.3. Different regions do NOT dupe each other.
   - 1.4. Widescreen releases are allowed after Full-screen.
   - 1.5. Full-screen releases are NOT allowed after Widescreen.
   - 1.6. Box sets are recommended to be released as separate single DVDs, e.g., MOVIE.TITLE.EXTENDED.EDITION.DiSC1.STANDARD.DVDR-GROUP
   - 1.7. Protections, limitations, and warnings MUST be removed. Logo removal is optional but recommended.
   - 1.8. Trailers and previews are recommended to be removed but are NOT required to be.
   - 1.9. Releases MUST follow the DVD-Video standard. Releases that do not follow the standard decrease overall compatibility with players, and will NOT be tolerated.
   - 1.10. Releases SHOULD include source proof. SCREENERS and BOOTLEGS are exempt. If proof provided, refer to section 16.

   (…)

13. DIRECTORY NAMING
   - 13.1. The appropriate directory tags MUST be used in accordance with the standards specified in the sections above.
   - 13.2. ALL releases are to include production year, except for current year and TV series.
   - 13.3. Directory name MUST include video standard (NTSC or PAL) except for first release of a title in regards to a retail release.
   - 13.4. Source region number MUST be included in the directory if the release is duping an existing standard, e.g., R1 NTSC release after a R3 NTSC release MUST include the R1 tag, etc.
   - 13.5. Acceptable characters are as follows:
     ABCDEFGHIJKLMNOPQRSTUVWXYZ
     abcdefghijklmnopqrstuvwxyz
     0123456789.-_
   - 13.6. COMPLETE tag SHOULD be used for DVD5 and DVD9.
     MOVIE.TITLE.COMPLETE.STANDARD.DVDR-GROUP
   - 13.7. Releases are to be named as:
     1st release - MOVIE.TITLE.DVDR-GROUP
     All others - MOVIE.TITLE.REGION.STANDARD.DVDR-GROUP
   - 13.8. TV-DVDR: Season and Volume tags may be used. If disc/box says Season, use Season; if it says Volume, use Volume; if it says Season and Volume, use both.

   (…)

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MOTiV8 FOUNDER

÷ MASON ÷

MOTiV8 HiGH COUNCiL

÷ Blastman ÷ Vortexia ÷ HiGhLaNdR ÷ Solarize ÷
÷ Krime ÷ DarkLogic ÷

MOTiV8 SENiOR CURRiES

÷ ÷ ÷ ÷ ÷

1337 5|*34|<

LEET (OR 1337, L33T), A CUSTOM LANGUAGE

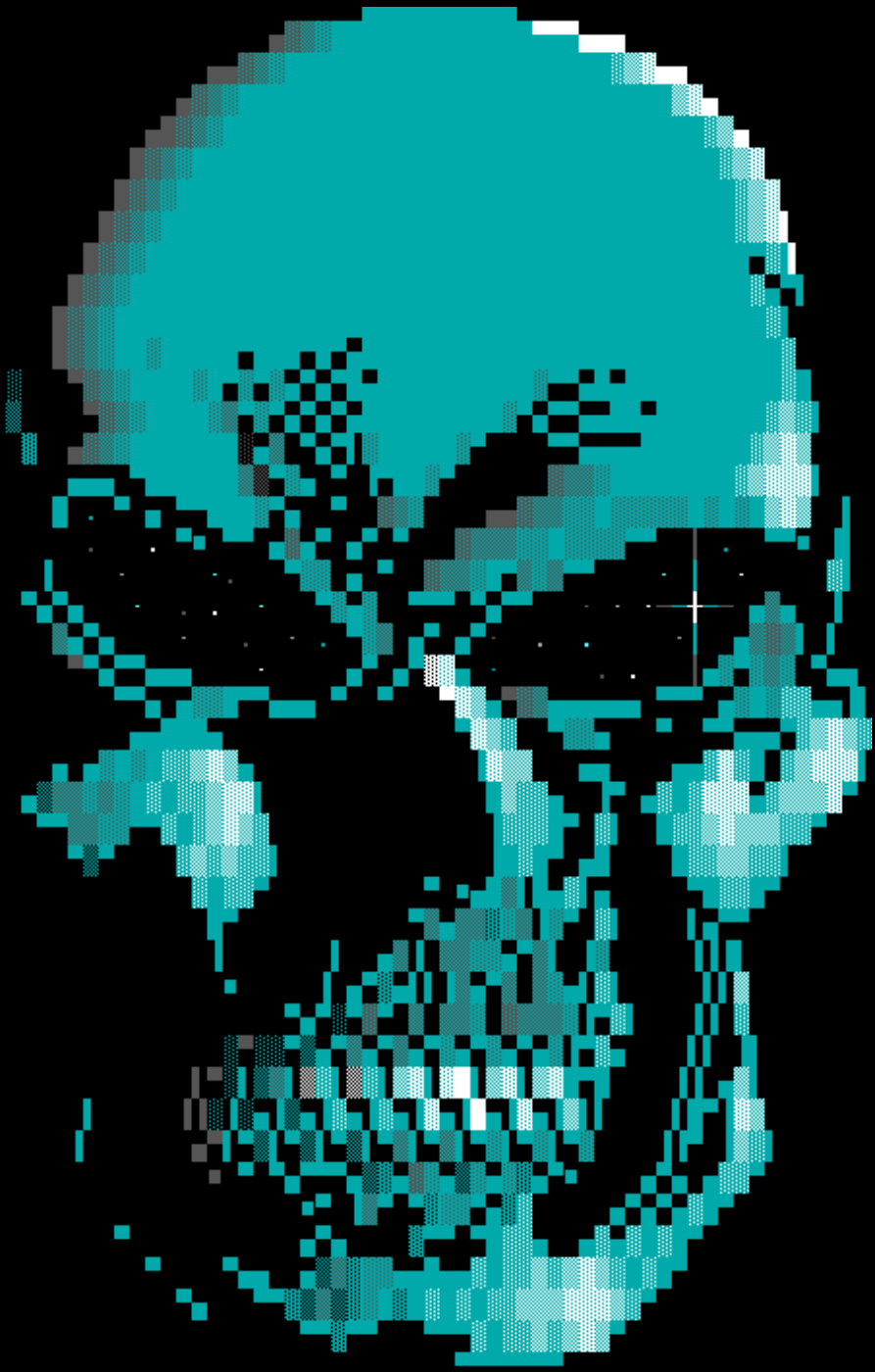
Leet is derived from the word Elite. Leet speak is used on the Internet and is especially prevalent in gaming communities, but it's also used a lot in the scene. The origin of the language is that it was quicker to type, and second is that back in the early days only experienced users could understand this language. Nowadays this is not important anymore.

For the purposes of this text, leet is defined as the corruption or modification of written text. Therefore it's not a new language; it just modifies existing languages. It is a system whereby certain letters are replaced either by numbers or symbols which look like the letter being replaced. As you may have noticed, 1337 uses numbers and symbols to replace letters, but often there is a re-spelling of word involved too. For example, "the" in leet speak is "teh," and "owned" is "pwnd" or "0wn3d." There are no rules to define how this works, but it is generally phonetic. A simple form or leet speak is for example: i pwn u (I own you). A more complicated form of leet speak is for example: j00 4r3 $tup1d (you are stupid). This complicated form is not used much by people in the scene; more often it's used by young gamers or the so-called "br33z@h sluts."

The most common leet speak letter replacement in the scene is "I." The uppercase "I" letter is practically always replaced by the lowercase "i." The original reason for this was that the uppercase I and the lowercase l were so similar that it was very hard or not possible to see which one it was. Nowadays it's still being replaced, for the traditional reason and because it looks cool. Examples: iNTERNAL (releasetag), ADDiCTiON (releasegroup).

SOME CUSTOM 1337 SPEAK WORDS AND ABBREVIATIONS

Pwn / 0wn	Pwn is a common intentional misspelling of "own," a term indicating domination of something or someone.
n00b / newb	n00b is possibly one of the weightiest insults in leetspeak. The literal translation is newbie, and it is used to refer to both those who are literally new in the scene and also to insult those who in fact do know what they are doing but have slipped up somehow.
Omfg	Stands for oh my fucking god
Stfu	Stands for shut the fuck up
w00t	w00t is quite a difficult concept to describe, as after many years in the wilds of the Internet, w00t has mutated from a four letter word into a meme of sorts. Without getting into intense debate, suffice to say that it indicates jubilation of sorts, either as a good natured cheer of excitement or as a modifier for insults, when combined with terms like n00b, amplifying their effectiveness
h4x0r	This stands for hacker
pr0n	Stands for porn. The origin of this word is that by typing porn this way, the message/text wouldn't be filtered by content/language filters.



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SUPPLYING GUIDELINES
A NUKE LIST
SUPPLIERS METHODS
PIRACY SUB-SCENES
Paul Craig, “Software Piracy Exposed”, Syngress, 2005

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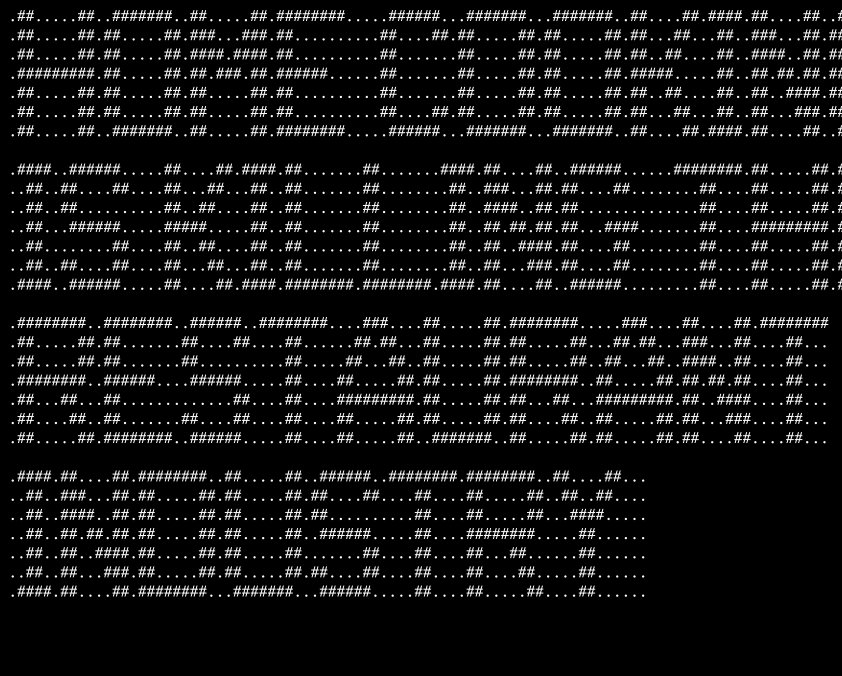
http://www.sbytes.info/wp/

1337 5|*34|< (LEET SPEAK)
https://fr.wikiversity.org/wiki/Recherche:Leet_speak

IMAGES ANSi
https://defacto2.net

CHAPTER 3
+
Industry Perspective
Anti-Piracy Technologies



TV detector van, UK (1963)

ANTI-PIRACY TECHNOLOGIES

When a California company sets up a spurious Bit-Torrent site in a bid to snare the unwary downloader, the lay observer can be forgiven for failing to see at first which is the real pirate. When a multinational media corporation quietly installs digital-rights software into its customers' computers that may render them vulnerable to Trojan horse attacks, what has happened to the customers' own property rights – not to mention privacy? When a biotechnology company employs officers who turn agents provocateurs in order to catch unwary farmers in the act of "seed piracy," one may wonder where the authenticity and accountability lie. It is not new for problems of privacy, accountability, autonomy, and responsibility – problems at the core of traditional politics – to be enmeshed in those of intellectual property. But to account for that fact demands a specifically historical kind of insight.

"Piracy", Adrian Johns

BROADCAST LICENCE. A 41602

WIRELESS TELEGRAPHY ACT, 1904.

Licence to establish a wireless receiving station.

Messrs. The Wireless World & Radio Review (Name in full)

of 12/13 Henrietta St. London W.C. (Address in full) is hereby authorised (subject in all respects to the conditions set forth on the back hereof) to establish a wireless station for the purpose of receiving messages at [illegible] Henrietta Street (Address in full)

APPARATUS USED UNDER THIS LICENCE MUST BE MARKED

for a period ending on the [illegible] December next. (Date of expiration)

The payment of the fee of ten shillings is hereby acknowledged.

Dated 3rd day of November 192[illegible]

Issued on behalf of the Postmaster-General

[illegible] (Postmaster)

Signature of Licensee WIRELESS WORLD & RADIO REVIEW.

If it is desired to continue to maintain the station after the date of expiration a fresh Licence must be taken out within fourteen days. Heavy penalties are prescribed by the Wireless Telegraphy Act 1904, on conviction of the offence of establishing a wireless station without the Postmaster-General's Licence.

2801 G & S 194

APPROVED BY POSTMASTER-GENERAL TYPE B.B.C.

Stamping Office. BEDFORD ST. STRAND. 3 NO 22 W.C.

Post Office van for detecting oscillators (1928)
Don't Be A Pirate! poster by Robert Broomfield (1959)
A BBC receiver licence (1923)

Radio Detectors

Radio detectors were dark, cramped vehicles carrying direction-finding apparatus in the form of a large circular frame aerial on the roof. In “very favorable circumstances,” such vans were supposed to be able to somehow detect an oscillator’s house. Two trial vehicles were ordered from a French company in 1926. The procedure was to stop the van somewhere within range of the interference, tune the antenna to receive the distinctive howl, and rotate the aerial until the signal reached a minimum. (…) At this stage the van would proceed to the edge of this triangle and begin “combining out” – that is, repeating the triangulation procedure to isolate a single stretch of road. Finally, by driving down the road slowly the operator might even identify the actual house from which the oscillation originated. The men could then knock on the door of the “howler” to inform him or her of the antisocial behavior.

TV detectors, UK

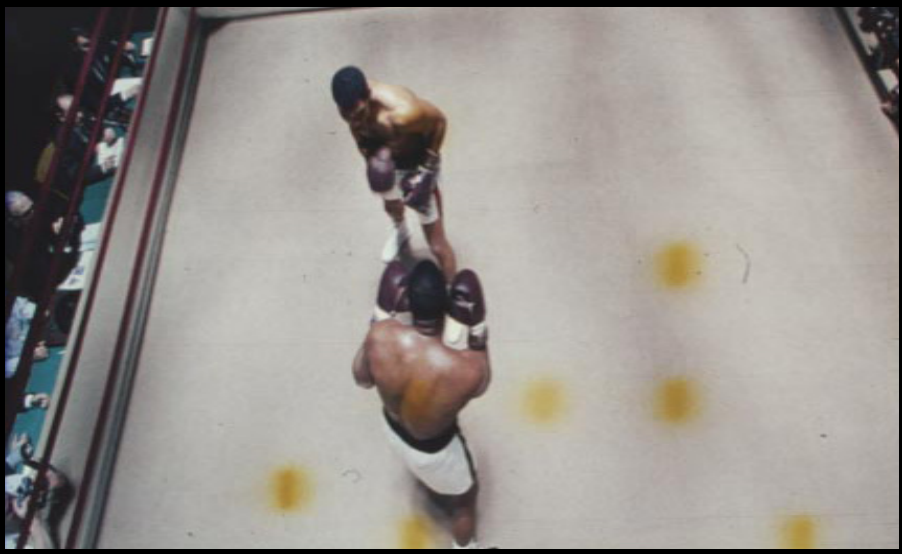
TV Detectors

They are an image to be feared, parked in the street with the mysterious power to automatically detect who is watching television illegally and issue hefty fines. But now it appears the fabled TV detector vans, striking fear into students and homeowners who may consider evading license fees, could be nothing but a myth. A leaked internal document from the BBC gives a detailed breakdown of the state of license fee payments and the number of people who evade the charge – but fails to make any mention of the detector vans. While documenting that the number of officers to collect the £145.50 fee increased to 334 this summer, an 18 page memo from the TV Licensing's Executive Management Forum obtained by the Radio Times makes no mention of the vans finding those who don't pay. The snapshot financial assessment also indicates the number of non-payers has increased, with evasion at 5.8 percent for August compared to 5.2 percent the year before. But a spokeswoman for TV licensing said the vans are not a fabrication to scare people into paying, and that the number of those evading the fee was not accurate.

Compact cassettes with holograms, Poland

Security Holograms

A sticker on a cassette or compact disc (CD) verifies that the distributor has paid royalties. The holograms can be seen affixed to many music cassettes, CDs, and other media in developing countries. According to “The Africa Music Project” (2004) when this method was used in Ghana from 2001, it reduced piracy from 80 percent to 20 percent.
The BSDA also conducted a public relations campaign on TV and radio and via flyers to inform the public of the importance – and legal obligation – of buying “hologram” music. Although pirated products are still on the market, the system has had a notable effect.

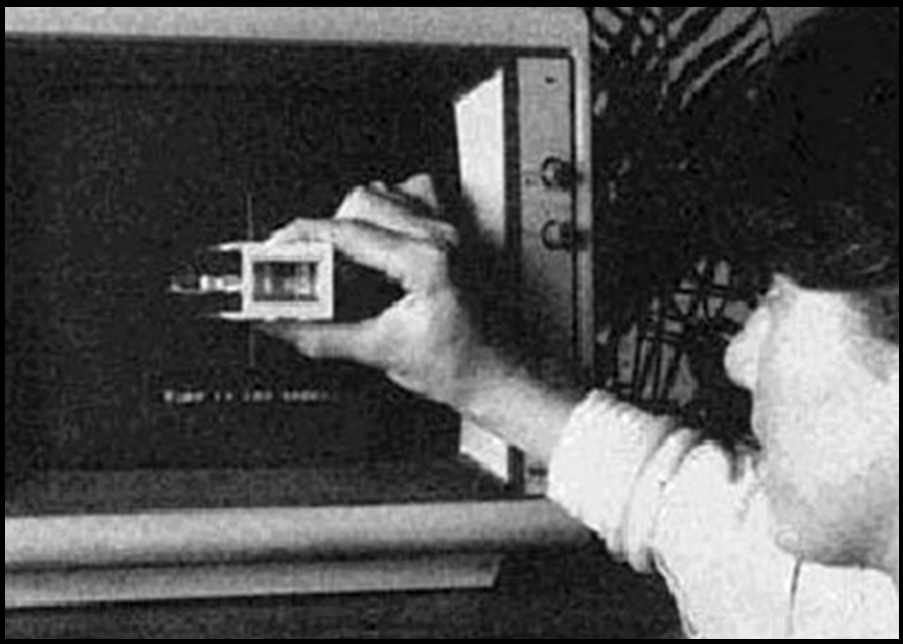


CAP Code

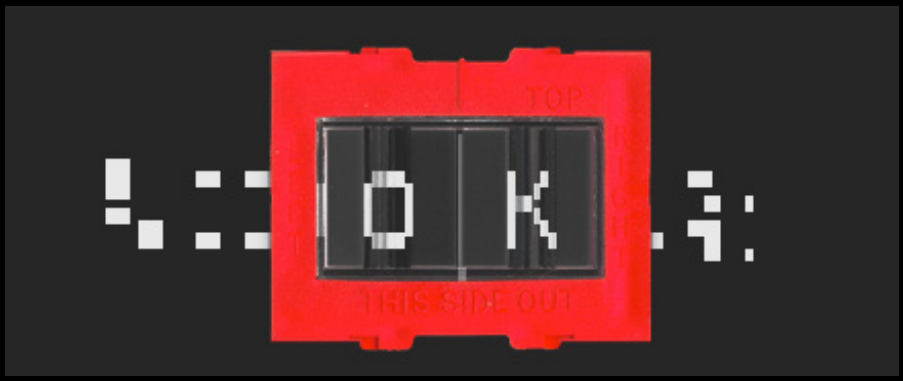
Coded Anti-Piracy (CAP) is an anti-copyright infringement technology which marks each film print of a motion picture with a distinguishing pattern of dots, used as a forensic identifier to identify the source of illegal copies. CAP coding is a multi-dot pattern that is printed in several frames of a film print of a theatrically exhibited motion picture. It is sometimes accompanied by text code printed on the edge of a motion picture print, outside the visible picture area.

The dots are arranged in a unique pattern as identification of the particular print of a movie, and are added during manufacture. The marks are not present on the original film negative; they are produced either by physical imprint on the final film print or by digitally post-processing a digitally distributed film. This enables codes to be customized on a per-copy basis so that they can be used to trace the print to the theaters that played that particular print and to trace any bootleg copies however they were made – be they telecined, cammed, or telesynced.

However, sometimes release groups find a way to remove these watermarks. An example can be found in the NFO of the *Mission Impossible III* release by SaGa. In the NFO, SaGa thanks ORC for helping them out with “de-dotting” the release.



LENSLOK


TOP
O K
THIS SIDE OUT

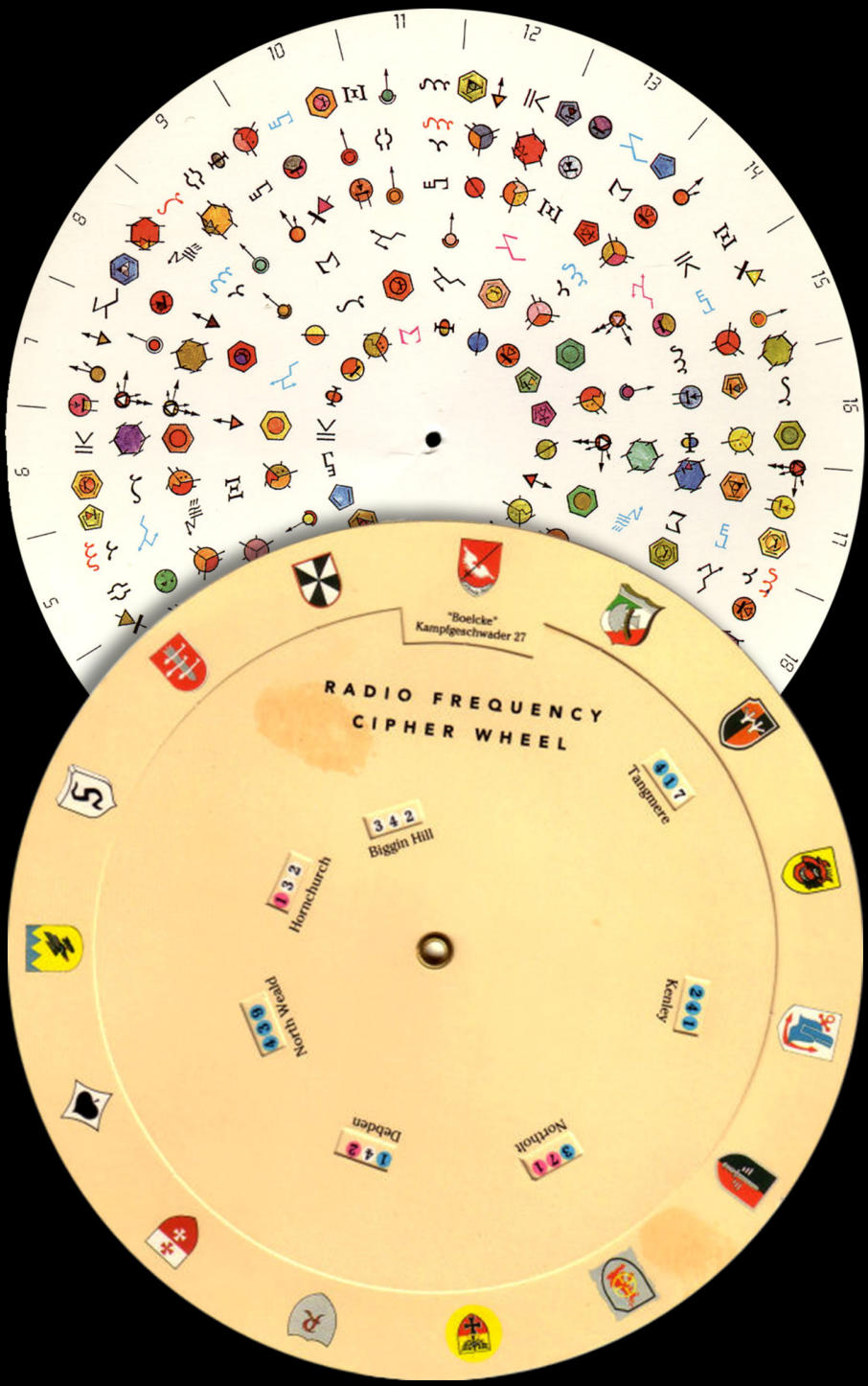
Lenslok

Used in a whole bunch of 1980s home computer games. Once the cacophonic banshee-wailing of the tape loading sequence finally came to a merciful end, the game would compound the player's emotional trauma by flashing up a garbled two-letter code on screen. The code could only be properly read by putting an included plastic prism lens up against the screen, and once deciphered it had to be typed in to make the game run. But there were two problems. Firstly, the code had to be manually scaled to make it readable on different sizes of TV, and the system didn't work at all on particularly big or small screens. Secondly, the codes were incredibly easy to hack, given a bit of coding knowledge. Needless to say, it was dropped after much complaint.

