Subject: Intellectual Property
Posted by Steve Eddy on Mon, 26 Dec 2005 22:15:24 GMT
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I was poking around on the forums and wound up on the Projects page off the Group Build forum. I was checking out the schematics when I came across the one for the buffered linestage. In one corner I notice it says "(c) 2005 Douglas Piccard." Given what has gone on here with regard to intellectual property rights, I found this somewhat curious and was wondering what exactly was its purpose?Let's say I produced a commercial product using that exact circuit, without any modification, without any permission and without any attribution. Would there be a problem with this? Would I be within my rights to do this and what are the rights of the person claiming copyright?se

Subject: Re: Intellectual Property
Posted by Manualblock on Mon, 26 Dec 2005 22:18:10 GMT
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Check, Findlaw.com They have a free advice section with references to legal services by state and county.

Subject: Re: Intellectual Property
Posted by Steve Eddy on Mon, 26 Dec 2005 23:15:45 GMT
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Check, Findlaw.com They have a free advice section with references to legal services by state and county.Thanks. Though what I was interested in was Douglas' take on this, as it is his claim on the notice of copyright. Perhaps I should have made that more clear in my original post.se

Subject: Re: Intellectual Property
Posted by e-linear on Tue, 27 Dec 2005 02:31:07 GMT
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Steve: If we go by what doug says, "if it ain't locked down it's anybody's for the taking". For instance I have been Known as e-linear for the past twenty years. And that didn't stop others from attempting to use my handle. But my advice is to show no more or no less respect for his claims than he shows for other peoples property. All I have to do is change the value of one resistor and he can kiss my ass. Now I will have the e-linear buffered line stage. And it will be just mine! His

claimed copyright isn't worth the paper it's written on. And that's a fact Jack!(ie; Doug)

Subject: Re: Intellectual Property
Posted by PakProtector on Fri, 30 Dec 2005 01:32:45 GMT
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Hey Steve,what has gone on here with regard to intellectual property rights?Anyway, I think the only thing protected by the (C) was the particular pice of artwork it's attached to. The CCS/Mu follower plate load is certainly nothing new. Actually, I'd suggest using a few additional complications if you were so inclined to go into production.cheers,Douglas

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Subject: 'scuse me
Posted by PakProtector on Fri, 30 Dec 2005 02:49:43 GMT
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but your ignorance is showing.cheers,Douglas

Subject: Re: 'scuse me (my take)
Posted by e-linear on Sat, 31 Dec 2005 13:59:37 GMT
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I have been silently following this thread and similar ramblings. Now here is my take on this Subject. Here are some things we must consider about any product which must be remembered by all moral law abiding men and women. The grade and purity of the materials used to manufacture the item in question as well as the expertise and knowledge which comes with years of hands on engineering and manufacture of any product is the key to a rewarding long lasting cost effective investment. Any product made to look or perform similar to or like another is a knock off, a fake, a piracy and simply "NOT AN ORIGINAL" To publicly advertise verbally or in any other manner that a product is like, similar or the same as another's product or intellectual property is not only plagiarism but is morally incorrect and criminally negligent to the law. There is more than one victim in this act. Not only is the Original Manufacture or owner of such trade marks and intellectual property injured, but so are the consumers who buy a plagiarized item expecting the same quality and performance as an ORIGINAL ! Here is an example: (unrelated but true) I buy and dismantle a Wankel Rotary engine. I record all the data required to obtain the materials and manufacture my own. However, I change the designs to allow triple wipers on the Rotor segments and place mechanical valves in the Stator ports to farther regulate fresh and spent fuel flow. The design has now been significantly changed and I can claim That the Joe-"X" (My trade Name) rotary engine is superior to and out performs other's

rotary type engines. But I can not claim it is Similar to, Based on, like the "Wankel" rotary engine. The use of the trade name Wankel is Plagiarism!

