Dear Vice President Biden:

The creative community is deeply grateful to you for your career-long commitment to protect copyright – the lifeblood of our industries.

We are members of CreativeFuture, a coalition that includes more than 560 companies and organizations and more than 275,000 individuals, many of whom make their living in film, television, music, publishing, photography, and other core copyright industries.

We advocate for copyright as essential to free expression, innovation, technological advancement, and culture in our nation.

We embrace the First Amendment, as well as the Constitutional principle of copyright. Our Constitution recognizes that free speech and “the advancement of science and the useful arts” through copyright are complementary. Copyright preserves the incentive to create by giving creatives the right to choose where and how their creative works are shared and the right to be compensated fairly for their use.

As you are no doubt aware, the core copyright industries are an important economic driver for our country, employing 5.7 million Americans and contributing more than $1.3 trillion to the Gross Domestic Product – more than aerospace, agriculture, or pharmaceuticals. Of particular significance is that small businesses comprise a large portion of the creative economy – in film and television, 87% of our businesses have fewer than 10 employees.

Yet the pandemic has impacted the creative industries as much as, and in many cases even more than, other job-creating businesses. The pandemic has largely shuttered film and television production. It has closed live music venues, from stadiums to local clubs. It has halted book tours and forced stores that sell books, video games, and other creative industry products to close their doors. And, it has led to an increase in digital piracy, as criminal enterprises have capitalized on the fact that so many Americans are forced to remain at home. Even before COVID-19, digital video piracy cost the U.S. economy at least $29.2 billion every year, and as much as $71 billion, according to a U.S. Chamber of Commerce study. In a time when few can work, piracy cuts into the already reduced legitimate revenue streams from our creations, exacerbating our economic challenges.

We share our concerns knowing of your remarkable track record of standing up for creativity. For example, as Senator, you co-chaired the Congressional International Anti-Piracy Caucus, spearheading the creation of the annual International Piracy Watch List. And as Vice President, you worked alongside President
Obama to empower the U.S. Intellectual Property Enforcement Coordinator (IPEC) to advance our nation’s goals of stopping illegal and damaging intellectual property theft.

There is critical work to be done, both in Congress and in the Executive Branch, to ensure that copyright law works better to promote American creativity. A primary area of focus is to ensure that the internet, a great tool for creativity, does not serve as a weapon that also harms creativity.

There is bipartisan legislation pending in Congress that will make it easier for small copyright holders to protect their rights by providing a meaningful alternative to litigation in federal court (the CASE Act), and to make felony penalties available to combat streaming piracy just as they are for other forms of piracy. There are also ongoing efforts to ensure that the biggest Internet platform companies have greater accountability for addressing the unlawful conduct occurring across their worldwide services.

With Senator Kamala Harris on your ticket, you have a governing partner who is deeply familiar with technology issues, and who has stood up at critical times to ensure that the platforms are more accountable (e.g., the passage of FOSTA/SESTA). This creates an important opportunity to get the creative and tech communities working more closely together to pursue the battle against digital piracy.

Mr. Vice President, you have earned our appreciation and support for your lasting commitment to the Constitutional principles of copyright and free expression. As you advocate your vision and agenda for America’s economic recovery, we hope you will reiterate this important commitment. If you are elected, we hope that your team and appointees will be reminded of that – and that this will remain a bedrock element of your domestic and foreign policy.

We, the undersigned, stand ready to work with you to rebuild our shattered communities, restore creative jobs, and maintain America’s role both as the global leader in the creative arts and a global champion for protecting free expression and intellectual property rights.

Sincerely,

Ruth Vitale
CEO, CreativeFuture
Pamela Abdy  Gale Anne Hurd  Kurt Sutter
David Andron  Gregg Hurwitz  John Toll
Roger Avary  Charles King  Mark Vahradian
John Baldecchi  Jason Kliot  Joana Vicente
Betsy Beers  Hawk Koch  Ruth Vitale
Alec Berg  Tony Krantz  Nick Wechsler
Albert Berger  Adam Krentzman  Robert B. Weide
Claire Best  John Krokidas  Chris Weitz
Todd Black  Scott Kroopf  Peter Weller
Jason Blum  Tim League  Brad Weston
Jason Blumenthal  Karrie League  Janet Yang
Bill Borden  Kate Lear  Jonathan Yunger
Marty Bowen  Michelle LeClair  
Chris Brancato  Roy Lee  
Paul Brooks  Mark Leibowitz  
Mark Burg  Harry Lennix  
Allison Burnett  Gary Lucchesi  
Jon Cassar  Laurence Mark  
Cotty Chubb  Ron Maxwell  
Tena Clark  Mary Mazzio  
Bruce Cohen  William M. Mechanic  
Charlie Corwin  Michael Menchel  
Martha De Laurentiis  Victoria Metzger  
Chip Diggins  Kevin Misher  
Dennis Dugan  Rick Nicita  
Cassian Elwes  Tom Ortenberg  
Blye Faust  Hutch Parker  
Evelina Fernandez  Gary Phillips  
Wendy Finerman  Jeff Pollack  
Christopher Floyd  Gavin Polone  
Beau Flynn  Dawn Prestwich  
James Foley  Samantha Ramirez Herrera  
Lucas Foster  Doug Robinson  
Anne Marie Fox  Karen Rosenfelt  
Elizabeth Frank  Ann Roth  
David Friendly  Claire Rudnick-Polstein  
Antoine Fuqua  Aaron Ryder  
Richard Gladstein  Nina Sadowsky  
Wyck Godfrey  Robin Sax  
Mark Gordon  Teddy Schwarzman  
Jeffrey Greenstein  Allison Segan  
Taylor Hackford  Lloyd Segan  
John N. Hart Jr.  Keri Selig  
Jordan Hawley  Jeffrey Sharp  
Lisa Henson  Stacey M. Sher  
Marshall Herskovitz  Sigurjon Sighvatsson  
David Hoberman  Michael Sucsy