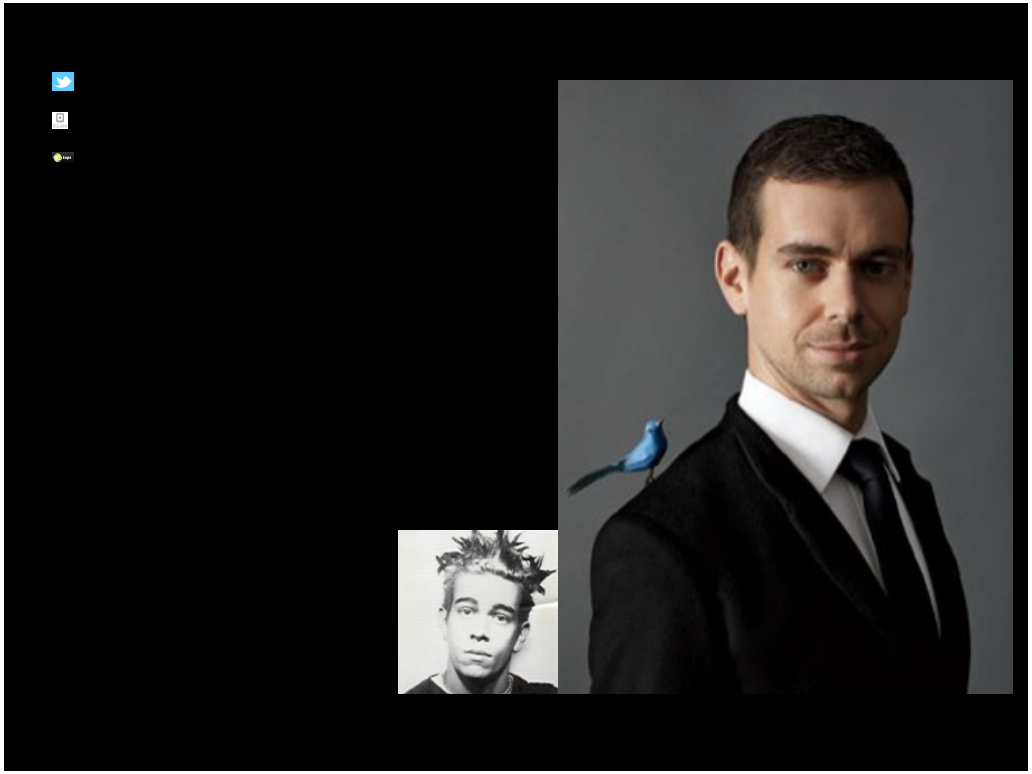
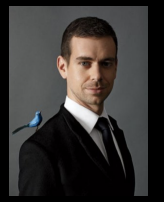
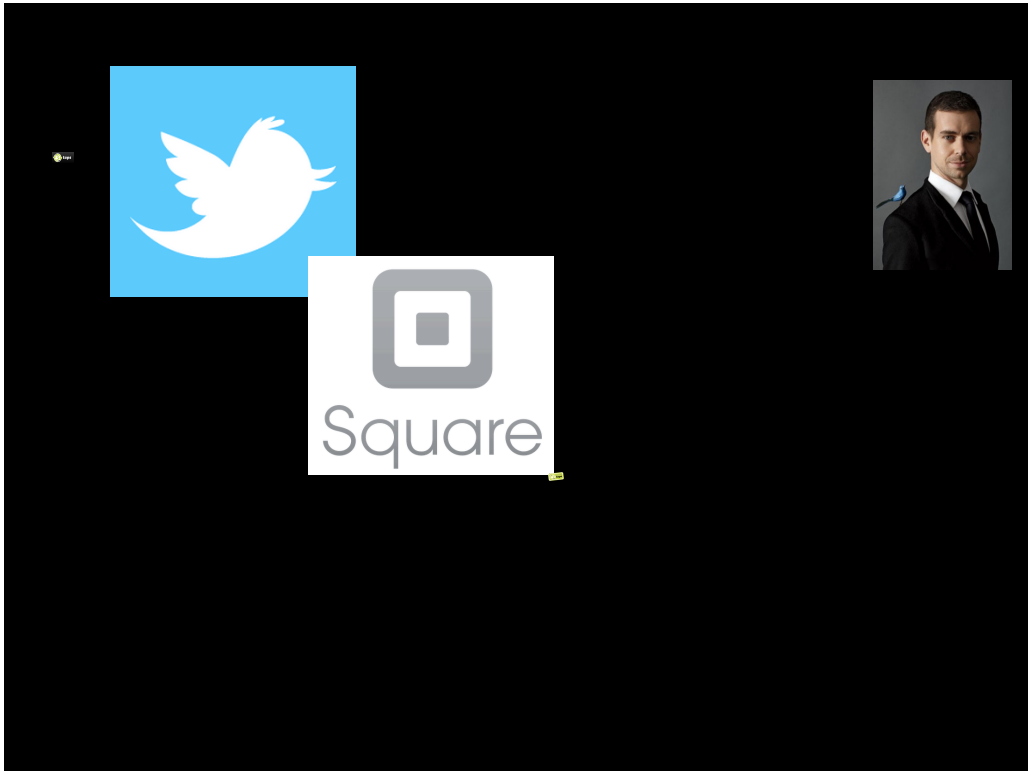
Who Owns the Data?

