

Of course, “MoFi-gate” – as it has been coined in the blogosphere – could have been avoided. Why all these years no one at Mobile Fidelity thought that the deception would be eventually discovered is a mystery.

My educated guess is they didn’t want to run the risk of losing the all-analog purists, some of whom now feel extremely deceived because they thought they could detect the difference between a vinyl record culled from an original tape vs. a digital source from which the lacquer was cut.

At the top of many covers is the trademarked ORIGINAL MASTER RECORDING in gold lettering, which buyers always assumed meant it was from the analog tape. Other MoFi covers are labelled in silver at the top MOBILE FIDELITY SOUND LABS, the label’s faithful figured that it could have been a non-original tape. It’ll be up to the pending cases’ judges and/or juries to figure out those phrases’ true meaning, or MoFi’s intention.

Capitol Records certainly understood “imitation is the best form of flattery” when it reissued in 1987 John Lennon’s Imagine with a front cover that has a white stripe across the top that reads in silver “DIGITALLY RE-MASTERED” in a font similar to MoFi’s.

Ironically, that year the Beatles’ first CDs were released and digitally remastered for that format, which the industry sold consumers as having superior sound.

Over the years, MoFi has introduced such proprietary vinyl sonic enhancements as its “Gain 2 Ultra Analog” cutting system; streamlined “One-Step” stamper process; and “Pure Vinyl” PVC material that gets pressed as finished records, which

had been done by Record Technology Inc. (RTI), of Camarillo, California.

Later in 2023, MoFi is planning to open its own manufacturing facility, Fidelity Record Pressing, in Oxnard, California (about 10 miles west of RTI), in partnership with RTI’s longtime chief technician and his son. The move is similar to what Vinyl Me, Please did in Denver, Colorado, recruiting away Salina, Kansas-based Analog Productions’ sister company Quality Record Pressing’s chief technician. Both new facilities are designed to more quickly get records into a bottlenecked marketplace try to keep up with consumer demand.

With pending litigation at stake, the company’s strategy clearly has been to say as little as possible about past transgressions. Two lengthy interviews that Davis did last fall with *The Absolute Sound* and *Stereophile* focused on how MoFi is producing records going forward. It’s unclear whether those publications’ editors who conducted the interviews asked Davis the obvious and hard questions.

In the first class-action federal lawsuit filed on Aug. 4, 2022 in Washington State, MoFi’s “statements and material omissions about the quality of characteristics of certain of its analog vinyl recordings were false and deceptive and/or had the capacity to deceive the buying public.”

In the second suit filed in Chicago on Aug. 18, 2022, an Oct. 9, 2020 email exchange between a consumer and customer service rep is cited and could possibly be regarded as a smoking gun:

“There is no analog to digital conversion in our vinyl cutting process. Any product that bears the ORIGINAL MASTER RECORDING stripe on the jacket lets the customer know that the original

Master Tape was used to produce the release ... We do not use digital sources except in cases where’s the title’s original master was digital itself.” In the middle of the email, the recipient is told that in instances where a tape could not be fully verified “in the interest of honesty, it’s not granted the ORIGINAL MASTER RECORDING stripe.”

BUSINESS ETHICS ASIDE, IN class-action suits usually the lawyers make out best financially, not the class members. In October, I received a gift card for \$5.86 from target.com as restitution for buying a laptop with an optical disc drive that apparently prompted class-action litigation.

Music industry researcher Russ Crupnick estimated last year that 2 million U.S. consumers – one in eight who buy vinyl – consider themselves audiophiles. But that doesn’t necessarily mean they bought a new MoFi record since 2011, or that the plaintiffs will prevail in what these days usually appears to be a pro-business/anti-consumer legal environment.

In my opinion, one way MoFi could have showed some good will to its pissed-off customers would have been to offer a sizable discount to purchasers who could prove they bought a MoFi record in the past, but that didn’t happen. Time will tell if the court of public opinion has died down since the crisis’ early days.

After the *Washington Post* covered the controversy, MoFi has put on a “Business As Usual” face, even to the extent of keeping up its motto “The Indisputable Leader in Audiophile Recordings” and sticking to its release schedule.

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