Subject: Re: 'scuse me (my take)
Posted by Damir on Sat, 31 Dec 2005 14:18:15 GMT
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One example - many manufacturers made their version of classic guitars, say Fender Stratocaster and Gibson Les Paul. They can`t name their guitars "Gibson Les Paul" without permission, Gibson has the right for those names, but they can name/made them in a similar way.Link - Gibson sued PRS Guitars `cose of their "Singlecut" model (too much LP for them, some say even better then the "real thing") and lost the suit...
http://www.prsguitars.com/news/stories/091205_victory.html

Subject: Re: 'scuse me (my take)
Posted by e-linear on Sat, 31 Dec 2005 14:28:31 GMT
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Perfect

Subject: Re: 'scuse me (my take)
Posted by MQracing on Sat, 31 Dec 2005 14:50:19 GMT
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Interesting story. Once you read the url you posted several things begin to become more clear in the case you reference.Nowhere is there a suggestion or proof or even the allegation that PRS was using Gibson's name nor was PRS marketing their product as a clone (or copy) of the Gibson...in fact... PRS had their own trademarked name for their product... SingleCut (a R trademark of theirs)...nor did PRS claim that their product was a copycat of the Gibson.also note that Gibson said in court that consumers would not be confused "at the point of purchase" btwn the two different products.The case you reference above is entirely different than someone making explicit copies of a competitor's product and advertising those copies as derivative of a moreso famous brandname... if that were the case (and it was not from PRS press release) the court would have likely have reached a very different conclusion.What the courts will look at is... intent. What is the intent? Did PRS intend to deceive or confuse consumers by claiming that their guitar was a copy of a Gibson? Nope. Did PRS explicitly ride on the coattails (i.e., goodwill) of Gibson? Doesn't appear to be the case.Did PRS say they bought a Gibson and measured every inch or it... dissected every part of it... and then proceeded to make a substantially out and out

copy of the Gibson? Nope. And the main thing that probably swayed the courts.... was PRS was not explicitly cashing in on the goodwill of Gibson.msl

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Subject: Re: 'scuse me (my take)
Posted by Damir on Sat, 31 Dec 2005 15:07:52 GMT
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Well, the picture tells more then words, hehe... Every case is for itself - PRS had Ted McCarty (worked for the Gibson)...See on PRS home page how many details PRS patented/have registered trademarks...and I saw many times (cheap) legal copies very similar to some characteristic PRS details.Another example is guitar speakers - I saw many times commercials for XYZ guitar speakers where in description of the product makers said about this: "our, modified version of an old `50s Jensen guitar speaker". They don`t claim that their speaker is the Jensen, but the speaker made on old traditional design, with their modifications.Well, enough for this year...
http://www.prsguitars.com/showcase/current/singlecut.html

Subject: Re: Intellectual Property
Posted by Pak`Protector on Sat, 31 Dec 2005 18:32:31 GMT
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See how quickly this can become confusing? Just change one letter and it's mine!

Subject: Nice...
Posted by PakProtector on Sat, 31 Dec 2005 19:08:48 GMT
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only who is this? I don't post what I don't sign. What other games are you going to play? Why not conjure some more RAT-style goons? None of this has anything to do with the idea that you are not in control of a 1948 OPTx design. Perhaps of your personal copy of a set of blueprints....cheers,Douglas

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Subject: Re: Nice...
Posted by e-linear on Sun, 01 Jan 2006 14:24:12 GMT
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Now this post has me intrigued. In this response it is asked "only who is this?". I believe it is clearly obvious to any intelligent individual that the author had or has intentions to remain anonymous. DUH!Next quote, "I don't post what I don't Sign" Well, Hurray for the Gipper, YOU GO BOY!Then a question, "What other games are you going to play" Well it's not entirely clear to me whom the author is referring to in this rambling. There seems to be an indication of paranoia. Possibly bordering on delusional paranoia.Next;"Why not conjure some more RAT-Style Goons"This appears to be the ramblings of a skittish delusional individual who has possibly watched too much tube. I.e.; Disney's The Goonies. But where does "RAT" come from?And a final quote:" None of this has anything to do with the idea that you are not in control of a 1948 OPTx design". Now it is abundantly clear that you are attacking a third party whom is not likely to be the author of the thread you are responding to. This is the ramblings of a delusional paranoid individual. Instead of telling others to stop smoking weed, maybe you should consider some anti-psychotic medication to help you cope with life. However, in a final thought of the moment, An individual using the name Pak`Protector has every right to do so and you as "PakProtector" can do little about it. While there are two separate individuals here it has every potential to become confusing to others. This would or could be very damaging in a business setting if these were trade names for two similar products. If you did the original work and this was your intellectual property you would have every right to feel aggrieved.

