

Entrepreneur, activist Sina Khanifar on digital copyright reform

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When the Librarian of Congress reversed course and banned the unlocking of cellphones two years ago, Sina Khanifar took it as almost a personal affront.

Khanifar was involved in the original effort to legalize unlocking back in the mid-2000s after he developed a program that helped consumers break the technological barriers that tied their phones to particular carriers. Motorola demanded that he stop, citing an obscure provision of the Digital Millennium Copyright Act, or DMCA, that forbade people from breaking software locks.

Khanifar resisted with the help of an attorney who went on to spearhead the effort to create an exemption to the DMCA for cellphone unlocking. With that issue seemingly in the past, Khanifar resumed selling his software, finished school, founded two cellphone-related startups and moved to the Bay Area.

Then unlocking became illegal again. No longer having an active role in his startups, Khanifar threw himself into the effort to reverse that. He launched a White House petition, made sure it reached the 100,000-signature requirement so it would get a response from the Obama administration, then helped shepherd a bill legalizing unlocking through Congress. That bill finally became law last month.

In a recent interview with the San Jose Mercury News, Khanifar talked about his journey from entrepreneur to activist and his push for a

broader reform of the digital copyright act. The interview has been edited for length and clarity.

Q: You had a close view of how the sausage is made in Washington. What did you learn from that experience?

A: You have to play a lot of hardball. You have to call people out when they do things that you view as being really negative for the public good.

Members of Congress really care both about what people think, about what the advocacy organizations that are pushing for the public good think. Those organizations really have a big impact on whether a particular representative will vote for something and what the bill will look like.

But also, people actually picking up the phone and calling. That's how we got so much traction was by convincing people they needed to pick up the phone and call. Because so few people do that, when you do have someone call, it registers.

Q: One of your companies, OpenSignal, works with the carriers. Was there any pushback either from your fellow partners or from your customers about your advocacy on the unlocking issue?

A: No, nothing, actually. My co-founders joked about it, but were like, "No, you know what? Do your thing."

To be honest, even the carriers are not that anti-unlocking. But fixing the DMCA has very little to do with them. It has a lot to do with the content industry - the Motion Picture Association of America and the Recording Industry Association of America. And they're the ones who pushed back ridiculously hard again when we had a copyright hearing about the DMCA.

Q: Why does the digital copyright act need to be reformed?

A: The current form creates this crazy [legal loophole](#) that lets anyone lock down a piece of electronics simply by adding a technological protection measure to it.

So, cars, for example, have these diagnostic systems in them that are quite complicated. They all have software locks on them that make it so that only an authorized repair shop can repair your car. If your "check oil" light goes on, you can top it off with oil, but to reset the light, you would have to go to an authorized repair shop.

That has nothing to do with piracy, but it's a legal loophole that really reduces consumer freedoms in relation to the devices that they buy.

Q: How are you approaching the politics of reforming the act?

A: It's a really delicate area to touch. The way the content lobbyists treat copyright law is if you even go near it, they cause a massive hullabaloo, like if you change this one piece, piracy is going to go crazy.

We have to work with the other side and explain to them that we're not trying to make piracy easier. What we're trying to do is make it so the law doesn't have all these ancillary effects. I think without their support, that lobby is so immensely powerful, it's going to be a very hard change to make.

Q: How have you been able to tie in your background in technology to your activism?

A: When I started doing the cellphone unlocking and then the DMCA campaign, I learned the tools that I really wanted - to be able to show that people cared about these issues - weren't really there.

The White House petition website was great. But then I wanted to send emails to Congress, and there was no way of doing it. Or even to help people who wanted to call their members of Congress.

I've been spending a lot of my time building up that kind of a tool set, working with a team of volunteers.

Q: Do you see yourself continuing to do volunteer-activist work, or do you have other entrepreneurial ideas that you're thinking about?

A: A little bit of both.

It's amazing how much of the work we're doing seems really fundamental to be able to do this kind of advocacy online. And so I think there's a lot there for us to get done, and I think we want to get it done before we move on to anything else.

But having done a few startups, it's definitely in my blood. So at some point, I'll go back to that, but for the moment, I'm heads-down, trying to get these projects finished.

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SINA KHANIFAR

Age: 29

Birthplace: Tehran, Iran

Position: Digital rights activist, co-founder, OpenSignal

Previous jobs: Co-founder, RepeaterStore.com

Education: B.A. in physics, University of Oxford

Family: In a relationship, no children

Residence: San Francisco

FIVE THINGS ABOUT SINA KHANIFAR

1. Although born in Iran, he grew up in Guildford, U.K., and immigrated to the U.S. with his parents at the age of 16.
2. Is a citizen of three countries - Iran, Great Britain and the United States - after gaining U.S. citizenship in August 2013.
3. A big fan of the musician Tom Waits, he's seen Waits perform live 13 times.
4. On one particular cross-country trip, he was involved in four accidents, including knocking over a utility pole onto multiple cars. Nevertheless, he insists that he's an excellent driver.
5. Is licensed to drive taxis in the city of San Francisco.

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