

Class 17: Device Manufacturers

Administrative

Next Time 503-05; 514-16; Supp/81-105

News Wednesdays

Jury rules for estate of Marvin Gaye v Robin Thicke

Last Time

Music

Section 115: Compulsory Licenses and Cover Versions

Problems

Songwriters Max Martin and Shellback write a song called "Shake it Off" for Taylor Swift

Canadian YouTube sensations Walk the Earth record it

They sell cover version in Best Buy

They sell cover version on iTunes

They sell access to it over a streaming site like Rdio.com or Pandora

Sell rights to have it play in a video game

Section 114: No protection for sound-alikes

Section 114 and Sampling

Public Performance Rights

Secondary Liability

Vicarious Liability

Contributory Infringement

Perfect 10 v. Amazon

Basic Facts

Held

Perfect 10 v. Visa

Progression of these three days

Issue presented: When is the creator of a technology liable for the infringing acts of the purchasers/users of that technology?

Contributory or Vicarious?

Sony

Advertising



Held

Class 17: Device Manufacturers

Liability of Device Manufacturers

Two problems

Bandwidth problem

Search problem

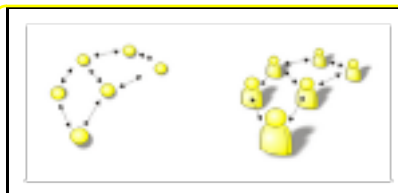
Centralized Servers

FTP Sites of early 1990's



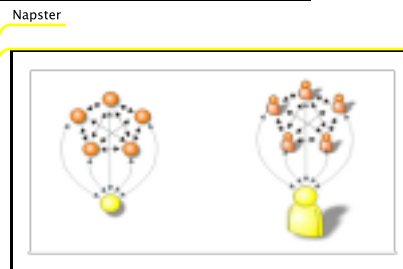
Images courtesy of http://www.vs.uni-kassel.de/systems/index.php/Architectural_Model

Pure p2p



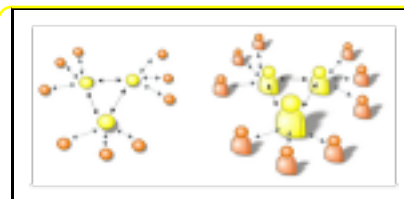
P2P Network Technology Primer

Centralized-p2p Hybrids



Grokster (Nearly) = "Supernodes"

(Nearly) Fully decentralized p2p



Grokster v. MGM
Bittorrent