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Digital Millennium Copyright Act

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Site Sponsor The Digital Millennium Copyright Act (DMCA) is a controversial United States digital rights management ([DRM](#)) law enacted October 28, 1998 by then-President Bill Clinton. The intent behind DMCA was to create an updated version of copyright laws to deal with the special challenges of regulating digital material. Broadly, the aim of DMCA is to protect the rights of both copyright owners and consumers. The law complies with the World Intellectual Property Organization (WIPO) Copyright Treaty and the WIPO Performances and Phonograms Treaty, both of which were ratified by over 50 countries around the world in 1996.

Drafted by a collaborative effort of publishers, scientists, civil rights groups and others, DMCA is considered a compromise measure by many of these groups, whose interests frequently conflict. Strictly interpreted, DMCA would outlaw many entirely ethical, and even necessary activities. For example, security-related tasks that involve circumventing security systems, [encryption](#) research, or [reverse engineering](#) software would be illegal. Prior to the law's passing, 50 of the country's most prominent computer scientists and technology signed a letter to the U.S. congress warning that DMCA, as originally envisioned, would "imperil computer systems and networks throughout the United States, criminalize many current university courses . . . and severely disrupt a growing American industry in information security technology."

Revisions were made to DMCA to allow specified exceptions, such as encryption and security research. Industry, consumer, and civil rights groups continue to appraise the law, and many states are considering their own versions. In April 2003, a group called the Broadband and Internet Security Task Force produced an update to the law, sometimes referred to as "Super DMCA." This later version adds important concepts, such as "the intent to defraud," to the stipulations of the original law.

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- >> [The Digital Millennium Copyright Act is available online.](#)
- >> [There's more information in the Seybold Report on Internet Publishing.](#)
- >> [SearchSecurity offers a collection of Best Web Links for Copyright and Intellectual Property.](#)
- >> [SecurityFocus has an article called "Super-DMCA Not So Bad."](#)

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