

**Digital Rights Management —
A current review**

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Abstract

Digital Rights Management (DRM) systems aim to create a secure framework to control access and actions that can be performed by users (both human and machine). DRM technologies have become very important in an increasingly networked world because it promises the owner of the file persistent control over the file even when the file leaves the owner's machine. It is not only useful in combating piracy (which is currently the main use of DRM systems) but also for protecting sensitive documents in enterprises.

DRM systems can be seen to fit at various levels on a computer system - at an application layer, which is currently seen in applications like Apple iTunes; at an operating system level like Microsoft's Rights Management System (RMS) in Windows Server 2003 or at a hardware level like Content Scramble System (CSS) in DVD players. However, current DRM systems are mostly not interoperable and in most cases either do not provide all the requirements expected by the customer or do not provide a totally secure framework.

DRM systems that are used for copyright enforcement give rise to many legal questions mostly revolving on the amount of control the copyright holder has over their creations once they have been distributed to the users. Many of the legal questions do not affect DRM systems for enterprises, but most of the technical requirements are the same.

This report gives a broad overview of current state of DRM systems and their strengths and weaknesses. It starts by looking at the legal requirements of the system to satisfy both the right holders and the end consumers. We then discuss the structure of DRM systems, their characteristics and how well they satisfy the legal requirements. Finally we review three types of DRM systems and how well they satisfy the requirements desired in a DRM system.

KEYWORDS

DRM, Digital Rights Management, REL, Rights Management

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1 Introduction

With the proliferation of the Internet, the speed and ease of digital data exchange has increased, together with the number of potential parties that can exchange data. This has also meant that digital data security is no longer confined to the computer that holds the original data, or even behind corporate firewalls. Furthermore, data security no longer applies only to the access to data, but also to what the user can do with the data [11]. Encryption is no longer enough, for the user can easily willingly or unwillingly pass on the unencrypted data to unauthorised users. Thus there is a growing need for data to not only have access control mechanisms but also to define mechanisms to control the actions of how users use the data.

There are no widely accepted definitions for Digital Rights Management (DRM). Rosenblatt et al. [36] provide two definitions for DRM. In the narrower definition DRM focuses on *persistent protection of digital data*. This definition refers to technology that protects digital content via encryption and the access control mechanisms that allow a user to view the digital content. In the broader definition, DRM is *everything that can be done to define, manage, and track rights to digital content* [36]. Under this definition, DRM technology also includes technology that manages and tracks digital content on the Internet. DRM is also known by other names, such as Content Management Systems (CMS) [16], Enterprise Right Management Systems (ERMS) [11] etc. Each of them have a slightly different definition, but they all aim to create a set of services that create access control mechanisms for digital data.

With the rise of music and movie piracy on the Internet, DRM systems have taken the spotlight in the media industry's fight against Internet piracy. However, multimedia is not the only use of DRM systems, and the same techniques can be used to protect documents in enterprises. The main difference lies in the legal framework in which a DRM system is implemented; since the users of media products are customers while in enterprises it is usually meant for employees.

This report takes a broad overview on:

1. Legal issues regarding DRM systems
2. Distribution architectures of DRM systems
3. How DRM systems work
4. Rights Expression Languages (REL) and XrML
5. Some of the current DRM products and their effectiveness

2 Legal Background

DRM technologies aim to enforce the legal rights of the owners of the digital media; and thus a discussion on the legal background is necessary to understand some of the problems with current DRM systems. In this discussion, *work* will be used to refer to the digital data that is meant to be protected using DRM.

2.1 The Players in a DRM System

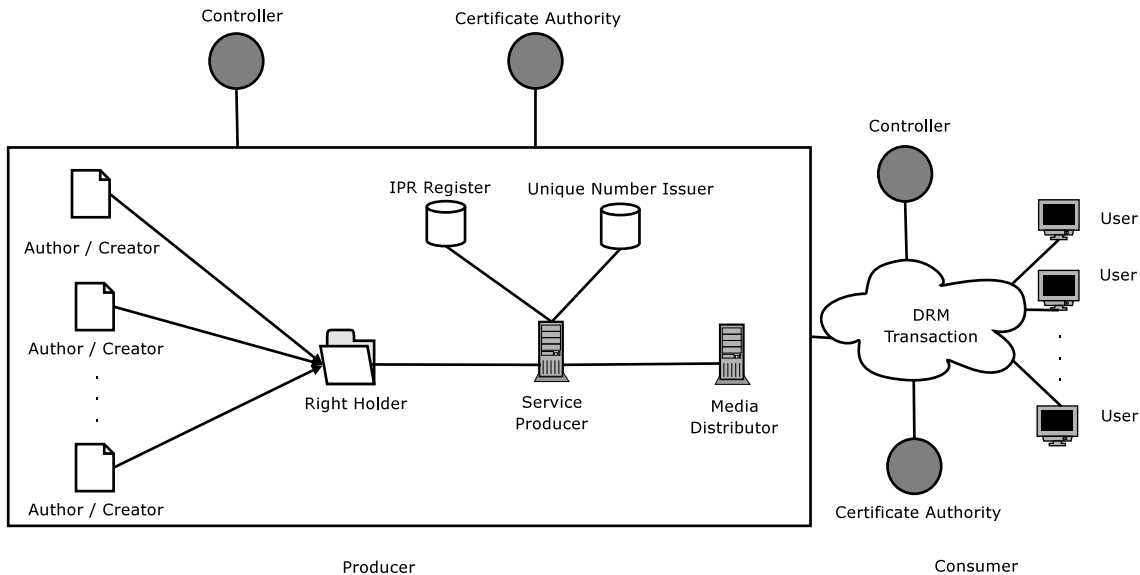


Figure 1: Players in a DRM System

Bartolini et. al [16] mapped out a set of requirements for content management systems to a set of players. Each of these players have different roles within a DRM system, and as such each of these roles have different legal requirements. The roles described by Bartolini et al. were:

1. The author, or the creator responsible for creating the work. The author does not necessarily have to be human.
2. The right holder is usually the copyright holder of the work. The author is not necessarily the copyright holder and usually the right holder is also referred to as the *owner* of the work.
3. The service producer is the entity that is responsible for the implementation of DRM on the work.
4. The media distributor is the entity that is responsible for distributing the work, and usually collecting revenue from the users. In many cases, the media distributor is also the service producer (e.g. Apple iTunes music store)
5. IPR register / database is a server that maps the rights associated with the work to the user. It is also referred to as the license server [35].
6. Unique Number Issuer is responsible for issuing an unique identifier to each creation.
7. The controller is a Trusted Third Party (TTP) that is responsible for ensuring that all the transactions have been carried out legally.
8. The certificate authority is another TTP that is responsible for authenticating all parties in the DRM transaction

However Bartolini et. al. does not take into consideration the end user of the work as a player. A DRM enforced work is essentially subject to a contract between the user and the right holder [17], and thus requires the user to be involved in the transaction. This is further complicated by rights that the user can expect to have [33] in the contract.

