

against intellectual property PDF

Against Intellectual Property

In recent years, the debate surrounding intellectual property (IP) has intensified, with many critics challenging the very foundation of the system that grants exclusive rights to creators and inventors. While intellectual property laws are designed to incentivize innovation and creativity, a growing body of arguments suggests that they may do more harm than good, restricting access, fostering monopolies, and stifling progress. This article explores the various reasons why many advocate against the current intellectual property regime, examining its drawbacks, societal impacts, and potential alternatives.

Understanding the Concept of Intellectual Property

Before delving into the critiques, it is essential to grasp what intellectual property entails. IP refers to creations of the mind—such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce—that are protected by law. Common forms include patents, copyrights, trademarks, and trade secrets. These legal protections aim to grant exclusive rights to creators, allowing them to profit from their work and recoup investments.

However, critics argue that the system's implementation often leads to unintended consequences that hinder societal progress and equitable access to knowledge and resources.

Arguments Against Intellectual Property

1. Hindrance to Innovation and Progress

Contrary to its intended purpose, some argue that IP laws can impede innovation rather than promote it. When access to foundational knowledge or technology is restricted through patents or copyrights, it creates barriers for other inventors and creators. For example:

- Patents can lead to patent thickets, where overlapping rights make it difficult for innovators to navigate or build upon existing inventions.
- Extended copyright durations can prevent new creators from accessing or reusing existing works, hindering cultural and technological evolution.

This protective approach may discourage collaborative efforts and slow down the dissemination of new ideas.

2. Creation of Monopolies and Economic Inequality

Intellectual property rights often concentrate wealth and power in the hands of a few corporations or individuals. Large companies acquire extensive IP portfolios, giving them monopolistic control over essential products or information. This can lead to:

- Higher prices for consumers, making essential medicines, software, or media less affordable.
- Barriers to entry for smaller players or startups, reducing competition and innovation diversity.

Such monopolistic tendencies can exacerbate economic inequality and limit consumer choice.

3. Restriction of Access to Knowledge and Culture

Copyright laws often restrict access to educational resources, scientific research, and cultural works. This is especially problematic in developing countries or among marginalized groups who cannot afford costly licenses or subscriptions. The consequences include:

- Limited educational opportunities and knowledge dissemination.
- Hindrance to scientific progress, as researchers may be barred from building upon existing copyrighted works.

This restriction runs counter to the fundamental goal of knowledge sharing for societal benefit.

4. Environmental and Ethical Concerns

The IP system can also have environmental implications. For instance, patents on genetically modified organisms or sustainable technologies can delay or block the adoption of environmentally friendly solutions. Additionally, ethical issues arise when IP rights are used to patent life forms or traditional knowledge, often without fair compensation or acknowledgment to indigenous communities.

Historical and Societal Critiques

Historically, some societies functioned without formal IP laws, relying instead on social norms and communal sharing. Critics argue that the modern IP regime is an artificial construct that benefits corporations more than society. For example:

- Ancient cultures often shared knowledge freely, fostering communal growth.

- The expansion of IP rights in the 19th and 20th centuries coincided with the rise of corporate-driven innovation, raising concerns about profit maximization at the expense of public good.

Furthermore, the proliferation of IP laws has been linked to increased litigation and legal costs, which can stifle smaller creators who lack resources to defend their rights or challenge infringements.

Potential Alternatives and Reforms

Given the criticisms, many advocate for reforming the IP system or adopting alternative models that balance innovation with societal needs. Some proposed approaches include:

1. Shorter and More Flexible IP Rights

Reducing the duration of patents and copyrights, or making their enforcement more flexible, can mitigate monopolistic tendencies and promote quicker dissemination of knowledge.

2. Open Access and Creative Commons

Encouraging open licensing models allows creators to share their work freely or under flexible terms, fostering collaboration and innovation.

3. Reward-Based Systems

Instead of exclusive rights, some propose reward-based models where creators are financially incentivized through prizes, grants, or societal recognition, rather than monopolies.

4. Emphasis on Fair Use and Exceptions

Expanding fair use provisions can enable more extensive use of copyrighted works for education, research, and innovation without requiring permissions.

5. Embracing Alternative Intellectual Commons

Developing communal pools of knowledge that are freely accessible, such as patent pools or data commons, can promote collective progress.

