

Questions on Tarleton Gillespie – “The Copyright Balance and the Weight of DRM”

1. What are the “countervailing philosophical justifications” for copyright and why do they conflict? What presumptions are built into copyright law?
2. How is copyright different from other kinds of “property”?
3. What is fair use?
4. Why is the early history of the internet relevant to Gillespie’s argument?
5. What is the “Netizen vision” and why is it important?
6. What was the NII and why did it matter?
7. In his discussion of file sharing, Gillespie argues that it’s important to understand how peer to peer applications actually work. Why? What difference does it make? And how does it work?
8. Discuss the Napster court case. What was at issue and why did Napster lose?
9. What is DRM? How do DRM systems work?
10. What is a “trusted system” and why does it matter?
11. Why does Gillespie primarily focus on the use of DRM for entertainment media?
12. Why is technology a worse solution than law to the problem of piracy? What does fair use have to do with it?