

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Date: Thursday, March 18, 2010 7:31:07 PM

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:

First and foremost, I'm using this form letter because I'm so furious about Obama's proposal to allow corporate big wigs sit in dark, smokey rooms and dictate legislation for what amounts to the entire First World. I don't trust myself not to swear, rant and generally get off topic.

I've read this form letter a few times. It's well-reasoned, well-written and it can probably convey, in a polite way, what I need from my government.

Please understand - I don't want to get ugly. I'm certain you're a lovely person, trying to do right by the American people. I just want you to remember this: the people aren't an industry. The people aren't interested in extended copyright. The people would like to be able consume their legally purchased media where they want and how they want.

So, on the with the polite, calm, well-reasoned form letter. I managed to keep my shtuff together long enough to make my point without flipping out. - Mike Owings

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.

Sincerely,

Mike Owings
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