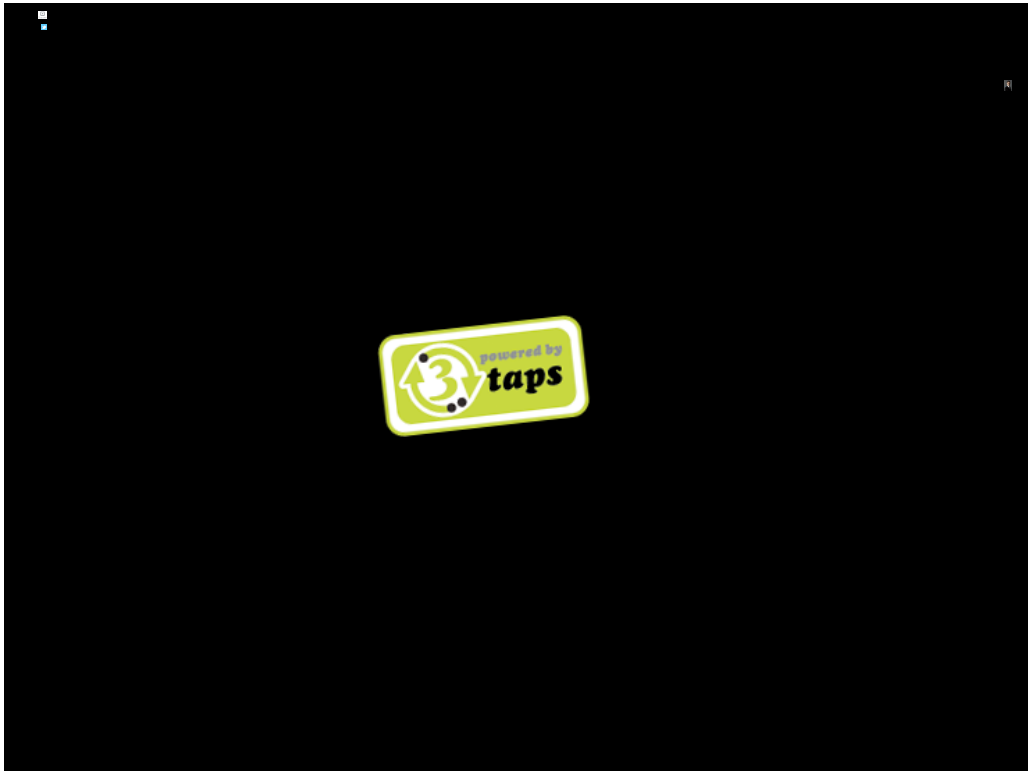
@gregkidd or message.me/greg

bike messengers (aka “anarchists”)






Square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An open exchange between ALL seekers and all providers

An open exchange between ALL seekers and all providers

via a

data commons

POLICY & LAW | WEB & SOCIAL | STORYSTREAM

Craigslist's fight to keep control of its data

By Jeff Blagdon on September 25, 2012 03:33 am Email @jeffblagdon

6 TOTAL UPDATES
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The New York Times

JULY 29, 2012, 11:00 AM | 84 Comments

Disruptions: Innovations Snuffed Out by Craigslist

By NICK BILTON

Thor Swift for The New York Times

Craig Newmark, founder and chairman of Craigslist, shown in 2004 at his company's office in San Francisco.

