PROPOSAL FOR ANTICIRCUMVENTION EXEMPTION

I. Proposed Class of Works for Exemption

Motion pictures protected by anti-access measures, such that access to the motion picture content requires use of a certain platform.

II. Summary Explanation of the Proposed Class

Motion pictures are typically distributed in DVD (or HD-DVD) format. As will be discussed, DVDs are generally protected by anti-access technology. To create a DVD player that can play encrypted DVDs (including a software player) requires agreement to a royalty-paying license. Certain computer operating systems, such as Linux, are premised on free distribution. Unlike Windows and Mac OS X, many Linux distributions cannot include bundled DVD players, because their developers make no profits from which to pay royalties. This user-unreadiness puts Linux at a competitive disadvantage. Moreover, the limited number of non-business Linux users has discouraged investment in developing a broadly compatible, commercial Linux DVD player. A free DVD player is essentially impossible due to the requirement of royalty payments. In effect, Linux users are prevented from watching DVDs on Linux. This proposed class seeks to address the selective harm that the current law does to Linux and Linux users, as well as the lock-in effect it fosters in favor of major, incumbent operating systems, by legally decoupling DVD content from the DVD format. Motion picture owners could decrypt DVDs, convert their contents to video files, and view movies on their computers without DVD players. This would mitigate the consumer harm from and the anticompetitive effects of the lack of DVD players for Linux, while leaving intact the primary incentives to buy DVDs and commercial DVD players.

III. The Technological Measure in Question: The Content Scramble System on DVDs

The Content Scramble System (CSS) technology prevents access to many DVDs, except with the aid of decryption technology. How, then, does one make a DVD player? The DVD Copy Control

Association sells CSS licenses. A licensee is given confidential information on how to encrypt and decrypt DVDs. A licensee must pay an "Annual Membership Fee" of $15,500 for each "Functional Membership License."[1] Creating a software DVD player usually requires three licenses, for a total annual fee of $46,500.[2] Furthermore, anyone who creates a DVD product must buy a license to use certain patents. The licensing scheme is complicated, but requires payment of at least $3.50 for each player distributed.[3]

Windows and Mac OS X users need not concern themselves with this licensing scheme, because these operating systems come equipped with robust DVD players.[4] The funds available to Microsoft and Apple are such that the DVD-CCA's licensing scheme is affordable.

Due to the same licensing scheme, Linux users must overcome significant obstacles to view DVDs on their computers. The problem is that Linux operating systems are subject to the GNU General Public License (GNU GPL). The GNU GPL grants the public "unlimited permission to run the unmodified Program" and to "convey verbatim copies of the Program's source code."[5] Hence, Linux is freely available for download.[6]

The problem runs as follows. First, the fact that Linux developers receive no money per download of Linux means that they cannot afford to include software that is not free (to download) with Linux. Second, because for every DVD player distributed a licensing fee of at least $3.50 is incurred, a free DVD player is simply not viable. This means Linux, in its free-download form, cannot include a DVD player. Linux is significantly less user-ready than Windows and Mac OS X and thus suffers a competitive disadvantage.

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1 DVD Copy Control Association – CSS, http://www.dvdcca.org/css/.
2 CSS Membership Categories, http://www.dvdcca.org/data/css/CSS%20Membership%20Categories%20rev5.pdf.
3 DVD Review – DVD Frequently Asked Questions, http://www.dvdreview.com/faq/dvdfaq.shtml.
4 *See, e.g.*, Windows Vista Home Page, http://www.microsoft.com/windows/windows-vista/default.aspx; Apple – Mac OS X Leopard, http://www.apple.com/macosx/.
5 The GNU General Public License, http://www.gnu.org/copyleft/gpl.html.
6 *See, e.g.*, Ubuntu Home Page, http://www.ubuntu.com; Debian – The Universal Operating System, http://www.debian.com/.

To compound on this problem, even a proprietary DVD player for Linux may not be commercially viable, due to the limited number of Linux-only users. In 2006, the Librarian of Congress pointed out, "Linux users can create dual-boot systems on their computers in order to use DVD software that is compatible with, for example, the Microsoft operating system."[7] Software developers are aware of this, and often fail to develop for Linux because the totality of computing circumstances forces Linux users to buy Windows anyway. Meanwhile, Windows benefits (at the expense of Linux) due to the positive externalities of a massive program library. This creates a huge and ever-growing lock-in effect in favor of Windows. The DMCA reinforces Windows' dominance-through-lock-in by preventing Linux users from finding alternatives to the DVD players reserved for Windows. This anti-competitive effect of the DMCA is highly problematic, and will be discussed further below.

