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April 2003

# ONLine<sup>TM</sup>



*The*  
**ABCs of  
AVS**

**X-Vision**  
*3D For Your PC*

*Gay*  
**101**  
*Porn*

*Saucy Chat with*  
**National A-1**

*Pot &*  
**Pornography**

*39*  
*Pages of*  
**Internet**

USA	CANADA
\$6.95	\$9.95

SEXUALLY ORIENTED MATERIAL

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## Virtual Sex Isn't Free Anymore

**A**s I sat down to write this, it occurred to me that not much has changed with the "old timers" in the adult business over the past two years. If you'll recall, I wrote an article called "The Virtual Future of the Sleeping Sex Industry" for the July 2001 issue of *AVN Online*. It was always my intention to write a follow-up to announce how the industry had awakened. Instead, I keep finding more examples of an even deeper slumber than I originally perceived.

Case in point: Trademarks. We all know about brands like "Kodak" and "Polaroid"; some folks in the adult industry learned the hard way about "Playboy," when Hef and Co. went on the

trademark. Now, many of you will say, "That's silly! You can't register 'virtual sex'! It's a common phrase." I'll bet a lot of you out there have it in your key words or metatags. You probably use it to describe cybersex on your Website. Well, pretty soon, you may have to say "sex without actually being there," or maybe "sexual relations in a virtual reality environment." Because my friends, you won't be saying "virtual sex." Not without referring to Digital Playground's group of products.

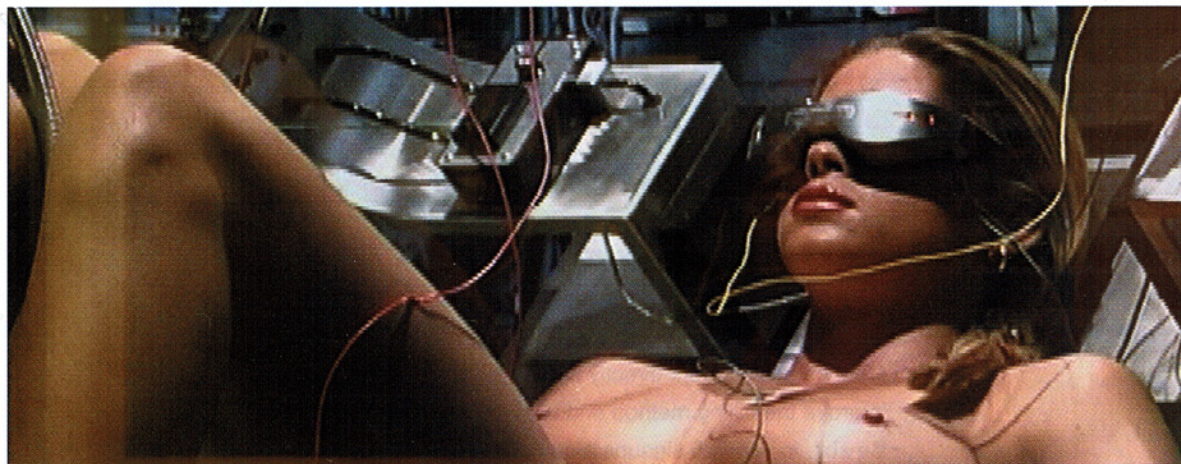
That's right, Digital Playground applied for the trademark a little over two years ago, and at the time of this writing, they had reached the stage of the process known as "filed for opposition." What this means is they are a hop, skip,

oppose the registration.

I should point out that I have a financial interest here. As you may or may not know, my company manufactures the Virtual Sex Machine. Since the phrase "virtual sex" is a part of my product, if this trademark registration "issues," my company could be in violation.

My question is, how many of you use that phrase without thinking? How many of you selling DVDs, tapes, and streaming video have a category on your site or in your store called "virtual sex?" How many of you use it in common speech to reference the broad topic of anything computer- or sex-related?

I contacted anyone I could find who would



hunt for Websites infringing on their trademark. And it was important that they did. "Aspirin" at one time was a trademark owned exclusively by Bayer, but Bayer didn't police their trademark, resulting in other companies – and consequently, the public at large – to refer to acetylsalicylic acid (what aspirin actually is) as "aspirin." When this eventually came to trial – after Bayer woke up – the court ruled that because they had not policed their trademark, "aspirin" had become the generic term for that particular pain reliever. Now, you can walk into every pharmacy in America and see multiple brands of "aspirin."