Leisure Suit Larry Goes Looking for Love (in Several Wrong Places), (1988)

Manual Lookups

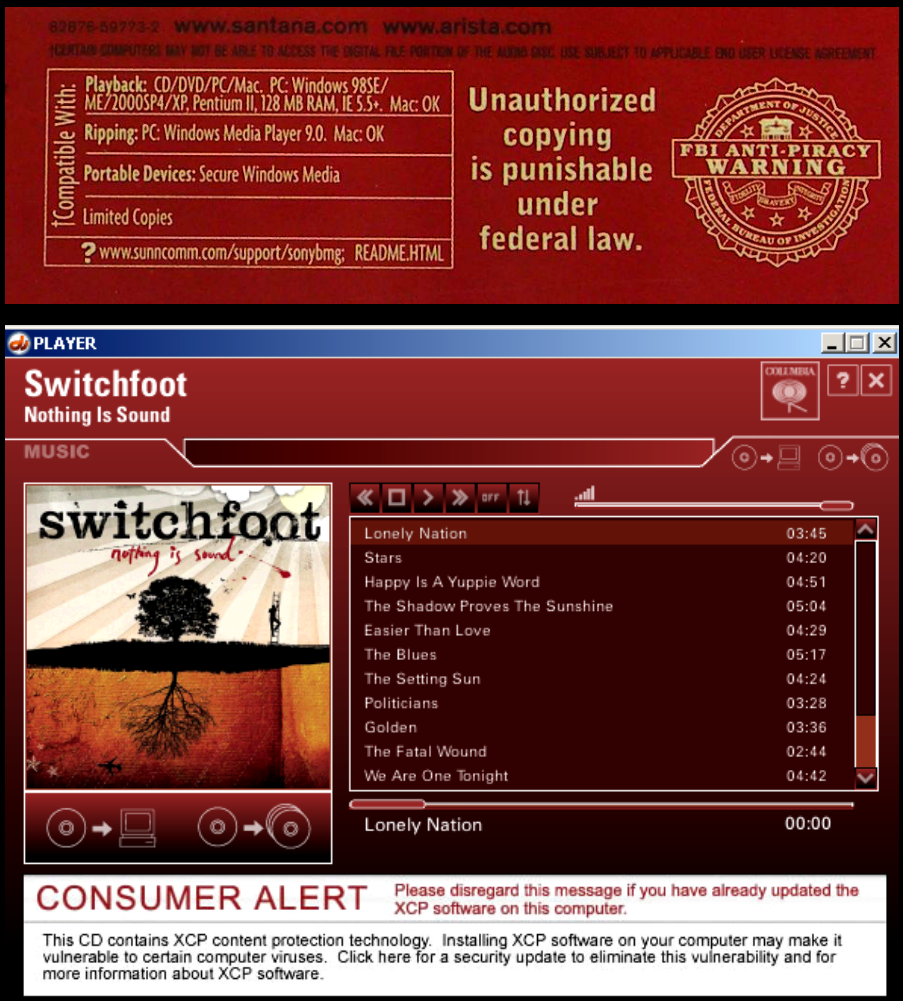
Games like *Leisure Suit Larry II: Larry Goes Looking for Love (in Several Wrong Places)* feature a method of copy protection that required players to posses a physical copy of the instruction manual. In this case, when the game started up, it presented the player with a photo of a random woman. The player must then look through the physical instruction manual (called the “Black Book”), match her image with a telephone number and input it into the game. The game wouldn’t start without going through this tedious step. Remember, this was before scanners were common!


"Boelcke"
Kampfgeschwader 27
RADIO FREQUENCY
CIPHER WHEEL
Tangmere
4 1 7
Biggin Hill
3 4 2
Hornchurch
1 3 2
North Weald
4 3 9
Debden
1 4 2
Northolt
3 7 1
Kenley
2 4 1

Code Wheels

A code wheel is a type of copy protection used on older computer games, often those published in the late 1980s and early 1990s. It evolved from the original “manual protection” system in which the program would require the user to enter a specific word from the manual before the game would start up or continue beyond a certain point. This system was popular because it allowed the actual media to be backed up and replaced freely while retaining security, but with the increased availability of photocopiers, pirates simply started copying the manuals along with the games to defeat the measure.

Although whole code wheels could not be directly photocopied, the component wheels could be disassembled and individually photocopied; these components could then be crafted together into a duplicate wheel. The contents of code wheels could also be copied onto paper and the user of a pirated copy could simply apply a mathematical formula to the presented challenges to calculate the correct response. Once a suitable formula was found, code wheels actually made the process of copying easier since the amount of information they could contain was low compared to a manual of potentially unlimited size. Thus, code wheels were rapidly phased out in favor of regular manual protection and protection based around color, as public access to color photocopying at the time was expensive and uncommon. This was itself made obsolete by a return to protection based on the game media itself, when CD-ROMs were introduced.



Sony BMG XCP audio CD player (2005)

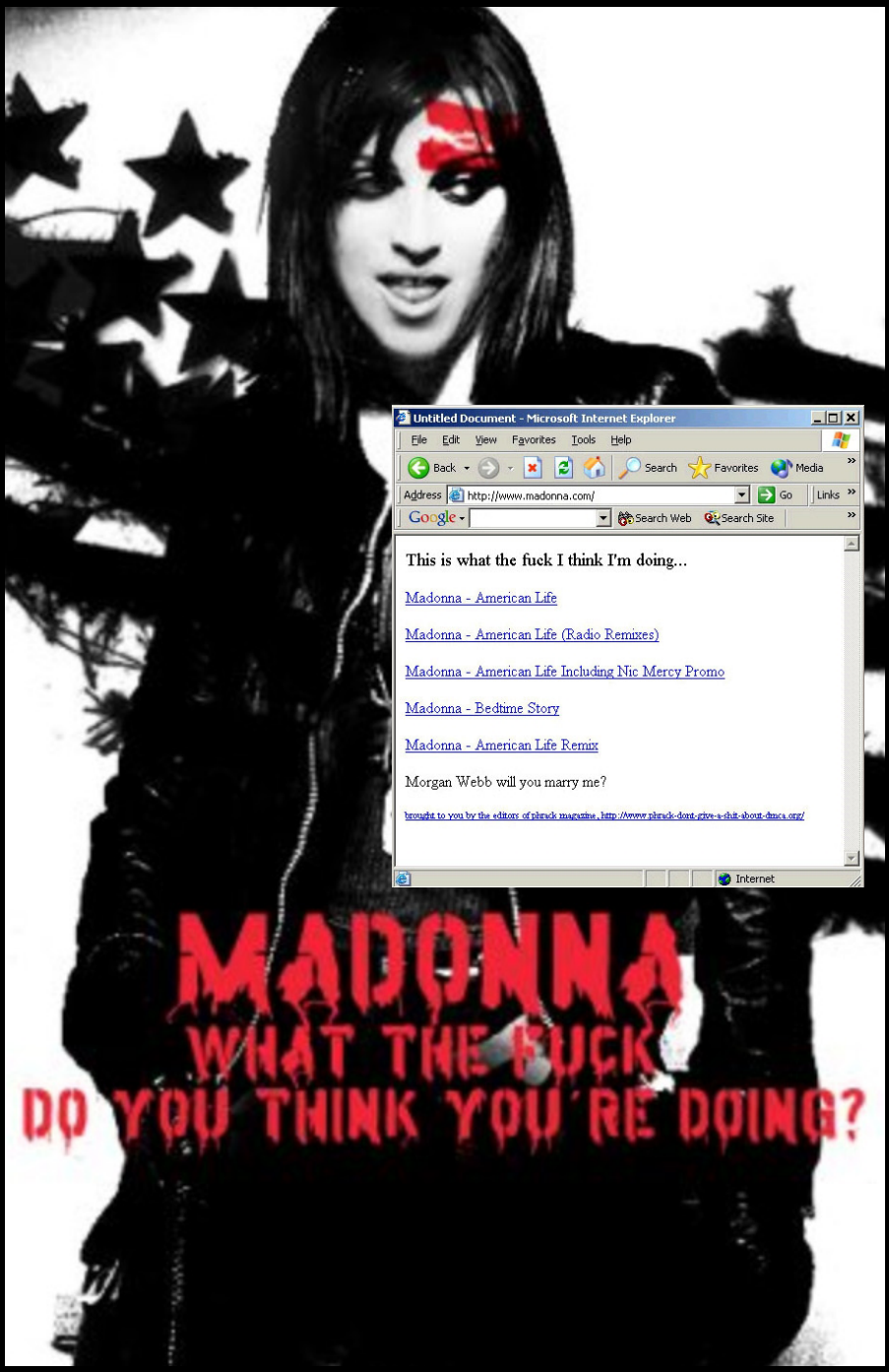
Sony BMG Rootkit

The Sony BMG CD copy protection rootkit scandal of 2005–2007 concerns deceptive, illegal, and potentially harmful copy protection measures implemented by Sony BMG on about 22 million CDs. A piece of code bought from a British company, XCP was circulated on some Sony-BMG music CDs. It would quietly install a rootkit-like process onto the hard drives of customers who played their CDs in their computers. A rootkit hides a program from the computer's own operating system; it commonly does so to shield a virus, or "malware," from detection. When its existence was revealed by hackers, the XCP program aroused outrage for this reason. Not only did it resemble a virus, it also seemed to send information back to the home company, entirely unbeknownst to the user. And it created a secret vulnerability that other Internet viruses might later exploit. It even transpired that if a user tried to delete the code, it might disable the CD drive altogether. Sony rapidly withdrew the program – but with an uninstall routine that generated still more vulnerabilities, potentially leaving computers open to being hijacked from afar.

Original & pirated version of the Alan Wake video game (2010)

Video Game Modifications

Most developers don't agree with piracy, but most know that they can't put a stop to it. So, rather than spend time and effort blocking off every piracy avenue, developers just try to find solace in the fact that, hey, at least pirates are still enjoying a thing they made. If you pirated *Alan Wake,* for example, Remedy Entertainment wanted you to know that they knew, so they affixed a pirate eyepatch to the game's hero. Amusingly, it seems like this would ruin the game more than having to deal with a complicated crack would, as the eyepatch definitely broke the delicate, serious atmosphere of the game.



Madonna’s American Life decoy insertion and a hacker’s answer

Torrent Poisoning

Torrent poisoning is intentionally sharing corrupt data or data with misleading file names using the BitTorrent protocol. This practice of uploading fake torrents is sometimes carried out by anti-piracy organizations as an attempt to prevent the peer-to-peer sharing of copyrighted content, and to gather the IP addresses of downloaders. Decoy insertion or content pollution is one method where a particular file's corrupted versions are inserted into the network. This hinders users from finding a legit version and likewise increases the distribution of the corrupted file. A file is usually converted into another format by a malicious user polluting the uncorrupted files. The inserted file may have the same or similar metadata that may be indistinguishable from uncorrupted files.

Although not targeted specifically at BitTorrent, Madonna's *American Life* album was an early example of content poisoning. Before the release of the album, tracks that appeared to be of similar length and file size to the real album tracks were leaked by the singer's record label. The tracks featured only a clip of Madonna saying "What the fuck do you think you're doing?" followed by minutes of silence. Madonna's website was hacked and the hacker added a message appearing on the main page, saying "This is what the fuck I think I'm doing" followed by download links for each of the album's songs. The Madonna.com website was closed after the attack for about 15 hours.

Copy prohibited.
You have already reached your maximum number of copies.
OK
Success
Plugin DeDRM successfully installed under File type plugins. You may have to restart calibre for the plugin to take effect.
Oops!
This pack wasn't designed for this brewer. Please try one of the hundreds of packs with the Keurig® logo.
Questions? Visit keurig.com/oops
The page at www.unitedwifi.com says:
Click 'Okay' to download the latest DRM Plugin. After installation playback should resume immediately.
If it doesn't then you may need to restart your browser.
Cancel
OK
There is a problem with the configuration of your iPhone. Please restore with iTunes and reinstall iBooks.
OK
This movie cannot be played because a display that is not authorized to play protected movies is connected.
Try disconnecting any displays that are not HDCP authorized.
Do not warn me again
OK
example.com
Some audio or video on this site uses DRM software, which may limit what Firefox can let you do with it.
Learn more...
Some of the items in the iTunes library, including "Heartbeats", were not copied to the iPod "iPod nano" because Apple Music songs cannot be copied to an iPod.
For a list of items that could not be copied, click the triangle below.
Do not warn me again
22 total problems
OK
This book is DRMed
This book is locked by DRM. To learn more about DRM and why you cannot read or convert this book in calibre, click here.
A large number of recent, DRM free releases are available at Open Books.
Close
Adobe Reader
This document requires digital rights management (DRM) features supported by Adobe Digital Editions. Would you like to open it in Digital Editions now?
OK
Cancel
NewsStand Reader Notification
Use of Windows screen-capture via the PrtScn key (and Alt-PrtScn) is limited while the NewsStand Reader is loaded.
This is required to support Digital Rights Management of non-free content.
Print Screen based screen capture will be enabled again after the NewsStand Reader window is closed or minimized.
OK
(emphasis added)
Copying Prohibited
The broadcaster prohibits this content from being copied. You can only play this content on the same computer on which it was recorded.
A ringtone cannot be created from the song "Nogomi.com_Nourhan - Etaalem".
You can create iPhone ringtones only from songs purchased from the iTunes Store.
This book is DRMed
This book is locked by DRM. To learn more about DRM and why you cannot read or convert this book in calibre, click here.
A large number of recent, DRM free releases are available at Open Books.
Close
The page at www.unitedwifi.com says:
Click 'Okay' to download the latest DRM Plugin. After installation playback should resume immediately.
If it doesn't then you may need to restart your browser.
Cancel
OK
Windows Media DRM Reset
Reset Windows Media DRM now? WARNING: Licenses for purchased Windows Media content and protected recorded television will be lost.
Yes
No

Digital Rights Management

Digital rights management (DRM) is a set of access control technologies, including copy protection technologies, that are used by hardware and software manufacturers, publishers, copyright holders, and individuals with the intent to control the use of digital content and devices. With first-generation DRM software, the intent is to control copying; with second-generation DRM, the intent is to control executing, viewing, copying, printing, and altering of works or devices. The term is also sometimes referred to as copy protection, copy prevention, and copy control, although the correctness of doing so is disputed.

Hadopi

Haute Autorité pour la diffusion des œuvres et la protection des droits sur internet

La Commission de protection des droits

à

NICOLAS MAIGRET
[redacted]
75020 PARIS

Paris, le 01 juin 2015

Dossier N° : 518 12 091 0 054 0
(A rappeler dans toute correspondance)
Objet : Demande de détail d'œuvres

Madame, Monsieur,

La Commission de protection des droits accuse réception de votre demande afin d'obtenir des précisions sur le contenu des œuvres représentées, mises à disposition ou reproduites à partir de votre accès internet.

En application de l'article L 331-25 alinéa 3 du code de la propriété intellectuelle, veuillez trouver ci-dessous le contenu demandé :

[redacted]

Les faits dont la Commission de protection des droits a été saisie concernent la mise en partage d'une ou de plusieurs œuvre(s) culturelle(s) protégée(s) effectuée par le biais du logiciel/protocole : **« Azureus »**.

Nous vous informons que ce logiciel peut être actif sur votre ordinateur, celui d'un proche ou d'un tiers susceptible de se connecter, via le wifi, à votre accès à internet. S'il n'est pas désactivé, le logiciel peut mettre à disposition automatiquement des fichiers téléchargés.

Veuillez agréer, Madame, Monsieur, l'expression de nos salutations distinguées.

Pour la direction de la protection des droits,
l'agent assermenté de la Commission de la
protection des droits

www.hadopi.fr
Centre d'appel de l'Hadopi : 09 69 32 90 90
(appel non surtaxé)

HADOPI warning letter, received on May 21, 2015

The French HADOPI law was introduced during 2009, providing what is known as a graduated response as a means to encourage compliance with copyright laws.

IP Monitoring

If you use popular file-sharing programs to download films and music from the Internet, the chances are that your computer's virtual address has been logged, a study has claimed. Computer scientists at the University of Birmingham monitored what is perhaps the largest file sharing site, The Pirate Bay, over the last three years. The team discovered that the most popular files on the site, often illegal copies of hit TV shows or films, were monitored by, on average, three secretive parties – including copyright enforcement agencies, security companies and even government research labs. The monitors are believed to be logging the IP address of the user – potentially identifying where the file is downloaded to.

[redacted]

TV LICENSING
www.tvlicensing.co.uk

November 2014

Dear Sir/Madam,

You have not responded to our previous letters. We want to ensure you have the information you may need before a hearing is set at your local court.

Please read the information below carefully and keep for your records. You will be allowed to take it into court with you.

Yours faithfully,

John Hales
[redacted]

Ref: [redacted]

What to expect in court.

If you are asked to appear in court, this is what you can expect to happen:

- You can appoint a lawyer to represent you, or you may represent yourself.
- Evidence collected during an enforcement visit to your property is used by the court to decide the penalty for TV Licence evasion.
- The court has the power to impose a fine of up to £1,000, plus legal costs. The decision is legally binding.
- If your property needs a TV Licence, you will still need to buy one.

How to avoid a court summons.

It is illegal to watch programmes as they are being shown on TV without a TV Licence – no matter what device you use. The only way to stop this investigation from going any further is to do one of the following:

- Buy a TV Licence at **tvlicensing.co.uk/pay** or by calling **0300 790 6097**. A colour licence costs £145.50.
- Let us know you don't need one at **tvlicensing.co.uk/noTV** or by calling **0300 790 6097**. We may visit to confirm this.

Letter from BBC Television Licensing (November 2014)
More letters on http://www.bbctvlicence.com

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CAP CODE
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LENSLOK
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https://en.wikipedia.org/wiki/Digital_rights_management

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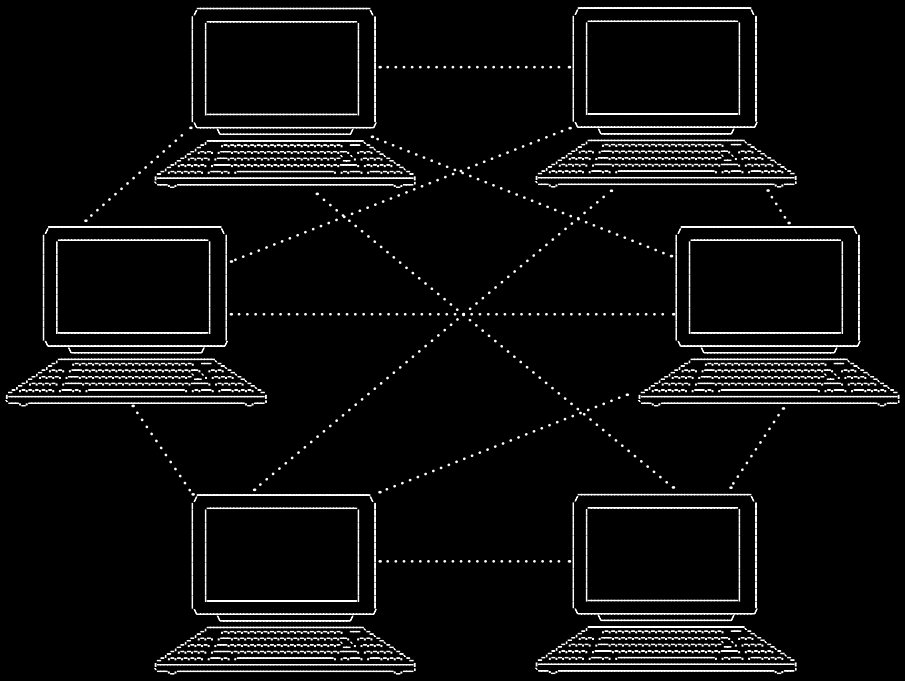
http://www.dailymail.co.uk/sciencetech/article-2201611/If-steal-films-music-copyright-companies-IP-address-hours.html

LETTERS FROM BBC TELEVISION LICENSING
http://www.bbctvlicence.com

CHAPTER 4
+
Geographic Perspective
Knowledge Society



A chained library, the books are attached to their bookcase by a chain, which is sufficiently long to allow the books to be taken from their shelves and read, but not removed from the library itself. Only the more valuable books in a collection were chained.

KNOWLEDGE SOCIETY

“Piracy helped the young generation discover computers. It set off the development of the IT industry in Romania. It helped Romanians improve their creative capacity in the IT industry, which has become famous around the world… Ten years ago, it was an investment in Romania’s friendship with Microsoft and with Bill Gates.” Gates made no comment.

Romanian President Traian Basescu during a press conference with Bill Gates, 2007

Pirate Video Clubs & Video Game Consoles (Brazil, 80s & 90s)

by Pedro Mizukami
researcher, co-coordinator
of the Brazilian components of the
“Media Piracy in Emerging Economies” project

The first “2001” video store, inaugurated in October 1982
in the Trianon Gallery on Paulista Avenue, São Paulo

INTRODUCTION

Both video clubs/stores and video game consoles were affected by Brazilian industrial policy during the 1980s and the import substitution policies that were adopted at the time. Several items were included in the package, but mostly it was about closing the Brazilian market and making it very hard for imports to reach the Brazilian territory in order to stimulate local industries. This was the main trend in Brazilian industrial policy during that time. As a result, contraband, piracy, and unlicensed hardware, in the case of video game consoles, were commonplace.

“Watch Whatever Whenever,” the slogan from Sony Betamax advertisement, 1978 (Sony Betamax 8600)

The first VCR device manufactured in Brazil, launched in 1982 by Sharp in VHS format (Sharp VC-8510)

PIRATE VIDEO CLUBS

Political Context

Video became a big thing in Brazil during the 80s. I remember how hard it was to purchase a VCR video player in Brazil when I was growing up. It was very expensive. So it took a lot of time for families to save enough money to purchase a videocassette player in Brazil, and, for the most part, only families that were well off could afford it.

Early Fan Communities

The first Brazilian videocassette player was produced in 1982, so this year can be used in a timeline as the beginning of Brazilian video, though VCRs were imported into Brazil before that. Since prices for VCRs produced in Brazil were very high, most families would purchase cheaper imported machines, mostly from Paraguay. The price difference was so great that people would go to Paraguay, buy videocassette players, and resell them into the Brazilian market. The market started to be populated by these machines, but there was actually no home video market to supply VHS tapes containing movies. It meant that even if you had access to a videocassette player, there was still the issue of how to find the content to play in it. So people began to organize themselves into video clubs.

Each video club would of course operate by different rules, but typically you would pay a monthly fee for being a member, and sometimes you would be required to contribute a few new titles for the archives. Mostly these were VHS tapes that were purchased abroad, even though importing them was actually illegal. The import substitution policies I mentioned before required them to be produced in Brazil. A member of a video club would have access to the entire archive of the video club, so these became hubs for the import and distribution of movies during the early years of the Brazilian video market. As you can imagine, this involved piracy because it was necessary to

Original & pirate VHS tapes, 1986, Brazil

acquire, duplicate, and subtitle the tape, so these clubs can be thought of as a sort of early fan subcommunities.

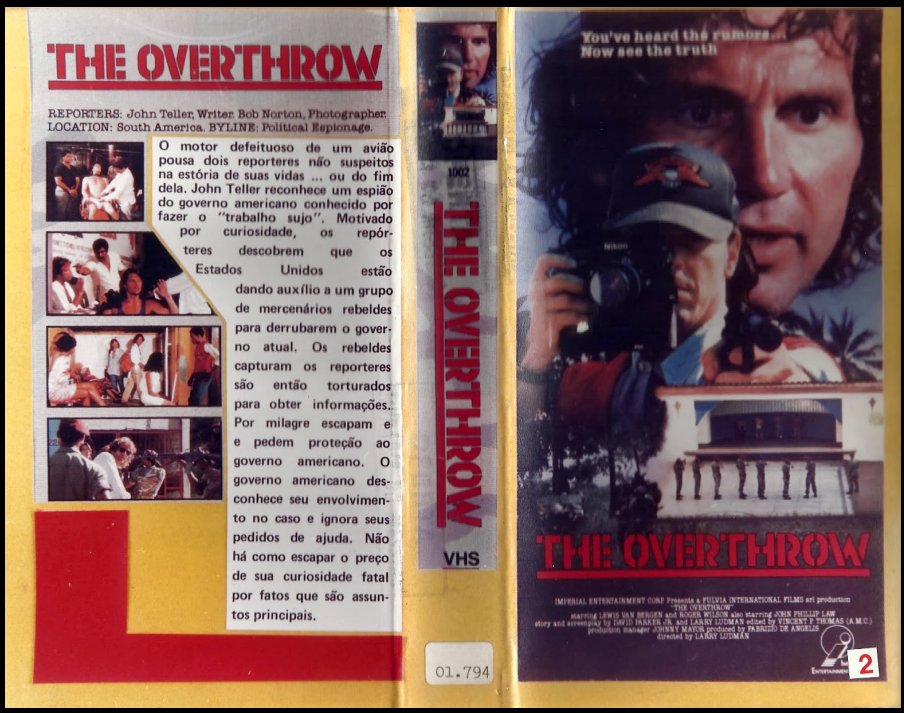
Video Clubs/Stores

The video clubs progressively transitioned into the video rental market. Rental stores began to appear where you could actually rent movies, so you would not have to contribute new movies and so on. You could just go there and pay a fee for each of the movies that you rented. According to an estimate from 1987 (this is an industry estimate, so we can question its accuracy), about 80% of the archives in Brazilian video stores around 1987 were pirated. There was actually no official market that could supply the home video market with the number of titles that it needed.

