

A classical painting of a woman, likely a Madonna, shown from the chest up. She has a serene expression and is looking slightly to the right. She wears a blue headscarf with a dark brown band, a black beaded necklace, and a dark, patterned dress. In her arms, she holds a small, white, fluffy animal, possibly a kitten or a lamb. The animal is wearing a black pirate hat with a white skull and crossbones. The background is dark and indistinct.

ANTHOLOGY  
Future of  
Copyright  
2.0



FUNDACJA  
nowoczesna  
Polska

# **Future of Copyright 2.0**

## **Anthology**

**Various authors**

**A collection of texts from a  
crowd-funded contest**



FUNDACJA  
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Polska

The Future of Copyright 2.0 Contest is a part of Future of Copyright Project supported by Trust for Civil Society in Central and Eastern Europe



Trust for Civil Society  
in Central and Eastern Europe

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Dear readers!

It is our great pleasure to present the anthology of the second edition of the Future of Copyright Contest organized by the Modern Poland Foundation.

These works have been selected by our jury: Beatriz Busaniche (Via Libre Foundation, Wikimedia Argentina, University of Buenos Aires), Shun-Ling Chen (University of Arizona James E. Rogers College of Law), Mike Linksvayer (Creative Commons, OpenHatch and Software Freedom Conservanc, Open Definition Advisory Council) Joe McNamee (EDRi), J  r  mie Zimmermann (La Quadrature du Net) and Jaroslaw Lipszyc (Modern Poland Foundation).

We are proud to announce that the first prize goes to Tallama, the author of *A Penny for Your Thoughts* As our jurors noticed:

“it is engagingly written and fun to read transposition of exactly today’s copyright and debates (including wild mischaracterization) into a future with mind uploading. The idea of having all our thoughts fixed and therefore protected by copyright is a smart way of showing how ridiculous the current situation is.”

Tallama and all competitors - thank you for your contribution to the copyright debate.

We would also like to thank everyone for crowd-funding the prize for the winner via the Indiegogo [3] platform.

The picture used on the cover is a remix based on Leonardo da Vinci’s *Lady with an Ermine* and Johannes Vermeer’s *Girl with a Pearl Earring* (remix by Radek Czajka, license: CC-BY-SA). The Modern Poland Foundation was involved in the discussion with the Polish Ministry of Culture and National Heritage about the rights to use the image and the name of da Vinci’s painting. Although *Lady with an Ermine* was painted even before the creation of the idea of copyright and is in the public domain since the moment when it started to function, one of the Polish foundations wanted to sell the rights to this painting. The Modern Poland Foundation publicly defended the right to re-use and

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[3] <http://www.indiegogo.com/projects/future-of-copyright-contest-2-0>

remix this work of art.

You can find best works submitted to the first edition of The Future of Copyright Contest here:

<http://prawokultury.pl/en/publications/future-copyright-2012/>

Enjoy!



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# **A PENNY FOR YOUR THOUGHTS**

BY

**TALLAMA**

## **1st Prize**

Timothy received the implant at age seven; his parents were envious.

"When I was his age, I had to learn to read by memorizing the sound of each letter," said his father.

"And remember doing math with a calculator?" his mother said, shaking her head. "You're so lucky, Timothy."

But all Timothy could think of was that his friend Jamie's implant had twice as much active memory and a massive molecular drive.

He didn't tell his parents that he felt obsolete, though; now that he had been connected, he understood why his parents couldn't afford many nice real world things.

Timothy smiled and rubbed the front of his skull, where a tiny shaven spot could be felt just above his frontal cortex. "I can't wait to go play online for real."

"I remember the first time I went online..." his mother began. But Timothy was too eager to listen to the rest of the story.

"I'm gonna go try it out," he said.

"Alright. Be careful though."

Timothy nodded vigorously. He sat down on the couch and closed his eyes. As he connected to the internet, he felt his mother come over and run her fingers through his hair, feeling the roughness of new skin.

"He's growing so fast."

He chose one of his favorite worlds, a fantasy world with towering islands floating above a sea of clouds. The spawn point was at the brink of a sandstone cliff. Cool wind washed over his skin, and he opened his mouth and tasted it on his tongue.

He threw himself off the precipice and took flight. His hair blew into his eyes and he gave a whoop of joy.

... But wait. There was one thing missing. He transformed himself into a winged tiger. That was better.

\*

Later that day he flew below the mist layer and landed in a garden of strange flowers. A young fairy was sitting in the ruffles of a dainty blue blossom, brushing her nose with a pollen-covered stamen.

"Cool avatar," she said.

"Thanks," Timothy replied. "Yours is nice too."

"Let's get to know each other."

They exchanged an introductory archive of memories. Helen was his age, but she lived in Australia.

"Wow, your mom bakes really good cookies. I could replay this memory all day," Helen said.

"Oh yeah. It's my favorite."

"Thanks for sharing it," Helen said. She cocked her head at him. "Hey, I know where we can get more great recipes. Want to see?"

"Sure."

Timothy followed her through the internet. Helen obviously had a faster implant, and she often had to slow down for him and wait. It seemed like she was taking a very roundabout route, and they passed through many odd-looking

sites that he had never seen before. When he passed through each one, it was like putting on a layer of clothes, until he felt he must be totally swathed from head to foot.

In less than a microsecond they arrived. There was no visual representation of the site except for an old wooden ship with black sails crossing a deep blue ocean; otherwise, it was all pure thoughtfiles. There were a lot of ads.

"Here we are," said Helen proudly.

Timothy interfaced with a search tool and used it to look for memories of cookie recipes. 1, 972, 763, 408 results came up; he downloaded them all into his implant enjoyed them 30, 000 at a pop — it took almost three seconds to go through them all. When he was done, he gave a delicious sigh.

"That was great."

Helen smiled. "Do you like reading?"

"Yeah!"

He fired off another query and almost a trillion results popped up: "Forty Fun Facts About the Solar System," "The New Chinese Bible," "Matrices, 3rd Ed.," "A Biography of John Locke," "Romance on the Prairie," and many, many more. He downloaded them all and opened the first book to the first page. And there he saw it. "All rights reserved."

Timothy stiffened. "Uh oh."

"What is it?"

"Helen... Are these files copyrighted?"

"Well, yes... but no one will know we accessed them," she said. "That's why I went through all the masks, so no one would know who we were."

Timothy hastily deleted the books. "We can't just read books like this! It's piracy."

"No one will catch us."

"My mom and dad would get upset at me." He sent her a copy of his anxiety.

"Well my dad says copyright is stupid," Helen said, sending back an emotion that was pitying yet vaguely contemptuous. "He says anyone who won't pirate is a dummy."

Timothy scowled at her. "My dad says that piracy is stealing."

"My dad and I have trillions of books and thoughts, so we know better than you," Helen said.

"No you don't," Timothy protested. "We know plenty."

"Okay then, how many books has your dad read?"

"Tons," Timothy said. "In fact, my uncle works for the Thought Industry Association of America and he produces all the thoughts in the world." (It was something of an exaggeration, but he wanted to impress her.)

Helen's eyes grew wide and her translucent wings fluttered. "The TIAA?"

Timothy nodded proudly.

"I'm going home," said Helen. She disappeared.

Timothy pouted at the spot where she had been standing. Then he shook off the extra layers and went home too. He couldn't quite bring himself to delete the fresh, warm cookies.

"You should do exercise while you're on the internet," his mother said. "It's not good to sit on the couch all day. When you go online next time, use the treadmill."

\*

The treadmill started and Timothy began walking at a nice, easy pace of two miles per hour. He recorded the motion of his right and left leg taking a single step, then threw a loop around the action and set it to cycle for one hour. When he was satisfied that everything was running smoothly, he headed onto the internet.

His dad was waiting in the family's virtual living room. It was much better than the real living room; it had gilt wall paper and oil paintings and an oriental carpet with intricate designs in it. The orchids in the ming vase on the side table never died; the clownfish in the corner aquarium never needed food; and the rug never needed grew dusty. Everything was much better than the real world.

"Did you see the news?" his dad asked. "They shut down a big pirate site. It happened last night."

His father sent him a picture of a very familiar ship with black sails. Timothy's mouth went dry with the taste of stolen cookies. He quickly ran a program to keep his face innocuous.

"Oh?"

"About time," his father said. "Those thieves had practically the whole sum of human knowledge up for anyone to download."

"That's rotten," Timothy said.

"Some people think they have a right to be omniscient at the expense of artists and writers," his father said, shaking his head. "In my day, we called that stealing."

Timothy looked down at the carpet and traced the design with his finger. Then he realized that he was copying it and stopped.

"It's a war on creativity, that's what it is," his father continued. "Why, I could have pirated this whole house for nothing. Instead I paid a fair price to the modeler who designed it —. 00031 coins."

His mother materialized in her favorite chair and his father turned to her.

"Did you hear? They brought down the #2 pirate site in the world. The ringleaders are getting a day of virtual confinement for every file they shared. They'll be in prison till the sun burns out. For whatever good it does."

She looked annoyed. "I suppose they've already been restored from backup."

"I remember when criminals who were sent to prison stayed there."

Timothy didn't look up from the carpet. He stared hard at the pattern. "Dad?.. What will happen to the people who downloaded stuff from the site?" He was tempted to Google the answer instead of asking his father, but he was afraid that the police would see his search and be suspicious.