IV. Noninfringing Activity Being Prohibited: Decryption and Conversion of DVD Movies

In any event, Linux users could avoid the issue by decrypting and extracting the contents of DVDs. Many programs are available to do so.[8] The files extracted can readily be converted to video files viewable on Linux.[9] A Linux user could purchase a DVD, extract its contents, and convert them to a viewable format. This would serve as an alternative to purchasing Windows and devoting disk space to a dual-boot scheme, or spending significant money to purchase a television and DVD player.

However, the DMCA prevents this, by prohibiting the circumvention of anti-access technology. The CSS anti-access technology protects DVDs. DVD purchasers are not allowed to circumvent anti-access technology to watch their DVDs. The DMCA effectively empowers DVD makers to decide on what terms consumers will view their DVDs.

V. Why the Activity Is Noninfringing: Decryption and Conversion of DVD Movies is Fair Use

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7   Exemptions of 2006, *infra* note 22, at 68478.
8   *See, e.g.*, The Official DVDShrink Site, http://www.dvdshrink.org.
9   *Id.*

The DMCA exemption scheme is intended to provide a remedy for "noninfringing users" who are "adversely affected" by the anticircumvention rule.[10] The premier example of noninfringing use is fair use. The fair use doctrine permits legitimate uses of copyrighted material that copyright law would otherwise prohibit.[11] According to the Supreme Court, the "noncommercial use of a copyrighted work" qualifies as fair use unless that "particular use is harmful," or it "would adversely affect the potential market" for the copyrighted work if it became widespread.[12] Fair use is an "equitable rule of reason" that prevents over-reaching by copyright law.[13] Bearing all this in mind, four statutory factors dictate what constitutes fair use.[14]

One fair use factor that is at least as important as any of the other three is the impact of the use on the market for the work in question.[15] The immediate concern regarding DVDs and fair use is whether allowing the conversion of DVD movies to unencrypted video files would facilitate illegal file-sharing. The illicit scheme might look like this: An individual purchases a video, copies it to his computer hard drive, then sells the original, after which the new owner copies and sells it, *ad infinitum*. A critic of fair use in these circumstances may point out that, if converting DVDs to video files is fair use, copyright law can do nothing about the resultant piracy through file-sharing.

However, this criticism misses two important points: 1) allowing the work to be copied to others' computers is certainly not fair use, and 2) distributing the work is not a fair use either.[16] The file-sharing above violates copyright law on two counts, and would subject the illicit distributor to fines of up to $150,000 per work.[17] It is preposterous to think that an individual would copy and distribute a work to others' computers in flagrant disobedience to copyright law, but be deterred if copyright law

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10 Digital Millennium Copyright Act, 17 U.S.C. § 1201(a)(1)(C) (1998).
11 Copyright Act of 1976, 17 U.S.C. § 107.
12 Sony Corp. of Am. v. Universal City Studios, Inc., 464 U.S. 417, 451 (1984).
13 *See* H.R. Rep. No. 94-1976 (1976).
14 Copyright Act of 1976, 17 U.S.C. § 107.
15 *Id. See also* Sony Corp. of Am. v. Universal City Studios, Inc., 464 U.S. 417 (1984).
16 *Id.* § 106.
17 *Id.* §§ 106, 501.

forbade him to convert a DVD in the first place. The market harm lies in the distribution, not in the conversion for personal use. Converting a DVD for personal use would have no significant market impact. Rather, it would ensure that copyright law is narrowly tailored to protect the interests of the copyright owner, without needlessly harming the interests of consumers or competing operating systems. The market impact factor weighs in favor of fair use.

Another factor in fair use that is just as important is the purpose of the use, specifically whether it is commercial.[18] Converting a DVD to a video file for personal use is non-commercial on its face, because no money is involved. It also has no commercial *impact*, because viewers who would convert DVDs must buy the DVDs to have access to the fair use defense. The purpose factor also weighs for fair use.

