

[REDACTED]

Sent: Monday, March 15, 2010 11:10 PM
To: FN-OMB-IntellectualProperty
Subject: Comments on the Joint Strategic Plan

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March 15, 2010

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: Plans for enforcement of intellectual property should measure and declare all of the economic tradeoffs. Enforcement is not without 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. Cutting off Internet access in response to alleged copyright infringement may only harm the society without clear benefits. Today, internet connections are not merely entertainment or luxuries; they provide vital communication links, often including basic phone service. Interruption of these various services is even more unfair in cases where users are falsely or mistakenly accused. In the United States of America 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. This kind of policy reduces the incentives of business and capital investment in the country. Efforts to require or recommend that ISPs inspect users' communications should not be part of the Joint Strategic Plan. This centralized approach to defending the rights of the country can not work. 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,
Jack Wittman
Bloomington, Indiana
47404