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# Answering *all* the questions

"Why *can't* I put this DVD on my laptop?"

*http://librarian.net/talks/danger*

# How & when to break the law

in the interests of good customer service & social justice

*NB: the U.S. Supreme Court ruled in 1985 that infringement does not easily equate with theft*

# Inspiration for this talk



I can get almost any content I want; I know the legit and less-legit ways.

But can my patrons.

And should they?

I have postits all over my offlice with library card numbers given to me by other librarians so that I can get access to things in databases. I'm a Fellow at the Harvard Law School Library Innovation Lab. Sounds fancy but literally the only thing it gives me besides a chance to hobnob with folks there (useful!) is a library card. But what a library card!!

# Obligatory

Some of this stuff may not be legal or ethical where you live or work. And while I am empathetic with that issue, it's important to us as professionals to differentiate what is just sharing information (this talk) and the decisions about what you DO about this information at your job.
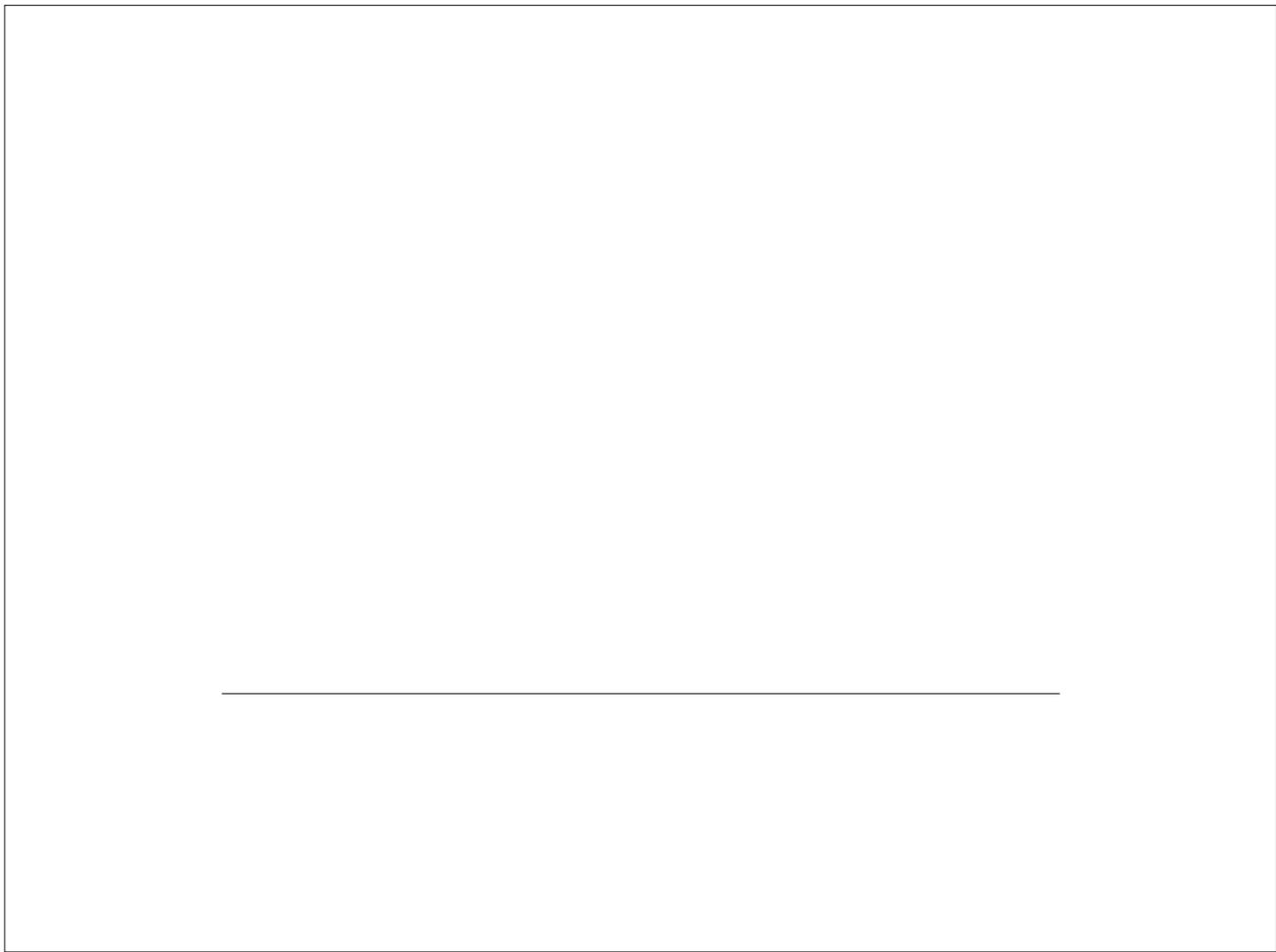
Caveat!