Conclusion: Rethinking the Role of Intellectual Property

While intellectual property rights have historically aimed to promote innovation and creativity,

mounting evidence and ethical considerations suggest that the current system often produces counterproductive effects. The restrictions imposed by IP laws can hinder societal progress, entrench monopolies, and limit access to knowledge and essential resources.

Moving forward, a balanced approach that fosters innovation while ensuring equitable access and shared progress is vital. This may involve reforming existing laws, embracing open licensing models, and exploring alternative frameworks that prioritize societal benefit over profit. As technology advances and global challenges like climate change and public health become more pressing, rethinking our approach to intellectual property is not just desirable but necessary for a fair and innovative future.

Against Intellectual Property: Rethinking the Foundations of Innovation and Creativity

In the ongoing debate over the role and impact of intellectual property (IP), a growing chorus of critics challenges the traditional framework that grants exclusive rights to creators and inventors. While IP has been lauded for incentivizing innovation and protecting creators' rights, mounting evidence suggests that its current implementation may hinder progress, restrict access, and perpetuate inequality. This article aims to explore the fundamental arguments against intellectual property, dissecting its flaws, unintended consequences, and the alternative paradigms that could foster a more open and equitable landscape for innovation.

Before delving into criticisms, it's essential to clarify what intellectual property encompasses. IP rights typically include patents, copyrights, trademarks, and trade secrets—all designed to protect intangible creations such as inventions, literary works, brands, and proprietary formulas.

The Rationale Behind IP

- Incentivization: Encourage creators by granting temporary monopolies.
- Protection: Prevent unauthorized use or copying.
- Economic Growth: Foster industries and innovation ecosystems.
- Recognition: Acknowledge creators' efforts and investments.

While these aims seem justified, they rest on assumptions that merit scrutiny. Critics argue that the current IP regime often fails to deliver these benefits effectively, or worse, it causes harm.

Criticisms of Intellectual Property: Key Arguments

The opposition to IP is multifaceted. Here, we explore the core issues, categorized into economic, social, ethical, and innovation-related concerns.

1. IP Stifles Innovation and Creativity

One of the most potent critiques is that IP rights, rather than fostering innovation, often hamper it.

- **Inhibiting Further Innovation:** When a patent or copyright is granted, subsequent creators must navigate around existing rights, which can be complex, costly, or impossible. This "patent thicket" phenomenon creates barriers to incremental improvements and new inventions.

- **Blocking Competition:** IP can allow dominant players to maintain monopolies, discouraging startups and smaller entities from entering markets or developing alternative solutions.

- **Over-Protection of Ideas:** Many argue that ideas, concepts, or basic knowledge should be in the public domain, as they form the foundation of further innovation. Excessive IP protections lock away fundamental knowledge, thwarting progress.

2. IP Creates Inequality and Concentrates Wealth

The current system often benefits large corporations and wealthy individuals at the expense of the public.

- **Access Disparities:** Patents and copyrights can make essential medicines, educational resources, and technology prohibitively expensive, especially in low-income regions.

- **Corporate Consolidation:** Patent portfolios become tools for acquiring market dominance, suppressing competition, and consolidating wealth among the elite.

- **Barriers for Developing Countries:** IP regimes, often shaped by Western interests, can restrict access to vital innovations and knowledge in developing nations, perpetuating global inequalities.

3. IP Rights Are Arbitrary and Overly Broad

Questions arise about the fairness and scope of IP protections.

- **Duration and Scope:** Patents last for 20 years, copyrights for life plus 70 years, which can be

excessively long, leading to prolonged monopolies on ideas that could have been in the public domain earlier.

- Subjectivity: What qualifies as originality or inventiveness is often subjective, leading to inconsistent or overly broad protections.

- Overreach: Sometimes, IP rights extend to trivial or obvious ideas, creating legal barriers that serve more as defensive tools rather than genuine protections.

4. IP Hinders Access to Knowledge and Essential Goods

Especially in areas like health and environmental sustainability, IP can restrict access to critical resources.

- Public Health Crisis: Patented medicines are often expensive, limiting access in poorer communities and delaying public health responses (e.g., during pandemics).

- Educational Barriers: Copyright restrictions can limit the dissemination of educational materials, especially in digital formats.

