

[REDACTED]

From: [REDACTED]
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:

Thank you for asking the public for feed back on this issue. Too often we feel cut out of a process that is supposed to protect our rights.

Plans for enforcement of copy rights should involve a top to bottom assesment of the roots of copy right and a clarification of the legal uses of copyrighted works. Lacking clarification on this issue makes it too easy for copyright laws to be abused and for the common person to be bullied into believing they are doing something wrong.

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,
Robert Gonzalez