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October 29, 2021

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

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

Dear Senators Leahy and Tillis,

We appreciate the opportunity to respond to your September 30, 2021 letter regarding the issue of advertising on potentially infringing apps and websites.

We share your interest in fighting online piracy and agree that one effective way to combat rogue sites that specialize in online piracy is to cut off their money supply. That is why we have worked diligently to block infringing sites and apps from using our services and work with other technology companies, publishers, and advertisers to develop and implement best practices for the advertising industry. These efforts have been successful. Around the world, online piracy has been decreasing, and spending on legitimate content is rising. Unfortunately, bad actors work hard to circumvent our systems and policies. While we recognize that we will never be able to fully eradicate piracy, we remain committed to these efforts and will continue to invest in our fight against piracy.

Thank you for providing us with the opportunity to elaborate on our efforts in our answers to your questions below.

***Question 1: What steps does Google take, both in the United States and worldwide, to prohibit advertising on piracy websites and applications?***

We have always [prohibited publishers](#) from using our services to place ads on pages that contain pirated works, and we proactively monitor our network to root out bad publishers. In

addition, when we receive a Digital Millennium Copyright Act (DMCA) notice for search, we take action to ensure that advertisements do not run on those same pages. Copyright holders can also notify us of pages or advertising that violates our policies through a webform.

We also work with other advertising leaders to craft best practices aimed at raising standards across the entire online advertising industry. This includes a partnership with the Trustworthy Accountability Group (TAG) that has earned Google TAG's Certified Against Piracy Seal. Our efforts have been effective. In 2020, we [blocked](#) advertising on 626,000 pages and blocked 46 million advertisements that abused our policies related to copyright.

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

The study claims that advertisements of major brands are 24% of total ads on the reviewed applications. Of that 24%, advertisements for Google represented only 5% of those advertisements, which means that, according to the study, advertisements for Google were just 1.2% of the ads on the reviewed applications.

The study also notes that advertisements for major brands are 4% of total ads on the reviewed websites and that advertisements for Google were fewer than one percent of major brand advertisements. This means advertisements for Google very rarely appeared on the reviewed websites.

It is also important to note that the methodology used in the report relies on a list of websites and apps that were identified by the author's own commercial machine-learning algorithm and includes data that is based on assumptions about ad revenue and traffic. Google is a leader in rooting out and ejecting rogue sites and apps from our publisher network. However, we acknowledge that no system is ever perfect and we remain committed to this work despite the challenges.

***Question 3. Do you agree that supporting commercial-scale pirate websites and apps through advertising dollars is wrong? Does Google profit from advertising on websites that contain pirated content?***

We believe that one effective way to combat rogue sites that specialize in online piracy is to cut off their money supply. That is why we have been so committed to diligently blocking bad actors from using our services and helping set industry standards for safe online advertising. These efforts have been effective. Our [research](#) has shown that AdSense ads appear on fewer than one-tenth of 1% of the pages that copyright owners identify in copyright removal notices for Search.

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

Because only the rightsholder knows whether subsequent uploaders have licensed the content or are using the content under a permitted copyright exception, we must rely on them to notify

us of pages and apps that they believe infringe copyright. Upon notice, we take action to remove these pages and apps from our services. Where appropriate, we also take proactive steps. For example, we review websites and apps referred to us by Trustworthy Accountability Group for compliance with our publisher policies and take steps to prevent pages or apps that have been removed from Google Search or the Play Store in response to a DMCA notice from being able to monetize through AdSense or AdMob.

***Question 5. Does Google, 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?***

In addition to relying on the protections built into our services detailed in our answer to Question 1, we restrict advertisements, via the controls within our services, to avoid sites focused on hosting, file sharing, and downloads or sites that have been flagged with potentially fraudulent activity. We also instruct our agency partners to not place Google ads on the [United Kingdom's Police Intellectual Property Crime Unit's Infringing Website List](#).

***Question 6. Does Google, or its agents or subsidiaries, block payment for ad impressions on pirated content?***

We are always reviewing publisher pages for compliance with our policies. When we find ads running on pages that violate our policies, we remove the ads and stop the publisher from accruing further revenue on these pages.

***Question 7. Does Google, 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 review our advertising policies and enforcement efforts regularly to ensure they remain up to date and effective. We have thousands of people globally working on policy development and enforcement. We actively track emerging trends and adversarial behavior and are quick to adapt our enforcement and policies accordingly. Additionally, in 2020, we added or updated [over 40 policies](#) for both advertisers and publishers.

We are active in industry associations that drive accountability through independent oversight on brand safety, operations, and reporting. YouTube was [the first digital platform to ever receive accreditation](#) from the Media Ratings Council's [Enhanced Content Level Context and Brand Safety Guidelines](#), which are also sponsored by the American Association of Advertising Agencies, the Association of National Advertisers, and the Interactive Advertising Bureau. We also continue to work with the [Global Alliance for Responsible Media](#) on its strategic focus areas, such as exploring new reporting metrics on brand safety and improving brand safety tools across the industry to better manage advertising adjacency.

***Question 8. Does Google 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?***

As detailed in our responses above, we currently use the most effective methods we can to prevent the placement of our own advertisements on websites and apps that contain potentially infringing content. We continue to examine ways that we can further improve.

**Question 9. Google Ads is a tool offered to businesses and brands to place their ads in front of consumers. A brand chooses the type of audience it wants to reach and Google places the ad on the websites most likely to reach the target demographic. What steps are taken to ensure that ads are not placed on pirate websites?**

See our answer to Question 1.

**Question 10. Google's advertising subsidiaries - including AdSense and AdMob - also help websites and apps sell their ad space. AdSense is an advertising network that provides fast and easy access to brands that are looking to advertise. AdMob provides a similar service for apps. What steps are taken to ensure that pirate publishers are prohibited from selling ad space through Google's advertising subsidiaries?**

See our answer to Question 1.

**Question 11. What steps is Google taking to enhance transparency of its activities on its advertising networks?**

We provide information about our policies and practices through our [Google Transparency Report](#) and our [Annual Ads Safety Report](#). We are committed to giving our users transparency, choice, and control when it comes to the ads they see on our platforms. We are working toward [verification of all advertisers](#) globally, and we recently announced that we are enhancing ad disclosures in the US to link to [advertiser pages](#) that include an ad creative repository, the legal name and country of origin for the advertiser.

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We appreciate the opportunity to address this and are available to meet with your staff to discuss it further.

Sincerely,



Kate Sheerin  
Global IP Public Policy Lead, Google