# IANAL

## TINLA

---

*I am not a lawyer. This is not legal advice.*

Caveat!

> ## "
>
> ## "If you are anything like the typical Australian, you probably break the copyright law 80 times a day…"
>
> ---
>
> *Report of the Productivity Commission inquiry into intellectual property arrangements*

Realistically copyright is, at best, confusing and at worst a terrible thing that is actually stifiling the creativity it's supposed to incentivize. And people don't understand it. Some are very afraid of it, some are less so. Watching the Librarian of Congress wrassling with the Copyright Office is like one of those squid versus whale epic battles. And then we have to translate what is happening at higher levels to what happens at our jobs.

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# The talk



This is my train station where I waited to come here. I ran into my doctor there and we blabed about going to NY. I talked about this conference and how I wanted to help people get access to information. He was like "Oh you mean like newspaper databases?" and I was like "Sort of, but more like scenarios where there's a conflict between our values of access for everyone and the copyright/legal environment of the digital world…" I could see I was losing him when I started talking about ripping DVDs. So I changed my tack and started talking about how, if you were in a state where pot was legal, was it OK to tell a patron that they could probably get home delivery on Craigslisy? And his eyes lit up. My doctor is a pothead. I know this. You have to find ways to make this make sense to people.

# Three categories of stuff

### Books

Container vs. content amirite? How much are we allowed to format shift. Why is DRM so crappy?

### Movies

So many places to watch them, so many formats to mess with.

### Music

Remember Napster? People still want music quickly and easily. Streaming services have serious limitations.

So there are three main areas where this overlaps with me at my jobs. At your fancier big city jobs this may be slightly different (3D printing files, software downloading &c) but I'll keep it to this for this talk.

# Also obligatory



This talk is not about the Dark Web where I think the "THIS IS ACTUALLY ILLEGAL" vibe is stronger

*"All I have is a crappy laptop and I want to watch this movie on my tv hooked up to my AppleTV… can you help me?"*

———

*Library patron*

But let's get back to our jobs. I work in a rural library when I'm doing in-the-library work. This sort of thing happens to me ALL THE TIME. Patron has a completely legit thing they want to do with legally obtained content.

and I get that librarian conflict of interest look going on. On the one hand I KNOW how to do this. On the other hand, the way I know requires ignoring my extensive knowledge of copyright laws. On the other hand that same knowledge bank also tells me "No one goes to jail for this, ever" and so I make my decision

> **"**
> # When it feels like the right thing to do, break the damn rules.

---

*Chris Bourg, Director of Libraries, MIT*

I am quoting this somewhat our of context

# Librarians do this IRL



Or maybe you just have a personal reason to want to do this. Not sure if you can see this but this is a librarian friend of mine, wants to rip his LEGALLY OBTAINED DVDs so he can ditch the physical media. It's facebook so everyone is like "try this… or that" but the sort of help he got from the internet is not what he would get at many (most) public libraries. And I use NetGalley and sometimes I want to move that digital file around… And I don't know about academic libraries but where I'm from, many would just be saying "Sorry…"

*"There is software that can help you make a copy of DVDs to play on an Apple TV. I can't show you how to use it but I can tell you where to go for more information…"*

———

*Librarian*

So this is usually what I do. I don't judge when people come into the library to get whatever book or movie or music I might be internally judgey about. I don't tell them to wear a seat belt when they get racecar books. I don't say "The drinking age is 21!" when teens take out books about wine connoiseurship. So why so uptight about coyright infringement? (I mean I do sort of know the answer to this, feel free to talk about it afterwards?)

# VLC and Handbrake



And then we have a small conversation about VLC (a media player) or Handbrake (a media ripper) and I might mention that you have to fiddle a little with Handbrake to get it to work right.

