

Digital Rights Management: Whose Rights Are Being Managed Revisited?

The effective protection of digital content in a way that meets consumer expectations and promotes continued innovation can only be accomplished in the marketplace.

The Alliance for Digital Progress (ADP) is a broad-based alliance of consumer groups, think tanks, taxpayer organizations and businesses. ADP believes copyright laws have served the country well and are important to America's future. ADP strongly supports the protection of intellectual property, including digital entertainment content. ADP believes that the best ways to meet consumer expectations and fight piracy include market-driven efforts to educate consumers, create digital distribution strategies, develop innovative technology, and enforce existing laws. ADP strongly opposes efforts to make the government design and mandate copy-protection technologies.

Private-sector collaboration among the technology, consumer electronics and content industries has already proven to be the most effective way to identify and deploy technologies that meet the needs of content producers and consumers, succeed in the marketplace, and foster a thriving digital economy. There already are excellent examples of private-sector DRM solutions, including the DVD, RealOne Media Player, Windows Media Player, and the technologies behind Movielink, Rhapsody, and the other legitimate online audio and video providers. More private-sector DRM solutions are being developed and brought to market every day.

Leading technology companies are working to develop DRM solutions that will enable these advances. These products, which are being developed in the marketplace, are:

- **innovative** – the product of the best engineering minds in the business;
- **competitive** – each company continually improving its products to beat its competitors;
- **diverse** – dozens of different solutions from dozens of different sources;
- **effective** – people will not purchase products that do not work; and
- **responsive** to the expectations of content producers and consumers.

In contrast, government-designed and mandated copy-protection technology would have none of these advantages. It would be:

- **behind the curve** – the government's deliberative process cannot keep up with hackers;
- **anti-competitive** – government mandates will stifle competition;
- **monolithic** – government mandates will create a single standard, and a single target for hackers;
- **ineffective** – with no alternative, people will be forced to buy inferior technology; and
- **unable to respond** to the expectations of content producers and consumers.

ADP urges Congress to reject government technology mandates and support private-sector collaboration that is flexible and responsive to the needs and expectations of content producers and consumers.

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