FACEBOOK

In 1995, a good-hearted programmer named Craig Newmark thought of a way to make newspaper classified ad listings simple, and in turn, people's

What are classified ads

What are classified ads

- Creative expression protected by copyright?

What are classified ads

- Creative expression protected by copyright?
- Commercial facts in the public domain?

Purpose of copyright:

Purpose of copyright:

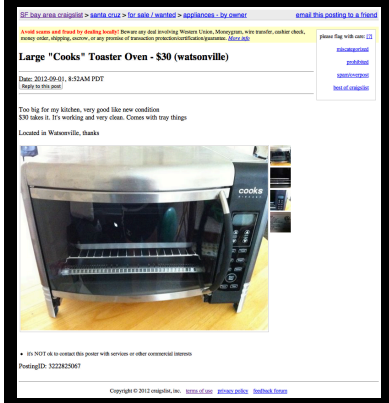
- wikipedia: promote the creation of new works by giving authors control of and profit from them

Purpose of copyright:

- U.S. Constitution: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries

Good copyright: intellectual property rights for original expression....

Bad copyright: misrepresentation of descriptive facts as original works



SF bay area craigslist > santa cruz > for sale / wanted > appliances - by owner — email this posting to a friend

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please flag with care: [?]
miscategorized
prohibited
spam/overpost
best of craigslist

Large "Cooks" Toaster Oven - $30 (watsonville)

Date: 2012-09-01, 8:52AM PDT
Reply to this post

Too big for my kitchen, very good like new condition
$30 takes it. It's working and very clean. Comes with tray things

Located in Watsonville, thanks

- it's NOT ok to contact this poster with services or other commercial interests

PostingID: 3222825067

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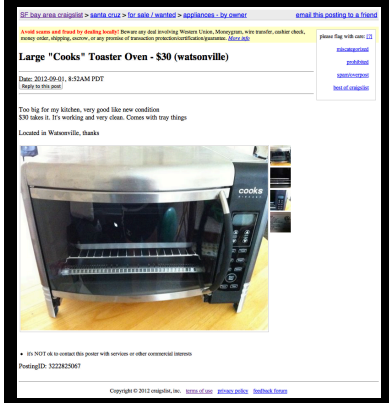
Bad copyright: misrepresentation of descriptive facts as original works

Large



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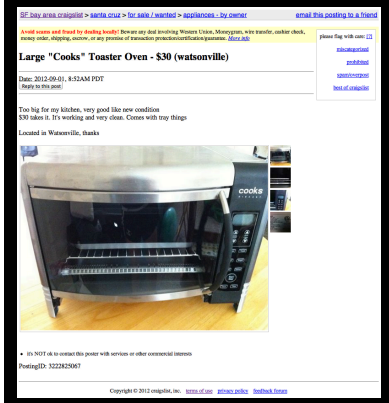

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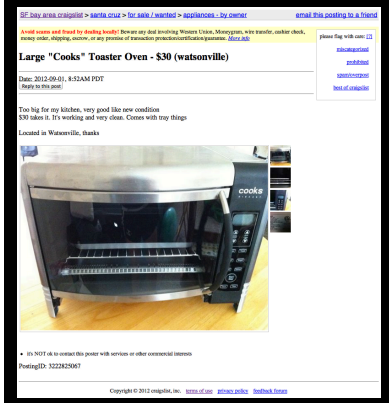

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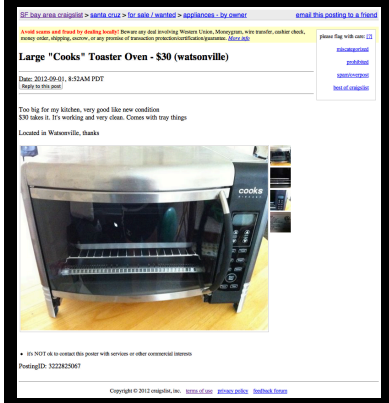

