

Re: Piracy Solution?

Source:

<http://www.tech-archive.net/Archive/WinXP/microsoft.public.windowsxp.general/2005-11/msg00148.html>

- *From:* "kurtrail" <dontemailme@xx>
 - *Date:* Wed, 2 Nov 2005 18:16:26 -0500
-

Leythos wrote:

> In article <O08OKP63FHA.3276@xxxxxxxxxxxxxxxxxxxxxxxx>,
> dontemailme@xx says...
>> Leythos wrote:
>>> In article <1130899626.106675.156260@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx>,
>>> kurtrail@xxxxxxxx says...
>>>> Leythos wrote:
>>>>> In article <uDpul2z3FHA.3460@xxxxxxxxxxxxxxxxxxxxxxxx>,
>>>>> dontemailme@xx says...
>>>>>> Of course you had to cut out my explanation for why you are scum
>>>>>> and a traitor to your fellow human beings, so I added back the
>>>>>> context that you tried to hide from!
>>>>>
>>>>> I didn't hide from it – since it was off–topic, as most of your
>>>>> messages, I just snipped it down to the part where you honored me.
>>>>>
>>>> It was on the topic of Piracy, and MS's hypocritical stand, and
>>>> your betrayal of the human race, due to you siding with the known
>>>> and proven IP criminals, and blaming those that haven't been
>>>> proven to have done ANYTHING wrong!
>>>>
>>> Yea, sanctimonious BS, you're good at that. I don't believe that
>>> anyone violating the licensing agreements of any vendor has a
>>> "right" to do so, not even for personal use.
>>
> Sorry about the last reply if the cancel didn't work, I hit send by
> accident before I was finished.
>
>> That's because you believe corporations have more rights than human
>> beings in their home.
>
> No, and this is the entire base of the argument – I believe that
> people have a right to use the product according to the vendors
> rules/licenses or not use it at all. There is nothing life sustaining
> about Windows, so there is no reason to violate the vendors licensing
> rules.

Sure there is, when it interferes with your right to privacy and "fair

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use" in your own home!

>>> In all the documents you've

>>> presented,

>>

>> You mean the passport-protected OEM documents that have nothing to do

>> with END USERS? LOL!

>

> No, I mean the documents YOU'VE PROVIDED, which is what I typed.

>

>>> I've never seen anything in those documents to support

>>> your personal belief that people can use multiple copies installed

>>> on machines with the same license against the vendors licensing

>>> agreement. Keep trying, I'm not seeing it in anything you post – the

>>> documents you post clearly indicate that persons are limited to the

>>> vendors licensing agreement.

>>

>> It's called the way the law works.

>

> And the only thing I've seen in the law is the ability to make a

> backup copy for archive purposes.

>

> [snip]

Fair Use, and that the Supreme Court said, " ANY INDIVIDUAL may reproduce a copyrighted work for a 'fair use'; the copyright owner DOES NOT POSSESS the exclusive right to such a use."

And software is just a copyright work.

>>> I've seen small vendors that make shareware, and applications that

>>> only cost \$3, disappear after more than a year. Specific names, no,

>>> it happens all the time.

>>

>> LOL! FUD! No names, therefore you don't even know why they went

>> out of Business! It could be that their code was just nothing

>> anyone wanted to use, for all we know!

>

> Yea, and you could be wrong.

I could, but I didn't come up with a fairy tale with no names.

> Funny how that works for both of us. You

> say something that you don't have to prove and unless someone proves

> you wrong you assume you're right. Funny how that works for you.

Except the way the law works. I am presumed innocent of everything.

Like SCO v. IBM, IBM hasn't done ANYTHING wrong just because SCO CLAIMS

a violation, it is up to SCO to prove by the preponderance of the

evidence that IBM violated the EULA.

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Same with MS's EULA. MS is the final arbiter of the enforceability of its one computer term on private non-commercial individuals, MS must prove it in a court of law! And until that happens, all you have is a legally unsubstantiated claim that MS's One Computer nonsense is legally enforceable on me or ANYONE!

And after over 13 YEARS of MS totally avoiding doing just that, I don't ever expect to be proven wrong.

>
> Well, I said I've seen it happen, seen small vendors go out of
> business because their product was copied without permission and
> distributed without a cent being paid to them, and they went out of
> business. Prove me wrong – you can't.

How can I since you don't give details, like the software name and the company?!

