

---

Subject: Re: DRI agrees to change GEM ; why??  
Posted by [Anonymous](#) on Fri, 18 Oct 1985 15:12:24 GMT  
[View Forum Message](#) <> [Reply to Message](#)

---

Originally posted by: bmarsh&#64;noscvox.UUCP (William C. Marsh)

Article-I.D.: noscvax.62  
Posted: Fri Oct 18 11:12:24 1985  
Date-Received: Sun, 20-Oct-85 09:06:31 EDT  
References:  
Reply-To: bmarsh@cod.UUCP (William C. Marsh)  
Distribution: net  
Organization: Naval Ocean Systems Center, San Diego  
Lines: 38  
Xref: linus net.micro.pc:5389 net.micro.atari:1354 net.micro.mac:3018

> I believe a suit over piracy of video game code was settled a while ago  
> with damages awarded for copyright violation. The question of ROM copy-  
> right was left up in the air in that decision, but the copyright the  
> company had on the fixed scenario "come-on" screens was upheld.

> Rick Sellens

This decision in this case was in two parts. The court ruled in favor of the original copyright holder for the simple reason the screen acted EXACTLY the same while waiting for some 13 year old to put in his quarter. The space ships (or whatever they were) did the same things on both systems.

The court threw out the second part of the argument which stated the ideas or visual images were also copyrighted because they depended on the 13 year old to make the exact same moves to duplicate the visual images. (Ever see a kid play PAC-MAN? :-)

Opinion Warning -- My opinions follow, stop now if you have a weak stomach

In MY opinion, speaking as an engineer and NOT a lawyer, the first decision is normal copyright law. If you make a copy of a video-tape, the visual images are exactly the same, thus violating the copyright law. (Simple case I know, but a program stored in rom is just like a video tape in a vcr.)

The second decision seems to favor DRI, in that the two operating systems look alike, but not exactly. (How about all the space-firebirds rip-offs).

I think this is a simple case of a BIG computer company intimidating a smaller company by a threatened lawsuit. (No wonder Jobs left :-)

--

Bill Marsh, Naval Ocean Systems Center, San Diego, CA  
{arpa,mil}net: bmarsh@nosc  
uucp: {ihnp4,akgua,decvax,dcdwest,ucbvax}!sdcsvax!noscvax!bmarsh

"If everything seems to be coming your way, you're probably in the wrong lane."

---