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Subject: Re: Another DRM Issue Brewing  
Posted by [lon](#) on Mon, 09 Jan 2006 21:02:14 GMT  
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Lessig is a clever guy too. What the books do is challenge the assumption of 'what is right' or legal. I truly believe this has to do with things we are taught from paternalistic households. And so the questions such as "Isn't copying stealing?" and "Well doesn't the author deserve to control all aspects of his product forever (96 years currently under the Sonny Bonocopyright law)?" The answers here Lessig carefully deconstructs to show how creativity in the commons of human discourse and the founding principles in the Constitution based on English Common Law provide for sharing information in ways that have been legislated out of existence by our toadies in Congress. The central concept is Fair Use. If the heirs of Stan Getz refuse to release the musician's works for reprint simply because the royalties are enough to live off of indefinitely then those works stay out of the public domain--you and I can't hear them. Limiting copyright and the renewal of copyright (93 percent of which is lost to time) means that archivists have Fair Use of the remaining original works and duplication for non resale purposes such as the internet makes possible at the expiration of copyright is not illegal. Lessig has a website called Creative Commons in which new copyright schemes allow for greater freedom of the creative artist. You will see (cc) turn up on various documents on the net. Lessig's point in doing this work is that a great amount of created material (that 93 percent up there) is willfully held out of the public domain which is not in the spirit of the law. He also tells how Walt Disney built the character of Mickey Mouse on the film work from Buster Keaton. Needless to say Buster Keaton who played Steamboat Bill never got a dime from Disney's interpretation called Steamboat Willie with a mouse as the steamboat captain.

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