

# Stop SOPA and PIPA

I just posted a blog post on the MIT Media Lab blog officially taking a position against SOPA and PIPA. This is a longer blog post co-authored with Ethan Zuckerman describing the issue in more detail.

SOPA — the Stop Online Piracy Act — and a sister bill, PIPA — the Protect IP Act — seek to minimize the dissemination of copyrighted material online by targeting sites that promote and enable the sharing of copyright-protected material, like The Pirate Bay. While this goal may be laudable, entrepreneurs, legal scholars and free speech activists are worried about the consequences of these bills for the architecture of the Internet. At the MIT Media Lab, we share those concerns, and we oppose SOPA and PIPA as threats to innovation on the Internet.

To limit access to rogue sites, SOPA and PIPA would:

- supersede the “notice and takedown” method of policing for copyrighted material on Internet services and require service providers to police content uploaded by users or prevent users from uploading copyrighted content
- require Internet Service Providers to change their DNS servers and block resolution of the domain names of websites in other countries that host illegal copies of content
- require search engines to modify their search results to exclude foreign websites that illegally host copyrighted material
- order payment processors like PayPal and ad services like Google AdSense to cease doing business with foreign websites that illegally host copyrighted content

Major internet companies, including Google, Facebook, Twitter and others, oppose SOPA and PIPA because it

changes the liability rules around copyright infringement. Under the Digital Millennium Copyright Act of 1998, companies are protected from charges of “contributory infringement” on content uploaded by users, so long as the company follows a procedure and remove infringing content when an alert process is followed. SOPA substantially alters this system, and internet companies worry that without protection from contributory infringement, user-generated content sites like YouTube and Twitter would not have come into existence. The burden of reviewing user-submitted content — every blog post, every video, every image — would be impossible for a company to manage, and companies would have likely stuck with the Web 1.0 model of publishing edited, vetted content instead of moving to a Web 2.0 model where users create the content. Several internet companies took out a full-page ad in the New York Times to express their concerns about SOPA and PIPA.

Free speech advocates, like the Electronic Frontier Foundation, worry that SOPA may provide powerful new tools to silence online speech. Confronted with uncomfortable political speech, repressive governments often seek to silence dissent by reporting content as defamatory, slanderous or copyright infringing, hoping the companies hosting the speech will remove the content. SOPA accelerates the process of copyright removal, with a mechanism that permits copyright holders to obtain court orders against sites hosting copyrighted materials and have those sites rapidly blocked. Scholars of online censorship, like Rebecca MacKinnon at the New America Foundation, worry that SOPA may be popular with the Chinese government as with the copyright holders who are lobbying for the bill.

US law already permits the seizure of domestic domain names that are used for piracy, and the US seized 150 domains in November. SOPA is an attempt to enforce copyright provisions across international borders by prohibiting American internet users from accessing certain foreign websites, like The Pirate Bay. In effect, it would create a firewall to prevent users from accessing prohibited intellectual

property, much as China's “great firewall” limits access to politically sensitive information.

Harvard legal scholar Lawrence Tribe believes that SOPA is likely unconstitutional, as it can remove constitutionally protected speech without a hearing, a form of “prior restraint.” In a memo sent to members of Congress, he points out that SOPA proposes a system where a single instance of prohibited material could lead to the blocking of thousands of unrelated pieces of content.

Internet experts have observed that, beyond being dangerous to innovation, harmful to speech and potentially unconstitutional, SOPA and PIPA are unlikely to work. Countries that block access to prohibited websites by altering the domain name system — as Vietnam does in blocking access to Facebook — find that millions of users are able to circumvent this form of censorship. Millions of Vietnamese users have become Facebook users by entering that site’s IP address into their browsers, or configuring their computers to use an uncensored DNS server. It’s likely that dedicated US users of The Pirate Bay and other sites will do likewise. Effectively blocking access to sites like The Pirate Bay might require US ISPs to install powerful and expensive “deep packet inspection” software, a cost that would inevitably be passed onto their users.

The progress of the bills was slowed in late 2011 by widespread online activism opposing SOPA and PIPA. Hearings are likely to resume early in 2012, and opponents of the bills are facing off against organized lobbying campaigns by the music and film industries who support the legislation. On November 16, 2011, participatory media company Tumblr took strong online action against SOPA, redirecting requests for content on the site to a page that urged users to call US representatives and oppose the bill — their daylong campaign generated more than 87,000 calls to Congress. Internet community site Reddit plans a site-wide “blackout” on January 18th to inform users

of the potential harms of SOPA and PIPA. Wikipedia is considering doing the same.