Subject: Re: 'scuse me (my take)
Posted by MQracing on Sun, 01 Jan 2006 16:20:20 GMT
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Hi Damir:The PRS case is interesting. Note that in the court of original jurisdiction the verdict was in favor of Gibson. The appellate court saw the issues differently and overturned the lower court's decision.When you say "...the picture tells more then the words..." I am guessing your referring to the shape of the guitar... which many people would associate with the famous Les Paul desgin originated by Gibson. But... as I pointed out above... a "similarity" in appearance is not likely to be decisive in these kinds of legal disputes... what the courts will do is to evaluate the whole context... in this case PRS never did trade off of Gibson's goodwill or namesake... never marketed their product as a clone and etc.shapes, textures, finishes are covered under different laws... some countries call them "design trademarks".... but... there is always the practical issue that in important contextually.... here is an example...and upright piano looks very similar to most upright pianos... same sort of rectangular footprint.... and the aspect ratios of LxWxD might be very similar amongst differing brands of upright pianos... and the finihes might be very similar... say a 'piano black'... but if you come to market with a "clone" or explicit "copycat" of a Yamaha piano and you use Yamaha's namesake and goodwill or make references that your knockoff is a copy of the Yamaha piano... I think the courts would view that strategy quite differently.another point you should consider... in your example of XYZ making and advertising clones of a Jensen guitar speaker... just because this activity occurrs in the marketplace does not mean that it is legal. In some cases the victim of the illicit cloning or marketing campaign may not be aware of the infringement. In other cases the victim may lack the resources to seek out a costly legal solution and instead rely on a campaign to make their consumers aware that the "look alikes" are not

genuine products of theirs... there are many different strategies a company might take to combat piracy, fakes, copies, etc. You point out that you think there are other companies now "trading on" the goodwill or designs of PRS... and seem to indicate that this must be ok since it is not being abated judicially. But... again... in the same press announcement that you refer to by PRS announcing their "victory" over Gibson... the company states that it was very costly and hurt them financially. So... if others are ripping off PRS... maybe the shysters are aware that PRS is not (perhaps) going to be anxious to spend the money necessary to go after them... and they exploit that to their benefit. Doesn't make it right... rather, makes it even slimyer in my opinion.As a counterexample of a potential corporate stance... try some monkey business with Monster Cable or Bose and see how long or how far you get before they react. But the real question or real point here is.... not all of the legal issues (which I do find interesting) but the content, editorial and quality issues that ART as a forum\publisher must decide. Does ART want to become the net's home to pirated audio products? A home for copycats to hawk their wares? Does ART want to host and embrace the JBL knockoff example as posted above. Is this the vision of the Group Build forum? To give haven to every copycat artist or knockoff artists down the pike?

Subject: Re: Nice...
Posted by PakProtector on Sun, 01 Jan 2006 16:29:55 GMT
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you keep claiming there is some 'business setting'. There isn't one. Just sharing methods. It just isn't a for-profit venture. Besides, since OPTx designs for the E-Linear circuit aren't available elsewhere, I'd be glad to share with any interested winders the means to enter the market.It is not about keeping or claiming secrets, especially when they are so easy to discover, and effectively public domain. Just because some fool claims otherwise, does not make it so.cheers,Douglas

