

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: Re: Comments on the Joint Strategic Plan
Date: Wednesday, March 17, 2010 9:52:22 AM

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:

While I am sure you have become quite familiar with the text of the standard letter below, I felt the need to impart a personal message. I am a loyal follower of the information that comes forward from ACTA news, and a donor to the EFF (Electronic Frontier Foundation), and I agree with all the provisions of the letter below.

However, I feel very strongly about how unfair the process for change has become. I feel that the industry (who has the least to lose in this with how powerful the provisions of the current system are for them) has a huge and dominating voice in how the future looks for copyright and intellectual property. I am glad that you have chosen to take these public comments and hope that a fair and balanced system comes from it all. The creators of IP have every right to profit and be rewarded for their creations, but those rights should not take away from the rights of their consumers, and left to their own designs the creators of IP will abuse any law that does not strictly regulate them. We see this every day with the current DMCA and the ability it gives to content creators to silence those rightfully using works in protected ways (Takedown Notice.) They abuse this daily, and will abuse the American people in anyway they can whether allowed by law or not unless that law gives recourse to the consumer.

I hope that every consideration is given to all parties, let us not make the mistake of letting industry regulate itself any more than it already does.

Sincerely,

Ronald G. Stimbert II

(Copied letter)

"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."