Legal Distribution

Getting a video tape legally distributed in Brazil involved a series of bureaucratic steps. Let's suppose that you were a firm licensed to distribute a movie from Warner Bros. in Brazil. You would have to get authorization from Concine (Concine was the government body that supervised the entire film industry in Brazil), you would have to register with them, you would have to prove that you have a license to distribute the video and you would have to acquire a stamp, a small sticker that would be put on the videotape. The stamp was usually what people used to distinguish between pirated video and legitimate, official video. It was printed by the government and attached to the tapes. The legal tapes would also, of course, have professionally produced covers and packaging, which was certainly not the case with pirated videotapes.

If you look at the Brazilian pirate market now, there are varying degrees of how professionally produced the covers are, but at that time a sticker was typed on a typewriter with the title of the movie, maybe with a brief synopsis, and the cover would probably include the name of the video club or the video rental store. In terms of aesthetics, it wasn't very well produced.



Pirate VHS tapes, 1982 & 1987, Brazil

These were the main factors that were used to distinguish between a pirated videotape and an original, licensed one. There was no big conversation around copyright then; it was mainly a question of whether the government authorized distribution of the video on Brazilian territory or whether there was a sticker on the tape. If there was no sticker, it meant that this was either a pirated tape or an "alternative" tape. "Alternative" was a euphemism that was used in order to market these tapes; there wasn't really a stigma attached to the word "piracy," but it did, of course, link people to the idea of illegality.

Crackdown

In 1987 distributors, representatives of big studios, and film producers started to organize themselves in Brazil. They began to pressure the government and managed to crack down on the pirate video market. From 1987 to 1989 there were several crackdowns on numerous video stores and video clubs. These were very effective. I remember when growing up that one week you would have access to the entire range of film production in the world, and after the crackdown you would be restricted to legally distributed tapes, which of course, only represented the major blockbusters. And even so, the market was under-served, both due to the bureaucratic hindrances involved with getting the sticker from the government, and the approach of the distributers themselves, who preferred to serve the market with the minimum common denominator in terms of content.

So you can imagine what it was like for a 10-year-old boy in the countryside near São Paulo, going to the video store in order to rent a movie, and going from a whole universe of productions to a very small number of major American blockbusters or major European productions. From one day to the next, it was as if 80% of the catalogue was down, and with it a lot of content that you wouldn't be able to find elsewhere, not in theatres, and not on TV. It was a major drought in terms of access to content in Brazil. The crackdown on Brazilian video stores could be likened to the burning the Library of Alexandria or a situation

Official Concine labels, Brazil

where 80% of the content on peer-to-peer file sharing websites disappeared after a successful enforcement attack from the major motion picture organizations. It took from 1990 to the late 90s for the market to actually meet the demand for less mainstream titles.

Dynavision II by Dynacom, the first Nintendo Entertainment System clone in Brazil, 1989

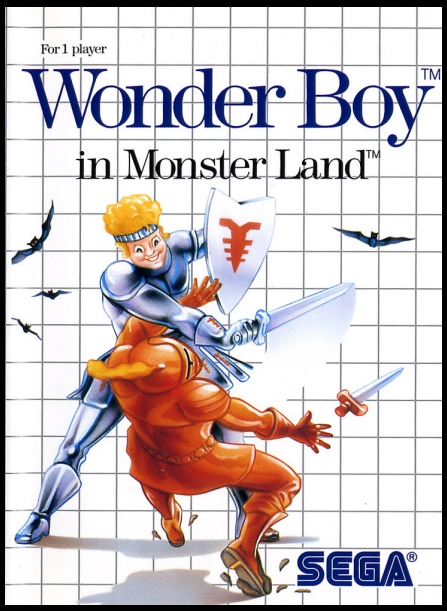
CONSOLE CLONES MADE IN BRAZIL

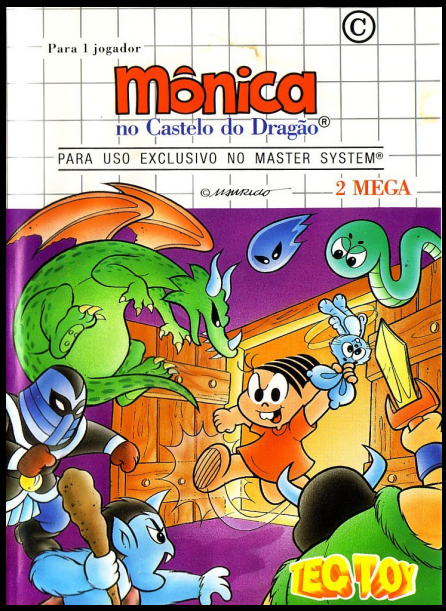
Major Companies: Gradiente, Tec Toy, Dynacom, CCE

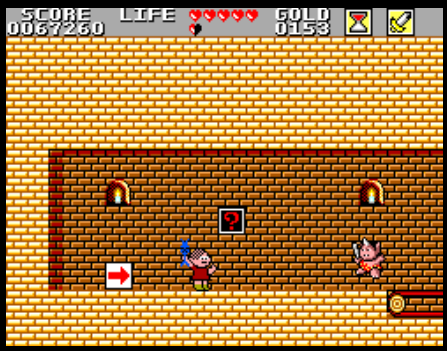
Under the import substitution policy put in place in the early 80s, the Brazilian market was closed, and we could only get official machines through contraband, so local companies started to mass-produce clone machines. The earliest memory that I have of this involves the Nintendo Entertainment System. First came the Dynavision II by Dynacom (1989) and then the Phantom System by Gradiente (1990), probably the most popular NES clone, released right at the end of the import substitution policy. So alongside software piracy and pirated cartridges, we also had unlicensed pirate machines produced in Brazil. It was much cheaper to buy contraband machines than to buy the officially licensed, domestically assembled ones. Gradiente had an official license for the cartridges it commercialized, but it also treated unlicensed pirated cartridges under a different company name. They would officially release their licensed material for the unlicensed machines, but they would also produce unlicensed content. The pirated hardware and cartridge were mostly cross compatible; you could use an adaptor to load Japanese cartridges, and of course cartridges that you rented could be pirated or genuine.

Local Customizations

What is interesting is that there were local customizations of video games, even with official and licensed games. Tec Toy, for instance, would produce versions of games with characters that were popular in Brazil at the time. We had a very popular series of comic books called *Turma da Mônica,* Monica's Gang in English. Tec Toy produced versions of games using characters from *Turma da Mônica,* one was called *Mônica no Castelo do Dragão* (Monica at the Dragon's Castle) released in 1991. The original game was called "Wonder Boy in Monster Land"; they just removed Wonder Boy from the cartridge, inserted Monica and Monica related characters, and commercialized that. That's

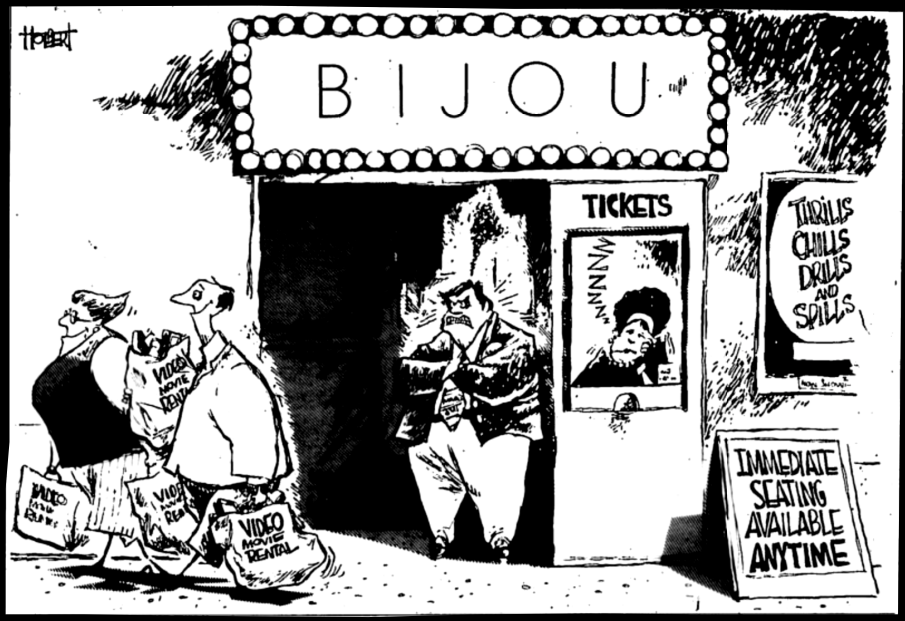






“Wonder Boy in Monster Land”, video game by Sega, 1987
“Mônica no Castelo do Dragão”, video game clone released by Brazilian Tec Toy, 1991

an official modification, but of course there were pirated ones as well. And there were also leaked, pre-released versions of games. I remember very clearly “World of Illusion,” a Mickey Mouse game. The version that we could rent in shops was a developer version (a pre-release), and it was actually much more interesting than the later commercialized one. The source of most of the pirated versions of console games was Paraguay, and during the NES era, most of the rental market of cartridges was pirated. It was very hard to find an official game, even from the USA, Europe, or Japan. Those eventually got into the market, but in small quantities.



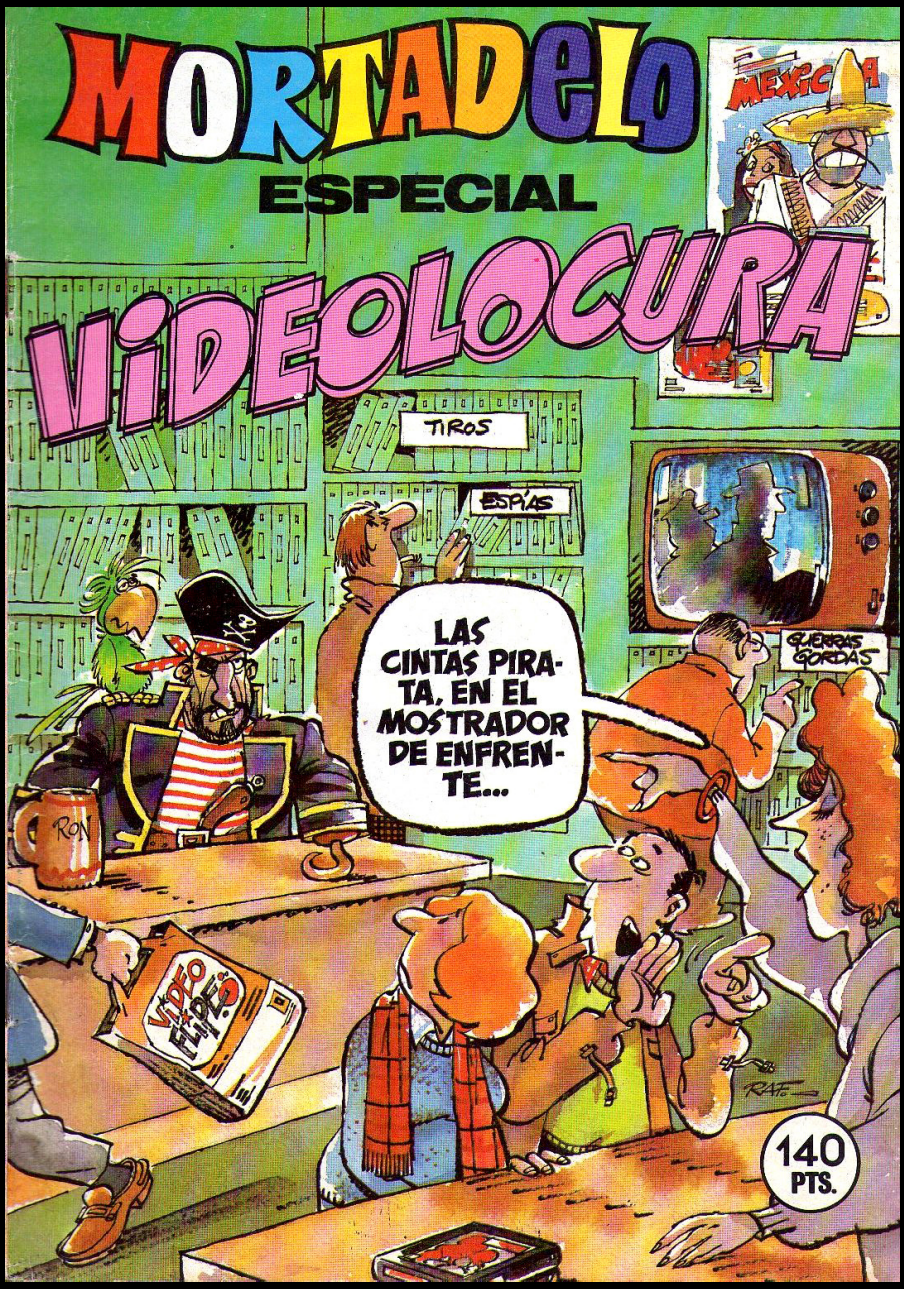
“The Free Lance-Star,” TV24, September 7, 1985, page 13

NOT A MORAL ISSUE

Piracy as a Market Issue

For my research, I recently went into the archives of two major Brazilian newspapers to find reports of the situation during the 80s and early 90s. And I actually found a lot of material. What was interesting is that there was a total absence of moral issues. Most of the reports were dealing with market regulation in the following terms: "The Brazilian market is too closed. What should be done in order to increase the health and the size of Brazilian video market? Cracking down on video stores could be something bad because there's a lot of demand and official distributors are not able to meet that demand"… so it was entirely a market driven conversation that completely avoided the issue of the morality of piracy. You might find some of that if you look into the discourse of the representatives of distributors, studios, or film producers. But the main point of the conversations back then was not "should we pirate stuff" or "piracy is morally wrong," etc. It was predominantly about the role of the state in terms of closing and regulating the market, with demands for regulation from both the video clubs/ stores and distributors, and lots of fear that we could be missing out on access to content if we completely eliminated that part of distribution.

One of the pieces that I found contains interviews with 6 or 7 film critics, personalities, and actors, talking about the movies that they wanted to see and could not find in video stores due to crackdowns, as an argument that the market itself was not efficient enough to supply the demand – a demand that had to be supplied through piracy.



“Pirated tapes. In the front desk,” Spanish comic book Mortadelo Especial n° 192, “Videolocura,” Bruguera, 1975

BIOGRAPHY

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Bandits Brought Technology To This World – Shanzhai Culture (China)

by Clément Renaud
researcher & artist

Government officials look on as pirated publications, including DVDs, CDs, etc., are placed on the ground before being destroyed during a campaign against piracy in Taiyuan, Shanxi province on April 20, 2015. (picture Reuters/Jon Woo)

INTRODUCTION

For decades corporate economists have provided half-baked proofs to support the claim that infringements of intellectual property rights lead to large losses for the global economy. The OECD estimates that 2.5 million jobs will be lost worldwide in 2015[1] due to non-compliance with copyright laws. Despite all the algorithmic creativity and obscure data deployed to compute this number, *"the model struggles with (…) a single market outside of Europe: China."*[2] Indeed. China is one giant proof that the absence of copyright enforcement can actually empower millions of people to learn, and that it can eventually become beneficial for both the local and global economy.

Harry Potter
OBAMA
10

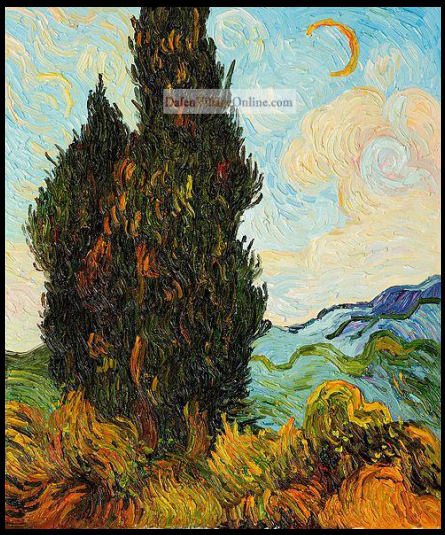
BANDITS BROUGHT TECHNOLOGY TO THIS WORLD – SHANZHAI CULTURE IN CHINA

Pearl River Delta

The *Made in China* phenomenon has provided cheap labor and an unbelievable growth opportunity to global corporations during the last decades. Its existence has given birth to a parallel and flourishing local counterfeiting industry, often known as *Shanzhai* manufacturing.

Riding towards the Shenzhen outskirts, the flatness of the Pearl River Delta coast gradually transforms into hills and mountains. The gray walls of factory towns spurt out of this green landscape: *"small-sized speculative standard factories literally rise from the farmlands as bricks and tin sheds replace paddy fields."*[3] Here stands the legendary home of the Chinese pirates: the *Shanzhai.* In Chinese popular culture, a *Shanzhai (shan:* mountain, *zhai:* stronghold) refers to a remote village in the mountains where bandits had once recreated their own form of society, far from the rules of the emperor.

Producing fake Samsung phones or the stepper motor of your latest 3D printer, *Shanzhai* factories are small production units. They were originally run by families that came to the Pearl River Delta for a ride in the global business world. Running selfie-stick assembly lines like they were carrot fields, these manufacturers grow technological products with an Internet connection as the only R&D capacity. They read product reviews, study pictures, buy samples, and tear them apart to see if they can recreate some sort of equivalents for less cost. Cheaper rubbers, recycled parts, older chips: they just need to assemble something similar. No slide decks by a 20-something lumbersexual "growth hacker": they just build products for a cheap price. Corporations hate them. Millions of people use their products to reach the shores of the Internet everyday.



Paintings from Dafen Village:
“Beautiful handmade oil on canvas reproductions of paintings by artists like Van Gogh, Picasso, Monet, Dali, and more… Why not grace your walls with such a handmade oil painting?”
http://dafenvillageonline.com

After 20 years of frenzy, the *Made in China* phenomenon is not the engine for economic growth it once was. Workers are demanding a minimum wage, welfare and all – time to relocate south. China will now begin its transformation into a gigantic robotized infrastructure of production. Japan has shown the way, but the eco-compliant optimization-friendly integrated "smart" megacity will be Chinese. Its headquarters are already installed in the outgrown fishing village of Shenzhen. Located in the gigantic industrial hub of the Pearl River Delta, Shenzhen sits just next to Hong-Kong's world-class business facilities. Tablets, drones, biotech, or open-source hardware, most components of the world are bought on weight from Shenzhen's local market. Thriving with connected products and launches on Kickstarter, the whole place is currently busy redefining the future of technology. The "maker movement" has found a new home, and teams from all over the world are coming to get their piece of the new industrial cake.
There is still one question though: how have communist farmers transformed into cyber-geeks that want to run global industry? How did they learn to follow tech trends, run factories, create products, and design next-gen service-based electronics?

Copycat Learning

In 1980, less than 3% of Shenzhen workers had attended middle school.[4] History books will tell us that good managers from NASDAQ companies came to China to train those people and that teachers from the Communist Party helped turn them into skilled workers. Reality shows something else: when you have no resources, no proper education system, and no mentors at your disposal, then you just learn from your surroundings. You copy, you paste, you reproduce, you modify, you struggle – and you eventually improve.

In Shenzhen's eastern district of Longgang, a village called *Dafen* specialized in selling replicas of famous paintings. Andy Warhole, Vincent van Gagh, Jackson Pollack, the signatures of Dafen's

Shanzhai phones:

- phone with projector
- phone cigarette pack
- phone with cigarette lighter
- phone with 4 Sim cards
- watch phone
- phone with razor

anonymous painters delighted tourists for a decade. Today, the counterfeiters are long gone and Dafen has become a market for Chinese artists to sell their paintings. A quasi-industrial process of copying masters has lead to the advent of a local scene, raising questions about how to make space for original creation. Benjamin[5] thought that mass production will never anchor in time and space, and will just prove to be an illusion of art. Maybe he was right. Maybe copies are just a temporary state for learning. As Dubuffet puts it: *"The essential gesture of a painter is to coat."*[6] And, well, you should always learn from the best.

AAA货

The quality of fake products in a market like China's varies tremendously. You can buy a (fake) pair of *Ray-Bans* for 20 cents or 60 dollars. The 20 cent one will last a day and break, while the expensive version will be exactly like the real one, including the (fake) guarantee card. The classification for counterfeit goods is pretty casual for Chinese people: A-goods (A货) are the best and are almost indistinguishable from the real ones. B-goods are lower quality (B货), and it goes down until you reach Z, which are just big jokes disguised as actual products. Many online retailers will advertise their *AAA-goods* which are super-perfect, even better than the original – like a pair of Nike shoes with an extra Adidas logo on them. There is of course craftsmanship in counterfeiting: it is no easy task to retro-engineer the minds of 10 Stanford graduates by opening the latest phone model. Still, the more straightforward way are the *"day-night"* factories: you make shoes for Nike during the day, then you make Nike shoes for you during the night.

Whiteboxing

In the 90s, the PC market was still in its infancy. Intel's founder Gordon E. Moore and its famous law on computation[7] opened the door for the exponential growth of computing power. The new gold rush was turning sand into silicon so fast that computers barely had time to hit the shelves before becoming outdated. Manufacturers just couldn't follow. In 1995, a

Ghana phone:

- price: about 25 to 38 USD
- can hold up to 3 SIM Cards
- built-in FM radio
- LED flashlight
- comes with Facebook and WhatsApp pre-installed
- doubles as a power bank to charge small electronics

shipment of PCs lost 1.5% of its value per week.[8] The trip from China to the US took several weeks and this was becoming intolerable for Intel, who couldn't sell their new Pentium CPU as fast as they wanted to. They decided to introduce the ATX platform by providing all technical drawings and specs, so everyone could start making motherboards for the latest models. In a matter of months, tons of very small companies in Taiwan started to produce "white-box" computers, machines without brands or even product numbers. They were assembled and shipped from Taiwan, and the processor was added directly in the shop upon arrival. After less than 10 years, those "no-brand" computers had become the leaders in the global market[9] with more than 30% of overall PCs.

Inspired by the story, the giant Taiwanese chipmaker UMC decided to scale this "white-box" approach into a new and fast-growing market: the mobile phone. It turned one of its R&D projects into a spin-off called Mediatek (MTK), which started to sell kits containing blueprints for both hardware and software. They also provided training and support[10] to thousands of very small factories to create cellphones based on their kits. When everyone in the West was still buying a Nokia, MTK was turning Chinese assembly lines into design houses. Just grab an MTK kit, find a plastic case, add a few buttons, flash an OS, and your product is ready. You want a Samsung phone in the shape of Michael Jordan? No problem, just wait a minute. With 50 ringtones and LEDs on the top? OK, I will ask my brother. In 2010, more than 100 million phones containing MTK chips were sold,[11] mostly in Southeast Asia, Africa, and India. Meanwhile, MTK has been repeatedly accused of and sued for patent infringements[12] of any possible technologies. This "unfair" call against competitors has created one of the fastest-growing industrial sectors: the mobile Internet.

