Subject: ITE302x

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Answer to Assignment 4

1. **Is the RIAA’s strong stand on copyright infringement helping or hurting the music recording industry?**

There are four types of intellectual property infringements mentioned in the lecture: trademark, copyright, trade secret and patent. The one RIAA and BSA is trying to fight against is copyright violations in music recording and software industry.

According to RIAA, each year the recording industry loses about $5 billion and retailers lose about $1 billion worldwide from music piracy. This hurts the industry and mostly legitimate paid music providers on the internet. Therefore, I strongly believe that RIAA’s relentless efforts against copyright infringement is helping the recording industry.

Many of Vietnamese famous artists are involved in copyright violation such as Noo Phuoc Thinh, Bao Anh, My Tam, which triggered Youtube to send warnings of removing their videos on their platform and somehow affect the artist’s image in the public eye. Vietnamese people have been used to hacking accounts and listening to free music, hence causing large damage to online music distribution companies like Zing MP3 or Nhaccuatui, and the most recent newbie is Spotify.

1. **Could an ISP’s implementation and enforcement of the RIAA’s multitier strategy have a negative impact on the ISP?**

RIAA’s new multitier strategy was described in detail in the article, which heavily embraces the involvement of ISP (Internet service providers)

• The RIAA will alert participating Internet service providers to what it believes to be illegal downloading activities by ISP customers.

• The ISP will either forward RIAA copyright infringement notices to its subscribers or notify its customers about the notices and ask them to cease and desist.

• The ISP can take a series of escalating sanctions against repeat offenders, ranging from slowing down the subscriber’s network speed to terminating service.

• The RIAA reserves the right to sue flagrant copyright offenders.

I personally believe this to be good news to author, performer, recorder and publisher because their music copyright is heavily controlled and they can earn all the money and get the credit they deserve for their work.

However, this may do damage to ISP. Once customers know that their pirating copyrighted music is being watched and may affect their access to the internet, they may switch to another ISP with less supervision and control on their download content.

All in all, I believe it is a promising approach to limiting the spread of illegal copyrighted music recording, which as I mentioned above, greatly benefits the music industry.

1. **Is BSA different from RIAA? Discuss about BSA role in software industry. Do you think BSA and RIAA can collaborate with each other to enforce IPs laws?**

BSA (Business Software Alliance) is a trade group made up of many different software companies, some of which are big tech companies in the US such as Apple, Microsoft, Adobe, Autodesk, Rosetta Stone. The group runs campaigns promoting the legal use of copyrighted software and encouraging employees to blow the whistle on businesses using pirated software.

Bkis, one software company of Vietnam which was the creator of BKAV, joined BSA in 2009. Their president said that “Being a member of BSA will help raise awareness about software copyright to users as well as domestics companies as well as countering against intellectual property violations.” I think it can generalize to all companies which are part of BSA.

I think the basic distinction between BSA and RIAA is that one is about software, one is about music recording. Other than that, they share a lot of things in common, including the protection of copyrights all around the world and with a mission to help the industry they are trying to protect and get back the credit to the creators.

I think a collaboration between the two is desirable and may bear positive effects on software and music industry. Most importantly, internet users will be better aware of copyrights and pay for what is supposed to be paid.