

Ten Recipes on How to Get Jailed by Using the Internet

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Abstract — Topic, which is getting lots of attention recently, is about the legal aspects of the Internet usage. This issue can be approached from a number of different angles. Here, the accent is on experiences of interest - things that one has to look at in his/her everyday usage of the Internet. From the following examples, the law will be understood implicitly, not explicitly.

Index Terms—Law, Internet

The examples follow the same presentational methodology: First, the word of law. Somebody may ask a question "what law": of the USA, or of the New World or some third party? Answer implies the newly emerging practices from the USA. The term "emerging" was intentionally used in order to underline that the process is in progress. The second part is the analysis of a special case, which shows how someone, unintentionally, fell into a legal trap, through naive and innocent everyday usage of the Internet. And, the third, at the end, we give an additional list of possible traps. The background information can be found in [1], [2], and [3].

COPYRIGHT:

First subtopic is related to the copyright issue. Hence, if someone on her or his web site uses some text, or even less than that, some title, or even much less than that, a single word, being copyrighted by someone, than the user has a potential problem. If the initial owner of the copyrighted material can prove that the owner of the new web site did know about the material in question, he can sue, and the user may be declared guilty. Off course, all that on condition that he lives in one of countries covered by the New World Order.

This is what happened to a professor of my University. He made a talk in English, and placed it on the Internet, so the students in his class can download and use. The title was "MBA in a Nutshell". MBA comes from *Management and Business Administration*. "Something in the nutshell" is a common phrase in English language. Actually, this professor made a grammatical error, he has put "a" rather

than "the", but it is irrelevant for the story. One month later he got e-mail from another professor in New York; carbon copies sent to three different lawyers for which it later turned out that they are experts in the copyright law.

The content of the e-mail asked for the pledge of guilt, and threatened the invitation of a legal procedure. It turned out that the New York professor created a commercial course and entitled it "MBA in the Nutshell", and charges it 1995\$. The fact that my professor made a grammatical error ("a" instead "the") did not make any difference.

The word of law is that what matters is "enough similarity", not the "absolute similarity". My professor got away because he was able to prove that he did not know ahead of time, and because he was cooperative - he changed his title immediately.

What are the additional traps that one can fall in? First, if he, or she, has a great idea, he should check the web first, before he starts using it. Second, in this particular story, one possible scenario was that either my professor or one of his students visited the New York web site in the past. That could have been proven, and my professor would not be able to get away, even if he did not know about the copyright material. Third, in the related e-mail correspondence, one can unintentionally hurt feelings of the other side, and than the other side becomes emotional.

WATERMARK:

The next subtopic is watermark. The thing, which is already discussed in the previous topic, refers to the protection of the text, shorter - title or longer - the whole paragraph. Present topic refers to the protection of the picture. One possible scenario in the painter's world is the following: one painter paints something and puts it onto his (or her) web site. Then, another painter takes it from the web site of the first author, puts it on his web site and declares himself as an author. If skilled enough, in the case of a court procedure he could even prove that he is the author. So, in that case, the real author would be the guilty one. Fortunately, engineers have found one new technology - technology of the watermark. How does it work? Here is the answer: the original author should add his picture, pixel after pixel, to his watermark - which is, too, one picture made of 860x680 pixels, or how many would it take. If the real painter would do such a thing, he would easier prove in court that the picture is his, no matter how skilled the plagiarist might be. So, if somebody claims he is plagiarized and shows the key with which he can decipher

his own watermark, then the court procedure is finished; everything is clear!

One of the greatest world experts for the watermark technology is professor Miodrag Potkonjak from the University of California at Los Angeles, USA. He is the head of the big IPP project and he introduced a few extraordinary efficient watermark techniques, which are extremely difficult to cheat. The IPP comes from "*Intellectual Property Protection*". There are different technical problems involved in this theory, and it is all about deep mathematics. However, what is important is that there are software tools with which anybody, lawyer, painter, housewife, can protect his (or her) artistic baby.