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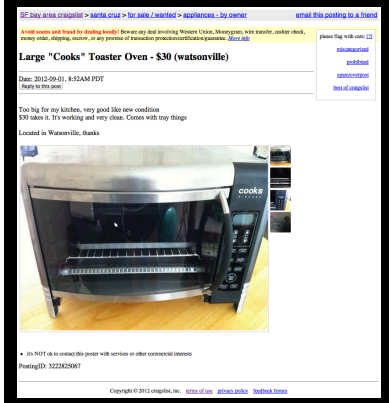

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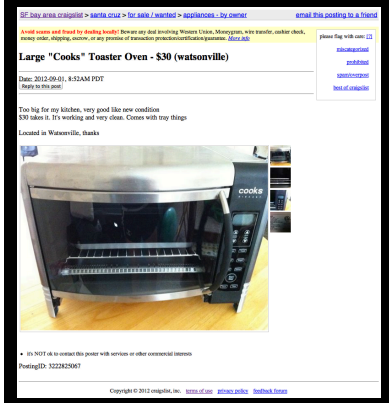

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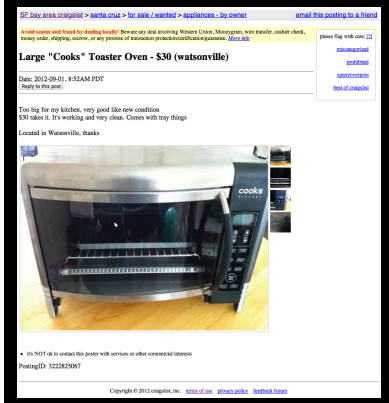

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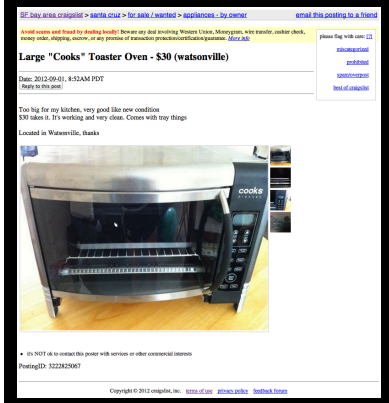

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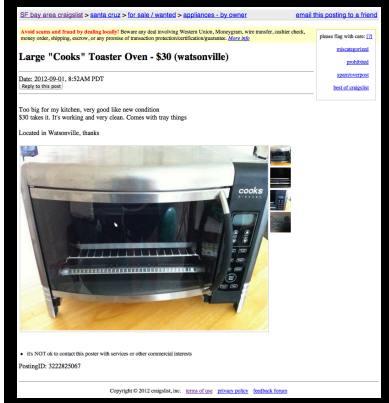

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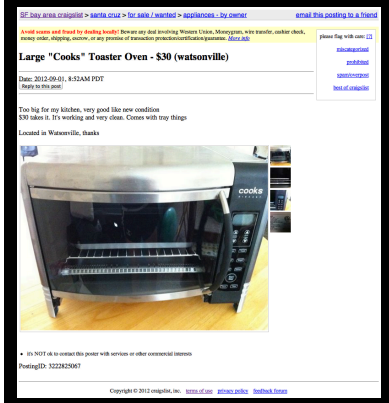

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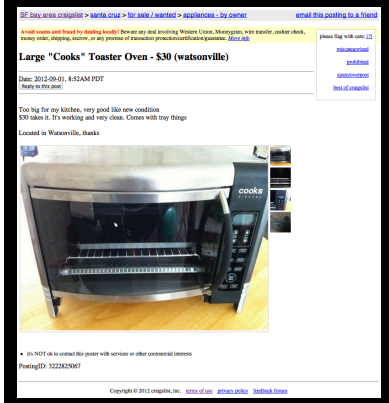

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Who owns classified ads

Who owns classified ads

- The person who authored the ad?