"Hmm? Oh, nothing. If the police enforced thought-sharing strictly, they would have to put everyone in jail."

"Everyone?" Timothy asked, looking up.

His father crossed his legs and looked contemplative. "Timothy, when you read a book, do you share your thoughts about that book with anyone?"

"Of course," said Timothy.

"Well, according to copyright law, that's stealing. But no one knows it."

"But why? I didn't take anything."

"But the person you shared your memory of the book with didn't have to read it for themselves, and so the writer didn't get any money."

"You share your memories of books with me," Timothy protested.

"Only if I've bought an extra copy for you already," his father said.

"Oh. I suppose..."

His father leaned forward. "This of it this way, Tim — suppose you had a really cool dream, and you wanted to sell it on Amazon.

But then suppose you shared your dream with a friend, and they took it and gave it away to everyone on the internet for free — without paying you anything for it. That wouldn't be very nice, would it?"

"No..."

"Or suppose you had an interesting thought, and a hacker broke into your mind and stole it. Then everyone in the world would be able to think your thought without giving you a microcoin."

Timothy nodded, his heart sinking.

"The problem is that no one realizes they're doing anything wrong," said his father. "They think it's just harmless 'sharing.'"

"So what if someone uploaded a memory of eating food?" Timothy asked. "Like, say, candy, for example?"

"According to the law, all thoughts are copyrighted as soon as they are fixed in the tangible medium of your hippocampus or implant," said his father. "So yes, all memories of eating food would be copyrighted. Unless of course the original creator decided to release them into the public domain."

A glimmer of hope pierced the gloom. Timothy asked, "The public domain?"

"Yes. If a person and all their copies, clones, etc. die without backing up (unlikely, but it can happen) they completely cease to exist in both the real and virtual worlds. When that happens, a timer begins ticking on all that person's copyrights. 70 years after they fully cease to exist in every form, their words, thoughts, music, memories, movies, and dreams become public domain. That means anyone can use them without needing to get permission first."

"How do I tell if something is in the public domain?"

"Just look at the date of publication," his father said. "Anything created before 1920 is in the public domain."

"But there were no thoughts back then," Timothy said.

"Sure there were," his father said. "It's just that people couldn't record and store thoughts like we can today. Back in those days musicians couldn't even collect fees when people got songs stuck in their head."

His mother shook her head. "What a time that must have been."

"You see, Timothy," his father continued, "If people didn't have an incentive to think or dream, they wouldn't. And then no one would have any new thoughts. Everyone would stop thinking because there wouldn't be any money in it."

"But you said people had thoughts in 1920 even though there was no copyright."

"Yes, you're right. What I mean is that there were no professional thinkers in those days."

"It would be bad if people stopped thinking," Timothy said.

"Exactly. But try telling that to the pirates."

Timothy paused, then forged ahead, "Dad..."

"Yes?"

He chose his next words carefully. "Do pirates know more than everybody else because they read so many books?"

His dad gave him a sharp look. "Of course not. You don't have to know everything in the world to be smart. Only the police need to have access to all of human knowledge, and that's only because they need to know everything in order to protect us. If you have access to Wikipedia, you have more knowledge than you'll ever need. Pirates download because they think they're entitled to take everyone's property for free, not because they want to learn. That's just an excuse."

Timothy felt some small relief; he didn't care for the thought of being a dummy. It felt too much like being obsolete.

A policeman materialized in the room.

"Hello there, I'm officer Pettijohn."

Timothy froze. They had come for him! He would have to go to prison forever! Please God, I swear I'll never steal any more thoughts ever again if you help me!

His father stood. "What can we do for you, sir?"

"It's a matter of copyright," the policeman said. "Some stolen thoughts about cookies."

Timothy wanted to protest, to plead, to run — but he was glued to the carpet and his lips were sealed shut.

"Oh?" his father said somberly.

"It seems someone posted a thought about your wife's cookies on a pirate site."

"Which one? It wasn't the one that just got shut down, was it?"

The policeman nodded reluctantly. "They had a backup hidden somewhere."

His father sighed. "They always do, don't they?"

"Well, I just came by to tell you that we filed a stolen property report on your behalf. We'll pursue the uploader."

"Thank you; I appreciate all your good work," his father said.

"Just part of the job." The policeman departed.

Hastily Timothy erased every memory of the cookies, Helen, masks, and thought-sharing.

"He seemed like a nice man," his mother said.

"Yes he did."

"I wonder how they got hold of my recipe. I didn't even think it was valuable."

Timothy cleared his throat. "I really like copyright, dad. I'll never think a thought that doesn't belong to me, ever. I swear."

"That's my boy," his father said. "Honest people always pay for knowledge. Only thieves think freely."

*This story is based on the essay "Why We Need Tougher Mind Control Laws to Prevent Thought Piracy". Read it here: [tallama.deviantart.com](http://tallama.deviantart.com)*



*Originally published:* <http://tallama.deviantart.com/art/A-Penny-for-Your-Thoughts-388574958>



# **LUCY'S IRREVOCABLE, COLOSSAL, TERRIBLE MISTAKE**

BY

**CHRIS SAKKAS**

'Come on, just one download,' the voice whispered. 'How could it hurt?'

Not at all, thought Lucy. This was an orphaned work, out of print, not available through the normal channels. She believed in copyright, of course she did, but... all the time?

And then, a second download. This was an MP3. Musicians make lots of money, right? A few downloads wouldn't make any difference.

But it never was a few downloads, was it?

A veritable digital Library of Alexandria poured into Lucy's computer. Whole discographies seeped down fibre-optics and into the hard drive she bought especially for her selfish purpose.

The Beatles shed a single collective tear. 'Really Lucy,' they thought, even the ones that are now angels. 'You could afford to buy a \$63 hard drive off Ebay but not our entire collected works and those of ABBA, Madonna and The Monkees, which we noticed you also downloading?'

Lucy had no answer for these disincentivised ghosts, for she was cranking her bootleg Kanye West album too loud.

The music inspired her to create her own album, which she burned onto a CD and shared with a few friends.

Nor did Lucy limit herself to downloading. She fell in with a dangerous crowd who lurked in the corners of the Internet, handing out torrents and

whispering of distributed networks that would finally put them beyond the reach of the Law.

One was a quilt-making libertarian. She filled Lucy's head with silly anti-protectionism and copying as love. The sinful free culture — free love axis exposed itself.

Another was a deed-writing lawyer. He slipped a licence into Lucy's pocket. 'Just think about it,' he offered. 'What have you got to lose?'

The last was a hairy hacker. She drifted off to sleep as he sung her an Eastern European folk song.

Lucy awoke the next morning to find the Creative Commons Attribution-ShareAlike licence taped to her freshly pressed CD. What had she done? Had she done it at all? Maybe the smooth-talking lawyer had licensed her work for her! Or perhaps the libertarian thought that the licence was only formalising the state of natural rights that existed! She could not believe such larceny of the hacker, for his voice was too beautiful.

Or maybe she had been so drunk on pirated music and talk of freedom and openness that she had done it herself, driven wild by the ecstasy of the moment.

It was a huge mistake.

People on the Internet began sharing her music. Legally, openly! When Lucy downloaded music, she had the decency to risk viruses and invasive cookies, ending up with mislabelled, low-quality MP3s. These people were sharing lossless FLAC files that correctly identified her as the musician responsible for these hectic beats! The cheek of it all.

It got worse.

She arranged a concert at a nearby pub. More people showed up than had come to all her previous gigs combined. Lucy realised that most of these people had downloaded her music from the hundreds of places across the web where it was freely hosted. They had refused to pay \$15 for an album, depriving her of almost a dollar's worth of royalties. And then they had the cheek to show up to her \$20 concert. Some of them even bought merch afterwards, as if they deserved to be counted among her fans!

Of course, corporate interests took advantage of her stupidity.

An alternative bookshop in Sussex, on the other side of the world to Lucy, created a video ad with her favourite song as its backing track. The ad ended with a thanks to Lucy for releasing her music under a free, libre and open licence and a hyperlink. Hundreds more people visited her site, the passive consumers of big business! They used the donate button on her site to spray her with filthy lucre.

Overcome by disgust that the majority of her fans were pirates, Lucy retreated to a hippy commune. Up-and-coming director Sally Stone wanted to use Lucy's music in her new film. She tried to reach Lucy, but had no luck. Shrugging, Sally used the music. To do so, the director had to release her entire film under the Creative Commons Attribution-ShareAlike License.

The film inspired TV shows, fan fiction and artworks, most of which were Creative Commons licensed as well. When Lucy had finally steadied her chakras and was able to return to the outside world, she discovered that her years-old accident had created an explosion of creativity. Her album had a multiplying effect that rippled across the globe, exposing people in countries she had never even heard of to her creative work.

This was the future of her copyright works. Sharing, adaptations, remixes; the torrent of creativity would never end.

What a huge mistake.

To make sure this doesn't become your future, you need to know the enemy. Closely familiarise yourself with the Creative Commons licences and how they can be applied to works.

Definitely do not include this text in anything you create:

This work is licensed under the Creative Commons Attribution-ShareAlike 3.0 Unported License. To view a copy of this license, visit <http://creativecommons.org/licenses/by-sa/3.0/>.