Finally, the other two factors in fair use, the amount and nature of what was copied, have been found unimportant when the user copies a work solely to facilitate his own use.[19] This is because the amount and nature of what is copied measure whether the portion copied and distributed could "substitute" for buying the work. This fair use *requires* buying the work. To elaborate: because the fair use here solely enables *personal* use, the "substitution" issue (and its questions regarding the amount and nature of the portion copied) are irrelevant to the fair use analysis. Thus, the only two relevant and the two most important fair use factors weigh in favor of allowing consumers to convert their DVDs to video files for personal use.

It also is worth noting that converting a DVD for personal use closely resembles recording a TV program onto a VHS cassette for later viewing, which the Supreme Court has found to be a fair use.[20] A critic might point out that the Supreme Court suggested that *librarying*, or permanently storing, TV programs on VHS cassettes may not be fair use. Presumably, many consumers would buy DVDs,

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18 *Id.* § 106.
19 *See generally* Sony Corp. of Am. v. Universal City Studios, Inc., 464 U.S. 417 (1984) (finding that time-shifting, or recording media for viewing at a different time than it was made available for the public, is a fair use).
20 Sony Corp. of Am. v. Universal City Studios, Inc., 464 U.S. 417, 451 (1984).

convert their contents to video files and never delete those files. The proper response is 1) nothing prevents TV viewers from permanently recording and librarying TV programs, yet the Supreme Court still ruled that recording videos for later, one-time viewing is fair use, and 2) librarying video files that were converted from DVDs is different because it requires buying the DVD. A TV program can be viewed freely and only once, so to library that program would fundamentally alter the ephemeral medium in which it was distributed and interfere with the market for that program in a permanent medium. A DVD, on the other hand, *is* a permanent medium. Librarying video files from one's own DVDs would not impact a distribution method wherein consumers buy DVDs for permanent access to motion pictures. Thus, both case law and the fair use factors themselves weigh in favor of allowing consumers to convert DVDs to video files for personal use.

Finally, at oral arguments for MGM Studios v. Grokster,[21] the counsel for MGM Studios stated the following:

> The record companies, my clients, have said, for some time now, and it's been on their Website for some time now, that it's perfectly lawful to take a CD that you've purchased, upload it onto your computer, put it onto your iPod. There is a very, very significant lawful commercial use for that device, going forward.[22]

If the counsel for *MGM Studios* will admit that extracting the contents of a CD is lawful (and by implication a fair use), it is difficult to imagine who would argue otherwise. Extracting the contents of a DVD and converting them to a video file is qualitatively no different from extracting music from a CD. Therefore, the counsel for MGM Studios has substantially indicated that conversion of DVDs to video files is fair use. Parties on both sides of copyright debates can and do agree that some fair uses must exist. For the sake of consumers and operating system competition, this form of fair use must exist.

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21 MGM Studios Inc. v. Grokster, Ltd., 545 U.S. 913 (2005) (a copyright infringement suit brought by movie studios against companies that developed and distributed file-sharing computer programs).

22 Oral Argument for MGM Studios Inc. v. Grokster, at 12 (2005), *available at* http://www.supremecourtus.gov/oral_arguments/argument_transcripts/04-480.pdf.

VI. Why Alternate Means of Access to DVDs Are Insufficient

In 2006, the Librarian of Congress and Register of Copyrights declined to provide an exemption similar to that described above.[23] That proposed exemption was for "DVDs that cannot be viewed on Linux operating systems."[24] The Librarian and Registered focused on their instruction to consider the "availability for use" of the class of works to be exempted.[25] They noted that 1) at least one Linux-based DVD player may exist; 2) Linux users can view DVDs by purchasing Windows or a DVD player; and 3) many DVDs are available in VHS format.[26] The Librarian and Register did not specify the Linux DVD player to which they were referring. However, it appears that two commercial, Linux DVD players *do* exist. These are bundled with two particular distributions of Linux: Linspire and Turbolinux.[27] However, these DVD players are tied to Linspire and Turbolinux, which are relatively obscure and unpopular compared to other Linux distributions such as Ubuntu and Debian.[28] These Linspire and Turbolinux DVD players are not readily compatible with other distributions of Linux; it is not even clear that they are compatible *at all*.[29] Thus, the vast majority of Linux users still lack alternative DVD players for Linux.

