

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: Espinel Intellectual Property blog entry
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I could not disagree more with the Obama Administration's approach to intellectual "property." I ask you, when did ideas become the property of individuals? I know of patent law, which grants temporary monopolies to inventions that embody ideas, and copyright law, which does the same for certain expressions of ideas (though copyright seems to have become perpetual rather than temporary). But ideas belong to all of us, and properly so. They are what make us human. How can they be someone's property?

I am an independent computer programmer, and what I see is those "trusted" corporations you mention on your blog scrambling to lay claim to the world of ideas, so they can use them to sue the pants off of anyone who has the temerity to employ them to actually produce something useful and competitive. Patent trolls, the RIAA shakedown racket against helpless individuals (which the Obama Justice Department has abetted through amicus briefs), the Microsoft monopoly that uses patent threats among other means to crush the life out of all visible competition, the super-secret ACTA negotiations-- these are the enemy of innovation and prosperity and freedom, not the means to gain them.

I am afraid to write software and make it public, for fear of being sued into oblivion by the someone who has been granted a patent on some general set of ideas pertaining to software. Even non-commercial software is risky in the current climate (see Jacobsen v. Katzer). In fact, Free Software is a particular target of IP attacks, as it threatens the profits of patent-hungry commercial vendors.

The saying is that money talks, and it evidently has been talking to the White House. Such a shame that the man who ran as a candidate of the people should be so easily persuaded by the monied classes. Make no mistake: the primary use of intellectual property law these days is to suck more money from the masses into the pockets of the wealthy and powerful. Rather than encourage creativity and competition, it stifles them absolutely. It is the tool of those who wish only to apply the powers of government to retain their flow of wealth, not of those who wish to create a better world for us all.

I, personally, would be ashamed to hold the position of U.S. Intellectual Property Enforcement Coordinator.

-RS