Cites & Insights:
Crawford at Large

Perspective
Scholarly Journals and Grand Solutions

Constant readers know this all too well: I don't claim to be a deep thinker, which may be one reason I have a deep mistrust of Grand Solutions. That, in turn, may be why I admire the efforts of Peter Suber and his *Free Online Scholarship (FOS) Newsletter*—but don't find myself signing up for the whole package. Or maybe it's that I don't understand the whole package. I was reviewing two essays in the *FOS Newsletter* for possible inclusion in "The Good Stuff," along with a related news report from the *Chronicle of Higher Education*. Somehow, those essays and that news report yielded this commentary.

The Sources

I recommend all three items for your consideration, even if you skip the rest of this essay. First, in the May 15, 2002 *FOS Newsletter*, a feature essay entitled "Why FOS progress has been slow." It's the second item in the issue and runs three print pages. Second, and a continuation of the first: "More on the big koan: open-access journals" in the May 23, 2002 *FOS Newsletter*—again, the second essay, but the first essay (on self-archiving) may also be relevant. Third, Jeffrey R. Young's May 16, 2002 article in the *Chronicle*: "Journal boycott over online access is a bust." I should add "Electronic access to scientific articles: Another perspective," my "disContent" column in the May 2002 *EContent*, if only because it demonstrates that I'm not oblivious to the problem.

If, after you read these articles, you're satisfied that your Grand Solution works for the future, keeps scholarship healthy, keeps previous resources available and libraries healthy, supports indexing and abstracting, and has a solid chance of success—well, then, I wish you well.

Some comments on the essays themselves. The May 15 commentary offers reasons that the "FOS movement" is slow going. Scholars tend not to understand the serials pricing crisis and assume that access barriers are isolated problems, not systemic issues. Scholars don't understand that the FOS movement embraces peer review, doesn't violate copyright, and should be economically realistic. Scholars want to publish in prestigious journals and most of those are still priced and printed—and scholars' role as authors prevails over their role as readers. The tenure process tends to reinforce current prestige rankings. Journal publishers still demand copyright and don't want to lose their roles (or profits), and the state of affairs constitutes enormous mass, resistant to quick movement, which Suber characterizes as a trio of vicious circles. If I take issue with any of these, it's the concept that print journals are inherently undesirable, and I'm not sure that's what Suber is saying.

Inside This Issue

The May 23 commentary begins with big news, the launching of *Journal of Biology* by BioMed Central as an open-access journal intended to compete with *Nature*, *Science*, and *Cell*. With a prestigious editorial board and strong backing, it's an ambitious move. It continues by noting a new BioMed Central list of authors who have published in its open-access journals—a way of showing that first-rate authors support open access. I admit to surprise at one sentence in Suber's applause for the launch of *Journal of Biology:* "Still, I long for the day when open access will be so ordinary that the launch of an open-access journal with a merely competent board will garner the interest and respect accorded to other competent journals." In some fields (librarianship being one), this may already be the case. Where it isn't, maybe you need a Big Splash before the little drips can accumulate into anything meaningful.

There's no way to duck the third piece. The Public Library of Science made a *huge* splash when 30,000 scientists signed a pledge that, after September 2001, they would not publish in, subscribe to, or serve as an editor for any journal that didn't offer "unrestricted free distribution rights…[to articles]…within 6 months of their initial publication date." While the PloS pledge wasn't a Grand Solution, it was a grand gesture. PloS leaders hoped that, at the very least, scholarly societies would buy into the six-month idea for their own publication.

In poker terms, publishers called what they must have perceived as a bluff. And PloS signers folded. They kept submitting articles to the same journals and serving on the same editorial boards. Not all of them, of course: Michael B. Eisen (Lawrence Berkeley National Laboratory and a PloS leader) knows of "about 100 cases" of scholars who have supported the boycott by refusing to submit work to a journal or serve on editorial boards. One-third of one percent: that's not even an ace high busted flush.

PloS is involved in new open-access journal initiatives, but that—as with BioMed Central—is the tough way to get open access. Challenging *Science* and *Nature* won't be easy. (*Science* does offer free online access, but only after a year.)

My own article? I wrote it in response to Martin White's "Behind the firewall" column in the December 2001 *EContent*, a publisher-oriented commentary on the current situation with scientific journals and electronic access. White suggested that commercial publishers are heroes who saved the day when, after WWII, "professional societies could no longer keep pace with the supply of papers being submitted for publication." He further suggested that North American libraries had enough funding to keep up with journal prices until the mid-1990s and that it's perfectly reasonable for e-journals to cost more than the print versions.

I suggested that the problem went back farther, that there were other explanations for the rise of commercial STM journal publishers and their ability to raise prices so enthusiastically, that publisher-aggregated ejournal pricing was a problem and that, once access is primarily electronic, the articles may matter more than the journals. I also mentioned the extremists (Harnad and Odlyszko), SPARC, and, indirectly, PloS: "Time will tell whether this initiative plays out." I didn't offer answers but did assert that there was—and is—a real problem, one that can't be solved by achieving "a greater degree of harmony" between commercial publishers and libraries, as White suggested. My final sentence: "Things are starting to give."

Grand Solutions

My article made fun of Odlyszko's favored Grand Solution, where journals disappear and Web links become the "refereeing" process among self-archived articles. I wouldn't be surprised if comments from people like Odlyszko, whose knowledge of libraries appears remarkably limited, led to the nonsense in a recent *EContent* article (cited elsewhere in this issue) that up to three-quarters of academic library expenses are for administration of print journals: Make all journals electronic (and gut the library), and you can keep publishers' profit margins healthy. While I've consistently questioned Stevan Harnad's economic assertions, his proposed network of archival repositories makes sense *as part of* the scholarly system—and it's also (I think) a key part of FOS.

Note "as part of." Open access journals are wonderful when they work, whether they're based on $500 writer fees (which bother me in ways that may be irrelevant for scientific publishing) or other forms of support. The High Energy Physics archive seems to work, and replicating that model elsewhere should serve as a force to help improve access and possibly reduce the pricing power of publishers.

But SPARC also serves a purpose—and SPARC leads to *priced* journals, some of them in print form, not the pure "free online" model that Suber favors. As part of a network of efforts to make access to STM articles more affordable and more assured in the long term, SPARC is a good tool; in FOS terms, I have to assume that it's a negative force.

I don't believe that *Science*, *Nature*, or the modestly priced refereed divisional journals from ALA are going away. I don't believe that they should (although I don't know enough about the first two to know whether they're overpriced for their content). I believe print journals make sense in many disciplines and know that the cost of print is not always (or, I suspect, typically) the reason for high prices.

I know that some publishers treat libraries as cash cows, particularly professional societies that charge cost-recovery prices to members and far more expensive prices to libraries. That needs to change, both for societies and for commercial publishers.

I believe it's all part of a mix, and probably needs to stay that way. PloS was a grand gesture toward a Grand Solution. The gesture didn't work. SPARC is a fairly modest set of initiatives that has resulted in some workable new journals—not free, and in some cases pricey by my lights, but bargains compared to their competitors. Ejournals have been around for more than a decade, some of them successful, with a variety of business models; "open access" with author payment is one trend that may

lead to a larger number of such journals. None of these promises a total solution—and maybe that's a good thing.

Maybe I'm wrong and Peter Suber and/or Stevan Harnad are right. Harnad is fond of "inevitable" to define his preferred future, a huge strike against it in my vocabulary. Suber cares deeply about scholarly communication and fundamentally wants to see it work better. Both sets of initiatives look good to me as portions of a complex mix, but not as overall solutions. But then, I'm not a deep thinker.

Following Up
CIPA: Down for Now

It's hard to believe that any *Cites & Insights* reader managed to avoid the news that the three-judge panel found the Children's Internet Protective Act, discussed in the June and earlier *Filtering Follies*, grossly unconstitutional. If I think there's anything useful to add to the widespread coverage—and if (as expected) the government appeals the case to the Supremes—I'll have comments in a future issue.

Girth and Worth

Here's an odd one: as recounted in *Cites & Insights* 2:8, *Macworld* doesn't care for the new $1,799 Apple iBook. While the bigger screen is nice, it adds too much weight and size for the reviewers' taste. Gene Steinberg at *Computer Shopper* sees it differently: "New iBook is worth the added girth," the head for a very favorable review.

Still Unbiased

In the May "Good Stuff" I lauded Geoffrey Nunberg's careful study exploding the myth of a "liberal bias" in the press. A follow-up article in the May 15 *American Prospect* deals with responses to the earlier article. The title is "Still unbiased: Closing the case on media labeling." At least Andrew Sullivan is honest: "I ignored Geoffrey Nunberg's piece…because it so flew in the face of what I knew that I figured something had to be wrong. (And I was too lazy to do all the enormously laborious number-crunching to refute it. So sue me.)" In other words, "I know the truth. Don't confuse me with facts."

Another critic, Andrew Boyd, tried to refute Nunberg's numbers by doing his own—but he did so rather badly, as Nunberg explains in detail. Actually, Nunberg now concludes that the problem may be that the press doesn't label politicians *often enough*— "only about 5 percent to 10 percent of the articles in which his or her name appears," with lower percentages for lesser-known politicians where labeling could be more informative.