Who owns classified ads

- The person who authored the ad?
- The publisher who displayed the ad?

Who owns classified ads

- The person who authored the ad?
- The publisher who displayed the ad?
- The viewer who read the ad

Who owns classified ads

- The person who authored the ad?
- The publisher who displayed the ad?
- The viewer who read the ad and made a decision to act on the offer?

Who owns classified ads

- The person who authored the ad?
- The publisher who displayed the ad?
- The viewer who read the ad and made a decision to act on the offer?
- The public

Who owns classified ads

- The person who authored the ad?
- The publisher who displayed the ad?
- The viewer who read the ad and made a decision to act on the offer?
- The public -- including 3rd parties who want to index, reuse, or further syndicate the ad?

Can contracts (TOU) change the answer?

Can contracts (TOU) change the answer?

- Clicking "continue" confirms that --------- is the exclusive licensee of this content,

Can contracts (TOU) change the answer?

- Clicking "continue" confirms that --------- is the exclusive licensee of this content, with exclusive right to enforce copyrights against anyone

Can contracts (TOU) change the answer?

- Clicking "continue" confirms that --------- is the exclusive licensee of this content, with exclusive right to enforce copyrights against anyone copying, republishing, distributing or preparing derivative works

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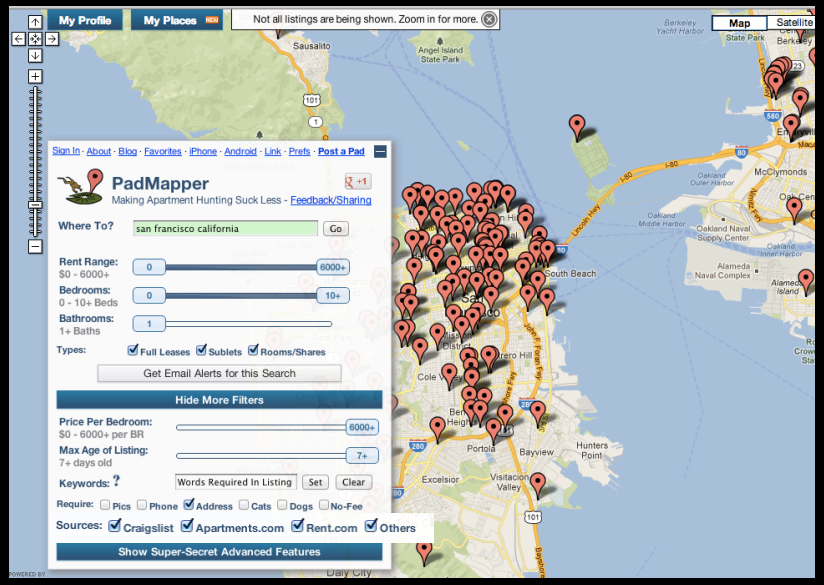
And make this forbidden?



And make this forbidden?

Sources: ☑ Craigslist ☑ Apartments.com ☑ Rent.com ☑ Others

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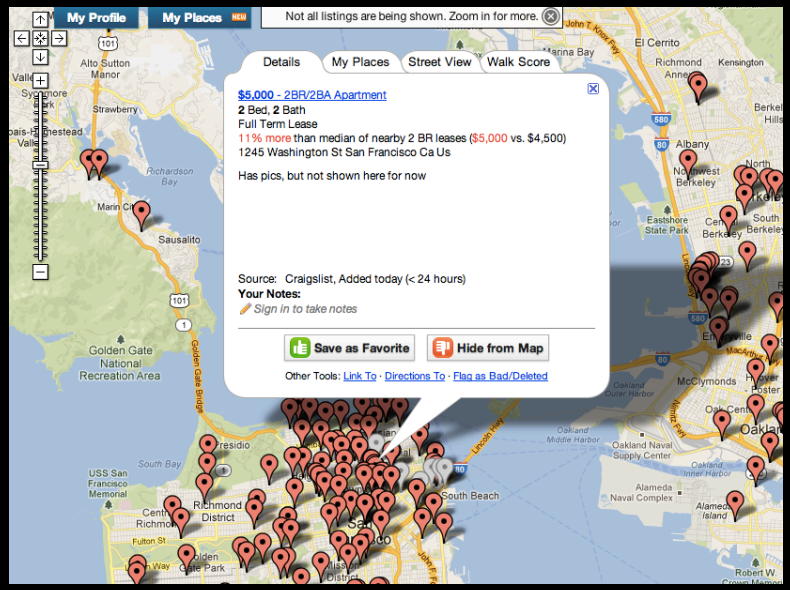

