

Digital Bananas: The Effects of Digital Rights Management Technology on Consumers

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Abstract

Digital Rights Management, a technology employed by large corporations to prohibit unauthorized use of digital media by consumers, has failed to bring any positive change for consumers and content producers. DRM is costly and invasive, yet ineffective. Media piracy runs rampant on Peer-to-Peer networks, while legitimate customers must suffer from rising prices and attacks on their personal freedoms. Content producers such as musicians also shoulder the costs of DRM included in their music by music distribution companies, while losing customers due to compatibility issues caused by copy protection. The only solution to this dilemma is for the federal government to ban of the current form of copy protection, forcing big businesses to come up with new methods that grant more freedoms to consumers.

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Imagine shopping at a digital grocery store, browsing through the different fruits and vegetables. You find a some bananas that you like, and proceed to the cash register to buy it. Just as you are about to pay for the bananas, the cash register stops you and hands you a list of terms and conditions to sign. The agreement mentions that you are only allowed to take three bites out of the banana, you can not share the banana with any of your friends, and can not use the banana as an ingredient in a recipe. Instead of bananas, this form of Digital Rights Management (DRM) is applied to music, movies, and games, limiting the access rights of

product users. Although supporters of Digital Rights Management argue that it is required to prevent unauthorized reproduction and alteration of artists' original work, DRM technology should be banned because it hurts consumers more than it protects content producers.

Digital Right Management does not stop piracy of copyrighted media. As Law professor Dan Burke put it, "Speed bumps may be bulldozed away, turnstiles may be jumped or removed, and childproof caps may be pried loose...Similarly, some digital copyists will have the technical skill to disable technical impediments and to instruct others how to do the same" (Burk, 2010). In other words, attempts to prevent unauthorized copying of digital media through the use of DRM are futile, because methods of circumvention exist and are widely used. Peer-to-Peer networks are commonly used by copyright infringers to freely download music, movies, games, and applications. It only takes one person to crack the DRM in a product to make copies of the product accessible to hundreds of thousands of Internet users around the world, as soon as the cracked files are made available on Peer-to-Peer networks.

People often laboriously climb the highest mountains in the world, just because the challenge exists. In the same way, digital hobbyists with enough technical skill aim to circumvent copy protection just because this impediment exists. These individuals are always successful, and often share their methods online to help other Internet users liberate their own files. If DRM is ultimately unsuccessful in protecting copyright holders' rights, why does it still exist?

Implementation of Digital Rights Management drives up product costs for both content producers and consumers. The costs of developing and implementing DRM into final products are often paid for by creators of digital media (Lamb, 2007). In the music industry, record labels

make musicians pay the price for the DRM in their music, resulting in lower net profits (Lamb, 2007). This price can be considered justifiable, because musicians may be willing to pay more for the false sense of security provided by DRM's 'protection' of their rights. However, as seen earlier, music piracy and DRM removal is easy and free, making copy protection methods useless, and musicians' money wasted.

There also exists a substantial “hidden cost” of selling DRM protected media (Bischke, 2006). In addition to serving as copy protection, DRM prevents digital content from being accessed on competitors' devices. For example, music bought from the iTunes Music Store, which is Apple, Inc.'s digital music distribution service, can not be played back on the Zune, a media player made by Apple's competitor Microsoft Corp. Customers often choose not to buy music that includes DRM because that music is incompatible with the media player of their choice. In this way, content producers lose potential customers because of overly restrictive media protection schemes.

Often times, even consumers are made to pay more because of costs associated with DRM (Lamb, 2007). This fact is a contradiction in itself; consumers have to pay more of their hard-earned money for products that inhibit their freedom. Big business employment of DRM only drives up costs, and largely ineffectively attempts to prevent 'unauthorized' use of digital media.

Digital Rights Management robs consumers of their fundamental right to freely access legal purchases. According to an article run by the Texas Intellectual Property Law Journal, “...DRM can...individually control users’ behavior presenting a powerful threat to freedom of expression as well as privacy. Such situations can conflict with legitimate consumer rights and

privileges” (Lucchi, 2007). In other words, the invasive effects of DRM in digital media paid for by the consumer can be considered a violation of the Bill of Rights. Consumers are not only limited in how they can use this media, but often legitimate access is tracked by way of online authentication servers. These online authentication methods are attacks on user privacy. DRM is an embodiment of what big business is all about: restricting users and protecting their own rights while overcharging for products and maximizing profits. DRM needs to be completely banned, and another content protection scheme needs to be formed in a way that upholds individual rights. However, big businesses are content to sit back and do nothing while consumers pay the price.

Clearly, the practice of including Digital Rights Management technology in digital media products should be outlawed. Not only is DRM ineffective in practice, but also is costly for original content producers, such as musicians, and for consumers. Not to mention the fact that DRM can become invasive and challenge consumers' rights. Big businesses must tread carefully, else they trip on the backs of banana peels thrown by hordes of wronged shoppers, citizens of the digital world.

References

Bischke, J. (2006, November 18). The top 10 arguments against drm [Web log message].

Retrieved from http://www.learnoutloud.com/content/blog/archives/2006/11/the_top_10_argu.html

This source was one of the first sources I used to identify the shortcomings of DRM technology. It is credible because even though it is in the blog format, it is actually a company blog post that includes details about why the company itself chose not to include DRM in its own products.

Burk, D. (2010). Materiality and Textuality in Digital Rights Management. *Computers & Composition*, 27(3), 225-234. doi:10.1016/j.compcom.2010.06.007.

This source provided evidence for the first body paragraph pertaining to how DRM is ineffective. It is credible because it is a peer-reviewed paper by a law professor at UC Irvine.

Lamb, H. (2007, February 27). Why drm isn't so great - the drawbacks of digital rights management [Web log message]. Retrieved from http://www.associatedcontent.com/article/157785/why_drm_isnt_so_great_the_drawbacks.html

This source helped provide evidence for the second set of body paragraphs pertaining to the cost of DRM. This source is credible because even though it could be considered a blog post, it was published and probably reviewed by the Associated Content news organization, which is affiliated with Yahoo!, Inc.

Lucchi, N. (2007). Countering the Unfair Play of DRM Technologies. *Texas Intellectual Property*

Law Journal, 16(1), 91-123. Retrieved from Academic Search Complete database.

This source provided evidence for the third set of body paragraphs, which explain how user rights are compromised by DRM. It is credible because it is a peer-reviewed journal article.