

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: my thoughts on IP protection
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Any IP protection needs to be clear about what IP is and what it isn't
Right now I don't think it's real clear to anyone what qualifies as IP and should be protected. Maybe it's not possible to be more specific than laws currently are but it would be helpful if IP was clearly defined.

Any IP protection needs to have rules specific to different types of IP
A software algorithm isn't the same as the presentation of items to a user which isn't the same as the device they work together to control or the medicine it produces. Similarly a movie isn't the same as music, a book or source code. Each needs to be handled separately and as new types of things come along they need their own unique rules. How long the protection lasts and what the penalties are should vary by type.

Any IP protection should protect against the abuse of that protection
I know people that are choosing not to purchase devices and media because either the company producing them or the laws that are in place are either invasive or make it impossible to use without becoming a criminal. Also under abuse of IP protection are the companies using those protections against new and smaller companies or individuals who try to compete. The question I have is how many potential microsofts have been killed by this and how many great ideas are never tried because it's too easy for IP protection to be used to stop the competition?

Anyone enforcing IP protection needs to understand they type of IP they are dealing with
If you don't understand the type of IP it's hard to make any decisions about something presented as falling under the protection for that type of IP.

I'm a computer programmer so much of what I know revolves around that world. Ideally both sides would be protected, but I'd rather see companies have to work hard to keep ahead of the competition rather than have laws in place that they can use to prevent competition. I'd also rather that consumers were allowed to use the items they purchased than be controlled by the companies that made those items.

Dennis