

Comments of CDT to the Department of Commerce Internet Policy Task Force's Inquiry on Copyright, Creativity, and Innovation in the Internet Economy

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Supporting Documents

The Center for Democracy & Technology (CDT) submits these comments in response to the October 5, 2010 Notice of Inquiry on Copyright Policy, Creativity, and Innovation in the Internet Economy. CDT is a non-profit, public interest organization dedicated preserving and promoting openness, innovation, and freedom on the decentralized Internet.

On copyright matters, CDT seeks balanced approaches to policy and enforcement that respect the rights of content creators without curtailing the Internet's tremendous potential for fostering innovation and free expression. This means that CDT supports vigorous enforcement of existing copyright laws. There is no substitute for bringing enforcement cases against bad actors – both individuals who infringe copyright and companies that actively encourage infringement. At the same time, copyright enforcement should not target technologies or providers of multipurpose online services, because that would risk throwing out the baby with the bathwater; new digital and Internet-based media and communications tools are of great value to consumers, the economy, and society in general.

In short, there is no inherent conflict between copyright protection and enforcement on the one hand and Internet innovation on the other; indeed, better respect for copyright and reduced levels of infringement would promote and enable innovation and expressive activity in a number of ways. But the means chosen to pursue copyright goals matter a great deal. Some potential tactics could be attractive from a copyright protection perspective, but would carry significant costs to innovation.

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