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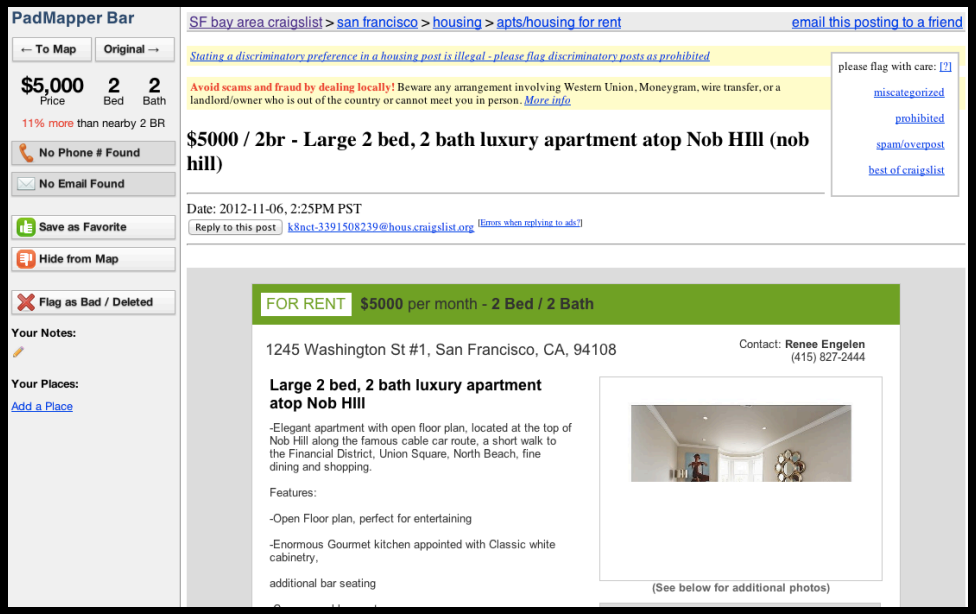

PadMapper Bar

← To Map | Original →

$5,000 Price | 2 Bed | 2 Bath

11% more than nearby 2 BR

No Phone # Found

No Email Found

Save as Favorite

Hide from Map

Flag as Bad / Deleted

Your Notes:

Your Places:

Add a Place

SF bay area craigslist > san francisco > housing > apts/housing for rent — email this posting to a friend

Stating a discriminatory preference in a housing post is illegal - please flag discriminatory posts as prohibited

Avoid scams and fraud by dealing locally! Beware any arrangement involving Western Union, Moneygram, wire transfer, or a landlord/owner who is out of the country or cannot meet you in person. *More info*

please flag with care: [?]

miscategorized

prohibited

spam/overpost

best of craigslist

$5000 / 2br - Large 2 bed, 2 bath luxury apartment atop Nob HIll (nob hill)

Date: 2012-11-06, 2:25PM PST

Reply to this post | k8nct-3391508239@hous.craigslist.org [Errors when replying to ads?]

FOR RENT **$5000** per month - **2 Bed / 2 Bath**

1245 Washington St #1, San Francisco, CA, 94108

Contact: **Renee Engelen**
(415) 827-2444

Large 2 bed, 2 bath luxury apartment atop Nob HIll

-Elegant apartment with open floor plan, located at the top of Nob Hill along the famous cable car route, a short walk to the Financial District, Union Square, North Beach, fine dining and shopping.

Features:

-Open Floor plan, perfect for entertaining

-Enormous Gourmet kitchen appointed with Classic white cabinetry,

additional bar seating

(See below for additional photos)

Can contracts (TOU) change the answer?

