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Pirates beware: Satellite radio is next

Music industry to focus next on radio-recording software

By Alex Veiga
AMERICAN-STATESMAN
STAFF
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LOS ANGELES – Technologies that let people record satellite and Internet radio broadcasts digitally are opening a new front in the recording industry's war on music piracy.

Until recently, the music industry focused its efforts on the widespread sharing of music files online. But a proliferation of software that makes recording radio streams a breeze has recording companies worried.

The latest trouble comes of a hardware/software combination that has catalyzed a new type of back-door recording: A program called TimeTrax, developed to record broadcasts from XM Satellite Radio's PCR receiver, spurred huge demand for the receiver from XM subscribers. And for that reason, the PCR appears to have been discontinued.

TimeTrax lets users store XM broadcasts, channeled through the PCR receiver, on a computer as individual tracks in the MP3 or WAV formats. Recordings can be scheduled at different times over multiple broadcasts.

Since the TimeTrax program debuted on the Internet earlier this month, XM retailers such as St. Louis' XMFan.com saw a crush of demand for the PCR units, which first hit the market about a year ago for less than \$50.

PCR receivers were selling for upwards of \$300 on eBay last week, and the founder of the company that distributes TimeTrax said XM's lawyers had written him asking that he stop selling the program.

XMFan.com's manager, Tim Morris, said XM officials had canceled his order this month for more PCRs. He said he'd been inundated with requests from interested buyers. "If we had 5,000 in the last two days, we could have sold all of them."

Scott MacLean, founder of Toronto-based NeroSoft.com, which distributes the \$29.95 TimeTrax, said he received a notice from XM's lawyers to stop selling it but, after consulting with his own attorneys, decided not to heed the request. He's made between \$7,000 and \$8,000 from sales of the software since he began distributing it Aug. 13.

"I have had many people say they actually bought XM because of this application," said MacLean, 35.

Steven Marks, general counsel for the Recording Industry Association of America, which

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represents the major recording companies, said the trade group did not ask XM to discontinue selling the PCR unit.

Marks also distinguished between the manual recording of radio done for decades on a cassette player and the systematic, mass recording of digital radio broadcasts.

"What we're concerned about are programs that essentially transform what are intended to be performances of music into a music library for somebody," Marks said.

The trade group already considers the widespread recording of Internet radio as a threat to digital radio broadcasters and the burgeoning legal music-downloading business.

Software that can track the data stream from Internet radio and split it into individual song files that are then stored on the computer user's hard drive are widely available, many at little or no cost.

One such program, StationRipper, is available free of charge and had been downloaded more than 50,000 times on Download.com as of Friday. Other popular recording programs include TotalRecorder and ReplayRadio.

One user said StationRipper made it possible to download nearly 3,000 songs in a 20-hour period from multiple Internet radio stations simultaneously.

The recording industry has yet to devise a way to block such methods of copying music, so it has mostly concentrated its enforcement campaign on people who distribute song files.

The recording group suggested that the Federal Communications Commission require digital radio broadcasters to encrypt their content or use an audio protection flag. Properly equipped digital players or receivers would recognize the flag and, ultimately, restrict whether the content could be copied or distributed.

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