

Discussion paper

The user is the content

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Outline text

This discussion paper sets a context for debate. It introduces a set of issues related to content produced by creative users of the Internet and poses questions that will be at the centre of the morning session at the Meeting of Minds. Ann Laenen has written the paper in collaboration with Stefan Kolgen, Kristof Michiels, Hans Martens en Philippe Meers

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I. Context

Developments in mobile and online communication technology vastly changed our daily life over the past 15 years. In the early nineties the Internet was an exciting new technology reserved to only a small group of users. Today it is accessible to almost everyone and has become embedded in all levels of society (Wellman & Haythornthwaite 2002; Wellman, et al. 2003). Computers have become affordable and faster (as well as), cheaper network connections made the World Wide Web available to a wider group of people. Authorities try to bridge the gap between those who have access to these new technologies and those who are restricted from if for diverse reasons. And despite these efforts, there will probably always be a digital divide, but one cannot ignore that the Internet has become ubiquitous, especially to the younger generation. To them it is something that has always been there. Through wireless and mobile connections it can be accessed wherever and whenever one wants (Lessig 2006:9; Benkler 2006:63; Lanchester 2006).

These changes have an impact on the way people communicate and on the way they exchange information and knowledge with each other. People now have immediate access to all the information they are interested in. Furthermore it introduces new forms of social interaction since the user switches, connects and changes easily from one source of information to another through their mobile phone, PDA and computer. *Networked Individualism* as Manuel Castells calls it (2001: 129-132), is part of a *loose web* providing a communication mix that works on different levels at the same time. It *produces simultaneously audiences, communities, conversations and connections* (Burnett & Marshall 2003: 59-60), since it is not just offering the possibility to store and retrieve information, but also to actually take part in the information process. As such the *loose web* creates a living environment enabling live interaction (Lovink 2005:11) between users. Information and knowledge thus become part of a fluid that in essence only these users should/could control.

Through digitalisation, information and knowledge once solely integrated in a book, a manuscript or a recording, and located within a specific place (a museum, a library, somebody's mind) are now accessible through what John Urry defines as *the fluid networks of global communication* (2003:64) rendered by mobile, wireless and online communication tools. '*Freed from its containers, information is not a thing. It is something that happens in the field of interaction between minds or objects or other pieces of information*' says John Perry Barlow in his essay on the information

flow (2003:8). Users adapt information while transferring it. When soliciting resources the reader, listener, viewer may add something to the information s/he just accessed, s/he may use it in a different context and s/he may develop thoughts linked with that information and thus extend and enlarge it. This interaction keeps information fickle and up-to-date. Without users, most content would be dead or forgotten; through users it stays alive/enters new fields of knowledge and offers new impulses to existing resources. In the current space of information and knowledge transfer it has become very difficult to define which user added or changed which aspect to a specific piece of content, especially in surroundings where joint creations are part of the process. There the user has become/is (part of) the content.

Recent changes in hardware (digital camera, mobile phones) and software (e.g. Apple's *iLife* suite) have supported this way of using/reusing and creating/recreating information (Gauntlett 2004; Anderson 2006; McLeod 2005). For anyone who wants to do so, it is now possible to create, to publish online, to make her/his own video or music creation, and share all this with others on the Internet. And the current networked environment which has become known as Web 2.0 (evolving from a collection of websites to a computing platform offering web services to end users) (O'Reilly 2005) offers a more effective platform for more *collective action practices* as Yokaï Benkler calls the new ways of interaction (2006:63). Both changes resulted in a rise of material posted on the Web (Von Appen & Spaldaccini 2006) and led to the success of websites such as YouTube.com, Google Video and Flickr.com.

As Lanchester explains in his article 'The bigger bang', *the Internet is no longer about corporations telling you what to do, think or buy; it is about things people create*, in a personal or in a collaborative way. Blogs, wikis and new software enable users to work on a project with complete strangers. An evolution that links in with what Tim Berners-Lee, inventor of the World Wide Web, wanted the medium to be: *we ought to be able not only to find any kind of document on the web, but also to create any kind of document easily. We should be able not only to follow links, but also to create them between sorts of media. We should be able not only to interact, but also to create with other people* (1999:182).