Is it possible to show that "right wing" and "far right" appear more often than "left wing" and "far left"? As Nunberg points out, the numbers mean nothing by themselves. Of 9,700 occurrences of "right wing" or "left wing" in the Los Angeles *Times*, 2,900 deal with hockey and 4,400 deal with foreign politics. Similarly, 3,300 occurrences of "far right" and "far left" include 1,400 that appear to be part of photograph captions (i.e., "Far left: Josephine Schmoe, heroine of today's rescue.") while 1,600 relate to foreign countries—leaving less than 10% of the total that may be U.S. political labels! And, of course, the number of labels means nothing without the number of mentions.

From Acorns to Mighty Oaks

This isn't really a follow-up, as it refers to something covered in this issue: My comments about Jamie Kellner of Turner Broadcasting in "Copyright Currents." The heading here is Staci D. Kramer's title for a piece in *Online Journalism Review* discussing what happened with her *CableWorld* interview, the source of the Kellner comments. She didn't expect the story to have much impact, takes some derivative articles to task for putting down Kellner's comments, but mostly draws some lessons about the power of the Web. She was disconcerted to "see Kellner, who had taken a great deal of effort to explain his views, described as a 'sputtering doofus'" in a newspaper column. I wouldn't call him sputtering, but his assertion that not watching ads is theft does earn him the "doofus" label in my book.

Copyright Currents
Living with DMCA— and Lots More

Did you know that IEEE "publishes 30 percent of all computer science journals worldwide"? That's what it says in Will Knight's April 15, 2002 story at NewScientist.com, "Controversial copyright clause abandoned." The story: IEEE instituted a new set of conditions for publications at the start of this year— including a requirement that authors affirm that their work does not contravene DMCA. "Many academics believe the DMCA discourages scientists from publishing valuable research through fear of legal action… Scientists say the Act means that just producing research on a copy protection system could land them in legal trouble." See previous edi-

tions of "Copyright Currents" if you believe scientists are being paranoid.

IEEE caught flack from its authors. The DMCA requirement will be removed. Richard Clayton (Cambridge) says, "I think we're all coming to see that it's nonsense for the law to attempt to suppress pure research." But DMCA stands.

Unintended consequences: three years under the DMCA from the Electronic Frontier Foundation (www.eff.org) appeared May 3, 2002. The executive summary argues that DMCA's anti-circumvention provisions (Section 1201) "have not been used as Congress envisioned." Congress was after pirates and wanted to ban black boxes—but the provision has been used to stifle legitimate activities. Section 1201 chills free expression and scientific research, jeopardizes fair use, and impedes competition and innovation. The nine-page PDF document provides examples of otherwise-legitimate activities made impossible by Section 1201 (e.g., fast-forwarding through commercials before a DVD movie) and real-world examples of the harm done by DMCA, including self-censorship for fear of violating the act, scientists unwilling to come to the U.S., the assault on fair use represented by copy-protected pseudo-CDs, and more. **Highly recommended** as a detailed summary of harm done by DMCA.

A May 4 Declan McCullagh piece on *Wired News* notes that Rep. Rick Boucher still plans to introduce a bill undoing Section 1201, and believes he now has enough support from technology companies, librarians, and Internet activists to give the bill a fighting chance.

On May 8, the judge hearing the ElcomSoft case ruled that DMCA is constitutional, allowing the criminal case to proceed. Judge Whyte said consumers have no "generally recognized First Amendment rights" to make backup copies of ebooks or Internet content—and that fair use provisions are satisfied because you can copy portions of an encrypted ebook out by hand. "The fair use is still available." EFF's attorney Cindy Cohn had a wonderful rejoinder: "It's as if the judge ruled that Congress can ban the sale of printing presses, because the First Amendment right to publish speech was not attacked directly and quills and ink are still available."

How bizarre is the situation with fair use and DMCA? Bizarre enough that *BusinessWeek Online* continues to publish unexpected commentaries (see also *Cites & Insights* 2:5 and 2:7). "'Fair use' is getting unfair treatment" by Stephen H. Wildstrom (May 14) summarizes "the message from the courts so far" on the possibility that consumer fair-use rights may disappear in the face of industry-dominated copyright law: "Get used to it." Wild-

strom sounds the same note I'm forced to assume these days, although omitting the fundamental use of copyright to "promote the progress of science and the useful arts":

> Copyright law has always tried to strike a delicate balance between the rights of content creators to be compensated for their work and the rights of consumers to use what they have paid for. But the development of digital media and Big Media's attempt to completely control it have destroyed the delicate equilibrium that is copyright law.

The article goes on to mention first sale and fair use and assert that DMCA threatens both doctrines. It also notes the April 26 court order (later overturned) for SONICblue to modify ReplayTV 4000 software "so that it can collect and turn over to movie and TV studios detailed data on how customers are using the devices."

Wired News had a May 20 Reuters report that Sony's copy-protected pseudo-CDs could be "cracked" through decidedly low-tech means. Since I have no interest in seeing the Feds come after me for a DMCA violation, I won't quote the details. I continue to be saddened by the utter hypocrisy of Sony, developer of Betamax and triumphant defendant in the first big technology-related "Is personal copying legal?" lawsuit, jumping to the dark side thanks to its music and motion picture divisions. Apparently, Sony Music Europe "has taken the most aggressive anti-piracy stance in the business"—this despite Sony's history and the fact that, as co-holder of CD patents, Sony should be aware that the copy-protected discs violate CD licenses.

Speaking of pseudo-CDs, Jon Iverson offers a different perspective in the April 2002 *Stereophile* (25:4, p. 17). As previously noted here, Philips dislikes the idea and specifically says that copy-protected discs violate the "Red Book" standard. They're not qualified to wear the Compact Disc logo. As Philips' Gerry Wirtz puts it, "We've made sure they would put a very clear warning that you're not buying a compact disc, but something different. We've been warning some labels to begin with, and they've adjusted their behavior."

That's not the story here, however. (Philips really can't do much more than require that labels remove the logo—and most consumers don't know enough to look for it anyway.) Consider two more comments from Wirtz:

> What we've seen so far is troublesome and cumbersome. We worry they don't know what they're doing. It's extremely difficult to retrofit the system with copy protection without losing the ability for *all* CDs to play on *all* players.

We fear some of these so-called copy-protected CDs will play at first, but will eventually show problems and break down.

Paranoia? A footnote says that Gary Warzin of Audiophile Systems spent time analyzing a "restricted CD" with a professional error detection system. "He routinely (approximately every six seconds) saw 'correctable' error rates in the triple digits. 'For comparison purposes,' he wrote, 'a quality CD rarely displays any errors. A damaged CD produces occasional errors measured in either single or double digits. On the Universal disc these large bursts of correctable errors frequently resulted in errors flagged by the CDL-40 as 'uncorrectable.'"

Copy-protected audio discs: Just say no.

Finally, a 10-page article by Drew Clark, source and date unknown: "How copyright became controversial." (Possibly from *National Journal's Technology Daily*.) How did it become controversial? "In a phrase, the Digital Millennium Copyright Act (DMCA)." As Clark notes, "for the first time in history, it isn't the copyright violation that [is] the crime. It is the creation of the technological tools…" The paper notes some other recent laws that expand copyright and limit use—and Clark goes much further than many of us would go: "It may well be that the weaknesses of the concept of copyright in a digital world make it hard to sustain a principled defense for the enshrinement of state power represented by copyright law." While the article is worth reading, I fundamentally disagree with that quoted suggestion. Try this analogy: "The weaknesses of enforcing speed limits on highways make it hard to sustain a principled defense for such limits." For that matter, enforcing the law against murder appears to be nearly hopeless in San Francisco, but few have used that as an argument for decriminalizing murder. Maybe I misunderstand Clark's viewpoint, but I find it offensive to suggest that if it's trivially easy to behave unethically or illegally, then ethics and laws ought to be abandoned—and copyright is an ethical as well as a legal issue. (Don't get me started on the ethics of Big Media, but two wrongs continue not to make a right.)

CBDTPA and SSSCA

Why both names? Because this installment offers a miscellany of satire and commentary along with precious little actual news about Hollings' bill.

➢ A strange piece at Humorix, a Linux humor site with such a bizarre URL that you're better off using Google, would be funnier if it didn't attack the wrong target. The March 19 "fake news" is entitled "The SSSCA doesn't go far

enough" and supposedly written by "Rita Rong, Official Microsoft Shill." The proposed "Secure software systems for the children act of 2002," a great name, is a wonderful take on the apparent attitudes of SSSCA supporters. The first clause begins "Whereas Congress finds that the vast majority of Internet users and entertainment consumers are thieves, pirates, miscreants, Communists, hackers, and anarchists…" and the second, "Whereas Congress finds that libraries, public and private, represent a serious loophole by which consumers can access copyright works at no charge…" It goes on for five pages of outrageous clauses that don't seem so outrageous when you look at actual proposals, and I'd normally **recommend** it as a lighthearted antidote to legal nonsense. But Microsoft is firmly and publicly opposed to SSSCA/CBDTPA. And consider this: CBDTPA requires the use of open-source software for the required security technology and, well, Linux and open source software go hand in hand.