# VLC and Handbrake
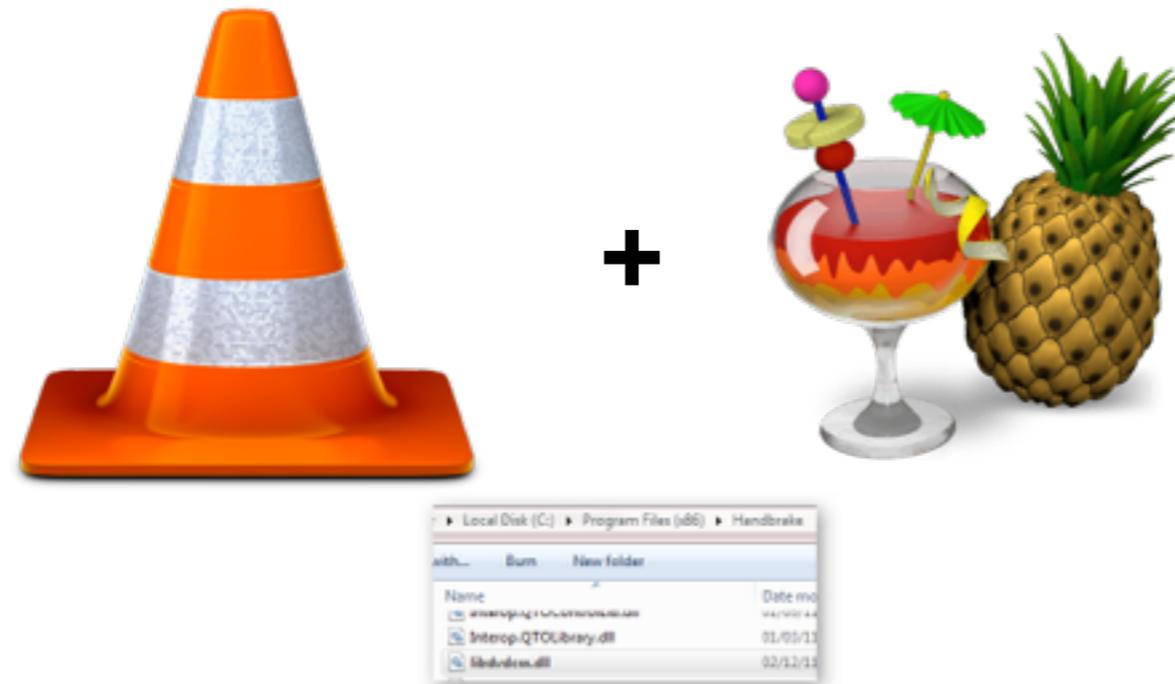
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# How many Oscar screeners leak?



And this material is out there on the internet anyhow, actually. There is some neat stuff to read if you're interested in the world of leaks and piracy. Andy Baio has been tracking internet leaks for the past 15-ish years almost

# How many Oscar screeners leak?

**What's Actually Leaking**



100%  100%  100%          97%          100%              95%    97%          92%
                    93%                                                      88%
                              88%          91%
                                                  77%

2003  2004  2005  2006  2007  2008  2009  2010  2011  2012  2013  2014  2015
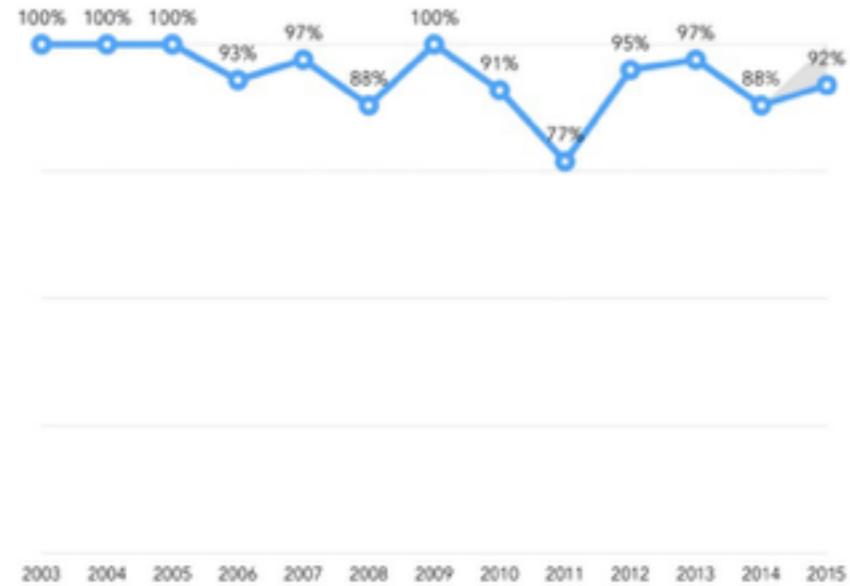
Percentage of films available in high-quality format online before Oscar night. Note: The 2015 percentage will almost certainly go up before Oscar night.

And this material is out there on the internet anyhow, actually. There is some neat stuff to read if you're interested in the world of leaks and piracy. Andy Baio has been tracking internet leaks for the past 15-ish years almost

# 97%

of Oscar nominees leaked online in DVD or
higher quality, a month before the ceremony

---

*Pirating the Oscars 2016 - Andy Baio*

I say this not to forward the "everyone does it" argument, but to say that this sort of thing, ripping and distribution of copyrighted highly popular content, is normalized online. Enough so that people study it This is a statistic worth knowing. I live in a town with a movie theater (yay) with one screen (um) that shows one movie one time per day (aww). I'd be lying if I said I didn't sometimes watch a little somethignsomething online.

