

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: A possible and hopefully realistic approach to Intellectual Property and copyright protection
Date: Tuesday, March 23, 2010 3:15:25 PM

Ms. Espinel,

As a composer for television, film and live theatre, I can assure you that my interest in this subject is quite personal. As an artist, residual payments for my Intellectual Property secured by copyright protection are a primary source of my income. However, I also understand fully that the same technology that has opened up the world for my art has at the same time, made the enforcement of Copyright protection a practically insurmountable task.

Rather than making a criminal out of every student who downloads a song, movie, software, etc. I would like for our government to take another approach. I am well aware that this may be considered by some as a radical concept, but when thought out it is probably the most efficient and fair way to treat this problem.

If each Internet user/computer owner were charged a relatively small monthly fee (say \$5-10 in the U.S. and through international treaty a relative amount based on average yearly income average per country) in exchange for which, all intellectual property were to be made available for download from a central 'electronic warehouse,' all of this usage could be tracked and the billions of dollars raised per month could then be distributed in a similar manner that residual income is distributed by our Performing Rights Societies: BMI, ASCAP, etc.

The results of this would be:

1. No more illegal downloads - no more criminalization of our children!
2. Fair and guaranteed payment for usage of Intellectual Property
3. New jobs created in setting up and maintaining this database which would be self paying out of the income received (just as are the performing rights societies)

As a realist, I can see that there are some problems that would have to be addressed:

1. There will be the bureaucracy of setting up the payment structure and enforcing payment.
2. A song writer or publisher might try to take advantage of the system by download a song a million times in a month. But, this can be easily policed and protected against.
2. The 'middle men' i.e. distributors and retailers will complain that this would destroy them, but realistically there are ways they could use this to their advantage. i.e. Offering services that compliment and ease the choice in deciding what is the best music, software, etc. for the consumer as well as the fact that although record/software and book stores are on the decline, there are several that are thriving by offering services like these... and consumers will always be willing to pay a premium for hard copies in packages with printed manuals, liner notes, bonus material, personal support, etc.

Finally, the technology for doing this already exists!

So instead of being frightened by the future (like the Musicians Union was when they tried to outlaw juke boxes... which actually led to more people buying music and more employment for musicians than ever before), let's embrace the technology and be smart and brave enough to use it to our advantage.

Respectfully,

Michael Andreas
Los Angeles, California