- ~~Clicking "continue" confirms that -------- is the exclusive licensee of this content, with exclusive right to enforce copyrights against anyone copying, republishing, distributing or preparing derivative works without its consent~~ EFF: "Terrible Precedent"

The Open Web

The Open Web

versus

“Its OUR data”

“Its OUR data” translates to:

“Its OUR data” translates to:

- the data is our property

“Its OUR data” translates to:

- the data is our property (no matter how you got it)

“Its OUR data” translates to:

- the data is our property (no matter how you got it)
- you trespassed on our web site

“Its OUR data” translates to:

- the data is our property (no matter how you got it)
- you trespassed on our web site (even if what you took is in the public domain)

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you trespassed on our web site (even if what you took is in the public domai

- “public” means the general pubic (and not the hands of our competitor)

More bluntly, we don't like

More bluntly, we don't like

- what you took!

More bluntly, we don't like

- what you took!
- how you took it!

More bluntly, we don't like

- what you took!
- how you took it!
- who you are!

So we will

So we will

- Ban/limit you contractually

So we will

- Ban/limit you contractually
- Block you technically

So we will

- Ban/limit you contractually
- Block you technically
- Sue you

So we will

- Ban/limit you contractually
- Block you technically
- Sue you
- Copy your innovations

So we will

- Ban/limit you contractually
- Block you technically
- Sue you
- Copy your innovations
- Portray you as pirates

Will this work?

each day...

each day...
I hope and pray...

each day...
I hope and pray...
that tomorrow...

each day...
I hope and pray...
that tomorrow...
will be the same...

each day...
I hope and pray...
that tomorrow...
will be the same...
as today

The real question

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- Can publishers that dominate ON-BOARDING of classifieds....
- Thwart new entrants that specialize in search ACROSS publishers rather than on-boarding itself
- Thwart new entrants that offer cross publisher features such as unified messaging, payments, reviews, calendaring, etc...

Can you thwart

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- carve outs by vertical specialists: AirBNB for rentals

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- aggregation/syndication of data: ITA for travel data

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- carve outs by vertical specialists: AirBNB for rentals
- aggregation/syndication of data: ITA for travel data
- real time direct messaging: WhatsApp for texting
- new payments providers: Square for sellers

And do you want to?

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- Pro-publisher versus Pro-consumer

And do you want to?

- Pro-publisher versus Pro-consumer
- Pro-publisher versus Pro-innovation

And do you want to?

- Pro-publisher versus Pro-consumer
- Pro-publisher versus Pro-innovation
- Pro-publisher versus Pro-competition

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CRAIGSLIST, INC., a Delaware corporation,

Plaintiff,

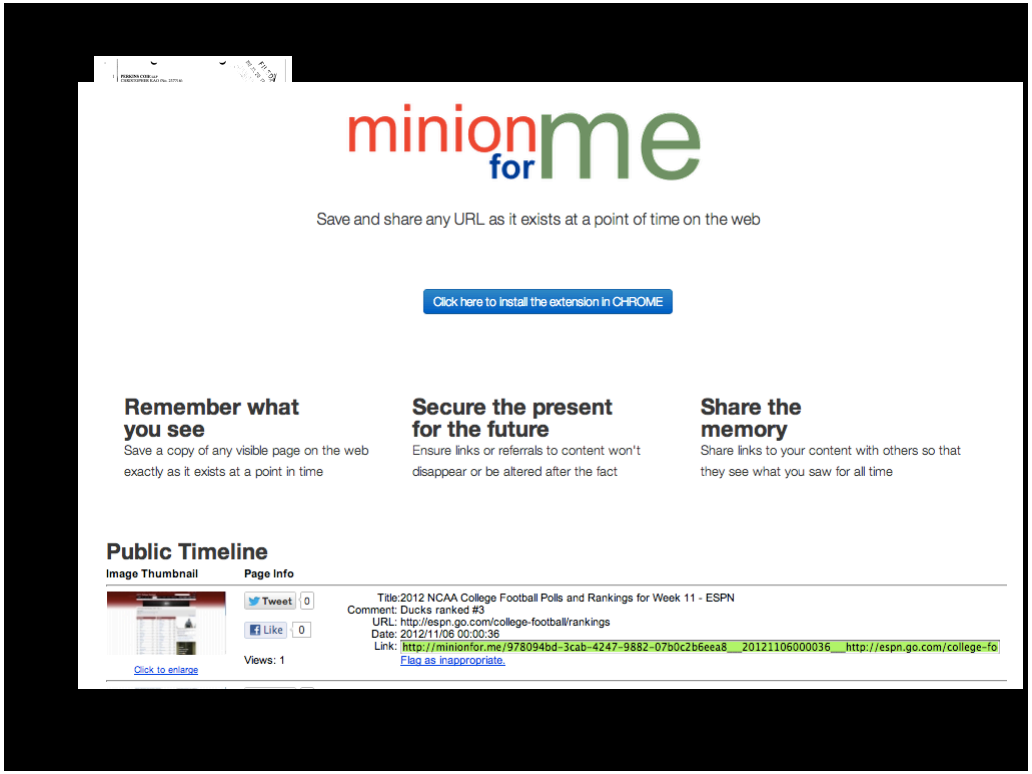
v.

