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Sent: Monday, March 15, 2010 8:25 PM
To: FN-OMB-IntellectualProperty
Subject: Comments on the Joint Strategic Plan

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In response to: Coordination and Strategic Planning of the Federal Effort Against Intellectual Property Infringement: Request of the Intellectual Property Enforcement Coordinator for Public Comments Regarding 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:

I am disappointed by the apparent intention to move forward with copyright laws that seem to have no purpose other than to prop up the broken business models of a few media corporations at tremendous expense to the U.S. government, private citizens, and innovative start-ups. There is no evidence that any sort of cost benefit analysis has been observed in the drafting of the draconian Anti-Counterfeiting Trade Agreement (ACTA). As is typical of proposals put forth by these trade groups, ACTA is characterized by a fundamental lack of transparency, wildly disproportionate punishment for perceived infringers, a complete dismissal of due process, and the absence of any meaningful level of accountability for trade group attorneys. This is NOT how capitalism is supposed to work. It is each industry's responsibility to adapt to changing technology and evolving marketplaces. Industries that refuse to adapt should be allowed to die. It is outrageous that our government representatives would provide these trade groups with outsized (and unnecessary) legal weapons such as the DMCA and ACTA. This is particularly true when one considers that groups such as the RIAA and the MPAA have a long track record of egregious disrespect for due process and due diligence. Providing these groups with even more power is a huge step backwards for American innovation, creative freedom, fair use, and the rights of end-users.

American intellectual property law has already become so warped that it encourages litigation over innovation. Please do not make the mistake of continuing further down this misguided path.

Thank you for your time.

Regards,

Patrick Smyth
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Huntersville, NC 28078