



AMERICAN CONTINENTAL GROUP

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## CONTENT & TECHNOLOGY POLICY REPORT JUNE 1, 2018



### I. Congressional Updates:

- On Tuesday, the U.S. Copyright Office announced that Regan Smith will serve as General Counsel and Associate Register of Copyrights. Smith succeeds Sarang (Sy) Damle who is leaving the Copyright Office for private practice. Read more [here](#).
- On Tuesday, Rep. Erik Paulsen (R-MN), Chairman of the Joint Economic Committee, issued a statement following President Trump's announcement that the White House would move forward with tariffs against \$50 billion worth of Chinese goods. "While China must address its failure to protect U.S. intellectual property, these tariffs are not an effective response because it will harm American jobs and consumers. Our economy is seeing measurable gains thanks to pro-growth policies like the Tax Cuts & Jobs Act. GDP has grown an average of 2.5% over the past five quarters, unemployment is at its lowest rate since December of 2000, and everywhere we are hearing positive stories from businesses large and small. Placing tariffs on medical devices and consumer electronics threaten these gains." Read more [here](#).
- On June 27<sup>th</sup>, the Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights will hold a hearing on the proposed Sprint/T-Mobile merger.

### II. Judicial Updates:

- On Tuesday [Forbes reported](#) that a federal court in California removed songwriters BOBBY LOPEZ and KRISTEN ANDERSON-LOPEZ from a lawsuit filed by JAIME CIERO, who claimed that their song "Let It Go" from the hit movie *Frozen* copied his "Volar," because

### Headlines and Highlights:

- Regan Smith named General Counsel at Copyright Office.
- Senate Antitrust Subcommittee to hold hearing on proposed Sprint/T-Mobile merger.
- President of Institute for Policy Innovation pens op-ed on importance of strong IP protections in NAFTA.
- Campaign for Accountability reports that Engine Advocacy is "sock puppet" for Google.

### In the Blogs:

[Is the ACCESS Bill Mean-Spirited or Ill-Advised?](#)

Illusion of More

May 29 by David Newhoff

[Why Can't I Legally Pick 'Digital Locks' to exercise my Fair Dealing Rights](#)

Hugh Stephens Blog

May 26 by Hugh Stephens

[Civil Society Issues Call for Action On Draft WIPO Copyright Exceptions](#)

IP Watch

May 31 by Catherine Saez

Ciero sued after the statutory period for filing copyright infringement claims had expired. (*IPO Daily News*)

- Korean game developer PUBG, a subsidiary of Bluehole, has filed a copyright lawsuit against U.S.-based Epic games, alleging Epic's popular game *Fortnite* copied from PUBG's *PlayerUnknown's Battlegrounds*. Read more [here](#).

### III. Administration Updates:

- On Tuesday, President Trump announced that to “protect domestic technology and intellectual property from certain discriminatory and burdensome trade practices by China” he would impose a 25 percent tariff on \$50 billion of goods imported from China. Specifically, the tariffs would target industrially significant technology, including those related to the “Made in China 2025” program. Read more [here](#).
- Last Friday, Federal Communications Commissioner (FCC) Michael O’Rielly wrote a letter to Jeff Bezos, CEO of Amazon; and David Wenig, CEO of eBay, with a request to eliminate sales of pirate media boxes which illegally display the FCC compliance logo. O’Rielly wrote that, despite the “proactive steps” taken by the companies to remove pirate devices, they “continue to make it to consumers through your websites.” Read more [here](#).

### IV. International Updates:

- On Wednesday, June 6<sup>th</sup> the Computer & Communications Industry Association (CCIA) will host an event in Brussels on “The Online Platform Ecosystem.” Discussions will circle around the legislative landscape for online platforms. Samuel Laurinkari, Head of EU Affairs for eBay; and Michela Palladino, Director of European Policy and Government Relations for the Developers Alliance are slated to participate. Read more [here](#).

### V. Industry Updates:

- On June 21<sup>st</sup>, Fareplay will host a half-day event titled “The Forum on Internet Governance”, an educational conference created to “provide greater understanding of the scope and severity of the current problems associated with the internet and explore solutions.” Author Jonathan Taplin will be the keynote speaker and the event will feature panels on safe harbors and the internet’s impact on the creative eco-system. Read more [here](#).
- On Wednesday, Tom Giovanetti, president of the Institute for Policy Innovation in Irving, Texas, penned an op-ed in *The Dallas Morning News* urging NAFTA negotiators to include strong intellectual property protections in the new agreement. Giovanetti writes that 60 percent of all U.S. exports are from the intellectual property-intensive industries and “that's why it's a huge problem that many of our past trade agreements gave short shrift to the creative industries.” “This was trade malpractice, and the result is that some of our trading partners take advantage of us in the area of creative goods.” Read more [here](#).
- On Wednesday, *Campaign for Accountability* reported that Engine, an advocacy group for startups, is a “sock puppet” for Google. According to the report, Engine has at least seven ex-Google employees and consultants on its board of directors and advisory board. Additionally, Engine and Google share the same lobbying firm and Google funded a

research paper that Engin later released. “Public officials need to be aware that this so-called startup advocacy group is really in bed with Silicon Valley’s foremost D.C. influence machine, whose interests are often in conflict with those of disruptive entrepreneurs,” said Daniel Stevens of the Campaign for Accountability. Read the report [here](#).