Definition:

An “open internet” is the concept of a worldwide infrastructure that can be browsed freely to its depths without penalties or regulations. “Net neutrality” is the guarantee of an open internet.

Concept:

The first federal action regarding the concept of net neutrality goes back to as early as the 1930’s when the Federal Communications Commissions (FCC) itself was born. The Communications Act of 1934 was written to prevent communication service providers from discriminating against public use of wire and radio communications.[[1]](#footnote-1) More simply put, the government believed that consumers should not be treated differently by communication service providers based off of who user was or who the user was attempting to communicate with.

History:

It was not until the January 12, 2003 that the term “net neutrality” was coined by law Professor Tim Wu of Columbia University.[[2]](#footnote-2) In the late 1990’s, there were concerns of the possible subversion of the internet’s “end-to-end” scheme—where functionality remains in the end hosts. In response to the possible threats, Wu made an argument that information networks are often more valuable when all content, sites, and platforms are treated equally.[[3]](#footnote-3) He wrote several papers in the 2000’s that described the benefits to maintaining neutral information networks and suggested methods in which neutrality could be employed.

Law:

In May 2010, the FCC introduced the first explicit net neutrality protections. These principles stated that ISP’s “could not block websites or impose limits on users”.[[4]](#footnote-4) In December 2010, a final version of the rules were passed as the “Open Internet Rules” which specified the following:[[5]](#footnote-5)

* No Blocking: broadband providers may not block access to legal content, applications, services, or non-harmful devices.
* No Throttling: broadband providers may not impair or degrade lawful Internet traffic on the basis of content, applications, services, or non-harmful devices.
* No Paid Prioritization: broadband providers may not favor some lawful Internet traffic over other lawful traffic in exchange for consideration of any kind—in other words, no "fast lanes." This rule also bans ISPs from prioritizing content and services of their affiliates.

1. http://transition.fcc.gov/Reports/1934new.pdf [↑](#footnote-ref-1)
2. http://transition.fcc.gov/Reports/1934new.pdf [↑](#footnote-ref-2)
3. http://www.timwu.org/network\_neutrality.html [↑](#footnote-ref-3)
4. https://www.whitehouse.gov/net-neutrality [↑](#footnote-ref-4)
5. http://www.fcc.gov/openinternet [↑](#footnote-ref-5)