

ISPs AND COPYRIGHT: DEEP PACKET INSPECTION AND NETWORK NEUTRALITY

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Abstract

This paper aims to shed light on a transversal phenomenon, as it affects both the scope of the law and the technology, ethics and certain legally recognized rights. This is the impact that the deep packet inspection technology has in the current internet. Through this technological innovation, effectively used nowadays, the ISPs (Internet service providers) can analyze the content of what passes through their networks, treating it differentially if necessary. Thus, the proposed equal network may be truncated as these companies can monitor traffic on the network (determining a speed limit, prioritizing some connections or just banning them because of the data they are transmitting). In this paper we analyze the impact that this technology can have in a very specific area, the copyright legislation, revealing the intense battle being waged between technology companies and the owners of intellectual property rights. We also discuss how this technology can subvert what the internet is becoming and, finally, how the role of the state is important in the regulation of the technology, for it will determine the interrelationship between technology and society.

Keywords

Copyright; deep packet inspection; network neutrality; ISPs; P2P; intellectual property; legislation.