

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty;](#)  
**Subject:** Re: Comments on the Joint Strategic Plan  
**Date:** Monday, March 15, 2010 4:33:11 PM

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Re: Comments on the Joint Strategic Plan 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 only 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. 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, Steve Lim