

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  
Association  
Consumer Electronics Retailers Coalition  
Digital Future Coalition  
MCI  
SBC  
U.S. Internet Service Provider Association\*  
Verizon

American Library Association  
BellSouth Corporation  
Consumer Electronics  
  
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