The Librarian and Register also asserted that, because many movies are ostensibly available in non-DVD formats, Linux users are not "adversely affected" by an inability to view DVDs on Linux.[30] If certain movies are available only as DVDs, Linux users can purchase Windows or televisions and DVD players to view them.[31] The Librarian concluded that being able to view DVDs on Linux is

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23 Exemption to Prohibition on Circumvention of Copyright Protection Systems for Access Control Technologies, 71 Fed. Reg. 68472, 68473 (2006) [hereinafter Exemptions of 2006].
24 *Id.*
25 *Id.* at § 1201(a)(1)(C)(i).
26 Exemptions of 2006, *supra* note 22, at 68478.
27 Linspire.com – Press Resources, http://www.linspire.com/lindows_news_pressreleases_archives.php?id=59; Turbolinux First to Bundle Commercial DVD Player for Linux, http://www.turbolinux.com/company/news/2004/040722.html.
28 *See* Ubuntu Home Page, http://www.ubuntu.com; Debian Home Page, http://www.debian.com.
29 On Linux DVD Players, http://techliberation.com/2006/05/10/on-linux-dvd-players/.
30 Exemptions of 2006, *supra* note 22, at 68478.
31 *Id.*

"simply a matter of convenience or preference."[32]

This analysis, I might humbly suggest, does not fully recognize the damage that is being done to both consumers and to Linux as a competitive operating system. While Windows and Mac OS X users can view DVDs on their computers at whim, Linux users must go to significant lengths to achieve the same luxury. For instance, perhaps they could 1) convert movies from VHS format to digital format, 2) transfer the new digital files to their computers, and 3) watch the movies in converted format. The problem with this suggestion is that virtually no one has handy a device that can digitize VHS cassettes and transfer them to a computer. VHS cassettes are also significantly inferior to DVDs in image quality. Many have deteriorated so that image *and* sound quality are at unacceptable levels. Finally, many recent motion pictures are unavailable on VHS cassettes, because very few people use VHS players anymore. This is increasingly true every year. The realistic outcome of suggesting to Linux users that they convert VHS cassettes to video files is that, due to the huge transaction costs involved (buying the conversion device and operating it), the inferior image and sound quality, and the impossibility of obtaining recent movies on VHS, they will ignore the suggestion as impracticable.

The Librarian and Register also suggested that Linux users buy Windows or a television and DVD player as an alternative means to watch videos. These possibilities are also problematic. Windows costs hundreds of dollars and consumes significant space on a computer hard drive.[33] Buying a larger hard drive to accommodate Linux *and* Windows requires even more money. Although many people buy their computers with Windows included, alleviating the money issue (if not the hard-drive space issue), Linux users are frequently among the small class of consumers who either buy their computers from specialized distributors that do not include Windows, or assemble their computers themselves from scratch. This whole, significant effort to avoid the huge costs of Windows would be thwarted if Linux users had to purchase Windows to view their DVDs. The anticompetitive effects of

32 *Id.*
33 *See generally* http://www.windows.com.

this legal situation are abysmal: users of one OS are being legally encouraged to purchase the primary *competing* OS, whose market power is at least monopoly-like. A market that is unfriendly to entry by a small competitor with an alternative distributional method (like Linux) is unfriendly to innovation in general. Perhaps the largest "market impact" that would result from an exemption for converting DVDs to video files, would be to render Linux a more viable operating system for ordinary computer users. Undoubtedly, Microsoft and its business allies in the content sector have reason to fear *this*: that Linux will prove to be a disruptive technology whose low cost and unique advantages will attract a significant new market, under whose support Linux will grow to displace traditional, proprietary operating systems.[34] Disruptive technology works to the benefit of not only consumers, but also ultimately the market.[35] The only parties it does not benefit are large, incumbent businesses. The law currently favors those businesses, by giving legal backing to schemes that require operating systems or application makers to pay huge licensing fees to be realistically attractive. Legally decoupling the DVD player from the DVD content will give alternative operating systems a fair shake at competition. Meanwhile, makers of licensed DVD players will still make money, because their DVD players are significantly more convenient than the process of converting DVDs to video files, which can take hours per DVD. Finally, there is something to be said for the fact that many Linux users are *ideologically* opposed to supporting Windows. The "spirit of Linux," some might argue, is fundamentally at odds with a closed-source, proprietary operating system that purposefully obscures or limits functionality because its makers "know better" than its users what they need. Therefore, it is particularly abrasive and perhaps unfair for the law to require Linux users to "pay fealty" to Microsoft by purchasing its product, in order to gain access to motion pictures that intrinsically have nothing to do with the Windows platform.

