
Subject: Here's a new one...

Posted by [Nukelt15](#) on Sun, 14 Sep 2008 19:17:48 GMT

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You read that right. I'm really not certain whether I should be laughing or crying.

Here's the patent application

For the dimwits who are too lazy to read for themselves, here's a short article and a summary:

Apple, together with Nike, has been marketing shoes with a sensor that sends data to your iPod. This is useful for runners and other athletic types who want a pedometer to record how many steps they've taken and so forth. However, you can presently take that sensor right out of the shoe- or buy it separately- and stick it in another shoe of your choosing (i.e. one that's more comfortable) or do whatever you damn well please with it. The Powers That Be don't like this very much, so they want to stick an RFID tag (or something like it) in "authorized" shoes and change the sensor so that it will only work with those specific shoes. It may not be exactly the same thing as the "anti-piracy" software we all know and loathe, but it is the same bloody concept.

All under the guise of quality control, of course- because the output data might be different if you use another kind of shoe with the sensor. Oh no, the horror!

edit link fixed

Subject: Re: Here's a new one...

Posted by [BlueThen](#) on Sun, 14 Sep 2008 20:42:38 GMT

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Wow, nowadays, it's hard to tell the difference between the government and the corporation, they both want to control your lives!

By the way, the patent link in your post is broken. Here's actual one:

<http://appft1.uspto.gov/netacgi/nph-Parser?Sect1=PTO2&Sect2=HITOFF&p=1&amq;u=/netahtml/PTO/search-bool.html&r=5&f=G&l=50&co1=AND&d=P G01&s1=garment.TTL.&OS=TTL/garment&RS=TTL/garment>

Subject: Re: Here's a new one...

Posted by [Muad Dib15](#) on Sun, 14 Sep 2008 20:48:54 GMT

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That is just retarded. If Nike and Apple pair up to make a certain shoe and Nike is basically saying, even though this is a shared technology thing we want only Nike shoes to work for this. Say someone wants to buy a new pair of Nike Shox for running but have a pair of work shoes and

want to monitor those as well, he/she can buy a sensor and put it in that shoe. It won't be as comfortable because the shoe doesn't have anything to put the sensor on. But that should be the price you pay for not wearing Nikes with that sensor. Its not that big a deal.

Subject: Re: Here's a new one...
Posted by [nikki6ixx](#) on Sun, 14 Sep 2008 21:04:43 GMT
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I only see this as an extension of the closed 'Apple' ecosystem (iPod+iTunes), and nothing more.

Frankly, it's a gimmick, and of dubious value. I have pedometers that I got for free in boxes of Frosted Flakes. Maybe, if they had a system that monitored your heart rate, and had an exercise program it would be useful.

Oh, and Nike shoes are horrible. New Balance has 'em beat.

Subject: Re: Here's a new one...
Posted by [BlueThen](#) on Sun, 14 Sep 2008 23:13:39 GMT
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Honestly, if we paid for the product, shouldn't we get ownership over it too?

Subject: Re: Here's a new one...
Posted by [liquidv2](#) on Mon, 15 Sep 2008 04:25:51 GMT
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BlueThen wrote on Sun, 14 September 2008 18:13Honestly, if we paid for the product, shouldn't we get ownership over it too?
no

that would simply make sense and therefore it gets much more complicated

Subject: Re: Here's a new one...
Posted by [Doitle](#) on Mon, 15 Sep 2008 05:24:05 GMT
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BlueThen wrote on Sun, 14 September 2008 18:13Honestly, if we paid for the product, shouldn't we get ownership over it too?

No you forgot that we don't get to own anything anymore. We only get to use it while the company who makes it still retains all their rights over it.

It's the same fucking thing as sharing music, games, movies...

How about I go buy a chair from a furniture store and I put it at my kitchen table. I'm using it for a while and the light burns out in the ceiling fan. I slide the chair over, get up onto it, start unscrewing the bulb and the fucking FBI raids my house. The furniture makers say I'm not using the chair as they intended. I am only capable of sitting on it, not standing on it.

That is fucking shit.

So are most intellectual property laws now a days.

Subject: Re: Here's a new one...

Posted by [Canadacdn](#) on Mon, 15 Sep 2008 05:29:06 GMT

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I wonder how the Apple fanboys will try to put a positive spin on this.

Subject: Re: Here's a new one...

