

From: [REDACTED]
Sent: Monday, March 15, 2010 10:20 PM
To: FN-OMB-IntellectualProperty
Subject: Re: Comments on the Joint Strategic Plan

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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: I agree with everything contained in the form letter below and add that current copyright laws are overly protectionist given the original intent and history of copyright - to ensure the access to intellectual and cultural artifacts for citizens. ACTA, the DMCA, and other recent attempts at passing legislation to increase terms of copyright, and increase penalties for taking protected actions (fair-use, personal use copies, etc.) have already begun to take their toll on the access citizens of the USA have to information. Please do not lock away the products of intellect and culture for the benefit of corporations, lobbyists, fear, and simplicity. Please recommend that the US withdraws from the ACTA discussions and please keep information free (as in freedom - not as in beer). ---Form Letter below ----- 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 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, Paul Clifton