

'Rogue websites' bill returns to US Senate

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US senators re-introduced a bill that would give the US authorities more tools to crack down on websites selling pirated movies, television shows and music and counterfeit goods. "This legislation will protect the investment American companies make in developing brands and creating content and will protect the jobs associated with those investments," said Senator Patrick Leahy, pictured on May 5.

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television shows and music and counterfeit goods.

"This legislation will protect the investment American companies make in developing brands and creating content and will protect the jobs associated with those investments," said Senator Patrick Leahy, a Democrat from Vermont.

"The Protect IP Act targets the most egregious actors, and is an important first step to putting a stop to online <u>piracy</u> and sale of counterfeit goods," Leahy said in a statement.

A similar <u>bill</u>, the Combating Online Infringement and Counterfeits Act, was approved by the Senate Judiciary Committee by a 19-0 vote in November but never made it to the Senate floor.

The new version of the bill designed to combat so-called "rogue websites" has been renamed the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act, or Protect IP Act.

It was introduced by Leahy and Republicans Orrin Hatch of Utah and Chuck Grassley of Iowa.

"We are sending a strong message to those selling or distributing counterfeit goods online that the United States will strongly protect its <u>intellectual property rights</u>," Hatch said. "Fake pharmaceuticals threaten people's lives. Stolen movies, music, and other products put many out of work."

Grassley said the legislation "will add another tool to the toolbox for going after these criminals and protecting the American public."

The previous bill had come under fire from digital rights and free speech



groups for paving the way for the authorities to shut down websites, including non-US websites, without due process.

The Obama administration has come in for some criticism for shutting down dozens of websites in recent months as part of a crackdown known as "Operation in Our Sites."

US authorities in November shut down 82 websites selling mostly Chinese-made <u>counterfeit goods</u>, including golf clubs, Walt Disney movies, handbags and other items.

One opponent of the bill, the Electronic Frontier Foundation. said Thursday it was "no less dismayed by this most recent incarnation than we were with last year's draft."

The EFF said the bill attempts to "inject a little due process into the mix," but it "falls far short of the mark given the potential implications of these actions for online speech."

The Center for Democracy & Technology said it still has "serious reservations" about the bill although there were some improvements.

"In particular, the new bill rightly narrows the definition of infringement websites to target true bad actors," it said.

The bill was strongly condemned by Ed Black, president and chief executive of the Computer & Communications Industry Association.

"The United States government should not be in the business of choosing what Internet content is acceptable and censoring that which it deems is not," Black said. "Meddling with Internet architecture to disappear sites and even hyperlinks to those sites is an Orwellian approach to law enforcement.



"Technologically speaking shutting down parts of the Internet, even for a seemingly good reason, is still censorship -- no matter what new name you give it," Black said.

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