We indeed notice that more and more users want to remix, reuse and recreate, alone or collaboratively, existing resources available through the Internet and the mobile media. By the end of 2004 trend-watching and marketing companies, as well as certain reports (such as the PEW/Internet report) started to speak about Generation C or Generation Content. A generation that can be divided in two groups: those looking for all kinds of information i.e. the content omnivores. They are among the largest group on the Internet and basically looking for all kinds of content; and secondly: those creating content. This group can be subdivided into the power creators of about 25 years of age, and a group of older creators aged 58 and more. Both types of content creators enthusiastically recreate, reuse and share existing content. They are in line with what the knowledge centre demos defined as Pro-Ams, amateurs working up to professional standards, educated, committed and networked by new technology (Leadbeater & Miller 2004:12). This phenomenon has also become known as mass-amateurisation, not only in content publishing and sharing but slowly but steadily also in application development as is the case with Ning.com and the Ruby on Rails software-framework.

In the course of 2005, content produced by the second group within Generation C (the content creators) and Pro-Ams became known within webpublishing and new media content production circles as User-Generated Content (Wikipedia): content created by other than professional content providers available on the World Wide Web. Some critics have questioned the name, but they do share the same philosophy and are convinced that content produced by these creative users challenge the traditional content providers (such as broadcasting agencies and newspapers) in working with content, because these users not just want to be informed, but they also want to share information and be part of it. In other words one could say that 'packaged goods media' turns into 'conversational media' as John Battelle describes in his article (Battelle media post 17.12.2006). It is indeed in the dialogue between creative users and providers the traditional media and content providers might be forced to reflect on the 'openness' of their content and on the way this content is presented to the public. It is also reasonable to presume that conversational media is there to stay. But one could rightly question here what the real impact of these users on publishing, broadcasting and filming may be in the long run.

It remains to be seen over time, but what one cannot ignore is that through these technological developments, new formats emerge next to the traditional ways of publishing, filming, music making; formats that can be shared on a much larger basis than before. The speed of information exchange and the possibilities to work with others on creations, led to an explosion of creative material. Building on existing creativity is not new, people have always and everywhere (re) created existing material (partially without permission of and without compensating the original creator) (Lessig 2004:29). But since most of it happened locally, it stayed locally and compared to the digital age, it was known by only a few people. Today, once posted on the World Wide Web, these creations are accessible by people all over the globe. This has the advantage that they can be shared on a much larger basis than before but it also implies that these creations become easier to trace for all kinds of regulators such as 'law' (Lessig 2006:196; Zittrain 2006), and as such become more vulnerable than before, since these regulators may block or sanction them. This may have impact on creativity in the end. So in order to stimulate creativity as described at the beginning of this paper, content provided by the creative user/ Pro-Am should be able to function in an 'open structure', without gatekeepers or vectorialists who control the vectors of communication and thus decide what can be seen, heard and/or read (McKenzie 2006:15; Rintels 2005). Yokai Benkler therefore prefers to speak about *commons-based peer production* in which 'peer production' depends on *the individual action that is self-selected and decentralized* and 'common-based' refers to the fact that *inputs and outputs of the process are shared, freely or conditionally, in an institutional form that leaves them equally available for all to use as they choose at their individual discretion* (2006:60-62). So not locked up, but open to be altered and shared on a much wider basis than could have happened before the rise of the digital age. For Benkler *it may lead to a greater transparency of culture, and therefore a greater capacity for critical reflection, and it will provide more opportunities for participating in the creation of culture, for interpolating individual glosses on it, and for creating shared variations on common themes* (2006:238).

