

Take Down and Stay Down Petition:

Dear Member of the House Judiciary Subcommittee on Courts, Intellectual Property, and the Internet:

For over 15 years artists have had their constitutional rights trampled, in many cases by laws that were supposed to protect them.

The Digital Millennium Copyright Act was designed to protect websites from infringement claims due to material posted by third parties, as well as give artists an effective tool to remove infringing content.

It is not working. Active infringing sites still get their safe harbor, but artist rights get destroyed. Google alone received 345 million take down notices last year. This means every day of the year there are 900,000 notices sent to Google about infringing material. This infringing material is taken down, only to be reposted on the same sites, sometimes within a matter of hours.

On March 13, 2014 in testimony before the Congressional Subcommittee on Courts, Intellectual Property and the Internet, a major book publisher testified to sending take down notices 571 times for the same book on the same website.

The result is that since 1999 copyright holders have lost over 100 billion dollars to Internet piracy. The worldwide music industry has shrunk by 62%. There are 45% fewer working musicians in the United States than in 2002.

Small independent film makers spend their time not making movies, but sending out 50,000 take down notices in a vain attempt to sweep aside the tide of recurrent copyright infringement. We need to change the laws to make sure that artists spend their time making art, not sending take down notices.

It is time that a take down notice be sent once, and only once. Thereafter it should be the duty of the website to prevent the reposting of the same material. The technology to do this is available. What is lacking is the legal directive to use this technology to prevent the wholesale theft of artistic creations.

Close the loophole in the Digital Millennium Copyright Act that provides safe harbor for online piracy. Place the responsibility where it belongs, with those websites that profit from it.

Protect artist's rights. Stop protecting those that profit from internet piracy. "Take down" needs to become "take down and stay down".

We are asking congress to add a "stay down" provision to Section 512 and restrict safe harbor protection for infringing sites. Protect creators, not those who profit from internet piracy.

Sincerely,

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