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Abstract of Proposed Presentation

Three Strikes and you're out – or how lawmakers fail to deal with copyright law in the digital age

ACTA, HADOPI and SOPA (to mention only a few) have become synonyms for national and international efforts on how to inappropriately deal with copyright law in the digital age. All these initiatives were doomed to failure right from the very beginning as they mainly focus on establishing stronger and more rigid standards of intellectual property protection without sufficiently taking into account the concerns and needs of users and the public interest.

It can be observed that these initiatives have been strongly opposed and resisted, not only in the academic community but also in the public with demonstrations of several thousand young people in cities worldwide. This shows impressively that any change in intellectual property protection from now on requires an adequate consideration of user and (in more general) public interests. Any further attempt of stakeholders to establish more rigid IP protection standards in the Internet, concluded in more or less secretive forums under the exclusion of major parts of the society will lack legitimacy, and hence the trust and acceptance of the people – who are no

more willing to just cross their arms and silently watch any such development.

The presentation will point out that the time has come to search for a new social consensus in copyright law.

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