

# FACE OFF

## Guiltless sharing or blatant piracy?

Music should be available at all times for everyone to appreciate, no matter what



**Pete Ford**  
OPINION EDITOR

Music is a universally appreciated art form that should in no way, ever be regulated.

While record companies and select musicians would disagree profoundly with this statement, most of those in opposition seem to be living pretty well.

In a society where money is portrayed by many as the most important thing, programs such as Napster, Morpheus and KaZaa remove the expense barrier for acquiring music that not all can afford. Why should only the rich be allowed such a wide variety of music?

Not only does online file sharing enable the less fortunate to compile a library of their favorite songs, but it also allows less well-known musicians, those who are probably struggling far worse than any signed musicians, a way to display their creativity to others.

Nikki Hemming, chief executive of Sharman Networks and owner of KaZaa, is currently being sued by all sorts of record companies for piracy and copyright infringement laws regarding file sharing. Hemming, who has reputation as something of a feisty Internet guru, has taken a stand against the Recording Industry Association of America (RIAA). She argues that these industries are operating as a monopoly.

"KaZaa is not only legal, but a crucial part of the development of peer-to-peer technology (P2P)," she said. Hemming also said that she has proposed several solutions to record companies including a pay-per-download KaZaa service but has not been given any response.

"In the end, consumers and artists are brought together by this amazing technology, and they have a level of interactivity that they've never had before. KaZaa will make the industry bigger by offering more choices and getting products to customers much faster, just as VCRs and videocassettes transformed the movie industry," said Hemming. "P2P is unstoppable."

Hilary Rosen, former chairperson for RIAA, disagrees. "KaZaa is ruining, not expanding, the recording industry and if you are using Kazaa today, you're getting, in my opinion, a crappy quality song," she stated.

Hemming, on the other hand, insists that rights-managed content through KaZaa is as good as any rights-managed content anywhere in the world.

Rosen's statement, however, is true of some songs. Recently, many downloads have been purposely corrupted in an attempt to overcome KaZaa's file sharing. Record companies have actually gone as far as hiring companies to share false and corrupted versions of songs. They act as if they can't wait for the courts to give an official verdict and instead take matters into their own hands. This to me is unethical.

I believe that sharing music files online isn't going to hurt the artists. If someone is a true fan of a particular band, they will most likely purchase the band's CD anyway to be supportive.

This ongoing battle may never meet on neutral ground but everyone still deserves the right to listen to what they want, when they want.



Stealing music off the web affects the livelihoods of everyone in the industry



**Nic Delzell**  
THE CLACKAMAS PRINT

If you don't have the dime, don't do the crime because illegally downloading music isn't just wrong, it's piracy.

According to the Recording Industry Association of America (RIAA), piracy is the illegal duplication and distribution of sound recordings. Piracy is divided into four categories: pirate recordings, counterfeit recordings, bootleg recordings, and online piracy. The RIAA estimates that the music industry loses more than \$300 million a year due to these types of piracy.

On Sept. 8, 2003, the RIAA began in earnest to fight against this musical looting. They began filing lawsuits against users that have downloaded an average of 1,000 songs. However, for users who choose to come forward and promise that they will not download music, the RIAA will not take action.

"We want to send a strong message that the illegal distribution of copyrighted works has consequences, but if individuals are willing to step forward on their own, we want to go the extra step and extend them this option," said Mitch Bainwol, RIAA chairman and CEO.

The RIAA is not the enemy here. They are just trying to protect the rights of the artists, who are trying to make a dollar. Independent labels and underground artists can't afford to lose money. Someone who is illegally downloading music is stealing money right out of their favorite artists' pockets.

"Nobody likes playing the heavy and having to resort to litigation, but when your product is being stolen, there comes a time when you have to take appropriate action. We simply cannot allow online piracy to continue destroying the livelihoods of artists, musicians, songwriters, retailers and everyone in the music industry," said RIAA President Cary Sherman.

CD's have been around for a long time, and there was a time when paying \$15 for one was accepted without question. Downloading music is a relatively new concept, and with it has come a rise in prices. Perhaps if people would stop illegally downloading music, the price would return to a reasonable amount and there wouldn't be such a demand for bootleg music.

There is a solution, though, for those who want more music without a hefty price tag. Fans can get music legally and inexpensively and still avoid robbing their favorite artists.

For example, many websites are available that offer singles at just \$1 each and albums are usually about \$12 each. Anyone who is so broke that they can't afford to pay a buck for a song should probably be doing something more productive with their time than listening to music.

Another alternative is used CD's. Go to a local second-hand music shop and do some browsing. Some shops in the Portland area offer CD's as low as \$1.

And don't forget the oldest medium for music enjoyment—the radio. For the technology-minded, listen to online radio. One more option is to borrow a CD from a friend. Just don't copy it.

## How do you feel about downloading music?



**Erynn Turner**

"It's like you're stealing from certain people... they should have to sign something to have their music on the Internet."



**Travis Eschweiler**

"I think that it's a lot easier than looking through the stores. And it's more convenient when all your music is accessible at once... and it's awesome!"



**Matthew Warthen**

"It takes profits away from the people who make the music, but for college students it's the best way."



**Pat Buss**

"Since I have music I've downloaded off the Internet... I love it!"



**Shiloh Burke**

"I think it's okay, not because you're not paying for it, but because it helps the artists by getting their music out there."

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