

University eyes Napster lawsuits

■ The University observes the developing legal issues with MP3 providers to see where the law will go from here

By Simone Ripke
Oregon Daily Emerald

Napster, the popular MP3 provider among students at the University and across the nation, has come under fire once again.

On April 13, Metallica and other music artists filed a lawsuit against Napster and the University of Southern California, Yale University and Indiana University, which all allow their students access to the MP3 provider. The suit alleges that the company promotes piracy by allowing users to trade copyrighted songs at no cost. Users can download songs from the Napster Internet site encoded in the popular MP3 format directly from their computers.

The suit against Yale was dropped when the university agreed to ban its students from access to the browser until legal issues have been resolved.

Some universities across the nation, including Oregon State, banned access to Napster earlier this year because the browser was taking up too much computer bandwidth, not for piracy issues. More than just an MP3 provider, Napster is an integrated browser and communications system that allows users to download music for free at the click of a mouse.

Paul Anthony, CEO and founder of Rumblefish Records, a Eugene digital record company, said the use of Napster has become popular among students, but users do not understand that they are hurting their favorite artists when they download their tunes for free.

"Napster is pretty detrimental to the [advancement] of the digital record industry," Anthony said. "People need to understand that if you steal music from artists that

you really, really love, you're hurting them. I love Lenny Kravitz, but I wouldn't on my worst day go to Napster and steal his songs."

The fear that fans are obtaining too many free copies of songs online is exactly what led Metallica and its labels E/M Ventures and Creeping Death Music to team up with the Recording Industry Association of America (RIAA).

Rap artist Dr. Dre threatened similar legal action Friday for copyright infringement if Napster did not remove his songs from the site.

For now, however, Napster will remain accessible to University students looking for

a quick and easy way to download music.

Maureen Shine, deputy director of communications at the University, said the University is aware of the controversy surrounding Napster and the Computing Center is keeping an eye on any new developments.

"It's just an issue that we are watching at this point," Shine said.

Joanne Hugi, director of the Computing Center, said her staff is observing the situation, but to this point no action has been necessary.

Students interviewed about their Napster involvement declined to go on the record for fear of legal trouble.

Hugi said she hopes that any recording artist concerned with possible copyright infringements would approach the University before taking legal action.

"If somebody brought to our at-

tention a breach of copyright law, we would deal with that," she said.

She added that if the University banned Napster, it is not clear how it would be done. She explained that Napster was a "moving target" and difficult to ban access to.

Anthony and Hugi said that the problem with Napster is only the tip of the iceberg. A number of emerging companies are similar to Napster, and that's why Anthony thinks it could make more sense to sue the users of Napster rather than the company itself.

"That's the kind of thing that needs to happen for people to know that they can't take our music," Anthony said.

In fact, this has already begun in the case of a student who was recently convicted of violating the No Electronic Theft Act. The NET Act covers criminal copyright infringement and aims to include gray areas in past copyright acts that provided a niche for Napster and similar companies.

Napster does ask its users to abide by copyright laws. The company's terms of use states: "Napster respects copyright law and expects our users to do the same ... As a condition to your account with Napster, you agree that you will not use Napster's service to infringe the intellectual property rights of others in any way."

To Anthony, however, those conditions do not excuse that Napster provides MP3 formatted music in the first place. He said that this compares to providing alcohol to minors and then telling them it's illegal to consume it.

Anthony said he understands that fans just want to get their favorite songs, even though they don't realize the harm they might cause by downloading it at no cost.

"People don't know what they're doing," Anthony said. "People just love the music."



EWEB considers new career path

■ Supporters say a local provider would be able to better meet the needs of Eugene residents

By Josh Ryneal
Oregon Daily Emerald

The Eugene Water and Electric Board proposes to enter the telecommunications business, but voters will have the opportunity in the May 16 primary election to decide whether that path is a sensible one.

Measure 20-30 would amend EWEB's charter, allowing the utility to begin laying out plans to provide telecommunications service, including cable, phone and Internet access. Because EWEB is owned by the city, the utility needs the go-ahead from voters to make any moves into the telecommunications industry.

If the measure passes, EWEB would complete the planning and put the results up for public review. After a review, the utility would refer another measure to voters to fund the venture. The project will begin if the second measure passes but will be terminated if the measure doesn't pass.

Water and electric rates would not be affected by the passage of Measure 20-30, EWEB Commissioner Dorothy Anderson said.

Opponents say the measure would grant EWEB excessively broad and permanent powers, but supporters say the measure could be the first step toward providing broad, low-cost telecommunications access to Eugene.

Liz Cawood, No On Measure

20-30 campaign spokeswoman, said the charter amendment could have unpredictable effects in the future.

The current EWEB board of commissioners has made commitments to the community, Cawood said, "but a new board could come along and do something completely different, and future EWEB boards have not made any commitments."

Mark Herbert, a member of another political committee opposing the measure, said he doesn't oppose the "philosophical issue of broader access." The problem, he said, is EWEB's lack of experience in telecommunications and the absence of any concrete plan.

"EWEB is asking for broad change without accountability," Herbert said. "I have nothing against EWEB, but without a plan or dialogue with voters, I can't support this measure."

Supporters, on the other hand, say that the utility would work closely with the community to assess the need for different telecommunications options and discuss possible ways to meet that need.

Anderson said that EWEB is in a better position than bigger telecommunications companies to serve Eugene because of its closeness to the community.

"We are based in Eugene, we have open meetings, and we are easy to get a hold of, unlike bigger providers like AT&T and Sprint," she said.

If EWEB expanded into telecommunications, Anderson said, it could provide more than just cable or Internet service.



Measure 20-30

The ballot measure would amend the Eugene Water and Electric Board's

charter to allow it to begin work on becoming a telecommunications provider.

Supporters say this measure will cost taxpayers nothing and will allow EWEB to begin exploring telecommunications ventures to provide Eugene residents better and cheaper phone, cable and Internet services.

Opponents say the measure would give EWEB excessively broad powers to expand into an industry where it has little experience and would let EWEB go forward without any concrete plan.

"Smart meters," which could allow EWEB customers to regulate their own electricity use, is one new technology the utility is investigating.

"Things like this could be possible if we implement this fiber [optical] network," Anderson said. "We could also get a better idea of power use."

EWEB will hold an informational meeting open to the public to address concerns and discuss the measure May 1 from 4 to 7 p.m. in the EWEB lobby.

This is a part in a series of articles the Emerald will publish profiling local and state ballot measures and candidates during the weeks leading into the May 16 Eugene primary election.



ecofeminism in motion

TONIGHT
7 p.m.
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What is ecofeminism?
How can I apply ecofeminism to my real life?
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Discuss these questions and more.

For more information, contact Alix at the ASUO Women's Center 346-4095.

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