

In a world of digital music is DRM a dream for the music labels and a nightmare for the consumer?

Digital formats (such as mp3) and portable digital players have revolutionised the way in which we buy and listen to music. However, the cost to the music industry has been an increase in music piracy. In your essay you should explore the validity of these two claims and discuss the pros and cons of DRM with respect to digital music.

Digital formats and portable digital players have revolutionized the music industry and the way music is accessed today. Formats such as mp3 are ways of storing information digitally resulting in easier and more convenient ways of accessing audio files. Mp3 files allow users to transfer and store music or audio on portable devices such as iPods etc. This is made possible by using applications on your computer (e.g. windows media player and iTunes) to convert the files into tracks of music and sound. It is no longer necessary to buy CDs and play them on CD-players, instead music is downloaded online and stored on the computer hard drive¹ resulting in a revolution within the music industry leaving both distributors and users to find new ways and sources of accessing music.

This concept has changed the way audio is accessed with both positive and negative side effects for artists and record labels as well as consumers.

Needless to say compressed digital formats such as mp3 together with the increasing access to digital downloads have lead to an increase in online piracy consequentially leading to an increased need for copyright holders to protect their content in order for it to not be copied and shared on the web.

This is where DRM, digital rights management, comes into the picture. Copyright owners use DRM in order to control how content is being used.² Digital rights management works as a digital lock that prevents data, software and hardware to be accessed by unauthorized users.³ This is done by restricting users to copy information using a two-step process involving encryption and authorization. Some CD distributors use DRM to encrypt software in a way so that CDs can be played in a regular CD player but not on a computer. This is to prevent digital

¹ BBC News, <http://news.bbc.co.uk/1/hi/entertainment/2295655.stm>, accessed on 01/11/2009 7.40 PM

² BBC News, <http://news.bbc.co.uk/1/hi/technology/6337781.stm>, accessed on 01/11/2009 7.41 PM

³ CBC News, <http://www.cbc.ca/technology/story/2009/08/06/tech-digital-locks-drm-tpm-rights-management-protection-measures-copyright-copy-protection.html#at>, accessed on 01/11/2009 7.43 PM

information from being copied onto a computer and then shared online in hope that this will stop piracy and illegal file sharing. Another approach to cope with piracy without compromising the service of the product that is applied by record labels is to encrypt the information in such a way that audio files can only be played on a set number of computers and portable devices.⁴

This use of DRM may sound ideal, protecting distributors without compromising the availability for costumers. But in fact many arguments, both positive and negative, can be derived from the subject of digital rights management.

One of the main advantages of DRM is the protection gained by copyrights holders. Using DRM content will be safe from piracy to the extent that that information in particular can't be purchased and then illegally shared. One would think that this would lead to a general decrease in piracy, which also is very beneficial for digital media companies as well as for the society on a whole considering the fact that piracy is indeed a crime. One would think that this aspect of DRM is the main advantage and will benefit consumers as well as distributors; content will be safe and legally purchased resulting in companies being able to keep their rightful profits and a motivation for product quality will arise. However, this isn't necessarily the case. Seeing as not all information is in fact digitally locked, then there is unlocked content on the market, which can easily be copied and distributed illegally online. Surely many users will seek out these alternative sources of information and use them instead of the significantly more expensive locked products. This phenomenon does not only take away customers from media distributors but also turns users into online pirates, defeating the whole purpose in the first place.

On one note one might think that DRM will benefit the music industry purely monetary. If content can be used and shared only a set umber of time then content must be purchased over and over again and often at a greater price due to the digital locks put on the product. This statement may or may not be valid but brings up an important debate regarding DRM. Customers who feel this way will not only chose not to buy a particular brand or product but may seek other sources of accessing music all in all, turning them into pirates. If this scenario were to play out not only have users become illegal file-sharers but companies are also losing customers and revenue. Now what at first sight looked like a benefit for the music distributors is merely a burden on both parties.

Downloading is still the only way of storing and saving information on your computer or portable devices (i.e. streamlining doesn't allow you to store your music). This factor is of great importance since a lot of us do want to be able to use and listen to music not only on our computers while logged onto the Internet. Indeed the streamline company Spotify has come up with a way to travel with your track playlists allowing you to access them from other computers not just your own using a personal account, and for "premium" customers (e.g. paying customers who pay for the streaming service) can indeed listen to their created playlists even while offline. However in order to access new tracks computers still need be in online mode and as long as this will be the case the music industry has yet not seen the last of CDs and digital download resulting in a great advantage for distributors as they still have a unique product.