>
>>> Now, ask yourself this – what business of it is yours? Piracy is
>>> Piracy and cuts into the Profits of the vendor,
>>
>> Prove it! Hasn't touched the billions in the MS coffers!
>
> Prove it hasn't cost MS any sales? You ask one question and then
> divert to another – Sure, it might not directly take money out of the
> Bank directly related to the pirated copy, but it's sure not putting
> money in the bank either – and that's the point – for each copy of
> pirated software it reduces profits – and you can't say that's a false
> statement.

LOL!

http://www.microsoft.com/msft/ar05/flashversion/10k_fr_bal.html

Show me on MS's balance sheet the losses due to piracy!

>>> why is it ethical to
>>> SUPPORT piracy?
>>
>> I'm not. I support proving REAL piracy in a real court of law, not
>> the unsubstantiated claims of piracy, that are never proven!
>
> Nope, you clearly support piracy, prove that you don't.

LOL! Don't care what you "clearly" believe! And see no need to prove anything to you.

> Even the law
> says you can only make a copy for archive/backup purposes,

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BS! That is only a part of Title 17 Chapter 1 Section 117. But you don't understand what "OR" means, so you are too stupid to understand the law as written, and I see no need to repeat an argument with someone that doesn't understand the meaning of the word "or."

For anyone interested in reading what Title 17 Chapter 1 Section 117 means, see:

<http://microscum.com/mmpafaq>

> but you
> insist that you can make as many copies as you want and run them all
> at the same time.

Yep, and until proven otherwise, by the preponderance of the evidence in a court of law, I have every right to believe it, not only as a matter of "fair use," which I would need to be sued by a copyright owner that disputes my interpretation of "fair use," but as a matter of contract law also, as it is up to the aggrieved party, in this case MS, to sue me to prove any contractual breach it alleges.

That is how the law works! And after 13 years of MS failing to do just that, I feel I have every right to my interpretation of MY RIGHTS in MY HOME!

MS can rant and rave and spew FUD out of the ass like a cornacopia, but until they get the balls to prove me wrong, I have EVERY RIGHT to tell the to go screw!

>
>>>> Can you name ONE person that has EVER been found guilty of casual
>>>> copying of software?
>>>
>>> No, the "people"
>>
>> I used "person," not "people."
>>
>>> that I know have always settled or been fired as a
>>> result of it, so there were no official court cases.
>>
>> LOL! Sound like you are talking about Businesses, not people!
>
> I didn't make that mistake – you can't read/understand.

LOL! You are being as vague as possible, because you have nothing but bupkis!

>
>>
>>> In their defense,
>>> it was cheaper for them to pay a fine, license the software, or be

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>>> fired, rather than pay court/atty costs.

>>

>> Yep. You are talking about commercial use violations!

>

> Nope, we're talking about people busted for installation of licensed
> software without a license. I thought that was clear. The idiot gets
> caught during an audit, the individual gets threatened by the audit
> team with legal action, the company fires the individual due to AUP
> violations, etc.... All at the same time. Company not fined at all.

LOL! It was for commercial use, numbskull! Not private non-commercial use in the home. Home users don't get software audits!

I got you pegged! What a moron you are! You should have ran away when you had a chance! But now we can all see you are full of it!

>

>>>> If you cannot do either, then casual copy piracy is just the FUD of
>>>> the colluding members of the BSA. It's a god-damned fairy tale!
>>>> And all you are is the scumbag troll under the FUD bridge of the
>>>> colluding members of the BSA!

>>>

>>> Yep, and the world is really flat too.

>>

>> That is funny coming from you! No private use violation has ever
>> been proven at all, yet you believe that a post-sale shrinkwrap
>> license overrides a person privacy rights in their home, on
>> absolutely no evidence at all! You are the flat-earther!

>

> Not going to court doesn't change anything, it's still a violation,
> still not permitted in acceptable use laws.

Tell that to SCO! I'm sure it would rather not have to prove IBM violated the UNIX license terms in a court.

Not going to court does matter. By not going to court MS is failing to meet their due diligence responsibilities, when it comes to the copyright, and the so-called license!

>

>>> Just because no one has been
>>> arrested for peeling oranges in a hotel room on Sunday in Phoenix
>>> does not mean that the law can't be enforced.

>>

>> WHAT LAW! MS's EULA is not a law unto itself!

No answer. I love it!

>>

>>> Just because YOU FEEL that
>>> it's FUD doesn't make it FUD, but you keep trying, it makes you look

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>>> good in the eyes of the pirates.

>>

>> No. It makes me a modern day champion of individual HUMAN rights.

>> And it makes you the pawn of the proven IP criminal, Microsoft. IP

>> thief, monopolist, and soulless colluding member of the BSA, and the

>> corporate copyright elit.

>

> I have nothing to do with the BSA or any "checking" type company,

> don't care to, don't want too. But, as a business person I see you as

> a Piracy advocate, clear, simple, works for me.

