

# PIPA

## 1. INTRO

## 2. POSITIONING

a. Anti-PIPA stance

b. Not an adequate solution to the online-piracy problem

i. Selective blocking/restriction of specific domain names

1. blocking a domain name would not stop downloaders

a. individuals are still able to access websites by inputting IP address without needing to input the domain name

b. possibility of mirroring

c. infeasibility of blocking all infringing sites (one door closes, another opens idea)

ii. Does more damage than good

1. Restricts and confines the internet

a. Inhibition of creativity

i. Discourages

b. Potential threat to technical innovation

c. Threat to business, particularly small businesses

i. Can be affected if government believes there is even the slightest infringement

d. Undermines the fabric of the internet

i. Potential threat to the stability of the internet (?)

ii. The sharing of information, challenged and restricted

Irvine, CA 92612

May 7, 2013

Congressman Brad Sherman  
5000 Van Nuys Blvd., Suite 420  
Sherman Oaks, CA 91403

Dear Congressman Sherman,

The Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act, also known as the PROTECT IP Act or PIPA, was proposed on May 12, 2011, in the Senate. Though it did not pass, it has been an area of concern for me for quite some time. PIPA was proposed to address the issue of online piracy. More specifically, it was introduced to combat the illegal downloading of various media including music, movies, and software. Though there is a need to prevent and curtail online piracy, PIPA and bills like it are simply not the answer; rather, if legislators are not careful, such bills could do more harm than good.

PIPA was meant to protect the intellectual property rights of content creators by attempting to remove the source of pirated online goods. It did so by essentially blacklisting the domain names of identified infringing, unauthorized websites; in doing so, individuals are supposedly unable to access those webpages and download content illegally. These websites are blocked or otherwise shut down. The act will also allow corporations to sue US-based search engines, forums, or any other website for even posting links to one of these infringing websites. In theory, PIPA may have seemed like a logical solution to combatting online piracy; however, this act was quite flawed.

PIPA allows the Government to terminate the domain name server (DNS) which directs a URL to what is called an IP address. The actual web site is hosted on a server somewhere in the world and the IP address is essentially the key to finding it. In blocking the DNS, individuals are prevented from typing in the domain name of a website and accessing that particular site; but it will not prevent people from downloading content illegally. There are always ways to find illegal content online. In fact, there is a major loophole to this prevention technique; individuals may still access a blocked site by entering the website's IP address instead of its domain name. PIPA may eliminate the "middleman" but not the actual source. They may also access illegal content on another website. Pirated content is typically hosted on multiple sites; individuals who wish to download such content may actually find what are known as "mirrors." As the term implies, the content is simply "mirrored" or duplicated in another location. As a result, PIPA does not actually prevent individuals from obtaining media content illegally; it only makes it slightly more difficult.

Many businesses and corporations also rely on the internet for daily operations. Small businesses, especially those that deal with creative content, are at risk. Social media sites, blogs, and media content hosting sites such as YouTube, could be held liable for even one link or video to copyrighted material. Many of these sites are heavily dependent upon users uploading content. However, these sites, who are so dependent upon their users, cannot always be held responsible for their users and the content they upload. Even uploaded original content, if mistakenly identified as copyrighted or illegal content, could result in the shutting down of a particular website. Educational institutions, students, and faculty rely on the internet as a means of information sharing and research as well. The passing of PIPA or a bill like it would adversely affect all these groups of individuals.

PIPA affects millions of sites, large and small, including my own. Many of these sites rely not only on self-created original content, but also their readers' interaction. PIPA could, however, threaten the very existence of such websites. Though site administrators may do all they can to ensure that all content on their sites is properly cited when needed and does not endorse illegal activities, it is extremely difficult extensively audit the sites of those that are referenced. Some sites simply do not have a human staff or resources to adequately monitor user-posted content. If a link to a site posted on an individual's site, for some reason or another, turned out to have unauthorized content on it, the individual would be potentially held liable for "promoting" an unauthorized website.

In general, PIPA could also inhibit creativity and technological innovation. Individuals may be increasingly reluctant to create new content in fears that they may be prosecuted. PIPA would confine the internet and leave its censorship in the hands of the government and entertainment corporations. This sort of regulatory action is unnecessary and dangerous. There is already legislation in place that allows action to be taken against violations of intellectual property rights. The implementation of a bill such as PIPA, that does not actually solve the online piracy problem while adding needless and potentially harmful regulation, would be detrimental to the nation as a whole, especially as society becomes increasingly dependent on the internet. Piracy must be stopped; but, bills such as PIPA are not the answer.

| Sincerely,