Is a Pirate's Life Really the Life for Me?

31 August 2020

TL;DR

Piracy is a global phenomenon with massive implications for the future of an Internet society. By going through the technical aspects of piracy, such as describing methods of file sharing, while also going through a brief historical evolution of piracy, reflected in both copyright and copyleft law, this paper hopes to give the average Internet user an understanding of what piracy is, what the dangers are, and what the future of the practice may look like. By concluding with a brief discussion of data collection and the data economy, and by making ideological connections about the fundamental Internet practice of sharing and copying digital information, the piece hopes to push the reader into fully evaluating where they stand on issues of Internet regulation, data collection, file sharing, and privacy. While not providing any answers, this piece hopes to illuminate the present implications and future possibilities of living Internet saturated lives.

Introduction

You wouldn't steal a movie, would you? You wouldn't steal a car. But have you ever watched a video online for free? Ever given your FireStick to that one tech-savvy cousin so they could "jailbreak" it? Ever download a program without paying for it? Despite the harsh and dramatic language that has shrouded piracy since the early 2000s, this illicit activity remains immensely popular around the globe and is becoming increasingly easy to access. Recently, the WSJ reported, "Traffic to black-market television and film sites has jumped 30% or more in many countries" during the coronavirus lockdowns.[1] Yet for the most part, it's hard to get a grasp on what exactly is piracy, and what the true harms, dangers, and freedoms associated with it are. For some, piracy is a concept directly associated with dark basements, malicious computer viruses, and new-age criminals. For others, piracy is simply a way of life, the thought of paying for content ludicrous. Online, one struggles to find clear answers. Is it a crime with victims like any other? Or is it an inevitable precipitation following the creation of the Internet? What follows is a ideaological analysis of piracy, defining what it is and what the implications of it are (some laws are discussed, but this is far from a legal paper). This paper does not

assume a high degree of computational knowledge, and is aimed at providing a rhetorical framework on a convoluted topic for the average Internet user.

What is Piracy?

Since the early 90s, piracy has been a source of great concern for governments and industries concerned with laws and profits. Piracy, as defined by Wikipedia, is "the practice of downloading and distributing copyrighted content digitally without permission, such as music or software." To be specific, since digital piracy is only possible in a digital space, the issue at hand is simply the transfer and/or replication of specific files across the Internet without permission. Don't worry if the Internet confuses you and you don't really know how it works – I can assure you that literally no one knows how it really works.

The Internet is a massive collection of interconnected computers and servers, all hosting and sharing files with one another in one massive network of networks. Every interaction on the Internet can be roughly boiled down to an address requesting/providing information from/to another address, while speaking in certain mutually intelligible languages and protocols (like HTML and https), and typically assisted by a variety of helpers and interpreters (like web browsers and Email servers). *Metaphor:* The Internet is a giant building with numbered doors. I have my own room. When I go exploring, the numbers aren't organized in any way I can understand, so I always have some translators and guides to help me find my way. Each door opens to another building with different doors. Nested deeply there's rooms with files in them.

Piracy is the illegal transfer of copyrighted files without permission across the Internet. The method of transfer can take a variety of forms, such as downloads, streams, or torrents.

A DDL, or Direct Download, is when a user accesses a specific file on the Internet, hosted on another server. Google Drive links are direct downloads, as are most other forms of "downloading" content on the Internet. When I click on a Download button, be it on a website or in my email, my computer requests a file hosted by another computer, after which I receive a copy of that file (not the file itself). *Metaphor:* Downloading is like asking someone else in the building for a note in their pocket. They show me, I look at it and copy it down, and later when I get home I can read it to myself as many times as I want.

Streaming is when a user access a stream of data and reads it, in real time, without first downloading the file. When I stream a film, my computer is essentially transcribing the on-going process of another computer broadcasting a file from a specific server. I am granted access to the broadcast through an Internet connection. When I watch a film on

Netflix, I don't download the file to my computer – I access the file hosted on another server. *Metaphor:* I ask for the note in the person's pocket, and they read it out-loud for me. Unless I copy it as they say it (record or "rip" the stream), I won't have it for later and can only listen while they read.

Torrenting is a different process. A .torrent file stores metadata about another file that has been split into multiple pieces and hosted across a variety of different servers (or computers). A torrent file acts as an index (think: map) to access the pieces of the original file. "Peers" host those pieces (or *seed* those pieces) in a "swarm." To access a file through torrenting, I'll need a torrent file (the map) and a torrent *client* (the map reader). Then, I'll be able to access the pieces of the file and download a copy of the complete file onto my computer. *Metaphor:* I ask for the note in the person's pocket. They hand me a map, which shows me where all the pieces of the note are, in a bunch of rooms and a bunch of pockets. Using the map I can copy all the pieces of the note and get myself a complete copy. It is then expected (and is polite) for me to add myself to the map with a piece of the note.