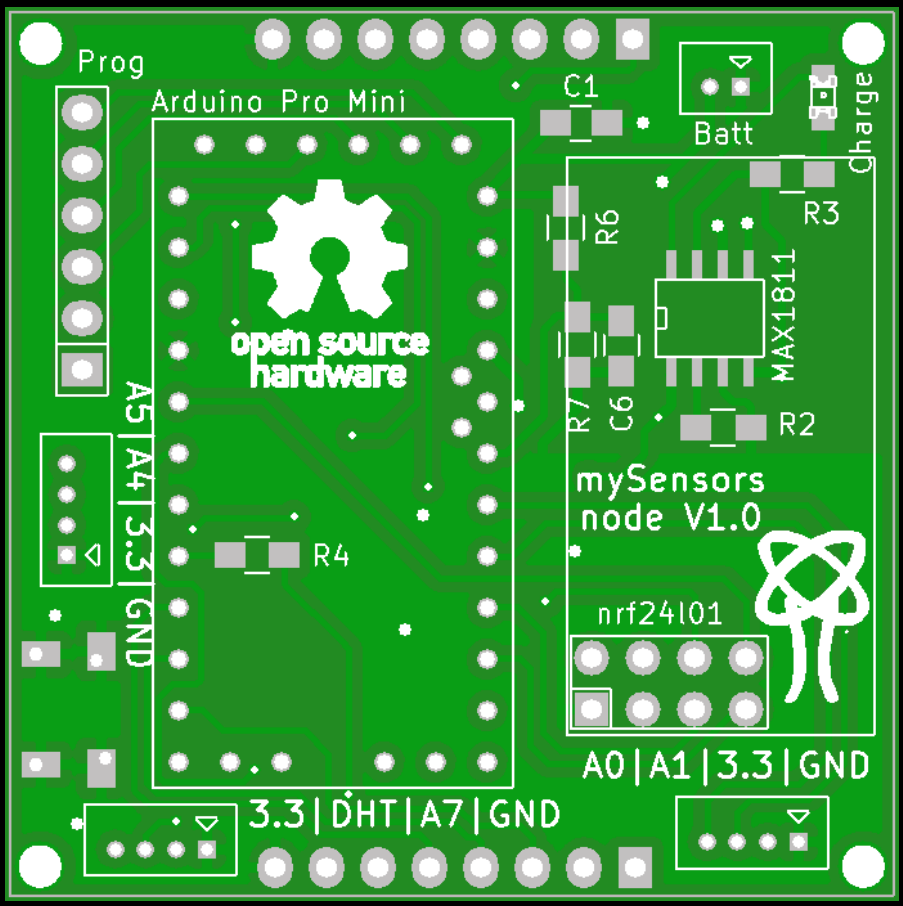
The Power Bank Phone that has suddenly appeared in the streets of Accra in Ghana[13] is a good example of this story. While westerners like to send suit-wearing executives to negotiate

Premier Li Keqiang visits Chaihuo Makerspace in Shenzhen, Guangdong province, 2015

deals, the Chinese usually do business as individuals or families. Thousands of Chinese have recently moved to Africa to start all kinds of businesses there.[14] One of them seems to have experienced the frequent power cuts in West Africa, and found that really annoying. To solve this problem, he imagined a phone that could provide electricity. As people in Ghana apparently like to have different numbers, it should also contain three SIM cards. Our guy called his cousin in Guangdong and asked him if his factory could produce such a phone. A few days later, the first batch was in a container and after a week you could find it in Accra's markets. There is even no need to add fake Samsung or Ericsson branding on the box; just print the specs and a picture of the phone and that's it.

Open-Source Manufacturing

The *Shanzhai* industry is an exemplary case of market-driven modern technological innovation: fast, consumer-centric, incremental product development. Design theory could sure learn a thing or two from those Chinese guys. Here, a good design derives from the availability of starter kits to build on, the capacity to copy and integrate existing features, and the facility to access production means in an almost trivial manner. Still, before discussing the "*Shanzhai* model" of innovation in salons, let's not forget some other key elements for success: a cheap labor force and a strong political framework. The Chinese Communist Party and its enforcement of broken work regulations should take credit in today's design and innovation frenzy. Another interesting feature of *Shanzhai* industry is that because they were the pirates secretly working in remote factories, they built a vast system for cooperation and competition. They shared plans, news, retro-engineering results and blueprints on instant messaging groups. Despite not having a promotional label like "open-source" and the like, they were actually practitioners of distributed manufacturing. In many regards, Shenzhen echoes the dream of a "fab city"[15] where design houses and small factories collaborate for the public and private good. The continuation of *Shanzhai* is open-source manufacturing, and local



MySensors_Humidity_V1, open source hardware, Seeed Studio, China

players like Seeed Studio or Cubietech have understood it completely. This new generation of Chinese makers is gathering a large community of tech followers, with all the best practices from documentation, community care and promotion. You can freely check the quality of their designs and have nice and enjoyable tours in their factories in Shenzhen. Far from the grim world of pirates, they publish methodologies and plans online, support their users, and will even make your crowd funding campaign a success if you ask them. They know that products aren't born in the mind of a designer, but in the hands of a factory worker.

For decades, foreign companies went to China and left with what they paid for: very cheap stuff that barely works. Indeed, you cannot expect an illiterate farmer to produce a Swiss watch on day one. After years of underground experience at the margins of the global production system, *Shanzhai* manufacturers have come up with a new model of production that may influence generations of designers to come. Copying, counterfeiting, and reusing existing inventions has contributed not to the destruction of pre-existing industry, but to its optimization. Mostly, it has covered the costs of training thousands of Chinese manufacturers while creating a highly profitable local economy. Instead of contesting an existing model, the transformation of *Shanzhai* manufacturing into an open-source model for mass production may even reinforce the current craze for efficiency in technological development. If free access to copyrighted resources proves to be harmful in the long run, it won't be because of losses due to counterfeiting but from the application of so much knowledge, resources, and skills to the wrong purposes.

哈佛通信
HAFF-COMM

BlockBerry

把互联网放进口袋

在手机上感受极品飞车

奥巴马的黑莓
我的Blockberry旋风9500

3.2"纯平触摸
互联网智能手机
旋风9500

WiFi GPS Bluetooth Windows Mobile

- 3.2 " TOUCH LENS 纯平触摸
- WINDOWS MOBILE 6.1.5
- WIFI 无线 + 3G EDGE 高速上网
- GPS SIRF III
- BLUETOOTH 2.0 蓝牙

手机娱乐门户
SJ.91.COM

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SPECIALMAN

BIOGRAPHY

Clément Renaud's work spans art, science, and technology. He writes code and articles about media and innovation in China and pursues research about social networks, data mining, and visualization. http://clementrenaud.com

PICTURES

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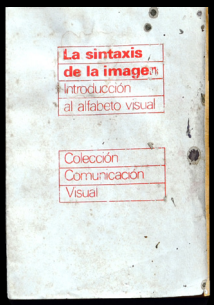
El Paquete Semanal & Marakka 2000 (Cuba)

by Ernesto Oroza
designer & artist



Copies of design books distributed to the students by the Institute of Design in Havana (originals and pirate copies)

INTRODUCTION

Cuba is a Caribbean country ruled since 1959 by a self-declared communist regime that came to power through armed struggle. The expropriation and nationalization measures implemented by the new government in the early years of the revolution resulted in a severe conflict of interest with the United States. As a result, John F. Kennedy declared in 1962 a commercial and financial embargo on the island, which is still in force (2015). Informational isolation and inaccessibility to basic resources and goods have characterized daily life in Cuba for over 50 years. For decades the government itself has practiced audiovisual piracy to supply materials to the official television channels. In the universities of the country, hundreds of books and international periodical publications have been pirated to meet the educational and informational needs of students.

El Paquete hard drive, a pouch that protects the disc and a USB cable

EL PAQUETE SEMANAL

Origins And Present Time

It all started maybe 10 or 15 years ago. I remember that my nephew was the first one in the family doing it. He had a little USB hard drive, and one day he got a large quantity of films from a neighbor – things such as *National Geographic* nature documentaries, music, action films, and video clips. Computers were rare in Cuba at the time. You could find maybe one computer on each block. Some people who had computers started collecting and selling kits of digital contents; it became a way to earn money. You could buy one terabyte of contents, connect the hard drive directly to a television, and watch it without any computer. You just needed to bring your own hard drive to the seller and transfer the files at his place. You could even customize the package by asking for a part of it only (to save money) or for more specific contents (only kung fu movies, TV shows, games, music, etc.). Today, *El Paquete* could include series, films, soap operas (people love Korean soap operas right now), documentaries, music, video clips, reality shows, graphic humor, comics and cartoons, software, apps, antivirus software, language courses, magazines in PDF format, advertising, and an offline version of Revolico (revolico.com), among other materials.

The contents for each issue of *El Paquete* are usually collected from online sources. Some foreigners and people connected to foreign companies, embassies, or consulates have satellite antennas in their houses, and some people have illegal satellite antennas too. Maybe the creators of *El Paquete* are people working for the government in official institutions with large digital bandwidth that allows downloading long videos and music compilations. The fact is that somebody is recording the materials, transferring them onto hard drives, and preparing a new compilation every week *(El Paquete Semanal,* "The Weekly Package"). There's also extensive clandestine traffic of digital

PAQUETE
SEMANAL
Video Juegos de
PC Y PSP. SERIES
PC

ABRIMOS DE
LUNES A
HORARIO
DE 10am. A 8pm
POR FAVOR:
EN ESE HORARIO.
8-79-77-87
INFÓRMATE:
TENEMOS TODAS
LAS SERIES
DE TV, ANIMADAS,
DOCUMENTALES,
NOVELAS Y PELÍCULAS.
SALDRÁ SATISFECHO
870-96-39
8-79-77-87
317
BAJOS
HORARIO
10:00 AM
A
8:00 PM
EMPUJE

devices between Cuba and Miami. This includes USB flash drives and hard drives, but some cultural content for *El Paquete* is also transported this way.
The cost of a full *El Paquete* is about 1 CUC (24-25 Cuban pesos), so in terms of local income, it's expensive given that the average monthly salary is between 15 and 20 CUC a month. But in Cuba quite often multiple generations live in the same house: grandparents, parents, and children. So the expense of a single copy of *El Paquete* is often shared among the extended family. For those who distribute the package, the cost, if acquired directly from the matrix, varies according to the day on which it was bought between 10.00 CUC and 3.00 CUC, Sunday being the most expensive. These dealers cross the city by bike and have dozens of clients who spend 10 CUC weekly.

Now there is new street vendor license available named "Disk Seller and Buyer," so many people are selling partial contents of *El Paquete* using DVDs and CDs, especially series, video clips, and international soap operas.

Anti-Paquete
El Paquete became a big problem in Cuba because the government is particularly afraid of this mode of content distribution. According to the authorities, not only is it out of control and promotes contamination by American culture, its artistic/intellectual level is also quite low, as it's full of American blockbusters and Mexican soap operas. The government claims that Cubans instead need educational material for young people, something that is good for the new generation, not films with sex or violence. Nevertheless, I remember that for many years every Saturday at 9 p.m. you could watch two or three pirated American movies on national television, blockbusters like *Die Hard* for example. People loved it, and it was common to say in a conversation that something was like "Saturday's film," meaning that it had sex and violence.
But when the phenomena of *El Paquete* started, the real preoccupation of the government wasn't the artistic quality

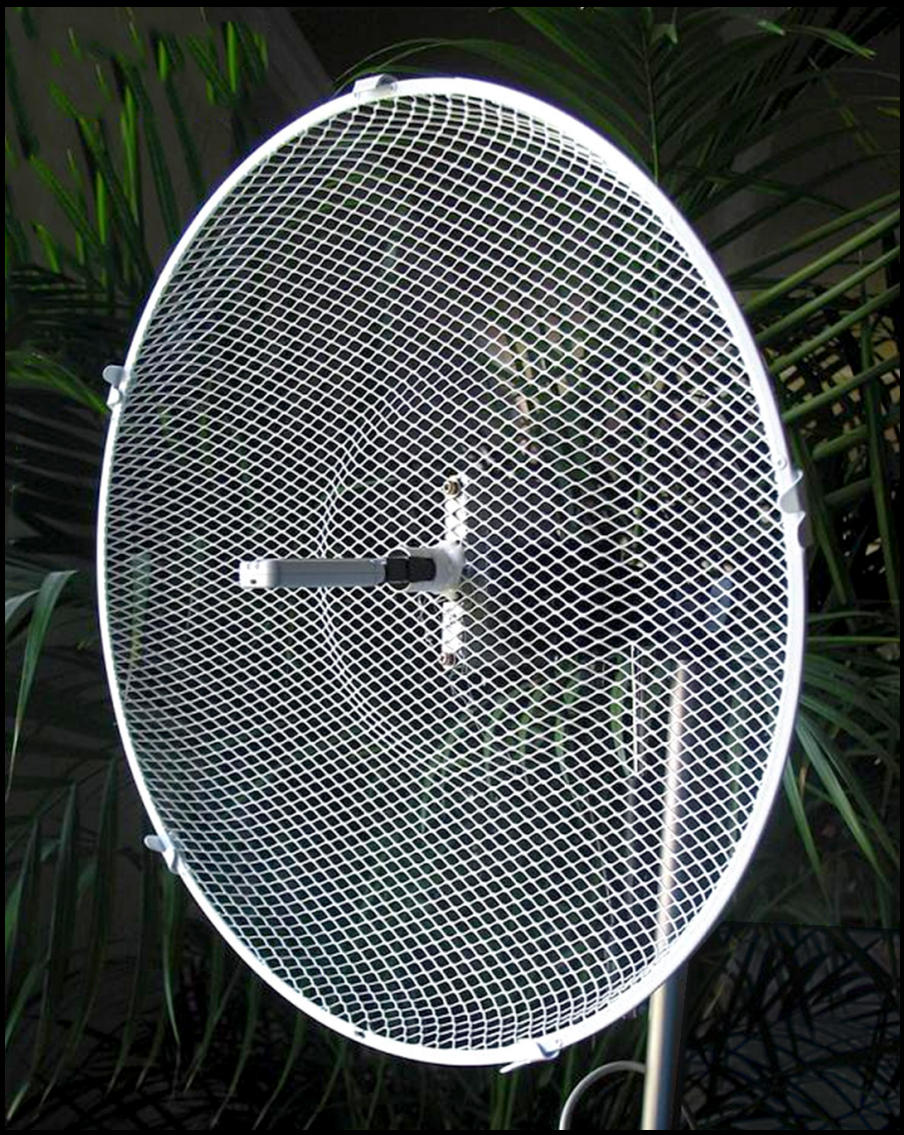
Ad from a collector & seller of pirated movies and other materials in Cuba. This ad was distributed in El Paquete 8-8-2015.

of its content, but politics; they didn't want it to be used for spreading information against the government. This USB package was spontaneous, unpredictable, and impossible to control. Of course it quickly became illegal; if you were caught selling it, you could go to prison or the government could confiscate your computer. But some other methods to stop *El Paquete* were also tested.

One example was the creation of a direct rival: the authorities made their own *Paquete* named *Maletín* or *Mochila,* which means a "bag" or "backpack" in English. Inside, instead of US blockbusters, you could find classical movies and music and educational materials. Actually, people found it very boring and nobody liked it, so this *anti-Paquete* system was a total failure. And of course it was just as pirated as the clandestine one: the government did not pay for its contents either; it was all "stolen."

Another attempt involved the creation of *anti-Paquete* propaganda: I remember a very dramatic report on the TV news about computer virus attacks all over the world that showed USB and *El Paquete* iconography and claimed that hackers could use these viruses to steal your information or destroy your computer.

Another faction of the government, mostly intellectuals, are proposing to contaminate *El Paquete* with cultural contents, I guess Godard, Glauber Rocha, and Bergman, but for many this will be an extension of the indoctrination that Cubans have endured for more than 50 years through information, education, and cultural systems. Anyway, before the government proposed it, some cultural producers such as reggaeton singers, filmmakers, designers and editors, among others, began using *El Paquete* for the distribution of their works and activities. There are even some original materials created specifically for this distribution channel. There are many local bands which created video clips especially for *El Paquete:* national television does not promote them and YouTube is banned, so they use *El Paquete* for distribution and promotion (e.g., La Diosa "El Paquete" http://youtube.com/watch?v=3rcZlGiwh-M with a strong message: "If you're not inside the *Paquete,* you don't exist!").



Home-made Wi-Fi antenna, Cuba

Web in a Box

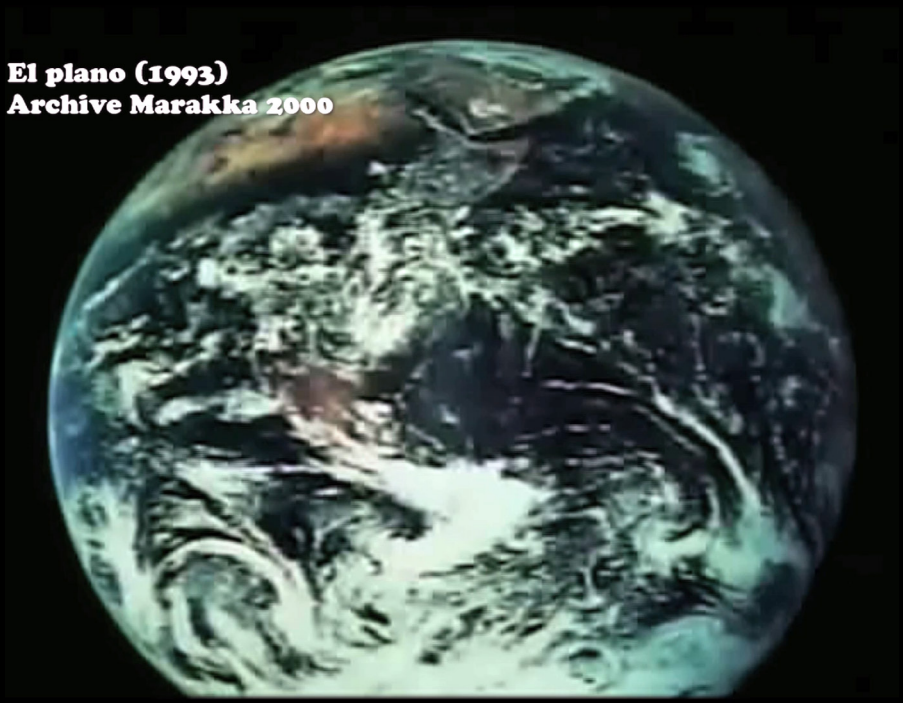
Revolico is the Cuban version of Craigslist, a website where people can directly publish small ads to sell or exchange different kinds of goods and services: cars, jobs, clothes, animals, electronics, etc. The problem is that people need to have access to the Internet to use it, and in Cuba it's mostly impossible. People in Cuba love and need Revolico because it's the only way to exchange materials, information, and goods. So Revolico went inside *El Paquete* as a list of small ads.
In a recent interview I conducted with the creators of Revolico, Hiram (a co-founder) explained that they are now working on a new offline version of this platform that will be ready soon to take advantage of the *El Paquete* distribution system.

SNet

Today, in Cuba more and more people have computers and other electronic devices such as tablets and smartphones, but home Internet and Wi-Fi access remains forbidden unless you have special permission from the Ministry of Communications (recently the government opened 35 points with public Wi-Fi around the country with a cost of 2 CUC per hour, and service is limited). As a consequence, there is a new phenomenon called SNet (Street Net), a sort of clandestine network. At the beginning young people started to use telephone cables to connect computers in the neighborhood in order to play games in a network. Later, they found a way to connect the computers using Wi-Fi. Today, this network consists of about 10,000 computers. The police also access the system to monitor the flux of information. The government warns that if you share counter-revolutionary material or other forbidden content, it will break the whole SNet system. Despite this, SNet has become one of the main avenues for playing collective games and information distribution.
Besides SNet, there is also a governmental Internet, a very slow and monitored intranet. Every e-mail that is written in Cuba is tracked by the political police. There are many systems to monitor key words. Some government employees or institutions

An advertising for "El Maletín", governmental anti-paquete

have a faster and more direct Internet connection, with access to Yahoo, Hotmail, etc., but it's still impossible to access other big international platforms such as YouTube and Google Maps. Recently, I collaborated with some SNet administrators to test the possibilities of the net. We designed a small program and inserted it to produce a collective poem based in the exquisite corpse method. We got a poem of 3,000 words in just a week, meaning that many users of SNet were involved.



Marakka 2012 documentary, by Magdiel Aspillaga & Ernesto Oroza

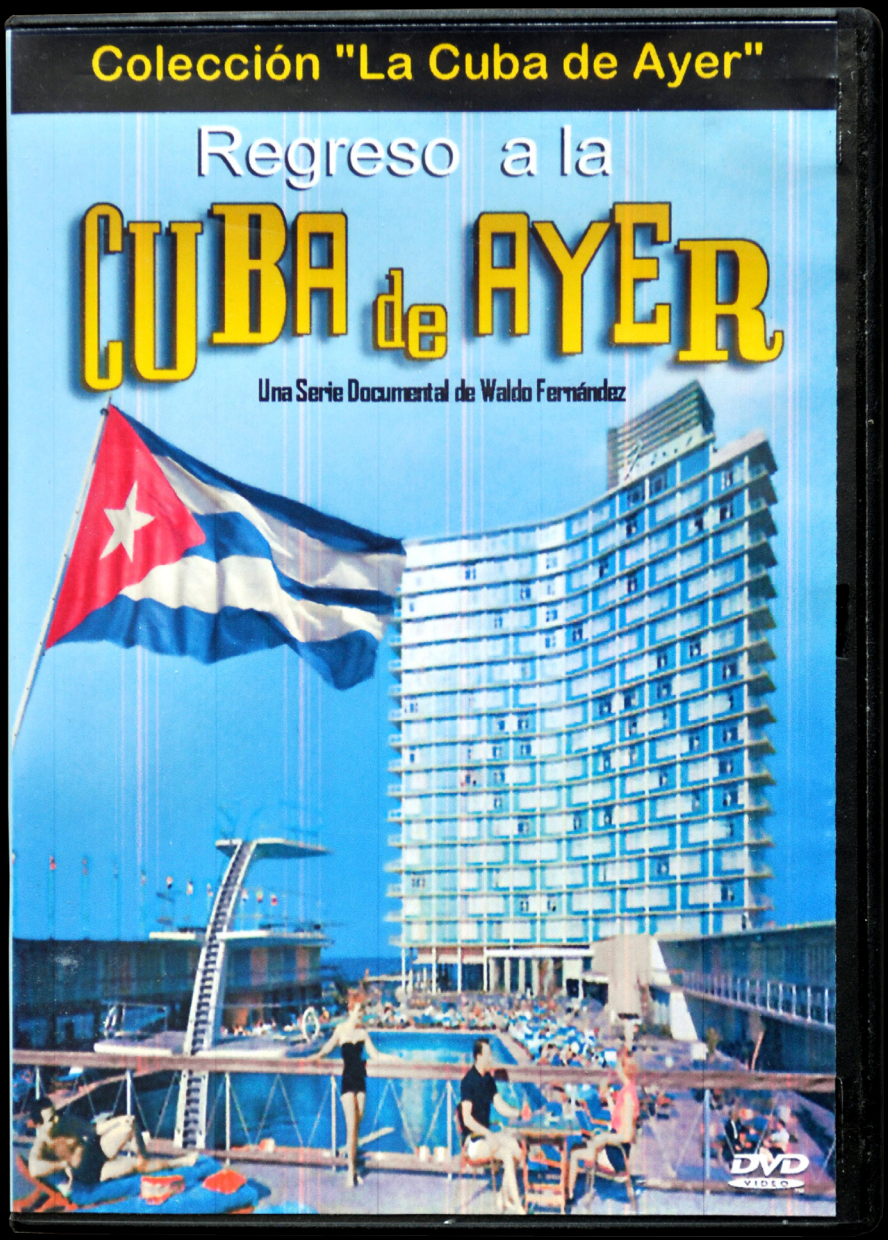
MARAKKA 2000

There's nothing on the face of the earth that cannot be copied.
Marakka 2000

Since 1983, Waldo Fernandez "Marakka", who arrived in Miami as part the Mariel exodus (1980), has been assembling an archive of Cuban audiovisual memory. The collection, which functions commercially under the "Marakka 2000" brand, relies on and exploits a loophole created by current Cuba-U.S. diplomatic relations, and is sustained by a precise and astute understanding of current procedures regarding the protection of copyright in the U.S.
Each generation of emigrants has put its nostalgic claims to the archive, which has more than 14,000 objects. Waldo has processed all this material in order to add new credits, remove sensitive copyright issues, and even re-edit the dramaturgical time and pace of serials and soap operas in order to adjust them for suitable commercial formats. The pinnacle of the archive lies in the documentaries that Waldo himself has directed and edited using video clips and sounds from his collection.

Excerpts from *Conversation with Marakka 2000**

<u>Intro</u>
"How did you read *Papillon* (Henri Charrière, France, 1969)?"
"Well, *Papillon* was a book you could find in Cuba in the 1970s. I was never able to get it as I was in prison at that time. But, my wife was able to get it and she started to make a handwritten copy of it in notebooks and desk pads, letter by letter. And that was how we managed to get the book inside the prison of Quivicán, which was a high security facility. She spent nearly 4 or 5 months hand-writing the book, and that's how I was able to read *Papillon* in Cuba."



