

The RIAA Amendments

Kevin Duffy

Michael Hazlett

Alex Wolfe

What is the RIAA?

- ◆ The Recording Industry Association of America is a trade group that represents the U.S. Recording industry.
- ◆ RIAA represents such record companies as Sony music, Warner music and universal music. According to the RIAA, its members create 90% of legitimate sound recordings produced and sold in the united states.
- ◆ The RIAA is one of the leading opponents against music piracy, and was one of the main factors in the shutdown of the file-sharing network Napster.

The Anti-Terrorism Amendment

- ◆ Shortly after the attacks on 9/11, an anti-terrorism bill was in the works which would become known as the Patriot Act.
- ◆ The RIAA and their lobbyist Mitch Glazier decided to slip a small amendment into the Patriot Act.
- ◆ This amendment, under 815(d)(2) of the patriot act, would amend section 1030 of the U.S. code collection.

Section 1030 of the U.S. Code Collection

- ◆ “Any person who suffers damage or loss by reason of violation of this section may maintain a civil action against the violator to obtain compensatory damages and injunctive relief or other equitable relief. Damages for violations involving damage as defined in subsection (e)(8)(A) are limited to economic damages. No action may be brought under this subsection unless such action is begun within 2 years of the date of the at complained of or the date of the discovery of the damage”
- ◆ Subsection (e)(8)(A) reads: “causes loss aggregating at least \$5,000 in value during any 1-year period to one or more individuals;” **added after the Patriot Act**

Section 815(d)(2) of the Patriot Act

- ◆ “No action may be brought under this subsection arising out of any impairment of the availability of data, a program, a system or information, resulting from measures taken by an owner of copyright in a work of authorship, or any person authorized by such owner to act on its behalf, that are intended to impede or prevent the infringement of copyright in such work by wire or electronic communication; provided that the use of the work that the owner is intending to impede or prevent is an infringing use”

Potential Consequences of this Amendment

- ◆ Allows the RIAA to plant harmful viruses on PCs and not be held accountable.
- ◆ If a program made by the RIAA accidentally wiped a hard disk they would not be liable.
- ◆ In short, anything the RIAA does to a PC the owner would be unable to take legal recourse to compensate for damages.

Reactions

- ◆ Public outcry across the internet when such websites as Wired.net published the story.
- ◆ hAkron on Slashdot replies "As long as they don't delete any of my porno they can have my MP3's"
- ◆ GigsVT on Slashdot replies "They are afraid what they do all the time will be classified as cyberterrorism."
- ◆ The RIAA defends itself against the accusations that they were intentionally trying to hack PCs.

RIAA defends itself.

- ◆ Claimed they never had any intention of hacking into users' PCs.
- ◆ The amendment was submitted to fix a provision in the Patriot Act that would have an "unintended effect on anti-piracy measures."
- ◆ Claimed that subsection (e)(8)(A) would stifle anti-piracy attempts due to the \$5,000 limit.

Aftermath

- ◆ Patriot Act passed on October 26, 2001
- ◆ The RIAA's amendment did not make the final bill.
- ◆ The RIAA decided to withdraw their current amendment and propose a new more modest amendment "to bring back current law."

Second bill drafted by the RIAA

- **Introduced by Senator Berman, representing himself, and Senator Coble, Senator Smith, and Senator Wexler.**
- **Was intended to amend title 17, United States Code and limit the liability of copyright holders.**
- **Introduced in July, 2002.**
- **Contains one section, with 8 subsections.**

Subsection A:

- ◆ Copyright holder can “disable, interfere with, block, divert, or otherwise impair the unauthorized distribution, display performance or reproduction of” their copyrighted work without legal liability.
- ◆ Restrictions apply; can only do so when the file is being traded over a peer-to-peer network that is publicly accessible.
- ◆ Copyright holders are expressly forbidden from altering any other files.

Subsection B: Restrictions

- ◆ Copyright holders cannot alter files that they do not hold the copyright on, except as reasonable necessary to alter their own works
- ◆ Damages can only be done to the targeted file traded, and not in an excess of fifty dollars per impairment (not including the altered file).
- ◆ Damages are defined as monetary losses. No compensation is made for time.

