

November 8, 2011

To Members of the United States Congress:

I am the CEO of OpenDNS, the largest DNS and Internet security service in the world. I am writing to urge you to reject HR 3261, the Stop Online Piracy Act (SOPA) as well as S.968, the PROTECT IP Act (PIPA). If passed, they will be devastating to the growth of the Internet economy in the United States, will take jobs overseas and will have a chilling effect on innovation.

OpenDNS protects more than 30 million people each day as they navigate the Internet, giving our users the power to block malicious and harmful content as they deem fit. OpenDNS is used to protect one out of every three U.S. public K-12 schools, tens of thousands of businesses, hundreds of thousands of homes, and is used on more than half of all U.S. college and university campuses.

It's likely that if SOPA and PIPA existed when I started my company, we would have incorporated outside of the United States and all of the jobs and investment that I have put into the economy would have been taken elsewhere. I expect many businesses will make the decision to incorporate elsewhere should this legislation pass and it's possible that existing corporations will relocate to more entrepreneur-friendly countries.

My company invented many of the specific techniques that SOPA and PIPA would require all domestic Internet Service Providers and companies like mine to employ. Needless to say, we understand the censorship technology being proposed in this legislation and we are deeply concerned. While the aims of protecting IP and reducing piracy are noble, there are many reasons why SOPA and PIPA are dangerous as currently written. Here are the three that impact my business most:

1. It will, by definition, be overbroad, as there is no way to censor only illegal content without harming legitimate uses on sites as well. This is particularly true in light of the broad notion of "sites dedicated to infringing activity."
2. Through their requirements to block websites, these bills will create a domestic Internet firewall designed to censor websites equivalent to the "Great Firewall of China" that is used to suppress information. If we implemented such a solution we would be setting a terrible example for the rest of the world, including countries we criticize for the same behavior like Iran, Syria, and China.
3. They will burden companies with an onerous level of liability for all user-generated content. What the bills propose would be akin to requiring the phone company to be responsible for the legality of every phone call that takes place. With that kind of regulation, companies will spend more on lawyers and litigation than they will on hiring and innovating. Existing laws like the Digital Millennium Copyright Act already provide a satisfactory legal framework to remove copyright infringement and enforce intellectual property rights.

To be sure, piracy has been and remains a serious problem. Technology affecting the entertainment industry has evolved quickly, and they have struggled to react in such a way that allows their businesses to remain as lucrative as in the past. But just as they feared the

VCR, the MP3 player, and the player piano would destroy their businesses, the Internet too will ultimately help existing companies grow and increase revenues.

The path forward to stopping piracy is not to legislate and litigate. You must instead encourage innovation. It's new, innovative content platforms like iTunes and YouTube that can slow piracy and give consumers what they want. Moreover, the Internet is a fundamental piece of our economy and modern way of life. It is also one of the strongest paths to creating jobs and getting our economy back on track. To alter the way it behaves will have a ripple effect on both our economy and the growth of the Internet.

SOPA and PIPA would hamper, not help, that type of innovation. These bills will be devastating to the Internet and innovation online. I urge you to reject them.

Sincerely,

David Ulevitch
CEO, OpenDNS Inc.