



AMERICANS FOR LIMITED GOVERNMENT

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U.S. House Judiciary Committee
Chairman Rep. Lamar Smith
Ranking Member Rep. John Conyers, Jr.
2138 Rayburn House Office Building
Washington, DC 20515

To Chairman Smith and Ranking Member Conyers:

We write today with grave concern over provisions of HR 3261, the so-called “Stop Online Piracy Act,” (SOPA) that we believe has the potential to be the end of the Internet as we know it. Internet piracy can be combated without a regime of suppression that threatens activities that are protected by the First Amendment.

Under existing provisions of Copyright law, including the Digital Millennium Copyright Act and Fair Use doctrine, there are already adequate protections domestically for intellectual property (IP) holders, and importantly, safe harbor provisions that allow users to be notified of any instances of infringement to provide an opportunity to have them removed without penalty.

Under current law, Internet users can receive a cease-and-desist takedown notice prior to civil action being taken by an IP holder. SOPA completely averts that process; under its provisions, the first notification a user receives could be 1) his or her website gets blocked; 2) (s)he is getting served with a massive fine; or 3) (s)he is being arrested under criminal charges for having anything infringing up on the web for longer than 180 days, even if (s)he was unaware of any violation of IP.

Such outcomes appear to be rather draconian, and will most certainly have a chilling effect on what is in effect cyber speech: on uploading, posting, and sharing files. Existing laws protect copyright, and protect innocent users of the Internet. The result of this law will be that Internet companies simply stop allowing uploading and file sharing all together.

In the digital age, with the ease of sharing files, images, videos, and music, nobody should be served with criminal or civil action for copyright infringement without first being notified of that infringement, and being provided an opportunity to correct it. SOPA appears to take the mind of throwing the book at alleged offenders, shutting down their websites, cutting off their revenue streams, locking them up, and asking questions later.

It is un-American to set up a situation where people are guilty until proven innocent.

Sincerely,

William Wilson
President
Americans for Limited Government

CC: Members of the House Judiciary Committee