There exist many more specific methods of sharing files across the Internet (like UseNet and .onions and physically handing someone a CD) but this suffices as a foundation for most discussions of digital piracy. With this understanding of piracy, one can see the two sides emerging. Why should one person be barred from speaking to/getting notes from whomever they wanted? Yet one can also see the need to draw a line. What about forcibly ripping private notes from the pockets of others? What of sharing what others don't want shared? The Internet is a huge space where people share files, and by keeping in mind the way illegal file sharing (piracy) is thus deeply connected to the way the Internet exists, one can frame the argument around piracy in the necessary context.

What are the the Negative Implications of Piracy?

Outside of copyright law, discussed below, there are two big attacks launched against piracy: danger to the economy, and danger to the user via viruses and malware. Let's take a quick look at these arguments.

The Economy

WebRoot.com, a company self-described as providing "Smarter Cybersecurity® solutions for the connected world," is typically one of the first results one gets when searching for "digital piracy."[2] They (it is an author-less post) write that:

> Piracy negatively affects every single person working in these industries and

> their supply chains. There is less money to invest in new software, developing music artists, and movies. There is less work for developers, testers, sound engineers, videographers, actors, scriptwriters, musicians, assistants, set designers, security guards, stores, salespeople, website developers and every other type of person who goes into creating, packaging, advertising, distributing, supporting, promoting or reviewing these products and services.[3]

They continue to draw a logical connection between piracy and the degradation of one's entire way of life, literally arguing that piracy will result in a darker future for one's children:

> Most of the people who lost work because of piracy and stolen profits will struggle for the means to support their families. The loss of income means they aren't going out to eat and shop to help keep their local community's economy healthier. This loss of income may shut the door on the restaurants and stores they once visited in your hometown. Since they can no longer afford home remodeling, new plumbing, repaving or new furniture, these businesses will also suffer along with everyone who works in the housing industry. The loss of income may force families into foreclosure, dropping the value of all homes in the area, including yours. And the loss of income may mean these families cannot afford to send their kids to college and create a brighter future for themselves and the country.[4]

This rather strong language and shocking implication, that piracy will result in the destruction of local business and the ruin of children's futures, aligns well with the laughable seriousness of the old anti-piracy videos that have proliferated as memes. The post even goes so far as to argue that pirating content will "threaten your safety and the safety of your family." While these claims are so outrageous I have not the space necessary to seriously debate them, this general anti-piracy sentiment is pervasive across a variety of publications and authors.

In an article published by the Information Technology and Innovation Fund (ITIF), author Johnson writes about more concrete economic impacts of piracy. Johnson writes that:

> The economic impact of digital video piracy extends far beyond the movie and television industries; in total, it is responsible for at least $29.2 billion in lost domestic revenues, 230,000 in lost American jobs, and $47.5 billion in reduced GDP[5]

The focus upon economic fallout is a compelling avenue to understand piracy, and is routinely used to attack the practice of sharing files across the Internet without permission.[6] However, economic damage in of itself is a difficult criticism to pin upon piracy. That is, economies shift and change as industries adapt and modify. There are definite

connections to be made between the rise of television and the decline of print media, between the advent of Netflix and the erosion of Blockbuster, or between the popularity of Amazon and the loss of hundreds of thousands of local businesses. Yet, there are no arguments currently about the legality of purchasing films or products online, despite those online markets heavily disrupting brick-and-mortar establishments. After all, while Amazon and Netflix are certainly not free, the extreme price reduction typically offered (in comparison to buying things in a store, or going to a theater to watch a movie) is nonetheless a dramatic incentive towards these digital platforms. In short, the Internet has provided a space where content and files are shared faster and wider than ever before – the economy is going to feel that dramatic shift, even if piracy is totally eradicated.

To argue that piracy incurs "loss" is an assumption rooted in the illegality or future unavailability of the practice, and largely stands a reflection of the Internet as a whole disrupting economies, not just the illegal usage of it. As Johnson wrote at the end of her article:

> ...all too often other copies of the same content are quickly reposted after being removed, leading to a never-ending game of Whac-A-Mole. Congress may not be ever able to entirely eradicate digital piracy, but it should strive for better policies and stronger enforcement to bring piracy levels down to a minimum."[7]

In short, there will likely always be *some* illegal file sharing. Eradication isn't possible, only minimization. The economy will change as a result of the ubiquitous access to shared files made possible by the Internet – that is beyond doubt, regardless of whether the specific file sharing is legal or illegal. One cannot simply fall back on economic arguments, either abstractly like the WebRoot piece or concretely like the ITIF article, without being forced to attack the entirety of the Internet in the same breath – the economic effect of piracy is inseparable from the economic effect of our new digital economy.

