

Copyright A Foundation for App Makers



Discover the App Economy





Intellectual property is the creation of the mind: inventions, literary and artistic works, symbols, names and images, and the list goes on. In the United States and internationally, there are laws to protect the rights of inventors and creators to control access to and the use of their works. Software or computer programs, such as mobile apps, are literary works protected by these laws. Strong intellectual property (IP) protections safeguard the creativity and innovation of ACT | The App Association members. As the \$6.3 trillion app ecosystem expands globally, our members' ability to create jobs and develop innovative software products and services depends on clear and enforceable copyright protections.

App Developers and Copyright

App developers both create and use content. Software and creative content are a valuable part of an intellectual property portfolio. Developers also license software and content for use in their own products and services. Software piracy jeopardizes the success of our members and threatens digital content creators' ability to innovate, invest, and hire. Unfortunately, app makers experience significant loss of revenue each year from piracy and counterfeits. Piracy threatens not only a developer's ability to innovate, invest, and hire but also end-user confidence when consumers become victims of illegal distributors who pose as legitimate sellers. Counterfeit apps can lead to customer data loss, interruption of service, device malfunction, and risk to data privacy and security.



To Support Copyright Protections for App Developers We Urge Congress to:

Maintain Strong IP Protection

The Digital Millennium Copyright Act (DMCA), which sought to promote a robust digital marketplace of products and services, has been debated since it was enacted in 1998. The protections in the DMCA that prohibit hacking and allow creators to protect their works online with technological protection measures have enabled exponential growth in technological innovation. Congress should oppose measures that would diminish the strength of copyright protections for software and content creators.

Support Efforts to Promote Accountability and Collaboration in Addressing Piracy

Congress should use a range of mechanisms to hold bad actors accountable for piracy and to bring together all stakeholders to develop solutions. Modern technology is constantly changing, raising new issues around the balance between the rights of creators and consumers. Issues such as the responsibility to remove pirated content online, copyright protection for works created by artificial intelligence (AI) or as non-fungible tokens (NFTs), and consumer rights to modify licensed software are complex. State and federal laws on privacy, cybersecurity, and consumer safety also dictate rights and responsibilities in the development and distribution of digital products and services. Therefore, it is imperative that Congress understand the broad scope of technological and legal issues involved when taking action to address the harmful impacts of piracy.

To Recognize the App Industry Contribution to Creative Industries and Inclusion in Legislative Initiatives

The app ecosystem is an example of successful and sustained innovation built on existing laws. There are app developers in every congressional district in every state in the United States. These small and large businesses are creating exciting products and services that provide critical solutions and opportunities in every sector of today's economy. It is imperative that their interests be represented in discussion around intellectual property and technology issues.