



Mozilla Corporation  
51 Rue du Trône  
1050 Ixelles, Belgium

15 June, 2016

Dear Vice President Andrus Ansip,  
Dear Commissioner Günther Oettinger,

cc: Jean Bergevin, Head of Unit, Unit F/5  
Helge Kleinweg, Legal Officer, Unit F/5

Mozilla is a technology company and a non-profit foundation whose mission is to promote openness, innovation, and opportunity on the web. We produce the Firefox web browser and other products and services, together adopted by hundreds of millions of individual Internet users around the world. We also educate and empower Internet users to be the web's makers, not just its consumers. Our European headquarters is in Denmark, and we are registered in several European countries, with software development and engineering offices in the UK, Germany, and France.

Mozilla innovates and creates as a technology company, a non-profit foundation, and a global community. We also hold copyrights, trademarks, and other exclusive rights. As a rightsholder, as well as a business that uses rights-protected works produced by others, we have an active stake in IPR enforcement. In the pursuit of our mission, we've also pioneered open licenses to share our works with others. In essence, we harness the IPR system to promote openness, competition and participation in the internet economy.

As a rightsholder and an organization committed to promoting innovation and economic growth online in Europe, we believe the current framework has provided sufficient and effective protection of IPRs. The IPRED has, on many levels, been a success in promoting innovation and opportunity online by freeing service providers to grow their services and the Internet economy, generating benefit for Internet users and for rightsholders who are able to access new markets for their works. Should the Commission revise IPRED substantially in an attempt to address illusory enforcement gaps or weaknesses raised by other rightsholders, we fear for the current core policy balance we have today, which undergirds the European technical market and is needed to preserve innovation and growth potential for European businesses.

As holders of IP rights, we recognise that large scale commercial infringements of IPRs is a worry perceived by some European businesses. But we emphasize that the solution to this issue

is not to place burdens on intermediaries, which would have a detrimental impact on innovation and the growth of the European digital market. To the extent the Commission feels obligated to pursue deeper understanding of IPR enforcement concerns, we encourage the Commission to continue its focus on the ongoing dialogues focused on large scale commercial infringements. Targeted, problem-based approaches have borne more fruit and carry less risk to the health and vitality of the digital economy in Europe. At the same time, such approaches should also take due account of the value inherent in open licenses, and how copyright law can be used to promote openness, competition, and innovation in today's internet ecosystem.

With regard to the IPRED public consultation, given Mozilla's diversity of interests as a united organisation, we believe the forced choice of "type of stakeholder", first through the selection of a particular form to complete, and then through the restriction of available questions based on early choices within that form, impedes our ability to make our full views known to the Commission. In future consultations, with many institutions falling somewhere in the middle of these fixed categories, we request the Commission put forth consultations structured to accommodate all interests through the same questions and structure.

We look forward to working with you on these issues to create a Digital Single Market: one that reflects the collaborative, participatory nature of the web; one that fosters creativity and innovation; and one that takes significant steps towards the establishment of a truly digital, truly single market.

Sincerely,



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