

## Position Statement

The corporations, educational institutions, non-profit organizations and trade associations listed below are users as well as creators in the compilation and value-added transformation of databases. The Information Age and digital technology provide researchers and consumers across the globe with a unique opportunity to continue to create, maintain, and use new and innovative databases that are essential to science, education, business, and the overall economy.

Because databases are items of commerce in their own right, and are critical tools for facilitating electronic commerce, research and education endeavors, we support Federal legislation carefully tailored to provide database publishers with sufficient protection against incentive-eliminating piracy. Conversely, we oppose legislation which would grant the compiler of any information an unprecedented right to control transformative, value-added, downstream uses of the resulting collection or of any useful fraction of that collection.

The basic information policy of this country - a policy that has existed since the writing of the Constitution - has served us extremely well. The policy is that the building blocks of all information - facts, as distinct from the copyrightable manner in which they are expressed - cannot be owned.

The particular legislative approach that has been considered by the House Judiciary Committee in the past three Congresses would mark a fundamental change in our nation's information policy. The problems raised by this change to commerce and competition were recognized by the Department of Justice, the Department of Commerce, and the Federal Trade Commission last year in separate letters to Congress identifying their concerns with H.R. 2652 considered by the 105th Congress. H.R. 354, the Collections of Information Antipiracy Act, is modeled on last year's bill and does not resolve these concerns.

We support Federal legislation that will not harm legitimate research activities and small businesses, but will -

- prevent unfair competition in the form of parasitic copying;
- preserve the fair use of information;
- promote the progress of science, education and research;
- protect value-added publishers and their customers; and
- provide safeguards against monopolistic pricing.

We look forward to working closely with all Members of Congress to craft well-reasoned, targeted and balanced legislation that will punish database pirates without jeopardizing the thriving commerce in information long at the core of America's economic, scientific and intellectual life.

--Company/association/organization listing as of 16 March 1999--

Amazon.Com, Inc.  
Amdahl Corporation  
American Association for the Advancement of Science  
American Association of Law Libraries

American Association of Legal Publishers  
American Association of State Colleges and Universities  
American Committee for Interoperable Systems  
American Council on Education  
American Film Heritage Association  
American Library Association  
American Meteorological Society  
American Society of Agronomy  
American Statistical Association  
Art Libraries Society of North America  
Association of American Physicians and Surgeons  
Association of American Universities  
Association of Research Libraries  
AT&T  
Ball Research, Inc.  
Bell Atlantic  
Big 12 Plus Libraries Consortium  
Bloomberg Financial Markets  
California Institute of Technology  
Case Western Reserve University  
CDnow, Inc.  
Charles Schwab & Co., Inc.  
Citizens' Council on Healthcare  
College Art Association  
Columbia University  
Commercial Internet eXchange Association  
Computer & Communications Industry Association  
Computer Professionals for Social Responsibility  
Conference on College Composition and Communication  
Consortium of Social Science Associations  
Consumer Electronics Manufacturers Association  
Consumer Project on Technology  
Cornell University  
Council of Graduate Schools  
Council on Governmental Relations  
Crop Science Society of America  
Diamond Multimedia Systems, Inc.  
Digital Future Coalition  
Digital Media Association  
Duke University  
Dun & Bradstreet  
Eagle Forum  
Electronic Frontier Foundation  
Enso Audio Imaging, Inc.  
Excite  
Geocities  
Global Music Outlet, Inc.  
Harvard University  
Home Recording Rights Coalition  
Information Technology Association of America  
Inktomi  
Internet Society  
Iowa State University  
Linda Hall Library of Science, Engineering and Technology  
Louisiana State University

Lycos  
Massachusetts Institute of Technology  
MCI WorldCom  
Medical Library Association  
Missouri Council on Library Development  
Music Library Association  
National Association of State Universities and Land-Grant Colleges  
National Council of Teachers of English  
National Initiative for a Networked Cultural Heritage  
National Writers Union  
NetRadio Network, Inc.  
Netscape Communications Corporation  
North Carolina State University  
Northwestern University  
Omnibot  
Online Banking Association  
Pennsylvania State University  
Queens Borough Public Library, NY  
RealNetworks, Inc.  
Rutgers University  
Soil Science Society of America  
Special Libraries Association  
Spinner Network, inc.  
StorageTek  
Syracuse University  
Tunes.com  
U.S. WEST  
United States Catholic Conference  
University Corporation for Atmospheric Research  
University of Chicago  
University of Cincinnati  
University of Colorado  
University of Florida  
University of Michigan  
University of Missouri - St. Louis  
University of Missouri-Columbia  
University of New Orleans  
University of North Carolina -- Charlotte  
University of Southern California  
University of Tennessee, Knoxville  
University of Texas at Austin  
University of Utah  
University of Wisconsin-Madison  
University System of Maryland  
Utah Agricultural Experiment Station  
Vanderbilt University  
Visual Resources Association  
Washington University, St. Louis  
Wells Anderson Legal Tech Services  
Yahoo! Inc.  
Yale University

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