# Plex
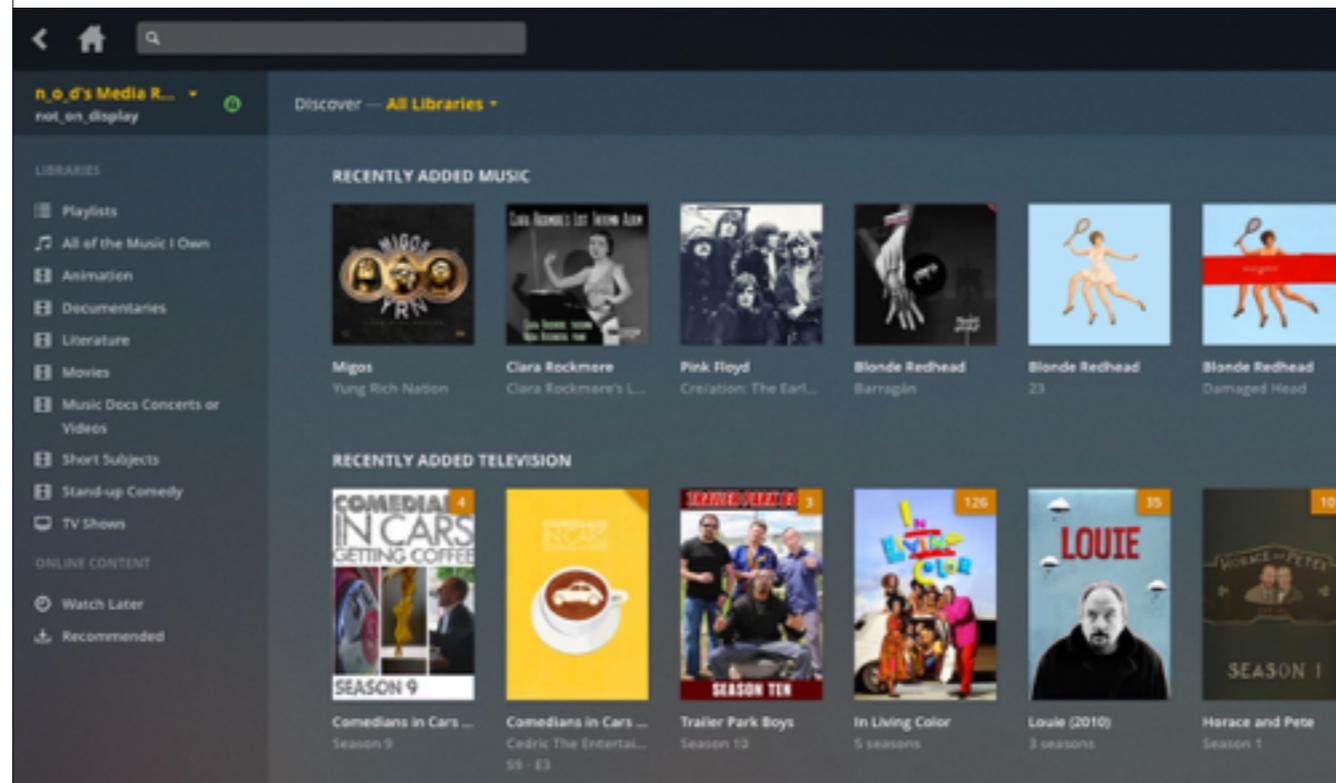


Now most of the way *I* do that is via Plex which is sort of a nice web server front end you can place on top of your media collection. You can install it if you can't code. You can install it if you don't otherwise have a server. And, unlike Netflix, it's not trying to upsell me on anything "Want to watch this incredibly popular thing that is tangentaially like something your sister watched?" Plex is free. I wrote a column for Computers in Libraries about possible uses libraries could make from this which will come out in a few months. Email me for a prepub copy.

*"I want to take the Count of Monte Cristo audio book on my vacation but, I'm leaving in two days and won't be back for a month and **you have punishing late fees**…"*

———

*Library patron*

Other patrons may have other needs, some of them which they may feel forced into because of our policies. This person maybe seems like they are just being … nervous.

