



Brussels, 14 December 2011

The Honorable Pat Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Chuck Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Lamar Smith
Chairman
Committee on the Judiciary
House of Representatives
Washington, DC 20515

The Honorable John Conyers, Jr.
Ranking Member
Committee on the Judiciary
House of Representatives
Washington, DC 20515

Dear Sirs,

We are writing to express our views about H.R. 3261, the "Stop Online Piracy Act" or SOPA. As leaders of the Internet and online services industries, we are focused on the climate for innovation and job-creation in Europe.

As you know, innovation from our sectors is critical to job growth and the production, consumption, and access to digital content or to e-commerce services is part of what makes the Internet so important to our economy and society.

We agree with the need to address the issue of online piracy and ensure that creators are compensated for their work and creativity. Our companies develop and provide products, services, and network infrastructure creating new and important revenue streams for creators. Consumers benefit from an enhanced variety of attractive legal offers and jobs are created as a result of such innovation and growth.

However, addressing the problem of online piracy is necessarily complex, given the extensive nature of a global Internet that connects innumerable devices and people, with incredible speed and efficiency, furthering economic and expressive opportunities the world over. Devising an effective

legal regime to address online piracy is therefore very challenging. Measures aimed at addressing specific behaviours or parts of the network could have unintended consequences elsewhere – consequences that may undermine the value that digital products and services create for so many.

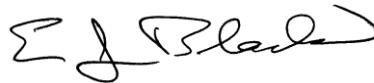
Although the objective of H.R. 3261 is laudable – addressing the problem of online piracy and ensuring compensation for creators - its current regulatory approach has the potential to threaten many of the core features at the heart of the Internet and which allow users to access, create, share, and pay for digital content. In particular, the bills as drafted could expose law-abiding US Internet and technology companies to new uncertain liabilities, inappropriate legal actions, and technology mandates that might even extend to monitoring of web sites – something specifically ruled out by the well-functioning Digital Millennium Copyright Act and similar laws across the world.

We therefore respectfully ask that sponsors of this legislation continue to work to bring together the entire value chain of stakeholders for additional discussion of the most appropriate and effective legislative measures to deal with the problem of rogue foreign websites before moving forward with the Stop Online Piracy Act or the Protect IP Act in their current forms. Not only is a growing amount of economic activity facilitated by the Internet, but future economic and social growth is dependent on this critical infrastructure on both sides of the Atlantic. The increasing interconnectivity and inherently borderless nature of the online environment means corresponding policy initiatives have an impact further than their domestic regulatory borders, and particularly here in Europe. Congress – working with all stakeholders – can develop legislation that will address online piracy while ensuring that the Internet continues to foster creativity, innovation, and growth.

Sincerely,



James Waterworth,
President
European Digital Media Association



Ed Black
President & CEO
Computer & Communications Industry Association