



# Fifteen-Year Retrospective on the Digital Millennium Copyright Act

Presentation of  
**Bruce A. Lehman**

Assistant Secretary of Commerce & Commissioner of Patents and Trademarks, 1993-1999  
Chairman, International Intellectual Property Institute (IIPI), 1999-Present

[iipi.org](http://iipi.org)

**INTELLECTUAL PROPERTY  
AND THE  
NATIONAL INFORMATION  
INFRASTRUCTURE**

**THE REPORT OF THE WORKING GROUP ON  
INTELLECTUAL PROPERTY RIGHTS**

*BRUCE A. LEHMAN*  
*Assistant Secretary of Commerce and*  
*Commissioner of Patents and Trademarks*  
*CHAIR*



*INFORMATION INFRASTRUCTURE TASK FORCE*  
*RONALD H. BROWN*  
*Secretary of Commerce*  
*CHAIR*

104TH CONGRESS  
1ST SESSION

[S./H.R.] \_\_\_\_\_

To amend title 17 to adapt the copyright law to the digital,  
networked environment of the National Information  
Infrastructure, and for other purposes.

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IN THE [SENATE/HOUSE  
OF REPRESENTATIVES] OF THE UNITED STATES

September \_\_, 1995

M\_. \_\_\_\_\_ (for h\_\_self and M\_. \_\_\_\_\_) introduced the  
following bill; which was read twice and referred to the  
Committee on the Judiciary.

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A BILL

To amend title 17 to adapt the copyright law to the  
digital, networked environment of the National  
Information Infrastructure, and for other purposes.

*Be it enacted by the Senate and House of Representatives*

*of the United States of America in Congress assembled,*

Public Law 105-304  
105th Congress

An Act

Oct. 28, 1998  
[H.R. 2281]

Digital  
Millennium  
Copyright Act  
17 USC 101 note.

To amend title 17, United States Code, to implement the World Intellectual Property Organization Copyright Treaty and Performances and Phonograms Treaty, and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Digital Millennium Copyright Act”.

**SEC. 2. TABLE OF CONTENTS.**

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—WIPO TREATIES IMPLEMENTATION

Sec. 101. Short title.

Sec. 102. Technical amendments.

Sec. 103. Copyright protection systems and copyright management information.

Sec. 104. Evaluation of impact of copyright law and amendments on electronic commerce and technological development.

Sec. 105. Effective date.

TITLE II—ONLINE COPYRIGHT INFRINGEMENT LIABILITY LIMITATION

Sec. 201. Short title.

Sec. 202. Limitations on liability for copyright infringement.

Sec. 203. Effective date.

TITLE III—COMPUTER MAINTENANCE OR REPAIR COPYRIGHT EXEMPTION

Sec. 301. Short title.

Sec. 302. Limitations on exclusive rights; computer programs.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Provisions Relating to the Commissioner of Patents and Trademarks and the Register of Copyrights.

Sec. 402. Ephemeral recordings.

Sec. 403. Limitations on exclusive rights; distance education.

Sec. 404. Exemption for libraries and archives.

Sec. 405. Scope of exclusive rights in sound recordings; ephemeral recordings.

Sec. 406. Assumption of contractual obligations related to transfers of rights in motion pictures.

Sec. 407. Effective date.

TITLE V—PROTECTION OF CERTAIN ORIGINAL DESIGNS

Sec. 501. Short title.

Sec. 502. Protection of certain original designs.

Sec. 503. Conforming amendments.

Sec. 504. Joint study of the effect of this title.

Sec. 505. Effective date.

## Music: on the road to recovery and fuelling the digital economy

Frances Moore, chief executive, IFPI

The new digital services developed and licensed over recent years are moving rapidly into new markets across the world. Just two years ago, the largest international digital services, such as iTunes, Spotify and Deezer, were present in just over 20 countries. Today, they are in more than 100.

Copyright rules have provided the foundation for our industry to reinvent itself in the digital world... A weakening of copyright rules would set back the music industry at the very moment when it is on the path to recovery.



**“The music industry has adapted to the internet world, learned how to meet the needs of consumers and monetised the digital marketplace.”**



**WEDNESDAY, FEBRUARY 27, 2013, 9:10 a.m.**

**IP NEWS CLIPS** -- Compiled from newswires and other sources:

**ISPs Launch “Copyright Alert System”** -- Yesterday the [\*Wall Street Journal\*](#) reported that five Internet service providers including AT&T and Cablevision have launched a uniform program to combat illegal downloads of copyright-protected content including movies, TV shows, and music. The companies have put into place the Copyright Alert System, a "six strikes" system with escalating degrees of penalty for subscribers accused of piracy.



POLITICO

# MORNING TECH

A daily download of technology news from Washington and Silicon Valley

By [ALEX BYERS](#) | 03/01/13 9:29 AM EDT

*With help from Michelle Quinn and Jessica Meyers*

**HATCH, SCHIFF HAPPY WITH CAS** - Capitol Hill, over the past year, hasn't wanted to touch online piracy legislation with a 10-foot ethernet cable. But at least two lawmakers are happy with tech and content companies picking up the fight in the form of the Copyright Alert System. ( Here's the latest <http://bit.ly/Y95oiF>, by the way, on ISP mitigation measures.) A spokesman for Sen. Orrin Hatch, one of the Congressional International Anti-Piracy Caucus' co-chairs, said the Utah legislator is always pleased to see industry reaching consensus to solve a problem. And co-chair Rep. Adam Schiff elaborated, calling the long-awaited CAS launch a positive step. "There are those who will pirate content for free no matter what, but there is a much larger population of Internet users who would rather not pirate the work of their favorite artists and will benefit from education about the many legitimate sources for movies and music online," he said in a statement to MT. The tech advocacy community, obviously, has been less thrilled. Reddit co-founder Alexis Ohanian, who's been increasingly vocal on tech policy and was on the Hill this week for the launch of the i2Coalition, called the system "an ugly hack," and said "it is not a real, legitimate, long-term solution."



# 10-3270-cv, 10-3342-cv

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United States Court of Appeals  
*for the*  
Second Circuit

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VIACOM INTERNATIONAL INC., COMEDY PARTNERS, COUNTRY  
MUSIC TELEVISION, INC., PARAMOUNT PICTURES CORPORATION,  
BLACK ENTERTAINMENT TELEVISION LLC,

*Plaintiffs-Appellants,*

– v. –

YOUTUBE, INC., YOUTUBE, LLC, GOOGLE, INC.,

*Defendants-Appellees.*

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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**BRIEF FOR *AMICUS CURIAE* THE INTERNATIONAL  
INTELLECTUAL PROPERTY INSTITUTE  
IN SUPPORT OF REVERSAL**

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