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TO: Victoria Espinel, US Intellectual Property Enforcement Coordinator

FROM: Dr. Dominic Kinsley

SUBJECT: Comments Regarding the Joint Strategic Plan

I am writing in response to your request for comments on the Joint Strategic Plan.

Over the past seven years, my company, Young Minds Inspired (YMI), has worked with the Entertainment Software Association, the Recording Industry Association of America, the Business Software Alliance, and the Copyright Alliance Education Foundation to provide teachers at all grade levels, from Kindergarten through college, with free educational programs designed to raise awareness of and respect for intellectual property rights among students, their families, and educators themselves. This breadth of grassroots experience affords YMI a unique perspective on the need for public education on intellectual property — Topic 20 on your list — and a basis for offering specific suggestions about the best strategy for an effective public awareness program.

Through field tests and follow-up research, YMI has found that classroom-based educational outreach can measurably increase understanding of intellectual property concepts and positive attitudes toward intellectual property protections among students of all ages. We have conducted pre/post testing with more than 1,500 students in grades K-12 at a cross-section of schools across the country, and can confirm that students come to this subject with little knowledge and many misconceptions. Our programs help students recognize the presence and importance of intellectual property in their own lives, enable them to weigh the true consequences of intellectual property infringement, engage them in decision-making activities that set guidelines for compliance, and inspire them to explore their own talents for innovation by creating intellectual property of their own. The result across all grade levels has been an 86.5 percent improvement in students' IP "literacy" and in their respect for intellectual property rights and regulations.

Based on this experience, YMI recommends that you consider making classroom-based educational outreach the foundation of any intellectual property public awareness campaign. This is obviously the best way to reach the next generation of American consumers and lay the groundwork for long-term support of intellectual property principles and protections. Less obviously, it is also an effective way to raise awareness among adults, especially educators, who can be a powerfully influential group in setting community standards of respect for intellectual property, as they have been in setting standards for environmentally responsible behavior and many other facets of family life.

Teachers consistently tell us that they learn as much from our programs as their students do. And they are eager to learn more. Every month, hundreds of teachers download an “Educator’s Guide to Intellectual Property” that YMI developed in cooperation with the Entertainment Software Association, and thousands download the teaching materials we developed for this organization and the Recording Industry Association of America. We know that in many states teachers are also taking steps to make intellectual property education a requirement of the K-12 curriculum by adopting academic standards for “digital citizenship,” and YMI is working with the Copyright Alliance Education Foundation to provide grassroots professional development tools that will help teachers implement these standards across all subject areas. There is, in short, a growing recognition among teachers that they must play a leading role in raising the level of intellectual property “literacy” in American society, and a growing demand for educational programs they can use to carry out this responsibility.

To meet this demand and tap into the awareness-building potential of classroom-based educational outreach, YMI recommends a comprehensive K-12 program designed to supplement instruction in all subjects where the creative power and underlying principles of intellectual property play a part — not only in technology education but in language arts, fine arts, science, health, civics, economics, sociology, and history. Such a program could focus on specific instances of infringement, such as counterfeit pharmaceuticals or plagiarism or piracy, that are relevant to each subject, but always in a consistent context, providing a conceptual framework that not only supports the need for intellectual property protections but also prepares students to become productive members of our increasingly IP-driven economy. We estimate that the cost to launch this program, by delivering standards-based, grade-appropriate teaching materials to every K-12 school in the United States, would range from \$2 - \$3 million, including the cost to create take-home materials designed to involve parents in the classroom learning experience and raise awareness of intellectual property issues in the home. The cost to maintain this program, through ongoing professional development and regular updates, would likely be considerably less, especially if the program evolved toward a comprehensive set of online resources.

One additional benefit of this classroom-based approach to raising public awareness may be worth mentioning. Through its work with the Business Software Alliance, YMI has learned firsthand that intellectual property education is a global concern. In fact, a college-level website that we created for BSA is currently accessible throughout Latin America in Spanish and Portuguese, and the teaching materials we created with BSA have become the basis for similar materials distributed throughout Europe. We also regularly find that teachers from around the globe are downloading the educational programs we have produced for the Entertainment Software Association and the Recording Industry Association of America. To us, this suggests that a comprehensive educational outreach program of proven effectiveness might help bridge the gap between different countries in setting international standards for intellectual property rights. Less ambitiously, such a program might play at least a small part in promoting international cooperation among IP enforcement agencies, serving as a template for our partners to implement on their own.

We are under no illusions, however, that educational outreach will ever eliminate the need for robust enforcement and deterrence programs. Though we see great value in the approach we recommend for raising public awareness of intellectual property issues, we fully agree with the priorities you have set by placing the whole question of public education last in your list of concerns. Still, we hope that you will keep this topic on the agenda as you finalize your Joint Strategic Plan. And we hope, too, that with this comment we have made a constructive contribution to your deliberations on the best way to make the importance of intellectual property understood and appreciated by all Americans.