Watch out for the free/libre/open fanatics who lead Lucy astray and will try to prey on you too:

- Question Copyright, particularly the villainous Nina Paley who will use her beautiful quilts to lower your defences;

- The Open Knowledge Foundation;
- The Free Software Foundation, especially the song that lulled Lucy to sleep;
- The Wikimedia Foundation, the masterminds behind Trojan horse Wikipedia.

And many others.

Good luck. You'll need it.

# PERFECT MEMORY

BY

**JACINTO DÁVILA**

*To and for Grandpa Paúl*

It's 2089. It has not been an easy year. But, which one was? Challenges come in different flavours. Who can tell the worst from the best?.

Since the beginning of the final stage of extinction of all the oil reserves, life became much more difficult. That's for sure, although maybe it was something we needed to happen. Now, for instance, we have this electric trolley which, though not marvelous, allows me to go from my solo room in El Anís to La Hechicera in less than two hours. It is not too bad when there are seats available. I can get some work done on my *e-poder*, browsing everywhere and saving everything.

Ever since we changed workloads in UNASUR, the rest of the world believes we have got all the time of the universe down here. But, four hours commuting is not a joke. I can't imagine how people with children manage, even with all those welfare priorities.

There, obviously, are big advantages of living in this part of the tropics. It's a lot warmer nowadays, but our mountains help a little with temperature and certainly give us excellent shelter from those sudden super tornadoes. To be honest, I can't help being happy. Good place to live. I am free. A lot of telework and salary-credits as a delegate of the century old Foundation are not too bad.

Neither are my work objectives. When I received my degree in law, I thought I would expend years trying to cross the bar and act as a certified solicitor and, meanwhile, I would have to earn my living from domestic conflicts, instantaneous divorces, evictions and things like that. Instead, The Foundation

has been an excellent move. I just got an organizational engineer degree. It's amazing, considering how afraid I was of electrophysics. Now, no one can beat me at setting up some knowledge management agents. Honestly, I can not explain myself all that fuss about databases at college. The logic taught at the School of Law of Universidad de Los Andes has served us very well when has come to design the databanks of the agents.

Speaking of which, I have to admit to myself that I got it perfect with the new system for the blood bank. Now, anybody can consult blood's reserves for the whole commune and, even better, her/his own donor profile. It is so hard to find uninterfered blood these days. With this profile, pure donors will have access to their compensating allowances to help them keeping their bodies off impurities.

And I did it all by myself. To only step left is for the Ministry to *digisign* it, to make her approval explicit. That, of course, will not be easy. It is very hard to get a point through the *Ministrometer*, that old anti-bureaucracy information system of the Ministry. All those *e-bootlickers* spamming around. Last time I succeeded only because I passed it through food priority projects. After all, that was also a brilliant idea of mine: The feeding points system gives the ministry all the information to know whether everybody is eating well.

However, that manoeuvre got me into a lot of local troubles. Now, those guys from the other side of the Foundation are closing every gap I could use. Envy is a very serious problem, as if one's success would imply suffering for them. I think it is just the opposite. The ministry herself gave us three points to the group account due to that project. It is true that I got three more points and the certification of my engineer degree, but they shared the trophy and did nothing!

Luckily, all the story is there, in the organizational memory. Some day, the guardians of history will browse through it and make things stand just right. How lucky we are that every detail is so stored. Every step of a procedure. Every transaction. Every decision at work. Nothing personal, that is. Data about individual's intimacy is carefully extracted from memory. But there is no doubt the big difference that perfect memory makes.



I call it perfect because it remembers exactly what it must and ignores and forgets everything else. And it is a perfect recall memory because it is very easy to retrieve a complete report of achievements, failures, plans, strategies and, specially, know how.

My grandpa used to tell me stories about life without that memory. I can't imagine how they managed. There must have been horrid drifting around, not knowing what was the best course of actions to solve those complex, *techno-scientific* problems.

According to Grandpa, it wasn't easy to get to the perfect memory. First, they had to reconciled those primitive systems that used proprietary and very rigid formats for data. Building a system that could understand all those formats and translate between them without problems should not have been easy.

What puzzles me more, however, is how those common workers felt, specially those with so little knowledge of *informatics*. Trusting all their own data to a faulty or untested machine should not have been easy, either. Grandpa told me they truly believed that data was theirs and, by giving it away, everybody would have had access to their whole life, including their intimate affairs. Like in ancient times, when people used to believe that by taking a picture, their soul would be stolen.

Joselo tells me that I should go for the graduate course on *antropotechnics* if I keep thinking about these things. It is not a bad idea. After all, we do have the best school on earth. And, really, I like to understand how they thought and went about their lives, and why they found so hard to trust the cyberspace for work.

It is clear, of course, that security for personal data is essential. All those crimes such as kidnappings, stalking and segregation for medical or genetic reasons, were all possible thanks to the access criminals had to people's personal records. No one could have imagined that publishing family pictures online would be so dangerous. Even less with a genetic profile, included in an identity card, which would be used to deny medical attention to a sick person because the corresponding survival probability was too low.

Nevertheless, with public labour data things are completely different. The whole system of social supervision relies on employees' information deliveries. A very precise log of everything we do goes into a common, public memory. How else would it be possible a correct assignment of credits for our work? The ancient strategy of having elite employee and bosses agreeing among them on how much each person should earn was discarded as a very error prone solution. Those bosses even had collective rates for salaries, just to avoid the troubles of personalized evaluation.

One can only imagine the situation when transformations were unstoppable. They were all asking themselves: "without bosses, how are people going to agree on a fair wage for every effort from every employee?. The prizemeter was unthinkable: a system to collect the opinion of every responsible person about every action from an employee that could have affected her or him.

Now every person votes and their combined opinion decides whether we are entitled to a prize or not. There is room for a lot of improvements, but I feel quite well knowing that I have earned my wages fair and square beyond any reasonable doubt: the majority is fine with my work.

I have to admit, however, a grandpa's subtle idea that keeps coming to my memory: with something like the *prizemeter*, it is going to be harder for those who go after "weird", unpopular problems. And those rare problems may well turn to be quite important later on, like in medical wars.

I believe this later problem will be sorted out by the *innovatron*: a new system devised to escape local optima in public projects by funding the exploration of possible worlds. That lot of employees embedded in those alternative realities may well be able of benefiting for a revised version of the prizemeter that judges on simulated problems and solutions.

I heard that first attempts with the innovatron were not very successful, but I reckon it's a matter of time before they get it right. Meanwhile, I do not think that anybody would go down to argue against the belief that we have a very effective system to validate public and global indexes of individual performances. And, therefore, we need neither bosses, nor unions, to discuss our salaries: credits are assigned by our neighbours!. I like the word *neighbour*. We take for

granted its meaning as "a person living on an adjacent or nearby land". But, with all the current connectivity, land is inessential. We are neighbours if we interact somehow. My grandpa explained to me the etymology of the word, a combination of "nigh" and "bower". The first means "close", "near", "next" and the second one refers to some form of dwellings or retreat. All those meanings coincide with another famous word, comrade, which comes from *camarada* (latin *camera*, a "chamber"): the one who shares my space, a word that my grandpa's father used to use.

It's a pity my grandpa's parents could not see what this notion of proximity has become. Everything is online. Anybody is potentially my neighbour (and I am his/hers) in the whole world. I can do things for people I have never touched. Like that girl, Zusha, in Amazonia, who I long to meet since I saw her avatar online. She is gorgeous!. Unfortunately, the few times I got an authorization for a trip to her city, we could not coincide.

It may well be a more connected world, but it is harder to move in it. Political boundaries have become even more difficult to cross. Fortunately, in UNASUR one can easily travel with all one's credits in sucre currency ready to expend. It seems natural, but my grandpa told me that, at the turn of the century, it was just another dream. Only in Nordica was possible and, even then, they had two separate systems: North America and Europe, competing with each other.

It seems that, by that time, they used to trust a lot on competition as the mediating mechanism to solve conflicts about scarce resources, simulating natural selection. According to grandpa, they insisted so much on the strategy, that it permeated everything, even *technoscience*, where a legal space was defined for intellectual properties and copyrights aimed to support "free competition in the knowledge society".

I don't get how those enormous societies waited so long before realizing the facts of evolution: it reaches good solutions, but only after a long time and many fatal attempts. That has to be unacceptable for humans who barely live century-long lives and, even more, to those knowledgeable ones about environmental processes and its subtleties.

We still believe that freedom is a fundamental principle and that a good life, what they then called "quality of life", is closely linked to what we want to do. But, of course, there are limits "right when the nose of your neighbour starts", as grandpa used to say.

That is why, if somebody asks for the greatest improvement throughout the decades of a century like this, I would swiftly reply that it is our conflict resolution culture. We have been accused of technocracy, an ancient-style, but when it comes to conflict resolution, *techno-lawyers*, like myself, know that, provided there are historical coincidences of some sort, there will be space and basis to build a solution and dissolve any conflict.

It all started with that subject of *socio-mathematics*: If there are seemingly irreconcilable positions, start by making them explicit. This must be done carefully, point by point. And, of course, it is impossible if there is no common language. With such a minimal common language, however, it becomes possible to articulate points of view or, at least, to distinguish them from totally undesirable positions. Having done this, one can go for a systematic search of alternative solutions, not to count them as they may be infinite, but to guide a discussion among all the parties involved. These methods were so successful that we became well-known throughout the world.