3TAPS, INC., a Delaware corporation;

Case No. CV 12 3816 LB

COMPLAINT FOR:

(1) Copyright Infringement
(2) Contributory Copyright Infringement
(3) Breach of Contract
(4) Federal Trademark Infringement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Flag as inappropriate.

Is there an alternative?

Is there an alternative? YES!

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- Embrace rather than fear the Open Web

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- Become a platform through APIs

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- Become a platform through APIs -- even if your ads will be discovered outside your site

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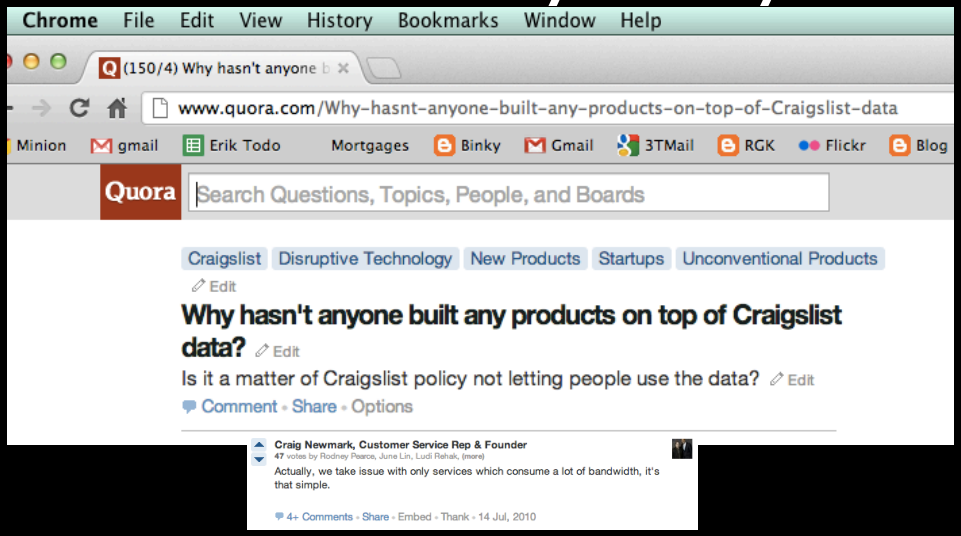
- Become a platform through APIs -- even if your ads will be discovered outside your site
- Continue to dominate onboarding

Is there an alternative? YES!

- Embrace rather than fear the Open Web
- Become a platform through APIs -- even if your ads will be discovered outside your site
- Continue to dominate onboarding by establishing leadership in the curation of quality data and quality users who post

Don’t be a troll!

Say what you mean
mean what you say



Say what you mean
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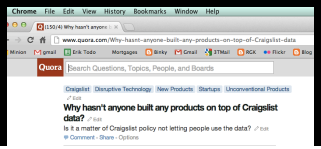

Craig Newmark, Customer Service Rep & Founder

47 votes by Rodney Pearce, June Lin, Ludi Rehak, (more)

Actually, we take issue with only services which consume a lot of bandwidth, it's that simple.

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and remember:

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public facts

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public facts
are
public property