Subject: Re: None of My Business
Posted by MQracing on Sat, 24 Dec 2005 15:16:01 GMT
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MB wrote::::I don't mind argument to elucidate a point but the same exact sentences are being repeated ad nauseum.:::apologies. But when the same arguments are presented over and over again... (i.e., I can copy anything I want, I can call it whatever I want, I can use your tm whenever I want, etc) it might be the case that this same argument warrants the same reply. What I have tried to do is enrich the context... by using examples and logic... such as... if we allowed this behaviour unabated what would the forums look like content wise and what impact would that content have on ART's perception, role, and impact in the audio hobby.I've asked for instance... does ART want to be the home of the copycat? wherein a disaffected consumer (simply because a mfgr would not change or modify his product to the consumer's demand)can then offer copies of the product and use the name and good will of the company. And this is a POLICY issue. ART does and can control the content which is permitted to be posted. Rules are already in place for instance which does not permit the posting of pornographic images (even legal ones). :::...if there were an actionable issue here one of the thousands of lawyers looking for work would take the case on...:::Respectfully, this is a parochial view of the law. First thing any good lawyer is going to suggest is that you seek a solution outside of court or filing a lawsuit. And in fact, much of the legal system is set up to seek and encourage solutions to legal disputes before it has to go into a courtroom and before a jury. This is why (in part) you have discovery and often times various pre-trial hearings. And even the judges before trial will hear the basic arguments in chambers and see if he\she can get the parties to some agreement short of having a full blown trial.And, rather than urging legal action... you should first think of the ramifications... for instance, ART would if any party were to file a legal suit re: some of the matters being discussed.... it would most likely involve Wayne and the ART forum since this is where the events have occurred. Do you really want to saddle Wayne with perhaps some legal expenses when it may be possible to discuss the matters intelligently, consider all the issues and ramifications and adopt a policy that is fair and just? Another consideration... before urging legal action... as I understand it one moderator (name withheld to respect his privacy) had already quit modding because of his concern about "legal jeopardy" (being named in a suit). So... this can and does have an impact on other people... and we shouldn't cavalier just urge everyone to sue everyone... and especially BEFORE exhausting every other reasonable and practical solution to the crisis at hand.Make no mistake.. I do have legal counsel who is fully aware of the issues involved here. But rushing into court may not be the best or most economic way of settling any of the relevant issues at stake here.And... I could post a lot more and can think of a lot more to add in response to your post... but I have to do some christmas shopping...perhaps I will add some additional thoughts to this post later in the day.meantime, Merry Christmas to all.msl