

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: Re: Comments on the Joint Strategic Plan
Date: Wednesday, March 17, 2010 9:25:32 AM

Victoria Espinel
Intellectual Property Enforcement Coordinator
Office of Management and Budget
Executive Office of the President
Filed via email

Dear Ms. Espinel:

Any strategic plans for enforcement of intellectual property should measure all of the costs and benefits involved. Enforcement has its own costs to citizens and consumers, especially when legal uses of copyrighted works can be mistaken for infringement.

The Joint Strategic Plan should carefully examine the basis for claims of losses due to infringement, and measure credible accounts of those losses against all of the consequences of proposed enforcement measures, good and bad.

Measures like cutting off Internet access in response to alleged copyright infringement can do more harm than good. Internet connections are not merely entertainment or luxuries; they provide vital communication links, often including basic phone service. This is even more clearly unfair in cases where users are falsely or mistakenly accused.

Internet service providers should not be required or asked to violate users' privacy in the name of copyright enforcement beyond the scope of the law. Efforts to require or recommend that ISPs inspect users' communications should not be part of the Joint Strategic Plan.

The anti-circumvention provisions of the Digital Millennium Copyright Act can criminalize users who are simply trying to make legal uses of the media they have bought. Breaking digital locks on media should not be a crime unless they are being broken for illegal purposes. The government should not spend its resources targeting circumventions for legitimate purposes.

By allowing the big corporations who control the majority of the entertainment industry to wholly influence the laws is un-American. You are handing money to those who do not need any more money. These large corporations are retarding the creativity of America, as well. They feed us with what we should and should not be entertained by. By bending over backwards to help them make more money, you are hurting the creativity of Americans. Efforts need to be made to stop those who are doing illegal acts such as bootlegging and selling copywrited material. Punishment must be enforced for their theft, but punishing those who paid for the material is wrong. If I purchase a CD and load it to my mp3 player or make a burned CD mix with the original purchase's material, I am using it. I am not selling it. I am not giving it away to others. I did not download it without paying for it. Do not punish those who are like me, who pay for their music and movies and do not give copies away to others or sell them.

Any plans or agreements on IP enforcement, like the proposed Anti Counterfeiting Trade Agreement (ACTA) should be made open and transparent. In dealing with questions of copyright and the Internet, too much is at stake for our country's laws and policies to be made out of the public eye.

Sincerely,
Melinda A. Brown
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