

August 24, 2004

The Honorable Bill Frist
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Tom Daschle
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
U.S. Senate
Washington, DC 20510

The Honorable Patrick J. Leahy
Ranking Member
Committee on the Judiciary
U.S. Senate
Washington, DC 20510

Dear Senators Frist, Daschle, Hatch, and Leahy:

In response to the invitation to witnesses at the hearing before the Committee on the Judiciary, we are pleased to forward the attached draft alternative to S. 2560, the Induce Act.

In your letter to the Register of Copyrights, you expressed interest in a “technology-neutral law directed at a small set of bad actors while protecting our legitimate technology industries from frivolous litigation.” We have developed such an alternative that would address mass, indiscriminate infringing conduct while preserving the Supreme Court’s *Betamax* decision, the Magna Carta of the technology industry which is in no small measure responsible for our nation’s preeminence in technological innovation and entrepreneurship. We believe that the enclosed draft meets these goals and serves as the best platform for the discussion of the interests of all concerned parties.

We look forward to discussions with your staff and the Register of Copyrights on the basis of the enclosed alternative. Thank you for your consideration.

Sincerely yours,

American Association of Law Libraries
Association of Research Libraries
Computer & Communications Industry Association
Consumer Electronics Retailers Coalition
Digital Future Coalition
MCI
SBC
U.S. Internet Service Provider Association*
Verizon

American Library Association
BellSouth Corporation
Consumer Electronics Association
DigitalConsumer.org
Home Recording Rights Coalition
Public Knowledge
U.S. Internet Industry Association
U.S. Telecomm Association

cc: The Honorable Marybeth Peters
Register of Copyrights

* BellSouth Corporation, Earthlink, MCI, SAVVIS, SBC, and Verizon