Current DRM systems also do not employ any TTPs [35, 33]. The license server is usually deployed by the distributors and identifiers to digital works are managed by the respective distributors. Thus, a DRM transaction currently involves only the end user and the distributor. Figure 1 proposes a DRM system with all the players considered by Bartolini et al. as well as the end users. The players representing the producer are the players proposed by Bartolini et al, while the players representing the consumer are our proposed additions. The transactions between the end users (the consumers of the work) and the producers of the work should also involve a controller to monitor the transactions for correctness and legality. A certificate authority should also be involved to authenticate the users.

2.2 Legal Perspective: The Owner

Both DRM technologies and new legislations in the US and Europe are aiming to help owners to receive their dues [27]. Currently the majority of DRM systems focus on multimedia, especially music and movies, and the owners (in this case the record and movie companies, like AOL Time Warner) would like to use DRM enabled media to combat Internet piracy.

Intellectual property laws are in most cases derived from the treaties made under the World Intellectual Property Organization (WIPO) like the Berne Convention [40]. WIPO aims to

- (i) to promote the protection of intellectual property throughout the world through cooperation among States and, where appropriate, in collaboration with any other international organization,
- (ii) to ensure administrative cooperation among the Unions.

[40]

Intellectual property laws aim to protect works through copyrights, patents, trademarks etc. and thereby create the possibility of financial rewards for the right holders through the sale of the works. Intellectual property laws confer exclusive rights to the holder to use the work for financial gain - for example an author with a copyright to his/her book has the exclusive right to make copies of the book and sell it to the general public.

By their very nature, digital works are very easy to replicate. With Peer-to-Peer (p2p) networks and the availability of high speed Internet connections, digital works are also very easy to distribute. This makes it very easy to illegally copy digital works and distribute them thus undercutting the right holders. The media industry would like to use DRM to enforce copyright on their works and thus receive payment when the user listens to a song, reads a book or watches a movie.

2.3 Legal Perspective: The User

Many end users are very hostile to DRM protected media [8, 12]. Many of their concerns are legitimate and this section looks at some of those concerns, namely fair use, privacy and right holder control. For DRM to be successful in the market place, DRM vendors must address these issues first. However, it must be noted that the concepts of fair use and right holder control only apply in a case where the user purchases or rents a digital work protected by DRM. In the enterprise, the large majority of the fair use and right holder control issues are non-existent.

2.3.1 Fair Use

In the famous *Sony-Betamax* or *Universal City Studios v. Sony Corporation of America*, 446 U.S. 417 case, the U.S. Supreme Court ruled that Sony could not be held liable for illegal copying of copyright works made using their Sony-Betamax video recorder [20]. The case also highlighted the idea of *fair use*¹, some of which is regulated in many countries' copyright laws (e.g. Section 107 in U.S. Copyright Act) [33].

Fair use (also referred to as personal use), usually allows for the reproduction of a copyrighted work for a variety of reasons [33, 39, 6]. Sections 12–19 of South Africa's Copyright Act 98 of 1978 gives the exceptions to copyright which allow users to reproduce (in any form) and excerpt copyrighted works for certain purposes including:

1. research or private study
2. reporting in the media
3. reviews and criticism
4. teaching
5. backup

There are also cases where there is no current legislation on how copyright regulates the use of a work [33]. These *unregulated* uses include:

1. how often a copyrighted work is used
2. where the copyrighted work is used
3. who uses the copyrighted work
4. the time period that the copyright work can be used
5. transfer of ownership

Some of these uses are currently regulated by license agreements, but in most works, no such restrictions are enforced. However there are fears that DRM media will now be protected in license agreements preventing fair uses [24]. Dusollier [24] counters that fair use clauses in the European Copyright Directive of 2001 is a legislative way of countering such moves, although the legislation itself does not address all the fair uses.

Felten [26] argues that the concept of fair use is too broad and not defined well enough to be ever implemented correctly. Fair use is often based on the circumstances of use, thus the fair use of a copyrighted work will depend on each individual user. Furthermore, implementing fair use will require highly sophisticated AI, and many of the fair use tests are already hard AI problems. Felten believes that these factors make it very difficult for DRM systems to implement fair use.

On the other hand, Bechtold [17] argues that at least DRM vendors should allow for the possibility of enabling fair use. Many of the current DRM products do not allow for fair use [33] even though current right expression languages have the capability to express most of the requirements on an individual basis [17].

Litman [29] and others believe that existing copyright law does not satisfy the requirements for digital information. Litman argues that historically copyright law has evolved with the advent of new technology, and the current copyright laws (mostly dating to 1970's) are inadequate for the information age. While there have been attempts at creating new copyright provisions in the US, Litman notes that these efforts are proposed and led by industry groups and new proposals have little or no consumer protection. Since fair use laws have to also evolve with technology, Litman proposes for new copyright laws to explicitly cater for equivalent fair uses.

¹The concept of fair use itself is not new – it was initially proposed in the early 1800's to allow book buyers leeway in how they used books. Fair use allowances has changed over the years to cater for newer technologies

2.3.2 Privacy

DRM systems has often been accused of violating the user privacy [33] and next to fair use, end user privacy violation (or the potential to) is seen as one of the major problems with many DRM systems [33, 22, 37]. The ability of DRM systems to track the usage of DRM protected media is seen as one of the major violations of privacy. However, Bartolini et al. [16] and Park et al. [34] all put the ability of DRM to track usage as one of the most important to meet all the objectives. The problem with tracking user usage boils down to how much the right holder monitors the usage of DRM protected media. In the past, user tracking has been used to look at browsing habits [33] and tracking can be potentially used to track habits of users even when they are not using DRM enabled works.