DVD cover designed by Marakka 2000 / “Cuba de Ayer”

Starting Marakka 2000

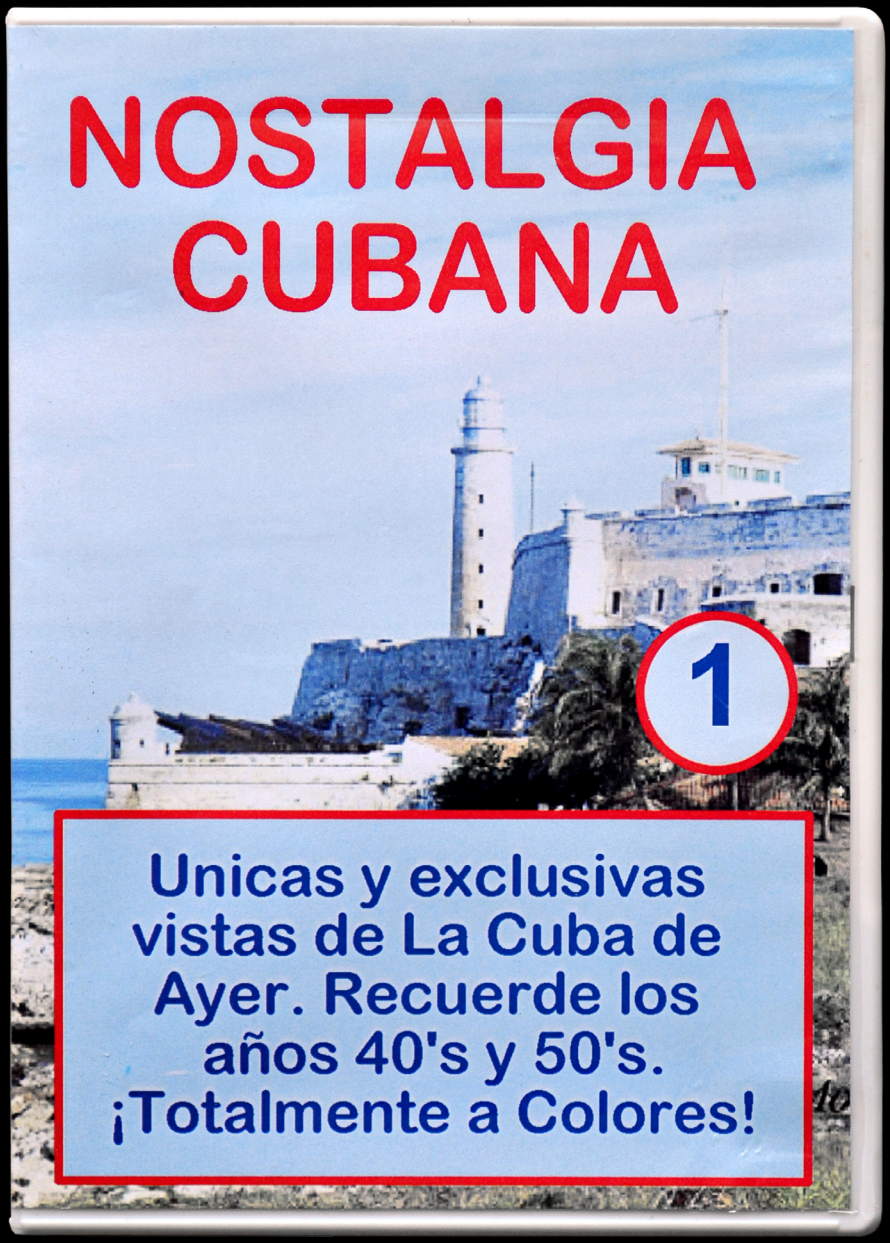
"It all began in 1983, a long time ago, as a result of nostalgia. One day, a man told me, 'Hey, I have a Cuban film here.' And I said to myself, 'Wow! A Cuban film in the United States?' It was *The Man from Maisinicu*. Then, I was overcome with nostalgia and I wanted to watch the movie. I had been in the U.S. for three years, and I was feeling a little bit homesick.

"Back then, it was not like today when you can easily make a copy. I had to rent a VCR to make a copy of the video, a very bad copy by the way. It was so bad that you almost needed to include signs to recognize actors. But I watched it, and I felt homesick. Then, I said to myself, 'If this happened to me that I don't want to hear anything about Cuba, then everyone can feel homesick.'

"I'm an automotive electrician by trade. Cinema was a hobby for me. And, as I said before, I was overcome with nostalgia for Cuba, and I was eager to know and watch things about Cuba and to collect them. It was in the mid eighties when I realized that there was a business at hand, not only with Cuban films but also with Spanish, French, or any other movies that people watched in Cuba.

"When I brought the first movie, I was a bit scared. I bought it in Puerto Rico. It was *Se Permuta* (House Swap). I bought hundreds of these movies in Puerto Rico. At first I was hesitant, but I sold them all in only one day. They would buy 20 and even 30 at the same time, and I said to myself, 'What is this?' It was then that I realized that there was a very good business in that.

"So, I started to get Cuban movies, and I sold more films from Cuba than from any other country. *Se permuta* was followed by *Los pájaros tirándole a la escopeta* (Birds Shooting the Shotgun), and the rest is history. I continued selling Cuban movies, and it was tremendous. And it is because of nostalgia that I began



DVD cover designed by Marakka 2000 / “Nostalgia Cubana”

collecting things. Then, in 1987, I decided to sell my workshop, and I dedicated myself entirely to the film business. But, the time came when I reached the conclusion that it was better to sell only because today, once you rent something, they can make 10,000 copies just like I make them, and then it's not a good business for me.

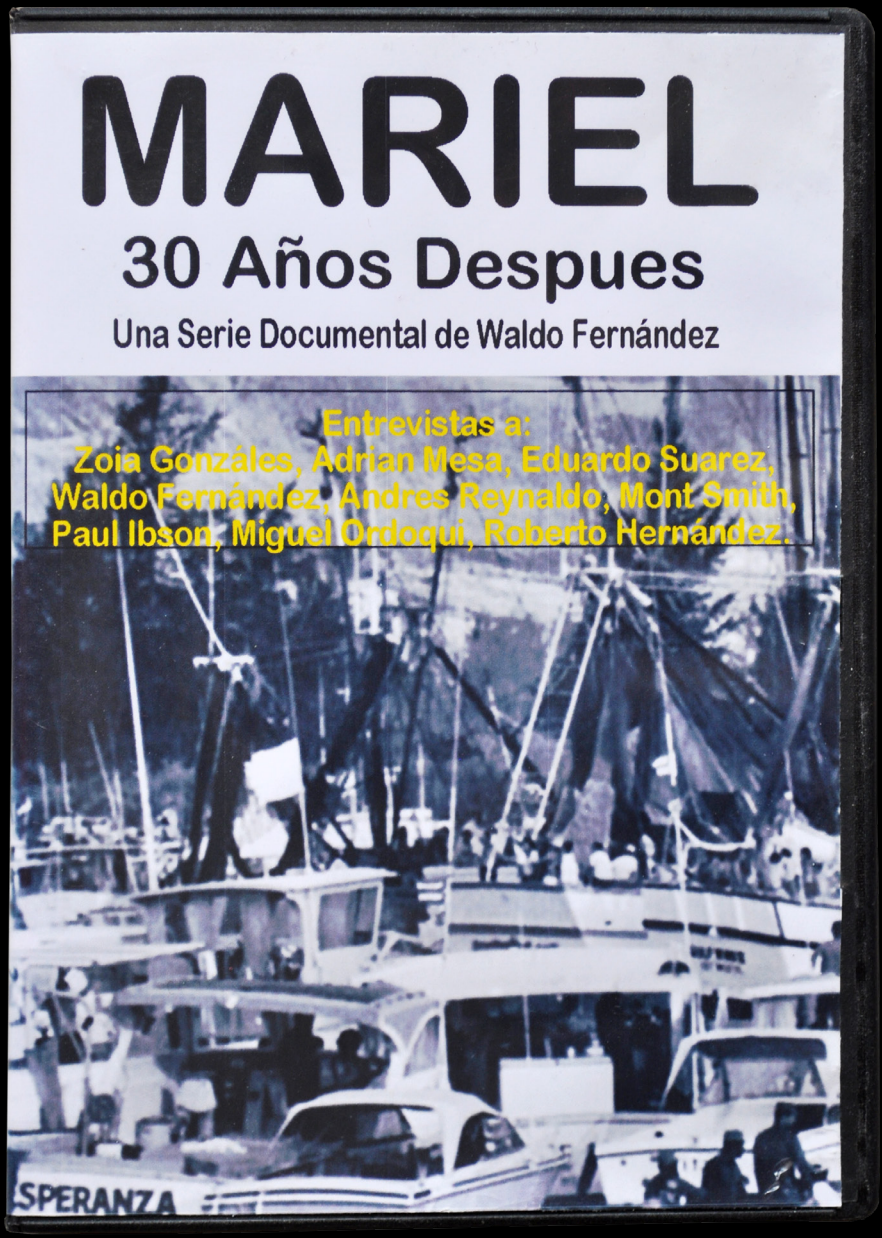
"Normally, films came in VHS, the old video format. Later, I could get them in ¾-inch cassettes or 1-inch tapes. Then, with the arrival of DVD, everything was digitalized, and some other things we are getting in better quality. For example, some materials we had in VHS we managed to get in other countries with impeccable digital quality. That's how the archive has been improving, and I can tell you that my archive is quite big. There's not a similar one in the United States or in the rest of the world. Marakka has more than 14 or 16 thousand movies and documentaries from all over the world."

Legality

"Legally, I can have all these archives, and I can make as many copies as I want. I mean, there's something called 'public domain.' The movies are not copyrighted in their entirety; the movies that were shot in Cuba 40 or 50 years are not copyrighted here in the United States.

"There are also co-productions between Cuba and other countries such as France, Spain, or Germany, for example, which are not copyrighted in the United States either, even though they were registered in Spain. Paying copyright fees to Cuba would be a violation of the embargo, the Torricelli Act, and other laws. So, it's like an Internal Revenue Service inspector once told me: 'We know who you are and what you do. You steal in an honorable way.' And that's what I do.

"You have a deadline to register a movie. You can register a movie now that was made 30 years ago, but it should not be like that because you have 6 months to register it, a movie,



DVD cover designed by Marakka 2000 / “Mariel”

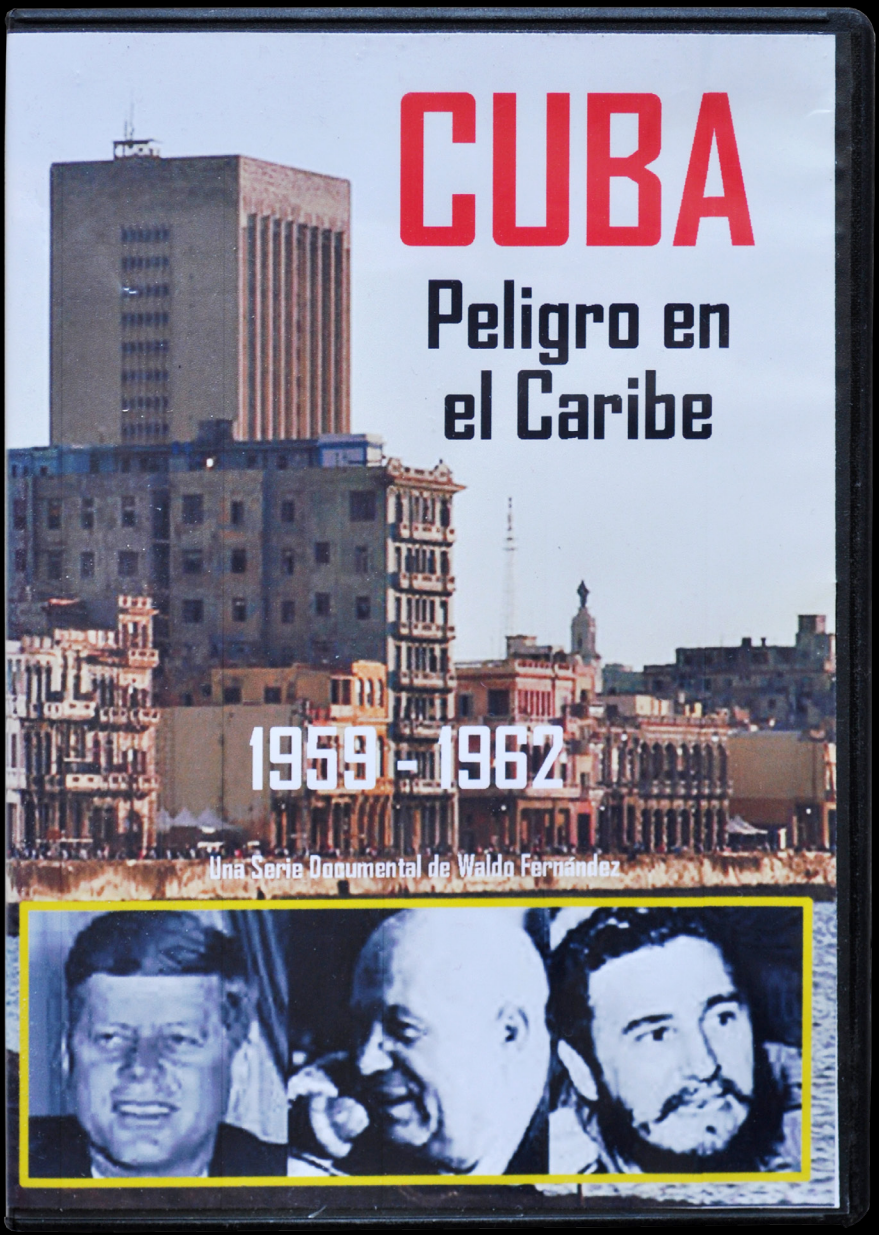
a book, anything – you have 6 months to do it. If you don't do in that period of time, it becomes part of the public domain, and, if you register it later, you have to notify me and then, only after that, I have to respect the copyright. Unfortunately, Cuba does not respect anything. Throughout the years, Cuba has never respected copyrights, and we are only doing what they do.

"There's the case of many American films that are in the public domain, but they have, for example, the lion of the Metro Goldwyn Mayer studios. So, perhaps the movie is not registered, but the lion is. In that case, you eliminate the lion and you can use the movie.

"You make a film in the United States, and you don't register it. However, the Copyright Office automatically gives you the copyright because you made it. But, if I make a copy of it, you can't do anything against me because you have not registered it. For you to be able to sue me, you have to register it first, and then, after that date, I don't make any more copies.

"I don't see myself as a pirate because I have rescued sort of a culture here. In Cuba they might say that I'm a pirate because I make copies of anything that Cuba could profit from here in the United States. But, these things that I do against Cuba and in my favor are not illegal. I know I'm stealing; I know I did not make them, but the law protects me because these movies are not copyrighted in the United States.

"Although I'm probably the biggest pirate here according to the people, I have also been affected by piracy because, for example, if I get a new Cuban movie now and I try to sell in on the street, I don't sell more than 10. So, I don't waste my time trying to sell them to video stores. What's the use of it if, once they buy one from me, the next day you can find it all over the stores and even in the flea market for just 3 dollars? And that hurts. But, I also did it, and when I did it, I used to sell hundreds and thousands of copies. Today, anyone has 4 little machines in



DVD cover designed by Marakka 2000 / “Cuba Peligro en el Caribe”

their stores, and they record and make copies of anything, and you can't fight against that. I can't fight against it.

"There are things that people don't copy for ethical reasons. But, in general, people copy everything. Marakka is not the only one who makes copies. There are 200 Marakkas in Miami. And, as the saying goes, the law is made to be broken. First, they invented the Macrovision copy protection system, but soon others came up with an anti-Macrovision machine. And the same goes for the DVDs. Everything can be pirated.

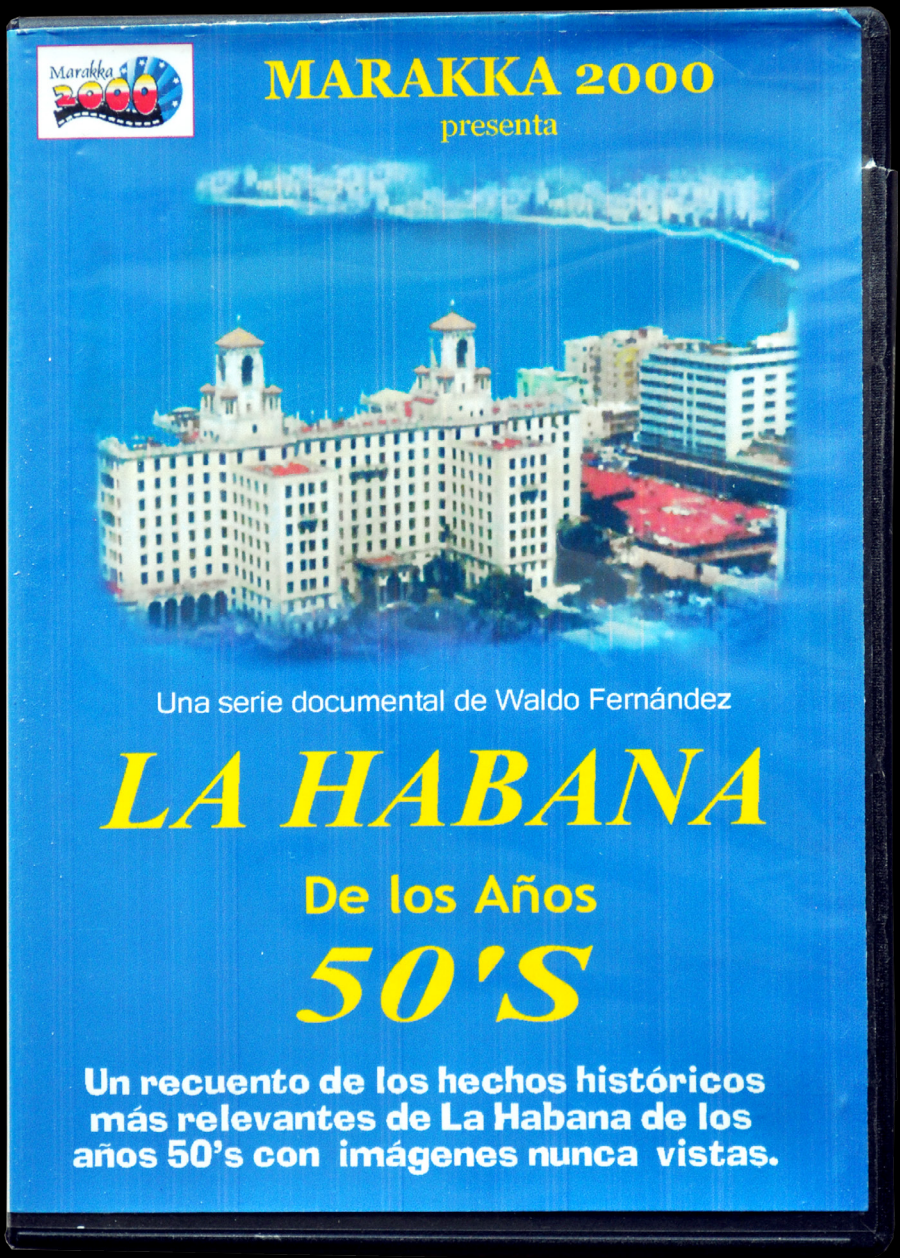
"People come here and they buy documentaries, sometimes the ones I made. And they ask me: 'Can we copy it?' I look at them and I tell them: 'No, you should not.' But if you can copy it, even though I told you that you shouldn't do it, you can do whatever you want with it after you buy it. There's nothing on the face of the earth that cannot be copied."

Name and Logo

"I was watching a movie and I saw the logo of Marakka, Marakka 2000, and I liked it. Then I checked it and it was not registered. So, I registered it and that's the origin of the name. After that, Marakka was a success. People loved it. And sometimes they would tell me, 'You will not get to the year 2000.' But, it's already 2011 and Marakka still exists."

Covers

"I make most of the covers. There are designs, photos that I take from the original pictures. Most of them are in English, so I change them to Spanish. I do it myself or someone working with me does it. It's very easy to make a cover. I have made thousands and, on other occasions, I can also take a picture directly from the film and I use it as a cover."



DVD cover designed by Marakka 2000 / “La Habana de los Anos 50s”

Nostalgia Series

"There are three volumes. The first one is from the old Cuban newscasts. It's the only remaining color film material of Cuban panoramic views of the 1930s, 1940s, and 1950s, all before 1959. And the rest I got it from people who have traveled to Cuba, of movies that include parts of different landscapes. And then you get a piece from here and a piece from there, you edit it, and you make it like that, splicing them.

"The first one was made during the time of the video cassette and the others, many years later, as a compilation. Cubans of all ages are the ones who buy this. You go to a fair that is held once every year, the *Cuba Nostalgia* convention, and there you can see very old people, even 80-year-olds, and very young ones too. Some of them go because they are overcome with nostalgia for what they didn't know and some others because they feel homesick. So, people of all ages buy these materials until the present day."

Chopped Films and Rotten Material

"I call it 'chopped film' because first you choose a topic and then, out of the existing millions of movies, you have to extract excerpt by excerpt and splice them all in a one-theme material. That's what I call 'chopped film.' I didn't make it, but many filmmakers did. So, later, you find yourself watching a documentary that is not mine. What I did was the chopping. I took excerpt by excerpt. And this you can see in *La Habana de los años 50* (The Havana of the 1950s) and in *Cuba: Peligro en el Caribe* (Cuba: Danger in the Caribbean).

"First, I have the idea of what I want to do and then I look for the material. I might be editing already and I remember that there is an excerpt in a film that could be useful and then I include it or change it. I know exactly which movie has what I need. For instance, you ask me for a man killing a lion. I have 17,000 films. I have thousands of the jungle, of Tarzan; there has to be a man killing a lion in one of them.

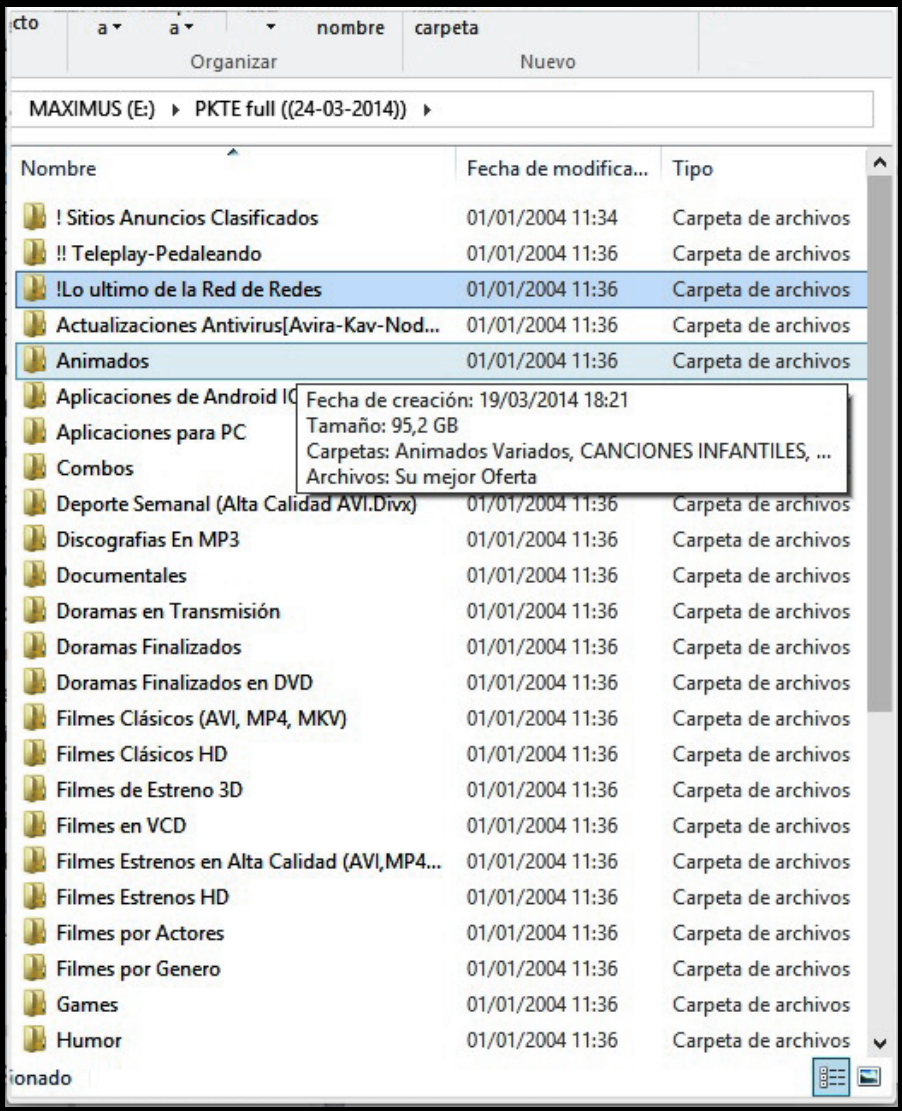
DVD cover designed by Marakka 2000 / “Cuba: Un Poco de Historia”

“Sometimes there are movies with their beginnings missing, so, I include it. For example, if they were made by the Cuban Institute of Cinematographic Art and Industry (ICAIC), I add a screen reading ‘The Cuban Film Institute…’ and I add some music as well, so that they have a decent beginning. And I do the same with movies from anywhere in the world, with westerns, anything. And some others lack their final credits, and I add a sign reading ‘The End’ and some music, something like that.

