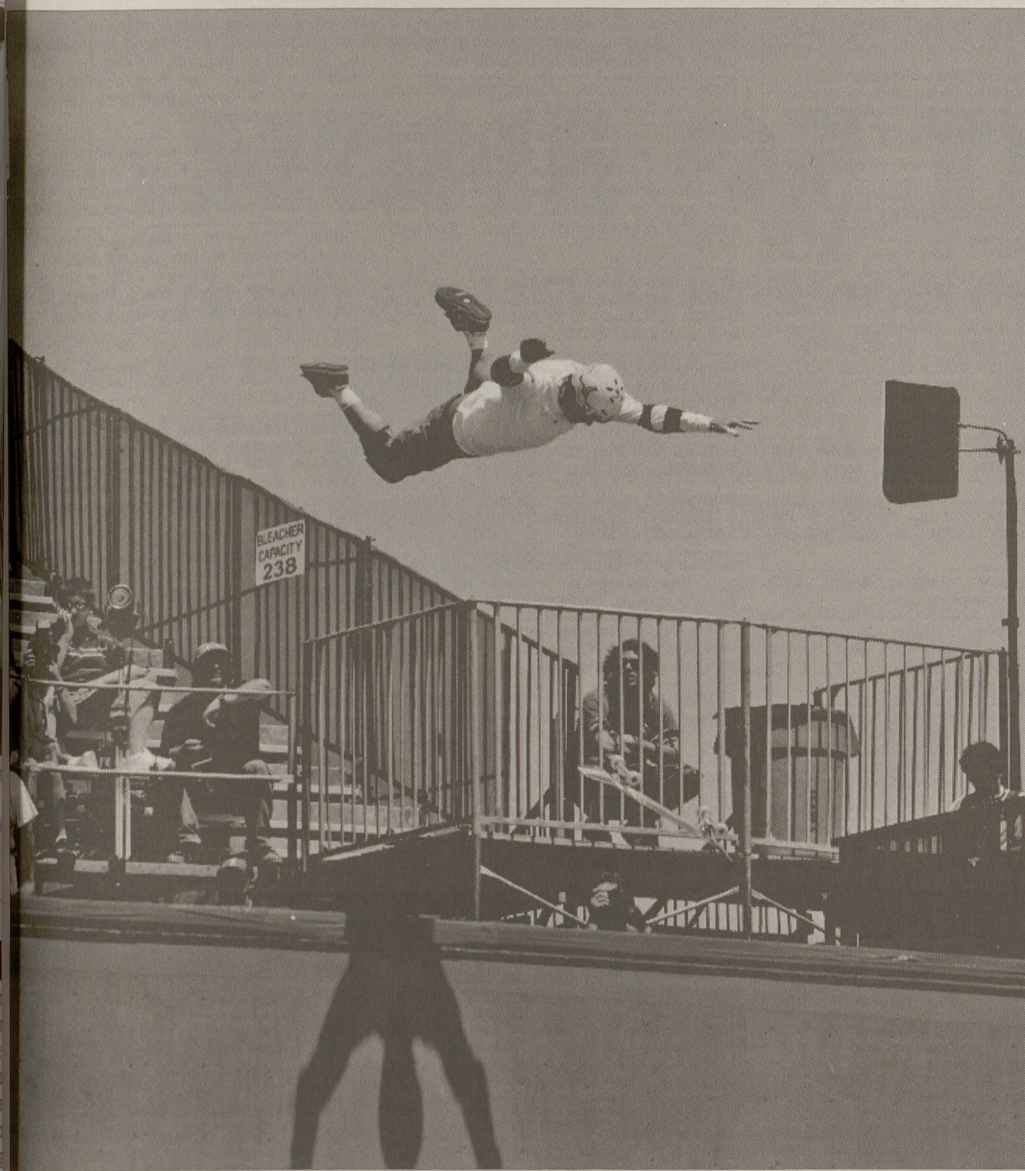


## Free falling



DAVE MORRIS • THE BATTALION

Andy MacDonald of San Diego, Calif., wipes out after an attempt at the Skateboard Big Air Competition at the ESPN X Games X in Los Angeles on Sunday at the Staples Center. MacDonald took home the bronze medal in the

event, which features a 65-foot-tall ramp and 70-foot gap in a large half pipe. MacDonald built the first ever big air setup in his parents' backyard in 1999, and set a Guinness World Record for his creation.