➢ Linuxandmain.com offers an April 22, 2002 essay from lawyer Catherine Olanich Raymond, "The Consumer Broadband and Digital Television Promotion Act—a closer look." **Recommended** as a readable summary of the intent and difficulties of the act, although I believe Raymond is somewhat naïve in her assertion that it's technologically impossible to establish a one-copy limit for over-the-air broadcasts, "since even one 'personal use' copy could be used to make other copies." Not with the right CBDTPA chips and watermarks in place, it couldn't—just as you can't make a digital copy of a digital copy of an audio CD using consumer CD recorders now. Raymond assumes that CBDTPA "will never become law" and says "Congress needs to learn that it can't create technology by mandate, and that it can't restrict the transmission and copying of copyrighted works via the Internet—or pander to its friends in Hollywood—without cost." But Congress mandates technology all the time—witness HDTV—and the "costs" are to fair use, first sale rights, and other consumer rights that don't much interest some Congresspeople.

➢ Then there's the Gateway ploy, a surprising shot across the bows from Ted Waitt in his campaign to increase Gateway's visibility and market share. As announced April 10, Gateway began a campaign of TV, radio, Web and in-store communications inviting people to *legally* download music at www.gateway.com, attend

free digital music clinics at Gateway Country stores, and pick up free CD-R blanks (three per customer) at the stores in early April. The company also declared its support for legal CD burning and other copying. Waitt: "Our customers are telling us clearly that they value digital music technology and they want to keep using it legally. This campaign is intended to show we support their right to do so while giving them the tools and information they need to understand and use digital music technology in ways that don't harm copyright holders." A Gateway-commissioned survey shows that 73% of consumers who have downloaded music "say they now spend the same amount of money—or more—on music purchases" and that 53% of computer owners would be more likely to buy a CD if they could first download a sample track. The Gateway site urges people to write their senators to oppose CBDTPA. You gotta love Hilary Rosen, who calls Gateway's site "a gateway to misinformation" and says Gateway "favors illegal copying because it helps the company sell more CD burners." Yep, those $75 CD burners make all the difference on $1,500 PCs; put in a $40 non-writing CD drive and the PC's just plain useless. (I've read the site, and can't imagine what Rosen considers misinformation.)

➢ A brief April 29 commentary at law.com (www.law.com) by Roger Parloff, "A fence too far," is **recommended** if only because it's from an unusual direction. Parloff calls himself a protectionist; he thought Napster was illegal "and think [DMCA] is sensible and constitutional." He sees CBDTPA in "just the opposite" way as most opponents—not as an attempt to deprive consumers of their "right" (his quotation marks) to make personal copies, but as arising from a mix of industry ideas to *allow* personal copies while preventing widespread distribution. Well, maybe; it's certainly a different reading of the reason for the proposed law—"those kindly music and film producers *want* you to be able to make personal copies, but they must prevent piracy." I can't read MPAA or RIAA statements as supporting Parloff's interpretation. But never mind that or even Parlof's clear indication that people really don't have a right to make personal-use copies (he glosses "right" as "(i.e., their current ability)"). He still feels CBDTPA goes too far, by getting the government involved with computer design: "it is more important to lock the government outside of our computers than it

ever was to lock it outside our appliances." "If controlling digital property requires government intervention on this scale, then there should be no such control." Coming from a self-proclaimed "protectionist," this is as damning an evaluation of CBDTPA as I've seen.

➢ Mike Godwin of the Center for Democracy and Technology offered an 11-page commentary, "Hollywood vs. the Internet," in the May 2002 *ReasonOnline* (www.reason.com). He lists some of the dire future possibilities if the "Content Faction" wins out over the "Tech Faction" in "this war over the future shape of digital technology." He asserts that laws such as CBDTPA proposes would almost necessarily prevent copying of older digital files, regardless of their legal status. It's an interesting piece, **recommended** for another set of perspectives. I tend to agree with one conclusion as to likely events if something like CBDTPA ever did pass: "Users may well take the approach I would take: If computers and software start shipping in a hamstrung form, I'll quit buying new equipment."

➢ I discuss this in more length in my November "disContent" column in *EContent*, but here's something to ponder. Chances are, any digital watermark that isn't audible or visible can be defeated by a simple digital:analog:digital conversion cycle, much as you can copy protected pseudo-CDs by plugging a CD player's sound (analog) output into the sound (analog) input of a PC's sound card. If that's true, then how can a CBDTPA-approved device work *except* by refusing to copy any file that *lacks* an authorized watermark, even if it's a copy of your 20-year-old cassette or your own original creation? Maybe Mike Godwin's right.

➢ Finally (for now), a May 27 commentary in *Fortune* (www.fortune.com) by Jeffrey H. Birnbaum takes the cynical view that Hollings' bill is "doomed but effective." That is: the bill will never pass and Hollings knows it, but the *threat* of the bill might force "Hollywood and Silicon Valley" to arrive at their own solution. "In other words, think of Washington as a legislative cattle prod."

CTEA and Creative Commons

No jokes about Cher and Mickey Mouse this time, but a fair amount of activity. You can start by visiting www.creativecommons.org, and continue by visiting eldred.cc. The first is a Web site for Creative Commons, a new nonprofit "intellectual property

conservancy to help artists, writers, musicians and scientists share their intellectual works with the public on generous terms." Lawrence Lessig chairs the initiative, which looks to offer a range of stated alternatives to traditional copyright—custom metadata licenses for copying and distribution terms to facilitate the ethical reuse of created works. I took most of that from Kendra Mayfield's May 17, 2002 *Wired News* article, "Making copy right for all."

The second, eldred.cc (no "www"), is the shortest URL for links to more than a dozen supporting briefs for *Eldred v Ashcroft* as it moves forward to the Supreme Court (case no. 01-618). You may be surprised by the range of individuals and groups that have offered briefs as friends of the court—including most library associations, cultural heritage and art/visual resource associations, and ones you might not expect such as the National Writers' Union. The brief for the petitioners is 50+xiv pages long and fairly readable. It makes the primary case that Congress' ongoing extension of copyright terms, effectively creating "permanent copyright," exceeds their power under the Constitution and that blanket retroactive extensions of copyright should be subject to scrutiny under the First Amendment. Specific arguments are far more detailed. There's a wealth of good argumentation here; **highly recommended**.

So far, I've only glanced at two of the *Amici Curiae* briefs. A 30-page brief from attorneys for ALA, AALL, SAA, SLA, ARL, CLIR, both national MLAs, and a slew of other associations makes three primary claims: Copyright term enlargements must "promote the progress of science and useful arts" and require new original expression from the copyright owner, copyright term enlargements must satisfy constitutional aims and be congruent and proportional to those aims (including the "limited" times stated in the Constitution); and Congress did not adequately consider the substantial burdens CTEA places on the public's access to and use of copyrighted works during their extended terms. Also **recommended.**

I have no idea whether *Eldred v Ashcroft* has a chance of success, but it's a landmark case that deserves attention.

Speaking of Turner…

As you might suppose, the "Turner" mentioned above is Ted Turner or, rather, Turner Broadcasting System. Turner may be a multibillionaire but he's also been an innovator (CNN and a lot more) and, in his own way, a man of the people. Now consider Jamie Kellner, the new chair and CEO of Turner. Between April 29 and May 4, I encountered three articles based on Kellner's recent comments about ads,

personal video recorders, and theft—all aspects of the copyright muddle (at least for this roundup!).

Key comments came in an April 29 *CableWorld* interview by Staci D. Kramer, "Content's king," which I downloaded from www.inside.com. It's a nine-page article covering a lot of ground, and included these comments:

> I'm a big believer we have to make television more convenient or we will drive the penetration of PVRs and things like that, which I'm not sure is good for the cable industry or the broadcast industry or the networks.

> [Kramer]: Why not?

> [Kellner] Because of the ad skips…. *It's theft.* Your contract with the network when you get the show is you're going to watch the spots. Otherwise you couldn't get the show on an ad-supported basis. *Any time you skip a commercial or watch the button you're actually stealing the programming.* [Emphasis added]

Kellner allows "a certain amount of tolerance for going to the bathroom," but that's as far as it goes. Following comments make it clear that Kellner insists on "a way to protect copywritten material"—that is, *new* protections for digital material. Otherwise, it's "not good for consumers," the constant cry of those who would eliminate user rights. Slicing-and-dicing use will, of course, "provide customer satisfaction for cable" and "it's somewhat inevitable." He returns to the "contract between the network and the viewer" later in the interview. It's Kellner's clear sense that nobody else should be able to make money from Turner's product by providing a different delivery method, unless Turner has licensed that delivery. Kellner *still* believes that VCRs are evil, if not in so many words. (He mentions the Betamax case as "a highly questionable decision.")