Indeed technological developments empowered people to express themselves and allowed them to participate in projects and share creations on a much larger basis than before. They also transformed the business of content distribution since part of the users is no longer interested in the whole lot offered by for instance news papers or music labels, but in their own selection of it. Measuring the success of sites such as YouTube, Digg, Myspace and Facebook, one could question (as Scott Karp highlights): 'Is Content still Business?' (post 22 March 2007 on publishing 2.0). This leads to a challenging and engaging view for the future, but one can immediately pose a set of remarks here, because in reality vectorialists still control - and even more than 50 years ago - a lot of content, and thus prevent it to be used creatively. The copyright system prevents on a much larger basis than before the creative users to reuse content on a fair basis since digitalisation made it possible to control the use more easily. Or to quote Lawrence Lessig: '*Amateur culture, or bottom up culture, or the culture that lives outside of commercial transactions, is subject to regulation in a way that 30 years ago it was not*' (2006:195). Furthermore, critics of user-generated content question the validity of the content provided and thus question the relevance of it. And there is the danger that while authorities, educators and specialists are bridging the digital divide on the one side, a new kind of divide might emerge based on those that have and the others that do not have access to knowledge transferred over the Internet because 'gatekeepers' close the door (Rintels 2005).

Therefore in the next section this paper wants to open the discussion on two issues based on the remarks mentioned above. The first deals with the question of the validity of user generated content. The second focuses on copyrights/control and fair use of the material reproduced.

II. Discussion

1. Authority, validity and quality of (re)produced content in a digitalized world

The first issue relates to the validity and quality of the (re)produced content by the Pro-Ams, Generation 'C' 's and other creative users; also called mass amateurisation. Critics are very concerned about the validity of information that is currently available on the web. Some are most concerned about the Web becoming a place where mediocrity will be cherished due to amateur work (though what they do not mention is that 'experts' also leave mediocre traces on the Web from time to time). Nicolas Carr and Andrew Keen for instance warn for the 'Cult of the Amateur'. Keen is convinced that the new digital revolution (web 2.0) *threatens our culture, because in a world where anyone can raise its opinion through a blog or a podcast, which might be ill-informed, blurs the distinction between trained experts and the uninformed amateur* (book will be released in June 2007). Indeed the distinction between 'amateur' and 'professional' gets blurred and as John Leadbeater and Paul Miller express it *may be difficult to tell the two groups apart in the future* (2004:16) but not necessarily in a negative way, rather in a positive and challenging way. Keen's line of thinking starts from the idea that everyone that (re)creates content and shares it through the Internet on a non-professional basis is an amateur. He defines an amateur as someone who is not working up to professional standards and delivering creations that are thus of an inferior degree. What he misses out here is the fact that a lot of amateurs are working on a professional level. They have a strong vocation, and share their work within self-regulating critical communities. Their input can be valuable for professionals. Leadbeater and Miller agree that there will always be limits to what these Pro-Ams can achieve, but they are convinced that through working with and learning from each other professionals and creative users may complement each other and as such reach richer/stronger results *professionals are more likely to understand the theory behind good practice, while Pro-Ams might have strong know-how and technique* (2004:27). If the interaction between the two groups becomes conversational. This offers a lot of opportunities, for instance for cultural institutions/organisations. By giving their virtual audience the opportunity to take part in the production process, the interaction becomes a positive and challenging experience for the user as well as for the institution/organisation involved. For the user it is a means for expression, a way of being involved and of being part of something. For the institution or organisation it may lead to new ways of working and it strengthens the relationship with its audience/clients/users (De Wit & Esmans 2006; De Haan & Huysman 2002; Bauwens & Nulens 2005; Cameron 2002; Knell 2006). But one has to keep in mind that the success of this process depends on the 'interaction' between the professionals of the institution/organisation and the creative visitor. The virtual visitor has to feel that s/he is valued and supported. If not the project is doomed to fail.