Malware and other Dangers

One popular route of attack against piracy is the "danger" associated with it, the possibility of viruses, Trojans, malware, or other buzzwords that strike fear into the hearts of computer users.[8] These critiques have some merit – piracy can be dangerous. However, and to be quite blunt, the Internet as a whole can be dangerous. Software does not need to be pirated to be malicious, and one doesn't need to be a criminal to be a victim of cyber-attack. With a few anti-virus and ad-blocking programs, coupled with Internet Common Sense, the dangers of piracy arguably exceed the dangers of average Internet usage only slightly.

There is incredible misinformation regarding this aspect of piracy. For instance, the Alliance for Creativity and Entertainment claimed in a lovely-looking infographic that "video piracy has become the number one method to propagate highly dangerous malware on the Internet".[9] The source cited was a respectable looking study published[10] by the AiSP, a Singapore based "think-tank" group.[11] This study, however, did not produce any statistics regarding malware and piracy. Instead, it cited a "private discussion paper" by a former MP in the United Kingdom.[12] This paper did not produce any statistics either, and instead referred to yet another source that contained only highlights of an *unpublished* paper. This source included pop-ups in its metrics for malware, and at no point claimed that the malware was being downloaded without actions by the user (eg – clicking and downloading). In an article for TorrentFreak, Ernesto Van der Sar de-bunked a viral video that used the same Singapore study as a source, noting that "The malware issue has been a popular talking point for a while, but after searching for answers for days, we couldn't find a grain of evidence."[13] Van der Sar contacted Adam Kujawa, the Director of Malware Intelligence at Malwarebytes (one of the most popular anti-malware programs in the world), for a comment about the link between piracy and malware. Kujawa responded:

> These days, most common infections come from malicious spam campaigns and drive-by exploit attacks ... So in summary, I don't think the claim that 'pirate sites' are the number one way to infect users is accurate at all.[14]

The danger of piracy cannot be used to justify it being illegal, since there is nothing inherent to piracy itself that lends itself more to malicious programming. Even though pirated sites exist outside the law, and are therefore technically more prone to hosting or linking to malicious websites or programs, there is simply nothing to support the supposition that these sites are breeding grounds for malware. Any organization, illegal or legal, can potentially infect a user with malware. Here's a brief example: In 2005, Sony received immense criticism after it was found that Sony CDs, when inserted into one's computer, and without user permission or knowledge, would install a software that would directly effect one's operating system and limit the ability for user's to burn CDs that had copyrighted content.[15] This software was hidden from anti-virus programs, absent from User license agreements, difficult to locate and remove, and created vulnerabilities that allowed similar, potentially more malicious, programs to infect one's computer. In the name of anti-piracy, Sony distributed malware to thousands of computers. So while some piracy websites surely carry malicious software, so do many companies that operate fully in the realm of legality. The safety of piracy is thus largely misunderstood, for with the right resources and caution, piracy can be as safe (or safer) than browsing Facebook.

As was noted earlier, piracy is simply a manifestation of the fundamental file-sharing foundation of the Internet. The only thing that distinguishes a legal download from an illegal download isn't the method (DDL, streams, and torrents are perfectly legal) or the safety but the content. Piracy isn't illegal due to it's economic effect or purported danger, but due to the central issue surrounding the distribution of copyrighted content.

What is Copyright?

Fully detailing the complexities of copyright law, especially as it is manifested on an international scale, is beyond the scope of this paper. I am not a lawyer. As such, this paper will focus on United States copyright law and how it evolved in response to the Internet. Copyright is defined by US Copyright Office as "a form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of expression."[16] Just upon reading this definition, one sees areas where the Internet complicates things. What constitutes "originality" in a medium founded upon dissemination and constant remixing? Is the Internet a "tangible" medium? These are not new questions, and the concern of how copyright should be enforced over the Internet began with the creation of the Internet.

Rather than discuss copyright for music, film, and software seperately, since they're all slightly different, this paper will trace software copyright as an example. Since software is a wholly digital medium, and the legality around software distribution focuses explicitly upon the code and files shared, software copyright is a good way to understand digital copyright as a whole. In his article published in the Research Policy journal, de Laat traces the evolution of copyright in regards to software, distinguishing between the Private and Public ideological factions that dominate discussions of intellectual property rights.[17] Notably, de Laat takes time to trace how copyright was not the first solution to protecting one's intellectual property.