In the spirit of these protests, the MIT Media Lab has linked this blogpost to all our site pages, encouraging anyone interested in the work we do to learn more about SOPA and PIPA. More information and resources follow below. We believe that SOPA and PIPA would make it harder for Media Lab students, researchers and faculty to do what we do best: create innovative technologies that anticipate the future by creating it. We hope you'll join with us in opposing these bills and, if you are a US citizen, in letting your representatives know your concerns about this legislation.

...Joi Ito, director, MIT Media Lab  
<http://joi.ito.com/weblog/2012/01/15/why-we-need-to.html>

## SOPA Not Done Yet

Internet opponents of a pair of controversial Hollywood-backed copyright bills won a temporary reprieve today, when upcoming votes in the Senate and House of Representatives were postponed. But the lobbyists and politicians backing the Stop Online Piracy Act, or SOPA, and Protect IP haven't given up.

"We must take action to stop" online piracy and counterfeiting, Senate Majority Leader Harry Reid, a Democrat, said today. Reid, who previously called the Protect IP bill an "extremely important" piece of legislation, said he believed it could move forward "in the coming weeks." (See CNET's FAQ on SOPA and today's Reporter's Roundtable.)

Reid's comments came after this week's historic online protest — Wikipedia going dark for a day, alerts appearing on the home page of Google.com and Amazon.com — roiled Washington officialdom and

obliterated long-held assumptions about whether it would be politically safe to advance a measure opposed by millions of Internet users.

The danger for the anti-SOPA contingent is that, over time, when this week's outcry recedes into memory, Hollywood and its allies will regroup around a new bill with a different name but only a slightly different approach. The Motion Picture Association of America may have lost this round, but dozens of U.S. senators are still publicly applauding the idea, and, if history is any indication, the MPAA is willing to wait.

"I expect this threat to resurface," said Jerry Moran of Kansas, the first Republican senator to oppose Protect IP.

And some of Hollywood's closest allies are promising that will happen. Protect IP "deserves to be considered," Sen. Chris Coons, a Delaware Democrat, said today. Protect IP's author, Sen. Patrick Leahy, a Vermont Democrat, said he hopes "to send a bill to the president's desk this year."

For its part, the MPAA sounded unapologetic and unrepentant. "As a consequence of failing to act, there will continue to be a safe haven for foreign thieves (and) American jobs will continue to be lost," MPAA Chairman Chris Dodd said in a statement this morning. (Dodd, clearly not a reliable prognosticator, initially dismissed the protests as "stunts.")

The unrepentant tone was shared by a collection of groups including the American Federation of Musicians, the American Federation of Television and Radio Artists, the Directors Guild of America, and the Screen Actors Guild. They said in a joint statement that critics of the legislation offered an "onslaught of mistruths" to the public.

Texas Rep. Lamar Smith, Hollywood's favorite House Republican and the author of

SOPA, said that he would delay a vote on his legislation — but warned that it was only a delay. The House Judiciary Committee "remains committed to finding a solution to the problem of online piracy that protects American intellectual property and innovation," said Smith, who counts Hollywood as the top donor to his campaign committee.

Copyright Alliance Executive Director Sandra Aistars said today that "the status quo is unacceptable."

Aistars, whose group counts as members the MPAA, the Business Software Alliance, News Corp, and CNET parent company CBS Corporation, said "meaningful remedies for independent artists and creators [are needed] to effectively combat the mounting problem of rogue Web sites." Aistars did not respond to a request from CNET asking for an elaboration on what "meaningful remedies" meant, and whether that included attempting to block allegedly piratical Web sites, one of the most controversial sections of SOPA and Protect IP.

Of course, wanting to enact legislation isn't the same as actually possessing the political muscle to pull it off. And the sheer numbers involved in this week's protest — the FightForTheFuture.org advocacy group calculates that more than 13 million Internet users were involved in one way or another — will surely make politicians leery.

On the other hand, the most significant impact of Web site blackouts comes with the initial one. The first time Wikipedia goes offline, it's a historic moment. The second or third or fourth time, it's an annoyance.

...Declan McCullagh  
[http://news.cnet.com/8301-31921\\_3-57363243-281/protect-ip-sopa-supporters-vow-not-to-give-up-fight/](http://news.cnet.com/8301-31921_3-57363243-281/protect-ip-sopa-supporters-vow-not-to-give-up-fight/)

## February Calendar

February 6 — Amiga-By-The-Loop Chapter  
7:30 PM — Main Grand Prairie Library  
901 Conover Drive, Grand Prairie

February 6 — Board of Director's Meeting  
Approximately 9:15 PM — Location TBD

February 27 — Newsletter Deadline — 8:00 AM

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