"Pirates," according to Bobbie Johnson in these pages last week, "are costing Hollywood billions in lost profits." Just as George W says we’re either with him or against him in the war against evil, so the Motion Picture Association of America (MPAA) goes on the attack against those who dare to, uh, think different.

The MPAA is a rich lobby group, with powerful allies in the World Trade Organisation and an international copyright regime which favours corporate profits over individual freedoms. But is the MPAA justified in its war against the pirates? And are its claims of lost billions even credible?

A few years ago, Margaret Matheson and I tried to make a British TV mini-series based on HG Wells’ The War of the Worlds. Wanting to do things right, we contacted Aardman Animation, and, though in the thick of Chicken Run, they were very interested. Most of the rights to the book - including all US rights - had long ago fallen into the public domain. Only the British rights appeared to be privately held: by a former rock musician who hoped to turn Wells’ story into a travelling stage musical along the lines of Blood Brothers or Fame. He was determined to hang on to them.

So, we thought, let’s wait: in less than a year all rights to Wells’ intellectual property were due to fall into the public domain. At that point, we and anyone else, would be free to adapt his works throughout the world. Well, we were wrong. A group of bureaucrats in Europe decided to extend artistic copyrights by another 15 years. So our musical friend could sit on the project that much longer.

Last week a Hollywood studio announced that it would make War of the Worlds with Tom Cruise. They aren’t going to be making the musical version, either: but they had big money, and in matters of intellectual property, money is all that counts. In theory, we authors have an "inalienable moral right" to own our work. In fact, every time we make a contract with a studio, we assign away this so-called inalienable right and pass it to the corporate owner, usually for all time.

When the MPAA complains that it is losing billions to piracy, my first reaction is, so what? The Hollywood studios are already hugely wealthy; their power increases constantly, as does the power of other multinational copyright- and patent-holders such as the pharmaceutical firms.
mega-threat which would cost Hollywood billions in lost profits, and mean the ruin of the industry. The claim, of course, was rubbish. Instead home video created a new product, and several new revenue streams. Consumers taped off air, but they also went out and bought studio videotapes at premium prices.

But is the MPAA’s claim that Spider-Man piracy has cost Columbia Tristar millions in lost profits even true? Spider-Man is one of the most successful studio releases of recent years. Currently the only pirate versions available on the internet are of incredibly bad quality, shot by somebody’s camcorder off a cinema screen. To download them from the web, you have to be fanatical, and very easily pleased.

High-quality "pirate" versions of Spider-Man or Attack of the Clones will not be available until the DVD comes out; downloading them will require a super-fast internet connection. The DVD release of both films is many months away. What fanatical Star Wars or Spidey fan is going to sit at home for six months waiting for a decent pirate internet version without seeing it at the pictures (probably several times) first?

Every new technology so far introduced (whether current such as CDs and DVDs, or defunct like 8-tracks and Beta players) has seen an increase in distributors’ sales and profits. These profits are enhanced by the manipulation of copyright and intellectual property law, and by restrictive practices such as the creation of six arbitrary DVD "regions" instead of the "one world" of CDs.

MPAA executive Fritz Allaway told Bobbie Johnson, “We have seen our future, and it is terrifying.” I - like a lot of other independent directors and producers - would like to see the future get much more terrifying for Fritz and his pals; with a radical reform of copyright and patent law, and a curbing of behemoths such as AOL/Time/Warner, News International/Fox and Vivendi/Universal/UIP.

Corporate multinationals, wielding unchecked power, terrify me far more than kids with video cameras. In fact, the latter, such as the Norwegian schoolboy who cracked the DVD code, encourage me greatly: their resourcefulness and creativity - rather than the special pleading and restrictive practices of the MPAA - represent a possible bright future for our industry.