# Jim Moore's Journal: Reporting on systems evolving

Innovation in society and technology; global politics and democracy; global security; health; environment; happiness and peace.

## Could we sue oil companies over their support for the Sudan?

This story from afrol News warrents your closest consideration. Whether you are a Sud[an] reader, or a person interested in Second Superpower political action, or someone involv[ed] and learn from past genocides and stop current and future genocides, this story is impo[rtant]

Citizen action can gain force by identifying an element of law and using legal processes titans of the world economy. The Presbyterian Church of Sudan is suing an oil company in southern Sudan--a genocide that predates the current genocide in western Sudan, ar[e] actors. Perhaps we might want to sue some oil companies? Anyone interested? Let me jmoore@cyber.law.harvard.edu. By the way, this seems much more effective than cons[...]

## Oil company faces genocide charges ov[er] engagement

**afrol News**, **30 August** - **The Canadian oil company Talisman Energy is set [...] "complicity in genocide and war crimes" in a US court due to its past en[...] Sudan. The Presbyterian Church of Sudan is challenging the company, [...] fuelled an "oil war" in the region that victimised "hundreds of thousan[ds...]**

Talisman Energy, a Canadian oil company, "must face charges of complicity in genocide [...] Court in New York," according to a statement released today by the US law firm of Berg[...] alleged victims in southern Sudan. On 27 August, a New York had denied Talisman Ener[gy...] personal jurisdiction.

The complaint, filed by the Presbyterian Church of Sudan and other alleged "victims of t[...] that Talisman, in an "unholy alliance with the Islamic government of Sudan, committed [...] connection with the exploration and extraction of oil in southern Sudan."

The plaintiffs seek disgorgement of Talisman's revenues from its Sudan operations as "c[...] thousands of victims forced to flee their homes and left in despair without food, water, s[...] of the strategic plan by Talisman and the government of Sudan to use helicopter gunshi[ps...] depopulate areas around the oil fields," the US law firm says.

The Presbyterian Church of Sudan originally had filed its lawsuit against Talisman in 200[1...] disagreement over the New York court's jurisdiction in the case. Friday's ruling means th[at...] cannot avoid to have the charges proven in a US court. The United States have a much [...] Canadian authorities.

Since the case was filed in 2001, Talisman has ended its controversial operations in Sud[an...] Talisman sold its Sudan holdings to ONGC Videsh Ltd, an Indian state-run oil company. [...] Talisman thus achieved US$ 1.2 billion for its 25 percent stake in the Greater Nile Oil Pr[oject...] four years of involvement.

Oil developments in southern Sudan have been controversial since they started as they
the war between North and South Sudan. Many credible human rights reports from the
oil companies were followed by the Sudanese army, which emptied the area of its popul

For Talisman, the four-year engagement in Sudan was profitable but a major blow to its
have told me they were tired of continually having to monitor and analyse events relatir
Jim Buckee confessed as the company pulled out of the war-torn country in late 2002. T
heavily from the engagement.

*By staff writers*

Posted by James Moore on 8/31/04; 5:27:50 PM from the Economics and cybenetics dept.

# XM radio stops selling the XM PCR: A Case Study in M and Business Ecosystems

The modular media revolution

What we all know:  A revolution has come about through the combination of broadcast
networks, inexpensive storage, blog-like sharing tools ands services, and end-user devic
small video players, and software for personal computers.

What we also know:  The revolution has forever transformed media.  Media content is n
initially streamed, channeled, and time-bound during delivery.  As soon as the media is
converted to modules that are stored and indexed on local devices. Modules can then be
user, and can increasingly be shared across communities of users.

Services such as Comcast are encouraging this revolution by distributing end-user stora
the new Motorola Digeo system, as well as providing network-based storage and playba
Comcast on-demand service.