2.3.3 Right Holder Control

Right holder control is essentially how much the DRM enabled work determines what the user does with the work. In an enterprise scenario, right holder control could be absolutely critical – the enterprise would like to define exactly the boundaries for using the DRM protected work. Consumers however, would like as little control as possible on DRM protected works [33]. This is shown especially with the popularity of Apple iTunes Music Store compared to other music offerings, with Apple iTunes offering DRM enabled works with the least control and out-selling virtually all other offerings combined. Section 4 takes a more detailed look at the DRM systems used in current music stores.

2.4 Legal Perspective: The Distributer

The distributor is responsible for providing DRM enabled data to the user, and at the same time allow the right holders mechanisms to track the illegal use of the data [16]. In many current media distributions, the distributor also plays the role of the license server.

From the user's perspective, the distributor needs to keep user data confidential and not to reveal the data to third parties. Whether the right holders are a third party, however, will usually depend on the license agreements with the end user. Most of the legal concerns of the user (like privacy) are controlled by the distributor, and thus it falls on the distributors to solve them.

From the right holders perspective, the distributor must be able to distribute data without compromising the security of the data. If a security compromise does take place, then the distributor must be able to track down the offender [16] while others have suggested that at least pirated DRM data must be identifiable [21, 38].

Byers et al. showed that the majority of pirate links on the Internet were due to leaks during the production and distribution process [21]. This contradicts many of the claims that have been that blamed movie piracy on viewers. Byers et al. also showed that while visible watermarks, studio messages and bad quality of the movies themselves do not affect the popularity of the pirated movie significantly. The authors suggested using DRM to control the digital copies of the movies but concluded that current DRM technologies

1. do not scale well
2. do not support complex policies on controlling functions like duplication
3. is not simple enough to integrate seamlessly with the current setup.

DRM technologies have to overcome these obstacles in order to be fully effective for distributors.

2.5 Summary

For DRM to be effective, the legal concerns of the users and the right holders need to be taken into account. It is very likely that all the fair uses that are expected by users cannot be accounted for in an automatic system;

and there might be a need for a user to “apply” to a license server/distributor for a fair use to be enabled (e.g. a magazine writer asking for the right to excerpt from a document). Such a system will however require a third party to authenticate and accredit the users (e.g. the user is a accredited journalist), which is not used in the current implementations of DRM systems. Because DRM has the capability of imposing very tight right holder control, legislation might be required to counteract such a move.

In summary, users would like a DRM system that

1. can handle most fair use scenarios
2. keeps data collected from users confidential, and does not monitor the usage of DRM data²
3. allows for the transfer of rights
4. is flexible depending on the media/situation

while right holders would like DRM systems that

1. can keep track of illegal use of DRM enabled media
2. can correctly collect revenue from the usage of their works
3. can create a secure distribution channel
4. prevents the illegal use of their works

²Monitoring of usage will depend on the usage of the data. An enterprise will probably not be willing to take the risk of an employee leaking secrets and thus will monitor all uses of data. Entertainment companies however has not monitored how the content is used by a consumer; and thus the consumers would expect such in DRM enabled media.

3 Structure of DRM Systems

In 1999, Bartolini et al [16] looked at the requirements and the players involved in a possible DRM system. In 2000, Park et al. [34] looked at all the different possible distribution architectures that could be implemented for securing content distribution.

This section looks at the different distribution architectures, how all the players fit together to access a DRM enabled work, the types of DRM controllers and gives an overview of right expression languages.

3.1 Distribution Taxonomy

Park et al. gave three factors that distinguish the different security architectures involved in distributing secure content: the presence of a virtual machine, the type control sets and the distribution style.

3.1.1 Security Architectures

The first level of distinction is the presence of a virtual machine. The virtual machine is described by Park et al. as “software that runs on top of vulnerable computing environment and employs control functions to provide the means to protect and manage access and usage of digital information” [34]. Virtual machine can be in the form of a plugin that controls access to DRM enabled data, and currently most DRM products make use of a DRM controller [25, 35]. Systems that do not have a virtual machine cannot manage and control access and usage of a secure data that the recipient receives. This makes it unsuitable for use as a DRM solution.

The second level of distinction is in the type of control set used. Control sets are the rules governing the use of a DRM enabled work, and this has given rise to Right Expression Languages (REL) that allow for the description and specification of the control sets. Park et al. categorised control sets into three types: fixed control sets, embedded control sets and external control sets [34].

In fixed control sets, the virtual machine comes with a predefined control set which is enforced for all DRM enabled data. Fixed control sets are easy to implement, but offer very little flexibility. The encryption system for DVDs (DVD-CSS) is a good example of a fixed control set mechanism and the possible problems with such a mechanism. The DVD-CSS algorithm was flawed, and was compromised within a few months of availability of DVD systems. Because of the wide installation base, and the fact that DVD systems could not undergo firmware upgrades, the DVD encryption system was as good as not being present at all [33, 17]. While fixed control sets are not suitable for general application in DRM systems, they have been used successfully in other rights management systems. For example, the Linux kernel has a system to track whether independently loadable modules (like device drivers) are GPL compatible or not [18].

Embedded and external control sets are more adaptive to the needs of the user. In an embedded control set, the DRM enabled work comes with the control set embedded into the work. This can be done by encapsulating the control set and the work in a security envelope [34]. In an external control set, the DRM enabled work and the control sets arrive separately. The obvious advantage of a system of this nature is that a single control set can be used to define rights for multiple works of the same type. On the other hand, external control sets are usually held on a network server and are required to be accessed each time a DRM work is accessed [35]. This creates a network overhead as well as leading to questions of user privacy and right holder control. Both of these systems can be further combined with a fixed control set. Many of the current DRM systems use one of these two systems; the Apple iTunes Music Store for example uses an embedded control set (Apple Fairplay) on the music combined with a basic fixed control set in the iTunes music player. On the other hand, Microsoft recommends the use of a combination of embedded and external control set system for distributing music and movies with the DRM enabled Windows Media Player 9 and WMA and WMV media formats [31].

The third and final level of distinction is in the distribution process. Park et al. differentiated between *message push* and *external repository* [34]. In a message push system, the data is transferred between the sender and recipient by a direct communication channel such as e-mail. In an external repository, the recipient fetches the data from a central repository and there is no need for the recipient to store the data locally. Both systems have their uses in DRM systems, and the choice of distribution system does not necessarily impact on the security of the data. Message push systems are useful in enterprises where the data is only meant to be available to specific employees. Message push also has a greater flexibility in managing individual right permissions. External repositories are useful for a wider range of deployment, where the prospective user is probably not known, or where secure data needs to be available in a public domain. DRM enabled media such as music and movies fall into this category. If an external repository is used where the user cannot download the data permanently onto their own systems, it allows for a greater control for the the rights holder in how the user accesses and uses the data. Figure 2 shows the different distribution architectures with the notation used by Park et al. to distinguish between them.