·UNABRIDGED·

ALEXANDRE DUMAS
read by John Lee

THE COUNT OF
MONTE CRISTO
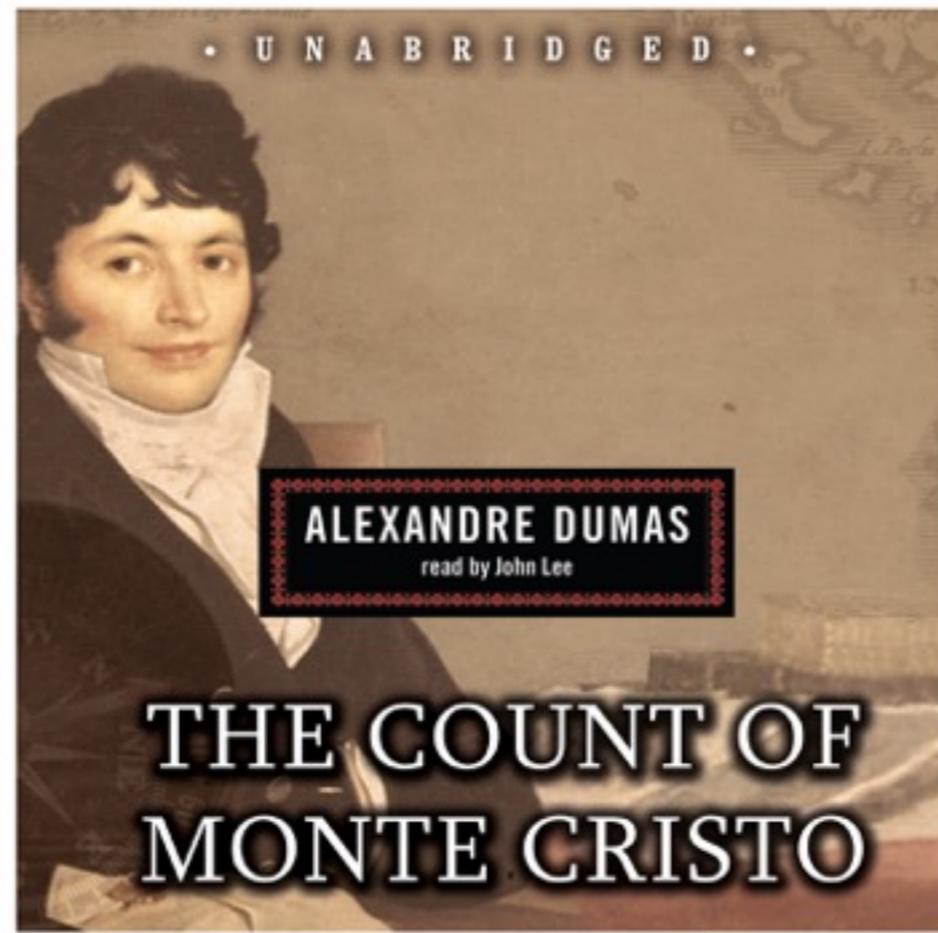
Until you look and find out that some of these DVDs are LONG, yo.
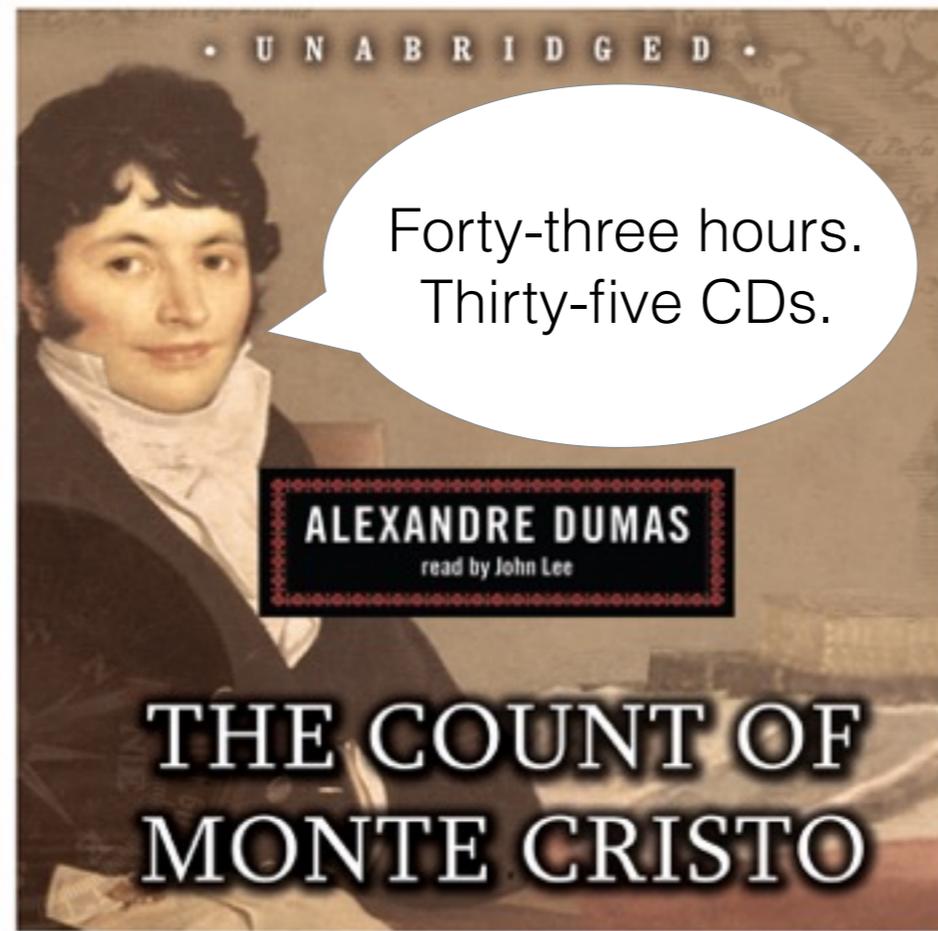
Until you look and find out that some of these DVDs are LONG, yo.