“I get rid of many scenes. I call them ‘stupid material.’ For example, if there’s a woman walking in the countryside, looking at the sky, and it goes on for minutes, I take it out. In soap operas, I eliminate the credits of each episode because, if they are in the first one and in the end, what’s the use of having them again, and again, and again? I edit them as if it were a movie and that’s how you eliminate material that doesn’t need to be there.

“I have a lot of ‘rotten movies.’ Well, by ‘rotten’ I mean that they are very poor quality; they are very old movies, VHS films, with tracking, not digital. So, you get them with better quality, digital. But, perhaps somebody made a digital copy with a different name. Then, what you do is put its real name, the one it is registered under. I call ‘rotten’ all the material of very poor quality.”

* Ernesto Oroza and Magdiel Aspillaga’s interview with Waldo (Marakka) Fernández (2012).



El Paquete Semanal internal structure

BIOGRAPHY

Ernesto Oroza is an artist, designer, and author based in South Florida whose creative practice is grounded in community research. A graduate of Havana's Superior Institute of Design and later a professor in both Havana and Paris, he develops research methods as well as channels of dissemination that follow the vernacular practices and economic logics of his subject-objects. www.ernestooroza.com

PICTURES

PICTURES BY ERNESTO OROZA

PAQUETE SEMANAL ADS
http://oncubamagazine.com/a-fondo/el-youtube-cubano/
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The First Wave of Media Piracy Malegaon Cinema Industry (India, 1980s–2000s)

by Ishita Tiwary
researcher

Mithun Chakraborty in National Network advertisement

THE FIRST WAVE OF MEDIA PIRACY

The Video Revolution

The Asiad Games was hosted by India in 1982 and broadcasted by the Doordarshan channel, which was the national broadcaster. The Games were seen as a means to project the image of a modern India to a worldwide audience post the Emergency era.[1] Then the Union Minister for Information and Broadcasting, Vasant Sathe, stated, "Black and white is dead technology. Dead like a dodo… If I had my way, I will go in for VCR (video cassettes) right away. Cassettes can be produced in thousands and they are cheap. Every village and school can screen its own video cassettes."[2] The administrators at Doordarshan were given considerable freedom to design programs, and the government allowed imports of TVs and VCRs as well as VTRs to show "action replay" in slow motion while telecasting various important events of the Asian Games.[3] The excise duty of video technology such as cameras and tapes was fixed at 20–25%.[4] At the level of large-scale imports, individual as well as state administered entities were legitimized, which led to a dismantling of the older regulation model that existed in the country. The markets were flooded with smuggled electronic goods as the government looked the other way.[5]

This advent of video created a sort of revolution, where the audience started discarding the space of the cinema theatre for private spaces such as their living rooms. The video revolution also piggybacked on the growth of television in India during the 80s. By 1980 the number of transmitters in the country were numbered at 18, which grew to around 175 during the late 80s. Similarly, this can also be gauged through the expansion of owned television sets in the country, which were few in number when introduced in the 60s and grew to almost 7 million in the late 80s.[6]

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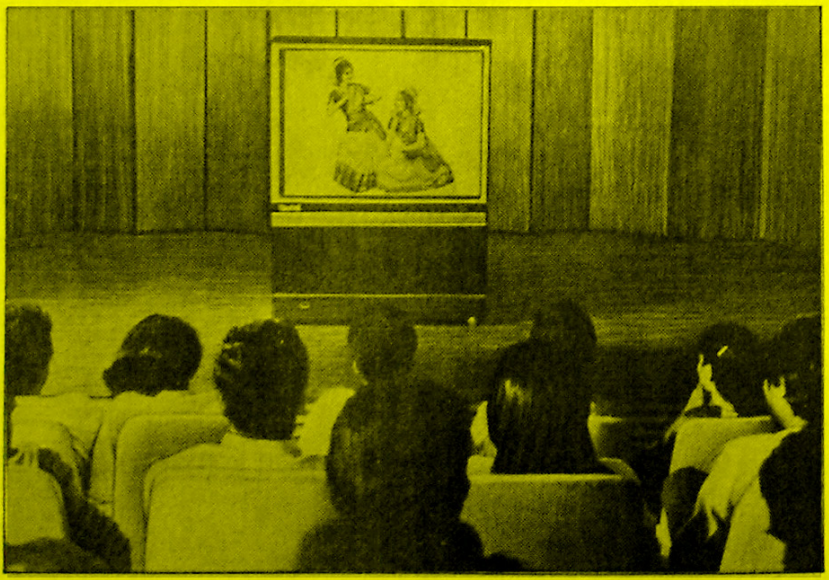

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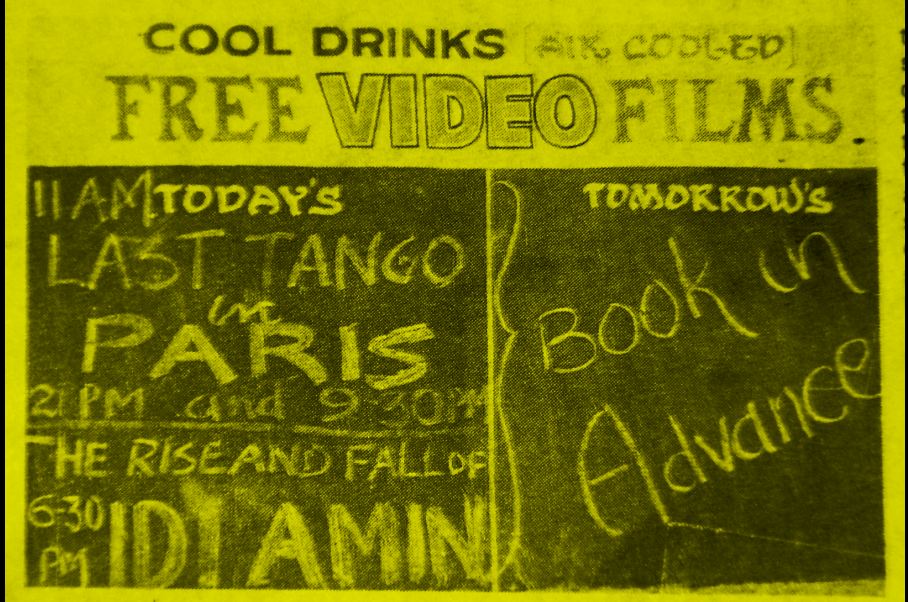
Pirate Spaces

Mayur Suresh, in his essay entitled *Video Nights and Dispersed Pleasures,* points out that this expansion led to the emergence of a multiplication of venues to view cinema that did not depend on a mass audience or projection technologies, and only required a TV and VCR. These new sites included omnibuses, restaurants, and coffee shops fitted with TVs and VCRs as well as the video parlours and video lending libraries. Moreover, these video setups and parlours operated with the help of state complicity as they were merely taxed but not punished for showing pirated films.[7] Interestingly, some pirated copies also originated from the National Censor Board. A filmmaker named Sawaan Kumar was shocked to find illegal pirated copies of his unreleased film at his nearby video library. Through further investigation he ascertained that the copy originated from the Censor Board through identification marks on the cassette.[8]

A video library is a space where VHS cassettes are stocked in a small shop and there is a membership fee. The members usually own their own VCR sets and hire a cassette for a nominal sum. The video lending library business is structurally similar to a book lending library operation. On the other hand, a video parlour is a small theatre space which has it's own setup that includes a TV and a VCR. The video parlour plays a movie available on VHS cassette and charges money for the show being watched by the patrons. Its model is similar to watching a film in a movie theatre.

Video cassettes were primarily in the pirate economy and circulated all across the country through video libraries and parlours. New Bollywood and Hollywood releases as well as pornographic films were available on video cassettes which initially did not have any film certification regulation. These cassettes were priced cheaper than a movie ticket, which led to a decline in movie attendance. The new mode of circulation made these video exhibition spaces a lynchpin of moral paranoia and economic anxiety for those in authority. It is interesting

parlours in A



Even a banned film. Ask and you shall receive – even a banned film. like "Last Tango in Paris" or a talked-about film like "The Rise And Fall of Idi Amin."

to note that the initial anxiety around video emerged due to a spatial logic. As Mayur Suresh (2007) points out, video parlours were overcrowded spaces, which was seen as a problem, although the law-making forces were not exactly sure of what the problem was. This concern was later articulated as that of video piracy which was vehemently taken up by the film industry as a cause. "The menace of video" was cutting into the revenues earned, driving people out of cinema theatre and causing a certain existential crisis for celluloid.

These spaces later became legalized pirated video theatres. In these theatres, three shows were shown daily, and the tickets were properly sealed with a sealing tax given to the government as well as compliance with sales tax norms. Adherence to such laws made these spaces a legalized exhibition space. The law was subverted through the showing of pirated movie copies. For example, a snack bar in Bombay was caught showing a pirated copy of a latest release entitled *Trimurti.* This incident led to the filmmakers filing a writ petition in the Bombay High Court against the Video Snack Bar Association and other video exhibitors in Bombay.[9]

"The menace of video" was also seen as causing a "cancerous spread of adult films." Pouring through the archives, one can sense an incredible sense of moral panic running through the 80s as video made access to pornography easier. There were numerous reports of video parlours being raided by the police only for them to find illegal screenings of pornographic films which also had teenage boys amongst the audience. It was felt that the impressionable young boys were becoming morally corrupted due to these video parlours.

Pirate Equipement

Video piracy was not limited to cassettes but was extended to equipment as well. The duties levied on video technology were around 300% in the country, which made equipment difficult to buy for the common man.[10] This led to the emergence of black

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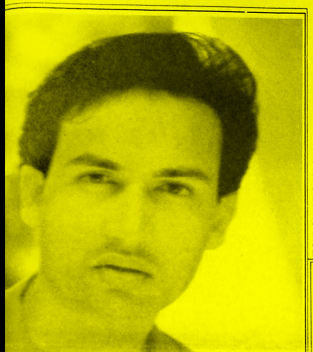

AT THE CROSSROADS

Sultan - a name, behind a story which proves that struggling in the right spirit and sincerely rewards a marked goal per se. Sultan's story run shelter is a product of the National School of ...ment to an actor in Hindi theatre for all-by some striking performances. He got 'the ...s theirs' when he was signed to play a leading ...ole in Kewal Kaul's 'Utsav' which was ...ounder. He signed a number of other films as a leading man even while 'Utsav' was being ...s future now will depend on what he has done with himself in 'Utsav'. One more career at the crossroads. - Photo by Rakesh Shrestha.

State Govts. must act – fast

By V. VERMA

AGITATED by the apathy shown by the Government of Maharashtra and the other State Governments the film industry is now girding up its loins for a do-or-die battle against the rampant video piracy that threatens to render the industry extinct. The industry is further angered by the fact that the recent enactment of the Copyright Amendment Act, which provides for deterrent punishment of offenders, has come to naught, thanks to an apathetic State machinery. Thus, it is business as usual with the video pirates, who have been further emboldened to the extent that they are not above assaulting bonafide officers of the film industry in the presence of the police. The recent assault of Mr. Vikas Mohan, secretary of the Anti-Video Piracy Organisation, is merely a case in point.

Mr. G. P. Sippy, president of the All India Film Producers' Council and also of the Indian Film Industry Anti-Video Piracy Organisation, told this correspondent that this violent manifestation of video piracy was discussed at a meeting of AIFPC held in Bombay last week. It was decided that a delegation would call on Mr. Vasantrao Patil, Maharashtra's Chief Minister, and request him to take stringent measures against the pirates as guaranteed by the Copyright Amendment Act.

It may be recalled that Mr. Patil had made this promise at a meeting with the industry leaders about six months ago. He had also agreed to the formation of an anti-piracy cell in the Home Department to look after the implementation of the Copyright Act. But nothing of the kind has been done so far. Apparently, the State Government is oblivious to the fact that along with the industry it has also been losing enormously in the envelop-ling gloom.

(Continued on Page 2)

Academy awards postponed

IN this dark night through which the film industry is passing, it is no mood for a celebration and has no time for it. The Awards presentation function of the Indian Academy of Motion Picture Arts & Sciences has been postponed to 1986 by which time it is hoped piracy will have been brought under some semblance of control. This in spite of the fact that the various juries set up by the Academy have had laborious sessions and the Tata Theatre in Bombay was actually booked for the presentation for May 31. The celluloid diva, which is the Academy's emblem, can hardly shine in the envelop-ling gloom.

A TEAM TO WATCH

Everyone is talking about Raj Babbar and Smita Patil - for more reasons than one. Very few teams have stayed in the limelight as consistently as this team. Raj and Smita formed a shaky team in the initial stages. Success came to them the first time with a film called 'Bhoopi Pailwan'. They were accepted in a big way with B. R. Chopra's 'Aaj Ki Awaz' and then followed a flood of offers. Premji's 'Jawab' was one of the first films they started some years ago, a time when they were not so popular. It is being released today - another reason for the team to be talked about. - Photo by Vinayak Gokhale.

New terms for theatre loan

THE National Film Develop cost of the project or a maximum amount will be Rs. 7 ment Corporation has re- maximum of Rs. 10 lakhs, vised the terms and conditions whichever is less, for a theatre in/etc. The rate of interest will for its Theatre Financing in urban areas (excluding land be 14 per cent per annum. A scheme with effect from April cost). In semi-urban and rural rebate of 2 per cent is offered Rs. Accordingly, the loan limit areas also the limit will be 75 for prompt payment and further will be 75 per cent of the total per cent of the total cost, or the

(Continued on Page 14)

ODUCTION OUND-UP

ar's new film

Films' 'Jaazat' was ...with the recording of ...d the Filmcenter on ...o song, penned by ...e is also the writer ...ior of the film, was ...K. D. Burman and ...By Asha Bhonsale. ...Bipin Upadhyaya ...Gupta, it has Rekha, ... Shah and ...e Patel in key roles.

Bate-Baz'

...my Pattey-Baz' will ...Floors in Bombay ...a film, written and ...ected by Rumi Govind ...akes his debut as a ...by producer Amarlal ...ma from a screenplay ...Parveer Ram, has Rajan ...Meghna, Jayshree Gad- ...ar Kapoor and Gul- ...ar in key roles.

'Daata'

...ar-director Sultan ...completed the first ...edule of 10 days at ...Studios for Sultan ...'s 'Daata' during ...ting and many drama- ...s were pictorised. ...Chakraborty, Padmini ...Bharat Bhushan, ...Kapoor, Suresh Ober- ...Parashar, Prem ...Amrish Puri, Amol ...Shoma Anand play ...in the film which has ...Nayanji and Anandji.

...en-day spell

...kash Sethi (chief ...Yash Chopra) com- ...ed shooting ache- ...days for Adda- ...duction No. 1 in ...ndy. Raj Babbar, ...Pradeep Kumar, ...ya Roy, Dina ...who finds Rajhans ...Kapoor partic- ...ated by Gurdeep ...the film has been ...Salim Khan, for ...the major project ...of his partnership

'Unwanted' for Cannes

NEW DELHI.

MEHMOOD Hussain's debut making feature film 'Unwanted' in English has been accepted by the Cannes festival authorities to be screened on May 10. Mehmood Hussain has been invited to attend the festival.

The film was shot on locations in New Delhi and depicts the student movement of Delhi. Almost the entire cast of

(Continued on Page 14)

Phalke award for Ray

NEW DELHI

SATYAJIT Roy, who has directed 29 films including three documentaries and two short films for TV, has been awarded the prestigious Dada Saheb Phalke award for 1985. The award consists of a swarna kamal and a cash prize of Rs. 1,00,000.

The Hindi film, 'Damul', has bagged the best feature film

(Continued on Page 4)

OUT TO WIN

He tugged at the heart strings of hundreds and thousands of men, women and children with his very first film, 'Masoom'. His performance was one of the highlights. It made Jugal Hansraj a household name all over. He followed it with 'Jhoota Sach' and another winning performance. He now plays a very important role in 'Sohni Mahiwal', which is making brisk progress. He is called 'the best child star we have today. How far will this boy with that 'something special about him' and all that talent go? - Photo by Dilraj Chawla.

This crime This scourge This piracy...

THE highway robbery carried out by the video pirates throughout the country, with or without the connivance of the forces of law and order, is without parallel in the film industry's history. The crisis that has now overtaken the industry in its very existence, is worse than all the crises put together that it has somehow managed to survive. Never was so much stolen so flagrantly by so many from so few.

One ventures to ask or, rather, demand – doesn't the Prime Minister's promise of a clean Government extend to those who live by making films? What sort of "clean" government is this where stealing intellectual property is a thriving business, where in apparent collusion with the forces of law and order piracy stalks the streets in broad daylight, and in spite of the censorship of sex being perhaps the strictest in the world (except in the Islamic countries), blue films can be seen by curious juveniles in this city's every nook and corner?

What is the value of a Copyright Act that cannot or isn't being enforced? What respect can there be for law and for justice when a pirate is caught today and is back in business tomorrow under the very eyes of the police? What is the point of moving against violence on the screen when a pirate caught in the act has the brazen temerity to tell the person who caught him, in the presence not only of M.Ps but of police officials, that if he (the pirate) had had a pistol, he would have shot him?

The solution? He who runs may see the solution. Left, forthwith, the excise levy on prints to enable producers to saturate the market with hundreds and even thousands of prints instead of the seventy five or hundred prints as now. This is how America beat the piracy problem. Tighten the enforcement machinery. Threaten, as has been suggested, the police officials with suspension in whose areas video parlours can be shown as thriving. An extreme remedy, no doubt, but as Shakespeare said, "ills desperate need desperate remedies."

– Editor

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in
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ALISHA
8 captivating songs written by
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Annu Malik with Alisha

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markets and marketeers who traded in smuggled electronic goods. For instance, during my interviews with marriage videographers, almost all of them admitted to buying tapes from the black market. These were used tapes from Germany and the U.K. which had some show recordings. The wedding videographers used these tapes to film the marriage videos.[11] Important to note is that these wedding videographers were middle class entrepreneurs and would not have been able to afford to buy the video equipment from the white market.

Economy/Morality

Thus, the effect of piracy can be gauged through two dominant narratives – economic and moral. Economically, the narrative was that the industry was bleeding financially while pirates were making huge profits. Despite the video boom in the country, the trend was of falling exports of Indian feature films (celluloid as well as pre-recorded video cassettes). Moreover, only the big budgeted multi starrer feature film was simultaneously released across all territories in the country. Medium or small budget films did not release across all territories at once. This led to losses for exhibitors as these films would circulate in the country as pirated copies and thus cut their revenues.[12] As one exhibitor stated, "Video is eating into our profits. For big films, video acts as a trailer. If people like the film, then they come and see it in the theatres. In such cases video is desirable. But for bad films, video has ruined all the chances for it being an average grosser."[13]

Moral concerns centred not only on the circulation of pornographic films, but the very act of piracy itself. The act of piracy was seen as dangerous and as a "crisis of character"[14] that had overtaken the nation. An editorial drew an analogy between pirates, smugglers, and thieves and provocatively stated that allowing pirates to operate is akin to smugglers demanding safeguards for themselves and thieves talking about rights to other people's property.[15]

Destroy the video pirates

Coded titles for pirated tapes

TO find out a pirated cassette in a video library is very often not a simple process of reading the title on the jacket, as in the case of new releases which are most in demand, the pirates don't print the real title. Sometimes they translate the title into English, as on the cassettes of 'Yudh' for which the title given was 'Battle'. At times code words are used. On the cassette of 'Bahu Ki Awaaz' the title given was 'Voice D', voice for 'awaaz' and D for 'Bahu' (daughter-in-law). On the cassette of 'Haqeeqat', the code word given was 'H-O' and on the cassette of 'Bad Aur Badnaam', the title printed was 'Body and Battles'.

As the video rights of many old films have been sold by the producers and the marketing of the cassettes of these films is legal, many libraries show the titles of old films on the jacket, while the cassette inside is of a new release. Some examples are given below.

Real film	Title on the jacket
'Aandhi Toofan':	'Hongkong'
'Bad Aur Badnaam':	'Mehfil'
'Haisiyat':	'Chhotisi Mulaqat'
'Aitbaar':	'Ghar Ka Chirag'
'Kamyaab':	'Ek Phool Char Kante'
'Kasam Paida Karne Wale Ki':	'Aparadhi Kaun'
'Kamla':	'Sati Aur Bhagwan'
'Karmyudh':	'Dil Bhi Tera Hum Bhi Tere'
'Love Marriage':	'Achhut Kanya'
'Lava':	'Vachan'
'Tawaif':	'Sheesh Mahal'

Later, the Information and Broadcasting Ministry made an important distinction between video technology and video piracy – terms which were often conflated by the press as well as the film industry. The Ministry decreed that video technology is a result of the ever-expanding field of science, and it was thus not desirable to stop this new technological development which has its own advantages, not only for entertainment purposes, but for education as well. It acknowledged that while the advent of video technology affected the box office revenues of the film industry, it was not due to the introduction of video cassettes in the market but the act of video piracy. The government also stated that it had taken a number of steps to curb this practice.[16]

Piracy's impact was not debilitating as the industry and the press would have wanted the public to believe. Scouring through readers' letters, one notices how readers express that it's because of piracy that they are now able to access international and parallel cinema which would ordinarily never get a release in smaller towns and cities.[17] Moreover, they alertly pointed out the infrastructural breakdown of cinematic practices that led to the rise of piracy. They noted that video could not replicate the experience of watching a 70mm film. The movie theatre has a social atmosphere where people meet their friends and avail facilities such as air conditioning, the snack bar, as well as superior projection and sound technology. This visual pleasure could not be experienced through a VCR. What was leading to the rise of video piracy was the exorbitant ticket price, inadequate number of screening venues for feature films, and big budgeted multi starrer films which were poor in content and hence flopped at the box office.[18]

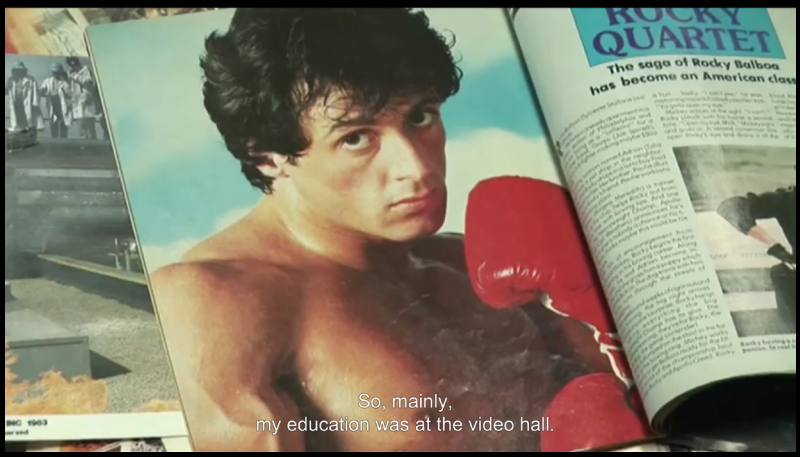
Supermen of Malegaon, the documentary, 2008

MALEGAON CINEMA INDUSTRY

Context

The post-economic liberalization period in India witnessed the proliferation of non-legal media practices – such as the rise of local cable television and film, and music piracy opening up contested networks of production, circulation, and consumption. Access to new technologies has moved film and music into informal markets. The local circuits of digitally based economies have opened up newer industrial spaces. As Ravi Vasudevan (2010) observes, there is a growing production of digital films produced in Mumbai, Manipur, Punjab, and Uttar Pradesh. These circuits are probably not entirely distinct from that of the larger film industry. In some instances, actors and technicians are caught between the local set up as well as the circuits operating in Bombay. But these currents have a "distinctive engagement with their specific markets and audiences, and point to a complex entanglement of cinema and cheap digital forms."[19] One such circuit is Malegaon. Malegaon, situated roughly 296 kilometres from Mumbai, is a nondescript place with a largely poor Muslim majority population and a power loom weaving industry in crisis. It has made headlines for the post 1993 Babri Masjid riots and has also been much discussed for the 2006 bomb blasts.[20]

The town's history and location appear to be the primary reasons for its communally polarized profile. In conflict driven Malegaon, fraught with economic depression, the fantastical world of cinema offers a refuge to the locals away from their harsh reality. There are fan clubs everywhere, and every Friday after prayers, there is a stampede outside the theatres. The town fervently watches Charlie Chaplin, Jackie Chan, old movies, dubbed movies and strange B and C international releases every Friday at the local video parlour.[21] The video parlour also screens locally made remakes of Hollywood and Bollywood films with a twisted town centric storyline and local look-alikes shot on a shoestring budget. Commenting on



Supermen of Malegaon, the documentary, 2008

Malegaon's cine love, a local remarks: "There is continuous communal tension. So people stick to their sides (referring to the Hindu and Muslim part of town) and never cross over. They are scared. But they love films, both sides."[22]

Shakeel Bharti, writer-filmmaker of Malegaon, sums up the complete picture: "Theatres are packed on Fridays and the power looms are closed. A worker is exhausted after a week of hard work at the looms. His mind is numb so he watches a film on Friday, surrenders his consciousness, and imagines himself on the screen. He trades his reality for fantasy."[23]

These films offer an escape from daily drudgery and become a window to the dreams and aspirations of this small town. Malegaon has become an almost parallel film industry based on local creativity and minimal infrastructure created by media piracy – proliferation of video cassettes, theatres and stores, VCDs, and DVDs.

