



**COPYRIGHT ALLIANCE EXECUTIVE DIRECTOR, PATRICK ROSS
PRESENTATION
FOR THE FEDERAL COMMUNICATIONS COMMISSION**

BROADBAND WORKSHOP, SEPTEMBER 17, 2009

Thank you for having me here today. The Copyright Alliance's bottom line is that there is a distinction between lawful and unlawful Internet traffic, and we agree with Chairman Julius Genachowski's observation that, quote, "I do not interpret the goals of net neutrality as preventing network operators from taking reasonable steps to block unlawful content."

You're hearing today from some of my friends and colleagues. The MPAA, the Directors Guild of America, Paramount, and the Writers Guild of America are all Copyright Alliance members. But our membership encompasses all creative efforts of companies, unions and individual creators and employees.

We include business and entertainment software, record labels, performing rights organizations, and music publishers. We include book, magazine and newspaper publishers, as well as amateur and professional sports leagues. We include member organizations and unions for media photographers, studio photographers, school photographers, photo archivists and graphic artists.

Our livelihoods depend on intellectual property rights, and without the ability to enforce those rights, those rights are meaningless.

The International Intellectual Property Alliance reports that total copyright industries contribute more than 43% of our nation's economic growth and are valued at about \$1.5 trillion annually, or about 11% of U.S. GDP. There are nearly 12 million U.S. workers employed in total copyright industries.

This big picture is very important, but let me talk about individual creators such as those in our one voi@e grassroots network. These artists and creators share with their corporate partners an appreciation for the gifts of the digital revolution. They also suffer from profound disrespect of their rights as creators by some Internet users, for example their rights to reproduction, distribution and derivative creations of their works.

Most artists and creators also share confusion about how Washington works, and whether anyone in this town is aware of how much their rights mean to them.

There is little mention of individual creators in the description of this workshop, but I am glad to see a composer on this panel. I look forward to hearing how she uses both technology and her rights as a copyright owner to encourage the use of her compositions in new ways.

Indulge me for a moment while I share stories of other creators whose paths I have been fortunate enough to cross.

There is Juliette Tworsey, a singer-songwriter with an indie band called Fire Bug. She has embraced the online world through social networks and a blog, and streams her songs online at no cost. But she is appalled that so many music fans online are happy to steal creative works with impunity.

There is Michigan author Rowena Cherry. Rowena embraces online networking and blogging and even hosts an Internet radio show. But she is, quite frankly, ticked off when she loses time she could use writing to play Whack-a-Mole with infringers who are “sharing” her novels with others.

There is Leif Skoogfors of Lansdale, Pennsylvania, a renowned media photographer who, like all professional photographers, benefits from the ease of online licensing. But Leif also has seen his photos infringed hundreds of times, and is incensed that photographers' rights online are shown so little respect.

Juliette, Rowena and Leif share something in common with me – none of us can provide you expert guidance on the best ways to promote broadband growth. We do know that hampering the ability of a copyright owner to protect his or her rights online will not promote broadband growth. We also know there are nearly 12 million reasons to avoid diluting creators' rights. Doing so would harm hard-working Americans and reduce their contributions to our culture.

Government promotion of broadband deployment must encourage meaningful distinctions between lawful and unlawful traffic. To not do so would allow illegal activity to supplant new and innovative legal efforts.

We at the Copyright Alliance are encouraged by policymakers who understand this critical point. Earlier I mentioned the FCC Chairman who, in a statement given to the Senate Commerce Committee during his nomination proceeding, said the following:

“Illegal copyright infringement is a threat to our economy, with harm measured in the billions of dollars, representing lost wages and lost jobs for American workers. It is a threat to the creativity that our copyright laws are designed to protect and encourage, and a threat to a significant contributor to our economy and U.S. global competitiveness.

“It is vital that illegal conduct be curtailed on the Internet. I do not interpret the goals of net neutrality as preventing network operators from taking reasonable steps to block unlawful content.”

We at the Copyright Alliance could not have worded it better.

Thank you again for your time.