# In streaming video dispute, company aims at colleges

By Justin Pope  
THE ASSOCIATED PRESS

After a recent legal setback, a California company that claims its patents cover the streaming video technology used by adult Web sites is boosting efforts to collect money from a very different group of streaming video users: colleges and universities.

Newport Beach, Calif.-based Acacia Media Technologies Corp. has sent letters to dozens of colleges in recent days claiming the schools' use of streaming video in areas like distance learning and video lectures violates company patents. The message: pay up, or risk getting sued.

"Certainly for colleges that do a lot of distance education, this could be a major problem," said Steve Worona, director of policy and networking programs at EDUCAUSE, an association of campus information technology centers.

Several colleges say the letters make even broader claims, extending beyond distance learning to cover almost anything a college does that involves moving audio and video files on computer networks.

Washington College in Chestertown, Md., was told that by Acacia that a minimum annual license fee of \$5,000 was likely to cover the company claims it's owed. But Acacia said the deal is only on the table until Sept. 15. Afterward, the price might go up and Acacia might sue for infringement.

The school calls it extortion. "I think it's kind of like highway robbery or blackmail," said Billie Dodge, director of information technology at the college of 1,400 students. It uses streaming video for things like making lectures available online and showing alumni sports highlights.

While some companies that have agreed to licenses with Acacia pay hundreds of thousands of dollars per

year, Bob Berman, the company's general counsel, said he doubts any university streams enough video to owe that much.

It's only fair, he said, that colleges pay up. "Many colleges have patented technologies that their research departments have gotten issued," he said. "On the one hand, they like the revenue they make from their patents. On the other hand, they're saying we should allow them to ignore ours."

Acacia's digital media patents, granted to the founders of Greenwich Information Technologies in the 1990s, weren't enforced until Acacia bought them in 2001. Acacia has since secured dozens of licensing deals with companies ranging from adult entertainment sites to The Walt Disney Co. It has also sued large cable and satellite providers.

Last year, Acacia sent an initial round of letters to a number of colleges, seeking similar licensing deals. A handful signed agreements, but most have resisted.

Now it appears to be making another big push. Berman declined to say how many schools had been sent letters in what he acknowledged was a "second wave." But as of Friday, at least 48 colleges had notified the American Council on Education that they'd received letters and asked for advice on how to respond.

ACE and the Electronic Frontier Foundation, a legal group that opposes Acacia's patent claims, are both advising colleges not to pay.

"There's a lot of scared schools out there," said Sheldon Steinbach, general counsel for the ACE.

In a preliminary ruling in Acacia's dispute with adult entertainment sites last month, a federal judge ruled that several terms in Acacia's patents were indefinite, a verdict that could weaken potential Acacia cases against other streaming video users.

**“Certainly for colleges that do a lot of distance education, this could be a major problem.”**

— Steve Worona  
EDUCAUSE director of policy and networking programs

### NEWS IN BRIEF

#### Sharp decline in jury trials poses dilemma for lawyers

ATLANTA (AP) — Jury trials are in a sharp decline. More accused criminals are opting for plea deals and companies are finding it cheaper to settle disputes through arbitration or other means.

The nation's largest lawyers group is not sure if there is anything it could do about the situation, which is changing the way law schools educate future attorneys and making skilled negotiators in greater demand than trial lawyers.

About 40 years ago, more than 11 percent of civil cases in federal courts were resolved by trials. Today it is under 2 percent. Federal

criminal trials have fallen by one-third over the past 40 years. Federal judges who once heard nearly 40 trials a year now preside over fewer than 13.

All this has dismayed lawyers and some judges. Lawyers accept part of the blame, acknowledging their costly fees and massive paperwork demands before a trial. Some lawyers recommend that clients settle out of court because they have more control and the results often can be kept secret.

