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1 MILLER REPORTING COMPANY, INC.

2 OVERSIGHT HEARING ON PIRACY OF

3 INTELLECTUAL PROPERTY ON PEER-TO-PEER

4 NETWORKS

5 Thursday, September 26, 2002

6 House of Representatives,

7 Subcommittee Courts, the Internet, and

8 Intellectual Property,

9 Committee on the Judiciary,

10 Washington, D.C.

11 Th subcommittee met, pursuant to call, at 9:00 a.m., in

12 Room 2141, Rayburn House Office Building, Hon. Howard Coble

13 [chairman of the subcommittee] presiding.

2984 Mr. *Goodlatte.* Well, if you have any specific things
2985 along that line of parameters, please submit them to the
2986 committee.

2987 Ms. Rosen, what do you think about a sunset provision?

2988 Ms. *Rosen.* I can't speak for everybody, but I think
2989 it's a very interesting idea. It's something--we certainly
2990 think this whole thing is an experiment, so--

2991 Mr. *Goodlatte.* Let me ask one other question that's
2992 related very much to this. I understand the issue in the
2993 Recording Industry Association of American case with Verizon,
2994 one of the issues is whether a provision in the Digital
2995 Millennium Copyright Act that provides and expedited process
2996 for ISPs to turn over subscriber information for alleged
2997 infringers applies to peer-to-peer files, file sharing.

2998 When Congress passed the DMCA, we intended that
2999 provision to provide the copyright owners with quick access
3000 to this information, so they can go after the infringers
3001 directly and take the ISP out of the middle of the process.
3002 If the court finds that the DMCA does not apply in this
3003 situation, and I think it should, should the law be updated?

3004 Ms. *Rosen.* I can't get away from this issue.

3005 [Laughter.]

3006 Ms. *Rosen.* You know, I think, actually, the Verizon
3007 dispute is very relevant to your last question, because what
3008 we're sort of faced with is, we've had a great relationship