Another example of this can be highlighted within journalism. The recent developments in hard - and software made it possible for people to take part in the journalistic process. Those taking part have become critical consumers. They also have the feeling they can make a difference since they at least have the impression they were able to have a part in the end result (Bowman & Willis 2004). These consumers started to, and will continue to challenge the traditional media and the professional journalists. As Dan Gillmor highlights in his book *'We the Media' I seek a balance that simultaneously preserves the best of today's system and encourages tomorrow emergent, self-assembling journalism* (2004: XVII). *The rise of the citizen journalist will make us listen. The ability of anyone to make the news will give new voice to people who've felt voiceless - and whose words we need to hear. They are showing all of us - citizen, journalist, newsmaker - new ways of talking, of learning* (2004:XVIII). Reality showed though that the interaction between these three groups is not always evident and one has to learn to work with the limits of this process. Gillmor learned through the *Bayosphere*-project that to make citizen journalism work there is need for a framework, tools and support from experts (Bayosphere post 24.01.2006).

A part from the doubt about mediocrity of material posted on the Internet, critics of participatory journalism and User-Generated Content also tend to say that what these citizen journalists and creative users leave on the Net is not always reliable and that they thus mislead us with their information. They do not believe in what James Surowiecki describes as the *wisdom of the crowds* or the view that a large group of people is smarter than a few, no matter how brilliant they are (2004). To Andrew Keen for instance the *wisdom of the crowds is not in the crowd but in the people with talent and experience* (Debate 2.0), they have the authority. Indeed there is a risk with

information spread over the Internet, but this is a risk that has always existed. Sources always needed to be checked and that is what also happens in cyberspace, as mentioned earlier quite some users link in to self-regulating communities, within which they do not want to lose their credibility. Quality shows even in the vast amount of information available on the World Wide Web today. Therefore Chris Anderson, writer of *The Long Tail*, does believe in a form of crowd behaviour. More specifically: *That the crowd is good at spotting merit and making it more visible so that it can get the audience it deserves* (Debate 2.0). Good information will thus be spotted, less accurate or mediocre information will get lost within the large amount of information available on the Web. Or as Alex Iskold states in his article on the attention economy: it is important to give the user the opportunity to choose for the information s/he is interested in at the moment s/he wants. *For example news feeds illustrate the point well, since they ask for consumers attention in exchange for the opportunity to show him/her advertising. The Search engines are similar in that respect, because they show ads in exchange for helping users find answers online. But it is important to realize that the key ingredient in the attention game is relevancy. As long as a consumer sees relevant content, he/she is going to stick around - and that creates more opportunities to sell* (read/write web - attention economy).

In fact this view can even be taken one step further since validity of information is often based on the fact whether it is meaningful or not. But as John Perry Barlow highlights in his essay 'Selling Wine without Bottles' *meaning has value and is unique to each case*. Therefore what is relevant for one person might be irrelevant or less relevant to others. An old newspaper for instance might be very valuable to a historian, but of no relevance to a stockbroker, which illustrates how relative the 'label' validity can be.

Question is thus how the interaction between professionals and creative users will develop and if indeed as Gillmor highlighted if it will make us talk and learn differently? In what direction will hard- and software evolve and in what sense will it empower the user more or lead to a number of constraints based on the velocity of data transport, the influence of local authorities and the complexity of code? And another trend that cannot be ignored is that if you are not an experienced user of the Internet and you want to find your way through the web, quality might show on the long run, but where do you start? Is there a possible role for guides/curators guiding non-expert users through the information in an open way build on trust and reputation?

2. Copyright/left and fair use

The technological evolution indeed empowered people to (re) create and share their creations with a very wide audience, which is more than positive, but as mentioned in the first part of this discussion paper it also increased control on these creations. Sharing, ripping and remixing are in fact things that have always happened, but it happened in someone's own backyard and only very few creations were shared with the wider world. Today, when these creations are shared over the Internet, content providers and copyright agencies start to question the authorship of the creation and they more than often make the (re) creator pay. Experts such as Lawrence Lessig and Johnathan Zittrain value copyright, but only when it is properly used. Some control is good and even necessary, but control tends to become too restrictive at the moment and does not answer current needs for authors, artists and creative users.

