

Re: License key for home network

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<http://www.tech-archive.net/Archive/WinXP/microsoft.public.windowsxp.general/2005-02/5464.html>

From: Bruce Chambers (bruce_a_chambers_at_h0tmail.com)

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kurttrail wrote:

>
> *And "fair use" of copyrighted products makes sense for individuals.*
>
>
>

Don't try to pull that old trick, again. You know perfectly well that the legal concept of "Fair Use" doesn't apply, in the case. It's not even relevant. This matter has absolutely nothing to do with "Fair Use," a legal concept with which you are apparently completely unfamiliar.

"Fair use is a copyright principle based on the belief that the public is entitled to freely use **portions** of copyrighted materials for purposes of **commentary** and **criticism**. For example, if you wish to criticize a novelist, you should have the freedom to quote a portion of the novelist's work without asking permission. Absent this freedom, copyright owners could stifle any negative comments about their work." ([http://fairuse.stanford.edu/Copyright and Fair Use Overview/chapter9/index.html](http://fairuse.stanford.edu/Copyright%20and%20Fair%20Use%20Overview/chapter9/index.html)) (Emphasis mine.)

"Judges use four factors in resolving fair use disputes, which are discussed in detail below. It's important to understand that these factors are only guidelines and the courts are free to adapt them to particular situations on a case-by-case basis. In other words, a judge has a great deal of freedom when making a fair use determination and the outcome in any given case can be hard to predict.

"The four factors judges consider are:

- 1.. the purpose and character of your use
- 2.. the nature of the copyrighted work
- 3.. the amount and substantiality of the portion taken, and
- 4.. the effect of the use upon the potential market. "

([http://fairuse.stanford.edu/Copyright and Fair Use Overview/chapter9/9-b.html](http://fairuse.stanford.edu/Copyright%20and%20Fair%20Use%20Overview/chapter9/9-b.html))

microsoft.public.windowsxp.general: Re: License key for home network

Feel free to peruse the entire article, which will make it abundantly clear that there is no way that anyone could successfully argue that installing a second copy of an operation system onto a second computer, without the copyright holder's express permission, for the sole purpose of not having to buy a second license, could possibly meet the criteria of "Fair Use."

To read the actual law that defines "fair use:"

TITLE 17 , CHAPTER 1 , Sec. 107.

<http://www4.law.cornell.edu/uscode/17/107.html>

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Bruce Chambers

Help us help you:

<http://dts-1.org/goodpost.htm>

<http://www.catb.org/~esr/faq/smart-questions.html>

You can have peace. Or you can have freedom. Don't ever count on having both at once. - RAH