Based on that interview, "Top ten new copyright crimes" appeared at LawMeme (research.yale.edu/lawmeme) on May 2. Most of the seven-page article is excerpts from the interview with commentary, but the "top ten crimes" make a great and **recommended** bit of humor. For example: 10. Watching PBS without making a donation. 9. Changing radio stations in the car when a commercial comes on. 6. PBS (which takes care of 10, I suppose). 5. Inviting friends over to watch pay-per-view. 3. Not buying things from advertisers… and, of course, the ever-popular **1. Libraries and librarians**.

Dan Gillmor of the San Jose *Mercury News* offered his take in a May 4 column posted at Silicon-Valley.com, "Paranoia, stupidity and greed ganging up on the public." He begins: "Dear reader: If you are reading this column in the newspaper, but did not read every article and look at every advertise-

ment in previous sections, stop now. You must go back and look at all of that material before continuing with this column."

Later: "Ridiculous? Of course. Tell that to the dinosaurs at some major media and entertainment companies. They insist they have the right to tell you precisely how you may use their products." He brings in Kellner's comments along with the oddity of DVDs that disable all player controls until the copyright notice and some ads or trailers have played. He also notes the absurd claim of the Dallas *Morning News* that deep links—links to specific stories rather than to the paper's Web home page—are violations of its copyright. (Thanks to Daniel Cornwall of the Alaska State Library for pointing me to the *CableWorld* article.)

Peer-to-Peer and Related Issues

I'm a conservative when it comes to copyright: I believe creators deserve to be paid for their work and that unauthorized copying for sale or distribution is not only illegal but also unethical. I thought Napster, *as it operated*, was a bad thing. I think sites offering streaming versions of current films *should* be shut down for commercial piracy. With that in mind, a few recent items from the P2P/file-sharing piece of the copyright puzzle, offered chronologically:

➢ Lucas Gonze published "Intellectual property use fee (IPUF); KaZaA takes the offensive" on The O'Reilly Network (www.oreillynet.com) March 5, 2002. He notes a letter from KaZaA's DC lawyers to Senator Biden, who released a February report titled "Theft of American intellectual property: fighting crime abroad and at home" and filled with mentions of theft and piracy. The letter suggests that RIAA members routinely carry out a form of intellectual property "theft" by requiring assignment of all copyright; that RIAA is engaged in an "ongoing litigation witch hunt," focusing on under-funded startups as easy targets, and that a sensible solution would be a combination of compulsory licensing—that is, *requiring* that music and other stuff be available for copying—and a broad-based royalty to pay copyright owners for Internet distribution. The best precedent is the 1992 Audio Home Recording Act, the reason that audio CD-Rs cost a little more than data CD-Rs (there's a royalty, as there is on all digital audio recorders), and also the basis for suggesting that copy-protected pseudo-CDs may be illegal. When you establish a government-prescribed royalty for copying digital material, there's an implication that

the material will be available for copying.) **Recommended** and a brief read. A later report in *USA Today* notes that Verizon is now involved in the IPUF proposal (a suggested $1 per month fee for ISP accounts, raising $2 billion a year) and the predictable response from RIAA's Hilary Rosen: "The most disingenuous thing I've ever heard. It's ridiculous." A May 16 story at ZDNet News offers more details, including some level of support from the Computer and Communications Industry Association. That story also notes that compulsory licenses aren't really new: That's how radio works. "Radio stations don't have to ask to play a piece of music; they simply have to find it, keep track of what they're playing, and pay royalties to songwriters and publishers."

➢ Remember the Secure Digital Music Initiative? It enters into DMCA (the Felton case had to do with breaking SDMI's proposed watermarks) and was a well-funded four-year effort, with 200 companies paying $20,000 in annual dues to design digital watermarks or protection schemes. Of course, SDMI-protected CDs would also be pseudo-CDs and subject to AHRA challenge, but when has that stopped companies? According to an April 28 AP report downloaded from SiliconValley.com, SDMI's essentially dead.

➢ Another SiliconValley download, this one a May 3 Reuters report, notes a Jupiter Media Matrix study showing that heavy users of music file-sharing systems are "more likely to actually increase the amount of money they spend on CDs." As you might expect, the Big 5 music labels blasted that report. A May 9 *Newsbytes* story claims false correlations and says that the lack of under-18 respondents makes the conclusions worthless. RIAA offered its own survey, with one of those charmingly neutral questions: "What were some reasons for not buying more music in 2001?" But even in that survey, less than a quarter of respondents mentioned downloading music, although 38% of "heavy music buyers under age 30" gave this response. Jupiter's analyst said of RIAA's response, "It borders on libel" and noted the leading questions in RIAA's survey. He also noted that the RIAA rarely makes such a public attack on a single research report and adds, "I think I struck a nerve... Consumers feel like the record labels are not acting in their best interests, and the RIAA tried to pull a smokescreen by blaming declining sales on file

sharing. We came out with some very solid data that disputes that claim."

➢ Two *Wired News* articles by Brad King comment on the last days of Napster. On May 14, the founder and CEO both resigned and the 70 remaining employees had to quit immediately and receive severance pay or take a week of unpaid leave and hope someone would revive the company. This came about because the board of directors wouldn't support selling Napster to Bertelsmann AG, one of the Big 5 and source of $85 million in loans to Napster. The longer May 15 story, "The day the Napster died," recounts the history of Napster and how it's changed the music world.

Miscellaneous Matters

➢ The copyright lawsuit over *The Wind Done Gone* ended May 7, with a confidential settlement "maintaining the correctness of [the sides'] respective legal positions" and reserving rights for further adaptations of both *Gone with the Wind* and the parody.

➢ Webcasters celebrated a reprieve from a probable death sentence (for most of them), when James Billington rejected a proposed royalty rate of $0.0014 per listener per song. That reprieve came on May 21. The Copyright Office will announce final rates in late June.

➢ Who would have thought AOL Time Warner would be one of the Good Guys (the company opposes draconian new measures) and Sony would turn to the dark side? Mac users have special reason to dislike Sony these days: some Sony pseudo-CDs with Key2Audio copy protection not only won't play on a Mac, they can lock up the machine and fail to eject. Apple offers workarounds and specifically disclaims warranty protection in such cases—after all, the pseudo-CDs aren't real CDs, so "any attempt to use non-standard discs with Apple CD drives [even if the discs aren't labeled as such] will be considered a misapplication of the product." (Information from a May 14 *Wired News* posting by Andy Patrizio.)

➢ "Twiki Openlaw" (part of the Openlaw site at eon.law.Harvard.edu) offers another bit of satire, "BillOfRightsMPAAammnded" (downloaded April 22). It adds appropriate "copyright-friendly" language to each amendment, in a clumsy but sometimes nicely-done manner. Here's the new First Amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances. Except to protect copyright. Any use of copyright material without the consent of the owner of the copyright is forbidden. No discussions of encryption, decryption, or access control technology will be permitted.

Trends and Quick Takes

The Webified Kitchen

Bizarre ideas never go away when manufacturers think consumers are willing to pay big bucks for them—and rely on the Barnum Principle to supply a steady stream of eager early adopters, roughly one each second. Remember one aspect of the inevitable success of Webvan—that we'd all have Internet-connected refrigerators that would scan groceries as the delivery person stored them and place replacement orders automatically? The Webfridge keeps coming back.

LG Electronics has been selling one in South Korea and plans to introduce it here. There's a 15" LCD screen in the door, so you can not only download recipes but watch TV while you're cooking—as long as you cook within sight of the refrigerator door. (My guess is that you pay a *lot* more than you would for a low-tech 15" TV for your kitchen, but you can't download recipes on a TV set.) "If dinner isn't coming out quite right, you can use the fridge's built-in video camera to open a videoconference to your mom's kitchen." I quote from the March 2002 *Computer Shopper*—I don't think I could make this stuff up if I tried.

Whirlpool's not far behind. The company will offer "networkable appliances" later this year in the planned community of Playa Vista (West LA), where every home has broadband. Hear Stephen Duthie of Whirlpool: "*Manufacturers* have come to realize that these appliances have some utilitarian value, but only in homes that have broadband." [Emphasis added.] One "utilitarian value:" Webfridges cost about twice as much as ordinary units. Value to the consumer? Once again: there's a screen in the door (a docking tablet PC in this case) so you can download recipes and browse the Web while you're cooking. "You can use the Web tablet in the den to preheat the oven and start the dishwasher."

Lots of technologies that I don't use make good sense for other people, and I applaud your (their?) decision to use what makes sense for you—right up to the point that you tell me that I'm ignorant if I don't use them or we'll all "inevitably" use them. There are also toys that I consider silly for almost

everybody. This falls into the latter category. There have *got* to be better uses for your money. I'll be happy to list a few dozen charities and local causes if you already have all the vacation plans and retirement savings you can use. You could start with your public library's foundation or Friends group.

What Context Means to Me

What do you think of when I say "context" in relationship to "content"? When econtent meets ecommerce, eEnglish results. Steve Smith's "Follow the money" column in *EContent* 25:5 (May 2002) is entitled "Making context king…or…can relevance engines make content pay off?" What's it all about? Newfangled ways of wrapping "content" around an order button—getting you to buy something. How about this definition of a relevance engine:

> "All a relevance engine does, explains Vin Bhat, co-founder, Simile Software (formerly Nano) is 'intelligently connect a publisher's content to other relevant content and services.'" So, for example, give Simile an article on cyclist Lance Armstrong and get links to other Armstrong articles and offers to buy books on Armstrong. "Well-contextualized ecommerce" could, Simile believes, generate 2% to 4% click-throughs, the magic coin of the erealm.