The first copyright act at the beginning of the 18th century had been put into place though to help authors/writers earn a decent living from their writings (Burnett 2003:138-139). It was meant to be full of openings in order to be flexible and give freedom to other writers and to the public, but in the early 80s this situation started to change and evolved towards a private property model that seems to ask for protection by all means (McLeod 2005:108). This actually resulted in a complex debate on copyright. Since one (re)uses material it is most of the time difficult to trace the initial creator. Copyright organisations therefore tend to close in on the creations they registered and charge everyone who uses even a tiny part of registered content in a new context. It also blurred the 'fair use' principle of copyrighted material. Whereas fair use had been put into place to use copyrighted material in certain educational and non-commercial circumstances, it is now much more restricted. But fair use does not necessarily work against the interest of the authors or artists, and even free downloads of music, excerpts of a book or even a free book has positive effects on the long run. As

Lessig highlights in his book code version 2.0 the better the information about what books people should buy, the more people will buy it (2006:184).

Therefore specialists such as Lessig plead for 'free use' instead of 'fair use'. *Free as in freedom for speech. The ability to record, comment on, and distribute media content* since it is essential for the survival of the robust democracy and the cultivator of free culture in information age (McLeod 2005: 328-329). Some rights are important, *but those should be specified and the laws should draw clear lines around regulated and unregulated uses of copyrighted material* according to Lessig (2004:295). Lessig and Zittrain realise that in a digital age where ripping, remixing, (re) creating and sharing is at the centre, one needs to move to a more flexible kind of copyright that is situated somewhere between copyleft, as used within the context of open software (offering complete freedom to the user to change, correct and redistribute a creation), and the existing copyright, offering a minimum of protection - limited in time - to an author, artist or creative user. In this sense the private initiative Creative Commons gives a positive answer in that direction, based on the principle 'some rights reserved'. But to really make it work, governments throughout the world should adopt this new copyright paradigm. And that is easier said than done, since each country has its own legislation and its own rules. Though one could question here whether the copyright model should be exactly the same worldwide, because as Goldsmidt and Wu conclude one must not underestimate *the power of places, nations and regions, to protect the way they are, or want to be* (2006:183). They continue to say that *human beings tend to cluster geographically, based on shared cultures, languages, tastes, wealth, and value* (ibid:183). And with this thought they raise an important issue on the principle of copyright and protection of information. How far should/could the role of the authorities go on this behalf? A certain protection is needed, but it becomes problematic when it involves restriction on access to information and knowledge. Cultural background may indeed have influence on taste, value and interest, but it becomes dangerous when a nation decides what can be read or consulted over the Internet. The creative user and the information omnivore as described in the first part of the paper should be able to access the content they want. Though reality shows that this free flow of information, digital creations and knowledge is becoming less and less free, because local authorities, code, content providers and network providers more than ever control the flow (Goldsmidt & Wu 2006:183; Lessig 2006; McLeod 2005). How will this evolve? Will a more flexible copyright system come into place? And how much material will the creative user be able to use freely in the future?

This discussion paper raised a series of issues related to user-generated content as they are subject of the debate today, initiating questions on the value as well as the impact of user-generated content on traditional media, the evolvement to a more flexible copyright system, and the influence of nations/states/regions and other regulators of the online/mobile market. These issues will be discussed more deeply at the Meeting of Minds and will be challenged afterwards by the future scenarios presented.

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2. Blog links:

Battelle Media - John Battelle's Searchblog: Packaged Goods Media v. Conversational Media:
<http://battellemedia.com/archives/003199.php> (accessed online March 2007)

Bayosphere - From Dan: A Letter to the Bayosphere community:
http://bayosphere.com/blog/dan_gillmor/20060124/from_dan_a_letter_to_the_bayosphere_community (accessed online March 2007)

Publishing 2.0 - Scott Karp on the convergence of Media and Technology: <http://publishing2.com/Read/Write> - **The Attention Economy : An Overview**:
http://www.readwriteweb.com/archives/attention_economy_overview.php

Rough Type - Nicolas Carr's Blog: Customer Value and the Network Effect:
<http://www.routhtype.com/> (accessed online March 2007)