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**To:** [FN-OMB-IntellectualProperty](mailto:FN-OMB-IntellectualProperty)  
**Subject:** Public input on IP policy change  
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As a US citizen and someone who works in the academic information technology field I am glad that public input is being made part of the process for the reformation of intellectual copyright policy. As some one who keeps up with issues regarding Intellectual property rights issues specifically the infringement side of the issue I would like to make a few suggestions. First I believe like all issues this is an issue with two sides and one side seems to be the one with the means and ability to pursue its interest with a tenacity that is somewhat overzealous. the other side of the issues seems better represented by the general public there are several very good sources that are more leftist in their views on intellectual property one being Torrentfreak.com which is a major source of news about file sharing issues and is consistently rated as one of the number one blogs on the internet reflecting where the publics interest in this matter lies. another great debate that i Have seen lately that deals with intellectual property took place recently, was hosted by google and included representatives from both sides of the issue [http://googlepublicpolicy.blogspot.com/2010/01/video-from-mondays-google-dc-talk-on.html?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+GooglePublicPolicyBlog+%28Google+Public+Policy+Blog%29](http://googlepublicpolicy.blogspot.com/2010/01/video-from-mondays-google-dc-talk-on.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+GooglePublicPolicyBlog+%28Google+Public+Policy+Blog%29)

I would essentially implore you to think about both sides of the issues when making policy decisions.

You are asking public opinion on change my question as always is why is change necessary we have a system in place to deal with digital intellectual property infringement. Intellectual copyright infringement is a crime and be it civil or criminal belongs in the legal system. I see no problem with our current set up those filling a complaint can file a warrant to obtain the identity of the account holder behind an I.P. address. a court of law then decides if this person did in fact infringe. there are numerous reasons that you cannot associate an I.P. address with an individual without additional process of a trial where some human intelligence's and consideration is put toward the accusation. one we are currently operating under IPv4 which means there are a limited number of I.P. addresses and they are quickly running out this mean that many places sit behind a NAT a network address translation. which means that you have one external I.P. address which is what is seen out side of the network in many internal I.P. addresses. this means that any where you want to associate an individual with an I.P. address you must have records of what I.P. addresses where giving to which computers through DHCP even on small home networks. this is not going to happen because I.P.s change constantly on a large network such as a college campus and the college would have to pay someone for a lot of man hours to track record and archive all of these changes, this would have to happen at every home small business medium business and large business/institution in the United States. It seems to me that entertainment industries want things easy and automated for there purposes and they need to understand that what they want is first very technical second not easy and third will cost a huge amount of money that they are not willing to pay. I as a tax payer do not want my money going towards intellectual property holders to help their bottom line as is the case in Canada it is offensive and does not constitute in any form the capitalist foundation of our nation. the cost of implementing any kind of filtering system on the internet beside the huge issues of privacy also would also cost more than what the entertainment industries claim they are loosing due to Intellectual property infringement as was recently discovered by Brittan during the discussion following their digital Britain report. Also any overreaching technological barriers would remarkably reassemble the great firewall of china, would bring up the issues of freedom of the press and expression and most likely would get shutdown like the proposed filtering mechanisms that were recently proposed in Australia and were voted down. Theses system are also very cumbersome and very easy to get around with a proxy or by encrypting your traffic as Comcast has found out (then was sued for and lost the case). There can be no automated solution to the claimed Intellectual property Crisis any solution must involve fair legal process and be presented before a judge. Appointing Judges that are knowledgeable about current technology and Intellectual property Law and training or appoint Officers with similar Knowledge/training would go along way towards bringing Intellectual property into the 21st century.

There are several contradiction in existing laws and several areas where consumers need to be given more rights. Consumers are given the right to make one backup copy of any digital media that they buy yet this right is infringed by the Digital Millenium Copyright Act which prevents the Circumvention of any DRM on Digital Media. consumers need the right to protect there investment by backing up digital media and need to be given greater freedom in what they are allowed to do with that media. this more than anything would stop Intellectual Property infringement simple by changing the definition of which Intellectual Property infringement is. consumers need the right to transfer and consume what ever Intellectual Property they purchase. there right should be limited only if they are massively distribnuting or profitting from there use of others Intellectual Property.

Many major industries who make their profites from Intellectual Property are whining to the govenrment that they are losing massive amounts of money due to Intellectual Property ingringment. the government needs to make sure there claims are accurate before proceeding with any action. the same cries where made when the VCR came out and when Radio was first introduced yet the same industries who were complaining at the time are still here and still profitable. the facts are that box office ticket sales have been up year after year the Intellectual Property has been an issues. games sales are also not showing any slowing in growth with the best selling games ever call of duty coming out recently. in short many major Intellectual Property industries are saying that they are going bankrupt but where is the evidence. granted dvd sales are down and cd sales are down but neflix and redbox are booming and digital sales from places like Itunes are booming. the major Intellectual Property industries dont need more and stricter Inforcement they need more and better distribution through online services and cheaper prices gone are the days there you can charge 20\$ for a a dvd or an Album when there is no distribution cost you cannot expect to make the same amount of money. Granted I am a biased individual mainly because of my age and my occupation but i represent a significant constituency with my view and this constituency needs to be heard just as much as major Intellectual Property industries. their are two sides to every debate consider both thoroughly and consider that any action taken is paid for by tax payers and as such should represent the interest of the tax payer.

A Concerned Citizen