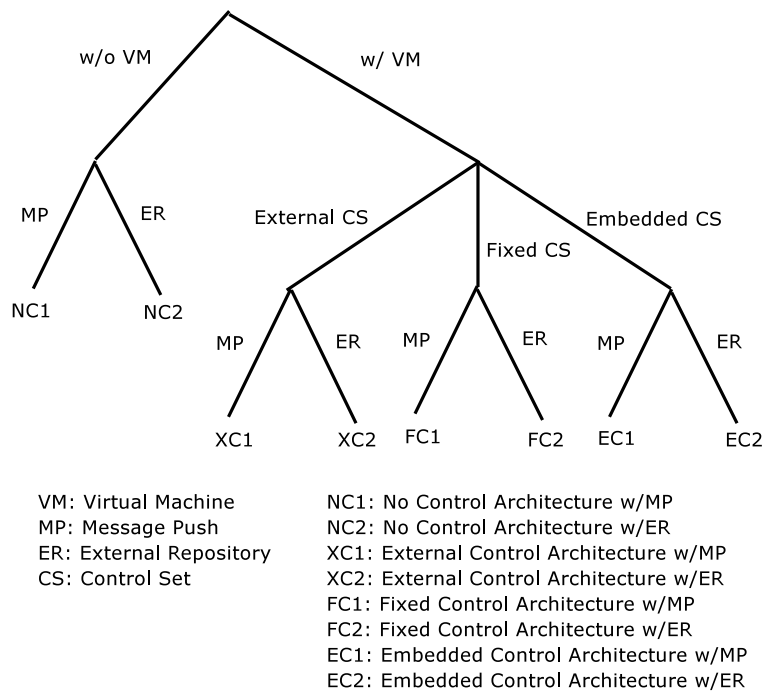


Figure 2: DRM Distribution Architectures [34]

3.1.2 Characteristics of the Security Architectures

Park et al. also looked at some of the characteristics of the security architectures described above. In these characteristics, they did not take into account any restrictions imposed by other elements in a DRM system such as the right expression languages. Table 1 looks at some of the characteristics of the distribution systems. These characteristics are a combination of features and characteristics proposed by Park et al. [34] and Mulligan et al. [33]. Some of the suggestions need to be finely balanced in a DRM system, for example the ability to track usage and access is liked by right holders but invades user privacy. No control architectures are not considered as they are not suitable for DRM systems.

³The user is allowed to distribute the DRM protected data him/her-self and the other users are allowed to access the data after getting their own licenses

| Characteristics | FC1 | FC2 | EC1 | EC2 | XC1 | XC2 |
|---|-----|-----|-----|-----|-----|-----|
| Right Holder can control access and usage | Y | Y | Y | Y | Y | Y |
| Right Holder can change the access rights after distribution | N | N | N | Y | Y | Y |
| Right Holder can change the usage rights after distribution | N | N | N | N | Y | Y |
| Provides persistent protection | Y | Y | Y | Y | Y | Y |
| Virtual Machine is vulnerable to attack | Y | Y | Y | Y | Y | Y |
| Allows right holder to track usage and access | N | Y | N | Y | Y | Y |
| Allows for re-use of the digital container ³ | N | N | N | N | Y | Y |
| Users are allowed to access DRM protected data offline | Y | N | Y | N | N | N |
| Users can access data from any location or machine (without carrying the data themselves) | N | Y | N | Y | N | Y |
| Architecture allows for transfer of rights without third parties | N | N | N | N | Y | Y |
| Architecture allows for transfer of rights through a trusted third party | N | N | Y | Y | Y | Y |

Table 1: Characteristics of DRM Distribution Architectures

3.2 Using DRM Enabled Works

In section 2.1, we described the different players in a DRM system as discussed by Bartolini et al. The players described could fall into three categories - the right holders and authors, the distributors and trusted third parties. We also suggested the addition of a new player - the user, which was left out by Bartolini et al. The DRM security architectures (figure 2) describe how the content can be communicated from the right holder (and/or authors) to the user.

Figure 3 shows how Rosenblatt [35] and Erickson [25] describes the usage of DRM enabled works in most of the current systems. Current systems usually use a combination of embedded and external rights control (i.e. the XC1, XC2, EC1 and EC2 distribution architectures described by Park et al.) and make use of a license server that creates a license to access the work based on the rights. First the content is packaged with a set of rights and distributed to the user. When the user requests the use of the protected work, the DRM controller validates the rights and issues a license to use the work depending on the rights. The application is then able to access the DRM protected work in accordance to the rules set out by the license. Identity control is achieved by using an identity register that can uniquely identify the client, and different DRM solutions use different techniques to achieve this.

3.3 Types of DRM Controllers

The DRM controller in Rosenblatt and Erickson’s models are equivalent to the virtual machine proposed by Park et al, with a subtle difference. Park et al. defined the virtual machine as “software that runs on top of vulnerable computing environment” [34]. Rosenblatt however argues that DRM controllers can be placed at a hardware level (e.g. enhancing the BIOS of a desktop PC) or as an operating system module in addition to being a virtual machine for a specific application [35].

Most current DRM systems, like Apple iTunes, use software virtual machines for DRM controllers. Application level DRM controllers have the advantage of having the capability of tailoring the DRM to suit the needs of the application. However there are two key disadvantages to application level DRM controls. Firstly, application level DRM control is hard to generalise, and this has led to the development of multiple incompatible solutions for the same application [35]. Furthermore, the development of DRM control becomes harder as each application has different designs and frameworks which need to be controlled. The second disadvantage is that

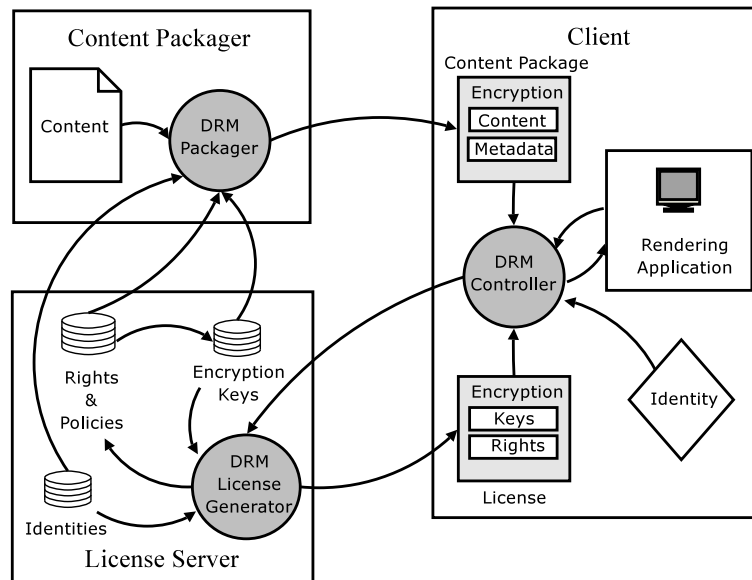


Figure 3: Using DRM enabled works [35]

application level DRM cannot guarantee right control of the protected work from operating system commands like “Print Screen” or the copy shortcut “Control C”.