Subsection C:

- ◆ The Department of Justice has to be notified at least seven days before an the event.
- ◆ The victim of the attack (or their ISP) can request notice as to why they were the target of impairment, the name and address of the copyright holder, and the right the trader has to bring an action against the holder.
- ◆ The notification cannot be considered an admission of guilt.

Subsection D:

- ◆ The victim of an attack by a copyright holder can seek recourse if the copyright holder had no reasonable basis to alter the files, and that monetary loss exceeded \$250.
- ◆ The Attorney General has to review each case before it can be accepted, and cannot reveal the case to the public (according to Subsection G, nobody can).

Subsections E and F:

- ◆ The Attorney General can, if they so choose, deny a copyright holder the authority to alter a file if the copyright holder has a history of abusing this power.
- ◆ This bill would not null the legality of any other actions a copyright holder can take against an infringer.

Subsections G and H:

- ◆ Subsection G simply states that any information given in a notification as described in Subsection C may be made public.
- ◆ Subsection H is definitions.

Peer To Peer Trading

- ◆ Napster at its height of popularity had nearly 18.7 million members in 2000 according to PC Data Online
- ◆ RIAA says that there is approximately 4.5 million users on the FastTrack network at any given moment

RIAA Current Abilities

- ◆ The RIAA cannot legally change anyones computer without permission.
- ◆ The RIAA can only legally monitor traffic on peer to peer networks.
- ◆ The RIAA is working to create a bill that allows them to go after pirates without any consequences.

RIAA and Anti-Piracy Tools

- ◆ The RIAA has been contacting security groups to create a new set of tools for fighting piracy.
- ◆ The group, Gobbles, claims that they have given the RIAA a tool called “Hydra” that uses mp3s as a trojan that causes a buffer overflows that will exam and record the file structure of a infected computer and return that information to the person that infected the computer.

Media Players

- ◆ Most of the malicious logic related to mp3s is focused on using the mp3 as a Trojan to cause a buffer overflow.
- ◆ Winamp, Real Player, Windows Explorer, Quicktime, and MPG123 are vulnerable to buffer overflows.

Winamp and Real Player

- ◆ The Foundstone security group discovered in December 2002 that the Winamp media player is vulnerable to buffer overflows caused by mp3 ID3v2 tag to hid source code that immediately start running when the altered audio file is played. Winamp offers a version of their player that has fixed this problem. Real Player One is also vulnerable to the same buffer overflows as Winamp. They also currently offer a update that will fix this buffer overflow exploit on Real Media's website.

Windows Explorer

- ◆ Windows Explorer has the same vulnerability of buffer overflows caused by mp3s. In Windows 2000 and XP, Windows Explorer has the ability to automatically read and play MP3 or WMA files and their ID3v2 tags when a user is browsing a folder that contains these file types. All that a malicious audio file needs to do is be stored in a directory that will be browsed. For example a Trojan audio file placed in an Kazaa download folder, or the desktop has a greater chance of causing a buffer overflow than a Trojan audio file that is placed deep within a video game's system folder. This vulnerability is also exploitable by loading an audio file that is setup to automatically play on a malicious web site. Microsoft has released a fix for this problem.

Quicktime

- ◆ PCs are not the only computers vulnerable to media player attacks. With Apple's Quick Time Player you can create a fake .MOV file that will link to a web server that has a long contain type. A long contain type has the potential to cause a buffer overflow.

MPG123

- ◆ The Linux movie player Mpg123 is subject to a Trojan audio file called Exploit JBellz or JingleBellz. This file is a altered mp3 that when played causes Mpg123 to run it's embedded source code. This embedded source code has the ability to delete all files and directories in that user's home directory.

RIAA Current State

- ◆ Right now the RIAA does not have the ability to use these flaws to alter any computers that they do not own or have permission without serious consequences, but they are still trying to create a amendment or law that would let them use anti-piracy tools.
- ◆ There is no proof that they have used any of these tools mentioned or what tools that the RIAA actually have for fighting piracy.