

Pirates on the Internet

AMINA KAMAL KHAN examines Pakistan's stance on intellectual property, and maintains that ebooks face a great danger due to piracy and copyright violations on the Internet

Picture a time in the future, you are an aspiring novelist about to upload your newest novel onto the Web, hoping it is read by many people. Your heart is calm as you proceed and you are easy on the count that your latest masterpiece is safe: the Internet has its own security force.

Come back to the present, with a jolt, and you will realize that the Internet is probably the last place you would place your precious material, simply because you have no idea who will read it and how others will use your material. This feeling of insecurity is perhaps rampant everywhere, especially since people all over the world can access copyrighted material and in spite of there being laws all over the world to check copyright violations, it is difficult to implement them across miles of country and water. Even when the copyright violation is taking place a few hundred miles away, how are we to check it?

While the print media battle for copyright recognition, the matter of respecting and recognising copyright on the Internet is also gaining force. Especially in the face of rising demand for books provided online.

Even Pakistan is rising to the 'challenge' of copyright protection, at least in theory if not in practice. A member of the WTO and signatory on a convention on Intellectual property rights, Pakistan does recognize intellectual property on the Internet, even as it does the same for print matter. However, even with legal protection, how does a person sue for copyright violation if the violator cannot be apprehended? The pointer, therefore, points towards inadequate provisions for apprehending people for copyright violations.

In fact, some Pakistani lawyers even say that suing for copyright violations in Pakistan is an exercise in futility since cases can drag on for long periods of time. Even if a plaintiff succeeds in making himself audible, people are bound to regard copyright violation as a very mild crime, not entitled to much consideration. Especially in the presence of murder, treason and the like, copyright does sound like a

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themselves and their purposes before they receive permission to view the journal(s) of their choice.

Many other sites also follow the same rules. The library of Congress website has certain listed documents that are only available to authorised people. Other sites that provide photographs or other graphics request people to ask for permission before reproducing the material. For instance, a certain site concerning crop circles is mostly member domain. The public domain provides pictures and reviews of crop circles under strict copyright statements whereby individuals are allowed to use the information only for personal use. Any other use may be charged for. Even where this is not specifically mentioned, almost all websites carry copyright information at the bottom of the page, indirectly requesting people to ask for permission before reproducing the material.

Even so, it is difficult to spot violation of copyright on the Internet. The only way Vogue will know that I have reproduced a segment of their online magazine is if I am silly enough to blast it all over the web with my name on it, or send it to some international publication. In the former case, Vogue may request that I pay a fees and a penalty for having used their material with my name. In the latter, they can sue me for copyright violation. If, however, I choose to send the material to a national publication, there is scant chance of the Vogue personnel finding out about my great deed. Even if they do notice, they will not be able to easily file a suit in the court. They will have to firstly decide if filing a suit in Pakistan is worth the trouble and money. Even if they do decide to file a lawsuit, they will then have to face months, maybe years of trial before the case is decided.

This is the primary reason why literature is not safe on the Internet just now. Even so, ebooks are making a tentative appearance on the Internet. Chapters of novels are revealed online to tease people to buy the book. However, these chapters are also enough to whet the appetite of a confirmed plagiarist or a devoted fan. If someone chooses to be strongly influenced by your style of writing and phrasology, its not really his fault. He is just one of your many fans and has the right to write fan-fiction, doesn't he?

Not necessarily. Law firm

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It cannot be denied, however, that copyright is still important. An individual deserves credit, and in some cases payment, for the material he or she has written or compiled, be it on paper or in the virtual world of the Web.

As copyright violations, signified by plagiarism, increase, many Website administrators are taking steps to decrease copying. Sites like the American University library site, for instance, does not provide copies of most academic journals unless one has the necessary credentials. In the absence of these, the researcher (one may hope that it is indeed a researcher) is given the name and address of the publisher and asked to seek permission to access the journal from that source. In this way, people who are not authorised to access the journals would then have to identify

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Not necessarily. Law firm websites on the Net decidedly proclaim that fan-fiction is a copyright violation itself. Granted that the original author is brilliant, but that doesn't mean everyone can use their characters and situations to write unauthorized sequels. Even while some authors and publishers encourage fan-fiction (fiction by amateurs, using some one else's storyline or characters), others may not like their stories and characters twisted at someone else's pleasure.

On the whole, then, ebooks face a tottering future on the Internet. Starting here, ebooks may simply become a substitute for printed books; the reader would have to buy the 'book' and the reader to read the electronic book. Perhaps a long time in the future, when intellectual property is safe, ebooks will make regular appearances on the Net, but most probably not before then.

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