

The issue of copyright and authenticity of work have increased greatly in the public sphere over the last few years. This has been mainly due to the invent of the broad band and peer 2 peer which has facilitated an increase in copying and piracy. This has seen an increase in copy right enforcement as individuals and organizations seek to maintain intellectual rights which at times has come in to conflict with the traditional music cooperative society ethos.

Copyright was developed to protect the right to receive reimbursement for work or development of an otherwise intangible entity that does not exist in a single only form. However the idea of sole ownership has always been soured by the reality of social development; how much does an idea ever come from a sole point of conception? However even if a particular instance of an idea can be proven to be 'original' or more accurately in ignorance of a previous conception, patent and copyrighting can still be applied.

Musical history is littered with instances of blatant plaguarisation of previous musical ideas though often this has been framed within the idea of redevelopment and has therefore been accommodated. This ethos was generated and encouraged by the imitational style of teaching which generally encouraged sound a like and consequently often plagiarized work. Indeed art work and in actually fact most advances have been brought about through cooperative advancement or critique of another's work.

In fact the balance that most be achieved is between protection of intellectual property and the encouragement and easy of dissemination. Current copy right legislation has a provision of 'Fair Use' which are universal limitations on exclusive rights, these permit the limited reproduction of parts of a work for criticism, research, news reporting, teaching and comment without permission being sought.

However with the massive technological advances over the last hundred years the possibilities and consequently the direction of exploration have changed and in many ways entered into a more direct polarized conflict with the established copy right law.

One of the most marked and critically acclaimed challenges to current copyright laws is John Oswald's sampling work and plunderphonics starting in the 1980's. The work looked at create a new interpretation and recycling other people original material to create a new sonic work from it. This work was original damned by the cooperate music moguls particular Michael Jackson who was unfavorably portrayed in the work however the work did challenge the perception as to when a new composition was actually created.

Mechanical copyright was eventually used to prevent the formal sale of some of Oswald's work as he was using actually samples for released recording so the notion of musical creativity was circumvented, however the action did leave a legacy which is still in many ways unresolved.

A crucial part of Oswald's work was the notation that a new piece, composition had been

created out of the original and that the merit of the original sample had been altered in such a way to no longer draw any relational associations. Though this disassociation must be absolute as even derivative works fall under legal copyright.

A much more common citing of sampling is the more blatant and obvious sampling prevalent within popular music, where there have been numerous incidents where an uncleared sample has been used within a work in a very blatant manner and often deliberately exploiting associations with the sample. In these cases one would be forgiven for assuming that copyright as it stands was fully justified, rather though perhaps it displays its ultimate failure in its belief in absolute intellectual ownership.

At which part of the creative process do we believe that ownership is actually solely one's own, as surely a work is the product of a situation, surrounding and response albeit an individual's particular response to a stimuli and there is no possibility of limiting another's access to the stimuli. Perhaps then the response, as it is now, should be the point of copyright but then that brings up entire issues of quantity, quality and treatment as how much merit does any part of any piece carry as it is surely the product of its parts(?). This line of thinking would clearly support the undermining, anarchists' principles of the plunderphonics.

Perhaps through the dismissal of copyright, an easy and hippy-esque position, is also not an acceptable situation. It should be remembered that the copyright we experience today is often seen as tyrannical and driven by cooperative desire to protect their vested interests which is not a whole unacceptable position. Rather the problem has become the stagnant nature of the system and the revenue stream it is designed to support as no longer are they willing to accept dictation as to what they may or may not do with a product. In the artistic community it is not surprising that the work of Oswald came about admittedly with slightly more credibility than the wish of the public to no longer have to pay for wares. The fact that both these situations come under the same legal response indicates the problematic nature of copyright.

In response to this an alternative strategy has arisen of 'copyleft' which has found fame within the IT sector in the form of the Linux operating system.

Copyleft is the idea of protecting your work so as to guarantee its public domain availability, individual accreditation and collective benefit. It guarantees free availability to do whatever you wish with an item as long as you afford any one else the exact same right. In fact it places the onus on the creator to provide all materials, in the case of computing source code, so that literally anything can be achieved and no freedom is restricted.

This has brought about an exponential growth and development as code is much more efficiently reused and costs are reduced indeed the key component of the success of open source (copyleft) has been the ability to change the purchase point and value to that of support rather than material. This would be the problem in implementing a copyleft approach into an artistic field in that the point of revenue is no longer attached to the limited ownership of a work. This is in direct contrast to the current legislative direction being pursued with the possible introduction of 'Resale Royalties' in the art world.

My work 'who cares' looks and contrast the opposing approaches to copyright and its possible implementations. The work is based on the synthesis of the 'General Public License' (GPL) and the Microsoft 'End User License Agreement' (EULA) two stark opponents. Both of the agreements, which I have entered into through using, demand that the licenses remain wholly intact so no subtractive processing is applied though dynamic changes are applied to represent both the inherent boredom of the documents and also to accent particular lines and key points. Its important that this limitation features in both licenses though only one applies to its material. The two components are than panned to opposite ends of the stereo field to provide separation.

As the piece is based on the synthesis of a text it could be argued that it is a derivative work and consequently may require copyright approval. However the GPL portion automatically grants that on the premise that the source of the work and extended the right to full access. However the use of the EULA may well fall within copyright issues which presents an interesting situation in that regardless of my choice some material is still copyrighted and consequently it would be impossible to meet the requirements of both licenses.

Therefore included is the entire textual source as both licenses are free available for reading in the public domain and giving president to the GPL all of the individual synthesis are also available. The Protools file is also included as well.

As a final point there is another sound within the mix a randomly generated sound created by myself, but it does illustrate the fact that if a source is not identifiably how can a copyright by identified and the reality that some sounds and possibly traditional songs are so widely known that it would be impossible to enforce any prohibitive copyright.