But "Kodak," "Polaroid," and "Playboy" are the "obvious" trademarks that all of us know on sight. What concerns me is companies trying, and succeeding, in registering common phrases as trademarks, especially ones that concern our industry. One that came to my attention is Digital Playground's registration of "virtual sex" as a

and a time stamp away from owning the right to say "virtual sex" in any context related to our industry. And if *you* do it without DP's permission, you can bet that the lawyer brigade will be around to see you. I have already witnessed 20 affidavits from distributors who have given up the right, in order to avoid legal action.

The trademark file, or "wrapper" as they call it in the U.S. Patent & Trademark Office, is more than 600 pages in length. I know because I stood there in the office and went through every page as dignitaries walked by, wondering what this handsome guy (okay, slightly balding, overweight, and middle-aged guy) was doing, going through pages of censored adult magazine ads and legal pages, and photocopying them (at 25 cents per page, mind you).

As it turns out, I'm the only guy in the adult industry who filed what is called "extension of time to file opposition" before the deadline to

obviously be affected by this registration; I didn't want to be the only guy fighting and footing the bill for the legal battle to come.

Alas, much of the industry, it seems, is still asleep. I heard back from *one* concerned company – *after* the time to oppose had expired.

I asked J.D. Obenberger for his opinion on the matter, and his response was, "How interesting." Does a lawyer saying that make a chill run down your spine like it does to me?

As far as I know, mine is the only opposition timely filed. I will keep you posted as things progress. You can also follow the action on the Patent & Trademark Office's Website at [www.uspto.gov](http://www.uspto.gov).

And take my advice: Watch your back, and watch your investments. ◊

*Eric J. White is the CEO of Virtual Reality Innovations, Inc. ([www.vrinnovations.com](http://www.vrinnovations.com)).*



## X-Vision

### A New Dimension in Virtual Reality Sex

One of the best parts of my job is testing new technology and figuring out how it can help to increase my company's sales. We've all heard the promise of 3D video, and anyone who's seen the IMAX film *Space Station* will be a believer. I've found a product that can

be purchased for a little more than a hundred bucks that will turn your entire adult DVD library into very real-looking 3D. It's called X-Vision ([www.x-vision3d.com](http://www.x-vision3d.com)), and it's terrific.

Most of us have experienced some form of 3D film or photos. As a child, you probably had a View-

Master picture disc of your favorite comic book, TV hero, or cartoon character, and you were amazed at how "real" they looked. This method of stereoscopy goes back a century or so. It works by putting two pictures of the same thing in front of your eyes, and forcing each eye to look at a

slightly different angle of the picture, just like you do every day as you look around your world with your two eyes. The View-Master, or stereo viewer, works on the same principle, giving a pair of two-dimensional photographs the appearance of three dimensions.

The IMAX film *Space Station*





works on a similar, but more sophisticated, principle; and in this case, you wear a pair of what are called "shutter glasses." If you take your glasses off in the theatre, you'll see a blurry double image and may start to wonder if you're having flashbacks to the morning after an Internext party in Vegas. Don't worry; you're not. What's happening is that you're seeing two pictures shot by a special camera rig with off-set lenses that switch back and forth between the images very

quickly. Your shutter glasses are also performing this ritual, synchronized by an infrared light signal flooding the room. It's all very high tech, and yes, it's all very expensive.

Since most of the adult industry works on a slightly tighter budget than the cost of even one roll of the special 70mm IMAX film, you haven't seen many 3D adult movies. There have been a few attempts using special equipment and home-user shutter glasses, but because the 3D effect must be created during the shoot, the small budgets on the majority of adult productions just aren't conducive to the process.

Enter the folks at X-Vision Technologies, who have found a way to deliver 3D at home, and to do it inexpensively and well. Not only that, the system works with all existing DVDs. How, you ask? In a nutshell, they use a proprietary software and hardware combina-

