

ORANGE PUBLIC SCHOOLS
OFFICE OF CURRICULUM AND INSTRUCTION
OFFICE OF ENGLISH LANGUAGE ARTS

GRADE 10
ENGLISH LANGUAGE ARTS
DISTRICT WRITING ASSESSMENT #1



School Year 2013-2014

Grade 10: District Writing Prompt #1: Argument

Students will be given articles examining two potential sides of an issue. Their task will be to analyze both sides of the argument through summarizing, determining both what is explicitly referenced and that which is implied, citing textual evidence, and synthesis in order to determine which argument is more persuasive.

Time length: One class period

Rubric: NJ Registered Holistic 6-point rubric

Topic: Students should not be penalized for illegally downloading music, movies, or other protected content.

Intellectual Property Theft: Get Real

Pirated Products

Like Other Crimes, Piracy Doesn't Pay

Piracy of intellectual property that's protected by copyright law is a serious crime. Not only does it rob the makers of recordings, videos, movies, games, and other creative works of the money they are entitled to, but it costs tens of thousands of people their jobs each year. It also deprives governments at all levels of tax revenue. Piracy itself is a crime, and it causes an increase in other types of crime. Gangs and organized crime groups have both been linked to the piracy of creative work.

The individuals and industries that produce the original goods that are subsequently pirated are important to the U.S. economy. The entertainment industry in the United States employs 2.9 million people, or 2.1 percent of all U.S. jobs. The 668,000 U.S. businesses that are involved in the creation or distribution of creative works represent more than 4 percent of all businesses. The U.S. movie and television industries alone produce a trade surplus of more than \$13 billion each year. But each year, more than 300,000 people that depend on copyrighted industries lose their jobs as a direct result of piracy. This includes not just the authors of creative works, but all those who derive the income from producing and distributing their work—movie theatre staff, video store operators, movie extras, sound technicians, set decorators, even the caterers who supply the set or studio and the drivers that transport the crews.

The most familiar type of piracy is the illegal copying and distribution of music, movies, and games from the Internet. While downloading these products—if you pay for them or have permission—isn't a crime, it is a crime if they are sent to others or widely distributed. Once a tune or movie is posted on the Internet, it lives forever—and the artist behind the product is forever deprived of income.

Piracy of movies is also a serious problem. Many are made by "camcording" something in a movie theatre. A pirate will take video equipment into a theatre, attach it to an armrest for stability, and record what's on the screen. The high-quality counterfeits are then sold illegally—

at huge markups. Forty-one states, Washington, DC, and Puerto Rico all have laws against the use of a recording device in a theatre. And federal laws against copyright violation and intellectual property theft also apply.

Most people don't know that they're doing something illegal when they download a tune or buy an authorized product. They don't realize that they're costing people their jobs or contributing to crime. With the ease and speed of modern technology, it's easy to make a mistake.

It's easy to stay on the straight and narrow.

- When you buy a tune on the Internet and download it, make sure you don't send a copy to a friend or someone who might sell it to others.
- If you get a tune from someone, don't re-send it to others.
- Don't make copies of DVDs and give them out to your friends and relatives—even as gifts.
- Don't instant message a tune.
- Don't download products from file-sharing services if you're not entitled to them.
- Don't pay a fee to join a file-sharing service that you know isn't authorized to provide the goods it's distributing. They may allow you to download all the tunes or movies you want, but it's against the law.
- Don't burn CDs or DVDs.
- If shopping online, beware of sites that aren't familiar to you—and that are selling expensive products at prices that are way too good.
- Examine the wrappings of the tunes and other products you buy offline and make sure they look "original" and are of the usual quality for the product.
- Look for the brand insignia of the manufacturer on the product and make sure it looks the way it's supposed to.
- Don't buy CDs or DVDs from street vendors. Their products are often counterfeited.
- Ask street vendors or discount stores that sell CDs and DVDs at bargain prices where they got the products and how they can sell them for such steeply discounted prices.
- If your city or state has a sales tax, be suspicious when you buy something and no tax is collected.
- Don't use an illicit cable decoder or satellite descrambler to watch movies and programs you haven't paid for. Don't buy the decoder or descrambler to begin with.
- Don't record a live public performance when you don't have permission. Most public performances prohibit the use of video equipment, cameras, and other recording devices. You may be depriving the artist and those who depend on the artist from income.
- Remember that if the price is too good to be true, it probably is. The product offered at a bargain price is probably illegal.

From the web: <http://www.ncpc.org/topics/intellectual-property-theft/pirated-products>

Music Piracy Is NOT a Problem, It's an Excuse

It's 2012 and "Piracy" is still a hot topic of conversation in the industry. People who torrent music or have a huge music library are accused of screwing over artists, stealing, and being entitled. Piracy is still cited as The Main Reason Why Artists Are Broke.

Apparently, independent research is not enough to illustrate that the situation is complex, multi-dimensional, and industry losses are likely completely unrelated to file-sharing.