Microsoft Right Management Services (RMS) is the best example of an operating systems level DRM system. A RMS system comprises of three parts: the client side DRM controller, the software development kit to develop DRM enabled applications and a server module (for Windows 2003 Server) for administering DRM enabled works. The RMS client module enforces rights requested by RMS enabled applications, and is available for all Microsoft Windows 98SE and later versions of Microsoft’s operating systems. Applications are developed using the RMS SDK which allows the developers to handle rights associated with the works. Because RMS is an operating systems based module, the right management is more wholistic and can prevent system commands like print screen from executing. However RMS is not yet a complete solution, and is targeted only as an intra-enterprise solution. RMS will be discussed in more detail in section 4.3.

Rosenblatt believes that hardware level DRM controllers are the long term solution [35]. However hardware level DRM controllers do not have a good reputation and the copy control mechanism in DVD is the prime example. However the main failure of DVD CSS was the use of a flawed encryption algorithm and that the hardware control could not be upgraded by using a firmware [33]. Rosenblatt believes that overcoming these problems is easy and once the full specifications of a hardware DRM control mechanism is standardised, it will be only a matter of time before its implemented.

3.4 Right Expression Languages

Right expression languages (REL) are used to define the rights and conditions for a DRM enabled work that the right holder gives to the user. RELs are usually modelled on access control languages [32], and usually take the form of:

USER -----> RIGHT -----> ACTION
 has the -----> to do

on the object being protected. This can be further enhanced by including parameters that restrict (or maybe enhance) the right. The most common parameter is “time” which can be used to make the right expire automatically. In the XrML 2.0 specifications [7] the requirements for a REL are given as:

- *Comprehensive*: A language that shall be capable of expressing simple and complex rights in any stage in a workflow, lifecycle or business model.
- *Generic*: A language shall be capable of describing rights for any type of digital content or service (an ebook, a file system, a video or a piece of software)
- *Precise*: a language shall communicate precise meaning to all players in the system.

The most common REL is Extended Rights Markup Language (XrML) which was developed originally at Xerox Parc labs and is now developed jointly by Microsoft and Xerox. XrML is an XML based REL, and its syntax is specified by XML while its grammar is defined by XML schema definitions [7]. XrML 2.0 is split into three parts: a core schema, a standard extension schema to handle definitions that are broadly applicable but not a core feature, and a content specific extension schema to handle concepts specific to the type of digital content.

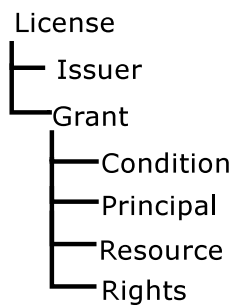


Figure 4: Simplified Representation of the XrML hierarchy [32, 7]

Figure 4 shows a simplified representation of the XrML hierarchy. The principal denotes the end user of the protected work, and XrML allows for multiple principals and various ways of identifying the principal. The resource is the “object” to which the principal is granted a right. While the object is essentially a digital file, XrML provides mechanisms to include services like email or transactions. The conditions set the parameters for the rights, and apart from time periods, they can also be used for other functions like forcing the user to use a certain renderer.

XrML is used in all Microsoft DRM solutions including RMS as well as being the base of other RELs. However, there have been many criticisms of current REL implementations for not being able to handle all the legal requirements when enforcing copyright [32, 26]. Mulligan et al. argues that RELs like XrML cannot be considered comprehensive until users are able to request additional rights [32]. They argue that this ability is crucial for the enabling of fair use. Bechtold however argues that many of the XrML rules and definitions like rights transfers are not implemented in current DRM systems [17] and thus the failure of DRM systems to have fair use is not hampered by the language. Bechtold maintains that a suite of programs that can implement all the rules and definitions available in XrML will be able to achieve most of the requirements of DRM systems with less compromise from right holders [17]. This would require users to communicate with the right holder to request additional rights or changes in rights, as argued by Mulligan et al.

Felten on the other hand argues that DRM systems will never allow fair use since the languages cannot handle the expressions and the AI complexities in fair use [26]. While this may be true for right holders that want strong control over their works, Apple’s iTunes program has demonstrated the effectiveness of allowing fair use through weaker right holder control.

3.5 Protection, Management and Tracking

The broader definition of DRM systems include tools that enable the right holder to manage and track the protected work. Protection itself can come in various forms. Most DRM enabled media come in a secure envelope consisting of the encrypted work and its signature. Multimedia vendors are also looking at embedding watermarks to identify the right holders of the digital work [21]. New techniques in fingerprinting enable identification for text and even database tables [38, 28].

Tracking usage of DRM enabled media is a contentious issue. On one hand, the right holder would like to know how many users try to access the rights that they do not have on a work as well as to track down illegal copies of their works if the protection is compromised [38, 16, 21]. On the other hand users have the right to privacy, and current copyright laws does not allow the copy right holder to control where and when a user uses the work [33].

Uzuner et al. proposes the usage of tracking mechanisms to completely replace DRM systems that exist solely to enforce copyright (like online music distributions) [38]. In such a system, every time a copy of the copyrighted work is distributed, the Internet service provider (ISP) can keep record of the transaction and then the users can be charged at the end of the month. However, such a system has three key flaws. Firstly, this system will create a logistical nightmare for ISPs, and it will also require every ISP to implement such a tracking system. Secondly, users sitting behind firewalls and proxies will only get a consolidated bill and additional detectors will be required to detect the actual users of the work. And finally, if the users distribute works via secure encrypted channels, it is highly unlikely that the content of the channel will be divulged and thus highly unlikely to allow adequate compensation to the right holder.