At first, companies fell back on "technical means" to keep their code secret.[18] To write a code understood by a computer, programmers typically write in a *language* readable by humans, a language complete with syntax, vocabulary, and vaguely intelligible words (if/or/else/pass, etc). The code written in the language the programmers can understand is the *source code*, which is then compiled (aka – translated) and turned into *object code*, a language that one's computer understands. By releasing their object code, but not their source code, companies could ensure that their work would not be readily intelligible to programmers. This is what de Laat refers to as "technical" means of protection, and why he writes that such practices result in software that is "a black box: not to interpreted, not to be changed".[19]

Legally, companies still had to find ways to protect their interests so as to assure continued profit from their software. The first iteration of this de Laat traces is the concept of "industry secrets", a rather nebulous legal area that protects companies and their necessary "secrets." This style of software protection didn't last long, and de Laat noted that this legal standard would often result in companies suing former employees for violating the secrecy, suits that would rarely land in the companies favor, often incur public wrath, and therefore resulted in "companies ... hesitant to try to enforce these clauses".[20]

Eventually, software companies began to push for copyright protections over their works, since the legal footing would prove to be stronger and more enforceable than the practice of "trade secrecy." Yet – there was still difficulty. Copyright does not protect the idea behind a work, simply the rights to publication and distribution of the product in "literal form."[21] This meant that "neither the underlying ideas nor the algorithm as a whole were protected by copyright." After a series of ill-fated attempts to copyright the "look-and-feel" of software, firms eventually settled upon copyright law as protecting only the verbatim text of a code. In America, however, firms opened another avenue of protection: patenting.

Patents, unlike copyrights, can be granted to "processes" or "machines," and are generally reserved for the products of R&D. While at first patents were slow to be given to software companies, eventually the tide turned and patents were granted "in abundance." As de Laat summarizes:

> Copyright has been invented to protect works of culture, while patenting is meant to protect the fruits of science and technology. Usually, a work of creation is either the one or the other. In the case of software, companies tried to have it both ways...So currently the property rights of both copyright and patent may be invested in software. I can think of no other intellectual product to enjoy such double protection.[22]

In total, copyright and patent law currently work in tandem to protect software, whereas copyright law works to protect films and music. So now a question is raised : even though firms have been successful in copyrighting and patenting their software, is this "Private" practice the best practice for the future? For while software firms were chiseling out a place for their products among copyright and patent law, an entirely different and fundamentally distinct form of intellectual property rights was emerging: copyleft.

What is Copyleft?

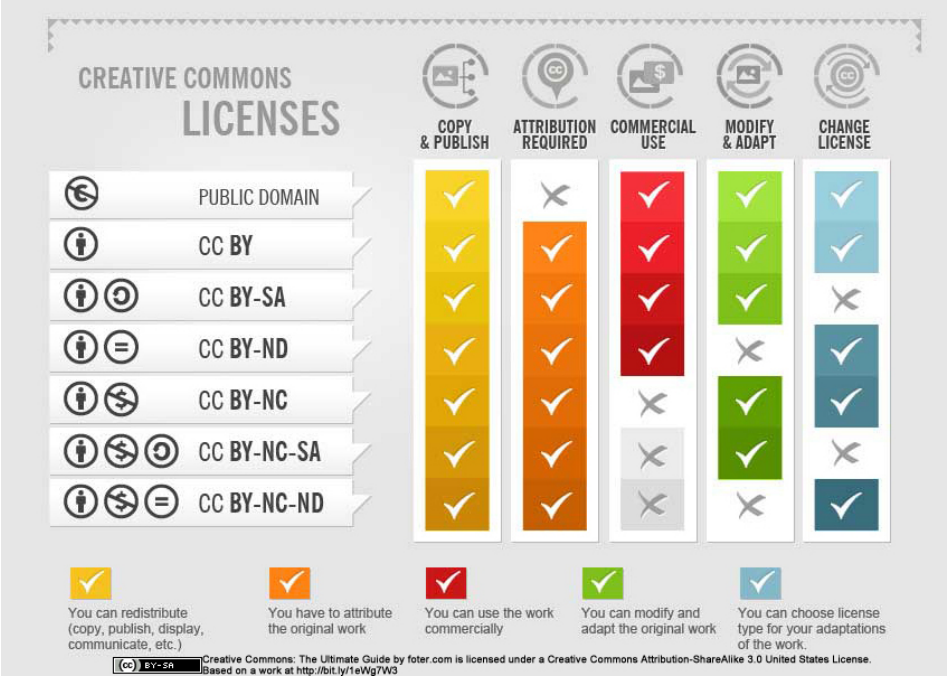
Unlike copyright, which has enjoyed mainstream status among consumers for years, copyleft is an equally powerful ideological framework to understand intellectual property that is rarely discussed, referenced, or even heard of. But as de Laat shows in his article, the movement grew alongside the copyright movement since the early days of the internet, and offers a robust system that, unlike copyright, flourishes in a digital space. Copyleft.org describes copyleft as "a strategy of utilizing copyright law to pursue the policy goal of fostering and encouraging the equal and inalienable right to copy, share, modify and improve creative works of authorship".[23] de Laat notes that, in regard to software, this ideological framework "stresses the free flow of software in source code form;" unlike proprietary code, which is "closed" so only the *object* code is distributed, open-source code is "open" so the *source* code is distributed for all to freely access as they will.[24] In his article, de Laat groups licenses into "Public" vs. "Private," (not copyright vs copyeft) a distinction I will continue here. This is because there are licenses that are "Public," but not technically copyleft. Like copyright, fully and thoroughly delineating the differences between the numerous "public licenses" that exist is beyond the scope of this paper. What follows is a sketch of the landscape that stands firmly on the "public" side of property rights.

