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FOR ENGINEERING AND SCIENCE

# Judge Dismisses Indictment Against MIT Computer Whiz

## Year

1994

## Description

An article about the dismissal of the U.S. Attorney's case against David LaMacchia on charges of wire fraud.

## Body

Boston (Reuter) - The Reuters European Business Report via Individual, Inc.: A federal judge Thursday dismissed an indictment against a Massachusetts Institute of Technology student who had been accused of the biggest case of computer software piracy ever.

The student, David LaMacchia, 20, was indicted March 7 on a charge of conspiracy to commit wire fraud.

He was accused of using the university's computers to distribute pirated software over the Internet, the web of global computer networks.

The U.S. Attorney in Boston, Donald Stern, had called it the largest single case of software piracy to date.

Although U.S. District Court Judge Richard Stearns was critical of LaMacchia's actions, he ruled he could not be prosecuted under a wire fraud statute because it could result in a flood of actions against home computer users copying even single

software programmes for their own use.

However, the judge described LaMacchia as "heedlessly irresponsible, and at worst as nihilistic, self-indulgent and lacking in any fundamental sense of values."

According to the indictment, LaMacchia, an electrical engineering and computer science student, used two MIT computers to create bulletin boards from which Internet users could post or copy commercial copywrited software worth close to \$1 million.

He was accused of using the computer aliases "John Gaunt" and "Grimjack" to operate the bulletin board from November 1993 to January 1994.

LaMacchia was not accused of profiting from the scheme, nor was he accused of personally posting or copying any software on the bulletin board.

The Software Publishers Association, a trade group representing software makers, estimates software piracy cost manufacturers about \$1.6 billion last year.

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