3.6 Summary

This chapter looked at the structure of DRM systems; the distribution processes, the DRM controllers and at Right Expression languages. This chapter also looked at how current DRM systems work.

DRM systems that distribute right information along with the work or in a separate communication are the ones that manage to meet the requirements of generalised DRM systems. While rights are distributed together with the work, most DRM system deploy a license server that validates the rights of the work for the user. The activities of the user using the DRM enabled work is controlled by a DRM controller, which can be placed at a hardware level, as an operating system module or at an application level as a virtual machine. While most current DRM systems utilise a virtual machine at the application level, the trend is to move towards a hardware level implementation.

Right expression languages are seen by some as the reason why DRM cannot fulfil many of the requirements – some see RELs as being badly designed while others have blamed poor implementations of RELs in current DRM systems.

4 Current DRM Systems

This section gives an overview of 3 DRM systems used currently. In section 4.1, we look at the DRM system used in the popular iTunes music store. This is followed by a look at the DRM systems used by many of the competitors to iTunes in section 4.2. And finally in section 4.3 we look at Microsoft's RMS system as an example of a DRM system that employs operating system level DRM control and is general enough to be employed with any form of data. We do not look at any hardware level DRM systems.

4.1 99c Music Stores

In March 2003, Apple Computers debuted the Apple iTunes Music Store⁴ which allowed customers to download individual music tracks for 99 US cents, and whole albums for US \$9.99. In the past year, iTunes Music Store has become the dominant online music store, selling over 50 million songs [23]. Following the success of Apple, Real Networks launched RealPlayer Music Store⁵ in 2004. Currently these services are available only to customers in the USA with broadband Internet connection. This section looks at the DRM systems employed in these two stores.

4.1.1 The DRM System

Both of the stores use a mix of fixed control sets built into the music players and embedded control sets built into the music files. Both companies have set weak controls [33], that allow the customer to burn unlimited number of CDs, unlimited transfers to portable devices, share the music with up to three different computers and do not monitor the usage of the music files [5, 1]. The two main differences between the two services are the different DRM standards and the different music players and portable device support. Apple and Real employ different DRM systems even though they seem to offer exactly the same levels of protection. Because of the different type of DRM, they need to use different media player software and support different portable devices. Customers of the iTunes Music store need to use Apple iTunes music player, while RealPlayer Music Store customers need to use Real Player 10. RealPlayer store currently allows the upload of music to multiple number of portable devices from Creative and Palm [5], while iTunes only support Apple's iPod [1].

Both music services uses the Advanced Audio Coding (AAC) format (which is an ISO standard) instead of the more popular MP3 format, because it is considered to provide better quality than the MP3 format [5]. After the music is encoded in the AAC format, the file is wrapped in a DRM envelope which provides the rights management for the music. Apple uses Fairplay DRM system from Veridisc [13, 3] while Real uses their own DRM system called Helix [2]. The file is then made available to the customers for download.

To buy music, customers are required to first "authorise" their machines. This process licenses a certain machine to play the purchased music, and this is intended to stop one person buying the music and distributing over p2p networks. Customers can then download the music onto their computers. If a computer is "de-authorised", the customer cannot play their music on that machine any longer, and nor can a customer play their music on another customer's machine. Licensing involves the downloading of the customer's public key from the music store, and should the customer decide to de-authorise their machine, the key will be removed.

Both music services have some other restrictions that are not present for a person purchasing the album as a CD. The major restriction is the inability to transfer the right between two users. This restriction means that the customers of the music store cannot resell the album or songs, nor can they lend the album or song to their friends or family [33]. Furthermore, neither players allow for the excerption from a song to create an audio clip which is permissible under copyright law for music [6] if used for academic purposes, for reviews or even for a creation of a new artistic work. This restriction can be overcome by recording the audio file as a music CD,

⁴<http://www.apple.com/itunes/>

⁵<http://www.real.com/musicstore/>

and thereafter re-encoding the music from the CD to a less restrictive format (like wav). However, the process of converting from an AAC format to a music CD format degrades the quality [33].

4.1.2 Fairplay

Not much is known about Fairplay DRM system, and Veridisc's website ⁶ is unorganised and uninformative. Recently, an open source project, PlayFair⁷ created a tool (Playfair) to circumvent Fairplay's DRM system. Apple stores the encryption key to the DRM enabled files in the iPod and iTunes application. Playfair uses the key to decrypt the encrypted music file, and then extract the full AAC music file [3]. The resultant AAC file is then void of any rights protection and can be played with any music player that supports the AAC format.

If the circumvention is performed by the owner⁸ of the music file, the action could be considered a fair use. However the US's Digital Millennium Copyright Act (DMCA) prohibits circumvention of encryption or rights management systems [17] and thus the legality of the tool is in question. Within a week of Playfair being announced in Slashdot [13], Apple asked Sourceforge.net (one of the largest open source program repositories) to remove the Playfair project as it circumvents the DMCA [14]. The Playfair project relocated to Sarovar, an open source repository in India, but has since also been removed through a legal request from Apple [4]. Lawyers for Sarovar are looking at whether Indian legislation prohibits a project like Playfair.

4.1.3 Helix

Real describes Helix as the "*first multiformat digital rights management platform for secure delivery of media to any device*" [2]. Real Networks advocates the use of Helix with other media formats to create the same distribution systems as used in the RealPlayer store. The Helix system and the RealPlayer Music store are both new in the market, but the same circumvention technique used in Playfair should be possible against Helix.

4.2 Subscription Music Stores

Prior to the launch of iTunes Music Store, all the online music stores used a subscription model, where users pay a monthly subscription (usually 10 US dollars per month) and are able to download an unlimited number of audio files onto their computer. However, users are then restricted in what they do using the music files and should they not renew their subscription, they will lose the right to listen to their downloaded music. Thus in a subscription model, users buy the right to listen to the music for a limited time period which is comparable to hiring movies. The major players using this model include Rhapsody⁹ which is also owned by Real Networks, MusicMatch and the newly relaunched Napster. Almost all the subscription model stores use Windows Media Audio (WMA) for the file format [15].

Due to the subscription model, the DRM enforces a stricter control on usage. Windows Media Player (and other media players that can play WMA) has a default control set, and WMA makes use of both external and embedded control sets. Because of these stricter DRM controls many of the features of iTunes like transfer onto portable devices or CD or sharing with multiple number of machines are not available in these services. Some services like Rhapsody, charge extra to allow users to burn tracks onto CD.