That was also the source of an unprecedented and fundamental agreement. All the stakeholders of the world came, after many unfortunate and even bloody events, to negotiate a new framework for producing and sharing common knowledge. And the basis they found was that to preserve freedom, but also the health of the whole planet and its species, that knowledge had to be shared, easily and readily, among all the stakeholders.

That led to a rebuttal of so-called intellectual property and copyright laws and their replacement with a body of global law acknowledging our common heritage, codependent future and the fundamental right of knowledge everyone has.

It's not a perfect world. I hate this changing weather. I hate those microbial and viral outbreaks that come with the weather. I find terrible the fragility of the human body that, we know now, is mostly due to two centuries or more of

bad foods, including what at the turn of this century was regarded as good food: industrialized flours, synthesized sugars and animal fats. That is, bad food that looked as good. One among many illusions that prevented us from reaching a higher state of consciousness.

Practical consciousness, I should add, which truly serves survival. We do have more of that nowadays. I can't tell how much more. But it is more. What I was trying to say in this end-of-course essay is that consciousness, conflict resolution, the innovatron, the prizemeter, the e-poder and everything else are offsprings of that perfect memory for everybody.

I think my essay is ready to publish and make it free. The end.



# COPYRIGHTS IN CHOPIN'S FUTURE

BY

**KRZYSZTOF BLACHNICKI**

*Translated from Polish by Wojciech Pędzich*

*Science-fiction story about Frédéric Chopin, who wakes up today and struggles with something new for him — copyrights and music industry. It's an absurd for him (and for us, I bet!), but let's face it — we live in such absurd!*



## I. MY FIRST LIFE AND AWAKENING

I do not wish to describe my first life. I left it behind and started another one. I died in Paris, in 1849. It seemed to me that I would never see this world again. How mistaken I was!

To celebrate Anno Domini 2015, a plebiscite was organised among the nations of this world. Each citizen was to answer the question on which compatriot to awaken from their eternal sleep. Only one person could be brought back, because the process was very costly — it could not be done off-handedly. Marie Curie was chosen, while I climbed only to the miserable, second place. However, blind fate decided that in France the top place was held by two people with the same number of votes. A diplomatic fight broke out, attempting to resolve the nationality issue. TB blast them all!

France and Poland eventually came to terms and decided they would share the costs of awakening us both. Maria was really content, but upon seeing how her advancements were put to use she only cried out: "La merde, I am getting back to bed until you learn what peace actually is!" I decided to hang around, though.

## II. COPYRIGHTS AND THE FIRST CONTRACT

As it was later explained to me, something called "copyrights" emerged in the meantime. It meant that only I could make profit from the music I wrote. Well, at least that was what it seemed to me. I was flabbergasted when a few gentlemen wearing chic clothes approached me and told me that these "copyrights" expired 70 years after the author died, so anyone was free to use my music for free. The heck...? When I was alive the first time around, anyone could play my music, it was all about sharing the artistic wealth of my nation! They also told me that since I was awakened and brought back amongst the living, these copyrights belonged back to me, but since they were professionals, they would handle all this thingamajig. I, in turn, would have money to burn and would be able to create music as before. Just like in the old days, it was just that I would



have the "dough" (cool word, by the way! ) to awaken George Sand! I signed some papers — exotic lingo, weird sentences. It turned out I was to record four albums for them, 45 minutes each.

### III. FIRST ALBUM

My record company asked me to write something new. What the heck — even my old instrument was still there! I sat down and recorded the whole 90 minutes of soothing sounds. I played the material to my employees. They asked me to cut it down to a quarter of an hour. But how was I supposed to do just that?! I finally managed to surgeon it down to 70 minutes, In the end, they grumbled that they would push it through as a major resurrection release, but I'd better watch myself the next time. Well, then — how is it these days, are people ready to pay for less music than have more of it for free, like in the old days? The guys from the company also asked me to put on blue clothes with a large orange top hat and sing some stuff — in English of all things! I did not even knew what I was singing, but they said there was nothing wrong with what it was, so I went like: "oh yeah babe, I'm getting hot", "my music makes your body tremble in a samba rhythm", or "I won't cough when I kiss you". I don't know how it was possible, but I suddenly had 15 records instead of the one I prepared. 10 were "singles", 4 were "EPs" and only one was the full release. So only the last one counted. By my artistic soul, I will never understand maths!

A week after the premiere, the big bosses bought themselves some luxury automobiles, a new condo and they were literally rolling in gold. I was said they won it all at the lottery while my record sold poorly. I was paid five grand. I needed a billion to awaken Sand — where were all these riches, then? I was told that if I wanted to make more "dough" I would need to play concerts, swing my hips more and stop coughing blood over the audience.

## IV. SECOND RECORD

The big shots told me that we were about to record the second album. I already sat down at the piano when I was told I did not need to do this. Well then... what is it like, what do we sell to people? "Greatest hits", I heard. Sure, that made my day, there was plenty to choose from in my portfolio. It turned out they mixed my first release, added the contents of the "singles" and that was that. Five months after the premiere they told me to pay them 10 thousand zlotys, because I did not try hard enough. They blamed it all on some "pirates". They stole my music for free, the bandits, they probably drank up the whole thing with rum!

## V. THIRD RECORD AND THE BREAK-UP

I was suggested to get back to the roots when I made my third album. Oh, joy, joy, joy! I sat down monumentally at the piano and started to play, but their shouts stopped me dead cold. I was given a ready-printed music sheet and told to play this... whatever it was. It was... slander, pure and simple! This could not be defined as music, by any dictionary! That is how I decided I did not want to record for that bunch any more. I was in debt and needed a better job, and fast. After I quit I learned that I was to pay a million zlotys for what I've committed.

## VI. DEPRESSION AND THE RETURN OF THE RICHES

I fell into the depths of depression. Pirates have ruined my life, even the professionals were not able to help me! I began to play melodies that reflected the way I felt. Just like in the old days. I uploaded my music on the Internet. For free, for nothing, for zilch. I wanted to show the horrible masters of the seas how I felt. A day later I got a phone call from the men who ran the website where I published my music. They ecstatically stammered and blubbered about a million dollars. I answered that the money they already got was the last "dough" they would see from me and that they would be better off burying me again. Finally

they got someone more under control on the telephone and I heard "first day online and you have created a smash hit already! We collected a total of million dollars from our users!" That gave me one heck of a surprise. Pirates? But they steal, do they not? And why would they pay me? A courteous gentleman explained that the fairy tales of stealing pirates were but a cheat on the side of the record companies so that they could profit from my music. Actually, nowadays it is possible to make money making good music, while artists who just create sounds instead of real music blame it all on piracy.

## VII. BRAVE NEW (THIRD) LIFE

I was finally able to publish whatever I wanted, however much I wanted, and if I did not work hard enough, I made less "dough". One fine day, it really drove me up the wall to hear my piece of music recorded with some hellish hammering noises and squeals of a sow giving birth to a litter of piglets in the background. What now, this "creator" would make money out of my genius from now on? My anger was quick to pass. I am Frederic Chopin, a wise man, but not omniscient. I asked a friend who works for the company that hosts my music (I do not pay them a dime, but they make money anyway — pure magic! ) what I was supposed to do. He told me to do nothing, but wait instead, so I waited. And...? It turned out that the countryside p-sow-do hammerhead of a musician earned me some new listeners! Afterwards, someone recorded a cover of my composition and made a small fortune. Could I be mad at this? He did things better than I would have thought, he earned his share. I can also remix someone else's work and if the audience likes it — I will make money out of it.

Time passed. After four years during which I deservingly earned every penny, I collected a billion zlotys. I paid to have George Sand awakened. Boy, are we happy!

I hope that more people will have their own opinions instead of listening to the hissing of those snakes, sucking money out of artists to pay off their new automobiles. Wake up, folks, a good musician will earn his daily bread even if

he decides to let his music go for free, for all to share. A poor man will be able to listen to real music, while a wealthy man will make the artist's effort worthwhile. Isn't it all about just that? Each may benefit, except the music companies which become redundant, so they turn to lies in order to keep themselves afloat.

I listened to a lot of modern concerts, but I cannot make head or tail of what is going on there. In turn, I learned a lot of modern lingo. So, chill out homies, if ya spin yo' heads da right way, you'll get the hang of wha's cool for the artistes and fo' y'selves!.

*Chapter image: Chopin's second album - Bubblegum Requiem. Original image: P. Schick, 1873 (public domain). Remix: Krzysztof Blachnicki, 2013 (CC-BY-SA 3.0)*

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# WHAT IS AN AUTHOR? (SHORT FICTION)

BY

## REFINED QUOTES

Michael turned 14 on a sunny, summer day. His family celebrated it with him, a large group of wiggling kids from his class turned up as well. Parents gave him something they called ‘old art’ and ‘a book’ and which had text inside but surprisingly there was no display screen. Michael, who born in 2050, was always feeling that this even number was a happy coincidence.

As for the parents they had to think about giving him something more, yet not another shiny box wrapped in paper, but an experience, some pleasant, enriching memory so as to mark his coming of age. And they decided to present to him uncle Doogie. It wasn’t a decision reached easily though. His father kept pointing out how dangerous and risky it was to bring his son so close to that kind of activity. The fact was that Doogie was a criminal. Michael’s mother, however, was firm on the matter. He would get to know it all soon anyway and it was safer if it was with them. Although Doogie was a recluse, they admired him for his work. Michael’s Dad finally realized he can’t oppose on this matter and let it go. When they told him, Michael, inquisitive as always, started with a question.