Threats to traditional media business models

The module-making and distributing ecosystems are becoming rapidly more extensive,
into daily life and experience.  Our daily world is changing fast.  The six o'clock local nev
dowloaded time shifted  by up to 20,000 users per night, using the Comcast on demand
many thousands of others.  Barrons has an article this week suggesting that convention
that the conventional "Kiss FM" radio station business model is forever damaged by exte
radio throughout the day.

Indeed, the modular world threatens current business models--especially old-school adv
stream between what used to be "programs" and are now modules, and new-school sub
XM and Sirius radio as well as cable-TV subscription levels.  Digital rights management i
analog-to digital conversion can get around any restrictions.  And good digital to analog
can't be compromised by the senders.  And analog to digital is getting better and better

Resulting struggles for control and strategic leadership of the emerging new business ec

Thus, expect to see new and strange struggles as services such as XM seek to control c
fully modular--or to preempt the doityourself options by selling their own modularizatior
is doing.

This will force "open  versus closed ecosystem" choices on the companies.  Services suc
a platform as an environment in which others can develop new software and services ar
become the base for an ecosystem of innovation.  Or they can seek to provide layer afte
and keep both control and revenues.  The danger in scenario one is that XM loses contr
that the RIAA and others would attack XM.  The danger in scenario two is that XM stifle
expansion of their platform, and perhaps advantages Sirius as well as local digital FM ra

In this light, the recent decision by XM to stop selling its personal-computer-oriented ra
is summarized in a mock-Harvard Business School case study, below.  What has happen
is now--at least temporarily--closing down.

XM radio's attempts to shape its business ecosystem--resulting in contradictory moves t
personal-computer-based modularization of satellite radio content: A Case Study

Part one, opening up.

I've been waiting for this.  It lets you turn your PC into a TIVO-like service that can reco
MP3s and catalogue them--and then make them available for you to play at any time...

more about

Part two, closing down

Ah, but in the spy-versus-spy world of doityourself media, XM has quietly taken  the rec
market.  Of course, XM declines to publicly say that they have done so.  They just won't
hardware device is booming on eBay.  See the excellent slashdot summary.

Part three, contradictory action

In  the "famous last words" category--see XM's site today, advertising the hardware:

 XM PCR Developer Communities:

The XM PCR revolution is in full effect. Across the XM Nation, we're excited to see indep
fantastic new versions of the XM PCR software for a wide range of platforms including M

| | |
|---|---|
| Windows: | XtreMe PCR |
| Macintosh OS X: | MacXM |
| Unix: | XMPCR perl scripts |
| Linux: | xmd-xmfe |

**Did we miss a developer? Let us know if you're developing any PCR software.**

Case discussion

What will happen next?

Will XM try to offer advanced modularization services itself--perhaps as an extension of
playback features coming in the next round of radios?  By offering some of the desired f
be able to slow and cripple the doityourself movement.  What do you recommend?  Wha
consequences?

How will the doityourself community respond?  Will the doityourself community find that
products so that the analog output can be captured and fed into modularization softwar
be able to reach the scale to threaten XM's business model and change industry dynami
out?

If you were XM, what might you do to get out ahead of this entire trend?

If you were a promoter of doityourself--what might you do?  As an individual? As an ent

Does Sirius have a strategic opportunity? It could get out ahead of this train, either by (
faster than XM, or by opening up its platform to innovators through offering a personal-
working with software and service developers. What would you recommend it do?

Oh yes, and what about the RIAA?  Do you expect them to weigh in? What might they c
influence?

If you ran the RIAA, what would you do?

How might the doityourself community address the RIAA both now and in anticipation o

How might XM or Sirius do so?

What might the Electronic Frontier Foudation, or the Open Software Foundation, or othe

What might be best for "the commons?"--and for those of us who are "commoners?"  Ir
consumers?

Posted by James Moore on 8/31/04; 2:15:10 PM from the Economics and cybenetics dept.

## Tivo-like capabilities for your XM satellite radio, for $

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MP3s and catalogue them--and then make them available for you to play at any time…

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Posted by James Moore on 8/31/04; 12:53:28 AM from the Economics and cybenetics dept.

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