- Environmental Innovation: Patents on green technologies may delay their dissemination or make them inaccessible, undermining global sustainability efforts.

5. The Cost of IP Enforcement

Enforcing IP rights is resource-intensive and can lead to a proliferation of litigation.

- Legal Battles: Small creators or startups often cannot afford to defend against large corporations, leading to suppression of competition.

- Chilling Effect: Fear of infringement lawsuits discourages experimentation and the sharing of ideas.

- Global Enforcement Challenges: Variations in IP laws across countries make enforcement complex and inconsistent.

Historical and Philosophical Critiques

Beyond practical concerns, some critics challenge the philosophical basis of IP, arguing it conflicts with fundamental notions of knowledge as a common good.

1. Knowledge as a Public Good

Many argue that knowledge should be freely accessible, akin to air or water, rather than commodified.

- Open Source Movement: Demonstrates how collaborative, open approaches can lead to rapid innovation and widespread adoption.

- Historical Precedent: Before modern IP laws, inventors and artists freely shared ideas, often building upon each other's work in a communal fashion.

2. The Moral Argument Against Ownership of Ideas

Some philosophical perspectives posit that ideas, concepts, or cultural expressions are part of the collective human inheritance and should not be privatized.

- Cultural Commons: Overprotection can lead to cultural stagnation, where innovation is hindered by fear of infringement.

- Ethical Concerns: Monetizing basic human knowledge or cultural expressions raises questions about morality and social justice.

Alternatives and Reforms to the Current IP System

Recognizing these issues, many scholars, activists, and innovators advocate for alternative models that promote openness, sharing, and equitable access.

1. Open Access and Creative Commons

- Open Licensing: Allow creators to share their work freely or under flexible licenses that promote reuse and remixing.
- Impact: Accelerates dissemination of knowledge, fosters collaboration, and reduces legal barriers.

2. Patent and Copyright Reform

- **Shorter Durations:** Limit the lifespan of protections to prevent monopolies from lasting too long.
- **Narrower Scope:** Restrict protections to truly novel, non-obvious inventions.
- **Mandatory Licensing:** Require patent holders to license inventions to others after a certain period or under specific circumstances.

3. Emphasis on Public Funding and Prize Systems

- **Government Support:** Shift from exclusive rights to public funding for research, ensuring that innovations remain in the public domain.
- **Prize Funds:** Reward inventors with monetary prizes rather than exclusive rights, promoting competition and broad access.

4. Strengthening the Public Domain

- Policy Measures: Encourage timely release of works into the public domain.
- Cultural Preservation: Protect and promote cultural expressions without restrictive IP constraints.

5. Encouraging Collaborative and Open Innovation

- Open Innovation Platforms: Foster environments where individuals and organizations share ideas freely.
- Community-Driven Development: Leverage collective intelligence for problem-solving, especially in fields like health, environment, and technology.

The critique against intellectual property challenges the assumption that private rights are the best way to foster human progress. Instead, it advocates for models that prioritize openness, collaboration, and equitable access. While IP has historically played a role in incentivizing creativity, its current form often produces counterproductive effects?stifling innovation, perpetuating inequality,

and restricting knowledge flow.

Reforming or replacing the traditional IP system requires a fundamental shift in how society views knowledge and creativity. Embracing open access, public funding, and collaborative innovation can lead to a more inclusive, dynamic, and sustainable future?one where the collective human intellect is truly in the service of all.

In essence, challenging the dominance of intellectual property is not about rejecting the rights of creators but about redefining how knowledge is shared and built upon. It's an invitation to rethink innovation as a collective endeavor rather than a competitive contest limited by monopolies.

Question What are the main arguments against strict enforcement of intellectual property rights? Proponents argue that strict enforcement can hinder innovation, limit access to knowledge, and favor large corporations over individual creators and the public interest. How does opposition to intellectual property impact access to medicines in developing countries? Opposition often highlights that strict IP protections can delay or restrict access to affordable medicines, making healthcare less accessible for populations in developing regions. In what ways do critics believe intellectual property laws stifle creativity and collaboration? Critics argue that IP laws can create barriers to sharing ideas, discourage open collaboration, and lead to monopolies that suppress alternative innovations. What are some ethical considerations raised by opponents of intellectual property rights? Opponents often cite ethical concerns about prioritizing profit over public good, especially when essential resources like life-saving drugs are inaccessible due to patent protections. How does the movement against intellectual property influence global policy debates? The movement encourages policymakers to reconsider IP laws, promote more open access models, and balance the rights of creators with public interest and equitable resource distribution.

