

**From:** [REDACTED]  
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## **How Do The Wireless Carriers Infringe Thee? – Let Me Count The Ways**

Bear with me as I borrow a section from the United States Code to start this article about copyright infringement by wireless carriers. Specifically, Section 102 of Title 17. It is important to understand this very fundamental law to understand anything else that I will opionate later on in this article.

*Excerpted from Title 17 of the United States Code*

§ 102. Subject matter of copyright: In general

(a) Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories:

- (1) literary works;
- (2) musical works, including any accompanying words;
- (3) dramatic works, including any accompanying music;
- (4) pantomimes and choreographic works;
- (5) pictorial, graphic, and sculptural works;
- (6) [motion pictures](#)  
and other audiovisual works;
- (7) sound recordings; and
- (8) architectural works.

(b) In no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied in such work.

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And so;

- (1) Financially benefiting from the distribution of any of the above will be grounds for rights holders of the above to claim copyright infringement;

(2) Financially benefiting from a [performance](#)

of any of the above will be grounds for rights holders of the above to claim copyright infringement;

(3) Participating in the publication of any of the above will be grounds for rights holders of the above to claim copyright infringement;

(4) Participating in the broadcast of a performance of any of the above will be grounds for rights holders of the above to claim copyright infringement;

**And so,** it is critical that wireless carriers insulate themselves against the huge amount of copyright infringement allegations that will surely arise due to the large number of "creators" empowered to exercise their copyrights protected by the Constitution of the United States of America.

Mobile networks are a separate [communications network](#)

system that also happens to mesh with the notorious [Internet](#). The distinction is important to understand exactly why the Telcos operating mobile networks are definitely infringing upon the rights of others while the Telcos operating or back-boning [ISPs](#) may or may NOT be infringing upon the rights of others.

I am pointing out these things in the interest of progress. Technology and Copyrights can most definitely co-exist. In an age of intellectual growth like the one we are in now – intellectual property will be one of our greatest resources. So it is imperative that technology and copyrights along with other [IP](#) issues resolve and progress.

All we have to do is build perspectives and refine laws that make sense for the community. The main reason we haven't made much progress in this area over the past ten years is that we continue to look back instead of forward. There will always be a "next". Why not put our energies and resources into looking ahead as the community and not just the "sector?"

Mobility through mobile networks will probably change the world more than the Internet did. Why? Because mobile networks contain the Internet within. Let's stop the infringements before it gets out of control. Again.