

Digital Defence of Mobile Content

Presentation
by Project Manager of
“Independent Copyright Management Consulting”
Aleksey Sergeevich Kondrin
on a

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**Presentation was
prepared in co-authorship
with postgraduate
student
Ilya Kondrin**

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§1. Copyright and the way of its retention

Initially the purpose of copyright was to prevent

In 1662 in England was promulgated Licensing of the Press Act 1662. Printing presses could not be set up without notice to the Stationers Company.

In Russian Empire was passed on 22 April 1828 Censorial Statute. Publishers were granted privileges to publish books, but not authors.

the occurrence of “harmful” literary works

Since 1886 has come into being and

**WIPO Copyright
Treaty; WIPO
Performances and
Phonograms Treaty**

**Agreement on Trade-
Related Aspects of
Intellectual Property
Rights**

has been becoming stronger maximalistic opinion about
copyright

WIPO treaties 2002

Introduce new mechanisms
of protection and management of copyright

Basis of these mechanisms
is digital identifying systems
and digital codes
for works and phonograms.

Unequivocal identification of intellectual property objects within the bounds of digital automatized systems is

a provision to users a legal ability to get access to content worldwide and

a provision to creators and right holders an ability of effective intellectual property management (grant a licenses, collect and distribute remunerations)

In a digital millennium copyright has to be a mediator

between

**interests of right holders
on the one hand**

and

**interests of users
on the other hand**

Rights of user are not loophole in legislation but they are means of use of intellectual property allowed by law.

Therefore it is very important that both rights of owners of intellectual property and rights of users of intellectual property should get impartial and balanced reflection in modern legislation.

Lawgivers should have equal approach to interests of right holders and to interests of users.

Why economical and sociocultural consequences of development of copyright both beneficial and baneful so ardently and with special interest are discussed?

Thanks to internationalisation of copyright and desire of industrially developed countries of the West to build up the economy based on knowledge instead of economy based on material resources.

§2. MPEG-21 Standard and other technical approaches

What caused an appearance of “Information technologies. Multimedia bases (MPEG 21)” Standard?

Standard was developed by International Organization for Standardization together with International Electrotechnical Commission in fact in response to challenge thrown down by P2P networks to world entertainment industry.

Standard should help to content-providers and ISPs to limit their responsibility for third party actions.

Goals of developers of MPEG-21 Standard.

Providing an information about licenses for use of content in a machine-readable form.

Use of machine-readable form of information in “universal and save” manner.

User doesn't need to pay over and over again for the same content distributed in a variety of formats.

Legal, open and accessible to public structure that sets up general rules for distribution and use of different types of content for all participants of digital market.

Management and Protection of Intellectual Property ISO/IEC 21000-4:2006

It is IV Part of MPEG-21 Standard

Does not provide an introduction of any specific Digital Rights Management (DRM) scheme but improves exercising of currently existing open standards of identification for works and phonograms.

Defines how Intellectual Property Management and Protection (IPMP) and other parts of MPEG-21 standard will interact between each other.

IV Part of MPEG-21 Standard doesn't provide

Technical measures to protect a content.

Algorithms and keys of encryption

ISAN – International Standard Audiovisual Number (ISO/15706)

A voluntary numbering system and metadata schema enabling the identification of any audiovisual work (films, shorts, documentaries, television programs, sports events, advertising etc).

ISAN may be assigned not only to entire audiovisual work but also to separate episodes thereof (episodes may be used as video-tones)

How ISAN looks graphically?

Motion picture «U-571» -
ISAN 0000-0001-4047-0000-1-0000-0000-Y

Episode “The Dog Mcintosh” from the British
comedy television series “Jeeves and Wooster” –
ISAN 0000-0001-6471-0001-1-0000-0000-Y

ISWC – International Standard Musical Work Code (ISO/15707)

A unique identifier for all kinds of musical works

How ISWC looks graphically?

The hit of «Beatles» «ALL YOU NEED IS LOVE» -
ISWC: T-010.433.964-1

The hit of «t.**A.T.**u.» «PROSTYE DVIZHENIA» -
ISWC: T-072.021.037-6

ISRC – International Standard Recording Code (ISO 3901:2001)

The ISRC provides a means of uniquely identifying sound recordings and music videos internationally. (In a field of musical mobile content ISRC may be assigned only to real-tones and to ring-back-tones.

Assignment of ISRC to ring-tones is not provided.)

How graphically looks ISRC?

For russian phonograms – ISRC RU-A15-06-00212

For russian music videos – ISRC RU-Z15-06-00212

§3. DRM – Panacea for or

just challenge to digital era

Thanks to digital technologies the manner of sale of intellectual property changed

1. Ability to save works in digital format makes delivery of those works over computer networks to users very easy;
2. Computer networks make worldwide market; virtual borders of such market do not coincide with territorial borders of world trade;

3. Digital works can be “packed” into constantly increasing quantity of formats and used in wider variety of contexts than ever before;
4. Processes relating to obtaining by users licenses to use an intellectual property and payments to owners of intellectual property now are depending on electronic transactions.

There are 4 criteria of such changes in relation to intellectual property.

Within the bounds of World Intellectual Property Organization (WIPO)

was founded

an Advisory Committee on Management of Copyright and Related Rights in Global Information Networks

In December 1998 Committee had concluded:

There is direct connection between e-commerce of copyright and related rights and electronic management of rights.

Researches proofs that such commerce will be more successful for right holders and more interesting for users and consumers, if will be made and implemented decisions in the field of copyright and related rights management.

DRM – attempt of creators and owners of intellectual property to resolve a problem of control over use of created by them intellectual property objects.

§4. International experience

Within the bounds of international organization "Open Mobile Alliance" (OMA)

In November 2002 was developed version of OMA-DRM 1.0. Now most mobile operators use this version (Vodafone, SFR, Turksell, Vivo) in more than 400 models of phones.

In July 2004 was developed version OMA-DRM 2.0. First time was used in beginning of 2006 in phones: Nokia N91, Sony Ericsson W850i

are used two versions of Digital Rights Management Systems (OMA-DRM) for mobile content.

Main disadvantages of OMA-DRM 1.0.

Weak protection from unauthorized copying

High licences fees for using.

Since 1st of January 2005:

US 0,65 for device and US 0.25 for user

Industry needs an open DRM standard.

One part of industry wants to use DRM for its designed purpose and doesn't want to pay licences fees to owners of patents for DRM.

Other part of industry - owners of patents for DRM – wants to earn monies on patents.

Open Media Commons

**Project of Sun Microsystems to create
open and free of charge DRM version**

§5. Prospects of DRM in Russia

2004 – beginning of creating a legal base
for use of DRM in Russia

Article 48.1. Technical means of protection
of copyright and related rights

Article 48.2. Information about
copyright and related rights

Main obstacles to use DRM in Russia

There is no mutual understanding and consent among the right holders in relation implementation and use of DRM

In some cases right holders don't wish to use DRM

Attempt to enact a draft of IV part of Russian Civil Code
(most right holders and users of copyright do not intend to invest in DRM as long as new law enforcement practice is missing)

Your Questions

you can put to us by mail:



alexey.s@kondrin.com



www.kondrin.com