As both an artist and music business owner, I know with certainty that it's time to move on and spend our energy innovating new businesses and getting artists paid. My business is pro- sharing and pro-artist — I consider sharing a feature and it is a primary source of our revenue.

Welcome to the internet

Let me pull out the slightly snarky welcome mat.

It no longer costs money to send music to others. You can get any song you want instantly, free or paid. You can build a library of 11,000 songs at no cost. Or stream everything on Spotify for a few bucks a month. Or pledge \$250 for signed vinyl and other goodies from your favorite band on Kickstarter. Or pay \$15 per album like back in the Good Old Days.

These are the current options available to the listener in 2012.

Should we pretend it's not true?

Music distribution is essentially free. Should we feel guilty? Should we restrain ourselves, always paying \$15 for a pile of music files because that's the way we did it before?

Free music distribution has transformed our culture in many wonderful ways. The cultural value of this achievement is enormous. Even my grandma understands how amazing it is (She's pretty hip and loves to check out songs on YouTube).

Some seem to fail to grasp this, focusing on fearing negative consequences. Worse, music businesses have been like molasses, slowly adapting to the situation.

As a result, we hear a lot of complaining. But from a business point of view, to focus on the negatives smacks of laziness and nostalgia — and tosses opportunity completely out the window.

Everyone is doing the right thing

Some folks would rather Google and do a five minute download than spend \$15 on an album.

Perhaps that same person will blow \$60 on a concert, or \$25 for a piece of vinyl they will play once. Maybe they are in college, and when they get a job the situation changes. Maybe they will turn five friends into hardcore fans, who in turn will buy records, t-shirts and concert tickets.

Who knows? Even the economics experts studying this stuff explicitly state they cannot understand the effects of “compliments” and “substitutes.” It’s too complicated.

For a moment, let’s withhold judgement on how people get their music. Let’s assume everyone is Doing The Right Thing.

Don’t get me wrong, I’m not justifying “piracy.” It doesn’t need to be justified. It’s not going away. Music sharing is a cultural achievement and should be celebrated.

It’s the industry, stupid

The record industry has fought unsuccessfully for a dozen years trying to stop sharing. They have diverted ridiculous amounts of cash to this cause (broke artists, anyone?). They took blame and guilt to fascist levels – threatening, suing, trying to push through new legislation. Has anything changed?

Of course not. They can’t change how the Internet works. They can’t brainwash people into believing an MP3 file costs something to send. It won’t happen. Because it’s not true.

At no point in time did the industry stop and evaluate what their customers actually wanted. It took tech companies to step up to that plate. Instead, record companies turned around and blamed lost revenues on “bad” customers.

As a business strategy, this is not only laughable, it’s dangerous.

As a musician, I always wondered: When will record companies admit they are the only entity responsible for selling to listeners and compensating artists fairly? I don’t really care about their excuses or blame. I want new solutions that work.

Be Pro-sharing and Pro-artist

Because I care so much, I’ve dedicated the last two years of my life creating my dream music business that is pro-sharing and pro-artist. I spent the three years before that making sure artists can freely distribute their music non-commercially.

Do recordings have financial value? Certainly. They cost time, money, resources and love to produce. I'll be the first to stand up for the value of a piece of recorded music.

When I say I'm pro-sharing, I'm not saying artists shouldn't get compensated fairly. That would be silly. I'm running a business that aims to do just that. And as I wrote last year, I personally believe sharing is great for business.

Getting paid

Every artist in the history of western music has wanted to live off their work. It was never unicorns and rainbows.

Even Bach was broke (despite being a boss and being well-known while he was alive). After he died, his wife had to sell off some of his sheet music to the butcher to be used as meat-wrapping paper. That's pretty broke.

I wish it were easier! But wagging my finger around doesn't make anything easier.

Not very much has changed post-intertubes, except there is now much more opportunity for "getting creative" and "going direct." The internet allows for a certain amount of democracy, allows direct connection between artist and listener, provides channels to attract attention, and allows everyone to distribute instantly for free.

Pretty freaking fantastic!

But let's get to the point. Getting artists paid.

Making sure artists are paid well (or at least fairly) is the sole responsibility of the business doing the selling. This business could be a label, group of artists, a third-party — or of course, the artist themselves.

Getting artists paid requires only this: Offering something for sale that is attractive and gets bought. The listener decides when something is worth their money. Business is responsible for offering something attractive, taking money, and paying artists.

This is business, not a fairytale

The minute you are selling music, you are a business. Wishful, nostalgic thinking or faulting others for failure is...fine. But it is not the best path to success. It is only useful as a scapegoat for your failure.

Music is just a business like any other business. The rules of supply and demand apply. Having to deliver what your customer actually wants to buy—that's an important part of business.

Having to innovate when a disruptive technology comes around? Yup, that's your job as a business.