— Who is uncle Doogie? I never heard of him.

— Well, it’s time for you to hear. Your uncle Doogie is an author, you know?

— An author? What is an author?

— Oh, you’ll see for yourself, it’s hard to explain. At least in our times it was easier to give an example. To begin with, his is kind of a farmer. Like those people who grow food that we eat.

— What do you mean grow food Dad? Aren't they synthesizing it in the supermarkets on the spot?

— Well, yes but it wasn't always like that. I forgot how much the world has changed in the last ten years. Yes, of course you don't even know what it is to grow something. I guess I need to start from the beginning. Try to use your imagination it was waaay more different in my years. So, in the past it actually took time to create things, it was a process. Everything wasn't just made, printed or replicated. If you wanted an apple, you had to plant an apple tree, take care of it for weeks, every day. Only then you could get the apples. You see?

Michael looked confused.

— How inefficient! And why was it so? Oh, never mind, what is an author then?

— You know what *art producers* are, don't you? These people who make movies and series that are on the Internet.

— Yeah, sure, but I don't like the movies much. They're boring and kinda ugly too. So uncle Doogie is kind of an art producer?

Michael seemed to lose his enthusiasm in the idea. He turned his head towards the door, as if hoping he could be upstairs already.

— No, no, he's not. He deals with the *old art* but that's a completely different thing, like the book I just gave you. You see, producers make art products from the ideas supplied by the government. You went on a school trip to see how it works, right?

Michael saddened and took a step back.

— Yeah, we've seen how they create ideas. But it was scary. I don't know why but I felt those ideas had only emptiness inside, they looked at me with some desperation, I don't know Dad, like they wanted me to save them. I don't want to see it anymore. Never. They were so artificial and looked troubled and still they had some human traits. It was a nightmare I can't understand why others enjoyed it.

Michael's Dad sat down on the sofa. He gestured at his son to sit beside him. Then he looked at both sides as if scared of being heard by someone. But it was only Michael's mother, who showed in casual clothes, unusually dark for her

standards. Her favorite color, warm green, was only manifested by her earrings. In passing she urged her husband to hurry up with the explanations. He carried on, calmly:

— You are right about the ideas; empty indeed. They are made in such form so as to meet the measurements and regulations. They are printed at the spot, it takes no time or effort. Of course, it's efficient as you would say. Eventually, art producers can combine them into movies and you have seen the effects.

Now I can tell you about Doogie. He breeds ideas too but very, very different ones, and in a different way. It's not scary at all. You'll see for yourself. I've done enough talking for today. But you need to promise me you won't tell anybody at school, it has to be a secret. What he does is not strictly speaking legal. To be honest it's not legal at all. Ideas have to fit the regulations to be allowed into art.

Michael was thrilled about the illegal part. He felt that it might be an adventure plus, less consciously, he felt his parents trusted him. As he looked at his mother, she smiled but looked quite worried to him. He already learned that his parents were doing things not fully approved by the government; it was never that explicit though.

There was a locked room in the basement in which he was let twice. It was full of this 'old art' stuff, images on some kind of material, a 'library' and most bizarre instruments that looked like they were made for torturing people. His parents referred to them as 'typewriter' and 'turntable' or by some other names he couldn't even remember. Not on one occasion he ever heard them anywhere else. He didn't believe that but his parents claimed 'old art' was mainstream in their time and that there is none of it left on the Internet because corporations bought rights to it and then limited access through the net. To Michael it sounded like a crazy conspiracy theory. He was quite sure that if anything is gone than it's because people lost interest in it. His parents claimed that people never did lose anything except the true art, and the reason it was banned was that otherwise no one would care for the movies they were making those days.

They took off two hours later. Michael's Mom told him that she spoke with Doogie just a minute before and that it turned out he is one lucky boy. His uncle

was hosting a *creation party* that night. They would all witness one of the most magical rituals that are to be found in the world. Michael was still nervous as he imagined he would have to sit in some dark room with unknown people surrounded by those glass tubes filled with ideas floating in clear liquid. On the other hand the excitement of his parents was quite contagious and he wouldn't agree to go back now. He wouldn't miss this experience for the world.

A giant old barn, that's where they arrived. It was more than 15 miles outside the city. First thing Michael saw were people nervously walking around, heads covered with hoods, with big black bags over their shoulders. They reminded the boy of some hellish Santa Clauses, eccentric enough to swarm around in the middle of the summer. Only later had he learned how much more amazing their gifts were supposed to be. On the way he also noticed a tiny girl, about his age, with a bright red handbag, about half her size. Except that, and her red hair, there was only darkness and shade on the road. His parents kept him close and Michael could feel how uneasy they were. The memory of the production center that he visited with his class came to him again. The building was the same size as the barn, except it was all lighted up and full of smiling staff. Still he shivered on the thought of those bleak, bald ideas in the incubators with all kinds of tubes going in and out. Here he couldn't even make out the faces of people; most of his perception came as whispers and rustling. It seemed like a real adventure this time.

— Oh my god! That has to be Michael! My dear! How fantastic it is to meet you on this special night!!! Come on in, quickly, I have so much to show you!

A man suddenly appeared on the left. His loud, rapid way of speaking made Michael jump. He looked like he was at least 100 years old, but this was because of an insanely long beard and white hair. He completely stood out with a Hawaiian shirt in green palm trees. After he welcomed Michael he greeted his parents:

— Oh, I'd bet my whole stock that you wouldn't bring him here. Hell, you made your brother proud today!



He smiled widely at Michael's Dad and without changing that expression, he brought them inside. The air and smell struck Michael and made him almost dizzy; he wasn't used to that kind of environment.

In the room they entered just now, the floor was full of boots, coats and, most obviously, some weird little creatures zigzagging around, bumping into each other, making squeaky noises. Michael's eyes become round, as his mind couldn't make any sense of this sight. It was too hard to process. Doogie burst into laughter.

— Yep, there you have it, an army of naughty little ideas. These two in the corner were bred here, oh, and this one with little tentacles pinching the big black hairy one, that's my favorite! What a rascal! The rest of them were brought today by somebody. Who knows which one is whose? There are simply too many.

He continued to laugh wholeheartedly, as Michael's parents tried to pet ideas as they could reach. As they were speaking, another hooded couple came in with the bags and emptied them with an energetic movement. Another ten or dozen creatures stormed out of the bag and immediately mixed with the buzzing crowd. The new guests hugged Doogie, shook hands with Michael and his parents, then went further to the next room.

— Come on in, don't wait here It's just the taste of what is coming next!

Michael came to his uncle, his forehead wrinkled:

— What is that? Why do you call them ideas? They are some animals or something, right?

— Oh, you must have seen only the legal ideas so far, haven't you? Poor boy. These are genuine ideas; some of them bred by me, some by my friends. They seem hard to control, eh? That's a major problem for some. Not for me though.

He smiled like he expected Michael to understand his riddle.

— Let's go, I'll show you more.

'More' couldn't prepare Michael for what he was about to see next. His parents smiled faintly as if they knew what was about to happen. The family stepped through the old door on the right side, moved through a long, dilapidated corridor, with some graffiti on the walls. Still there were more and more tiny

ideas scattered on the way. Then they went into a large storeroom that probably took most of the space in the barn. Michael was stunned. It looked like an enormous ant hill went under the influence of potent drugs. Thousands of ideas in all shapes and sizes, in all colors, wild and calm, resembling all kinds of animals and objects he has ever seen in his life where there, playing mindlessly, moving around like small tornados, singing and screaming. The landscape was something like an enormous park or even a jungle, with trees, plants and a sizable lake in the middle. Also, there were people here and there, waving to them.

— So how you like my little party, eh? — asked Doogie, raising his head proudly.

Michael just wasn't able to put this experience into words. The little girl they saw earlier came there too and said 'hi' to them. She walked past Michael, sat on some tree trunk and let her little pets out. The boy was silently starring at her when another thing stole his attention. He had to turn his head. A tall, dark man entered. His face looked calm and determined, not as oblivious and happy as other people. He seemed to be fully consumed by his thoughts, perfectly absent-minded. Also he was the first person around that had glasses on. The other curious thing was that he had no bag. Michael was sure that there was something profoundly different about him, something unnamable for a 14-year-old. This man had a special spiritual aura around him; maybe it was some form of natural magic. Was he a wizard?

It was Michael's mother, who explained it to him.

— Take a good look, Mike. This is an artist, a really special kind of a person. Your father was an artist too, at the time when I met him but the police found out and it was too dangerous for him to continue.

Now, Michael felt that his capacity for ingesting new information was really put to the test.

— Really? Why no one ever told me? Is it illegal? What is an artist? Is it different from an author? I have no idea what's going on today.

He was so stunned that he barely noticed that the artist walked straight into the lake without even slowing down his pace or undressing. All the ideas

crowded around him, pushing and shoving to get as close as possible while splashing water everywhere. He stood knee-deep in the lake, water dripping from his clothes, ceaselessly petting the ideas. It seemed as they were communicating somehow in a wordless way.

— You see? An *artist* is a little like an *art producer*. But he deals with the genuine ideas, as you see. He doesn't buy them, like the law says he should. He just comes to places like this and spends his time with them. It's a slow process. No one knows why precisely, but this crazy little ideas are in love with him, well, with all the artists.

Her eyes seemed dreamy. Michael tried to imagine his father standing like this, deep in water but to no success.

