MegaUpload takedown Proves SOPA / PIPA are unnecessary

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TONY BRADLEY | MONDAY, JANUARY 23 2012 | 8 COMMENTS

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Debate has been raging in the US over two pending bills -- SOPA (Stop Online Piracy Act) in the US House of Representatives, and PIPA (Protect Intellectual Property Act) in the US Senate. Supporters insist that copyright violations, and intellectual property theft are a rampant online epidemic, and that sweeping, draconian legislation is the only viable solution.

The Internet disagrees. Starting with an effort to boycott domain seller GoDaddy.com for its support of SOPA, awareness has steadily increased, and opposition has grown. Individuals responsible for inventing the technologies on which the Internet is built issued a plea to US Congress to abandon the bills, and the SOPA blackout this week created enough backlash and political pressure that both bills have been postponed.

The question remains, though, why do we need any new legislation at all?

The core premise of the argument for SOPA and PIPA is that supporters claim the legislation is necessary to enable them to take action to fight online content piracy from rogue foreign sites that operate outside of existing U.S. laws. The poster child for SOPA / PIPA support has been MegaUpload.com.

Setting aside the irony that MegaUpload.com would be immune from SOPA / PIPA persecution even if the legislation passed, the actions of the DOJ and ICE clearly illustrate that the existing framework of legal authority is sufficient. If the government is already capable of taking down a website without due legal process, and enlisting the cooperation of international law enforcement to arrest its key members on foreign soil, what exactly do we need additional legislation for?

The DOJ case against MegaUpload relies on ProIP legislation passed in 2008. That legislation faced controversy as well – including the appointment of a “Copyright Czar” who operates outside of the Judicial branch as a function of the Executive Office of the President. Just as with SOPA and PIPA, there were claims that ProIP was overreaching and unnecessary, and assurances from the government that the tenets of the new law would not be abused.

The debate is just getting started over whether the DOJ action against MegaUpload.com is justified, or an example of abusing ProIP. Regardless, though, the legal action against MegaUpload.com should be all the evidence needed to demonstrate that SOPA and PIPA are not needed.

Mike Masnick sums it up in a post on TechDirt. “So why do we need SOPA/PIPA again?”

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Full article: [MegaUpload takedown Proves SOPA / PIPA are unnecessary](http://pcworld.co.nz/pcworld/pcw.nsf/news/megaupload-takedown-proves-sopa-pipa-are-unnecessary|PC World Magazine New ... 2/21/2012)
Neither PIPA or SOPA provide due process.

I say a lot of riots are gonna happen if SOPA/PIPA passes. A lot of rioting and rebellions.

All need to wake up before it is too late. The masses by controlling the internet. It's not about copyright infringement - it is something larger than that and we communicate is very powerful and empowers the man on the street. Politicians fear this and need a way to control.

Politicians see the effect that social media sites can have in overthrowing governments (Egypt, Libya etc.). Mass communication is very powerful and empowers the man on the street. Politicians fear this and need a way to control the masses by controlling the internet. It's not about copyright infringement - it is something larger than that and we all need to wake up before it is too late.

A larger threat from Bush era

There is an even larger threat unfolding. See this article: http://infojustice.org/archives/7461.

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It proves reform is necessary.

What this proves is actually the opposite of what proponents have stated. Reform is necessary in the other direction to restore due process of law. A major international business with substantial legions of non-infringing users was just shuttered and all assets seized without a single hearing in which they could face their accusers and dispute the charges against them.

This treatment is unprecedented everywhere save drug laws. Websites are not like cocaine, they are capable of constructive use.

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