

# THE ADOPTION OF ANTI-CIRCUMVENTION REGULATION IN THE EU AND THE US; AN ILL-GROUNDED DECISION?

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## ***Abstract***

*This paper unearths the legislative history of the Software Directive, the Information Society Directive and of the Digital Millennium Copyright Act in order to identify the justifications that led to the adoption of anti-circumvention regulation in the EU and the US. It argues that although Technological Protection Measures and anti-circumvention regulation were presented as a means to protect copyrightholders from allegedly novel threats, as a means to compensate them for the harm they would allegedly endure and finally as a means to encourage them to exploit the potential offered by new technologies, in reality they were a means to establish new models for the exploitation of copyright works, as the traditional business models for the exploitation of copyright works were challenged in the networked online environment.*

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