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Subject: Dougie, bee a lttle bit more forthcoming....
Posted by MQracing on Sun, 01 Jan 2006 16:58:31 GMT
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First off you do claim to be the designer of the HTS-7457 CT grid choke and to have entered into a business relationship with a particular manufacturer to produce that item for you. This puts you in the professional category. In a recent post you also claimed to enjoy a "friendship" with this same manufacturer.You keep saying your not doing all of this as a business or to profit by it... but if we look at and realize that some individuals seek their profits not in dollars and cents but in other intangibles and look at your posting behaviour as regards these devices and your constant hawking of them... then ART's published rules on what constitute's "trade" and "business" and etc... does seem to indicate that your not being completely forthright in this context.If you have novel electrical requirements for a device... that does not give you licence to misappropiate the designs of another company and then trade off of their goodwill nor to use their namesake to hawk your knockoffs. There are many competent transformer engineers who would be happy to

design a device to meet your needs. Or you might try designing an output transformer on your own if you have your claimed expertise in magnetics. Rather than copycatting (with a minor modification) our designs. Also... it's been noted by more than one person that your "target" appears to be just one company. A company and an idividual who you apparently have a grudge against. So you only "clone", "copy" and "knock-off" just this one company's products. If your using the board for revenge and evening up your perceived grudges.... then that is wrong. here is an excerpt from the ART rules;No product announcements, advertisements or unsolicited information regarding a professional service or product can be offered by a person related to the company offering the service or product in an open forum. This includes company employees and representatives, BUT IS NOT LIMITED TO THOSE. If a relationship is established between you and a company, professional, product or service BEYOND THAT OF ENTHUSIAST, then you may not post unsolicited announcements about the company, professional, product or service of any sort.Cooperative alliances whereby one party posts about another so that product announcement rules can be circumvented are prohibited. If we see these kinds of relationships develop, we will consider the parties to represent one another, WHETHER A FINANCIAL RELATIONSHIP EXISTS OR NOT. In other words, if you consistently support a particular person or company, we will view you as a representative of that person or organization even if you're not currently on their payroll.The things that are essentially being traded in many of these informal cooperative relationships are goodwill and credibility, things that have an actual value even though no money may have changed hands. These kinds of cooperative relationships are actually pretty common between certain individuals, dealers and manufacturers. We encourage your participation here, but please realize that these alliances can unfairly disadvantage others. We hope that you will share your views openly, but please be careful to refrain from the temptation to advertise.

Subject: well...
Posted by PakProtector on Sun, 01 Jan 2006 17:44:00 GMT
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since you can't get past the idea that you are not able to have sole control over the designs you bought blueprints to, the rest is rather pointless.Your concern over the rules at ART is laughable. If you had a legitamate concern for obeying the rules, there would have been no cause to ban you. cheers,Douglas

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Subject: you might want to try your antics on Bose or Monster Cable (R)
Posted by MQracing on Sun, 01 Jan 2006 17:56:53 GMT
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..
http://audioroundtable.com/Dungeon/messages/2271.html

Subject: found on dougie's bookshelf
Posted by MQracing on Sun, 01 Jan 2006 18:09:05 GMT
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..

Subject: if...
Posted by PakProtector on Sun, 01 Jan 2006 18:42:33 GMT
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I were selling something, you would still be wrong. I am indeed making a mint by freely sharing the methods I discover while looking for good sound. You are indeed insane.cheers,Douglas

Subject: no ifs, ands or buts about it....
Posted by MQracing on Sun, 01 Jan 2006 19:04:33 GMT
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I think if you look on the trading post section of AA... you can still find your offers and solicitations to sell magnetic components to end users. Unless they were taken down because it's supposed to be a non-commercial forum. It was the very same knock-off that your now hawking on GB as your "non-profit" item.Actually, it was funny to watch you try to market your copycats... at one point you were asking over $200 a copy... then it dropped down to something like $195 a copy... and as sales did not materialize the price kept dropping, dropping, dropping.... and at some point I remember I posted a satire on your ventures and advised any ill-informed "interested" consumers to wait a bit and you would soon pay them to use your knock-offs.And you have preiously solicited one of our distributors to sell them these same knock-offs. So... your marketing success or lack of... is not for your lack of trying... or your lack of shilling your knock-offs on group build.

