

Software Piracy by [REDACTED]

I. Topic Discussion

1. **Issue:** Software piracy is, “the unauthorized duplication, distribution or use of computer software.” Infringement of software copyrights has existed for as long as software has existed.
2. **Importance:** The theft of intellectual property is against the law. The companies which distribute the software do not make any money when it is illegally reproduced and proliferated. Said companies presumably have a good stake in Washington.
3. **Size & Significance:** At least 1 in 4 people in the United States have bought, sold, or manufactured pirated software
4. **Condition:** People have been copying software and sharing it since the technology was available. With the current accessibility of high-speed internet around the globe, downloading unlicensed software from the internet is effortless.

II. The Executive Branch

1. **Department or Agency:** Federal Bureau of Investigation, Federal Communications Commission, The Department of Justice Task Force on Intellectual Property
2. **Budget:** FBI- \$8.3 Billion for fiscal year 2011
3. **Organization:** 50 Special Agents exclusively devoted to pursuing intellectual property investigations operating in field offices throughout the country and four enhanced intellectual property squads.
4. **Proposed Legislation:** No specific legislation recommended by the executive to congress.
5. **Enforcement:** The FBI manages to foil big rackets of software pirates and torrent domains but the problem lives on through the millions who download free stuff online everyday

III. Congress

1. **Actions taken:** Combating Online Infringement and Counterfeits Act (introduced 9/2010 to Senate), Digital Millennium Copyright Act (passed during Clinton Administration)
2. **Committees:** House Commerce Committee (Subcommittee on Telecommunications, Trade, and Consumer Protection), Senate Judiciary
3. **Congressional Organization:** The Senate is not adequately specialized to take on a problem of this magnitude. The House at least has its own subcommittee regarding the matter of copyright infringement

IV. Interest Groups

1. **Groups involved:** Pro- Motion Picture Association of America, Viacom; Against- ALCU, Electronic Frontier Foundation
2. **Financed?:** MPAA- through six major motion picture studios (Disney, Paramount, Sony, Universal, Fox, Warner Bros.), Viacom- Broadcasting, Advertising; ACLU- Donations, EFF- Estate Inheritance
3. **Efforts:** Lawsuits against YouTube, thepiratebay.org; MPAA- good jobs for former politicians, Viacom- lots of money
4. **Recommendations:** Stop peer-to-peer downloading, end thepiratebay.org, take down NBC clips on YouTube

V. The Courts

1. **Court Rulings:** RealNetworks, Inc. v. DVD Copy Control Association, Inc. (Copying DVDs to a HDD; still in district court), Viacom International, Inc. v. YouTube, Inc. (lots of Viacom

owned footage distributed free on YouTube; "Google's motion for summary judgment was granted on the grounds that the Digital Millennium Copyright Act's 'safe harbor' provisions shielded Google from Viacom's copyright infringement claims.")

2. **Position Change of courts?:** No, courts generally favor the infringees over the infringers. New legislation seeks to make catching the bad guys easier and more within the scope of the Federal government.

As long as they are going to steal it, we want them to steal ours. They'll get sort of addicted, and then we'll somehow figure out how to collect sometime in the next decade.

- **Bill Gates**