The Librarian and Register also suggested that Linux users might buy televisions and DVD

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34 *See generally* Clayton M. Christensen, The Innovator's Dilemma (2000).
35 *See generally id.*

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players to view their DVDs. This presents the same money issues as were discussed above. A television and DVD player can cost hundreds of dollars each.[36] It is inefficient both for individual Linux users and for society, that many who technologically-speaking *could* watch motion pictures on their computers, must instead purchase TVs and DVD players that perform the very same function. This sort of legally-backed inefficiency is preposterous, particularly in a time of financial crisis, when this nation's resources ought to be devoted to more productive investments. Poor Linux users, such as college students or (in our current economic climate) the unemployed, may not be able to afford TVs and DVD players *in addition* to computers. TVs and DVD players take up physical space and require significant electricity. Such expenditure of space and electricity is wasteful, when a consumer would gladly use a desktop or laptop computer for the same function. Finally, unlike laptops, TVs and DVD players are not portable. Windows and Mac OS X users would be able to watch movies on planes and subways, at acquaintances' houses, at work, and so forth, while the Linux user would be confined to a single room in his household. This harms the Linux user and makes Linux correspondingly less attractive as an operating system.

In 2006, the Librarian and Register pointed out that "convenience" and "preference" alone cannot justify an exemption.[37] Yet it is perhaps unfairly dismissive to tell Linux users that a matter of hundreds of dollars, significant wasted real and hard drive space, loss of portability, and violation of ideological beliefs is merely an "inconvenience" that the law creates and they must tolerate. Moreover, for a computer operating system such as Linux, "a matter of convenience or preference" is life or death.[38] Lurking behind this little "convenience" issue is the massive question of whether Linux, and other freely distributed operating systems, can compete with incumbent, proprietary operating systems. To compete with Windows and Mac OS X on fair ground, Linux must be able to offer its users *some*

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36 *See* eBay, http://www.ebay.com.
37 *Exemptions of 2006, supra* note 22, at 68478.
38 Stan Rifkin, *Is Process Improvement Irrelevant to Produce New Era Software?*, *in* SOFTWARE QUALITY – ECSQ 2002 13, 15 (Jyrki Kontio & Reidar Conradi eds., 2002).

form of access to their legally purchased motion pictures. This is not to say Linux "deserves" a free DVD player, when others have had to pay for licenses to distribute DVD players. However, it is certainly fair that Linux should offer its users a "second-best" option of converting DVDs to video files. This process takes hours, and is hardly as convenient as being able to insert a DVD and play it at a whim, but it does give Linux a viable answer when its potential customers ask, "How will I watch my movies?"

On a side note, it is worth noting that the legislative history of the DMCA tends particularly to support exemptions for noninfringing uses that are fair uses.[39] The repeated insistence by various senators that the DMCA exemption scheme would protect the "centuries-old fair use privilege" bears directly on the proposed exemption. Thus, the legislative history supports an exemption for fair-use conversion of DVDs to video files for personal use.

VII. The Statutory Factors to Be Examined by the Register of Copyrights

In addition to the above, the Register of Copyrights must consider certain statutory factors in determining which exemptions to allow.[40] The first factor, which is the "availability for use" of motion pictures on DVDs, is discussed immediately above. The discussion concludes that for many users, no viable alternatives to use of DVDs on Linux exist, *and* that Linux developers have no alternative but to tell their users that Linux and DVDs are legally incompatible. This factor weighs in favor of an

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39 *See* 145 Cong. Rec. S11887 (daily ed. Oct.8, 1998) (statement of Sen. Ashcroft) ("I trust that the Librarian of Congress will implement this provision in a way that will ensure information consumers may exercise their centuries-old fair use privilege to continue to gain access to copyrighted works."), (statement of Sen. Kohl) ("In my opinion, this bill achieves a fair balance by taking steps to effectively deter piracy, while still allowing fair use of protected materials."); 145 Cong. Rec. E2166 (daily ed. Oct. 12, 1998) (statement of Rep. Boucher) ("[T]he conferees included a provision which ensures that the legislation's prohibition against circumvention of copy protection technologies in digital works does not thwart the exercise of fair use and other rights by all users."), (statement of Rep. Tauzin) ("I trust the Librarian . . . will ensure that information consumers may continue to exercise their centuries-old fair use privilege."), (statement of Rep. Klug) ("The first change [that is, the addition of the exemption scheme] ensured that information users will continue to utilize information on a "fair use" basis, notwithstanding the prohibition on circumvention."). Not a single Senator or Representative indicated that the exemption scheme might fail to protect *any* fair use, let alone *most* fair uses. Yet consumers are currently stuck with the exemption scheme that the Register of Copyrights has devised for them.