The DRM systems for the music distributors is similar to the systems used by iTunes Music Store and RealPlayer Music Store, with the exception of having a system to monitor the subscribers that fail to renew their subscriptions. To this effect, licenses granted to the subscribers need to expire after their subscription period (though some services do allow a grace period) and must update the license after each month. On the client

⁶<http://64.244.235.240/sitemap.asp>

⁷<http://osx.freshmeat.net/projects/playfair/>

⁸Owner here refers to the person who purchased the music file through the iTunes music store

⁹<http://www.listen.com>

side, the DRM system is the same as for iTunes and RealPlayer.

Microsoft is to release a new DRM system nicknamed Janus later in 2004 [30]. With Janus, Microsoft adds automatic expiry to the WMA DRM, thus allowing subscription based songs to automatically expire, and at the same time allow WMA to be used on a per song download basis with less stricter DRM control. A time expiry mechanism for WMA will allow customers to copy the file to portable devices and write to CDs without compromising the rights of the right holders.

There are currently no circumventions for DRM protected WMA. One of the reasons for this is the fact that the DRM control is part of the file format itself [31], and thus the technique used by Playfair will not work. A circumvention tool for WMA will have to encode DRM enabled WMA directly to a non-encoded WMA, which should be possible through the use of the Microsoft SDK.

4.3 RMS

As discussed in section 3.3, Microsoft's RMS is a DRM system whose controller is an operating system module. RMS implements a combination of both embedded and external control sets, and since the RMS module comes in with built in defaults, fixed control sets are also implemented. However, unlike the embedded control sets employed in the iTunes and RealPlayer music stores, RMS requires the presence of a license server to operate.

4.3.1 How RMS Works

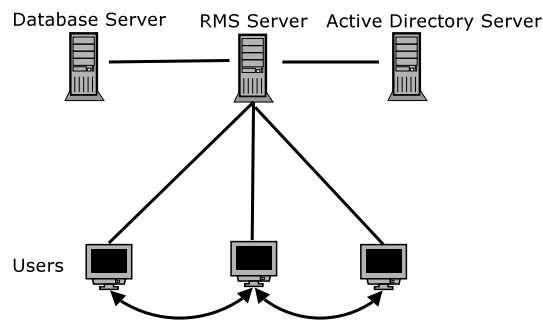


Figure 5: Deploying a RMS system [10]

Deployment of RMS requires the usage of a RMS server, an Active Directory server, a database server and each client to have the RMS operating system component installed. Users are authenticated using their network credentials via the active directory server, while the database server is required to keep track of access requests to RMS enabled data [9]. To identify recipients, RMS uses the email addresses found in the user's active directory credentials. This can also be used for group allocations, example staff@my.enterprise. RMS enabled applications are required to create and use RMS, and currently Microsoft Office 2003 is the only RMS enabled application on market. Microsoft has also created an update to Microsoft Internet Explorer, which allows it to read RMS enabled web pages and office documents through plugins.

To use RMS in an enterprise, the enterprise must first set up an infrastructure with trusted entities. At the core of this set up is a certification authority that can create trusted entities. For this purpose, RMS requires a server (running Windows Server 2003) to be enrolled as a trusted server. This server requires its public/private key pair to be signed by Microsoft's RMS Server Enrolment Server [9]. Once this is done, the server can act as a certificate authority for the enterprise, and enrol other servers, client machines and users as certified entities. RMS allows only trusted entities to participate in a RMS transaction. RMS uses 1024-bit RSA key pairs and 128-bit AES encryption. Licenses and rights are expressed using XrML and communications between the license servers and clients are done using the SOAP protocol.

When a user creates a RMS enabled document, he/she is able to set the rights to the document. These rights include who can access the document, and what they can do with it. For example, User A can specify that User B can read and print the document while User C can only read the document. To simplify this process, RMS server administrators can create templates to cater for specific user groups and rights. For example, the administrator can create a template called “Managers” which have the identities of all the managers, and then User A can simply specify Managers have read and print permissions. Once the user is satisfied with the right allocations, the RMS enabled application contacts the RMS server to formally enable the rights to the document and creates a publishing license for the document. The document is encrypted and the license is attached to create a secure envelope [9]. The user is then free to distribute the secured document.

When a user opens a RMS enabled document, the application requests the RMS server for a “Use License”. The RMS server validates the user, and then validates the publishing license. If the validation succeeds, a use license is created for the period specified by the publishing license. The user is then able to access the document. Unless specified by the publishing license, the user does not need to get a use license each time he/she would like to access the document, and thus the user can access the document if the network is unavailable or on a trusted laptop.

Because the RMS’ DRM controller sits at an operating system level, a more complete protection is achieved. A “read only” right prevents the user from copying the information by taking a screenshot or using the “copy” commands (like control+c). However Microsoft does not guarantee that 3rd party software will not be able to bypass these mechanisms. RMS also keeps a complete log of requests for use licenses, and thus can help administrators track down unauthorised users.

For the developer, Microsoft provides software development kits (SDK) to allow developers to create RMS enabled client and server applications. Thus unlike previous DRM technologies [35], the developer is required to implement very little new code.

4.3.2 RMS Weaknesses

Because of certain design decisions taken with RMS, some parts of RMS can be seen as major weakness. Some of these factors have forced RMS to be focused on intra-enterprise deployment only; and not as a general mechanism to protect sensitive documents.

The major weakness is introduced through the use of Active Directory / email addresses for authentication. The active directory is used by enterprises to manage windows accounts for users and thus is bound to the enterprise. To create a system that can span multiple enterprises, inter-enterprise active directories are needed. This creates additional security problems, as the enterprise will now need to actively block all users that are not from their enterprise. Microsoft does allow the use of Passport for identification [9], but Passport is an anonymous service and has a bad track record of serious security failures [19].

The obvious solution to this is to use X509 certificates for all the users. This would allow for validation of users regardless of whether they are part of the enterprise or not. The use of certificates would also allow for the use of unactivated clients to access protected documents. While this may be seen as lowering the security, it could also allow enterprises to publish documents like user-manuals without compromising how these documents are used.

Rosenblatt also argues that implementations of operating system level DRM can lead to overheads on I/O handling [35]. This is because the operating system is required to check every I/O operation on whether it is restricted. However current RMS enabled applications only make limited restrictions on I/O operations. The use of a certificate authority for the initial certification can also be seen as a weakness, since not all systems

are connected to the Internet and there is not a need to have a full certification authority for an intra-enterprise system.

