CDT Letter to Senators Responding to the MPAA on the PROTECT IP Act

September 23, 2011
Filed under

Supporting Documents

CDT sent this letter to Senators as a response to a September 20 letter by the Motion Picture Association of America (MPAA) and a number of its allies concerning S. 968, the PROTECT IP Act. While we agree with the bill's goal of combating the online infringement of copyrights and trademarks, some of the specific provisions of S. 968 are far more controversial and would do far more damage than MPAA's letter suggests. The letter offers the following responses:

- Internet engineers with unassailable domain name system expertise have warned that S. 968 could stop DNSSEC – a crucial effort to improve Internet security, over 15 years in the making – dead in its tracks. The Internet Society likewise states that domain-name filtering will impede DNSSEC and decrease global security. There is no basis for the MPAA's breezy dismissal of the serious technical and security problems with portions of S. 968.
- The MPAA letter cites a recent report by the UK telecom regulator Ofcom, but omits that the UK government's response to the Ofcom report was to decide not to move ahead with site-blocking regulations that had been proposed.
- MPAA's letter cites a favorable editorial by the Washington Post, but both The Los Angeles Times and the New York Times penned editorials calling the bill "problematic" – in large part because it "could undermine efforts to build a more reliable and fraud-resistant domain name system."
- 108 law professors have signed a letter expressing the view that the bill has "grave constitutional infirmities" because it would suppress speech at blocked domain names before a final determination of illegality.
- Over 50 of the country's most prominent venture capitalists, key technology trade associations, and major Internet companies have argued that parts of S. 968 risk stifling innovation and investment and would threaten more jobs than they would safeguard.

Links to the resources we cite are included in the letter. The letter also reiterates CDT's position that a narrower bill that "followed the money" and did not place obligations on DNS providers would have the most impact on online infringement without such certain risk of collateral damage.

Copyright © 2013 by Center for Democracy & Technology
The content on this website that originates with CDT can be freely copied and used as long as you make no substantive changes and clearly give us credit. Details.
Source URL: https://www.cdt.org/letter/cdt-letter-senators-responding-mpaa-protect-ip-act