

Copyright Threats to FOSS: Copyrights on APIs and Upload Filter (for Code Also)

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- [No Allies for Oracle?s Win Against Google](#) [3]

The Supreme Court of the United States (SCOTUS) has received over a dozen amicus briefs in support of Google against Oracle in a long-lasting battle for Java API (software interface) usage. Among others, the Electronic Frontier Foundation, Microsoft, Red Hat, Mozilla, Python Software Foundation, Developers Alliance, along with IP scholars, computer scientists, software innovators, start-ups, and investors raised their concerns about the rulings of the Federal Court of Appeals in 2014 and 2018.

- [Support for Google mounts as its Oracle petition is considered](#) [4]

Google?s argument that it used Oracle?s copyright fairly ? with \$8.8 billion in the balance ? finds support as it hopes for US Supreme Court review

Google?s petition for certiorari at the Supreme Court represents its last effort in a protracted copyright battle with software company Oracle. The near-decade-long conflict centres on Oracle?s Java programming application, which Google admitted to using...

- [Copyright reform: it?s the final countdown](#) [5]

This Tuesday MEPs will cast the final vote in a long running process to reform the EU's copyright law. Their decision will define whether consumers will be able to continue enjoying the internet as a place where they can easily share content with friends and family or be at risk of seeing their uploads systematically blocked by automated filters.

- [Swedish MEPs Announce Support For Article 13, Demonstrate Near Total Ignorance Of What It Actually Entails](#)[6]

As MEPs get ready to vote on the EU Copyright Directive -- and specific amendments concerning Articles 11 and 13 -- many have not yet said how they are going to vote. However, two Swedish MEPs, Jytte Guteland and Marita Ulvskog, who many had believed would vote against the plan, have suddenly switched sides and say they plan to vote for it. In a rather astounding interview with reporter Emanuel Karlsten the MEPs reveal their near total ignorance of what Article 13 does and what it would require.

Guteland spoke to Karlsten by phone, and he asked all the right questions. It's worth reading the entire conversation, but here are a few snippets with my commentary.

- [New Report: Germany Caved To France On Copyright In A Deal For Russian Gas](#)[7]

In the hours leading up to the vote in the EU Parliament on the EU Copyright Directive, the German publication FAZ (which has been generally supportive of the Directive) has released quite a bombshell (in German), suggesting that the reason Germany caved to France on its terrible demands concerning copyright was in order to get France's approval of the controversial Nord Stream 2 gas pipeline from Russia.

If you don't recall, the German delegation had actually pushed back on the more extreme versions of Article 13 -- and, in particular, had demanded that a final version have a clear carve-out for smaller companies, so as not to have them forced out of business by the onerous demands of the law. However, after some back and forth, Germany caved in to France's demands, with many left scratching their heads as to why. However, some noted the "coincidence" in timing, that right after this, France also withdrew its objections to the pipeline which is very controversial in the EU (and the US, which is threatening sanctions).

- [EU Copyright Directive Vote, GNU nano 4.0 Released, Redox OS 0.5.0 Announced, Sailfish OS 3.0.2 "Oulanka" Now Available and Linux Kernel 5.1-rc2 Released](#) [8]

Members of the European Parliament vote tomorrow on the Directive on Copyright. Those in the EU can go to SaveYourInternet to ask their representatives to vote against Article 17 (previously Article 13). See this Creative Commons blog post for more information. From the post: "The dramatic negative effects of upload filters would be disastrous to the vision

Creative Commons cares about as an organisation and global community."

[...]

Sailfish OS 3.0.2 "Oulanka" is now available. Named after the Oulanka national park in Lapland and the Northern Ostrobothnia regions of Finland, this new version fixes more than 44 bugs. In addition, "With this new update you will find that the Top Menu has a new switch for silencing ringtones and there's a new battery saving mode to make the most out of low battery in those moments you need to stretch productivity. Email app supports now sending read receipts to inform that you have read the senders' email. Connectivity was improved in terms of firewall and global proxy. As for the user interface, home screen had memory optimizations for handling wallpapers, freeing memory for running other apps."