Finally, RMS is a Microsoft proprietary standard, and thus there is no interoperability between other operating systems. While Microsoft does make use of standards such as AES and XrML to implement RMS, the actual implementation of RMS has not gone through standardisation process. Enterprises are usually not going to implement one operating system, and thus RMS needs to be available on multiple platforms to be effective.

4.3.3 Future Directions

RMS forms a default part in Microsoft's new operating system Longhorn, and later releases might have X509 certificate support for user authentication. RMS could be extended for use as electronic contracts, and thus can then be used to enforce shrink-wrap software licenses more effectively, thus reducing software piracy. Should RMS be extended to be used for enforcing consumer contracts, mechanisms are needed to allow for fair use and protection of user privacy. This will require a feedback mechanism described by Mulligan et al. [32] to facilitate bi-directional rights communication.

4.4 System Comparisons

In section 2.5 we looked at the legal requirements for DRM systems, while in section 3.1.2 we looked at the characteristics of the distribution architectures. In table 2 R01 – R04 are the legal rights that users are granted by current fair law standards, while R05 – R08 represents the legal rights for the right holders. C01 – C11 represents the characteristics of the DRM systems and are the same characteristics discussed in section 3.1.2

The following points discuss some of the characteristics of the systems in more detail:

- R01: Except for allowing for exception from the audio files and the ability to transfer ownership, the music stores allow for almost all other fair uses. RMS allows for the same range of freedoms but subscription music stores are currently unable to offer most fair use scenarios.
- R02: RMS logs all user activity and currently there is no mechanism to stop monitoring of user activity. Similarly, subscription music stores monitor usage, and Mulligan et al. contends that some go further and actually have the ability to monitor other user activities like web browsing habits [33].
- R04: Although none of the systems have feedback mechanisms, RMS is the only system that allows a wide variety in rights configurations.
- R05: Because the 99c music stores have no tracking mechanisms, they cannot detect the illegal usage of their media.
- C02: In RMS, the right holder can invalidate the user's license and thus can change the access rights after distribution. Similarly subscription music stores can deregister a user, and the user will no longer be able to listen to the music he/she downloaded.
- C03: RMS does allow the invalidation of use licenses, but cannot remotely change the license conditions.
- C05: There is no known VM vulnerability in any of the DRM systems discussed, but there is no guarantee that they are invulnerable.
- C06: The 99c Music stores do not use any logging or tracking mechanisms.
- C07: Because of this characteristic, none of the systems allow for transfer of ownership.
- C08: RMS needs at least one connection to get a use license. Subscription music stores do not allow offline access.

| | Characteristics / Requirements | 99c Stores | Subscription Stores | RMS |
|-----|---|------------|---------------------|----------|
| R01 | Can handle most fair use scenarios | Y | N | Y |
| R02 | Promotes user privacy, and does not monitor usage of DRM data | Y | N | N |
| R03 | Allows for the transfer of rights | N | N | N |
| R04 | Allows for flexibility in rights implementations | N | N | Y |
| R05 | Can keep track of / detect illegal use of DRM enabled media | N | Y | Y |
| R06 | Can correctly collect revenue from the usage of works | Y | Y | n/a |
| R07 | Creates a secure distribution channel | Y | Y | Y |
| R08 | Prevents the illegal use of protected works | Y | Y | Y |
| C01 | Right holders control access and usage | Y | Y | Y |
| C02 | Right holders can change the access rights after distribution | N | Y | Y |
| C03 | Right holders can change the usage rights after distribution | N | N | N |
| C04 | Provides persistent protection | Y | Y | Y |
| C05 | Virtual machine is vulnerable to attack | Y | Y | Y |
| C06 | Allows right holder to track usage and access | N | Y | Y |
| C07 | Allows for re-use of the digital container | N | N | N |
| C08 | Users are allowed to access DRM protected data offline | Y | N | limited |
| C09 | Users can access data from any location or machine (without carrying the data themselves) | N | Y | Y |
| C10 | DRM system allows for the transfer of rights | N | N | N |
| C11 | DRM system allows for the transfer of rights through a trusted third party | possible | N | possible |

Table 2: Comparisons of different DRM systems

- C09: Assumes that the machine itself is a trusted entity, or that the user can register the machine as a trusted entity.
- C11: PlayFair allows the DRM to be stripped away from an iTunes Store file. Thus it can be employed in reverse to re-encrypt the file with the key for a different user, thus creating a rights transfer. In RMS, the administrator can invalidate the user's license, and can change the rights of the file.

4.5 Summary

This section looked at three different types of DRM systems. The DRM systems used by per-song music retailers have weak DRM controls, and allow the users a lot of freedom on what they can do with the music. In contrast, subscription music services have tighter control on DRM although they do have a different business model. Microsoft RMS is a wholistic system that is currently targeted for intra-enterprise deployment. RMS style DRM has the potential to provide both weak and strong DRM control but none of the systems provide feedback mechanisms for users to request additional and changes to their rights. DRM used in 99c music stores are more user friendly, and place less control to the right holders. This is probably the main reason why they have been more successful in getting customers than subscription music stores.

5 Conclusions

This report gave a broad overview on what constitutes a DRM system, and looked at both the legal and technical requirements. Technically, it is very difficult to implement fair use as required by copyright legislation, and none of the current DRM systems implement all the fair use requirements. However, systems such as Fairplay used in Apple's iTunes Music Store, have managed to strike quite a good balance between users' expectations and providing sufficient protection to right holders.

Microsoft's RMS has the potential to become the standard for enforcing rights management; it provides flexibility in allowing for both weak DRM control as needed for consumer services, and for strong DRM control as required for protecting enterprise documents. RMS also has the potential for use in enforcing shrink-wrap licenses and a general mechanism in enforcing digital contracts. However, much of these applications cannot be enforced unless RMS creates a new mechanism for user authentication, since the current mechanisms are either too restrictive or have too many security problems.

One of the key challenges in rights management remains the ability to transfer rights between two parties. Although XrML supports the right to transfer, there are no mechanisms to do so. XrML also lacks the ability to allow for bi-directional communication where the user asks the right holder for a right. This ability is required if fair use is to be properly implemented.

Rights management technologies are here to stay, and future systems will need to include DRM systems to either meet legislative requirements or to satisfy publishers' and consumers' demands. The RMS platform is the first step in such a direction but open standards are required to enable protection seamlessly across different operating systems and devices.

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