40 These include 1) the "availability for use of the copyrighted work," 2) the availability of use for "nonprofit archival" and "educational" purposes, 3) the impact on "criticism," "comment," "scholarship" and "research," 4) the market impact of "circumvention," and 5) "such other factors as the Librarian considers appropriate." *Exemptions of 2006, supra* note 22, at 68478.

exemption.

Factors two and three, concerning non-profit archiving and criticism and education, are perhaps less relevant. The issue here is clearly centered on ordinary consumers who would watch their own DVDs, not on organized movie archives or the academic process. These factors weigh neither for nor against an exemption.

The fourth factor and perhaps most important involves market impact. The discussion above regarding the fair use factor of market impact is entirely relevant here. To elaborate, the primary concern regarding a DMCA exemption to allow conversion of DVDs to video files is that it will foster illicit file-sharing. A critic of the proposed exemption may point out that, due to the exemption, the DMCA could do nothing about this piracy.

However, this criticism misses an important point: the piracy described would violate copyright law and subject the illicit distributor to fines of up to $150,000 per work.[41] It is absurd to suppose that an individual would distribute copies of a work in flagrant disobedience to copyright law, but cease to do so for fear of violating the DMCA. People pirate works not because the penalties are not severe enough, but because the rules of probability say they will not be caught. Piracy is like a reverse lottery in which only a few unlucky people are picked out to "lose." Those who lose, lose big. Any deterrence the anticircumvention rule provides is superfluous to copyright law's already-massive penalties. For this reason, removing the DMCA deterrence would have no market impact. The deterrence is also overbroad. The market harm necessarily follows from the *distribution* of motion pictures, not from the circumvention of CSS. A virtually harmess activity with a legitimate purpose – converting movies to a viewable format – is stifled by a law against circumventing anti-access measures. This is clearly a mismatch. Because the DMCA's deterrence is here superfluous to that of copyright law, and because the DMCA overbroadly deters legitimate activities (such as the purchase of movies by Linux users), the

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41 Copyright Act of 1976, 17 U.S.C. §§ 106, 501.

factor of market impact weighs in favor of granting an exemption.

Finally, the Register may consider other factors as appropriate. I would urge that the Register consider deeply the problems of a DMCA that hinders competition between major commercial entities. The DMCA was intended to combat Internet piracy, not to prevent GNU GPL operating systems from competing with commercial incumbents. Linux has the potential to be a disruptive technology that will reshape the computer industry to the benefit of consumers. The unfathomable hours of volunteer labor that go into producing Linux can and will be harnessed by businesses. "Hybrid" companies will encourage product users to participate in innovation that they find enjoyable.[42] Meanwhile, these companies will capitalize on the labor that others *enjoy* by monetizing the finished product – generally, by scattering advertisements across the product and disseminating it freely online.[43] Such business methods are the future of Internet business. Consider, for instance, the free Google search engine that generates so much advertising revenue for Google.[44] Consider the popular, transaction-cost-reducing service of Craigslist, which allows users to freely place classified ads online.[45] Where would the U.S. economy be today without its innovative Googles and Craigslists? Linux is perhaps the most massive and impressive volunteer creation on computers, and its free, volunteer-driven development process bears enormous potential to benefit the U.S. economy. For the sake of fair competition and future innovation, again, I urge that the Register deeply consider whether the DMCA should prohibit Linux users from converting their own DVDs to video files, and thus prevent an innovative, freely-distributed operating system from competing with its proprietary peers on level ground.

> Respectfully Submitted,
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42 *See generally* LAWRENCE LESSIG, REMIX: MAKING ART AND COMMERCE THRIVE IN THE HYBRID ECONOMY (2008).
43 *Id.*
44 Google, http://www.google.com.
45 Craigslist Classifieds, http://www.craigslist.com.