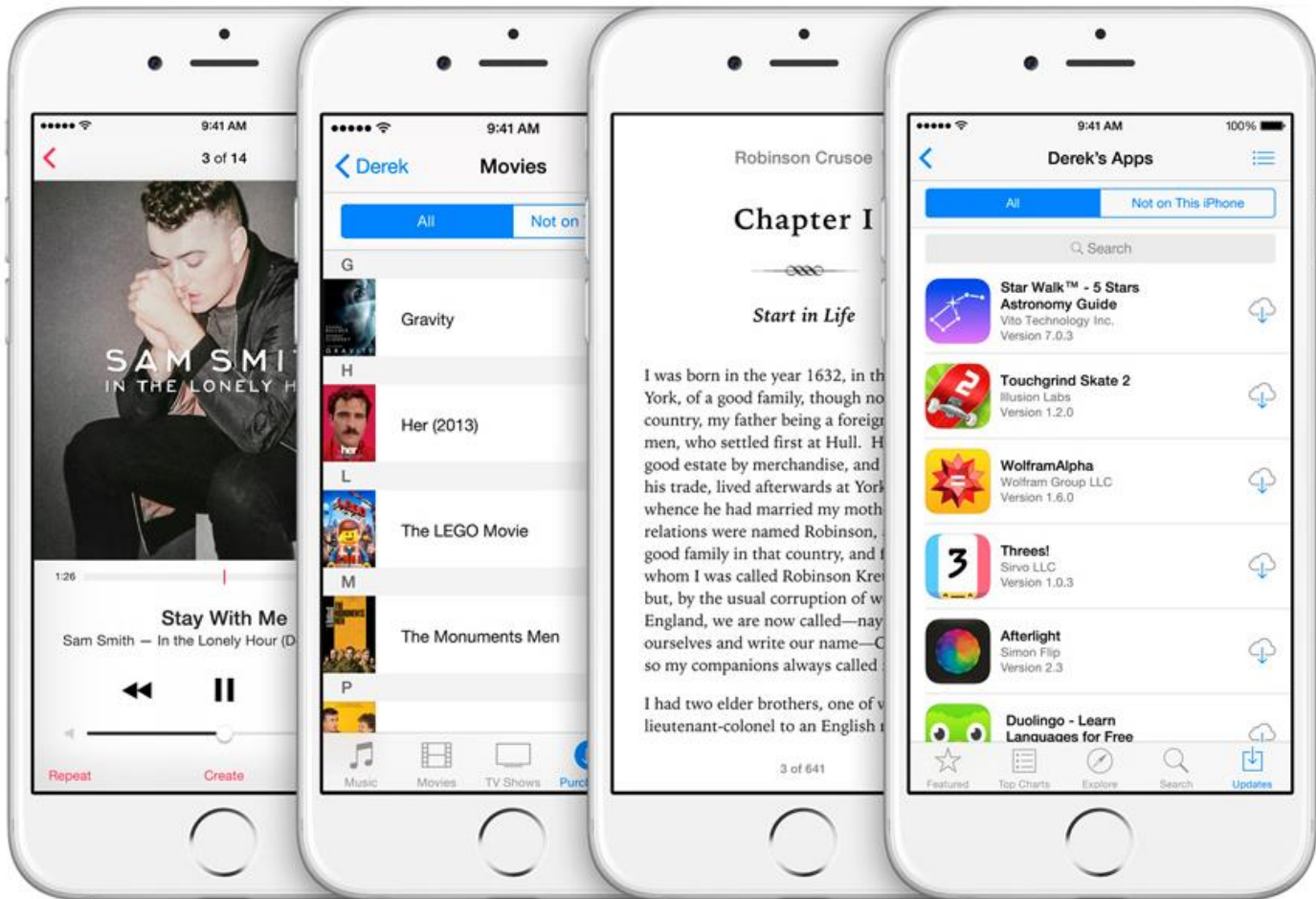


Apple and Amazon Take Baby Steps Toward Digital Sharing

By MOLLY WOOD (New York Times, Sept. 22, 2014)



Apple's Family Sharing lets users share books, movies, music and apps with up to six members of your family who are logged in using their own iTunes accounts. Quietly nestled in Apple's new iOS 8 mobile operating system is a feature called Family Sharing.

It lets you share books, movies, music and apps that you've bought at iTunes, iBooks and the App Store with up to six members of your family who are logged in using their own iTunes accounts.

So if you bought a song, app or book you really like, and you want to share it with your spouse or child or maybe a sister, you can register their email addresses with Apple and enable limited sharing of digital media.

Amazon announced a similar feature on Wednesday called Family Library, although it applies only to digital books, apps, movies and TV, and audiobooks bought through Amazon or its Prime Instant Video service — not music. And the sharing is restricted to the accounts of two adults and four children.

In theory, these services sound like a great benefit because if you're an Apple user you don't have to let your family log in with your iTunes account.

And, at least with Apple's service, you can share an MP3 with someone without worrying that you're somehow infringing copyright by doing so.

But this seemingly generous allowance could also be viewed as a limit that's a result of rigid copyright laws and licensing restrictions.

In the physical world, you can share a book or DVD or CD that you bought with as many friends and family as you like. You can even sell those items if you want, thanks to the [first sale doctrine](#).

But digital media has been excluded from that doctrine, because, essentially, when you buy a digital song or movie or book, you're being granted a license to use that media, but you don't actually own it.

As a result, there are far more restrictions on what you can do with an MP3 than on what you can do with a CD.

The music, movie, TV and book industries have historically been resistant to anything that resembled the sharing of the digital versions of their goods. One recent example was Amazon's attempt to let customers [lend their digital books](#) to friends for a limited time.

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The lending process itself is byzantine: The recipient has it for just 14 days, finding the options to loan and return books is difficult, and that's assuming you can find a title that is actually available to lend out.

Realistically, if you buy a Kindle book and then tell a friend how much you loved it, you're either telling them to buy it themselves or offering to buy a gift certificate.

So, while Family Sharing and Family Library seem like a victory at first, "to me, this is really a failure of our copyright law," said Corynne McSherry, who heads intellectual property policy research at the [Electronic Frontier Foundation](#).

"It presupposes that the content owners should be able to have that kind of control over what they buy," she said. "Copyright law isn't changing with our times, because what doesn't change is that people want to be able to give someone a copy of a book or song that they legally bought."

"The fact is," Ms. McSherry said, "that we need Amazon or Apple to have elaborate license agreements in order to make it possible for their customers to be able to do what they should be able to do anyway."

The Family Sharing and Family Library features are already far more restrictive than, obviously, handing someone a book or CD.

In the short term, it will indeed be nice to be able to share a digital book or song with a partner or family member. But don't lose sight of the fact that you're being allowed to do so, with the assumption that the alternative would have made you a pirate.

And these new services also let Apple and Amazon track the way you and your family use and consume media — what you read, watch, listen to and download. It may be personal sharing, but it's not all that private.

The world of digital media still hasn't caught up to the simplicity of the physical world; this is a tiny step, but it's still not quite enough.

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