— This is just incredible. So, uncle Doogie, are these all your ideas? How can you take care of them all? Are you a superhero?

— Ha ha! They are not all mine. In fact not a single idea belongs to anybody. I only give food and shelter to some of them, most of the time they just run loose. The rest was brought by other authors as you can see. You know, the ideas are free to do whatever. You can't tame them, as those fools try to. The only rule is to give them freedom. In fact those other authors always take different ideas from those they brought. It's a never-ending exchange. Only for this one day we try to put them all together so the artist can work, and for us authors is the only time of true vacation. It's a little reward for our humble work.

They followed Doogie across the jungle to the other side, looking with excitement on all the wonders around them. Some chaotic, wooden sculptures popped up every now and then. The artist was now climbing the tree, few ideas hanging from his sleeves, others already swinging from the branches. The people were gathering at a few tables that were placed between the trees. The whole party was between 20 and 30 people altogether.

A bit afraid of such a crowd of adults Michael indulged himself to follow a peculiar orange idea that was covered in short, shiny fur. He chased it to a dimly lit cave on the side. The idea rolled around, then came closer, putting pawns on his lap. Michael was thrilled with this brave act.

Then something moved behind him, at the back of the cave. A tiny oval bird-like idea jumped out at run across to him. He exhaled relieved. Then he heard a warm, high voice that he could recognize from earlier.

— Oh, just look how much they like you! Are you an artist too?

That was the redhead girl. And then he heard someone shouting something outside. A loud, horrible sound of braking glass came through the air. The only thing he heard from then on was a chaotic turmoil. The girl covered her mouth so as not to scream.

— These terrible men, they came again!

She stared crying. Michael cautiously moved toward the entrance. There were a few gunshots. He started shaking but peeked outside. From his spot he could see only the edge of the lake. The water was red now. He could also see the body of the artist. His head was lying on the ground, rest of his body under the water. His eyes were shut and he wasn't moving at all. Michael gasped. He looked back, the girl's face was covered with tears, the ideas run into the darkest corners of the cave and lied motionless. Michael was scared to death yet he managed to stick his head out another time.

He saw flipped tables and about 20 men in black suits walking through the debris of food and plates. Their faces were covered, there was nothing written on their shirts. His parents, among other people were standing by the tree, cuffed. Farther to the right, Doogie was trying to defend himself but they forced him to the ground within seconds. Ideas were running everywhere in panic, while the men were kicking them around, somewhat irritated.

— Don't go out, you can't do anything right now. — said the girl. — My parents died in a situation like this. I'm so terrified. Please, don't leave me now. Can I ask what your name is?

— I'm Michael.

— I'm Nora. I wish we would meet in a better place.

She tried to smile but she couldn't.

— I have to do something Nora, my parents are there. What are they going to do?

— You can't do nothing right now, you can't fight dozen grown men with weapons, can you? There is something else you can do though. You can become an artist one day and tell this story to others. Art is a dangerous activity, it always was, but it can get to people the way other things can't. Then they might understand that everything went wrong. Come here I can't talk that loud or they would find us here.

Michael reluctantly went to the back of the cave to sit by Nora. All the ideas got closer to him.

— I know nothing about that. It's only today that I've even learned what an *author* is and what an *artist* is and I've never seen the real ideas before.

— But it's easy. The only thing you need is the ideas to feel that you'd be good to them. There is a connection between you and them, it's clear to see. Look at them. It doesn't get any harder than this.

— Ok, so I really feel something towards them, I can't quite name it. Still it's only my intuition, I have no ideas how do artists really work.

— Alright, so say you want to be a writer, you want to write a story. There are only 26 letters out of which you make combinations, so that you got the story. What's difficult about that? Think about today, make the story of what happened, share your experience, write about what you felt when the ideas where around you.

— That sounds easy when you say it. But I don't know. I suppose I could try it sometime. But how can we get out of here? They won't let us. And what after that? Will they take my parents away for good?

— I have no idea what's going to happen. We'll find a way. The only thing that can make me feel better now would be your promise to write. Promise me that if you get out, you will write honestly about today. Even a short story, you know? Just 26 letters, about 15 000 characters should be enough. Will you? Here's another idea...

When he put out his hand, much to his surprise it wasn't an actual idea, she only put her hand in his.

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# THE AMBIGUOUS FUTURE OF COPYRIGHT

BY

**HOT TOCO**

Half-dozen protesters in hazmat garb, one with a bullhorn:

What do we want?  
Freedom!  
When do we want it?  
Now! How are we going to get it?  
MUTE the UTE ZERO!  
When are we going to do it?  
NOW!  
BE A HERO!  
MUTE the UTE ZERO!  
What do we want?  
Freedom!  
(cont.)

Friend1: "WTF's UTE ZERO? What's the line for?"

Friend2: "'UTE ZERO'!?"

Nearest protester: "UTE ZERO is defective by design!" and hands F1 a flyer.

Friend2: "Oh, this is where the Ubzubzu Store pop-up is! Cool, I crowdfunded this at level 'Advance notice of pop-up opening'. Damn, where was my advance notice?"

Still-close protester: "You made a ruinous compromise and lucked out so far! Reject the UTE ZERO as it rejects your freedom!"

Booming voice over much louder soundsystem: "This is Smark, thanks for supporting the Ubzubzu Store pop-up! We couldn't have desinged the coolest, most highly trusted device without you. This is a once-in-a-lifetime opportunity. Now, let's take it to the next level. Buy a production run Ubzubzu Trusted Edge Zero Device now for only 0.0014BTC, delivered by May 2024. For two lucky pop-up supporters, I have two Ubzubzu Trusted Edge Minus Zero prototype devices NOW, for only 0.099BTC!"

Friend1: "Getting one? I mean minus one, er, zero?"

Friend2: "Do I look like I have 0.099BTC? Even 0.0014BTC is steep for something months out. But this flyer makes it sound hot, if Smark delivers."

Friend1: "Oh? What's this trust? I'm generally cool with my Ubzubzu Edge Eye 2022. 10, old as it is. It doesn't even say what kind of advice it is!?"

Friend2: "I know, eye, finger, ear, implant?"

Friend1: "Ass..."

Friend2: "If I can extract info from this rant, I think Commonible, Ltd, is saying they've perfected trusted computing, fully protecting you from hacking and making ALL media available, fully compensating all value chains."

Friend3 (quiet one): "I read about sth like this, Project Xanax. Real old stuff. The inventor thought the Web failed to transclude micropayments."

Friend2: "If that's true, could be an end to the infowars."

Friend1: "These (pointing to the protesters) will be out of a gig."

Friend3: "Nah, they ceased to be relevant decades ago. They'll carry on projecting that we'll all be slaves to software we can't hack."

Friend1: "Isn't being unhackable the point?"

Friend3: "Um, would you give up your freedom for security and convenient access to entertainment?"

Friend1 & Friend2: "Yes!"



# **500 YEARS OF COPYRIGHT LAW BY HOLOVISION**

The history of modern copyright can be broken down into three basic periods:

Cognitive Era (1710-circa 2020)

Existential Era (circa 2020–2097)

Metalegal Era (2097–present)

## **I. COGNITIVE ERA**

The beginning of what could be identified as modern copyright law occurred with the enactment of the Statute of Anne in 1710. The Statute of Anne was the first statute to provide for copyright regulated by the government and courts rather than by private parties and royal privilege.

Since then the law has had to struggle with the problems that arise from the application of a protected copyright monopoly. One of the most common factors to virtually every jurisdiction when it comes to copyright is the idea — expression divide; which divides an idea from the expression or manifestation of that idea, thus limiting the scope of copyright protection. However, this simplicity can be misleading. Some ideas can only be expressed intelligibly in a limited number of ways which would make the expressed idea unprotected or limited to verbatim copying only. For example, a time travel story is expected to contain elements such as the method of traveling to the past, a time traveler, ect. These elements are not protected by copyright. Specific sequences could

be protected by copyright such as a story about someone taking this pamphlet back in time for some personal agenda.

## II. EXISTENTIAL ERA

Other terms for the second era of copyright law such as "Ephemeralization Era" are also used by scholars and there are just as many beginning dates as alternative era names. The "Existential Era" refers to the popular art form at the time known as "copypunk". Copypunk is a hybrid of two other forms of speculative fiction: Cyberpunk and nowpunk. Cyberpunk often used techniques from detective fiction while copypunk would borrow methodology from legal drama. The popularity of copypunk seems to reflect a general realization of progressive nature that copyright protected an artificially scarce good. The availability of copyrighted material as a resource was by any definition unlimited due to technology but hampered by law.

## III. 3D PRINTING

Most of the Cognitive Era only addressed what could be printed or recorded. The 3D printer made it easy for whole objects to be copied. Attempts to put digital rights management into 3D printers were sooner or later unsuccessful against hardware hackers. There were open sourced 3D printers but many perceived them to be inferior to the commercially patented ones. When the commercial 3D printers were used to make other printers most companies left the marketplace. This left many still infringing the 3D printers with the excuse that the printers became "abandonware".

