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Somebody's Distributing Your Copyright Content Illegally? Know Your Facts Before You

Accuse

By June Campbell

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Is someone distributing your software or other copyright content illegally over the Internet? It's possible. It happens. If you can prove your case, you have grounds for legal action.

BUT -- before making yourself look foolish and creating enemies, have your facts straight. A reasonable understanding of Internet technology can prevent you from ending up with egg on your face.

Take this situation. I've changed names to protect the guilty.

A representative of an online business emailed me saying, "It has been brought to my attention that you have made the "something.com" public download files freely available for download by FTP from your web site. Would you please let us know immediately what is going on and what your justification is for doing this."

First mistake. If the files are "public download files", then what is the problem? Public download files are freely available.

However, since I had never heard of their software, I responded with a request that the company

rep show me the link or at least provide a screen capture of the alleged FTP activity.

I received an apologetic email from the company rep saying that she could not locate a link to her software from my site. "Perhaps your site has been confused with someone else's," she explained. Second mistake. If you're making an allegation of this nature, know where the problem can be found and be ready to present evidence to the other party. You look more than a little incompetent if you can't back up your claim in the most elementary way.

A few hours later, a third email arrived. This time, the company rep accused me of being untruthful and threatened legal action. She then backed up her case with the following URL:

ftp://www.nightcats.com/pub/users_heirfiles/

Third mistake.

Sure enough, "theirfiles" were available for download at this link. And, sure enough, www.nightcats.com is my site domain. HOWEVER, had the company rep had a basic understanding of FTP (File Transfer Protocol), she would have understood that a "pub" directory is "public" — and therefore the URL had nothing to do with my site.

A phone call to my web host confirmed they were hosting both my site and the other company's site. Since both web sites were on the same public server, any domain listed on that server would have produced identical results with the FTP URL given above. That is, you could change ftp://www.nightcats.com/pub/users_heirfiles/ to ftp://www.something-else.com/pub/users_heirfiles/ and you would get access to this company's software. If a web administrator has set up the server to implement anonymous FTP in this fashion, then all that is necessary is for both web domains to be stored on the same server.

And that brings us to the fourth mistake. If you don't want your copyright-protected software files to be available for public download, why in the wide world would you store

them in a public FTP directory where everyone has free access? Public means public. If you want the files to be available only to authorized users, doesn't it make sense to have a private, password-protected directory set up on your web site?

Had I wanted to be vindictive, I could have posted the URL to multiple newsgroups and mailing lists. Hundreds of people could have downloaded those files before the problem was corrected. I didn't do that, but some people would.

What can be learned from this episode?

1. An understanding of basic Internet protocols is essential if you are running an Internet business. It is equally important that your agents, employees and company reps are trained, since they are the ones

that are likely to make the mistakes.

2. Have a tech-guru available to advise you on issues that are beyond your current understanding.
3. If you're operating an Internet business, get a tough skin. You'll be accused of some mighty interesting stuff.

June Campbell's writing has appeared in various international publications. Visit her on the web for articles, a FREE gift, or for how-to booklets on writing a business proposal, developing a business plan, developing a joint venture contract and more <http://www.nightcats.com>

Why Copyright?

By Jill Black

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Copyright gives the author or the publisher the legal ownership rights to control production, sale and distribution of particular documents or images.

Protecting your intellectual property is a vital part of creating and selling your own digitally published works.

Registering your copyright establishes a public record of your copyright worldwide.

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An excellent resource on the subject can be found at Brad Templeton's site which I recommend as a must read by anyone interested in protecting their work...

<http://www.templetons.com/brad/copymyths.html>

When you run an online business be aware of the copyright laws in other countries and compare them with your own country's laws and how they may also apply to you.

The information in government documents is usually not copyright and available for use by everyone, but always check to be sure.

When you have created your e-book you do not want an un-authorised party to illegally copy your work or claim it as theirs.

Along with the other pirating proliferating on the net the stealing of ebooks is growing at an alarming rate.

There have been many cases where authors have found their work on other author's sites under the name of the other author. If your work is copyrighted you can at least legally sue for copyright infringement.

You can password protect your e-book and other documents to make cyber piracy of your work more difficult, but PC's and the document compiler software you use can never provide total security against the determined cyber thief.

It is estimated that every year music, text and image files that are worth an estimated \$10 billion to their copyright owners are illegally copied over the internet.

When this kind of theft occurs it can go on for quite some time before you find out resulting in a loss of fame, recognition and sales revenue which should have been yours.

Copyright law covers most material on the Internet and extends to text and images placed on another person's web site. If a feature does not appear to have a copyright marker you should still assume it is copyright and requires permission before using.

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Use the Meta tag element to embed copyright into your HTML documents or web pages.

All rights reserved.">

Similarly the authors name can be embedded in a Meta tag.

Copyright those documents before you find you are a victim with no legal rights because you have failed to take the the simple precautionary step of placing a copyright marker on your work.

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