Here's an oopsy from someone who's been doing "contextual ecommerce" for some time: "People are either in the mode of reading or buying, and more often than not people are not wanting to go off into a tangent." Now there's an awful thought: some of us may be sufficiently focused on an article that we're *not ready to buy now!* I suppose you could dumb down content enough to avoid that problem—the whole idea, I suspect, behind "interactive" TV being that the lead actress's dress is so much more interesting than the plot that you *will* click on the "buy me!" spot. Smith gets it right in his final summary:

> But what is most important to this equation is something outside of the publisher's hands, the context that the visitor brings to the site, whether at heart he is here to read or to shop. That is something that even the most powerful relevance engine cannot affect.

The Other 40%

Rik Fairlie has a strange column in the June 2002 *Computer Shopper:* "Do you really need the speed?" He suggests that PCs should be built and marketed like cars, seeking to address specific lifestyles, rather than focusing on speed—and says "automakers don't sell cars to mainstream buyers by hyping horsepower." That's news to me, and I think it's sad that a Honda Civic driver knows nothing about the car's engine other than "it's located somewhere near the front of the car." (If it's an EX, it's a Honda VTEC, one of the most sophisticated engines on the market, and produces remarkable horsepower and torque for the size of the car along with ultra-low emissions—but given his total lack of interest in the Civic's performance, I suspect he doesn't own an EX. We own two—one 1995, one 2001—not *primarily* because of the great engine but because they're the safest, most comfortable, and best-handling Civic model.)

Which has nothing to do with this item. He quotes Patrick Moorhead of AMD on the reasons for fast CPUs, one of which is to support things like voice recognition. "New users need an intelligent interface like voice recognition, an interface that will encourage the other 40 percent to buy a PC."

Sure it will.

Moorhead almost got it right in an earlier comment: "The fact that 40 percent of U.S. households don't own a PC has everything to do with relevancy, not price. Users don't see a reason to buy a new PC." Strike "new" (and I prefer "relevance") and you've got it. I believe 40 percent of U.S. households consist of people who don't see much reason to buy a PC, period. Giving them a voice interface won't change the fact that they have no need or use for a computer. Very few appliances or devices become nearly universal; 60% is a fairly high penetration rate. Why should PCs be different?

Midrange PCs, RIP?

The June 2002 *Computer Shopper* was one for peculiar columns. Witness Steve Fox's column, where he assumes that traffic at the CNET.com Website is an accurate indication of what computer users are doing everywhere. Did you go to CNET.com to research your next PC, or did you go directly to Dell, Gateway, and maybe Micronpc?

With this assumed omniscience from the Almighty CNET, Fox asserts that there are only two choices in PCs: Cheapies around $750 and high-end boxes over $2,000. There's nothing in the middle because nobody cares. Hmm. Dell's suggested home desktop systems cost $799, $1,099, and $1,399. Gateway has a first-rate recommended system at $1,499, with others at $850 and $1,999. Apple's primary systems cost $1,400 to $1,600 (iMac) or start at $1,600 (Power Mac). Looking through the lesser-lights ads in the same issue, I find high-performance machines costing $1,300-$1,600. It's a remarkably well-populated region given that Fox says it doesn't exist.

Then there's a quote from "eight years ago" from a "longtime PC journalist": "The PC you want al-

ways costs $2,500." Fox claims that the new version should read "…always costs $2,000." The "old adage" as I've always read it, from Bill Machrone, was "..always costs $5,000," not $2,500, and he changed it to $3,000 in the last year or two.

Think about it: Would your "dream machine" in 1994 *really* go for $2,500? If so, you must have modest dreams! Looking back at group reviews in January to March 1994 (as recounted in "Trailing Edge" in *Library Hi Tech* 12:3), I see an Editor's Choice Dell OmniPlex: Pentium-66 with 32MB RAM, 1GB hard disk, and 14"-viewable display, for $7,227—and they say it's "worth every penny." The other Editors' Choice, a Zeos Pantera-66 (540MB hard disk), cost a mere $3,895. A roundup of PCI-bus systems had a single Recommended unit: a Gateway 2000 for $3,995, which the review considered exceptionally *low* for the package. Another Pentium roundup included eleven systems; Gateway's was *cheapest* at $3,500, going up to $8,700 for a Compaq. Editor's Choice went to a $5,000 ALR. Machrone continues to be right. The machine I'd *like* to get, Gateway's 700XL, costs $2,999 (and is extravagantly well configured)—and the best name-brand machines in the same *Computer Shopper* comparative review also cost around $3,000.

"Flyweight" vs. "Lightweight"

Top of page 88, June 2002 *Computer Shopper*, "This flyweight packs knockout performance." Bottom of page 92, same issue, "Flying business class is finally affordable"—with "lightweight" mentioned in the first paragraph. One computer weighs three pounds. The other weighs 3.9 pounds. Which is which? That's right: the "flyweight" computer weighs a pound more than the "lightweight" one; it also costs 38% more and received a much higher rating. (It does have a faster CPU, larger disk, DVD/CD-RW combo instead of a mere CD-RW drive, and slightly longer battery life. Otherwise, the two machines are similar, both come from big-name companies, and both may be made by the same third-party supplier, probably Samsung. The names aren't important.)

Cute Design Run Amok

PC World's June 2002 issue flags itself as a "Special issue: the ultimate PC how-to guide." It includes "220 tips you need now." And lest you forget that you're looking at tips, tips, and more tips, there's a gold ">>TIP" in front of each and every tip. I have a terrible feeling that this could be a permanent design innovation, but I'll hope that sense returns. **>>TIP:** Don't try so hard.

By the time I got through this issue, I was ready to scream—saved, fortunately, by Stephen Manes' closing column, "How to get work done: beware of tips." He offers three questions to ask before deciding whether to take a tip: How much will it help, how long will it take, and how long will it last?

I've learned to ignore most hot keyboard tricks to avoid menus and, indeed, most "power user" tips—except for a handful that are a daily part of *my* PC use. My own best tips: Ctrl-Z undoes the most recent action, including auto-formatting (this comes into play when I'm talking about screen measure and need to restore inch signs from typographic quotes), and always try the right mouse button before going to the menu bar. But Ctrl-z is pointless for most users, just as learning a clever keyboard equivalent to, say, "Go to" on the Edit menu (Ctrl-G, as the menu itself notes) is pointless for me. I use "Go to" less than once a week in Windows applications, so why clutter my memory with a shortcut? Manes' column is the redeeming grace of an otherwise irritating issue.

Pixels and Pages

Page 25, June 2002 *PC World*, in a discussion by Dave Johnson of the rapid drop in digital camera prices: "These cameras [2-megapixel units] all pack enough pixels to yield high-quality 8-by-10-inch prints." Page 108, June 2002 *PC World*, in a fine "how to" section, "How to print perfect photographs," by Dave Johnson: "Digital images taken with a 2-megapixel camera yield good 5-by-7-inch prints, and images from a 3-megapixel camera are better for 8-by-10-inch prints."

Dave Johnson, meet Dave Johnson. *PC World*, meet *PC World*. Which Johnson is the real Dave? The p.108 discussion also says that "most ink jet printers are optimized for images with 200 pixels per inch," implying that images for that size should be "no less than 1600 by 2000 pixels." Which is, if you do the math, 3.2 megapixels.

Ain't editing wonderful?

How Near is Near-CD?

The June 2002 *Sound & Vision* has a third round of critical, controlled-condition listening tests to see how easy it is to tell digitally-compressed CD tracks from the originals. (David Ranada, "Facing the codec challenge," pp. 98-100.) Given that many magazines have dropped the "near-" qualifier in calling 128kbps MP3 "near-CD quality," and that Microsoft suggests that Windows Media Audio at 64kbps is as good as 128k MP3, it's good to have someone doing serious tests.

The test methodology is *truly* double blind. Five different codecs (compression-decompression routines, the software that makes compressed audio work) were under test: WMA at 128K and 64K, MP3 at 128K, and RealAudio 8 at 132K and 64K. Twelve different musical selections covering a range of conditions—harpsichord, applause, Pearl Jam's "Daughter," Johnny Cash's "I walk the line," and so on—were recorded directly to a computer disc and also ripped using each of the five codecs. The "ABX" testing technique uses a three-button pad for the listener. The "X" button identifies the reference—in this case, the pure copy of the CD. Of buttons "A" and "B," one is *also* the reference while one is the item under test—in this case, a compressed version. The listener's job is to determine which of "A" and "B" is different from "X"—and *how much different*. If there's no audible difference, you'll get a cluster of narrow scores including false positives (where the reference is assumed to be different than the reference). A program determined which codec was tested for each trial as well as which button got the compressed version, and the same program kept all the scores. Two of the three listeners didn't even know what codecs were being tested. (I know it's a long explanation, but—despised though it is by True Audiophiles—ABX testing is the most scientific method to prove that an audible difference between two things *does* exist. Subjectivity comes in when this double-blind methodology does *not* show differences that are nonetheless claimed audible by golden ears—and they may be right.)

