

The Petition to protect Information Technology Property Rights.

THEREFORE, your petitioners call upon Parliament to prohibit the application of a technical protection measure to a device without the informed consent of the owner of the device, and to prohibit the conditioning of the supply of content to the purchase or use of a device which has a technical measure applied to it. We further call upon Parliament to recognise the right of citizens to personally control their own communication devices, and to choose software based on their own personal criteria.

The petition opposes two specific controversial techniques that some copyright holders are using.

A) The encoding of content by copyright holders, or their agents, such that the content is only interoperable with a chosen subset of access devices. This is the technique that has many countries legitimately investigating companies like Apple for competition and/or anti-trust issues.

B) The locking down of hardware such that the owner is not given the keys and is treated as a threat. This is the abuse of technology that leads to invasions of privacy, circumventing computer security, blocking new forms of creativity and many other problems associated with computers being under the control of someone other than their owners.

The larger security implications of allowing and/or mandating that hardware not be under the control of its owner should not be underestimated. Stuart Baker, US Department of Homeland Security's assistant secretary for policy, had the following to say when speaking to a group of large copyright holder in 2005.

"It's very important to remember that it's your intellectual property -- it's not your computer. And in the pursuit of protection of intellectual property, it's important not to defeat or undermine the security measures that people need to adopt in these days."

Renter vs Owner

Not mentioned in the petition, but if there is a legitimate reason for media distributors to have remote control of the technology, this needs to be done in an honest and transparent way by declaring the hardware as being "rented".

It is appropriate to legally protect technologies used by the owners of computer hardware to protect them from unauthorized access and remote control. This should require copyright holders and hardware vendors that wish to retain control over hardware to clarify that they are retaining ownership rights and responsibilities. This alerts the consumer to the real relationship that they have with the hardware vendor and the hardware, clarifying that they don't own the hardware, and allowing them to make a more informed consumer choice. It more easily allows governments to protect the rights of renters, much as governments do in the housing rental market. It also clearly puts the liability for any problems caused by the vendor-controlled device onto the vendor where it belongs.