Origins

But how did this film making practice emerge in this town? How exactly can we trace its origins? Irfan Iliyas, an actor, and Akram Khan, actor, director, editor, cinematographer, and dubbing artist, point to the local practice of stage plays. Every week a group of interested locals would come together and write an original dramatic script that would address local issues. A dose of comedy was also essential in the formal schema of these plays. This foreshadowed the formal devices articulated in the films of Malegaon. On the other hand, Sheikh Nasir, who directed the first ever film of Maliwood, hailed from a family that owned one of 14 video parlours that existed in Malegaon. His friends helped him in the "marriage video" business, where they used cheap video cameras (PD 170). This also gave them the experience of wielding a camera. One night all of them where sitting together and bouncing off ideas and then decided to make *Sholay* as it was an iconic Hindi film. They gathered the town's Amitabh Bachchan, Dharmendra, Amjad Khan and

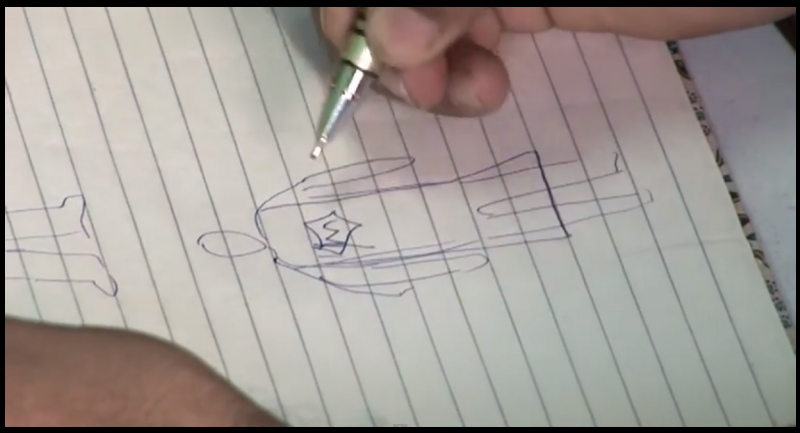
Supermen of Malegaon, the documentary, 2008

Sanjeev Kumar lookalikes to act in the film. Commenting on the choice of using comedy/parody for the film, Sheikh Nasir said, "I realized that people still loved Charlie Chaplin even though its 50 years old. But no one likes action or horror films from that period. Comedy from back then is still a hit. A comedy lasts forever – it's eternal. That's why I decided to make *Sholay* a comedy film."[24]

Indian Piracy Culture and the Local Film Production of Malagon

Lawrence Liang (2013) has argued that piracy has been overanalyzed in terms of legality and access, yet under theorized as a specific sensibility and attitude. Taking a cue from Liang's argument and the idea of the local film, I will chart how a pirate sensibility and attitude informs the localized informal filmmaking practice in Malegaon.[25]

Liang (2013) argues that one of the objections to piracy is the fact that it operates within the domain of slavish reproduction, without any transformative act of creativity allowing for its redemption from its status as an illegal object. Thus one is forced to reflect on the nature of the copy in contemporary culture. Liang takes his cue from Larkin (2008) who argues that the conditions in which texts are pirated and circulated should be considered. In developing countries the very process of cultural production is also tied to relative lack of infrastructure on one hand, and also becomes the basis for the transformation of the conditions of production by generating a parallel economy of low cost infrastructure. In this parallel economy, technology is subject to a constant cycle of breakdown and repair that leads to a process of recycling. This economy of recycling which Ravi Sundaram (2009) describes as Pirate Modern becomes the arena for all sorts of technological innovations and extends further to experiment with cultural forms such as parodies, remixes, and covers. In the case of Malegaon it is the spoof that enacts this process of recycling. For example, the Oscar nominated *Lagaan* (2001 dir. Ashutosh Gowariker) becomes *Malegaon Ki Lagaan* which instead of depicting opposition to colonial



Supermen of Malegaon, the documentary, 2008

tax, has for its subject local civic amenities as illustrated by their inversion of the popular song from Lagaan, "Ghanan Ghanan," with the lyrics "paani toh tapka de, badboo aaye badboo aaye, kahe kapde badal badal" (Pour the tap water / our clothes are stinking / asking to be changed).

Diaspora Aesthetic Infrastructure

To understand the infrastructure of Malegaon, I turn to Brian Larkin (2008), for whom infrastructure refers to "both technical and cultural systems that create institutionalized structures, whereby goods of all sorts circulate, connecting and building people into collectivities."[26] Thus, according to Larkin (2008), technical systems (transport, communication, urban planning) as well as cultural systems (such as knowledge of a particular language, religious learning, performance of a cultural style) allow one to participate in the "diaspora aesthetic,"[27] a cultural practice that is characterized by syncretism, borrowings and multiple forms of identification.

Technical systems in the case of Malegaon can be characterized by the presence of video parlours, the video cameras and VCRs that are used for editing, and tape recorders used for on set lip-syncing. Cultural systems can refer to the stage plays, shooting marriage videos, and the local context. Together this creates the infrastructure for the Malegaon film. The "diaspora aesthetic" refers to the practice of quotation and pastiche employed creatively in their spoof films. It also refers to the Hollywood films that have been cited by those involved in the industry in helping to gain knowledge about cinema. As Sheikh Nasir states,
"I never went anywhere to learn films. I would select different English films to screen. After that, I found Hindi films boring. 'Weak direction', I thought. So my film education was at the video hall. I learnt master angles, master lighting, the works."[28]

Lawrence Liang (2009) has made links between media piracy and the creation of an infrastructure for cultural production in Malegaon. The proliferation of video stores, video theatres,

Supermen of Malegaon, the documentary, 2008

and, in the later phase of the industry, VCDs and DVDs all contributed to the success of Malegaon films. Liang (2009) observes that the question of copyright has been non-existent despite the heavy use of copyrighted film and music. However, this copyright issue rears its head in the later stages of the development of the industry. Liang goes on to state that when one thinks of cultural production, there tends to be a focus on what gets produced as content and not on the conditions of production, circulation, and reproduction. Thus when one thinks of the infrastructure of cultural production in Malegaon, then we need to include video cameras, computers, cars, sound mixers, cycles printing facilities, toy helicopters, and bullock carts. (…)

Liang (2011) argues that there is perhaps a lesson to be learned from Malegaon story and their "finely-tuned pirate sense"[29] that does not name the legality or illegality of an act, but marks an "attitude"[30] – to time, to resources, and to creativity. If the state (as benign promoter of the arts) and private corporations (as owners of culture) both promise access on paternalistic terms, then a pirate sense is one that demands a defiant access. "It refuses to wait for Superman, and instead pretends that it can fly."[31]

Shakeel Bharti, writer-filmmaker of Malegaon, succinctly captures this spirit: "We don't have facilities but we are making films. That's what's special. We don't have great voices, but we are singing. That is what is exceptional. We have no weapons, but we are fighting a war, and winning it."[32]

Supermen of Malegaon, the documentary, 2008

NOTES

1 In India, “the Emergency” refers to a 21-month period in 1975-77 when Prime Minister Indira Gandhi unilaterally had a state of emergency declared across the country. The Emergency order bestowed upon the Prime Minister the authority to rule by decree, allowing elections and civil liberties to be suspended. Most of Indira Gandhi’s opponents were imprisoned, and the press was heavily censored.

2 Cited in Suresh, Mayur, “Video Nights and Dispersed Pleasures” in “The Public Is Watching: Sex, Laws and Videotapes”, Public Service Broadcasting Trust, Delhi, 2007.

3 Screen India, October 15, 1982.

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5 Sundaram, Ravi, “Pirate Modernity: Delhi’s Media Urbanisms”, Routledge, New York, 2010.

6 Cited in Suresh, Mayur, “Video Nights and Dispersed Pleasures” in “The Public Is Watching: Sex, Laws and Videotapes”, Public Service Broadcasting Trust, Delhi, 2007.

7 Screen, October 5, 1984.

8 Screen, December 5, 1986.

9 Screen, July 15, 1983.

10 Interview with Rupin Dang, conducted on September 30, 2014.

11 Interview with Bal Kishen Goel conducted on March 13, 2014 and Interview with Harish Sawhney conducted on March 21, 2014.

12 Screen, June 15, 1984.

13 Screen, January 4, 1991.

14-15 Screen, October 4, 1984.

16 Screen, August 9, 1986.

17 Screen India, June 5, 1987 & July 27, 1984.

18 Screen India, August 19, 1983 & July 27, 1984.

19 Ravi Vasudevan, “The Melodramatic Public: Film Form and Spectatorship in Indian Cinema”. Ranikhet, Permanent Black, 2010, page 412.

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21 Interview conducted with Faiza Khan on April 5, 2013

22-24 Soundbite from the documentary “Supermen of Malegaon”

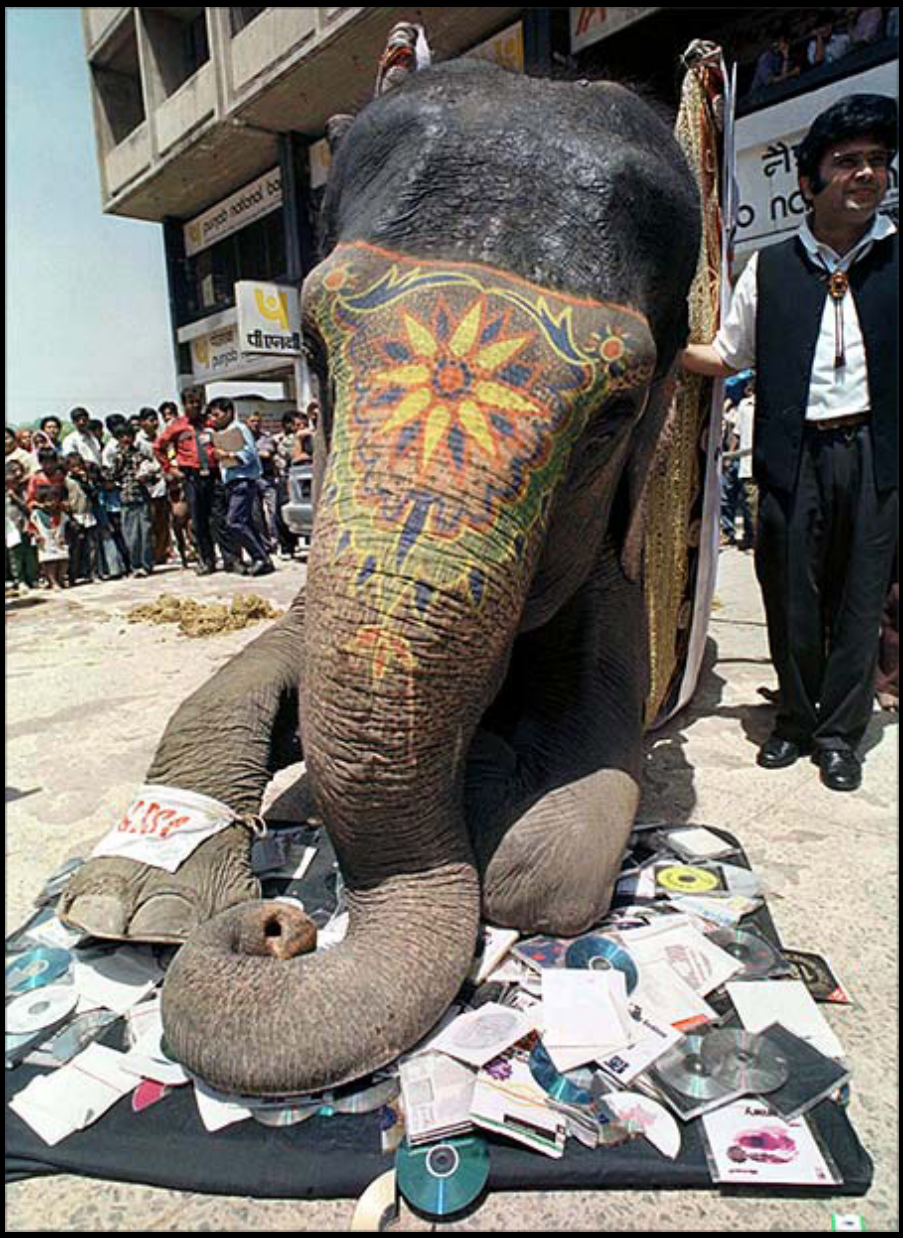
25 Lawrence Liang, “Piracy, Creativity and Infrastructure: Rethinking access to culture”, presented in 2009 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1436229 Accessed on April 30, 2013

26-27 Brian Larkin, “Signal and Noise”, Duke University Press, 2008, p. 5-6

28 Soundbite taken from “Supermen of Malegaon”

29-31 Lawrence Liang, “Is it a Bird? Is it a Plane? No, It’s a Magic Chair”, e-flux, 2011. http://www.e-flux.com/journal/is-it-a-bird-a-plane-no-it’s-a-magic-chair/ Accessed on July 18, 2015

32 Soundbite taken from “Supermen of Malegaon”



An elephant crushes compact discs containing pirated software, seized during recent anti-piracy raids, in New Delhi. Photo: Reuters

BIOGRAPHY

Ishita Tiwary is PhD candidate at the School of Arts and Aesthetics, Jawaharlal Nehru University, India. She is also a Research Associate on the Media Information and Infrastructures Project with The Sarai Programme at the Centre for the Studies of Developing Societies (CSDS). Her research interests include the role of informal media economies, the role of technology and media cultures, and amateur film production.

PICTURES

PICTURES BY ISHITA TIWARY

SUPERMEN OF MALEGAON (DVD COVER)
https://timesmusic.wordpress.com/tag/bollywood/

SUPERMEN OF MALEGAON (SCREENSHOTS)
https://www.youtube.com/watch?v=dqRq7ZpjF0I

ELEPHANT
http://www.rediff.com/business/slide-show/slide-show-1-nehru-place-among-worlds-top-notorious-it-markets/20121214.htm

The Downloaders (Mali)

by Michaël Zumstein
photographer

Pictures: Michaël Zumstein/Agence VU’

Mali, Bamako, 22 May 2015, close to the city center on Fankélé Diarra Street, shops providing digital file exchange have multiplied. A music track or a music video costs 50 CFA francs (0.08 US$), a movie 100 CFA francs (0.16 US$). Customers provide their own USB flash drive or mobile phone, and illegally download hundreds of files.

THE DOWNLOADERS

Fankélé Diarra Street

The little market on Fankélé Diarra Street in Bamako forms a hub where street vendors propose a plentiful offering of thousands of tracks on their computers. These music traders constantly face the challenge of always having a steady supply of new material since, once they manage to sell a few tracks, their customers then share the same tracks free of charge via Bluetooth amongst themselves. For example, if a downloader acquires a new album, the street traders will subsequently make copies of it amongst themselves before reselling the album to customers. In a matter of days or even hours the same songs will have completely lost their original value given that the customers will, in turn, make and circulate their own copies of the tracks for free. The stands themselves don't differ greatly from one another. Should one of the stands procure the latest song by a well-known Malian singer, the stand next door won't take long before it lays its hands on the entire album.

Young people usually gather in the street in the evening; they place a few tables outdoors, underneath streetlights or in front of someone's door, and congregate whilst exchanging tracks via Bluetooth. "Where did you find that track?" one hears, or perhaps, "A friend of mine performs in this song, would you like to listen to it?" The street downloaders are a well-established business, but one whose profitability is almost in the red.

The network of downloaders also has other uses. For example, if a young musician is in need of raising his/her profile, he/she will pay the street vendors a visit and request of them something to the effect of "Check out my signature track. I'm trying to release my album. Can you circulate it as much as possible?" If they take a liking to the track, the downloaders will spread the good word to their customers who will perhaps then see the artist in concert. During the concert itself, the customers will, in turn, film and record the music on their cell phones, or even

Pictures: Seydou Tangara

better, with a small pocket recorder, and then go on to share the songs. This process forms a loop of sorts and also has the effect of diminishing the quality of the musical recording, especially in comparison to European standards. The current trend in Mali consists of producing albums very quickly and economically simply in order to have a chance to organize concerts generating revenue from ticket-holding concertgoers for two or three months before too many pirated recordings of the concerts are in circulation and the songs are totally devalued. The guiding principle of these songs is more often than not a means of raising the profile of the artist or to find an audience for his or her brand of music in order to attract listeners to their concerts.

African-style iTunes

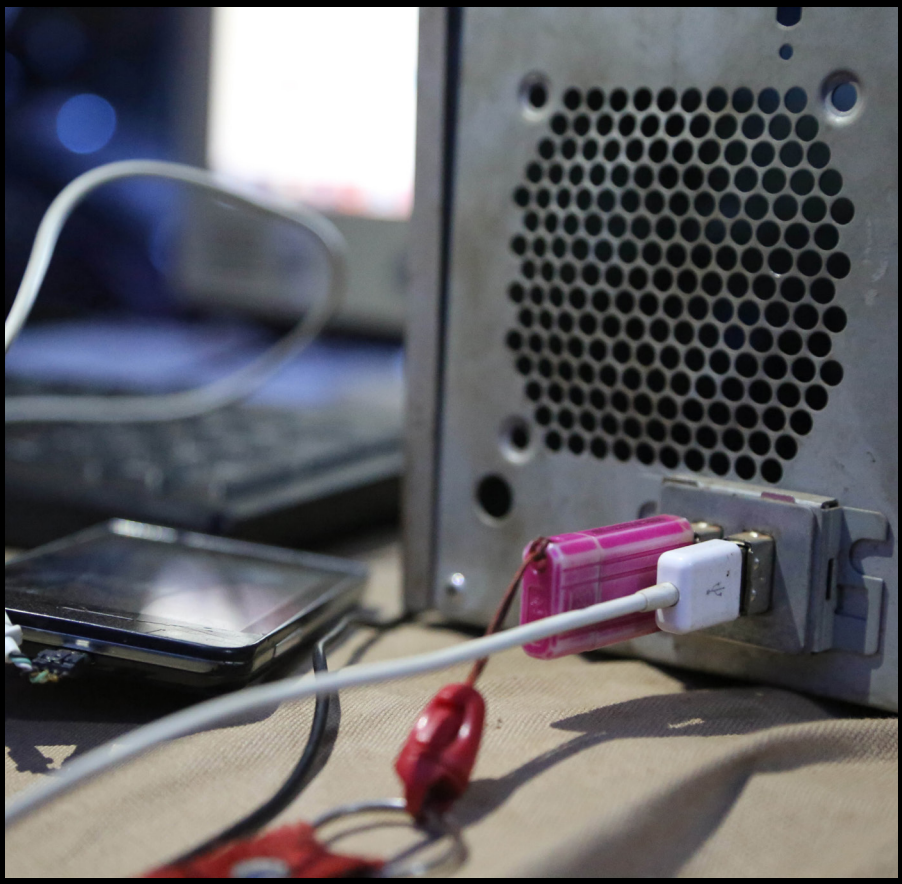
Mali is a country of musicians with a long-standing tradition of griots and of incorporating influences from other cultures, especially as regards musicians from outside of its borders. The local music culture is well-established and very popular with Malians. However, some of the people I met, young girls in particular, told me that they were on the lookout for Céline Dion songs. If a new album, single, or performance recorded on Canadian television were to become available, they would set their sights on purchasing it from the downloaders. The downloader system is to some extent an ersatz for an almost non-existent Internet. Downloaders themselves can access a proper Internet connection and, as such, make available content from Mali and elsewhere to those who do not benefit from such access. This arrangement could be considered an African-style iTunes. It conveys the idea of sharing, with the main difference being that the connection speed is nowhere near as fast as in Europe nor is it available in the comfort of one's own home. This is a system where files are collected offline in the street and loaded directly onto SD memory cards or USB sticks. The pricing differs greatly from elsewhere as basically everything is pirated and, consequently, resold at heavily discounted prices – at less than one centime per track on average.

Pictures: Jan Bogaerts & Seydou Tangara

This phenomenon primarily concerns music, but impressive lists of American and French films as well as the latest commercial releases alongside minor software for computers and phones are also on offer. On occasion, clients seek advice on the latest offerings available from their downloaders. Whereas Apple ensures that certain features are automatically proposed to iTunes users, the sellers and their customers know each other's tastes, and the downloaders thus update their clients accordingly with the latest content available. As such, they act as middlemen, bringing to their customers' attention any novelties relevant to their needs. In doing so, the downloaders endeavour to tailor-make their musical selections according to their customers in order to sell the tracks they have on offer.

Urban Presence

The downloaders' stands actually take the form of small desks on which they set up their PCs and connection kits, complete with the full range of plugs and cables for all the models of phone on the market at that time. It is not uncommon for the stands to be equipped with large speakers blaring ear-splittingly loud music. Sometimes the downloader desks vie against one another in a battle of decibels, before the calm eventually returns. Fankélé Diarra Street is home to around 15 downloaders who draw in customers, alongside the likes of repairers, telephone vendors or those offering the service of unlocking European phones. This is indeed the local digital market.



Picture: Seydou Tangara

BIOGRAPHY

Michaël Zumstein was born in 1970 and trained at the School of Photography in Vevey, Switzerland. He was a member of the Œil Public agency for 10 years and in 2010 he joined Agence VU'. On top of his personal projects, he splits his time between assignments for the French press (Le Monde, Elle Magazine, Télérama), and the foreign press (Newsweek, Wall Street Journal). His work follows the lines of investigative photojournalism. www.michael-zumstein.com

PICTURES

PICTURES BY MICHAËL ZUMSTEIN, SEYDOU TANGARA & JAN BOGAERTS

Music From Cellphones (West Africa)

by Christopher Kirkley
explorer, music archivist, artist,
curator & occasional DJ

MUSIC FROM CELLPHONES

Introduction

It all started when I was traveling and working in West Africa. My project was to collect and document local music with my field recorder. One day while riding on a bus I noticed that I was listening to three different songs playing on three different phones, and this went on for the entire ten-hour bus ride. I made some field recordings of it, and I think it was my first documentation of this type of practice. It got me thinking that I could start recording music from people's cellphones. So I started talking to people about their phones. After that, I remember another moment that stood out. I met some people showing me their new phones with all these different recordings that they had made on them, and it was sort of wild when I realized I had access to so much documentation. One guy was a Touareg*, and he had his own cellphone that could do basically all that my field recorder does. This gave me the idea that maybe I could start collecting and documenting data from cell phones.

Music From Cellphones

All these exchanges lie between what we usually call piracy, meaning recordings of songs that are copyrighted, that have been recorded in actual studio, etc., and on the other side, songs that are just handmade recordings of spontaneous concerts… You encounter basically three tiers: the first one is copyrighted music, like Western or European music or even popular West African music, like Nigerian or Malian pop music, that was made in a studio and released on a CD. You can find the actual studio albums of some big African stars like Nawaha Dumbia or Ali Frakatura. The second tier is home studio productions. Artists that don't have access to big studios record at home, in DIY studios, with cheap computers. Often these artists don't

* The Tuareg are Berber people with a traditionally nomadic pastoralist lifestyle. They are the principal inhabitants of the Saharan interior of North Africa.

have any intention of ever selling the music. Sometimes, it's made just for the sake of making music. The third tier would be actual cellphone recordings. For example, when a musician/ Touareg is playing his guitar, several people hold their phone over him and start recording. They're little souvenirs that people make for themselves, but they also form a part of this collection. Sometimes they might be a recording by the artist who sits down and wants to try out a new song, but the majority are social recordings. Music was the first thing people started sharing on their phones, but it's also videos, jpegs, pngs, image files, etc.

Social Function

Cellphone data sharing is an element of social life in Western Africa. I think that there's a relatively slower pace of life here: one of the biggest places where I saw a lot of exchanges happening was while sitting around drinking tea. Drinking tea is a huge part of social life in West Africa, and it takes a while. At some point, when people are sitting silently and just passing time together, they start playing around with their phones and playing a song or passing the phone around and sharing pictures. They'd say, "Hey, let me see your phone," and then they would flick through the photos or look through songs. Everyone is just showing off their collections of whatever. This is not really done in the Occident, where it mainly happens through social media.

How It Works

In Africa it's okay to play music in the public space. You can walk down the street while playing a song on your phone. People don't get told to turn off their phones; it's a loud and noisy environment. And when someone is walking by playing a song, you can also stop that person and ask for that song. So, in this environment of constant music being played, you're also being advertised music all the time. You hear it and you can just take it, whenever you want, just by asking someone. I've done it plenty of times with total strangers. The sharing is primarily done through Bluetooth, where you pair the devices and you send media from one phone to another.

