

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty](#)  
**Subject:** Re: Comments on the Joint Strategic Plan  
**Date:** Tuesday, March 16, 2010 11:11:18 PM

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

Dear Ms. Espinel:

In general I feel the sentiment against stricter copyright law is the luxury the current system affords the average citizen of unlimited access to free music, movies, games, et cetera. Naturally, as the ultimate enforcer of US law, the federal government should take steps to prevent this.

However, the extent to which the government plans to intervene is unprecedented and furthermore unnecessary. We have to look at the recent phenomenon of digital piracy (of music, in particular on which this argument focuses) for what it actually is: a failure of a business model due to a change in economic environment.

The record labels who now pressure you and your colleagues to enact the proposed legal changes, are suffering not at the hands of criminals, but at the prospect that in this day and age physical distribution of digital media is no longer profitable. The fact of the matter is the internet allows for instantaneous transfer of digital media regardless of the law and always will. So the idea that one can make money off of distributing songs is preposterous. The playing field has been irreparably altered, and they must change their business model accordingly.

Each and every time the world experienced a change in our ability to transport goods, from road to canal to railway to plane, businesses had to adapt or go bankrupt. If you wish to maintain a free market you must allow for this process to continue. The record companies must stop attempting to hold back progress to preserve an outdated system, they must realize the new climate and change their business model accordingly.

There are two popular arguments against my points which I feel I must address. (1) The only way an artist makes money is through album sales. This is a direct result of the business model, and not necessarily true. The record companies are designed specifically so that they make money from album sales. Artists still make large sums from concerts and merchandise. Perhaps a shift in focus towards song releases as free advertising for concerts and merchandise rather than profit-makers seems a viable alternative those in power fail to consider. (2) Illegal downloading is stealing. The analogy holds water only if the item has value, if we define the value of a good as the amount of money people are willing to pay for it, then when we consider music we have a collection of goods which are far over-valued by record labels. It isn't stealing if people aren't willing to pay for it in the first place.

To reiterate, progress is not tied, as record executives claim, to protecting copyrights on music, but to their profits, to which they are attempting to cling despite a changing economic climate. Their lobby to enact the proposed changes in copyright

law is nothing short of a self-interested policy push which undermines economic progress in the long run. If we wish to maintain rigorous protection of the free market we must not allow this precedent to be set.

Sincerely,  
Matt Battifarano

2nd year in the College, University of Chicago  
Applied Mathematics, and  
Computational Neuroscience