(1/20/2011) After a massive online protest that saw top 500 websites such as Wikipedia, Reddit, and Craig’s List shut down for day, the controversial SOPA and PIPA bills have been tabled indefinitely in the Congress. The Protect IP Act (S.968, a rewrite of the failed 2010 Combating Online Infringement and Counterfeits Act (http://www.govtrack.us/congress/billtext.xpd?bill=s111-3804)) was scheduled for a vote next week in the Senate, but Senate Majority Leader Harry Reid has stated that he was postponing the vote “in light of recent events”, according to CNN. (<http://money.cnn.com/2012/01/20/technology/SOPA_PIPA_postponed/>) The House of Representatives has also held their version of the bill, the Stop Online Piracy Act (SOPA, or H.R.3261.IH (http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.3261:) ). House Judiciary Committee Chairman Lamar Smith stated that the House will “postpone consideration of the legislation until there is wider agreement on a solution." Both bills had widespread bi-partisan support; but after key politicians withdrew their endorsement, the bills quickly withered on the Floor.

With protests in New York, San Francisco, Seattle, and Washington, DC, and with an online petition containing more that 7 million signatures, opposition against SOPA/PIPA has been extremely vocal. However, the voluntary blackouts of several tech firms’ websites have drawn the largest scorn toward this legislation. The fear that these acts will allow large media firms an unfair hand in seeking copyright infringement lawsuits and “cease and desist” injunctions against alleged copyright violators was the key motivation behind this protest; companies like News Corporation (who supported SOPA/PIPA) could legal order the shutdown of sites like YouTube, which may be hosting user-created content that violated Fox trademarks under the current wording of the bills.

Reid has suggested that the bills are not dead. "There is no reason that the legitimate issues raised by many about this bill cannot be resolved,” according to the Senate Majority Leader. PIPA and SOPA have received uncharacteristic Democratic support, mostly due to Hollywood lobbyists. Time Warner, News Corporation, Comcast, and the Motion Pictures Association of America have all came out in support of SOPA/PIPA.

SOPA/PIPA is intended to combat piracy sites, such as the Pirate Bay, by forcing payment and network advertising services to investigate and respond to any outside claim that one of their customers is actively involved in the distribution of stolen or misappropriated American property, such as pirated software, movies, music, and television shows. The service would then have to terminate relations with that customer within five days. While the false accusations are illegal under SOPA/PIPA, the burden of proof is placed on the accused site and not on the accuser or the service provider. (<http://money.cnn.com/2012/01/17/technology/sopa_explained/index.htm?iid=EL>)

Major Democratic contributors, such as the Teamsters and the AFL-CIO, are in support of SOPA/PIPA, and have threatened to withhold funding from the president’s reelection campaign and from Congressional Democratic races. (http://biggovernment.com/capitolconfidential/2012/01/20/democrats-dropping-the-ball-on-sopa-pipa/) Key Democrats are concerned about this development, even though the White House has publicly came out against both bills—although, it did offer the possibility of support with a rewrite. (<http://www.huffingtonpost.com/2012/01/14/white-house-sopa-pipa_n_1206347.html>) In an open letter (https://wwws.whitehouse.gov/petition-tool/response/combating-online-piracy-while-protecting-open-and-innovative-internet), the White House’s Intellectual Property Enforcement Coordinator at the Office of Management and Budget, Victoria Espinel, wrote:

“…Any effort to combat online piracy must guard against the risk of online censorship of lawful activity and must not inhibit innovation by our dynamic businesses large and small. Across the globe, the openness of the Internet is increasingly central to innovation in business, government, and society and it must be protected. To minimize this risk, new legislation must be narrowly targeted only at sites beyond the reach of current U.S. law, cover activity clearly prohibited under existing U.S. laws, and be effectively tailored, with strong due process and focused on criminal activity…We must avoid creating new cybersecurity risks or disrupting the underlying architecture of the Internet. Proposed laws must not tamper with the technical architecture of the Internet through manipulation of the Domain Name System (DNS), a foundation of Internet security. Our analysis of the DNS filtering provisions in some proposed legislation suggests that they pose a real risk to cybersecurity and yet leave contraband goods and services accessible online. We must avoid legislation that drives users to dangerous, unreliable DNS servers and puts next-generation security policies, such as the deployment of DNSSEC, at risk…”