



October 29, 2021

The Honorable Patrick Leahy
United States Senate
437 Russell Senate Office Building
Washington, DC 20510

The Honorable Thom Tillis
United States Senate
113 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Leahy and Tillis,

Thank you for your letter dated September 30, 2021.

Amazon strives to be Earth's most customer-centric company where people can find and discover virtually anything they want to buy, with an emphasis on price, selection, and convenience. Protecting intellectual property and driving legal access to creative works is foundational to what we do, and Amazon is uniquely situated at the center of intellectual property law and policy as a leading content creator, distributor, retailer, IT infrastructure provider, and publisher of audiovisual, musical, and literary content.

We make significant investments in protecting our own creative works, as well as scaling our content-protection programs and partnering with our industry peers and rights holders to combat piracy. Amazon is proactive and highly responsive to ensure that our customers and content partners trust that we distribute only protected products and content online. We have long-standing advertising policies that prohibit ads to be served on illegal content, including IP infringing (IPI) content. We are continuously improving our processes and systems to enable us to prevent any of our ads from appearing on pirated apps and websites.

The answers to your questions are as follows:

1. What steps does your company take, both in the United States and worldwide, to prohibit advertising on piracy websites and applications?

Amazon's long-standing advertising policies prohibit ads to be served on illegal content, including IPI content. We have both proactive and reactive processes in place to monitor and enforce these policies. In addition, we have invested in dedicated teams and technologies to proactively detect illegal and copyright infringing content and filter it from our ad supply. Amazon Advertising products use signals and lists from independent third-party providers to filter out third-party apps and sites that potentially contain IPI content to prevent ads from serving there. Some of these third-party data providers include: the City of London Police Intellectual Property Crime Unit (PIPCU), Content Overseas Distribution Association (CODA), Alliance for Creativity and Entertainment (ACE), and White Bullet. Within our contractual agreements, we require ad exchanges and publishers to comply with content restrictions (such as illegal content). Amazon Publisher Services vets apps and sites for illegal content and other prohibited types of content, prior to onboarding into the ad program. We also employ established processes to re-review apps and sites for continued compliance, as an extra layer of protection.

2. Why was your company identified as the one of the top major brands involved in placing advertising on applications? What measures are you taking to change this?

A very small fraction of ads purchased by Amazon have appeared on pirated websites. As the recent Digital Citizens Alliance (DCA) report showed, there has been a 78 percent decline in advertising placed by Amazon on piracy websites. We are the only major digital advertising company to make progress on this issue as was discussed in the DCA report. However, we will not stop improving until we are 100 percent effective.

Please see the response to Question 1 for our measures to prevent advertising on piracy websites.

3. Do you agree that supporting commercial-scale pirate websites and apps through advertising dollars is wrong?

Yes. At Amazon, we take anti-piracy seriously, which is why Amazon is a founding/governing member of the Alliance for Creativity and Entertainment (ACE). ACE is a coalition of over 30 global entertainment companies that work together to protect copyrighted material. Additionally, as a holder of intellectual property, we understand the importance of protecting the creative marketplace. As the recent DCA report showed, there has been a 78 percent decline in advertising placed by Amazon on piracy websites. We are continuously improving our processes and systems to enable us to prevent any of our ads from appearing on pirated apps and websites.

4. Does your company, or its agents or subsidiaries, identify websites or apps that pose a risk of distributing or displaying copyright protected content without authorization?

Yes. Amazon Publishing Services vets apps and sites for illegal content and other prohibited types of content, prior to onboarding into the ad program. We also employ established processes to re-review apps and sites for continued compliance, as an extra layer of protection, as discussed above.

5. Does your company, or its agents or subsidiaries, restrict the display of its advertisements on websites that infringe copyright, or pose a high risk of engaging in copyright infringement?

Yes. Please see more detail in our response to Question 1.

6. Does your company, or its agents or subsidiaries, block payment for ad impressions on pirated content?

Yes. Our agreements with publishers and ad exchanges allow us to block payment if we determine that ads are placed in violation of our policies. We work hard to prevent delivering impressions on illegal and copyright infringing sites in the first place, because even one impression damages both Amazon and our ad-buying customer's brand reputation.

7. Does your company, or its agents or subsidiaries, conduct independent audits to ensure that any advertising policies are being implemented effectively? How frequently are these policies reviewed?

Yes, we perform internal reviews at least once a quarter. In addition, Amazon Advertising has received the Brand Safety Certification seal from the Trustworthy Accountability Group (TAG) by passing independent validation from a third-party auditor, and meeting requirements in the categories of intermediary and seller. TAG certification applies to our global operations and is renewed annually.

8. Does your company collect data over its own ad placements that would allow it to prevent placement on websites or apps that pose a high risk for distributing illegal content, including pirated content?

Yes. See also our response to Question 1 for our measures to prevent advertising on piracy websites.

We share your commitment to ensuring pirate sites are deprived of any ad dollars, and we welcome the opportunity to work with you to advance our shared objective.

Thank you again for your letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Huseman".

Brian Huseman
Vice President, Public Policy