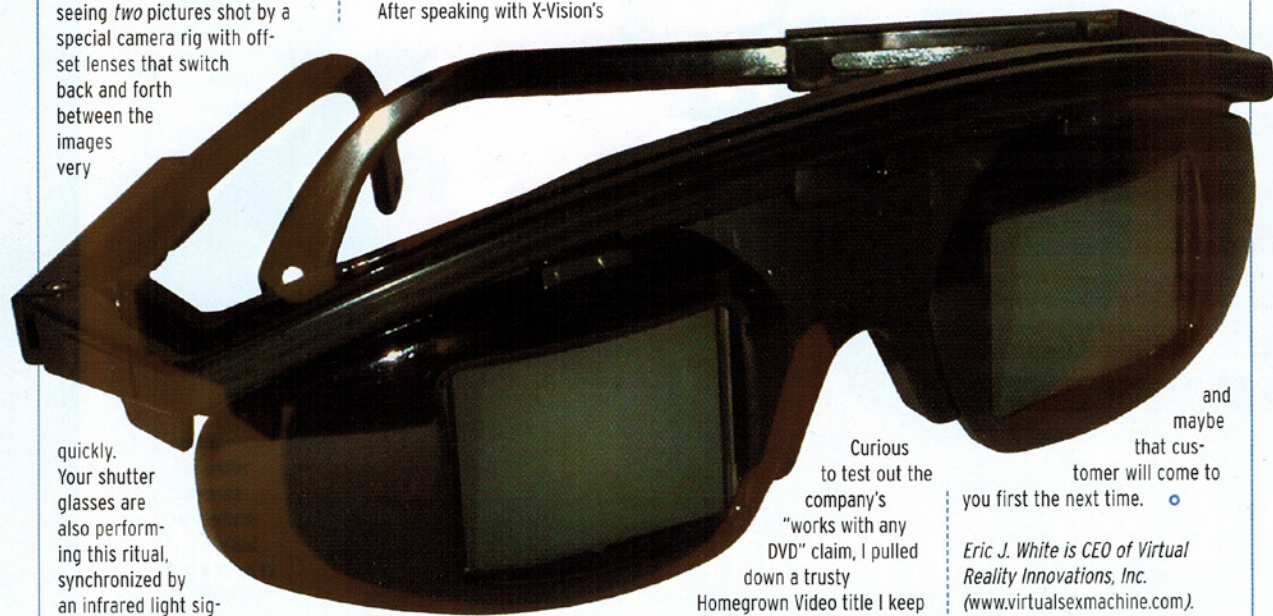
tion that interprets the DVD video and calculates the proper angles and shifting of the image on the fly. If you understand what's involved with that, you'll be impressed. If not, trust me: It's no easy task. More remarkable still, they've made the technology affordable and passive – and remember, it works with your current DVD collection.

After speaking with X-Vision's

popped it into my DVD drive. After a brief software install, I was eager to see some 3D double-Ds – and I wasn't disappointed. The girl really looked like she was standing in the room. She was popping off the screen at me! I watched the video for a while (purely for research, mind you), and a guy in one of the scenes nearly poked my eye out – or seemed to, anyhow.

increasing pool of competitors, a company needs every edge it can get. The folks at [www.x-vision3d.com](http://www.x-vision3d.com) have an affiliate program, so why not?

I see a whole new marketing angle here: You can sell your titles with the added description of "3D compatible." Click here to learn more." Bam! An additional sale,



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CEO, Michael Epstein, I learned that the company also sells this technology to the gaming and general release sector of the industry under the name eDimensional, Inc. He agreed to send me a kit that the company markets specifically to the adult sector. When I opened the package, I found a small box, a little infrared transmitter, and a pair of lightweight, self-contained shutter glasses. (I say lightweight, because my previous experiences with 3D involved heavy screened visors and trackers.) These glasses didn't weigh much more than a pair of sunglasses.

It was a simple hookup. I put the small box in line with my monitor, put the tiny infrared transmitter on top of it, and tried on the glasses. I pulled out one of the three free DVDs that came in the box and

on the shelf (just for testing purposes, like this). Sure enough, I experienced the same results. The action was as real as it gets from a visual perspective. Now I really wanted to test the product's adaptability, so I got out my New Line Platinum Extended Edition of *The Lord of the Rings: The Fellowship of the Ring* and tried that as well.

I still swear that dragon flew across the ceiling of my office.

I'm not kidding: I was really amazed at the quality and clarity of this piece of equipment. At a little more than a hundred bucks for the wired kit and 3 DVDs, it's a deal. For anyone selling DVDs, it's a natural marketing add-on. In the adult market, where every-

Curious to test out the company's "works with any DVD" claim, I pulled down a trusty

Homegrown Video title I keep

and maybe that customer will come to

you first the next time. ○

Eric J. White is CEO of Virtual Reality Innovations, Inc. ([www.virtualexmachine.com](http://www.virtualexmachine.com)).

## System Requirements

- PIII or AMD chipset operating at 550 MHz or better
- Windows 98SE/Me/2000/NT/XP
- 128 MB RAM
- 100 MB free hard-drive space
- Video card
- Sound card
- DVD-ROM
- DirectX 8 or better
- CRT monitor

## Features at a Glance

- Works with any DVD
- Supports MPEG and AVI files
- Fully adjustable; fits even over eyeglasses
- Nothing internal to install; quick-and-easy auto-installation
- Requires no open USB or serial ports
- Supports both PAL and NTSC DVDs (any region)