*"Overdrive only has the Windows Media version and I want to put this audiobook on my iPod."*

———

*Library patron*

For a long time, this was one of the worst policies that we had to support "Yeah I know Overdrive books won't work one the most popular music player in the galaxy… but bear with me while I help you get it on to your Zune…" Let's look at other more bookish issues.

*"Late fees are a disincentive to library use, true. Please let me explain how you can rip those CDs to your laptop for the trip. Just please delete the files when you get back."*

———

*Librarian*

So this sort of thing falls into a grey area that is just barely grey right? Maybe?

*"I want to read this book on my Kindle but I need the "read aloud" function but the publisher disabled that because they are jerks"*

———

*Print disabled library patron*

More books. There are a few things people might want to do with a book. Some of it is pretty basic. People bitch about ebooks a lot but one amazing thing is that they're very accessible to print disabled folks of various kinds.

*"I have a Kindle Keyboard and I have an EPUB of the book I got from Overdrive. How to read this book?"*

—————

*Library patron*

Older Kindles cost about $50 on ebay and they are great for people who just want a thing that basically reads books, even out loud. BUT you have to get stuff into Kindle format first. And on to the thing. These machines are also easy to hack. (click) Actually because of the dumb way Amazon's search works, most of these results aren't about hacking Kindles. More's the pity.

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# Google "Apprentice Alf"
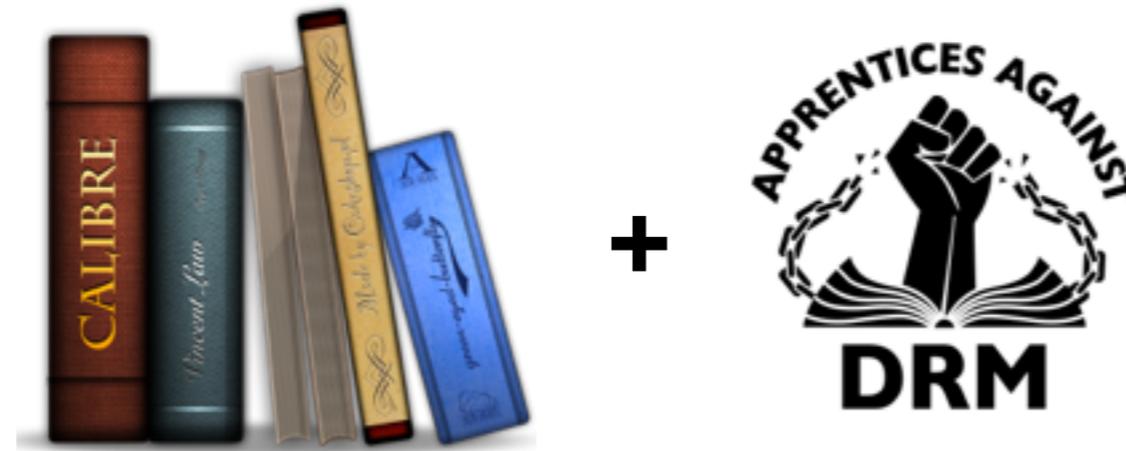
So I teach people that there are tools available that can do the things they want to do. We don't get too far into specifics but it's worth knowing what is possible. Calibre is an exceptional ebook manager and with a little bit of added plugins it becomes a DRM-stripping machine. If you're into that sort of thing.