⁴ BBC News, <http://news.bbc.co.uk/1/hi/technology/6337781.stm>, accessed on 01/11/2009 7.44 PM

One can argue that DRM discriminates ownership and the rights that come with the purchase of a product. Once a product is bought consumers should be able to do whatever they want? A question that is, in my opinion, crucial is whether or not DRM discriminates ownership and the rights that come with the purchased product. Once digital content of some sort is purchased the purchaser rightfully owns it and the product should be used in the way the customer wishes. Piracy is a crime and society should seek to decrease crime in any possible way but I question whether it is up to the distributing companies to deal with this issue, which becomes the case when distributors can alter how content is being used. In my opinion, DRM, while protecting the distributors also discriminates the consumers and their rights.

At the same time as digital rights management raises a lot of debatable issues regarding ownership, copyright etc. it also creates a lot of practical issues for users as well as for suppliers. There are a lot of examples where customers have bought digital information, for example, online only to discover that the content is not compatible to their computers or devices due to the digital locks that are put on the product. This creates difficulties for buyers as well as for sellers. Sellers must be willing to deal with the customers who experience difficulties with their products, a process which can be both costly and time consuming.⁵ The service and aftersale aspect of the product poses new dilemmas since sellers must not only deal with the issues that might occur but they must also deal with these issues well in order to maintain their customer base. This is a process that may in the end be very expensive, especially considering that the product mostly dealt with is audio downloads that need not cost more than 60 p.⁶

The availability to streamline music (thanks to the mp3 layer function)⁷ results in a lot of consumers not buying music at all. In order to download you need to be connected and if you are you might as well stream music using portals such as Spotify. Add on the extra hassle of having to deal with products that are digitally locked and can only be used in certain ways a certain amount of times and most music users will probably choose to streamline rather than purchase downloads or CDs. Still, downloading and copying content onto a computer is the only way to store information and tracks making streaming not a major threat yet.

There are many advantages as well as disadvantages of DRM. Fair to say copyright holders want to and should be able to protect their content in a way that does not compromise the product available to consumers nor consumers' rights to with the product as they wish. Whether or not DRM is the tool to accomplish this I doubt. In my opinion, DRM only further increases the interest in illegally distributed files and piracy. Although I doubt many users wish

⁵ Ars Technica, <http://arstechnica.com/tech-policy/news/2009/05/landmark-study-drm-truly-does-make-pirates-out-of-us-all.ars>, accessed on 01/11/2009 9.23 PM

⁶ Amazon, http://www.amazon.co.uk/s/ref=amb_link_81027465_6?ie=UTF8&rs=77937031&bbn=78187031&rnd=167216031&rh=n%3A78187031%2Cp_36%3A001-059&pf_rd_m=A3P5R0KL5A10LE&pf_rd_s=left-1&pf_rd_r=15Z66T99MVN0J156JR5C&pf_rd_t=101&pf_rd_p=473961493&pf_rd_i=77197031, accessed on 01/11/2009 7.46 PM

⁷ Maniac Tools, <http://www.maniactools.com/articles/impact-of-mp3-on-the-music-industry.shtml>, accessed on 01/11/2009 9.25 PM

to be pirates, the availability and attractiveness of non locked audio files are greater than those of products that are indeed locked using DRM.

Although DRM might benefit both consumer and companies the direct advantage seems to belong to copyright holding companies, a statement that could potentially leave consumers with a feeling of discrimination and a sense off having been ripped off by the distributors. This could potentially lead to users to distance themselves from DRM products and find other sources for accessing music such as streaming sites like Spotify or simply by downloading files either legally from distributors who do not use digital rights management or by illegal downloading.

To conclude I think the music industry need to find a compromise between distributors and users. The distributors and copyright holders need a way to protect their rights at the same time as users and customers need to be able to purchase a product without discrimination or too high costs. DRM might be on the right track of doing just this, especially when used in a way that content can be shared a set number of times, but digital rights management still has a long way to go. The main problem, as I see it, with DRM is the fact that not all products or content on the market are locked with digital locks resulting in users finding other ways of accessing the content they wish without having to pay the cost that DRM poses on the purchase. As long as not all products are encrypted in the same way users will find other sources of getting what they want leaving DRM to defeat its own purpose.