



The End User: A 'buy' sign on the song

By Victoria Shannon International Herald Tribune
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PARIS Wayne Rosso insists that he hasn't come in from the cold. Even though he once headed Grokster, the file-sharing network now at the heart of a U.S. Supreme Court case over copyrights, he maintains that his efforts these days to work with the record companies and not against them is completely in character.

In a nutshell, his newest company, Mashboxx, would be a fully legal, licensed and perhaps even profitable Grokster. He wants to sign up the record companies for a legitimate, paying peer-to-peer network.

And so far, it looks like he might succeed. The Mashboxx software is nearly ready for public testing. One major record label has licensed its music to Mashboxx, and the others have all made entreaties, Rosso says. A commercial debut is but weeks or at most a few months away.

Ensuring that record companies get their royalties has always been his intent, he says. Trading songs over P2P? That's stealing.

"We have to pay these people," Rosso said, while demonstrating his software in Paris this past week. "The free lunch is over."

He knows he has to walk a fine line between legitimacy and satisfying youth's craving for free. The vast majority of the billions of files traded over Gnutella, Kazaa and others each month are certainly sought after by the under-30 set.

On the front end, Mashboxx looks and acts like the software that kids are using now to sift out and snag songs - and movies - from the ether of file-sharing networks encircling the globe.

Behind the scenes, though, Rosso's approach entails using the database company Snocap, the start-up from the Napster wunderkind Shaun Fanning, to "tag" copyrighted works floating around the P2P networks. Once they are fingerprinted with technology from Philips, file sharers in theory would not be able to download an unadulterated version.

Back to the PC desktop: When you use Mashboxx software to search on LimeWire or eDonkey for a Bob Dylan song, for instance, you are presented a choice that is anathema to the other P2P search engines: "play" or "buy."

If you click "play," your computer downloads and plays the entire song - with a little something extra: a voiceover embedded by Mashboxx that tells you something like, "This Dylan track is available for your purchase for 99 cents by clicking the 'buy' button."

No matter what you do with that file - which has mysteriously become a copy-protected WMA format file on your computer rather than the MP3 you thought you had clicked on to download - it still has that voiceover. No matter which "peer" you go back to and get the song from, it still has that voiceover.

Want to hear the song without it? Click on "buy." Then, instead of acting like a Grokster-like client, you turn into an iTunes-like customer: Fill out credit card information to make your purchase, and you get a clean version of the track, which now has copying limitations like those downloaded from any other online music store.

If it sounds too good to be true, it probably is, they say. But I couldn't find major holes with the approach. For the moment, Rosso is pursuing only U.S. distribution licenses; the European jungle of rights holders is not yet worth his time.

As for the Grokster case, which is to be decided within a few weeks, Rosso maintains that the outcome will be not precedent-setting but "status quo" - neither the P2P networks nor the copyright holders will emerge victorious. The case will be sent back to lower courts with new instructions, he predicts, thus postponing a resolution of the question of whether P2P networks themselves, rather than their users, are liable for copyright infringement.

And that, Rosso believes, will create an opening for Mashboxx. Since the free trading of files will continue to eat into record company sales, the labels will grasp at any system that could capitalize on P2P, his thinking goes.

"This is not a download store - it's a peer-to-peer network, with 6.5 million hard drives connected out there" Rosso said. "We're not competing with iTunes. We're competing with Morpheus and BearShare."



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