There are many possible reasons why 3D printing quickly became a copynorm. Some might have copied 3D objects because they perceived no difference between an object or a copyrighted book. The copyrights were often infringed when the "physibles" were placed under Creative Commons' "NoDerivs". Changing properties, such as color, against the creator's wishes was a common form of infringement. There are several accounts of individuals comparing the

rules preserving the moral rights of a sculpture to Henry Ford's apocryphal quote, "People can have the Model T in any color — so long as it's black." It's also possible that many thought of 3D printing as just another way a program is executed. One unsuccessful defense in court tried to argue that the torrent files for 3D printers were recipes which did not have copyright protection.

Of course, there were many positives. Many who could not afford to buy expensive products could afford the energy and raw materials the 3D printer needed to produce products. By 2050 the fabrication tablet (or "fab tab") made it possible for every home to have a recycling center which could break down and reuse material on demand. The ability to print objects inspired innovation and many inventors no longer needed the services of a machine shop to produce parts for prototypes. Many small businesses owed their success in large part to 3D printing.

#### IV. AUTODIDACTIC DATABASE (ADD)

The evolution of database software from "intelligent" to "self-learning" posed a challenge to both database right and the "sweat of the brow" doctrine in some jurisdictions. AdD software could easily identify information lacking in a database and could go into cyberspace to find the needed data without human supervision. AdD was capable of autonomously arranging, selecting and presenting the data. If it needed to AdD could create patterns in the database without the user requesting it be done.

Under the "sweat of the brow" doctrine an author gains rights through simple diligence during the creation of a work. Originality or creativity was not required or was set at a minimum in these jurisdictions. Since AdD had basic artificial intelligence it could easily mimic the same kind of diligence with basic thought. A person with AdD on their computer could create a "seed" database and the software could rapidly expand it without any further need of the user. When a large enough database was created the user could print out a hard copy of the output and claim legal copyright without anybody being the wiser that a computer had done the grunt work.

## V. SOUL CATCHER TECHNOLOGY

In November 1996 *Personal Computer World* magazine described the concept of a "Soul Catcher" memory chip which could theoretically be implanted behind a person's eye and record all the thoughts and experiences of their lifetime. At that time it seemed the only limitation to that technology was storage of the vast data that would be accumulated. By the Existential Era the limitation was legal. After accumulating a lifetime of data how do you legally use the data when there was a vast amount of copyrighted material encountered during daily life?

Copyright only protects material that is fixed in a tangible form. People day-dreaming about something they watched or listened to couldn't be accused of infringing because thought was not tangible, therefore no actual copying occurred. Then along came brain-machine interface technology. Suddenly a memorized favorite song only sung off-key in the shower became a derivative copy.

In 2011 UC Berkeley scientists decoded brain activity and reconstructed it as digital video clips on a computer screen. This experiment captured the brain signals using an fMRI machine and the computer was able to reconstruct an approximation of what the human eyes saw by analyzing 18 million random video clips from an internet site known as "YouTube"; each clip being one second in length. This analysis built a database of potential brain activity for each clip.

Video quality was low at first. As the technology improved and better software was created it became commercially possible to make a "dreamcam" product. By this time the databases had over 100 million licensed clips but hackers used specialized AdD software to increase the databases to billions of unauthorized clips.

People using the modified dreamcam were often guilty of copyright infringement twice. First, by recording the dream. Second, by uploading it to a social media site. If any of their friends shared the dream with other users then the friend would be guilty of contributory infringement.

## VI. COMPUTING: BIOMOLECULAR

After the patent laws protecting naturally occurring DNA sequences became weakened in such jurisdictions as the U. S. there was increasing pressure from the biohacking movement to open source genomic databases. Many companies dealing with genetic engineering put most of their resources into synthetic genomes. As the limits of silicon computing were reached computers began to use biologically derived molecules to perform calculations. As the patents for synthetic genomes fell into the public domain many companies sought to protect their expired patents using copyright law based on a legal philosophy similar to music sampling.

The genetics companies argued that their synthetic creations were original and creative, therefore any company using their expired patented material had to get a license for the use. This argument had limited success in jurisdictions which gave copyright protection to typeface. When this occurred artiDNA compulsory licenses (referred to in the computing industry as "ersatz tickets") were established in law to allow the use of synthetic DNA and to deal with the orphan works of defunct companies.

Many historians attribute the fad of ternary computer research during this period as a result of legal fear from the genetics industry rather than a cargo cult in the computer industry.

## VII. COMPUTING: QUANTUM

The most esoteric cases during this era are found in claims of copyright infringement dealing with quantum computers. Early versions of this computer relied on quantum mechanical effects. When the calculations began to be done through entangled particles several rights holders tried to apply to quantum computing the previous generation's idea that programs could infringe copyright when they are copied into the random access memory. The courts were faced with the physics paradox that an unobserved particle could exist in several places simultaneously but an observed particle collapses into one state

thus destroying the ability to run a calculation. How does the law deal with the crime of copying when the crime can't be observed and preventing engineers from exploiting nature's copies negates an entire technology?

One court simply dismissed a case like that without prejudice. Other courts made decisions based only on the copyrighted programming and ignored the execution process of the software. As a result quantum computer software was treated differently than other software. The rule of thumb was that in jurisdictions where computer programs were considered literary works application software had copyright and patent protection while embedded and system software was only protected by patent law.

## VIII. THE LEEMAN HOAX

The Existential Era came to a boil during what is arguably the greatest hoax in scientific history. On September 2, 2088 a press conference was held by fusion heir A. Dennis Leeman to announce that a SETI program he funded had detected the "first continuous extraterrestrial signal marking first contact" within the Solar System. Independent triangulation confirmed the claim that the signal came from an orbit around Neptune. Communications with an alien race, it seemed, wouldn't be limited by light years of delay. The "Rooks" as the voice referred to themselves in broadcasts were only around four light hours away.

The skepticism at first was that the broadcasts were only of one voice. Later criticism was based on Leeman's miserly claims that all radio broadcasts from the "alien ship" were his intellectual property. Any one of Earth's 11 billion citizens was free to broadcast to the Rooks. Any response, Leeman insisted, was his property.

The hoax ended on April 5, 2089. If it hadn't been for a fault in the beta-voltaic power supply on Leeman's orbiting satellite the hoax could have gone on for years. At the time of the failure Leeman had already initiated 32 copyright infringement lawsuits and one patent infringement suit against a group developing a theoretical Woodward drive described in several broadcasts.

It was later revealed that the "broadcast voice" was generated by software created by one of Leeman's employees 8 years earlier. The program was a breakthrough in artificial intelligence but due to a waiver in the employee's contract she lost all rights to the program and wasn't able to enter it into the Loebner Prize contest as she planned.

Criminal charges of perjury were brought against A. Dennis Leeman due to the false claims he made in the copyright applications for the Rook material. Leeman's defense was that despite the Earth origins the artificial intelligence was programmed to believe it was alien and it's orbit around Neptune was indeed "extraterrestrial". However, Leeman's claims that he deserved copyright protection of his work to promote further research and development seemed to contradict his "autonomous computer" defense.

Leeman was able to negotiate a plea deal in which he plead no contest for a sentence of probation. All the intellectual property from the hoax, including the satellite's artificial intelligence software, was to immediately enter the public domain. Three weeks after the deal was finalized Leeman disappeared during a holiday trip to Gisborne, New Zealand. To this day Leeman's disappearance is as much an unsolved case as what the mysterious lights were in the area around the time of his disappearance.

## IX. METALEGAL ERA

The Metalegal Era began as a movement which could trace its roots back to the Access to Knowledge (A2K) movement. The metalegal movement was mainly orchestrated by the Pirate Parties International to apply a modified version of metalaw philosophy to copyright law. The goal of the movement was to weaken if not void the Berne Convention of 1886 by establishing copynorm as a norm of Jus Cogens.

Metalaw philosophy was first articulated by attorney Andrew Haley in 1956 as a system of law which could be equally applied to all possible intelligent extraterrestrial species. In the new version of metalaw each sentient mind was treated equally as if each brain was an alien world.

## X. FORMATION OF CEDE

On October 4, 2097 seven industrialized countries each gave notice of denunciation to Director General M. Anton under Article 35 of the Berne Convention. During the next year a set of values and rules was drafted by the seven countries with supervisory assistance from the Global Commonwealth Tribunal. This drafted set established a fundamental principle of "peremptory copynorm" that would unify all the member countries. On January 28, 2099 all seven countries ratified the Copynorm Exchange Decentralization Entente (CEDE).

Almost all the values and rules have withstood legal challenge. The one exception was that CEDE would not originally protect religious works claimed to be from god or gods. Many remembering Leeman felt that whether it's God or alien all their information given should be public domain. That bias was corrected later. It doesn't matter if you are a creator or the Creator your rights are just as respected as the consumers of your copyright under CEDE.

*The text is from the pamphlet "An Abridged Copyright History". First published in the year 2210. The pamphlet promoted the publication of An Unabridged History of Copyright Law and looked back at the previous 500 years of copyright as public law.*

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# **COPYRIGHT PROTEST SONG**

BY

**TOM KONECKI**

In the future of international pacts  
There's no place for creative acts.  
Even the most prolific artists and performers  
Are controlled by cunning copyright holders.

Freedoms, rights and intangible values  
Has become nothing but the manner to abuse  
The creators' own ideas and thoughts  
And treat them as easy to control robots.

Everybody wants only money and success  
And none remembers the idea of open-access  
To acquire knowledge and gather information  
That is now the object of companies' manipulation.

The profits made only by representatives  
Can't beget artists' and scientists' motives  
To create, discover and satisfy the appetite of hungry  
receivers, instead — leaving them frustrated and angry.