Related keywords: anti-patent, free culture, open source, creative commons, piracy, copyright reform, innovation without patents, open access, knowledge sharing, patent abolition

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Stanley Kubrick, one of the most influential filmmakers in cinematic history, is often associated with his groundbreaking films that span genres, themes, and styles. His connection to New York City, his Jewish heritage, and his intellectual pursuits in English literature and philosophy have significantly shaped his artistic vision. This article delves into the multifaceted identity of Stanley Kubrick, exploring how his New York upbringing, Jewish background, and intellectual interests influenced his

work and legacy.

Early Life and Background

Born in Manhattan and Growing Up in New York

Stanley Kubrick was born on July 26, 1928, in the Bronx, New York City. Growing up in Manhattan exposed him to a vibrant cultural environment, which played a crucial role in fostering his early interest in art and storytelling. His family moved to the West Side of Manhattan during his childhood, where he developed a keen interest in photography, cinema, and literature.

Key points about his early NYC influence:

- Exposure to diverse cultural and artistic scenes
- Early fascination with photography and cinema
- Engagement with intellectual circles in the city

Jewish Heritage and Cultural Identity

Kubrick's Jewish background was an integral part of his identity, although he was known for his somewhat private nature regarding religious beliefs. His parents were of Jewish descent, and he was raised with an awareness of Jewish traditions and history.

Impacts of his Jewish heritage:

- Cultural awareness amidst a diverse New York environment
- Possible influence on themes of morality, identity, and alienation in his films
- Personal reflections on human nature and societal structures

Educational and Intellectual Pursuits

Literary Influences and English Education

Despite not attending a university, Kubrick was deeply influenced by English literature and philosophy. He was an avid reader, with a particular interest in authors such as William Shakespeare, Fyodor Dostoevsky, and George Orwell.

His intellectual pursuits included:

- Self-education through reading and film analysis
- Studying themes of human nature, morality, and society
- Incorporating literary and philosophical references into his films

Philosophical Themes in Kubrick's Work

Kubrick's films often explore complex philosophical questions about existence, free will, and the nature of reality.

Notable examples:

- "2001: A Space Odyssey" addressing evolution and consciousness
- "A Clockwork Orange" examining free will and societal control
- "Full Metal Jacket" delving into the psychology of violence

New York as a Creative Hub

Influence of New York City's Cultural Scene

The city's vibrant arts scene played a vital role in shaping Kubrick's artistic sensibilities. Although he eventually moved to England, his formative years in New York left a lasting imprint.

Elements of NYC's influence:

- Exposure to avant-garde art and experimental cinema
- Engagement with theater and visual arts communities
- Inspiration from the city's diversity and energy

Transition to International Cinema

While rooted in New York's cultural fabric, Kubrick's career eventually took him to England, where he produced many of his most acclaimed films. Nonetheless, his New York background remained a key part of his worldview and artistic foundation.

Legacy and Cultural Significance

Impact on Jewish and American Cinematic Identity

Kubrick's work reflects a synthesis of his Jewish heritage and American cultural influences,

contributing to a broader understanding of identity in cinema.

Contributions include:

- Challenging social norms and perceptions
- Exploring themes of alienation, morality, and human nature
- Bridging cultural and philosophical perspectives

Academic and Critical Reception

Scholars have examined Kubrick's films through various lenses—psychoanalytic, philosophical, and cultural—highlighting the complexity of his work and its roots in his background.

Key academic points:

- His films as reflections of his intellectual curiosity
- The influence of his New York upbringing and Jewish heritage on thematic content
- Continued relevance in contemporary film studies

Conclusion

Stanley Kubrick's identity as a New York-born Jewish intellectual deeply informs his artistic vision. From his early exposure to the city's cultural dynamism to his engagement with literature, philosophy, and societal themes, Kubrick's multifaceted background shaped the films that continue to influence and challenge audiences worldwide. His work exemplifies how personal history, cultural identity, and intellectual pursuits intersect to create timeless art that probes the depths of human nature and societal constructs. As both a product and a critic of his environment, Kubrick's legacy endures as a testament to the power of combining cultural heritage and intellectual rigor in the pursuit of cinematic excellence.

