

# The “all-digital future”: Surrendering our property rights

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We keep hearing about it—the “all-digital future”: easier, more convenient, no need to drive to the store. Download all the content you want instantly. Thus, iTunes, OnLive, Steam, and various other services were born. But this convenience bears a steep price. In our rush to embrace the all-digital future, we’ve sacrificed fundamental property rights.

Time and again, record labels, software developers, and movie studios have expressed their displeasure with physical media. *The overhead is too steep. There’s too much piracy. The second-hand market is immoral and equivalent to piracy.* Technophiles love to debate the merits of streaming media, but it’s the entertainment companies, not consumers, who are promoting an end to physical media.

At first glance, the iTunes, PlayStation and X-Box online stores seem like a godsend—you can purchase movies, music, or games from the comfort of your living room, and they’re delivered instantly (or as quick as a download). Win-win right? But the devil, as they say, is in the details. The iTunes and PlayStation Stores both adhere to draconian Digital Rights Management (DRM), placing heavy restrictions on downloads and usage.

When you download content from iTunes, it’s [authorized for up to five computers](#) [1]. Understandably, this DRM restriction prevents rampant piracy, but it has the effect of restricting property rights. The X-Box Live Marketplace [ties purchases to your account](#) [2], so if you switch game consoles, you must be logged in to re-download your content. No internet access means you forfeit your downloads. The PlayStation Network restricts downloads to [up to five consoles](#) [3].

Software developers have made no attempt to [hide their contempt](#) [4] [for the secondary market](#) [5]. They believe they should control every aspect of distribution, bending the rules in the process. “Licensing” their software (rather than selling it), allows these companies to redefine the first-sale doctrine.

“[OnLive](#) [6]” is one of the latest attempts to combat piracy, preserve DRM, and

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control the means of distribution. OnLive is a downloadable software client that allows users to stream PC games via cloud computing. Gamers can browse an extensive library of titles, some costing as much as their physical brethren. Games are hosted on remote servers, and thus, users don't need high-end gaming rigs to play the latest releases. That's the good news. The bad news is a total loss of property rights.

As CNET [points out](#) [7], “unlike Steam, you're not actually buying the game, but just the right to access it via OnLive's servers, ‘while it is available on the OnLive gamer service,’ which the company says will be until at least June 2013 for the games currently listed.”

In other words, you don't own the games, and your “right to access” eventually expires. So you can [pay \\$29.99](#) [8] to “own” Assassin's Creed II for three years, or pay the [same amount](#) [9] to Best Buy and own it indefinitely. The choice seems clear.

The “all-digital future” seems inevitable. For media companies, it's a utopia—they control the means of distribution, eliminate the secondary market, and curb piracy. But I'd urge caution. In our headlong rush to embrace digital media, we risk surrendering fundamental property rights. *What's mine is mine.*

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### Links:

[1] <http://support.apple.com/kb/HT1420>

[2] [http://en.wikipedia.org/wiki/Xbox\\_Live\\_Marketplace](http://en.wikipedia.org/wiki/Xbox_Live_Marketplace)

[3] <http://sg.answers.yahoo.com/question/index?qid=20100313042625AAKSsQD>

[4] [http://www.gamasutra.com/view/news/29119/Analyst\\_Used\\_Game\\_Market\\_Significant\\_Drain\\_On\\_Software\\_Sales.php](http://www.gamasutra.com/view/news/29119/Analyst_Used_Game_Market_Significant_Drain_On_Software_Sales.php)

[5] [http://fidgit.com/archives/2008/11/epic\\_doesnt\\_play\\_used\\_games.php](http://fidgit.com/archives/2008/11/epic_doesnt_play_used_games.php)

[6] <http://www.onlive.com/>

[7] [http://news.cnet.com/8301-17938\\_105-20009033-1.html](http://news.cnet.com/8301-17938_105-20009033-1.html)

[8] [http://www.onlive.com/games/featuredgames#the\\_ball](http://www.onlive.com/games/featuredgames#the_ball)

[9] <http://www.bestbuy.com/site/Assassin's+Creed+II+-+Windows/9331519.p?id=1218086483698&skuld=9331519&st=Assassin's%20Creed%20II>