- [Inside GitHub's fight to protect devs from EU's disastrous Copyright Reform](#) [9] [Ed: Microsoft is a patent and copyright maximalist, this time it just doesn't suit one site.]

- [European Parliament to vote on EU Copyright Directive](#) [10]

- [How #Article13 is like the Inquisition: John Milton Against the EU #CopyrightDirective](#) [11]

Fundamentally, policing of speech can happen at one of two points: before content disseminates, or after. Policing content after it disseminates involves human agents seeing and reporting content and taking action or requesting action. This can happen on a huge scale or a tiny one: Facebook's content flagging system, obscenity law in much of the EU and USA, parents who object to books assigned in schools, and China's 50 Cent Army of two million internet censors, all these act to silence content after it disseminates.

- [The EU votes on a confusing new copyright law Tuesday](#) [12]

Both provisions are maddeningly vague?laying out broad goals without providing much detail about how those goals can be achieved. This is partly because the EU's lawmaking system occurs in two stages. First, EU-wide institutions pass a broad directive indicating how the law should be changed. Then each of the EU's member nations translates the directive into specific laws. This process leaves EU-wide legislators significant latitude to declare general policy goals and leave the details to individual countries.

Still, if the legislation's goals are incoherent or contradictory, then something is going to have to give. And critics warn that the package could wind up damaging the Internet's openness by

forcing the adoption of upload filters and new limits on linking to news stories.

- [Music Labels Forgot Their ?Secret? Article 13 Weapon, So Dan Bull Used it Against Them](#) [13]

Music is widely acknowledged as one of the most potent and emotive ways to tell a story and send a message. Yet, inexplicably, no major artists in favor of Article 13 have used their talent to tell the world why it should pass. In that silence, UK rapper Dan Bull (with support from Grandday and PewDiePie) has now seized the day - to explain why it shouldn't.

- [EU backs controversial copyright law](#) [14]

The European parliament has backed controversial copyright laws which critics say could change the nature of the internet.

- [Even after today's EU Parliament vote, we can still kill Article 13 through pressure on German government to prevent formal adoption by EU Council](#) [15]

Under normal circumstances, today's outcome of the European Parliament's plenary vote would mean we lost the fight against Article 13 ("upload filters") definitively because a 348-274 majority adopted the bill without amendments after an incredibly narrow 317-312 majority disallowed votes on individual amendments. The latter result indicates a majority against Article 13 was in striking distance, given that no amendment had nearly as much as momentum as the one that would have deleted Article 13 (now named Article 17). Some folks may have given up prematurely, but that's another story.

If we organize another and even bigger round of street protests in Germany, work with opposition parties, and put maximum pressure on Merkel's junior partner (the Social Democratic Party of Germany, SPD), we may be able to prevent Germany from allowing the directive to pass into law. But we only have two weeks to make it happen. Let me explain step by step.

- [EU's Parliament Signs Off on Disastrous Internet Law: What Happens Next?](#) [16]

In a stunning rejection of the will five million online petitioners, and over 100,000 protestors this weekend, the European Parliament has abandoned common-sense and the advice of academics, technologists, and UN human rights experts, and approved the Copyright in the Digital Single Market Directive in its entirety.

There's now little that can stop these provisions from becoming the law of the land across Europe. It's theoretically possible that the final text will fail to gain a majority of member states' approval when the European Council meets later this month, but this would require at least one key country to change its mind. Toward that end, German and Polish activists are already re-doubling their efforts to shift their government's key votes.

If that attempt fails, the results will be drawn-out, and chaotic. Unlike EU Regulations like the GDPR, which become law on passage by the central EU institutions, EU Directives have to be transposed: written into each member country's national law. Countries have until 2021 to transpose the Copyright Directive, but EU rarely keeps its members to that deadline, so it could take even longer.

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- [9] <https://thenextweb.com/dd/2019/03/25/inside-githubs-fight-to-protect-devs-from-eus-disastrous-copyright-reform/>
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- [11] <https://boingboing.net/2019/03/24/how-article13-is-like-the-inq.html>
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