One of the most popular and enduring copyleft licenses is the GNU General Public License. This license is "viral" insofar as any derivative or distributed copy of the product must carry the same permissions as the initial product. Collister summarizes it well: "In order for the work to be truly copyleft, the license also has to ensure that the author of a derived work can only distribute such works under the same or equivalent license".[25] This is due to the "4 Freedoms" upon which the copyleft license was founded:

- Freedom 0 – the freedom to use the work,
- Freedom 1 – the freedom to study the work,
- Freedom 2 – the freedom to copy and share the work with others,
- Freedom 3 – the freedom to modify the work, and the freedom to distribute modified and therefore derivative works.

A similar yet distinct license is the Creative Commons License, which grants various permissions "applied by the copyright owner to their own works," in a varying degree of freedom. A CC license may be "share-alike" and thus could be understood as a form of a "copyleft" license. However, a CC license could also *not* be "share-alike," and thus be distinct from copyleft since there are no rules for derivitive works to adhere to. The

below graphic outlines the various permissions possible through a CC license.



This Wikipedia page provides a comparative chart of the various "open" Public licenses in use today. This may all sound rather complicated, but there a few key ideas to keep in mind. To put it roughly:

- Copyright is grounded upon granting permission to distribute/modify/alter/sell one's intellectual property. This results in a "Private" product, since access must be granted (typically through purchasing)
- Copyleft grants access to the product inherently, and is grounded upon permissions to then modify, commercialize, or alter the product (but not to limit its distribution or to alter the license)
- The Creative Commons license seeks to function *within* copyright law, where one may determine the rights of their works and (if they choose) the rights of derivative works for the Public

As was noted a few sections ago, copyright is really the only avenue to truly outline piracy as a harmful activity. There is nothing unethical about the general principle of sharing files across the Internet – that is what the Internet is meant to do. Piracy alone cannot be singled out as destroying the economy, since the Internet itself is dramatically changing all of human experience, stock prices included. The fear-mongering about malware and viruses is just that – fear-mongering. Now that due consideration was given to the robust alternatives to copyright, one wonders: what do the ethics of piracy look like without copyright?

Public Piracy?

It would be incorrect to say that, under Public licenses, piracy would disappear. For copyleft and Creative Commons licensing, there are still rules. Therein lies an effort to create a "regulated commons," where ideas and creative works are distributed and discussed freely with organizing principles. This ensures creative works are not kept locked and secretive yet are also not thrown into unfiltered chaos. If there are rules, there are thus rules that can be broken, and rules to be enforced. Sharing files (be it .wav Movie files or .mp3 Sound files or .exe Software Files) does not carry a connotation of unethical or wrong behavior, nor does it carry unnecessary danger. Lines are drawn about which files are OK to share and which are not, even as these lines are transgressed with such regularity that the lines become laughable. Clearly, everything can't be openly disseminated. The files that have my banking information should not be posted on a worldwide Bulletin Board. But it is also clear that keeping media private, once it hits the Internet, is a herculean effort that erodes countless aspects of Internet culture.

The problem with piracy is the problem of it's eradication. As was said earlier, piracy can never be fully eradicated, only minimized. Without *extreme* government censorship and oversight, e.g. unless the government assumes the total ability to see the entire contents of your computer or directly restrict what you can and cannot search/download, piracy will always exist. File sharing is the fundamental aspect of the Internet. Internet Culture, as seen across a variety of platforms and mediums, is a culture of remixing, changing, modifying, and contributing. Copypastas, YouTube Poops, MLG edits, Samples, Commentary Videos, Reaction Videos, Spoofs, Vines, TikToks, Memes – these are all aspects of this "Internet Community," and all are predicated upon the fundamental nature of the Internet being the ability to copy, modify, and distribute files easily and rapidly across the globe. This community can do incredible things. Wikipedia, Linux (and the countless Linux distributions), OBS Studio, Blender, VLC Media Player, Audacity, Tor – all are available to anyone who uses the Internet in a free society. The amount of endless creation made possible through the Internet is due to the nature of the Internet being a space of open dissemination.