*"I need a copy of this journal article in the next three days and I can't wait for you to ILL it from France.*

———

*Library patron*

This is one that is a bigger deal for academic libraries

*"I am from a country where the average monthly wage is less than Elsevier is asking for this journal article. WTF?"*

———

*Library patron*

And does it matter if the scenario is the former issue or this one?

We've been busting our butts trying to get things into OA repositories, we are all about sharing the stuff. There are varying ways to show people how to do this from the legit with browser plugins and everything… to the less legit. So when we look someone in the eye and tell them "That article will cost $25 because we can't ILL it" are we telling the truth?

So back to content in general…

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So back to content in general…

# complicated…



trying to actually steal content "from online" has a lot of different faces from complicated things like Easynews (a web-based front end to Usenet, remember Usenet?). That said there are whole systems where you can basically say you want a certain file, get an NZB file (don't know what that is? check the links) and get your whole tv episode or movie from alt.binaries.tvseries or alt.binaries.teevee

# complicated…



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episode or movie from alt.binaries.tvseries or alt.binaries.teevee

# …or simple



To stupid-simple sites like Mobilism. Log in, do a search, downloa da book, dodging some sketchy download site stuff on the way. A lot of this stuff, though certainly not all, is semi obscure long tail stuff. People request items and there's a little local economy. The people who provide it get local money they can use for site features and direct downloads of content. So people ARE paying, they're just not paying for the content, they're paying for the container.
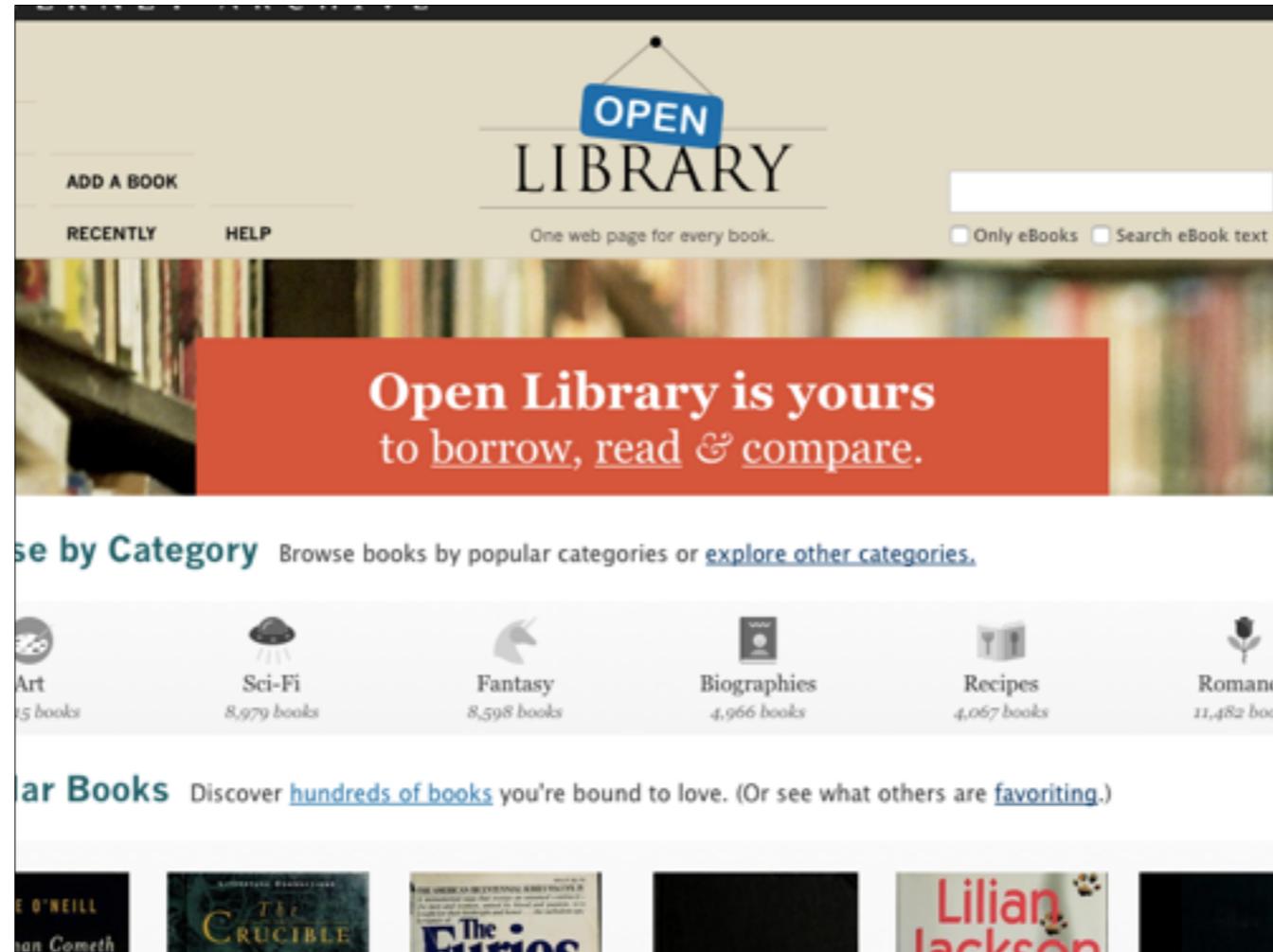
The library I used to work at, Open Library, basically made this their thing. Share slightly obscure, maybe orphan works, using real-DRM and complying with takedown requests. They still exist. (and I'd be happy to talk about specifics at some later time). They're slightly more free culture absolutists but their system does work. Sharing, in fact, often works.