Stanley Kubrick New York Jewish Intellectual Engl is a fascinating intersection of cultural, intellectual, and cinematic history that deserves thorough exploration. Stanley Kubrick, one of the most influential filmmakers in cinematic history, was a New York-born Jewish intellectual whose background and upbringing significantly influenced his work. This article delves into Kubrick's New York roots, his Jewish heritage, and his intellectual approach to filmmaking, especially as it pertains to his English-language films. By examining these facets, we gain deeper insight into the mind behind classics such as 2001: A Space Odyssey, A Clockwork Orange, and The Shining.

Stanley Kubrick's New York Origins

Stanley Kubrick was born on July 26, 1928, in the Bronx, New York City, a borough known for its rich immigrant culture and vibrant intellectual community. Growing up in New York during the Great Depression and World War II shaped Kubrick's worldview profoundly, imbuing his films with a unique mixture of realism, cynicism, and intellectual depth.

The Influence of the Bronx and Manhattan

Kubrick's formative years in the Bronx exposed him to a melting pot of cultures and ideas. The urban environment was a far cry from the idyllic suburbs or Hollywood's glamour, giving Kubrick an authentic perspective on human behavior, social dynamics, and existential angst.

His later frequent trips to Manhattan, especially to the Museum of Modern Art and public libraries, nurtured his voracious appetite for knowledge. This intellectual curiosity became a hallmark of Kubrick's filmmaking style, evident in his meticulous research and thematic complexity.

Impact on Kubrick's Aesthetic and Themes

- Urban Realism: Kubrick's early New York life contributed to his nuanced portrayal of urban settings, as seen in *The Killing* and *Eyes Wide Shut*.
- Existential Angst and Isolation: The crowded yet isolating nature of New York informed Kubrick's recurring themes of alienation.
- Cultural Melting Pot: New York's diverse population allowed Kubrick to explore varied perspectives and human conditions.

Kubrick's Jewish Intellectual Heritage

Stanley Kubrick was born into a Jewish family, and although he didn't overtly focus on Jewish themes in his films, his heritage shaped his intellectual approach and worldview.

Jewish Identity and Its Subtle Influence

Kubrick's Jewish background was more cultural and intellectual than religious. In mid-20th century New York, Jewish communities often emphasized education, critical thinking, and engagement with the arts—values that Kubrick embodied throughout his life.

This intellectual tradition is reflected in Kubrick's films' existential and philosophical inquiries, often questioning morality, authority, and human nature. His Jewish heritage can be seen as a lens through which he examined broader human concerns rather than a topic to be explicitly dramatized.

Intellectualism and Critical Thinking

- Skepticism of Authority: A trait common in Jewish intellectual circles, skepticism toward authority and dogma permeates Kubrick's films (Dr. Strangelove is a prime example).
- Ethical Complexity: Kubrick's narratives often avoid clear-cut moral judgments, reflecting a nuanced ethical perspective.
- Engagement with Philosophy and Psychology: Kubrick's works frequently engage with deep philosophical and psychological themes, such as free will (A Clockwork Orange) and existential dread (The Shining).

The English Language as Kubrick's Cinematic Medium

Despite being an American born and bred, Kubrick's films are predominantly in English and reflect a transatlantic sensibility. His English-language films are celebrated worldwide for their linguistic precision and cultural resonance.

Choice of Language and Global Reach

Kubrick's use of English was natural, but his films' thematic universality and intellectual rigor helped bridge American and European audiences. Kubrick lived for much of his adult life in England, which further influenced his cinematic language and collaboration with British actors, technicians, and studios.

Notable English-language Films and Their Intellectual Depth

- Paths of Glory (1957): A critique of military bureaucracy and the futility of war.
- 2001: A Space Odyssey (1968): An exploration of human evolution, technology, and existential meaning.
- A Clockwork Orange (1971): A dystopian study of free will, violence, and societal control.
- The Shining (1980): A psychological horror that delves into madness, isolation, and the supernatural.