Super Smash Bros. Melee is a fighting game released on GameCube that is still popular enough to be played at major gaming tournaments. 19 years after it's release, Melee has online play, thanks to individual community members who created online gaming systems Nintendo did not. Yet Nintendo still has full copyright protection over the game, and can sue anyone who downloads the game file illegally. Nickelodeon gains immense recognition due to the stunning proliferation of SpongeBob memes, but an individual user caught downloading SpongeBob .mp4 files can be charged for violating

copyright law. The necessity of an open and shared Internet culture is integral to the continued flourishing of the best, creative aspects of the Web. So what should be shared, and what should closed? It is obvious that Private files (like my banking information) should be Private, and Public files (like Plato's *Republic*) public for all. The question becomes what is "privacy" on the Internet? What freedoms are sacrificed when using this medium, what privacy is kept and what privacy is lost?

Public Privacy?

Should a film be private, protected by law from consumers, but my identity and data public, available legally to advertisers? I cannot download a copyrighted film to make a film analysis video, but my location history and biometric data can be sold to Political Action Committees and law enforcement agencies.

The Lion King.mp4 is a private file. If I "pirate" a copy of it , take a frame, and make a meme out of it, I violate copyright law. Photoshop.exe is a private file. If I can't afford a subscription and "pirate" a copy of it, learn to use it, and later make a career using the software I can now afford, I am a criminal. These files are protected, private, legally bound. But what of my data? Is biometric information private, such as my face scan? Are my web searches private, or available for sale? What about files that store my location histories? What about my clipboard data? These are not arbitrary questions. Facebook has the largest collection of facial data, and has been repeatedly criticized for how it handles and shares personal information (and forced to pay 500 million in lawsuits in Illinois).[26] Web searches and histories are sold by numerous companies, like Facebook, in a blossoming Data economy.[27] Location histories are tracked by companies like Google, in some cases even without user permission.[28] TikTok (and other companies) were recently caught scraping user clipboard data, and only "stopped" once iOS 14 revealed the practice.[29] While there have been occasional lawsuits, like Illinois, or occasional scandals large enough to reach major news outlets, such as Cambridge Analytica, these companies haven't changed. As major tech corporations grow larger and larger, their influence is practically impossible to avoid.[30] Should Disney be allowed to buy my search history from Facebook and use it to target me with ads, while I am barred from watching *Aladdin* on a pirated stream?

At this point I'm going to admit to something: those metaphors used in the beginning of this piece were not the best. I disagree with the conceptualization of the Internet as a physical space, and believe that perpetuating these conceptions will hinder our understandings of the modern age. The Internet should not be thought of as a room or a building – the Internet is inseparable from the User[31]. Our cognition, reduced, is simply

electrical impulses and the passing of chemical packets across synapses. But does that truly describe emotions and thought? The Internet, reduced, is simply files accessed and shared. But does that truly describe memes?

As a society, we are witnessing the slow (but unbelievably fast) incorporation of the Internet into the most basic fabrics of our existence. As the Internet of Things grows, as our thoughts are posted, our locations shared with advertisers, our creative works disseminated across the globe (legally and illegally), as our phones, lights, cars, and homes become "smart" (aka - connected to us through the Internet), it is clear that conceptions of what can be shared and what remains private must be fundamentally re-evaluated, since what is shared and what is private is fundamentally changing. Right now, we are moving towards a publification of personal data and a privatization of creative output. If I make a copyrighted film and advertise it on my Facebook page, I am declaring my creative work uncopy-able and my personal data ready to be copied by Facebook. The author is being distributed to advertisers, their work locked behind a paywall. There is no simple solution. This paper is not advocating for every film, software, or game to instantly be free while Google starts paying me for my data. Nor is this paper arguing that piracy should be strictly enforced and governement censorship grow expoentially. This is meant to really underscore the implications of being integrated into the Internet, to understand that everything is slowly being copied and shared, copied and shared. Now is the time to draw lines about what aspects of human existence *shouldn't* be endlessly copied –should films truly enjoy greater protection than biometric information?

Conclusion

While the Internet is inseparable from the User, that does not mean that the user is consumed by the Internet. Reality is not the same as virtuality. As such, even as piracy is growing in popularity digitally, other trends are noticeable in reality as a result. Some theaters are increasing screen size, lowering seats per auditorium, and increasing prices. Some video games are sold with physical tokens, figurines, or artifacts in special edition purchases. Some artists now release casettes and vinyls of their newest albums. The economy is adapting to the sudden proliferation of freely available content. Why do people purchase canvas paintings of Van Goghs they can view online? Why do people purchase vinyls of albums that are on YouTube? One pays for the experience of a theater, not the privilege of seeing private content. One pays for the experience of live music, not for the privilege of hearing exclusive songs. As "piracy" becomes easier, as the Internet grows wider and faster, and as we ourselves become tangled deeper and deeper into the digital realm, one already sees where our focus needs to remain. Rather than uselessly restricting

content that endlessly escapes restriction, perhaps our focus should be directed elsewhere. Imagine investing in public spaces that show beautiful sunsets, not on policing software that allows for one to edit photos of the sun. Consider widespread data protection regulation, rather than voracious server takedowns. Piracy will not destroy the economy, it will not destroy your computer, and it will not ruin the future of your children. An increase in the privatization and control over information will.

