

ACM

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Immediate

COMPUTER PROFESSIONALS CONCERNED DMCA STIFLES ACADEMIC FREEDOM AND SPEECH

Recent Action Proves Digital Millennium Copyright Act Erodes the Rights of Researchers and Impedes Innovation

Washington, D.C., May 3, 2001 - The Association for Computing Machinery (ACM) continues to support the freedom of computer scientists to engage in critical research, and to exchange ideas and information fundamental to the progress of innovation.

The ACM's U.S. Public Policy Committee (USACM) is concerned about the U.S. law known as the Digital Millennium Copyright Act (DMCA), because it interferes with non-infringing, legitimate science and research beyond simply prohibiting copyright infringement. It does this by placing overly broad restrictions on technology and communication. Recently, representatives of the music recording industry cited the DMCA in threatening legal action against a team of computer science researchers. The researchers, led by ACM member Edward Felten, canceled their presentation of an academic paper describing methods for demonstrating security flaws in certain watermarking technologies that might be used by the music recording industry.

"As the USACM pointed out during consideration by Congress, the DMCA is a misguided attempt to ensure protection of intellectual property by placing overly broad restrictions on technology and speech. Preventing Professor Felten and his colleagues from presenting a paper for academic peer-review is another example of the DMCA stifling academic freedom and speech. The ability of computer scientists to conduct research and exchange ideas is fundamental to the progress of science," stated Barbara Simons, Co-Chair of USACM.

Added USACM Co-Chair Eugene Spafford, "That the DMCA can be used to deny researchers their Constitutional freedom to exchange ideas - in print and in speech - shows what is wrong with overly broad legislation. In this case, the threat inhibits our ability to explore, to understand, and to advance science and technology-- or even to show that the so called "protection" of the watermarking technology is specious. In its efforts to enact intellectual property protections, Congress has interfered with scientific pursuits and denied the public of important knowledge about flaws in technology. The laws should prohibit infringing behavior, not serve as a vehicle to restrict speech or

inhibit traditional rights of citizens. Laws prohibiting technology and restricting communication by researchers are inherently against the best interests of the U.S."

The ACM is a leading society of computer professionals in education, industry, and government. The USACM facilitates communication between computer professionals and policy-makers on issues of concern to the computing community. For more information, visit the USACM web site at <http://www.acm.org/usacm/>.