

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty](#)  
**Subject:** RFS: Intellectual Property Enforcement Strategy  
**Date:** Thursday, February 25, 2010 11:29:13 AM

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To the office of management and budget,

Below are my comments regarding the request for public commentary concerning:

<http://edocket.access.gpo.gov/2010/2010-3539.htm>

As for the Part 1 Recommendation:

In terms of isolating the chief concerns to the US economy in terms of damages being caused by intellectual property abuses, I'd say the two greatest issues are the prevalence of patent trolls in the tech sectors of our digital economy. Predatory legal houses have been buying up patents ( most of which should never have been granted in the first place ) in an effort to establish an arsenal for pressuring small businesses under the threat of costly litigation into absurd licensing, or settlements. Many of these organizations are transparently criminal in nature. And in the past few years several high profile cases have highlighted with supreme clarity the overwhelming damage that is being done to our economy as a result of this. The first and foremost in my mind would be the attempted RIM injunction several years ago, which cited several patents ( most of which had been voided by the patent office ). The second largest issue I believe would be the MPAA / RIAA. Their involvement should be cut back if not removed entirely from US Patent and Copyright discussions of any nature. ACTA has highlighted the risk they have put our nation at. In the past their pursuit of largely unconstitutional and innovation destroying legislation has thrashed industries, opened up avenues for them to bully the American public, and ultimately to turn our international trade relations into a destructive force in our economy. They're interests are not that of the American people, the researchers / artists of this nation, or that of captains of industry. They should not be involved in discussions pertaining to our legislation. Additionally, I feel the RIAA should be pursued by the FBI as a possible criminal organization. I am not the first to suggest this, and in fact several victims of their bullying have attempted to argue in court that they were in violation of RICO statutes. I believe they are.

As for the Part 2 Recommendation:

There are a few low hanging fruit items available to the federal government in addressing intellectual property infringement and safeguards of innovation in the US. First and foremost, abolishing software patents seems the most sensible. And with Prof Donald Knuth in agreement, I hardly feel as though I need a more reputable source of expertise in that area ( I don't believe there is a more reputable source of expertise ). Additionally the general disestablishment of the patent office seems to be the only remaining option in solving the problem of patent trolls ( legal organizations that use bogus / vague patents to establish a profitable enterprise solely through litigation ). That might not be a feasible solution for immediate response, however it should be pursued as a long term interest. For the immediate interim a complete review of all patents and a judicious purging of the database seems appropriate. Also pursuing these patent trolls with fines

and imprisonment would be lucrative for the federal government, while providing a more favorable market for innovators and small businesses. It's a win win on all sides.

Those are my suggestions.

-Matt Joyce "Member of Public"

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