# INTERNET PLATFORM ENABLERS:
## Laws that Protect Speech & Creativity

Internet Association

## Online Platforms Drive Economic Growth

Online platforms- like Airbnb, Amazon, Facebook, Google, LinkedIn, Twitter, and Yahoo!- underpin how the Internet works; they boost commerce and increase opportunities for businesses by allowing anyone, anywhere, to connect with billions of people to access and share information.

The ability of U.S. based Internet platforms to host user-generated content has fueled crucial free expression and content creation both at home and around the world. It has led to the creation of a booming domestic Internet economy. In the past few years, Internet platforms have fundamentally revolutionized and improved the way we use transportation, purchase goods and services, and facilitated the exchange of ideas.

Lower barriers to entry

$967 Billion 6% of GDP

## Smart laws allow responsible online platforms to operate at scale.

These laws ensure platforms are not responsible for their users' actions if the platforms act responsibly and meet certain reasonable conditions. This includes removing content when they are given notice.

### Without these laws:

Online intermediaries could be forced to censor user activity, including political speech and consumer commentary, online to avoid costly litigation. Users' ability to access real time content would be drastically limited by the motivation to review content.

Websites would have to have teams of lawyers devoted full time to fighting lawsuits and monitoring user content.

Because of expensive lawsuits, the barriers to entry for Internet startups would rise drastically and prevent new, creative services from ever being started.

**Keep the Balance in Smart Laws:** There are constant proposals to disrupt the carefully struck balance to make online platforms more liable for their users' content, however, doing so would fundamentally alter the internet ecosystem in ways that would hinder economic growth and other core values such as free expression.

- If digital content intermediaries were responsible for the content uploaded by users, **81-85%** of investors would be **less likely to help startups**.[1]
- Proposed changes to liability may reduce investment more than an economic recession: **85% of investors are uncomfortable as investors** in digital content intermediaries open to unpredictable regulation.[2]
- **Proposals to make platforms 'Internet cops' will reduce free expression**. If online platforms were to be held responsible for content submitted by their users, they would likely remove large amounts of controversial but legal content, for fear of facing penalties. These proposals would also threaten important balanced provisions of copyright law, including fair use, which is critical to the functioning and development of technology and services.

1 Engine Study & Booz Study

2 http://engine.is/wp-content/uploads/EngineFifthEraCopyrightReport.pdf

## The Balance in Law Allows Internet Platforms to Operate at Scale

SECTION 230

### Support continued free expression and First Amendment rights by maintaining the Communications Decency Act Section 230.

Section 230 of the Communication Decency Act of 1996 was passed to protect online services from being held responsible for user speech and content, **ensuring a robust Internet ecosystem that promotes free expression and innovation.**

Section 230 relieves these intermediaries from limiting user speech in order to limit legal pressures, **paving the way for diverse Internet platforms.**

SECTION 512

### Continue to provide opportunities for creators, nurture innovation, and give enjoyment to consumers by maintaining Section 512 Safe Harbors of the Copyright Act.

Section 512 of the Copyright Act creates conditional safe harbors for responsible online platforms that limited liability for copyright infringement, which allows platforms to **flourish with legal certainty and clarity**.[3]

## The safe harbors are innovation enablers

Online platforms have **enabled immense growth and opportunities for creators of all backgrounds**. Digital is currently driving growth in the content industry; it accounts for the majority of music revenue, and movie-streaming services are growing at 28% and will exceed physical sales by 2018.[4]

The production of culture and media is on the rise in the U.S., particularly digital content.[5]

U.S. consumers prefer online media and get an additional $970 in value – called the 'consumer surplus'- beyond what they pay to access it each year.[6]

[3] Section 230 specifically excludes intellectual property infringement.

[4] PwC, 'Global entertainment & media outlook 2014-2018', 2015, http://goo.gl/APtAMh

[5] (Floor64, 'The Sky is Rising', 2012,https://goo.gl/OTF1BV)

[6] (BCG, Follow the Surplus', 2013, https://goo.gl/m7CmNT)