



POSITION STATEMENT

Digital Rights Management

Adopted by the IEEE-USA

Board of Directors (27 June 2025)

While recognizing the legitimate desire of copyright owners, including the content industry, to protect their copyrights in the face of technological progression, IEEE-USA is concerned that digital rights management (DRM) systems will upset the copyright balance that has existed for centuries between copyright owners and users (both commercial and consumer). IEEE-USA believes such systems could cause problems, with respect to technical innovation; and impede the fair use and preservation of copyrighted works, by future U.S. generations. We are particularly concerned about the effects of any digital rights management technology the government might mandate; or that industry might impose, without taking adequate care to protect the rights of users and the public, in general.

To address such concerns, IEEE-USA recommends developing DRM systems for future mass-market electronics devices through an open and transparent process prior to adoption. In addition, computer and content users must be encouraged to provide input throughout the process. IEEE-USA also strongly believes that any proposed digital rights management system must clearly maintain:

1. **Privacy** - The DRM system must protect the privacy of users; and of any data relating to the access, or use of, rights management information. For example, information about a particular user's access to works, or portions of works, must not be collectable.

2. **Security** - The DRM system must not introduce new vulnerabilities, nor prevent users from securing their systems.

3. **Reliability and Accessibility** - Users must always be able to reliably access the content to which they are entitled. Access to other content, software, or hardware must never be blocked due to unintentional similarity to another work, or due to any error or design flaw in the digital rights management system.

4. **The Scope of Copyright Protection** - DRM should not subvert the compromises between copyright owners, users, and the public interest in copyright laws; or the court cases interpreting them. Additionally, IEEE-USA believes that copyright protection must not be allowed to limit, or eliminate, reverse engineering of computer programs and interfaces, and time-shifting of television programs, both found lawful by the courts; to extend protection to works not protected by copyright; or to limit current and future user rights, such as fair-use, or first-sale rights. IEEE-USA also asserts digital rights management systems must not inhibit any, or all, user rights in

digital works, as well as other user rights intellectual property law provides.

5. Innovation and Competition - DRM systems must be a means to protect copyright owners' rights, and must not impede innovation, competition, or consumer choice; nor create artificial barriers to competition and innovation; nor force users to repurchase media, or media players.

6. Implementation Transparency - DRM systems specifications should be developed in an open and transparent manner, and should be available to implementers under Fair, Reasonable and Non-Discriminatory (FRAND) terms. When mandated, such specifications must be developed in an open and transparent manner and must be available to implementers under FRAND terms.

7. Continued Access to Works - Unlike a printed work, a work protected by a copyright protection system can only be read by using a device implementing that system. It is important to develop some way to preserve access to such works for future reference, and to implement the copyright bargain of protection for a limited time, after which the work enters the public domain.

IEEE-USA supports initiatives to preserve the public's current and future fair use rights (e.g., first sale rights) to alternative media and encoding formats. Further, IEEE-USA supports initiatives to preserve the public's future and long-term access to copyrighted works - via technological or non-technological solutions, by the U.S. Copyright Office and the Library of Congress - to maintain usable and accessible archival copies of works, for generations to come.

This position statement does not address the dissemination of controlled, unclassified information (CUI) - a framework, established by executive order, designed to standardize practices, and improve the sharing of certain information, among government agencies.

This statement was developed by the IEEE-USA Intellectual Property Committee and represents the considered judgment of a group of U.S. IEEE members with expertise in the subject field. IEEE-USA advances the public good and promotes the careers and public policy interests of the nearly 160,000 engineering, computing and allied professionals who are U.S. members of the IEEE. The positions taken by IEEE-USA do not necessarily reflect the views of IEEE, or its other organizational units.