Results? Microsoft's simply wrong when they claim "CD quality" for 64k WMA. Both 64k codecs scored very badly, much worse than MP3 at 128k. RealAudio 64k was by far the worst. 128k WMA did the best, but it still wasn't CD quality. 132k RealAudio also did better than 128k MP3—but not much better.

Which is not to say 128k MP3 or WMA isn't good enough for casual listening. WMA, in particular, may yield better than FM quality under most conditions. But CD quality it's not: lossy compression is tough to do, particularly for audio.

AltaVista Sees the Light

Greg Notess carried it as the first item in "Internet search engine update" in the May/June 2002 *Online*. In case you haven't heard: AltaVista has finally changed the default operator on multiword searches from OR to AND. Most of you have never gone through user logs, seeing people get zero results with two words, then resubmit the same search with three words, then four words, then five words—probably wondering why they always get zero results. (Half the time, one of the first two words has a bonehead spelling error that the searcher never looks at or corrects.) AltaVista has warped the minds of too many searchers. Better late than never, I suppose.

The Good Stuff

Everything here comes with a **recommended** label unless I provide another explicit label (as in "Revenge of the librarians" below)—and failure to mention an article I "should have read" somewhere in *Cites & Insights* implies *nothing* about the article.

Calishain, Tara, "Less is more," *EContent* 25:5 (May 2002), pp. 24-8.
 A little peripheral for library people, but a good article about a trend Web users should encourage: Text ads in place of increasingly intrusive graphic ads. It's true that text ads "are more difficult to block" than graphics and popunders—but then, why bother? Context-sensitive text ads like the colored boxes on the right edge of Google results don't bother me, and sometimes they're as useful as good print advertising. Useful, context-sensitive ads also yield better response rates than annoying ads that take over your screen. They're also cheap to prepare and use—you can run a campaign for as little as $10. The article's a good quick read, as you'd expect from Tara "ResearchBuzz" Calishain.

Belle, Jeff, "Revenge of the librarians," *EContent* 25:5 (May 2002), pp. 28-34.
 I have mixed feelings about this article, but I'm not part of its target audience. The subtitle shows the bias immediately: "Journal prices under siege." Not "Libraries finally pushed to the cliff," but those mean consortia ganging up on poor journal publishers. The article's not bad and does offer a different perspective. The pricing problem always appears in quotes, as "the so-called 'journal-pricing crisis.'"
 Here's an amusing comment: "But it goes without saying that publishers, responsible to shareholders, can scarcely lower prices out of compassion alone." That's followed by an explanation that prestigious university libraries are "willing and able to pay the ever-increasing prices for must-have journals" and form a core that's "increasingly tasked with supporting the costs and margins of the publishers." Later, we learn that "Harvard, Yale, and Stanford will never compromise on coverage"—those three will pay whatever it costs! That's a few paragraphs after this jewel:

Still, the FTE approach may not be enough of an elixir, given the fact that the vast majority of library budgets (up to three-quarters by some estimates) are spent on the administrative expenses of dealing with print journals.

Now, the "Harvard, Yale and Stanford" thought can be clarified by a quick look at ARL statistics or a few emailed questions. I'm willing to bet that at least one of those three institutions has cancelled serial subscriptions in recent years; I *know* that Stanford had fewer current serials in 2000 than in 1998. The quoted sentence is a tougher nut: A number that makes no conceivable real-world sense *unless* you hold the view that the only business of university libraries is to provide scholarly articles. Let's posit that some university libraries spend 75% of their budget on staff. (The 2000 salaries & wage figures for the universities cited earlier are 53%, 49%, and 42% of total expenditures respectively.) The quoted sentence implies that *every staff member* is totally devoted to "dealing with print journals." Of course, the follow-up is that if all journals go to electronic form, the staff "expenses would go away, which would effectively serve to free more budget dollars to pay existing journal prices. That is, internal library costs can still be slashed without sacrificing publishing margins for electronic product." Those stones still have blood in them: You just have to squeeze harder!

Recommended with caveats: Be aware of the publisher-oriented perspective. Fire your staff so you can pay for our e-journals! Incidentally, my "Dis-Content" column on pages 42-3 of the same issue offers an unintentional commentary of sorts on this article; it's actually response to a December 2001 *EContent* column.

Donatello, Mike, "What consumers tell us about paying for news online," *EContent* 25:5 (May 2002), pp. 36-40.

"Everyone knows that the Web's free ride is ending. What needs to be established are best practices for adding more value to Web sites so that consumers won't resist paying for content and registering for access." That's from an "About the author" sidebar, but it serves as fair warning for all you library, university and personal sites: The free ride is ending, so be ready to charge your users for services. Company-sponsored sites? Why offer them for free, once consumers have learned that resistance is futile?

Setting aside Donatello's noble cry to rid the Web of free content, the article offers an interesting overview of a survey covering almost 2,000 visitors to newspaper-affiliated Web sites late last September. Late September 2001 may have been an odd time to ask people visiting news sites what they would pay for content, but set that aside. The answer is "not much." Some of them will register but few have paid for online content or plan to do so.

Gralla, Preston, "Making a list," *PC Magazine* 21:10 (May 21, 2002), pp. 62-8.

Another gem from *PC Magazine*'s "Solutions" section, this time discussing how you can set up a list—or, as Gralla calls it throughout the article, a "listserv." He notes the first time that the name is "after the venerable server-based program Listserv," but every other publication I'm involved with avoids using "listserv" (particularly as a lower-case generic noun), given L-Soft's vigorous defense of the LISTSERV™ trademark for their brand of list server software. Quaint terminology and Ziff-Davis Media's legal staff aside, Gralla explains the main types of lists and discusses prime choices of hosted lists (when you don't run your own software). I use Topica, which is ad-heavy for broadcast announcement lists but keeps discussion lists ad-free. It's the only one of the free services that doesn't force ads into all messages and I find its configuration methodology straightforward and workable. Yahoo! Groups insists on ads but offers a "community" of sorts, with group calendar, file-sharing area, chats, and polls. Avoid Coollist if you want a moderated list: It requires you to approve all messages from the Web site rather than by replying to email.

Hall, Danielle, and Janet Swan Hill, "The care and feeding of speakers and the spoken-to," *American Libraries* 33:5 (May 2002), pp. 64-7.

These are two brief articles that offer interesting perspectives on conference speaking. Hall offers "four simple rules" for good presentations from her perspective as a listener. Hill offers a long set of suggestions for conference organizers to make out-of-town guest speakers happier and more effective.

I'm not the right one to judge Hall's rules, since I almost never use visual aids while speaking (thus violating three of her four rules). I do try to "visit the space where you will be speaking ahead of time," and agree this is a basic way to uncover problems before they arrive. (In two of three cases where I've been unhappy about a speech I gave, visits beforehand—with someone who could give straight answers to hard questions—would have helped.) In general, and excluding maverick speakers, I think her suggestions are excellent.

Janet Swan Hill (who is far too humble in calling herself a "lesser light" among librarians) has excellent suggestions. **"Always put your speaker up in a hotel with a restaurant."** Can I get that engraved on a plaque? Her long paragraph about meal events

(other than the speaker's own event) is also first-rate, leaving the choice to the speaker and making it clear that "if speakers do not wish to attend the ticketed event, they will be reimbursed for the cost of their private meal." Sometimes, an out-of-town speaker just isn't up for a banquet. If I would quibble with any point, it would be this one:

> Issue invitations to meals, and say who will call to see if the speaker is interested in going out; remember that the speaker may know no one at the conference and will probably have no idea where to eat. If the speakers have arrived the night before their paper is to be delivered, they may prefer to stay in to rest or work on the paper, but they might rather have at least some human contact. If there is no conference organizer available to play host, apologize profusely, and make some suggestions about where they might dine.

Excellent advice, but I'd add this qualifier: "If possible, find out whether the speaker prefers company, would just as soon dine alone, or is neutral—and, if you're inviting the speaker to a meal, try to provide some idea of how many people will be there and the nature of the group." There have been cases where I've been the odd man out in a huge party of locals intently exchanging gossip or, in one ghastly case, where I've wound up dining near midnight because no plans were really made—and was informed at the last minute that I hadn't really been invited *to* dinner but to *join* people, and to pay for a dinner that I would never normally have chosen. That's rare, and I'll almost always take the chance: Informal meals and banquets can be great ways to find out more about the people to whom you're speaking and to get more out of the occasion.

If all conference organizers kept copies of Janet Swan Hill's article on hand, I could get rid of most of the "speaking page" on my Web site. As it is, I may adapt some of these tips (with credit): she's done a fine job.

Stroehlem, Andrew, "Censorship wins out," *Online Journalism Review* (www.ojr.org), posted April 16, 2002.

A sad reality check but an important one. "A decade or so ago, it was all clear: the Internet was believed to be such a revolutionary new medium, so inherently empowering and democratizing, that old authoritarian regimes would crumble before it." Which might be true for a regime in a country with robust communications systems, multiple uncontrolled points of access to the Internet, a free market in computers, or even uncontrolled multisource cellular service. But how many authoritarian regimes have such free-market conditions?