Posted by [Ryu](#) on Mon, 15 Sep 2008 12:40:14 GMT

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Canadacdn wrote on Mon, 15 September 2008 06:29 I wonder how the Apple fanboys will try to put a positive spin on this.

hurf a durf a durf we gutz nyke shues tht liek has ipood sensor tu recurd howw fur we runs hurf durf

Subject: Re: Here's a new one...

Posted by [Nukelt15](#) on Mon, 15 Sep 2008 18:20:42 GMT

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It isn't possible to put a positive spin on this. The only attempt that could possibly be made is the "you're not using it right" angle, which everybody already knows is a load of steaming horse shit. Honestly, I like many Apple products. My primary system right now is an Apple notebook, my router is Apple, and I even own an iPod now (don't look at me like that- it was a birthday gift, and it was jailbroken an hour after the box opened).

What I don't like is the bullshit being pushed around to justify tighter and tighter restrictions on what people can do with things that they've already paid for. That goes for anything from music to games to sneakers and more. Apple is hardly the only company to try something like this- car manufacturers are doing it, too, by using proprietary tools and parts that force owners to take their vehicles to dealerships rather than local shops for service (or- perish the thought- fix them at home free of charge).

All of this falls into the category of "protecting future profits." That's the mentality that produces shit like this- the idea that, by introducing such restrictions, they can force consumers to do business with their company in the future rather than shopping around. Or, to put it another way, they're trying to hold the consumer hostage with the threat of causing the products they've spent their hard-earned money on to stop working. As consumers, we know this doesn't work- not only can restrictions like this not be enforced, they tend to backfire and cause problems with the product itself. Let's use the shoe-sensor combination as an example- the sensor pings an RFID tag in the shoe to make sure that it is an "authorized" shoe. Some unknown electronic device- say, a cellphone- causes interference which interrupts contact between the shoe and the sensor for a fraction of a second. The sensor stops working, and its output is rendered useless.

Nevermind that there will be tutorials on the internet before the thing hits market showing the consumer exactly how to locate and remove the RFID tag so that it can be transplanted to a different shoe right along with the sensor. I'd love to see how they plan to stop shoe piracy. I can see it now: FPAA: Footwear Producers' Association of America. A week after buying your shoes, you get a letter in the mail notifying you that you've been named in a lawsuit for wearing Reeboks instead of Nikes. "We know what's best for you," it reads, "so in order to protect you from making a terrible mistake we must- regrettably- ask you to settle for \$5000 plus the cost of the shoes you damaged." Holy shit! How'd they know?!

This is not capitalism at work- it is capitalism gone rotten, attempting to stifle competition rather than encourage it. To a single company or partnership, it looks like a good idea- competition, after all, hurts their profit margins. However, competition is what drives innovation, and without innovation the entire system stalls and becomes stagnant.

Subject: Re: Here's a new one...

Posted by [cheesesoda](#) on Wed, 17 Sep 2008 01:21:11 GMT

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A monopoly is economic corruption when it's in Capitalism. It's a successful government in Socialism/Communism. It simply amazes me as to how people can see the flaw of monopolies in a Capitalist society, but then somehow suggest that a monopoly works for an economic system, as long as it's under the guise of "government".

Somehow corporations are evil, but government is good. It makes no sense. We should be more afraid of government than corporations, yet too many people want government to control the corporations. It's flawed and DANGEROUS logic especially since corporations have the politicians in their pockets. If we want to control the corporations' influences, then we should probably seek to shrink government, not grow it.

Yeah, off topic, but still needed to be said.

Subject: Re: Here's a new one...

Posted by [R315r4z0r](#) on Wed, 17 Sep 2008 02:18:06 GMT

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I'm probably simply not understanding the situation correctly, but from what I think I know, this isn't that bad... they are just trying to keep a product they made for their shoes and their shoes only....

But then again I don't own an iPod or any such Apple devices nor do I own any Niki products nor do I have a use to count my steps running... so.. yea. Don't take what I said seriously. <_<

Subject: Re: Here's a new one...

Posted by [cheesesoda](#) on Wed, 17 Sep 2008 02:29:25 GMT

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The point is, when you purchase something, you should be able to do whatever you want with the product.

Like it was said above, should it be illegal to stand on a chair to fix a lightbulb because the chair company decided that it could only be used for sitting?

Or should you not be able to swap out an engine in a junker to put it in a nicer body?

Should you not be able to rip open your factory made PC and use some of the hardware in another computer?