Notes

1. David Uberti, "Coronavirus Lockdowns Lead to Surge in Digital Piracy," *Wall Street Journal: WSJ Pro*, ISSN: 0099-9660.

2. The term "digital piracy" was searched using multiple Tor paths across a variety of regions on DuckDuckGo, Google, and Bing

3. "Piracy Is Theft - The Cost of Digital," accessed July 16, 2020, https://www.webroot.com/us/en/resources/tips-articles/the-societal-costs-of-digital-piracy.

4. "Piracy Is Theft - The Cost of Digital."

5. Ashley Johnson, *22 Years After the DMCA, Online Piracy Is Still a Widespread Problem* (Information Technology and Innovation Foundation, February 7, 2020).

6. "The Threat of Online Piracy," accessed August 3, 2020, https://www.alliance4creativity.com/mission/the-threat-of-online-piracy/; Patrick Putmnan, "The Consequences of Digital Piracy," January 8, 2019, 4:26 p.m. (Z), accessed July 16, 2020, https://www.uscybersecurity.net/digital-piracy/.

7. Johnson, *22 Years After the DMCA, Online Piracy Is Still a Widespread Problem*.

8. Putmnan, "The Consequences of Digital Piracy."

9. "The Threat of Online Piracy."

10. link here:https://cryptome.org/2014/09/illegal-streaming-malware-epoch-times-full-14-0923.pdf

11. "AiSP," accessed August 3, 2020, https://www.aisp.sg/story.html.

12. Mike Weatherley, "Search Engines and Piracy – A Discussion Paper by Mike Weatherley MP," May 29, 2014, accessed August 3, 2020, http://www.mikeweatherley.com/2014/05/29/search-engines-and-piracy-a-discussion-paper-by-mike-weatherley-mp/.

13. Ernesto Van de Sar, "Anti-Piracy Video Scares Kids With 'Fake' Malware Info * TorrentFreak," February 6, 2018, 9:15 a.m. (Z), accessed August 3, 2020, https://torrentfreak.com/anti-piracy-video-scares-kids-with-fake-malware-info-180206/.

14. Van de Sar.

15. Bob Brown, "Sony BMG Rootkit Scandal: 10 Years Later," accessed August 7, 2020, https://www.networkworld.com/article/2998251/sony-bmg-rootkit-scandal-10-years-later.html.

16. "Copyright in General (FAQ) — U.S. Copyright Office," Web page, accessed August 2, 2020, https://www.copyright.gov/help/faq/faq-general.html.

17. Paul B. de Laat, "Copyright or Copyleft?: An Analysis of Property Regimes for Software Development," *Research Policy* 34, no. 10 (December 1, 2005): 1511–1532, ISSN: 0048-7333.

18. De Laat, p1513.

19. De Laat, p1513.

20. De Laat, “Copyright or Copyleft?,” p1514.

21. De Laat, p1515.

22. De Laat, p1516.

23. “Copyleft.Org,” accessed July 16, 2020, https://copyleft.org/.

24. De Laat, “Copyright or Copyleft?,” p1516.

25. Lauren Collister, “LibGuides: Copyright and Intellectual Property Toolkit: Creative Commons, Copyleft, and Other Licenses,” accessed August 4, 2020, https://pitt.libguides.com/copyright/licenses.

26. Thorin Klosowski, “Facial Recognition Is Everywhere. Here’s What We Can Do About It.,” July 15, 2020, accessed July 18, 2020, https://www.nytimes.com/wirecutter/blog/how-facial-recognition-works/.

27. Brian Naylor, “Firms Are Buying, Sharing Your Online Info. What Can You Do About It?,” July 11, 2016, accessed August 7, 2020, https://www.npr.org/sections/alltechconsidered/2016/07/11/485571291/firms-are-buying-sharing-your-online-info-what-can-you-do-about-it.

28. Ryan Nakashima, “AP Exclusive: Google Tracks Your Movements, like It or Not,” August 13, 2018, 10:15 p.m. (Z), accessed August 7, 2020, https://apnews.com/828aefab64d4411bac257a07c1af0ecb.

29. Kim Lyons, “TikTok Says It Will Stop Accessing Clipboard Content on iOS Devices,” June 26, 2020, 11:02 a.m. (-04:00), accessed August 7, 2020, https://www.theverge.com/2020/6/26/21304228/tiktok-security-ios-clipboard-access-ios14-beta-feature.