Connectland
4 PORTS HUB
FOR HI-SPEED USB DEVICES
USB 2.0

N1120 B.T
Envoi
Envoyé
(8%)
Annuler
G'FIVE
itel

Downloaders

The individual files are shared from person to person with Bluetooth. The other form of transfer is made with MP3 downloaders (people, not software), cellphone vendors who also sell bulk MP3s. So if you get a new cellphone or a new memory card and you want to load it up with music, you wouldn't go to your friends and transfer file by file. It would take a lot of time. Instead, you just go to someone who can fill up entire gigabytes from their computer. There's no real MP3 market. People just understand that wherever there's a cellphone being sold, there are MP3s. All these places are interlinked. It revolved around cellphones vendors having computers and being able to unlock phones. They also started to collect music, so every time somebody would bring a phone in, they'd copy all the data off the memory card before they had to reformat it. So they started this massive collection, and then they understood that "well, I can also sell these songs." You can just go into a shop, ask for hip-hop or whatever and buy it; they sell them as bulk of MP3s. A lot of cellphone vendors started hooking up speakers to their computers and just playing music constantly, so everyone knows that that's where you go to buy music.

Local Characteristics

The downloading happens pretty much everywhere I've been, in Senegal, Mali, Nigeria… In Niger they've actually cracked down on piracy, and prevented music vendors selling Nigerian music, but they can sell music from anywhere else, such as Western music for example. With regards to the music and what's available, everything is, but of course there's going to be more specific music depending on the country or ethnicity. In Agadez there are a lot more Touaregs and house music; in Bamako, much more Bambara; and in Mauritania, a lot more Hassania music. So it does depend on where you are. If you want to be really specific, it depends on each region rather than countries because culture is much more related to regional ethnicities.

DEPANEUR de THURAYA
ABLO
76.19.76.78
MUSIC FROM
SAHARAN CELLPHONES

BIOGRAPHY

Christopher Kirkley is an archivist, artist, curator, and occasional DJ who runs the project Sahel Sounds. His work examines contemporary popular musics in an evolving technological landscape in the Sahara and Sahel regions of West Africa, from the interplay of localized traditions with transglobal influences to new media models of cultural transmission. http://sahelsounds.com

PICTURES

PICTURES BY CHRISTOPHER KIRKLEY

Region 4,
Pirate Media Re-production
(Mexico City)

by Jota Izquierdo
artist & researcher

SONIDO
LA CHANGA
Sonido
COLOR
CONGA
SONIDO
SIBONEY
Sonido
PANCHO
TEPITO
Musica de Barrios
SONIDO
SONORAMICO
Solo Para Latinos
MANUEL PEREA
ASCENSION
"MR. ZUARTE"
SONIDO
CLAVE
STEREO
RUMBA 97
VICTOR PEREZ
MISTRO LA RAGIC

SONIDO
CRISTALITO
CORFIS
Col. Peñón de los Baños
Tel. 5760 92 95
EL REY DE LAS TARDEADAS
2º Rey de la cumbia en México
Y Pionero de los Sonidos
CRISTALITO
CORFIS
Del Sr. Porfirio Perea
ICIO 1958 AL 2003
Tel 57-71-76-57
57-60-92-95

REGION 4, PIRATE MEDIA RE-PRODUCTION

Introduction

Mexico is a big country, close to the US and Central America, with limited access to the Internet and a large informal economy. For the upper classes a connection to the Internet, to fashion, to what we call "the first world" is easy. But for most of the population, piracy is a necessity; it means access to culture, development, and education, but most of all it's about the economy, a way of living, culture, and a way of consuming modernity. Anthropologist Ravi Sundaram speaks of a "pirate modernity," a way for popular classes to "enter modernity."

In Mexico you can find pirated goods everywhere, even in the completely formal, official Sunday food markets. It's a widely accepted way of living. Some big companies, such as Sony and CBS, put pressure on the government to enforce copyright laws, but the informal economy is so big here in Mexico that if you go against piracy, you go against the people and against the economy. It's about families making a living over here. Local piracy is the domain of small, family businesses. Some of these families make large profits, but they are a minority.

Mafias and narcos have never been involved in it, except the last few years. And they are considered the real problem in Mexico, not copyright infringement. We are in a post-colonial situation, so we have to copy. It is very important to understand piracy from the South: it's not peer-to-peer; it's not sharing; it's the piracy of necessity.

Street Markets

One of the particularities in Mexico are the open street markets where you can find everything you need or you're looking for. The main place for markets and piracy distribution in Mexico City is a central neighborhood called Tepito, but you can also find markets around most transport hubs, like any connection between a subway station and a bus stop. In such places it's

La Maquina del Sabor
SONIDO
ZANCHO
TEPITO

La Calidad 5 Estrellas
SONIDO
FESTIVAL
DE
SALSA
Fernando Camacho

very easy to find all kinds of pirated goods, like the last Hollywood blockbuster, for example.

Competition between street vendors is constantly increasing. In 1990 a CD cost $3 on the subway, but now it's $0.50, so it's harder to make a living from that. In Tepito they sell the "CD master" for only $1 because they know you will make your own copies. They make profit from paper covers. Studios in Tepito compete amongst each other through creating their own label logos, covers made by good designers, and with the "intro mix," a short track that is a teaser of the content of a CD and is formatted in such a way that you can listen to a sample of all the tracks in a minute between subway stations. It also has radio-like jingles on it to advertise the "brand" quality to differentiate themselves from other studios (like "Hey, you're listening to shark DJ!" and so on). In order to look more "formal," they create their own logo and their own label, such as "Discos Bola Ocho," "Discos Mac Music," or "Producciones Cat Music." They use popular existing logos, like Apple, Dragon Ball, or Toy Story, and they make their own brand simply by changing a detail, or a color, etc. By doing so, although they are DIYs, their CDs or DVDs look more similar to an official brand.

Piracy in Mexico is more prevalent on the street than online. Traders from major markets have access to music and blockbusters through the Internet. People used to go to the cinema and record with their camera, but that is not really happening anymore. Russia and China are the ones providing a large proportion of pirated media now. The pirate traders are connected to the Internet, but most people in Mexico aren't, so they still go to the street markets to buy movies. For instance, you can buy a movie recorded in a cinema in Moscow with Russian dubbing, originally subtitled in English, and re-subtitled in Spanish using Google Translate, which is quite a common situation here. Or they match the video of the movie recorded outside Mexico with the audio of the same movie recorded in a cinema here.

LA PAGINA OFICIAL DE LOS SONIDOS
WWW.
SONIDEROS
2000!COM
ORGANIZACION
PERMIK

23
2014
Aniversario
El Padrino
SONIDO
SENSACION
CANEY
Cel: 5515319294
Ofic: 10884604

Sonideros

One of the most interesting elements of media piracy in Mexico are Sonideros. They are very popular sound systems, sort of animators or DJs playing on the street every weekend. It's a long tradition, very typical to Mexico, where live music and its social function is very important to people.

In the poor neighborhoods there are a lot of houses with patios inside, where neighbors meet and party together. This is the typical architecture of Mexico City. People meet there for any reason, such as birthdays, fiestas, weddings or wedding anniversaries, and when they couldn't afford an orchestra, which was very expensive, they just played music with a turntable and speakers. This is how it began in the 50s and 60s. But people loved it so much that some animators turned this into a real business and started to play regularly at the weekends at parties. In fact, there's a rude competition between them – you always need to differentiate yourself from the others. Some of them find music on their own, but others have contacts or buy music in Tepito and other markets.

With the development of new technologies, people started to record the Sonideros' performances and then sell them again in Tepito. So the Sonideros realized they could sell their own live CDs. That's why after an hour of live show, you can buy the "First hour live CD" and after two hours the "Second hour live CD," etc., all in real-time.

Sonideros not only play music, but also make live dedication messages like "Hey, hello to my mother and my brother living in Texas" that are also recorded on the CD. This community spirit and "close to the crowd" mentality is very important for them. It's not only music. Sometimes you go there and you can't even listen to the music because they are sending greetings all the time!

EL VENCEDOR DE LOS SONIDOS EN MEXICO
VICTOR HERNANDEZ
DISCO MOVIL
JAGUAR
Col. Cerro Prieto

LA OCTAVA POTENCIA
EL ORIGINAL
SONIDO
LEO

New Originals

Some people buy those CDs to sell them again on the street – music is always in movement. Others, like "Discos Benjy" Studio, for example, come to three or four Sonideros' performances every weekend, record them live with a camera, edit them, and a few days later a new video is out on the street markets. Then you can see your friends and yourself on the video with the dedication messages – it's a souvenir and a testimony that you were there!

Music is always in movement and reproduction is increasing. Some informal vendors who go to Tepito buy these CDs/videos and re-sell them again in the subway and buses out of Tepito, as their own production, by changing the cover, adding an intromix, etc. There is even some competition between the "Orignal/Copies" and the "Copies/Copies" vendors because they all have their own pride about it. You can buy a copy, but if you change something, you will be creating and selling a "new original."

This amazing chain of reproduction and distribution is quite specific to Mexico. For me this is one of the most interesting things happening here in the field of media piracy. The music is always in reproduction through all these different levels of copy. It's also culturally anchored in the North American culture: emigrants from Mexico who are living in the USA or Canada can still check the Sonideros' performances on web radio or live video streams and feel like a part of the community again. You may not have legal papers, you may be an illegal immigrant, but you can still see a live performance from your own village with your own people.

POLY MARCUS

SONIDO

BIOGRAPHY

Jota Izquierdo (Castellon, Spain, 1972) lives and works in Mexico City. He holds a BFA from the San Carlos University in Valencia. In 2004, he received a scholarship by the CONACULTA (Mexico) to develop the artistic-research project Capitalismo Amarillo, which is an art project that investigates how capitalism operates in the informal economy. The project will focus on two situations: first the aesthetic condition of commodities, in order to rethink categories as “false” or “copy”, which play a fundamental role in the world’s economy. On the other, as a multi situated ethnography, the project draws global flows – through cheap mass produced goods (global junk or “chinaderas”) – that connect vendors, distributors, and producers.

Through histories attached to these products and personal experiences of production, labor and migration, the project explores the connections created for these objects in the global economic system. Resulting in an area of disturbance where the informal economy exploits the structure of capitalism, but transforming relations between economy, state and workers.
http://capitalismoamarillo.net

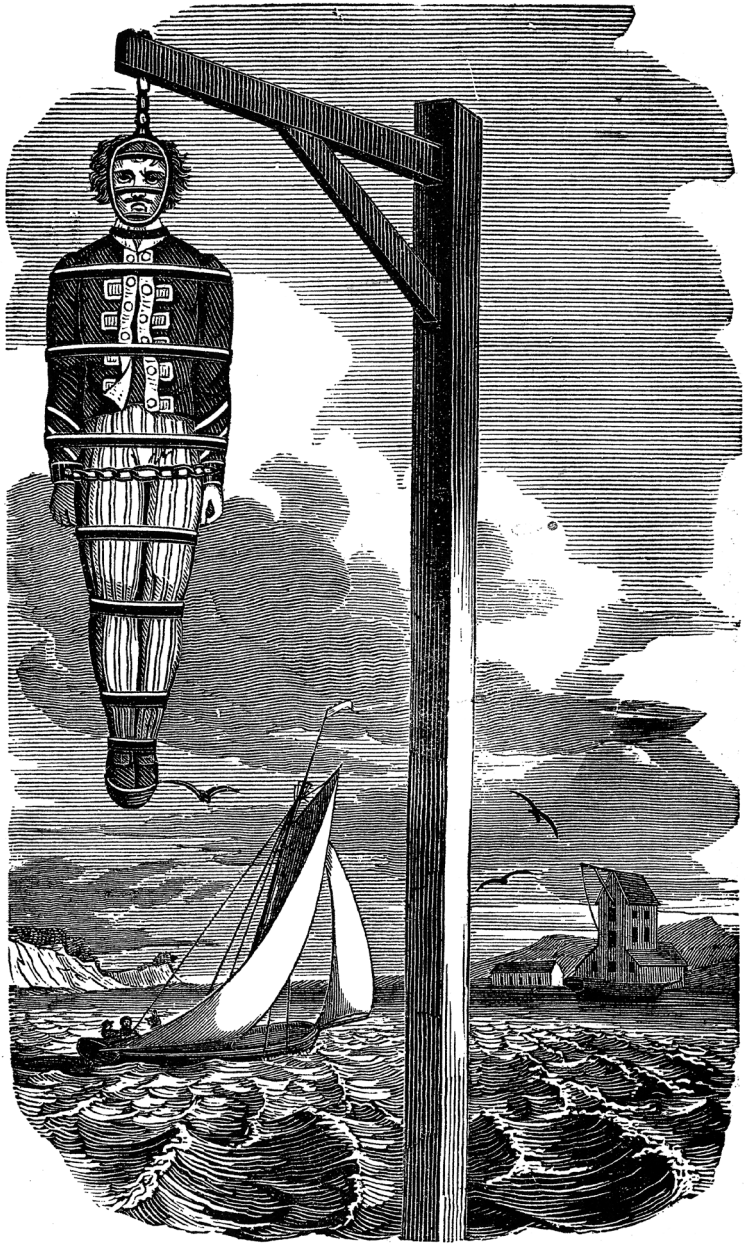
PICTURES

SONIDEROS AND SONIDERO FANS WEARING SONIDERO LOGO JACKETS, MEXICO, 2008-2015

ALL IMAGES LIVIA RADWANSKI/EPS http://liviaradwanski.com/
EXEPT THE FIRST ONE WHICH IS MARK POWELL/EPS http://markalor.com

Piracy Is the Ideal Scapegoat

by Ernesto Van Der Sar
founder and editor-in-chief of
TorrentFreak.com

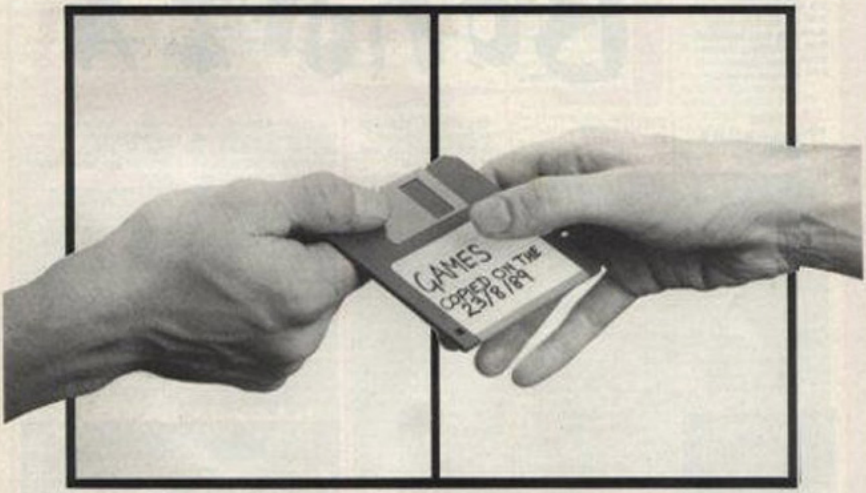


Captain Kidd hanging in chains.

INTRODUCTION

There's no doubt that online piracy is a direct side effect of people's ability to share files without restrictions. Over the past two decades trillions of files have been shared on P2P networks, most of them without permission of the owner. When Napster hit the mainstream in the late nineties, the music industry was one of the first to notice the effects of this then new phenomenon. Millions of people started to share pirated MP3s, and around the same time the major labels saw their revenues dwindle. Adding one and one together, the easy conclusion was that piracy started to kill the music industry. But is this really the case? To find the answer we have to take a closer look at trends in the total amount of music sales over the last few decades.

WARNING



THE ONE ON THE RIGHT IS HANDLING STOLEN GOODS.

If you are involved in software piracy then you are breaking the law.

THIS CAMPAIGN IS ORGANISED BY
ELSPA
EUROPEAN LEISURE SOFTWARE PUBLISHERS ASSOCIATION

Any information on piracy should be passed to The Federation Against Software Theft. Telephone 01-240 6756

PIRACY IS THEFT

Anti-piracy advertisement from 1980’s

Media Transformations

After music cassettes were introduced in the mid-70s, music sales saw a gradual increase. This lasted until the late 80s when the CD took over in popularity. Cassettes were eventually phased out as CD sales continued to skyrocket. In music industry vocabulary, one could argue that CDs killed cassettes.

In the early 2000s a similar pattern emerged when CD-sales took a plunge. This time around there was a new enemy in town – digital piracy. For more than a decade the U.S. music industry saw a decline in sales of physical CDs and piracy was long blamed as the main cause.

By doing so, the labels conveniently ignored the most drastic format shift music has ever seen – the digital music revolution.

With the growing popularity of the Internet, computers, and most importantly MP3-players, music fans started to trade in their CDs for MP3s and other digital files. Initially, people had to convert CDs themselves since there were no MP3 stores around, and no place for consumers to spend their cash.

This changed in 2003 when the iTunes store opened, selling over a million tracks in the first week. In the years that followed, digital music sales broke record after record, and most recently the consumption pattern has shifted again towards subscription services.

Legal options or not, the music industry was convinced that piracy was killing CD sales, ruining the industry.

This appears to be a strange conclusion. Looking at the sheer number of music “items” that are sold and consumed, the music industry is doing better than ever before. However, the change from physical to digital has had an effect on revenues.

MPAA/NATO anti-piracy warning poster

Digital sales are more focused on singles, for example. If people only want one song, they don't have to buy the entire album. In addition, digital music is less expensive than physical CDs. This means that even though more music is consumed, total revenues are down.

In other words, piracy is mostly a side effect of the shift to digital music, and a convenient scapegoat to blame dwindling revenues on. This is perhaps best illustrated by one of the most fundamental flaws in the industry's war against file sharing.

Market Mystery

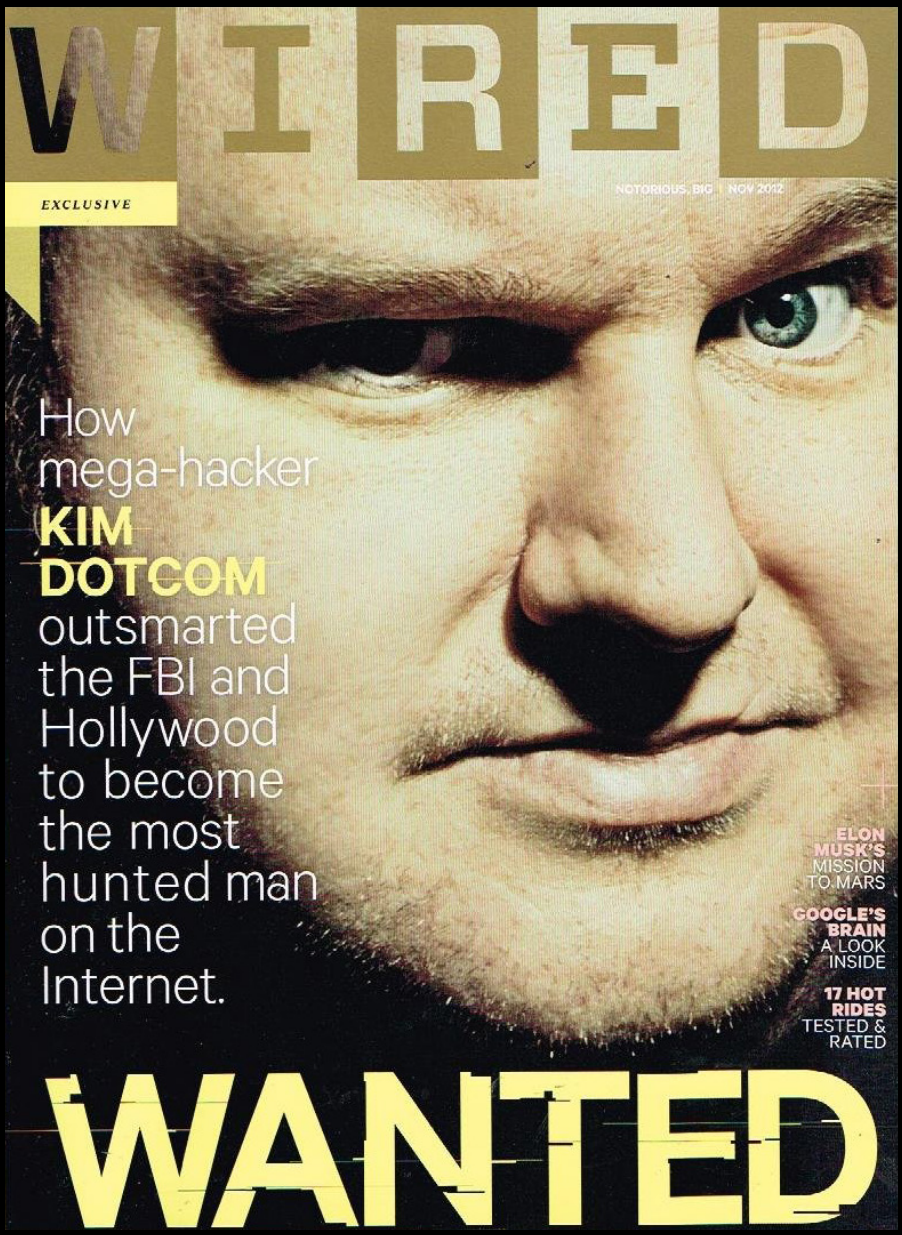
If digital piracy were such a problem, one would expect that it would mostly hurt digital sales, but these are booming instead. Many people don't even own a CD-player anymore, yet the music industry sees digital piracy as the main reason for the decline in sales. That's odd because digital piracy would be most likely to cannibalize digital sales.

The scapegoating is not restricted to the music industry either. It's used throughout the various entertainment industries and is often brought up when there are disappointing revenues to report.

During the summer of 2014, for example, the third iteration of *The Expendables* movie flopped at the box office. Many insiders immediately pointed their finger towards a pre-release copy that was widely available online before the release.

The same thing happened a few years earlier. When revenues the Oscar-winning movie *Hurt Locker* failed to impress, its makers blamed piracy and decided to take tens of thousands of file-sharers to court.

On the other hand, when *American Sniper* broke nearly all box office records in the U.S. in early 2015, piracy wasn't mentioned at all. This was despite the fact that a high quality copy of the



WIRED Magazine (November 2012) WANTED: Mega-Hacker Kim Dotcom

movie was available on pirate sites before its theatrical release. In other words, piracy is just a convenient scapegoat used selectively to cover up failures that have very little to do with illegal streams or downloads. The overall pattern is that piracy is brought into the discussion as one of the main reasons for disappointing results. But if records are broken, piracy is not mentioned at all.

Piracy is the ideal scapegoat.

Educational comic strip by National Center for State Courts

BIOGRAPHY

Ernesto Van Der Sar is the founder and editor-in-chief of TorrentFreak.com, a website dedicated to file sharing, copyright, and privacy. Born and raised in The Netherlands and schooled as an academic, he is a self-taught journalist with a passion for breaking news and highlighting under-reported stories.
https://torrentfreak.com

PICTURES

“THE PIRATES OWN BOOK”
www.gutenberg.org/ebooks/12216

ANTI-PIRACY ADVERTISEMENT FROM THE 80’S (WARNING)
ANTI-PIRACY ADVERTISEMENT FROM THE 80’S (LIGHTS. CAMERA. BUSTED.)
http://www.digital-digest.com/news-63369-Pictures-of-the-Week---A-Look-Back-At-Anti-Piracy-Ads.html

KIM DOTCOM (WIRED)
www.wired.com/2012/10/ff-kim-dotcom/

“JUSTICE CASE FILES 1” PROPAGANDA COMIC
www.wired.com/images_blogs/threatlevel/files/propogandacomic.pdf

AND
MASTERS & SERVERS
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KUNST HAL AARHUS
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THE PIRATE BOOK

http://thepiratebook.net

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Opposite page: modified version of an ANSi art by VindicatioN (1992)

THE END

≡≡=- THE PIRATE BOOK -=≡≡

This publication offers a broad view on media piracy as well as a variety of comparative perspectives on recent issues and historical facts regarding piracy. It contains a compilation of texts on grass-roots situations whose stories describe strategies developed to share, distribute and experience cultural content outside of the confines of local economies, politics or laws. These stories recount the experiences of individuals from India, Cuba, Brazil, Mexico, Mali and China. The book is structured in four parts and begins with a collection of stories on piracy dating back to the invention of the printing press and expanding to broader issues (historical & modern anti-piracy technologies, geographically-specific issues, as well as the rules of the Warez scene, its charters, structure and visual culture…).

> Preamble	Marie Lechner
> Pirate Video Clubs & Games - Brazil	Pedro Mizukami
> Shanzhai Culture - China	Clément Renaud
> El Paquete & Marakka 2000 - Cuba	Ernesto Oroza
> Malegaon Cinema - India	Ishita Tiwary
> The Downloaders - Mali	Michaël Zumstein
> Music From Cellphones - West Africa	Christopher Kirkley
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> Piracy Is the Ideal Scapegoat	Ernesto Van Der Sar

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