

[REDACTED]

Sent: Monday, March 15, 2010 7:36 PM
To: FN-OMB-IntellectualProperty
Subject: Comments on the Joint Strategic Plan

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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:

I am in favor of reasonable and enforceable Copyright and Intellectual Property protection. Creative people SHOULD be able to benefit from their creativity and their 'product' should be protected for a reasonable period of time, like 7 years, definitely not much longer. 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. In short, when I use the Internet for all my banking and a significant part of my healthcare interaction, it would be devastating to lose my connectivity for a perceived but unproven or inadvertent violation, like when I want to copy music or videos that I paid for and believe that I OWN from my own PCs or portable devices.

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. I simply don't want my ISP looking over my shoulder all the time - and requiring them to do so can only drive up the cost of what is already a too expensive service.

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. I believe that the 'big business' of music and video publishers already have too much input into current and pending laws and it is simply wrong to implement tools that give them even greater leverage and protection.

Sincerely,

Larry R. Roup