Having to stand out and differentiate what you offer when you are surrounded by people selling similar things? That's business.

This is business, not wish-fulfilling. Sure, you could get angry at your customers for not buying. But afterwards, you need to sell them something they actually want or you will go out of business.

I think of it like this: In life, you can't force someone to love you. In business, you can't force someone to buy from you.

Stop blaming the audience, know your audience

In my book, "piracy" is nothing more than a shoddy alibi for business failure and lack of innovation. A delay tactic so the industry could avoid adapting to the changed market for as long as possible.

iTunes and Spotify are the companies actually serving all your music. Tech companies saw what listeners wanted and made it happen. It took years of negotiation, ridiculous stipulation (DRM, anyone?) and demands for incredible compensation on behalf of the industry.

Imagine if the record industry had actually spent the last 12 years innovating and building what customers wanted. Maybe we'd be happily streaming from Sony or Warner instead of Apple. To be competitive, maybe some labels would have a "fair trade" guarantee, knowing some customers care deeply about supporting the artists they love.

Turning to "broke" college kids and wondering why they don't shell out money is a waste of time. It isn't rocket science!

College kids have more time than cash. They have heavy financial burdens. They efficiently get music for free.

In what world does it make financial sense that they spend \$15 on an album vs. buy dinner or have a few beers with friends? You don't have to like it. I'm not saying "it's right." I'm just saying "this is the way it is." Businesses need to actually deal with this reality. You can't sell music to folks if you can't relate to them. You will fail.

Business 101

When you sell something, it's helpful to know who you are selling to. It's called your "Target Market."

You learn to spot who makes you money and who doesn't. Pretty helpful! You can focus on selling to groups of people who care about what you are making. Or you could adapt what you are selling to be more attractive to certain groups. (Pro tip: If you can't sell, it doesn't help anything to blame your customer).

College kids? Not the easiest people to sell albums to at \$15 a pop. But hey, they love music. Keep your eyes on them, they'll come to shows, pass your stuff around, might turn into a customer down the line, etc.

Now take people in their 20s+ with regular jobs and disposable income. We don't want to spend forever hunting down music. Time is money. We want to click 'buy'. A lot of us can and do fork up hundreds a year for music. And guess what? College kids move quickly into this category.

We need more innovation, not more guilt

The record industry certainly lacks sustainable business options. This is not the listener's fault. They also cannot be responsible for losses. Losses are caused when markets change and businesses fail to adapt and stay relevant.

People will always shell out money to support things they love. They will shell out for convenience. They will shell out for experience. They will shell out for novelty. They will shell out to help people they care about.

I know this intuitively, but I also know this because people spend money on my business. Wonderful folks regularly drop \$149 in one go for a "lifetime" subscription to Ramen. Most of that money goes directly to our artists. Pretty crazy!

I'm just a geeky artist dude who saved up and launched his tiny little dream business. Others can do it better, and bigger. There are eager listeners out there just waiting, waiting for new sustainable models.

New music businesses need to stand out and make a difference. Especially now, while the majors are still failing and complaining. Make something new or attractive. Get creative.

I don't mean the musical content as much as style of delivery, the format, the convenience, the personality of the business, the niche audience etc. Put a focus on sustainability, it is sorely needed and some listeners know that.

We are still only at the tip of the music and internet iceberg. There is much opportunity and tons of room for innovation. It is the job of businesses to make this happen. Ideally, artists should be able to spend their time making great art, not fiddling with too much business stuff (unless they love doing that too!).

Now is the absolute best time to be a musician

It really is. I can produce an album in my home, using my existing computer. I can deliver it to tens, hundreds, thousands, millions — assuming the demand exists. For next to nothing in hard costs.

Can I find an audience? Can I get people to buy my music?

That's the hard part. Always has been.

It's not all fire and brimstone. In fact it's mostly NOT fire and brimstone. So many artists are optimistic about the way things are headed. They are happy that there are more options. They can send their music around easily, for no cost. They get listened to.

I deal with many independent and DIY artists directly. Many explicitly express to me they don't want a major label deal — they would prefer to stay on their own. Crumbling near-monopolies are not something they care about. Many are happy the older system is dying. It was pretty horrible to not only be broke, but dependent, locked in and not owning your tunes.

Build it and they will come

Let's have a big optimistic HURRAH! The world has changed in amazing ways. Chin up, Blame-O-Meter off, and let's go create awesome music and services that give listeners what they want — ideally while paying artists fairly and encouraging sharing.

Listeners have been waiting VERY patiently for exactly this.

And artists? They are doing what they love, pumping out great tunes, hoping the internet provides a better chance to get heard and earn a living.

It's time to stop bickering about "piracy" and help make that happen—not with wishful thinking—but by making cool [expletive deleted] that gets the job done.

From the web: <http://torrentfreak.com/music-piracy-is-not-a-problem-its-an-excuse-120630/>

Use the space below to organize your prewriting and planning.





