

the ends of Earth searching for answers to questions that drive meteorite lovers to abandon the security and comforts of a mundane life to recover fragments of the heavens. He finds happiness in new love and a new life. In the end, Cokinos proves, as he states, that “the fallen sky can reveal secrets not only of the Solar System but of our hearts.”

Although generally scientifically sound, the book contains a few key science gaffes. In particular, the author’s description of the system for assigning petrologic type to a meteorite is confused, and his discussion of the Precambrian includes an incorrect assertion that Earth’s orbital period was longer in the distant past. However, *The Fallen Sky* is not a textbook on meteorites, and there are plenty of other excellent sources for someone looking to brush up on the basics of meteoritics (2, 3). Instead, Cokinos guides the reader along his search for the driving force behind the passions of meteorite scientists, collectors, and dealers that make the meteoritic community such a vibrant and contentious bunch. It is a journey well worth taking.

References

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Exasperated by Copyright

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How is it possible that a young woman in Duluth, Minnesota, Jammie Thomas, could have been ordered to pay Capitol Records \$1.92 million for peer-to-peer file sharing of 24 songs? Copyright industries persuaded the U.S. Congress to let them get “statutory damages” in any amount between \$750 and \$150,000 per infringed work that the judge or jury deems “just.” The jury’s award was \$80,000 per song, just about half the total possible award. Thomas cannot possibly pay that amount, but the award stands as a frightening message to other file sharers.

In *Moral Panics and the Copyright Wars*, William Patry explains how copyright law has

gone so far astray from its historical mission of promoting the progress of science (i.e., knowledge) by providing just enough protection to allow authors to obtain some reward for the artistic and literary works they contribute to our culture. Major copyright industries successfully convinced Congress that they have “property rights” in copyrighted works, such as sound recordings, and any music fan who downloads or shares her favorite music is a “thief” or a “pirate.”

Drawing upon sociological and psychological studies, Patry claims that the copyright industries in general and the recording industry in particular have been inducing “moral panics” that have fueled the copyright wars against file sharers, among others. Moral panics, he explains, are “a reaction by a group of people based on the false or exaggerated perception that some cultural behavior or group, frequently a minority group or a subculture, is dangerously deviant and poses a menace to society.” By exaggerating the risks of disastrous losses—such as the alleged billions of dollars in harm to the U.S. economy caused by file sharing—and engaging the press to report on them, the copyright industries have furthered a political agenda for obtaining ever-stronger and ever-longer copyright protection and maximizing criminal and civil liability for infringement.

Peer-to-peer filesharing is only the latest of numerous moral panics that copyright industries have induced in Congress and other policy venues in the past several decades. Especially well told here is the story of Hollywood’s war against the Betamax machine in the 1970s and 1980s. Major movie studios were in the process of developing a new at-home movie-viewing format when Sony introduced its Betamax machine. Universal City Studios, among others, recognized that consumers might well prefer the Betamax to their new machine because the Betamax had time-shift copying and commercial-skipping features, neither of which the studios found acceptable. To stop this new competitor, Universal and Disney sued Sony for contributory copyright infringement.

The Motion Picture Association of America also waged war against the Betamax in Congress. The ever-colorful Jack Valenti asserted that the motion picture industry was “going to bleed and bleed and hemorrhage” unless Congress protected it “from the savagery and the ravages of this machine. He went on: “I say to you that the VCR is to the American film producer and the American public

as the Boston Strangler is to the woman home alone.” While trying to persuade Congress to prohibit the Betamax from being distributed in the United States, Valenti also engaged in Japan bashing. It was, he said, “a piece of sardonic irony that ... while the Japanese are unable to duplicate the American films by a flank assault, they can destroy it by this video cassette recorder.” Valenti’s fears notwithstanding, the VCR was probably the best thing that ever happened to the motion picture industry. First VCR tapes and later DVDs became major profit centers for the film companies.

Some of the stories that Patry tells in the book have been told by others, including Larry Lessig (1) and Jessica Litman (2). An advantage of Patry’s account is that he has first-hand experience of the stories he tells. He served as copyright counsel for the House of Representatives Committee on the Judiciary and as a policy adviser to

the Register of Copyrights. He has previously written a multivolume treatise on copyright law (3) and a book on the fair use doctrine (4). A long-time copyright insider, he has mastery of the legislative and policy battles that have been fought over the past 40 years.

At present, Patry is senior copyright counsel to Google, Incorporated. The book’s last chapter discusses the creative destruction of old business models caused by the Internet and other information technology innovations. Yet, anyone looking for the inside scoop on how Google has won some of its copyright battles or on the Google Book Search settlement will be sorely disappointed, for there are no Google stories in *Moral Panics*.

Patry is a lively critic of major copyright industry groups and of the copyright policymaking process. He forcefully argues that “copyright is a utilitarian government program—not a property or moral right.” One comes away from the book, however, wishing that he had offered some sage advice or insights about how to avert these moral panics and copyright wars. If he has good ideas about what a better copyright law might look like, he neglected to include them.

References

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