30. Kashmir Hill, “I Tried to Live Without the Tech Giants. It Was Impossible.,” *The New York Times: Technology*, July 31, 2020, 11:40 a.m. (-04:00), ISSN: 0362-4331.

31. https://thecopied.github.io/pages/words/defining_user.pdf

References

"AiSP." Accessed August 3, 2020. https://www.aisp.sg/story.html.

"The Threat of Online Piracy." Accessed August 3, 2020. https://www.alliance4creativity.com/mission/the-threat-of-online-piracy/.

Brown, Bob. "Sony BMG Rootkit Scandal: 10 Years Later." Accessed August 7, 2020. https://www.networkworld.com/article/2998251/sony-bmg-rootkit-scandal-10-years-later.html.

Collister, Lauren. "LibGuides: Copyright and Intellectual Property Toolkit: Creative Commons, Copyleft, and Other Licenses." Accessed August 4, 2020. https://pitt.libguides.com/copyright/licenses.

"Copyleft.Org." Accessed July 16, 2020. https://copyleft.org/.

"Copyright in General (FAQ) — U.S. Copyright Office." Web page. Accessed August 2, 2020. https://www.copyright.gov/help/faq/faq-general.html.

De Laat, Paul B. "Copyright or Copyleft?: An Analysis of Property Regimes for Software Development." *Research Policy* 34, no. 10 (December 1, 2005): 1511–1532. ISSN: 0048-7333, accessed July 16, 2020. https://doi.org/10.1016/j.respol.2005.07.003. http://www.sciencedirect.com/science/article/pii/S0048733305001484.

Hill, Kashmir. "I Tried to Live Without the Tech Giants. It Was Impossible." *The New York Times: Technology*, July 31, 2020, 11:40 a.m. (-04:00). ISSN: 0362-4331, accessed August 7, 2020. https://www.nytimes.com/2020/07/31/technology/blocking-the-tech-giants.html.

Johnson, Ashley. *22 Years After the DMCA, Online Piracy Is Still a Widespread Problem*. Information Technology and Innovation Foundation, February 7, 2020. Accessed July 16, 2020. https://itif.org/publications/2020/02/07/22-years-after-dmca-online-piracy-still-widespread-problem.

Klosowski, Thorin. "Facial Recognition Is Everywhere. Here's What We Can Do About It.," July 15, 2020. Accessed July 18, 2020. https://www.nytimes.com/wirecutter/blog/how-facial-recognition-works/.

Lyons, Kim. "TikTok Says It Will Stop Accessing Clipboard Content on iOS Devices," June 26, 2020, 11:02 a.m. (-04:00). Accessed August 7, 2020. https://www.theverge.com/2020/6/26/21304228/tiktok-security-ios-clipboard-access-ios14-beta-feature.

Nakashima, Ryan. "AP Exclusive: Google Tracks Your Movements, like It or Not," August 13, 2018, 10:15 p.m. (Z). Accessed August 7, 2020. https://apnews.com/828aefab64d4411bac257a07c1af0ecb.

Naylor, Brian. "Firms Are Buying, Sharing Your Online Info. What Can You Do About It?," July 11, 2016. Accessed August 7, 2020. https://www.npr.org/sections/alltechconsidered/2016/07/11/485571291/firms-are-buying-sharing-your-online-info-what-can-you-do-about-it.

"Piracy Is Theft - The Cost of Digital." Accessed July 16, 2020. https://www.webroot.com/us/en/resources/tips-articles/the-societal-costs-of-digital-piracy.

Putmnan, Patrick. "The Consequences of Digital Piracy," January 8, 2019, 4:26 p.m. (Z). Accessed July 16, 2020. https://www.uscybersecurity.net/digital-piracy/.

Uberti, David. "Coronavirus Lockdowns Lead to Surge in Digital Piracy." *Wall Street Journal: WSJ Pro*. ISSN: 0099-9660, accessed July 16, 2020. https://www.wsj.com/articles/coronavirus-lockdowns-lead-to-surge-in-digital-piracy-11587634202.

Van de Sar, Ernesto. "Anti-Piracy Video Scares Kids With 'Fake' Malware Info * TorrentFreak," February 6, 2018, 9:15 a.m. (Z). Accessed August 3, 2020. https://torrentfreak.com/anti-piracy-video-scares-kids-with-fake-malware-info-180206/.

Weatherley, Mike. "Search Engines and Piracy – A Discussion Paper by Mike Weatherley MP," May 29, 2014. Accessed August 3, 2020. http://www.mikeweatherley.com/2014/05/29/search-engines-and-piracy-a-discussion-paper-by-mike-weatherley-mp/.