Pros and Cons of Kubrick's Intellectual Style

Kubrick's intellectual approach to filmmaking is both a strength and, at times, a source of criticism. Below are some key points to consider:

Pros

- Depth and Complexity: Kubrick's films reward repeated viewings and deep analysis.
- Meticulous Craftsmanship: His research and attention to detail elevated cinema as an art form.

- Philosophical Engagement: Kubrick challenges viewers to think critically about society, morality, and human nature.
- Visual and Narrative Innovation: His intellectual rigor fostered groundbreaking storytelling techniques.

Cons

- Perceived Coldness: Some critics argue Kubrick's films can feel emotionally detached or clinical.
- Accessibility: The dense themes and complex narratives may alienate casual viewers.
- Ambiguity: Kubrick's refusal to offer clear answers frustrates those seeking straightforward storytelling.

Kubrick's Legacy as a New York Jewish Intellectual in Cinema

Kubrick occupies a unique place at the crossroads of American intellectualism, Jewish cultural heritage, and cinematic innovation. His New York upbringing provided the raw material, while his Jewish intellectual background shaped his critical perspective on human nature and society. By using English as his primary artistic medium, Kubrick made his ideas accessible to a global audience.

Influence on Contemporary Filmmaking

Many filmmakers cite Kubrick as a major influence, particularly for his intellectual ambition and technical mastery. Directors such as Christopher Nolan, Paul Thomas Anderson, and Denis Villeneuve have acknowledged Kubrick's impact on their work.

Enduring Relevance

Kubrick's films continue to be studied in academic settings and enjoyed by cinephiles worldwide. Their intellectual depth, combined with the cultural imprint of Kubrick's New York Jewish background, ensures that his work remains relevant and inspiring.

Conclusion

Stanley Kubrick New York Jewish Intellectual Engl encapsulates an extraordinary fusion of cultural identity, intellectual rigor, and artistic innovation. Kubrick's Bronx upbringing, Jewish intellectual heritage, and mastery of the English language shaped a filmmaking style that is as intellectually challenging as it is visually stunning. His legacy endures not only because of his cinematic achievements but also due to the rich cultural and intellectual backdrop from which he emerged. For

anyone interested in the interplay of culture, intellect, and art, Kubrick's life and work offer an endlessly rewarding study.

Question Answer How did Stanley Kubrick's upbringing in New York influence his film style? Kubrick's New York upbringing exposed him to a diverse cultural environment that enriched his perspective, contributing to his meticulous visual style and thematic depth in films. In what ways did Stanley Kubrick incorporate Jewish themes or influences into his work? While not overtly religious, Kubrick's works often explore themes of morality, intellect, and societal structure, which some interpret as reflecting Jewish intellectual traditions and cultural considerations. Why is Stanley Kubrick considered a significant figure among New York's Jewish intellectual community? Kubrick's intellectual approach to filmmaking, combined with his New York roots and engagement with complex philosophical themes, has made him a prominent figure admired within Jewish intellectual circles. What aspects of New York's cultural scene during Kubrick's early years influenced his artistic development? The vibrant art, theater, and literary scenes of early 20th-century New York provided Kubrick with a rich cultural backdrop that fostered his creative curiosity and attention to detail. How has Stanley Kubrick's work been received by Jewish scholars and critics in England? Many Jewish scholars and critics in England have appreciated Kubrick for his intellectual rigor, thematic complexity, and innovative filmmaking, viewing his work as a reflection of deep cultural and philosophical inquiry. Did Stanley Kubrick have any known connections or collaborations with Jewish intellectuals or artists? While specific collaborations are limited, Kubrick's films often engaged with themes relevant to Jewish history and philosophy, and he was influenced by various intellectual circles that included Jewish thinkers. What role did New York's Jewish community play in shaping Kubrick's worldview? Growing up in a Jewish community in New York, Kubrick was exposed to diverse cultural and intellectual traditions that informed his worldview, emphasizing critical thinking and a questioning attitude. How is Stanley Kubrick's legacy perceived in contemporary discussions about Jewish influence in film and art? Kubrick is often regarded as a pioneering filmmaker whose work exemplifies the depth and complexity associated with Jewish intellectual traditions, inspiring ongoing dialogue about cultural influence in cinema.

Related keywords: Stanley Kubrick, New York, Jewish, intellectual, English, filmmaker, cinema, auteur, 20th century, documentary

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