"The idea that the Internet itself is a threat to authoritarian regimes was a bit of delusional post-Cold War optimism." Stroehlem, head of training at the Institute for War and Peace Reporting, provides examples and explains them. Burma? You need a permit for a modem—and even if you had an illegal one, long-distance costs are prohibitive. There's no such thing as open access in many poor nations: the costs are just too high and the open infrastructure doesn't exist. This is a dense report (well-written but thick with information), well worth reading.

Oram, Andy, "The Semantic Web: It's whom you know," posted April 19, 2002 on The O'Reilly Network (www.oreillynet.com).

I had the privilege of hearing Tim Berners-Lee explain the Semantic Web in person. I've read Clifford Lynch's comments on the Semantic Web and how wonderful it can be. I didn't buy it then and I don't buy it now—either as a desirable future or as likely. You can find plenty of stuff about the Semantic Web by using primitive non-semantic tools like Google. My original reasons for doubting the Semantic Web may have been based on misunderstanding: I thought the idea was to machine-parse *existing* documents using wonderful new techniques.

Not so, according to this column. For the Semantic Web to work, documents must have full XML tagging using registered schemas. The odds of that happening for most existing documents? Nil. For new documents? "What do I get from all the other complicated tagging we're expected to do? I sense that most people will do an informal cost/benefit analysis and just utter a semantically significant 'No.'"

Oram also worries about quoting without context through true "deep linking" and believes, as I do, that semantics can't really be reduced to syntax.

Sathe, Nila A., Jennifer L. Grady and Nunzia B. Gluse, "Print versus electronic journals: a preliminary investigation into the effect of journal format on research processes," *Journal of the Medical Library Association* 90:2 (April 2002), pp. 235-243. (Downloaded in PDF.)

During this month-long study at the Eskind Biomedical Library of Vanderbilt University, patrons used print journals to read articles and scan contents; they used e-journals to print articles and check references. They considered e-journals easier to access and search, but reported that print journals had higher quality text and figures.

Those represent the core results of an innovative study, done by putting 15 high-use print journals behind the circulation desk so patrons could be

asked to complete a survey, and surveying patrons who appeared to be using e-journals on a reasonably systematic basis. The numbers are small (69 e-journal responses, 90 print journal responses), but the study doesn't claim to be more than "an introductory step in examining how electronic journals affect research processes." Given those limited claims, it's a thoughtful study and good, readable report. If anything surprised me, it's this comment: "Unexpectedly, given anecdotal evidence as well as the printing and photocopying data from our surveys, most users did not read electronic journals on the computer screen but tended to print articles." Why should that be unexpected? Sensible people may love e-journals for searching and may even find them good for quick checks and casual browsing, but I'd be surprised if they did not print out the articles they intended to read in full.

Cohen, David, "Course-management software: Where's the library?" *EDUCAUSE review* May/June 2002, pp. 12-13. (Downloaded in PDF.)

There's a problem with libraries, full-text resources, and course management systems such as Blackboard. "CMS vendors provide their own educational resource centers, pointing students to digital library collections and informational Web sites, including some that charge fees." This article raises a number of concerns with that practice—usually done without library involvement—but there's one in particular that's a striking case of fiscal mismanagement. When CMS vendors sell a university a package that includes full-text journal articles, it's likely that the library is already paying for those same articles—possibly as many as seven times, given the overlap in aggregated collections. I didn't draw "seven" out of thin air: my testing of Open-URL support in Eureka has shown that some periodicals are available at an institution in full text from seven licensed sources.

This excellent essay discusses the need for library involvement in CMS on several grounds and reports on early work by CLIR's Academic Library Advisory Committee. By leaving librarians out of the conversation, universities are throwing away money—and possibly leading students to less carefully vetted resources on the open Web.

Stone, Geoffrey A., "Eight things a former provost no longer believes about IT," *EDUCAUSE review* May/June 2002, pp. 62-3.

Stone, a former provost at the University of Chicago, offers a sprightly discussion of…well, read the title. #2: "Investing in IT will substantially re-

duce the number of books the library will need to acquire." #3 extols the virtues of laptops in class…after a student casually mentioned that her classmates "regularly use their laptops in class not only to take notes but to do crossword puzzles, check e-mail, follow sports scores, gamble, and bid on eBay." And, most wonderful of all, #7: "Within a decade, distance learning will revolutionize higher education." He also offers four unchanging realities. Wonderful stuff.

Rose, M.J., "Everything old is new again," *Poets & Writers* May 2002. (www.pw.org)

This "Practical writer" column discusses the role of very small publishers as alternatives to the big publishing houses. It's worth reading for a range of interesting insights as to the complexities of author-publisher relations. As a library writer, I was a little put off by authors upset because, after $80,000 or "six-figure" advances, they didn't get enough promotion from their publishers, but that's my problem as a specialist. One aspect of the problem with big publishers: Too many books! And, of course, ridiculous advances—not so much the six digits but the seven digit sums for Big Names.

Huwe, Terence, "Turbo-powering the flat portal: The University of California's labor research web," *Online* 26:3 (May/June 2002), pp. 29-35.

An excellent discussion of how UC's Institute of Industrial Relations Library crafted and improved the new Labor Research Portal, with many insights and lessons for other low-budget academic Web developers. I still don't fully understand what a "flat portal" is, but never mind. I'm biased: I know from decades gone by of the excellence of the IIRL library and recognize a good real-world article when I see it.

Notess, Greg R., "Dead search engines," *Online* 26:3 (May/June 2002), pp. 62-4.

When you reach a favorite search engine, it's good to know what you're actually reaching. Notess offers a lively summary of recent deaths and transfigurations in the Web search engine universe. The deaths are simple enough: A 404 lets you know it's gone. Transfigurations are more difficult: You think you're using good old Magellan or Excite, but you're really using Overture, nee Goto. A must read if you don't already know all this from Notess' Website.

Product Watch

The Borg Among Us

PC Magazine 21:8 (April 23, 2002) uses half a page of its "Pipeline" section to introduce the Xybernaut porna—oh, sorry, that's "poma" (the item's in con-

foundingly unreadable sans, unusual for *PC* but oh so postmodern—or is that postmodem?). This $1,499 "personal optical mobile assistant" consists of an 11-ounce computer you hook on your belt, an optical mouse, and a wireless head-mounted display that "has a diagonal view of 30 degrees and projects a simulation of a Microsoft Windows CE-based 13" notebook computer screen." The model in the picture looks like a pretty young Borg. The piece includes comments about the future of "immersive" devices, including Jaron Lanier's concept of "post-symbolic communication" through "shared, virtual spaces." Xybernaut has 700 patents for wearable computing devices. A cynic might consider their business plan and note the comment of their spokesperson. He claims that the poma will eventually replace products with little displays such as PDAs and cell phones. As those devices converge, "they are toeing the line of our intellectual property." And Raymond Kurzweil is apparently serious about retinal implants, not to correct vision problems but so that you can "enter virtual worlds." Now that's *personal* computing! Or is it porna?

Browse3D

"On the 'wall' in front of you is a Web page of your choice. On your left hang snapshots of other pages you've visited…" And on your right, unless you disable it, are the pages you *might be* going to next—snapshots of links from the current page.

That's Browse3D, a $30 add-on to Internet Explorer. You can "pan left" or "pan right" to move to one of the side pages, then double-click to make it active. The left side is a visual History file taking up extra real estate; the right side is…well, how often do you step through links on a page in direct order?

I found Matthew Newton's 3.5-star review in the May 2002 *PC World* puzzling. He begins the summary, "I found the visual metaphor comfortable, but I couldn't get used to it for everyday use." If he said, "I thought it was snazzy but hard to work with," I'd understand—but the combination of "comfortable" and "couldn't get used to it"?

Wacom Cintiq 15x

What a great name: "Cintiq." No, it's not a Central American revolutionary commander; it's Wacom's new 15" LCD display that works as a graphics tablet with 512 levels of pressure senstivity. The panel runs at 1024x768 and appears strictly designed for graphics: there are no editing or writing utilities.

The review in the May 2002 *PC World* is favorable. The device costs $1,899—without a computer. I mention that because Sony's VAIO Slimtop Pen

Tablet, introduced in early 2001, combined a 15" 1024x768 pressure-sensitive LCD display with a reasonably powerful system for its time (Pentium III-1GHz, 128MB SDRAM, CD-RW, 40GB disk), for $2,999 total. Despite excellent early reviews, the unit didn't sell. Sony discontinued it early this year instead of upgrading the processor. But then, Wacom has a following among graphic artists that Sony never achieved.

The VPen is Mightier Than the Keyboard?

If you believe Eric Auchard's Reuters story from April 2, OTM Technologies is ready to introduce a "digital pen that could provide the long-sought after alternative to keyboards and mice in new electronics." The Virtual Pen or Vpen "works on a variety of surfaces, from computer screen to paper, and even human skin." It's a stylus with a tiny optical laser reader at its point—and as a device for use with mobile phones and PDAs, it may be sensible.

