



SENT ELECTRONICALLY

9 October 2020

Biden for President
P.O. Box 58178
Philadelphia, Pennsylvania 19102

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

5670 Wilshire Boulevard, Suite 1650, Los Angeles, CA 90036
+1-323-591-3000 | www.CreativeFuture.org

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,

A handwritten signature in blue ink, appearing to read "Ruth Vitale". The signature is fluid and cursive, with the first name "Ruth" and last name "Vitale" clearly distinguishable.

Ruth Vitale
CEO, CreativeFuture

Pamela Abdy
David Andron
Roger Avary
John Baldecchi
Betsy Beers
Alec Berg
Albert Berger
Claire Best
Todd Black
Jason Blum
Jason Blumenthal
Bill Borden
Marty Bowen
Chris Brancato
Paul Brooks
Mark Burg
Allison Burnett
Jon Cassar
Cotty Chubb
Tena Clark
Bruce Cohen
Charlie Corwin
Martha De Laurentiis
Chip Diggins
Dennis Dugan
Cassian Elwes
Blye Faust
Evelina Fernandez
Wendy Finerman
Christopher Floyd
Beau Flynn
James Foley
Lucas Foster
Anne Marie Fox
Elizabeth Frank
David Friendly
Antoine Fuqua
Richard Gladstein
Wyck Godfrey
Mark Gordon
Jeffrey Greenstein
Taylor Hackford
John N. Hart Jr.
Jordan Hawley
Lisa Henson
Marshall Herskovitz
David Hoberman

Gale Anne Hurd
Gregg Hurwitz
Charles King
Jason Klot
Hawk Koch
Tony Krantz
Adam Krentzman
John Krokidas
Scott Kroopf
Tim League
Karrie League
Kate Lear
Michelle LeClair
Roy Lee
Mark Leibowitz
Harry Lennix
Gary Lucchesi
Laurence Mark
Ron Maxwell
Mary Mazzio
William M. Mechanic
Michael Menchel
Victoria Metzger
Kevin Misher
Rick Nicita
Tom Ortenberg
Hutch Parker
Gary Phillips
Jeff Pollack
Gavin Polone
Dawn Prestwich
Samantha Ramirez Herrera
Doug Robinson
Karen Rosenfelt
Ann Roth
Claire Rudnick-Polstein
Aaron Ryder
Nina Sadowsky
Robin Sax
Teddy Schwarzman
Allison Segan
Lloyd Segan
Keri Selig
Jeffrey Sharp
Stacey M. Sher
Sigurjon Sighvatsson
Michael Sucsy

Kurt Sutter
John Toll
Mark Vahradian
Joana Vicente
Ruth Vitale
Nick Wechsler
Robert B. Weide
Chris Weitz
Peter Weller
Brad Weston
Janet Yang
Jonathan Yunger