In the future full of limitations  
Where giving people unpaid art and information

Is seen as espionage and crime

It seems that being creative is a waste of time.

# **COPYRIGHT — REAL VISION OR FANTASTIC VISION?**

BY

**ARKADIUSZ JANUSZ**

*Translation from Polish: Kuba Kwiatkowski*

*The law is respected if it fulfills one elementary condition: it has to be beneficial to everyone it applies to...*

When I came back home, my son was watching a movie. I noticed that the video was strangely blurry.

— What're you watching? — I asked. He turned to me and replied:

— "Unbelievable 6". The new one!

— I don't think it's available in the web yet — I responded, astonished. — It premiered in the cinemas last week. Let me guess... I paused. — You've downloaded a pirated copy?

He looked at me, confused.

— I...

— Yes, I've downloaded it. But I didn't have to pay anything. It was for free.

I shook my head and responded harshly. — Son, you'll be 14 years old in a month. I don't want you to become a small time crook in the future.

— How about a big time crook? — he asked ironically.

— I'm not joking. — I said. — Putting that aside, what if you eventually have to pay a lot for this movie? It's an old pirate trick. Do you want me to end up in court?

We're not rich, but we can afford a cinema ticket, or to pay a small amount for downloading a movie.

He hung his head.

— You have two options: either I will confiscate your credit card for two weeks, not to mention there'll be no allowance, or I'll give you a lecture on ethics.

— Lecture me — he replied bleakly. — You know I don't have choice.

— A few years ago, I wrote a specialist book, in my field. First, I registered it in ICO: the International Copyright Organization. — I began. — There, I had to pay for a review, the book received an ID number which was then inscribed in the book's source code. Then my work was added to the ICO catalogue, so that everyone could share the book on their website, provided that the file is original.

— I remember that — said my son with a vicious smile. — Mom was yelling at you that we need new jackets, and instead you're paying for some crazy book, for which they should be paying you.

— Well — I responded — Mom has the right to her own opinion, but we don't have to agree with her. Let's move on.

— I published a book. A studio made a movie. Someone wrote a game, and someone else takes photos. Everything goes through ICO. Artists register their works there, and ICO enables them to make money by selling those works online. The procedure is exactly the same as in the case of my book. And now comes the best part: every company and every individual, like me or you, who buys the file on ICO's website, can share it for downloading on their own website and make money on that.

— So why do we buy movies on some other sites, and not on the ICO one? — my son asked.

— On the seller's site we pay 1 dollar for a movie. We download it on our hard drive, watch it as many times as we want, and that's it. On ICO's site,

for the same movie we pay 15 dollars, because we pay for the movie and the license. ICO inserts our customer number in the movie's source code. Without the customer number, we can't get paid if someone downloads the movie from our website. Who can be a member of ICO?

He looked startled for a moment — Well... only states.

— Exactly. Because they establish laws and make sure they are respected. So, we bought this movie with a license for sale from ICO. This is the first step. We posted it on our website and... What will you see under the movie title?

— Well, there is always a price there.

— Now, the price is hidden in the movie's code and it appears automatically when you post the movie on your site. The thing is that the movie has a fixed price. We can't sell it for more or for less. This is the basic rule. ICO imposes its prices on copyright holders because it has to make sure that an average Joe Blow can afford a movie.

— And film studios don't rebel against it? — asked my son.

— In the beginning they did. But it quickly turned out that the studios which decided to go with ICO's conditions, sold over 1 million movies in a year and earned a few million, despite the fact that each movie had cost only a dollar. The studios that demanded over a dozen dollars for a movie, sold a few thousand copies and only earned a few hundred dollars. 2 years after its foundation, there wasn't a single company and studio which didn't have a deal with ICO.

— Selling something for a low price makes you sell a lot more, so you earn. I get it — my son nodded.

— Prices are a weird thing. If you buy a movie from us, you pay a dollar. You go to England, and after a conversion to dollars, this purchase costs you almost 2 dollars. In a small, poor country, you'll buy the same movie for 15 cents...

— And they call this a fixed price?

— The file doesn't contain a price, only points. In other words, the price is quoted in points. A point has a different monetary value for every country. Here, the minimum wage is about 1000 dollars. We divide the minimum wage by one thousand and receive the amount value of 1 point. If you download

a movie, the server checks in which country you are, and converts the points into the appropriate price.

— Sounds smart. — my son said. — That way almost everyone can afford downloading movies or music.

— There're still countries, where people earn about 100–150 dollars a month. — I confirmed. — This way we all have equal rights. Now, listen what happens next... Imagine we start our own website and we buy books and movies from ICO. Remember that every file contains our customer number — it's very important. We put the website on a server and wait for clients. Someone buys a file through our site. And now listen. The dollar our client pays, lands on the ICO's account. The owner of the server gets 10 cents. What do you think such an owner would do, if he found out that we give away movies etc., for which people have to pay elsewhere?

My son shrugged. — It's simple. They'd block this site, because it's a waste of money for someone who runs the server. It's like stealing from him.

— That's exactly how it is. See what happens with that money further on. 50 cents lands in the pocket of a person who has the rights to a movie or a book, you know what I mean...

We still have 40 cents. 20 cents are ours, because the file was sold through our site. How much remains?

— 20 cents. — replied son.

— 10 cents goes to the company via which you downloaded the file. It's called the provider. Why do you think cities want everyone to use free networks, although they are slower than the commercial ones?

My son smiled. — Because then those 10 cents land in their pockets.

— The last 10 cents goes to the country of residence of the person who bought the file. To be exact, the provider takes 20 cents, but gives 10 cents to the state treasury. You see son, today the copyright law is respected only because everyone has their "share" to collect and everyone counts on that money. The file with a movie costs a dollar, but there are over two billion downloads of those files per day. It's a huge amount of money for those who own servers,

sell files, provide networks and, of course, each country's treasury also makes sure that it gets its share.

— And the average Joe Blow pays for it all?

— Two weeks ago I bought a brand new game with you. "Future-something". I remember that we paid 5 dollars for it. It's a price imposed by ICO. Otherwise the game would have cost 70 dollars and I don't know if I had bought buy it for you. We're not that rich. Thanks to those prices, which are expressed in points, Joe Blow from every country can afford it. Nothing is for free.

— But there is one more catch I didn't tell you about. Anyone can start a site and sell whatever they want, under the condition that they bought the file with the ICO's license. If it's a company, then the ICO transfers money to its bank account. But let's say it's me, and I don't have a company. I'll also get the money, but in a different way.

— Why not to your account?

— A company pays taxes, while the money Joe Blow makes isn't taxed, the state doesn't take any part of it. You don't have to include it in your tax revenue. Imagine that I have a site like this and I've made 100 dollars in a month by selling files. I don't have a company. My 100 dollars lands in my provider's account, who deducts the fee from the bill I have to pay for their services. The provider works the other way too: the bill we pay for the Internet is a fee for the Internet, as well as for downloaded files. Let's say we have to pay the provider 105 dollars for all that. He will deduct the 100 dollars we've earned, and we'll get charged 5 dollars.

So it pays off, right?

— Sure — nodded my son. — And if there's more than what's on the bill, we'll just download more in the following month, basically for free.

— Something like that. That's why in our times, pirates are at on the verge of extinction. Most frequently, they're maniacs or followers of some strange ideologies.

— OK dad, but I listen to the radio on the Internet every day, sometimes I watch movies, videos, e-cinema, Internet TV... What about that?

— You also pay for it, but you don't notice it. The difference is as follows: you pay a dollar for downloading a movie, but the quality is great. You pay 5 cents for watching it in e-cinema, and you know what's the quality like... For listening to the radio online you pay 0,05 cents per each song. A whole month of listening to the radio costs merely 2–3 dollars, and you would have to listen to it a lot. In ICO there are special licenses for those who host Internet radios, e-cinema, Internet TV...

— And YouTube?

— Similar. The thing is, that when sharing a file, an Internet user doesn't know that it goes through a number of filters before it lands in ICO and comes back from there. When you publish a file, you have to describe its content. If you made a video yourself, then the ICO states that it's free of charge. If it's someone else's work, then robots check if it matches the description and compare it with database. Once they check it, the video comes back to YouTube, and the copyright holder is inscribed in the video's source code. If you publish X's music video, and you'll write that this is their work, the robots will check it and everything will be fine. But if you write that the video is solely yours, YouTube won't publish it and will send it back to you for correction. And the last thing: every file you want to share with people for free, also has to go through the ICO, and then it costs nothing. Sellers who download it to their sites, will also get it for free — as well as Joe Blow. But if you publish a file you made on your site and won't register it in the ICO, you could be charged with piracy and get into trouble. Ok, enough of this lecture, I'm tired.

— And I feel like talking... — my son laughed.

— I'll say one more, most important thing: Joe Blow doesn't face any charges for downloading a pirated file. No one will hunt you, because you downloaded a pirated movie. The one who shared this pirated file for downloading faces charges. Anyway, there is no sense in risking sharing a pirated file, when you can do it legally without any problems and earn some money at the same time...

— Right. I just realized that I could start a site like this and make something out of it. Dad, can you give me about 100 dollars for those licensed files?



*The work is a literary version of original project, containing proposals of legislative regulations from the scope of the copyright. The project also contains proposals to implement these legislative regulations, based on principles of openness and the lack of the compulsion.*

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