

FRANK HAYES ■ FRANKLY SPEAKING

# Devil's Advocate

**C**OULD Sony BMG have botched it any more badly? It's hard to see how. By now you've heard the story: Sony has been using a copy protection system called XCP on recent music CDs to discourage piracy. XCP, it turns out, installs hidden spyware on a Windows-based PC when an XCP-treated disc is put in the PC's CD drive. Mark Russinovich, chief software architect at Winternals Software, spotted the worm and raised a stink. Sony claimed that the worm was innocuous but issued a patch anyway. Now the patch may crash PCs, the spyware reportedly contacts Sony via the Internet, Italian police are investigating whether Sony committed a crime, and Sony's reputation is in the toilet.

And the worst of it? XCP doesn't stop piracy. Not at all.

Sony should have known that. A quick browse through the Web site of First 4 Internet Ltd., the British company that sells XCP, turns up this caveat: "If data in any format is digitally written to a compact disc or DVD then it can be read from that disc in some way. XCP is designed to give a level of protection that will make it suitably difficult for the general consumer to copy and/or illegally distribute the content of the disc."

In other words, XCP isn't designed to stop real music pirates from stripping out the copy protection and stamping out thousands of pirated discs to sell. Or to prevent experienced file-swappers from ripping CD tracks and turning them into illegal MP3s to put on the Internet.

No, XCP is aimed only at ordinary consumers — the paying customers Sony makes money from. Anyone else can easily work around it. Sony managed to employ a copy protection system that doesn't stop thieves, just legitimate buyers.

Hey, quit smirking. You're not *that* much smarter than Sony.

You say Sony should have done pilot tests with XCP before putting it on regular products? Sony did. Sony didn't keep its use of copy protection a secret, either. Anyone who read the recording-business trade news knew about it. Even some daily newspapers ran stories on it last February. Making CD copy protection highly visible was central to Sony's plan.

No, Sony didn't need more testing or publicity or planning. What Sony needed was a devil's advocate — someone to point out that the company was spending money on a "solution" that couldn't solve the

problem, wouldn't be worth the cost and could cause big problems down the line.

Think you're so smart? How many of *your* new technology projects have a devil's advocate?

Not just a foot-dragger who dislikes the idea of the project, but a tough-minded critic whose job is to ferret out everything that's likely to be wrong with it.

A highly professional pessimist who assumes that the network *won't* be able to handle the increased load. And that the users *won't* find the new interface intuitive. And that the programmers *won't* sail through that optimistic project schedule without so much as a glitch.

Someone who will make sure the project is vetted from every angle. Who will describe it in unflattering detail to your lawyers. Who will demand those unflattering details from your vendors. Who will check out reference customers, tease out questionable claims and generally make sure all the problematic questions get asked.

And — one thing more — someone who al-

ways remembers that his job isn't political but technical and that it's not to torpedo the project but to spot all the things that can go wrong so *they* won't torpedo the project.

Would a devil's advocate have saved Sony from its XCP botch job? Maybe not. But at least Sony would have known in advance a lot more of the ways its new copy-protection scheme could go horribly wrong.

Will your next project demonstrate that you're ever so much smarter than Sony? Maybe.

Get yourself a devil's advocate and find out. ▶



**FRANK HAYES**, *Computerworld's* senior news columnist, has covered IT for more than 20 years. Contact him at [frank\\_hayes@computerworld.com](mailto:frank_hayes@computerworld.com).

## Unclear on the Concept

User walks into pilot fish's office and announces that one of the office copiers is smarter than the user is. "Being the positive, upbeat person that I am, I replied that can't be," says fish. "He told me he knew he must open something to put the paper in but wasn't sure what. That's when I had to inform him that the copier was in another office. He was looking at our network printer. I guess he was right after all."

### Not Now, Sooner!

Pilot fish walks into work one morning to find his in-box overflowing with e-mails. "I was subscribed to a mailing list concerning a time-critical activity," fish says. "Apparently, some problem in the mailing list software managed to not send me these messages for days." Ten minutes later, fish hears from his boss, who's also on the list: "Why haven't you reacted to these messages?" Because I received them only now, just like you did, fish explains. Boss: "Yes, but these messages were sent two and three days ago. You should have reacted sooner!"

### Tight

This user's monitor cable fell behind her desk, so she reattached it, but now the monitor won't work, she tells support pilot fish. Bad monitor, fish decides, and starts to remove the cable. "But I can't, because the screws are cross-threaded," fish says. "I use my multi-tool to unscrew them a quarter turn at a time as the user informs me that putting that cable back on after it fell off



was very difficult. I finally see the problem: When the cable fell down behind

her desk, she picked it up and reattached it upside down. The force required to insert a DB-15 plug upside down and screw the thing in is unimaginable. I'll never ask her to arm wrestle, that's for sure!"

### The Power of DSL

Help desk gets a call from a user in a remote office after the power goes out: "How can I run my computer during a power outage?" You'll need a generator for that, fish says. "I don't want to get a generator," user replies. "I just want to be online when there's no power. Can't I just use the DSL line? You know, like how the phone works when the power's out. I wanna do that, only be online."

### And how?

I can't connect with the network, remote user tells help desk pilot fish. "After several minutes of troubleshooting, it was clear that the problem was the user's modem, which basically died," fish reports. Impatient user's next question: "So where can I download another modem?"

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