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New challenge: recording of satellite and internet radio

By Alex Veiga, Associated Press

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 on the widespread sharing of music files online. But a proliferation of software that makes recording radio streams a breeze now has recording companies worried.

The latest trouble comes from a hardware/software combination that has catalyzed a new type of backdoor recording:

The software is a program called TimeTrax, developed to record broadcasts from XM Satellite Radio's PCR receiver. The PCR is a receiver that delivers XM radio through your computer.

The combination spurred huge demand for the receiver from XM subscribers. And for that reasons it 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. Recording can be scheduled at different times over multiple broadcasts.

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

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

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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 buyers.

"If we had 5,000 in the last two days we could have sold all of them," he said.

Morris said the company told him that it would not be distributing PCRs to him or anyone else.

The Associated Press left telephone messages and sent e-mail to several spokesmen for Washington-based XM Radio but got no immediate response.

Scott MacLean, founder of Toronto-based NeroSoft.com, which distributes the $29.95 TimeTrax, says he received a notice from XM's lawyers to stop selling it but, after consulting with his attorneys, decided not to heed the request.

He's made $7,000 to $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," says MacLean, 35.

MacLean says all his software does is simply record music off the XM signal.

"It's exactly the same as running it off a cassette recorder," he said. MacLean speculated that XM was pressured by the recording industry.

Steven Marks, general counsel for the Recording Industry Association of America, which represents the major recording companies, says the trade group did not ask XM to stop 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 both digital radio broadcasters and the bourgeoning 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 44,000 times on Download.com as of Tuesday. Other popular recording programs include TotalRecorder and ReplayRadio.

In postings on Download.com, several users hailed StationRipper as a better alternative to peer-to-peer file swapping networks, which are often mined with decoy files and are monitored by recording industry sleuths.

One user said the program 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.

Still, in June, the RIAA submitted comments to the Federal Communications Commission, asking the panel to enact new rules to safeguard music played through digital radio receivers from being pirated.

"Digital audio broadcasting without content protection is the perfect storm facing the music industry," the trade group wrote to the FCC.

The RIAA suggested the FCC require digital radio broadcasters to encrypt their content or use an audio protection flag — bits of data that would travel with the stream or satellite radio signal to denote that the content is under copyright.

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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