Some of the story seems a bit overwrought. "Computers have transformed the way business is done… But users everywhere still work on lowly keyboards not so different from the ones that powered the Smith Coronas and Ollivettis of yesterday. The high-tech industry has grappled for years with how to create some easier way to enter data into the machines… Keyboards remain as cumbersome and difficult to use as ever."

Auchard says, "Inventors have had difficulty matching the speed, accuracy and efficiency of a typewriter keyboard." That's true—and it's also true that the best pen in the world can't provide that speed or efficiency. Of course, "speed, accuracy and efficiency" seem at odds with "cumbersome and difficult to use," but never mind. OTM wants to sell optical pens for tiny devices first, supposedly on the road to making Vpens "a standard way for users to input data." The first aim could yield a profitable enterprise. But trying to displace the keyboard for fast, accurate writing and data entry on a general basis? From this keyboard, that seems like a giant leap backward and highly unlikely.

Easier Panoramic Images

You've probably seen QuickTimeVR panoramic images on the Web or on CD-ROMs—spaces where you can look all around the inside of a room or place by scrolling within a 360° photo. Preparing those images has typically involved stitching together a group of photos using photo-editing software. New attachments for digital cameras let you prepare a panoramic scene in a single shot: Your camera aims upward at a reflector that captures the full surround.

Two devices are described in a brief piece in the May 2002 *Macworld*. It's not clear whether the necessary conversion software also runs under Windows, but if you're preparing QTVR there's a good chance you use a Mac. These aren't cheap—if you pay attention to the details. 360 One VR sells for $1,000. Sunpak's SurroundPhoto sells for $250—but it watermarks each image! You can pay $7 remove the watermark from an image you want to keep, or you can pay $699 for an unwatermarked version if you're serious about panoramas.

This Magic Number

The most common assertion about film resolution is that a 35mm frame (of medium-speed film) can yield a clean 3000x2000 resolution. That's six megapixels—so, theoretically, the magic number for digital equivalence is a six megapixel digital camera.

Enter the Canon EOS D60, which earns a perfect five-dot rating in a half-page review in the May 7, 2002 *PC Magazine*. It's a true SLR with interchangeable lenses and performs as well as you'd expect from a "prosumer" model (which is to say, about as well as a pro camera) It's priced like an expensive consumer unit, not a pro camera. $2,200 buys the body, battery, AC adapter, and charger. That ain't cheap, but compare last issue's mention of the Canon EOS-1D: a true professional unit offering 4.1 megapixels and taking the same Canon EF lens. That model runs a cool $5,499 without lens. Add a $1,600 lens to either kit, and the D60 winds up costing about half as much for 50% more resolution. You can use an IBM Microdrive to store EOS D60 output. Given the resolution and probable resulting file sizes, that's not a bad idea.

Big Screen Portables

Gateway's had a 15.7" notebook for some time now. Sony's PCG-GRX570, a $2,500 notebook reviewed in the May 21, 2002 *PC Magazine*, ups the ante: 16.1" with 1600x1200 resolution. That's the image size of a so-called 17" CRT screen—but with higher resolution than you'd *ever* use on such a display—and the screen sits two or three inches in front of your fingers, about a foot closer than a well-placed desktop screen. It should be a great unit for small-group presentations, but it's heavy (9.6 pounds travel weight), bulky, and the 125dpi resolution means very small icons and system text. The system uses a 1.6GHz Pentium 4-M and has 512MB RAM, a 40GB drive, and a CD burner/DVD combination. There's no wireless Ethernet or internal diskette drive, but you do get TV out and IEE1394 in. Figure just over two hours on a battery.

Portable Projectors: Light or Bright?

Two reviews on page 46 of the May 21, 2002 *PC Magazine* offer strikingly different choices in portable projectors at similar prices. The new PLUS Vision V-807 ($2,295) offers SVGA resolution with rated 800 lumen brightness (tested 575 lumens) and decent overall quality, but what makes it interesting is the weight: just two pounds!

Epson's PowerLite 51c weighs more than three times as much (6.8 pounds), costs a bit less ($2,200) and yields the same SVGA resolution—but it has a rating of 1200 ANSI lumens and tested out at 1127, an extremely high brightness for a portable projector.

Tiny PCs

No, not PCs from the Tiny company—whatever happened to those imports and their splashy advertising anyway? I mean "full-fledged Windows-powered PCs the size of pocket novels," as described in Elisa Batista's April 23 *Wired News* posting. Her subtitle asks the key question: "Is there a market?" And if a *Wired* writer has doubts…

The company is OQO, one of those great corporate names: "I want me one of them oqos!" The device has 256MB RAM, a 10GB hard drive, and a touch screen, which can't be larger than about 4x6" if it's really paperback-sized. Add a USB port and 802.11b wireless connectivity as well as Bluetooth, Windows XP, and $1,000 projected price.

The CEO is convinced: "Everyone we talk to wants this small thing." Why? That's less clear. Without a keyboard and with a tiny screen, what makes it worth twice as much as a PocketPC? A Microsoft product manager doesn't see it: "People want the large screens." Gary Elsasser of eMachines "tried for years to make desktop PCs go away" and concludes "Consumers like to have something big to trust." Elsasser was at Toshiba when that company introduced the Libretto, a "VHS-tape-sized" computer. As he notes, it was a media darling—and bombed almost everywhere it was introduced.

Look, Up In the Sky, It's SuperDVD?

"The DVD may be headed for obsolescence." How's that for a grabber—and this was in *PC Magazine*, not *Wired*. The story: InPhase Technologies claimed a "demonstrable phase" of Tapestry, a holographic data storage system capable of storing 100GB on one CD-size disk.

You've heard holographic storage as the great medium right around the corner before—for more than a decade now. Skip Kilsdonk says it's true this time, and who are you to doubt him? "The DVD is at the end of its life, and holographic-data storage is

the start of the next level. This is the future of content distribution. In 10 to 15 years, holographic-data storage will replace just about every application that uses other existing technologies." A "product" will arrive in 2004.

A five-year-old technology is "at the end of its life" because it might be supplanted in 10 to 15 years. Trash your DVD players now! The new technology will *replace everything else*. Heard that before? Still using obsolete platters of spinning rust-coated metal or glass to store data, a technology invented half a century ago and long-since obsolescent? Some day, holographic storage will arrive. Maybe this time it's for real. Wiping out everything else—and worth printing a tombstone "DVD…we hardly knew thee"—in June 2002? The item appears in *PC Magazine*'s "Pipeline" section, but "Hypeline" seems more appropriate.

Videoconference Magic

June 11, 2002 *PC Magazine* review (four dots): Teleportec Conferencing costs $30,000 per installation, or you can rent it for $400 per hour at select sites. What's special about Teleportec? It uses the Pepper's Ghost effect, a stage-magic illusion dating back more than a century, to produce a life-size image of the speaker floating in midair. When you look at the face of the speaker, you're also looking at the camera, concealed behind a slanted sheet of plate glass that makes the whole thing work.

"Teleportec talks about people being 'teleported'…[and] says that many people interpret it as 3-D." So you get an effect "very much like a face-to-face meeting" without all those travel expenses.

Cheap Shots & Commentary

Hargittai, Eszter, "Second-level digital divide: differences in people's online skills," *First Monday* 7:4 (April 2002).

Some Web users search the Internet more rapidly and effectively than others.

If you think that's a societal crisis, have I got an article for you! And if you believe it's possible to draw valid conclusions about social issues from a study of how 54 Internet users in a highly-educated New Jersey county search for five things on the Internet, maybe you'll accept meaning in the many conclusions in this 24-page paper with eight tables and two graphs.

With that small a population, very few inferences have any generalizable validity. A dozen respondents aged 20 to 29 averaged 8.2 minutes to complete the tasks as compared to averages of 15.7 and 14.0 minutes, respectively, for six people in their 30s and 14 in their 40s—although the standard deviations for those groups are so high that the numbers are fairly meaningless. People in their 50s took 19.1 minutes while people in their 60s took only 13.5 minutes. I love that: it means I'll get smarter in another four years! Or, since there are eight people in each age group and the standard deviations are high, maybe it means nothing at all.

People with no college degrees and people with graduate degrees did just about the same in tasks completed and time taken—but people with bachelor's degrees did a little worse on tasks and *much* worse on time. "A little knowledge is a dangerous thing," perhaps? Wording leading up to that table says, "Those with the highest level of education do best in terms of the number of tasks completed while those with the lowest level of education are the quickest in completing tasks." But the mean number of tasks completed was 4.43 for the 14 non-degreed respondents and 4.45 for the 22 with a graduate degree—compared to 3.78 for those with bachelors degrees. The difference between 4.43 and 4.45 would be irrelevant even with a statistically projectable population. Then again, 22 respondents with graduate degrees out of a total population of 54 is so atypical of the broader population that it calls the whole study into question.

Hargittai asserts important findings. Other than the assertion that people search differently (can I get a grant for that?), I see nothing in this study that can be considered more than anecdotal.

The Details

URL: cites.boisestate.edu/civ2i9.pdf