



MOTION PICTURE ASSOCIATION

**PLATFORM ACCOUNTABILITY:
US DEVELOPMENTS**

BEN SHEFFNER

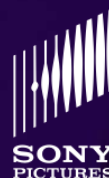
SVP, COPYRIGHT & LEGAL AFFAIRS

18TH Annual US-EU-DE Copyright Summit

OCTOBER 15, 2020



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DMCA REFORM: 2020 Activity

- Copyright Office DMCA §512 report
 - System “unbalanced”; needs “fine-tuning”
- 6 Senate Judiciary Committee hearings
- 1 Senate Judiciary Committee “briefing” about notice and takedown
- 12 House Judiciary Committee “listening sessions”
- 1 House Judiciary Committee hearing about DMCA
- 3 US Copyright Office “roundtables” re “standard technical measures” under DMCA §512(i)



DMCA REFORM: SPECIFICS

- “Red flag” knowledge standard
- “Representative list”
- What sort of OSPs covered by safe harbors?
 - Import “value gap” from EU?
- Takedown/staydown
- OSPs: greater penalties for bogus notices

Dec. 18: Release of Tillis DMCA discussion draft.

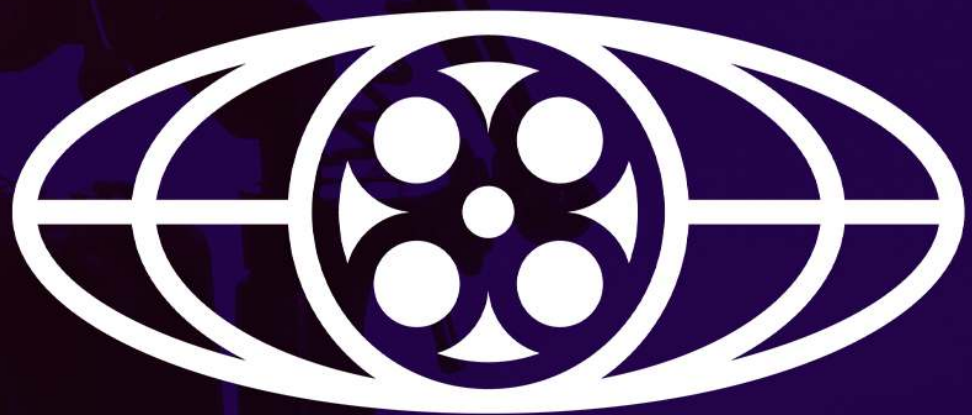
But...



DMCA Reform: Big questions in 2021

- Will Sen. Tillis be reelected?
- Who will chair House Judiciary Committee?
- Felony streaming legislation?
- Appetite for DMCA reform?
- Section 230 reform?





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