SPAM:

This theme is about spam. Spam is when somebody sends on a huge number of electronic mails, for example to million of addresses, an information that he sells something, in the widest sense of the word. It can be selling of the political opinion/selling of the service/product for money, and so on.

The practice here is following: if somebody claims that he got spam from some user inside some domain, than it could happen to all other users that have their Internet addresses in that domain, to be forbidden to them to send their messages to the world. This could happen if system programmer who is in charge for the maintenance of the system in that domain, in some period, does not inform the corresponding provider that the one who was caught sending spam was removed.

The origin of the expression "spam" is interesting. They say that during the war in Korea, one US firm named S.P.A.M. made cans with the worst food ever, for the US soldiers in Korea. During the snack time, there comes the truck full of those cans, shakes it out on the pile and soldiers take it from that pile and eat. The analogy is clear - when someone shakes out a million of cans and when someone shakes out a million of e-messages. How can this problem be solved? One, less popular way, is to try to cheat out cooperation from the superprovider, with all possible means. However, the much better alternative is to buy the services from one of many firms that professionally do the spam. And it is, off course, the legal way.

What are the additional traps? In the spam case, the main problems are the, so-called, bad mood nerds, people who call authorities as soon as they get a spam message. The common user only deletes such a message and does not get anxious about it; that is, he asks to be put out of the list - in order not to be disturbed in the future.

VIRUSES AND WORMS:

This subtopic is viruses and worms: small programs that can be injected into your system and can do harm

to you and your system. They can even do a crime for you, and a question is if you will be guilty for such a crime. Or, it can reveal your secrets out to the entire world. For example, there is a worm called Tanathos. It attacks the address book of your e-mail box and periodically picks up on random one of your electronic messages and disturbs it to all those who you communicate with. Recently, the entire world received the message from one of my professors in which he invites a friend for tennis.

So, in conclusion viruses can bring to you not only political, financial and privacy damage, but also a legal damage.

CREDIT CARD:

Next, it is easy to get into credit card traps. The problems like that are usually solved in this way: if a fraud is made, detected and connected to someone, he (or she) will be guilty. In most legal systems provider of an Internet service is not responsible if a customer gets trapped. There is an exception if local rules define methods of verification, in which case the provider will share part of the guilt. Still, in most systems provider is not responsible for ads it publishes. Lots of the ongoing discussions concentrate on issues like national interests, human rights or common crime.

Is the publishing wrong data about your competition punishable? If you make an alarm and you downplay your competition, you create an advantage for yourself. Who is guilty in such a case? If you are the source - you are guilty. If you take from other sources, you are guilty only if you did not specify the source. Otherwise you are safe.

What is of crucial importance in this context is the notion of intention. If you can prove that your intention was positive, you will not stand any consequence. Off course, one can play naive, but such things can be detected easily. If you publish dangerous information and somebody gets heart by utilizing that information, then you can be accused. For example, instructions related to extreme sports may bring physical damage to someone and than you are guilty. One issue, which now creates lots of discussion, is if you are guilty if someone misinterprets your instruction. One can create easily lots of examples of this subject.

INTERNET AUCTIONS:

The next to be covered here is Internet Auctions. What can happen if you placed the winning bet, and later you don't want to buy? One way unintentionally to create problems to yourself is by tipping a wrong amount and confirming without a double check. It is typically the thing of the local law, which is relevant (rules of the auction). Off course, sometimes conditions may change drastically in the meantime, in which case you must prove that it

was the case.

FALSE ACCUSATION:

Are you guilty if you accuse someone wrongly on the Internet? The same law applies as in the non-Internet environment.

PSYCHIATRIC CASES:

What if the damage is created by a psychiatric case? This is a serious issue, covered by a separate study.

CONCLUSION:

As it is already written, there are many problems one can unintentionally create for himself in everyday usage of the Internet. So, I would leave to everyone the freedom to judge the importance of the development of this topic, as it concerns something that has already become a part of our everyday life, which is the use of the Internet.

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