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Digital Rights Group Slams Verizon's Anti-Neutrality Argument

by [Wendy Davis](#), Yesterday, 3:22 PM

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Verizon's claim that open Internet rules violate its free speech rights is "exactly backwards," a coalition of law professors and digital rights group Center for Democracy & Technology argue in court papers filed on Thursday.

The neutrality rules ban all broadband providers -- wireline as well as wireless -- from blocking sites or competing applications. The regulations, which took effect last year, also prohibit wireline providers from engaging in unreasonable discrimination.

Verizon [is arguing](#) to the Court of Appeals for the D.C. Circuit that the rules should be vacated for several reasons, including that they violate the First Amendment by requiring it to transmit other companies' speech. The First Amendment generally prohibits the government from either censoring speech or forcing people to say something.

But the advocates say in a [friend-of-the-court brief](#) that Verizon's argument misses the point. They say that neutrality rules don't infringe speech because the rules only apply when the company is acting as an intermediary for other parties' communications -- not when the company speaks on its own behalf.

The advocates add that the neutrality rules are similar to the common carrier rules that have long applied to telephone companies. "The rules do not restrict or compel anyone's speech but instead protect everyone's speech by requiring that it be transmitted without interference," the brief says.

Earlier this year, a coalition of libertarian groups backed Verizon's argument that the rules wrongly restrict the company's First Amendment rights. Those groups -- TechFreedom, the Competitive Enterprise Institute, the Free State Foundation and the [Cato Institute](#) -- [contend](#) that the regulations wrongly compel broadband providers to "post, send, and allow access to nearly all types of content, even if a broadband provider prefers not to transmit such content."

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