Subject: how not to be fooled...
Posted by MQracing on Sun, 01 Jan 2006 19:43:58 GMT
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..

Subject: and I never said it didn't happen
Posted by PakProtector on Sun, 01 Jan 2006 20:04:47 GMT
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I have already said I had in the past. I also said I had no interest in doing it in the present. A few went out, and I'm not going to share with you the price that got paid, or the quantity.I am not shilling anything. I have already said that if *ANYBODY* has a winder they'd rather use, I'd furnish the instructions. If it were a better deal, I'd use them myself. So far nobody has stepped up with a better deal on winding. They can even go to you if they want. I coulnd't care less(actually, I'd love it if everybody went to you and asked for a few pairs of E-Linear taps in their new output Iron).You seem convinced that it is something else other than for building amps. Like making money, or hurting you or some other foolishness. You'll get it eventually.cheers,Douglas

Subject: Re: 'scuse me (my take)
Posted by Damir on Mon, 02 Jan 2006 00:03:25 GMT
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I had a PRS "Custom" guitar for a while and didn`t keep it. Big mistake - it was a good guitar. And friend of mine had an old JBL K130 15" and exchanged it for two 12" Jensens. IMO- mistake, too - but he is satisfied...

Subject: Re: 'scuse me (my take)
Posted by MQracing on Mon, 02 Jan 2006 00:51:54 GMT
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Hi Damir:Lucky you, all of the PRS guitars look pretty nice.I have buried somewhere a Guild D-25M accoustic.Saw your two winter photos... the car didn't loook to awful bad...after being in upstate NY for winter or two right along the lake.The tree shot was quite nice.happy 2006

Subject: Re: 'scuse me (my take)
Posted by Damir on Mon, 02 Jan 2006 05:41:17 GMT
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The New Year`s prize competition - which car is it?The winner will get a pair of output transformers from one of our transformers winder Dungeon forum genious!What you think?

Subject: the grand prize winner....
Posted by MQracing on Mon, 02 Jan 2006 16:55:37 GMT
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That's a good contest idea Damir. I have no clue which brand or model of automobile that is... doesn't look like any alfa's that I've seen or owned... no resemblance to my E-350 ford van.. so I'm stumped.A little birdie whispered into my ear that the grand prize winner of your contest will get to clone any audio product they wish to (as long as it fits on the table of the pakman cloning machine). Doesn't matter if it's a preamp, a power amp, a speaker, a transformer, a resistor, a piece of wire... the pak~protector(R) universal cloning machine (as pictured) can make copies of anything except Bose and Monster Cable branded products (for obvious legal reasons). Any other extant product or brand name is fair game under the current rules of engagement.Good luck to all the entrants.

Subject: Re: the grand prize winner....
Posted by Damir on Mon, 02 Jan 2006 17:35:53 GMT
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Obvious problem in recognizing - almost all European cars about these dimensions looks the same (same "curve") to me...

Subject: well Mike
Posted by PakProtector on Tue, 03 Jan 2006 22:56:11 GMT
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Like I said when I first offerd the group purchase on Group Build, I am not in it for any profit. Or any sort of business gain. I am not in the Iron business, and don't think any will materialize in the future.I made no claim as to past practice, which in fact ended with all sales going out at wholesale, and not through me. I found a method worth sharing, and I am sorry the method causes you distress.Also, since some of those posts went quite close to the line drawn by Wanye surrounding your ownership of the Peerless 'P', I do apologize for goading you. I will take care in the future when I refer to and describe any TX I choose to rebuild/rewind or modify. Remember, I am not in business to sell transformers of any sort. This does offer a freedom to discuss my pursuit, and getting into the business would remove it in part. As to your shilling complaint, if your complaint held any true value, you'd take it up with all the folks who post about MQ products and how happy they are with your products and services. There is absolutely no difference, save one is done by me and does not benefit you, and those that are not done by me, and which do benefit you.cheers,Douglas