As a sycophant of the corporate copyright elite you are crying WOLF,
when there is no wolf to be found.

Just like all the unsubstantiated claims of piracy. All FUD, no balls,
no proof!

>

>>>> So shove that sideways up your ass, LameGirl! You are just an

>>>> anti-human being scumbag!

>>>>

>>> Nice way to end your post, as immature as usual, and as long as you

>>> dislike me I must be doing it right and honorably – thanks.

>>

>> I feel sorry for you, and I'm trying to wake you up, so that you can

>> see you are nothing but a coppertop stuck in the maze of the Matrix.

>> But you are happy being a mindless battery!

>

> And I don't feel sorry for you – since I don't really care about you.

LOL! Kisses!

> I don't take people like you seriously as I've seen trolls for a long
> time. Heck, the only reason I even respond to you any more is to see
> where you will divert the subject next to see if I guessed right.

LOL! I'm the one that stands behind what I say. I have a web site to
broadcast my beliefs to the world. Your purposely request that your
posts don't get archived.

Actions speak louder than words.

>> So to sum it up. YOU cannot name ONE COMPANY that has EVER been put

>> out of business due solely to piracy! YOU cannot name ONE PERSON

>> that has ever been charged with, let alone been found guilty of

>> casual copying of software! Yet you believe piracy is such a big

>> problem!

>

> And you have no proof that a company has never been put out of

> business due to Piracy.

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I'm still waiting to be shown one!

Like proving a specific "GOD." I'm not going to believe that any specific god exists until it is proven.

I'm not gonna believe that any company has been put out of business by piracy until proven.

I need not disprove a negative, like there is no God, or there is no company that has been put out of business by piracy, as it is well-known that proving a negative is near impossible.

And I'm not gonna start believing any affirmative statement until proven. To believe in an unproven affirmative statement would be faith, not a reasonable belief.

> You try and claim that piracy doesn't hurt
> profits, but then you say it didn't take money out of the bank, but
> it does hurt profits.

HUH? Piracy doesn't show up on the balance sheet. Insurance companies don't pay out piracy claims.

> You say that MS has enough money,

I did? ROFL!

MS has made way more than their fair share. On Windows, MS has a net profit margin of 85%. Only organized crime and oil companies rape consumers that badly!

<http://www.computerweekly.com/Article117557.htm>

> but it's not
> your call to make.

The copyright monopoly is only meant to provide the copyright owner "a fair return for an 'author's' creative labor."

"The limited scope of the copyright holder's statutory monopoly, like the limited copyright duration required by the Constitution, reflects a balance of competing claims upon the public interest: Creative work is to be encouraged and rewarded, but private motivation must ultimately serve the cause of promoting broad public availability of literature, music, and the other arts. The immediate effect of our copyright law is to secure a fair return for an 'author's' creative labor. But the ultimate aim is, by this incentive, to stimulate artistic creativity for the general public good. 'The sole interest of the United States and the primary object in conferring the monopoly,' this Court has said, 'lie in the general benefits derived by the public from the labors of authors' When technological change has rendered its literal

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terms ambiguous, the Copyright Act must be construed in light of this basic purpose." – <http://laws.findlaw.com/us/422/151.html>

- > You say that people can do anything they want in
- > their homes with anything they have, but the law says you can only
- > make a backup/archive copy, not run additional copies.

No, it only says that if you are an ignoramus that doesn't know what "OR" means!

- >
- > And, finally, yes, I believe Piracy is a big problem.

Yep, and christian conservatives think that gay marriage is a big problem for hetero-marriage.

Both problems are nothing but bullsh*t.

- >
- > Look at how PCBUTTS has impacted "noahdfear" – Butts piracy of the
- > file has caused him to spend valuable time in defense of the product,
- > will cost him court fees/attorney fees to stop him, will take donations
- > away from him as people may never see the noahdfear website and use
- > butts site instead....

Don't know anything about it, but that is part of the costs of going into business, part of the due diligence responsibility of protecting your copyrighted material.

And there are ways that don't cost anything to stop the butthead.

- > Butts claims he's doing it as an individual,
- > sharing with other individuals.....

LOL! And as much as it pains me to say it, he has a right to his interpretation, but in his circumstance if taken to court he doesn't have a good case and would quickly be ruled against.

--

Peace!

Kurt

Self-anointed Moderator

microscum.pubic.windowsexp.gonorrhoea

<http://microscum.com/mscommunity>

"Trustworthy Computing" is only another example of an Oxymoron!

"Produkt-Aktivierung macht frei"

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