Comparison with U.S. Law

	Existing US Law	TPP-IP
Parallel Imports	Unclear– SCOTUS recently heard Kirtsaeng on this issue (2nd Circuit found parallel imports illegal)	Parallel imports are banned
Anti-Circumvention	Circuit split on the "infringement nexus requirement" (MDY & Chamberlain)	Adopts MDY approach (no copyright infringement required)
Temporary Copies	Do not violate copyright law – safe harbor for ISPs	May violate copyright law; right holders may "authorize or prohibit all reproductions"
"Making Available"	Circuit split – majority hold DMCA provides no "making available" right	Provides a "making available" right