So far, the 400,000-member ABA has not taken up any policy suggestions. But Robert Grey Jr., a lawyer from Richmond, Va., who becomes the group's president this week, is making juries a centerpiece of his agenda.

## Iraq reinstates capital punishment

By Sameer Yacoub  
THE ASSOCIATED PRESS

BAGHDAD, Iraq — Iraq reinstated capital punishment for people guilty of murder, endangering national security and distributing drugs, the government announced Sunday, saying the death penalty was necessary to help put down the country's persistent insurgency.

The announcement came a day after the government offered an amnesty to Iraqis who committed minor crimes since the fall of Saddam Hussein's regime last year. The two laws were part of a carrot-

and-stick approach by the government to try to put down the 15-month-old campaign of violence.

Capital punishment was suspended during the U.S. occupation. Under Saddam's regime, some 114 offenses could garner the death penalty. The new law was more restrictive than that had been.

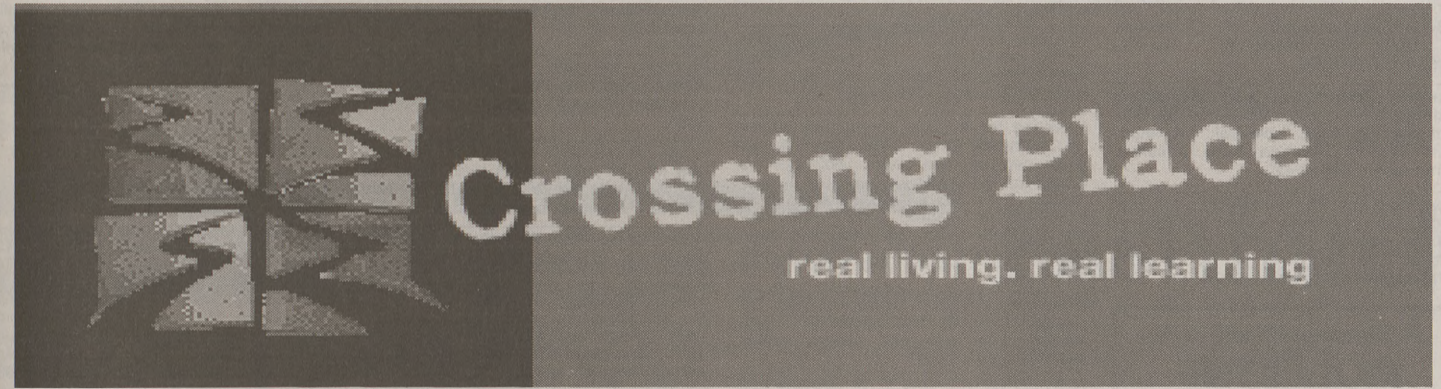
"This is not an open door to execute anyone and everyone, or people whom the government dislikes. This is not Saddam's law," Minister of State Adnan al-Janabi said.

Many Iraqis also wanted the death penalty reinstated so it could be applied to Saddam, who faces trial on war crimes charges. It was not

immediately clear how the new law would effect Saddam.

In announcing the law, Janabi and Human Rights Minister Bakhtiar Amin said they regretted the need to bring back the death penalty, but it was needed to fight the militants destabilizing the country with car bombings, kidnappings, sabotage and other violence.

"The tough task in front of us in this country is maintaining security and stability, combatting terror and organized crime," Amin said. "I assure you that none of us in the government are comfortable with reinstating capital punishment."



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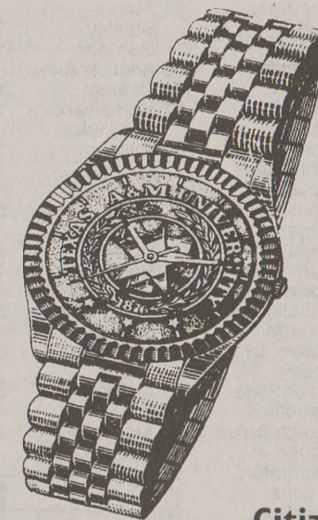
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