



*Your rights to freedom of speech, fair use, and ownership are being threatened by the MPAA (Motion Picture Association of America). This pamphlet will tell you what exactly the MPAA is doing to take away your rights, why it's wrong, and what you can do to help fight back!*

- **Freedom of speech – you've lost it!**
- **Fair use of copyrighted materials – you've lost it!**
- **Right to ownership – you've lost it!**

## What's the MPAA doing wrong?

The MPAA wants to control where, when and how consumers access the digital content of their DVDs. People who own copies of copyrighted works (e.g., movies, books or music) are entitled to certain privileges under the *fair use* clause of copyright law --

watching the material being the foremost. But there are other rights that we, as consumers, have. For example, you have the right to copy a CD onto cassette tape so you can play it in your car or on your Walkman. You're allowed to make another (perfect, digital) copy onto another

CD, as long as it's for your personal use only. You can even convert the CD to MP3 files on your computer, as long as you don't give those files to others. These actions all fall under "fair use," a long-standing legal precedent, but the MPAA is trying to take away these fair use rights in the digital arena.



Right now, the MPAA has total control over when, where, and how you can play a DVD. When you buy a DVD in a store, you're not paying \$30 for the plastic disc itself; you're paying \$30 for the privilege of viewing that movie. Fair use says you should be able to watch it where you want, when you want, and how you want. But without DeCSS, you don't have that ability.

## What is DeCSS?

Most personal computers run some version of Microsoft Windows. But times are changing, and open systems like Linux are gaining mainstream acceptance. Being new, there is limited software available for these operating systems -- in particular, there is no DVD player available for Linux. Recognizing this problem, a group of programmers in Europe wrote a program to play DVDs on any operating system -- this program is called *DeCSS*.

Learning this, the MPAA went on a litigation rampage. Suddenly, they didn't completely control the DVD market anymore. DeCSS was released as open source code, which means the underlying programming instructions are readily available -- for free -- to everyone. With DeCSS, users have the power to alter the source code, so that (for example) they could save a DVD movie on their computer or play it on a VCR. *These activities are all allowed under fair use*, but it wasn't until DeCSS that they were actually possible with DVDs.

## Why is DeCSS illegal?

The information on a DVD is scrambled so that only MPAA-approved players can display its contents. But with DeCSS, you can view DVDs even on systems the MPAA has refused to issue licenses for.

In 1998, the movie industry pushed the DMCA (Digital Millennium Copyright Act) through Congress in an effort to extend the amount of control they previously enjoyed under copyright law. The DMCA not only makes it illegal to circumvent scrambling (via DeCSS, for example) and distribute de-scrambling software -- it even makes it illegal to *tell* someone where to find such information!