I can see the argument against piracy. You can give someone the chair you bought, but that also removes the chair from your custody. You just can't simply clone the chair. With digital media, though, you CAN make copies. However, this situation is just ridiculous. I should have full rights over any product I purchase.

Subject: Re: Here's a new one...

Posted by [Starbuzz](#) on Wed, 17 Sep 2008 18:42:15 GMT

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cheesesoda wrote on Tue, 16 September 2008 21:29The point is, when you purchase something, you should be able to do whatever you want with the product.

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When it comes to games, when you buy the game, you are merely buying a licence (EULA) to play the game. Not the game itself. Of course, you get to mod it if the game is moddable and the compnay releases tools to mod it.

Other than that, it is merely a license to play the game. You paid for that licence only and so it is illegal to make copies to distribute to your buds.

I know most people just check off the "terms and conditions" box when installing the game but what they forget is that the EULA they agreed to by checking it off prohibits them from doing things the company does not want them to do.

Subject: Re: Here's a new one...
Posted by [cheesesoda](#) on Wed, 17 Sep 2008 19:05:18 GMT
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Yeah, I get that. That's not what I was talking about, though...

Subject: Re: Here's a new one...
Posted by [Nukelt15](#) on Thu, 18 Sep 2008 00:28:28 GMT
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Quote:When it comes to games, when you buy the game, you are merely buying a licence (EULA) to play the game. Not the game itself. Of course, you get to mod it if the game is moddable and the compnay releases tools to mod it.

EULAs haven't always been that way, however. They only got that way after companies realized that people could and would skip right through an obscenely long EULA without even reading it. This is a deceptive and unethical practice- they know that the end-user isn't being properly informed, and they continue to take steps to make sure it stays that way... so if and when it comes down to your word against theirs, they always have the upper hand. It is entirely legal by precedent- but anything as convoluted and difficult to process as an EULA is, in essence, a tool used to shoehorn additional restrictions and conditions into a transaction.

Legislators act in a very similar manner when they attach provisions (called "riders") to bills that have little or nothing to do with the main text of the bill- but, because nobody reads the whole thing, those provisions end up becoming law. This is how we ended up with RealID even though the RealID act itself was never passed.

The end result may vary, but the means used to get it are no different than the lowliest of con artistry.

Quote:Other than that, it is merely a license to play the game. You paid for that licence only and so it is illegal to make copies to distribute to your buds.

EULAs reside in some very murky waters- not only are their contents ethically questionable, but they are insanely difficult bordering on impossible to enforce. As a matter of fact, they cannot be enforced short of the company installing spyware to check up on you, which is exactly what DRM is intended to do. However, the DRM is often installed on your machine- or at least run from the CD/DVD the game came on- before the EULA even comes up on your screen. Whatever else may be true, your computer is your property- and only you are legally allowed to decide what does or doesn't run on it until or unless you sign an agreement (the EULA) allowing someone else to do so.

Are we having fun yet?

Here's some more food for thought- unenforceable laws are frequently removed from the books simply because they are unenforceable. It doesn't matter how many people are breaking the law if you can neither catch nor prosecute any of them.

The EULA may be a legally binding agreement, but it isn't a law- and the company responsible for its enforcement cannot legally search your property (your computer, your home, etc) to verify your compliance or non-compliance. The best they can do is catch you in the act of downloading a pirated copy of the game- but even that is in a bit of a gray area, as we've seen with RIAA and its lawsuits of questionable legality. DRM can be (and very frequently is) bypassed using cracks that are not illegal to possess or have knowledge of- neatly eliminating the only viable means of enforcing the EULA.

The EULA is unenforceable, therefore it is junk... and may be put into the same category as laws against wearing chickens on your head while crossing state lines.

Quote:I know most people just check off the "terms and conditions" box when installing the game but what they forget is that the EULA they agreed to by checking it off prohibits them from doing things the company does not want them to do.

I believe we've covered this already... see above.

Regardless of its legality, DRM- or anything like it- makes no sense. It doesn't work, it can't be legally or practically enforced... so all it does is (at best) harass, impede, annoy, and otherwise inconvenience people who have done nothing wrong whatsoever. At worst, the concept could be used to so restrict the "user rights" on products and services that the EULA becomes a second legal code... and you can follow that to its logical conclusion.

Enjoy being assraped by the corporations and the government simultaneously- bring lots of lube!