> ## "
> **Piracy is almost always a service problem and not a pricing problem…. piracy is basically a non-issue for our company [because we have awesome service].**
>
> ───────────────────
>
> *Gabe Newell, Valve Corporation*

This is a quote form the people who made Steam. Piracy is a real thing, but it's not clear how much of it is a boogeyman and how much is the squid versus whale of market forces battling it out in the face of ever changing technology. The Copyright Office wasted an astonishing amount of taxpayer dollars (pre Dr. Hayden) trying to develop more digital ways to build its Electronic Licensing System. I respect that copyright is real and serves cultural and business purposes. I would like and understanding and acceptance that our patron-based edge cases have legitimate concerns and should not be threatened with fines and jail time for trying to read a damned book.

# Sharing passwords

- Netflix
- Xfinity
- Boingo
- Slingbox

Next level…?

Sometimes there's just basic shit like sharing passwords. Just like I said in my opening slide. But it's not just library passwords, it's Netflix (software keeps people "honest"). Xfinity for wifi anywhere that Comcast is, Boingo for airport wifi and Slingbox for watching your (or someone else's!) TV.

# **Sharing tips**

- Ebooks live on your hard drive if you download them to your computer.
- Removing DRM is technically possible.
- If your media player won't play it, there is probably one that can.
- Googling can often fix your issues.
- Be safe when dealing with sketchy sites on the internet.

Sp in the spirit of sharing I have some tips I share with patrons.

share. help with digital readiness.

Skill + Trust = Use
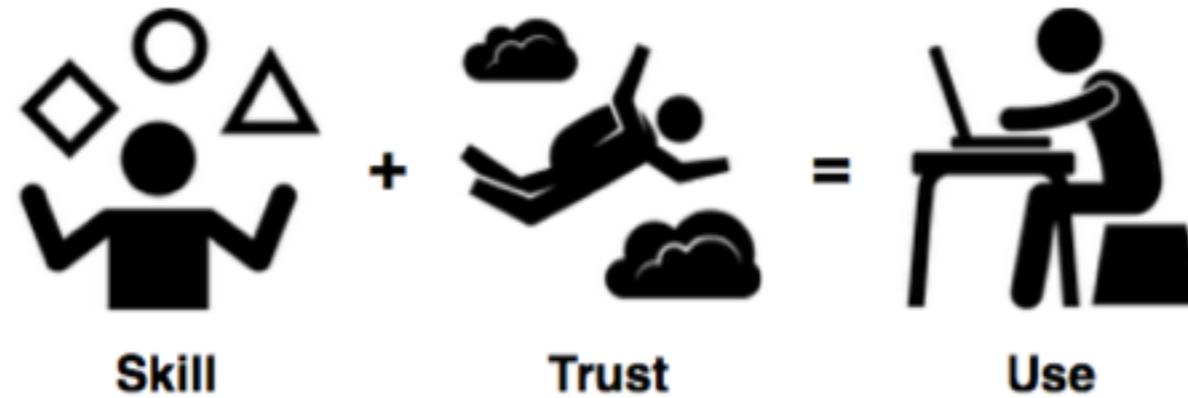
The trick with a lot of this is the wink wink aspect to it. ANY time you have an "open secret" as part of how you operate, the people who don't know the secret are excluded. Which is challenging because I want Open Library to continue to exist, but I also want it to be available for EVERYONE, not just the people who can figure out the software or know enough to google "how to crack the DRM" Pew's digital readiness report talks about how being digitally ready (for learning opportunities, etc) is part skills and part attitude and trust. Teaching this is one more part of being a critical, and effective, librarian.

**Jessamyn West**

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jessamyn@gmail.com

@jessamyn

Thank you!

Thank you.