

Representing:

Self

Organisation (if applicable):

What do you want Ofcom to keep confidential?:

Keep part of the response confidential

If you want part of your response kept confidential, which parts?:

Name and email address

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Additional comments:

The industry didn't innovate. If this was in power would we have Spotify, iTunes, Netflix, Steam or any other digital distribution. This would have been massively damaging to the development of the digital economy, which believe it or not, is not solely restricted to movies, music and games.

The proposal wants to essentially outlaw any shared internet connection and the user of online digital storage.

This will do nothing but punish the innocent consumer, savvy users will simply find ways around. all this bill will do is result in heavier and encrypted traffic which will be harder to detect illegal activity on.

Question 3.1: Do you agree that Copyright Owners should only be able to take advantage of the online copyright infringement procedures set out in the DEA and the Code where they have met their obligations under the Secretary of State's Order under section 124 of the 2003 Act? Please provide supporting arguments.:

Answering this question in any way requires me to that I agree with the procedures of the act. I do not agree with the act so I do not accept the question.

Question 3.2: Is two months an appropriate lead time for the purposes of planning ISP and Copyright Owner activity in a given notification period? If a notification period is significantly more or less than a year, how should the lead time be varied? Please provide supporting evidence of the benefits of an alternative lead time.:

Again, answering this question in any way requires me user to that I agree with the procedures of the act. I do not agree with the act so I do not accept the question.

Question 3.3: Do you agree with Ofcom's approach to the application of the Code to ISPs? If not, what alternative approach would you propose? Can you provide evidence in support of any alternative you propose?:

I propose that Ofcom boycott the Digital Economy Bill and refuses to comply with the legislation.

I do not ask of this lightly but I believe the bill to be illegal in light of EU Human Rights Law in that the alleged 'infringer' is presumed guilty and has to apply to be treated as an innocent citizen, which they are until it can be proven otherwise in a court of law.

Question 3.4: Do you agree with the proposed qualification criteria for the first notification period under the Code, and the consequences for coverage of the ISP market, appropriate? If not, what alternative approaches would you propose? Can you provide evidence in support of any alternative you propose?:

Answering this question in any way requires me to that I agree with the procedures of the act. I do not agree with the act.

I propose that Ofcom boycott the Digital Economy Bill and refuses to comply with the legislation.

Question 3.5: Do you agree with Ofcom's approach to the application of the 2003 Act to ISPs outside the initial definition of Qualifying ISP? If you favour an alternative approach, can you provide detail and supporting evidence for that approach?:

Answering this question in any way requires me to that I agree with the procedures of the act. I do not agree with the act.

I propose that Ofcom boycott the Digital Economy Bill and refuses to comply with the legislation.

Question 3.6: Do you agree with Ofcom's approach to the application of the Act to subscribers and communications providers? If you favour alternative approaches, can you provide detail and supporting evidence for those approaches?:

Answering this question in any way requires me to that I agree with the procedures of the act. I do not agree with the act.

I propose that Ofcom boycott the Digital Economy Bill and refuses to comply with the legislation.

Question 4.1: Do you agree with the proposed content of CIRs? If not, what do you think should be included or excluded, providing supporting evidence in each case?:

No I do not. Also STOP using acronyms!

I don't believe the the CIRs should be sent out because I don't believe that the 'infringer' can be determined as the tracing methods used only give an ISP and user which can easily be cloned, faked or used without the connection owner's knowledge even if the connection is encrypted and password protected.

If a car was stolen and used in a ram raid would you send a letter to the owner telling them they are liable for the actions of the thief!?

Question 4.2: Do you agree with our proposal to use a quality assurance approach to address the accuracy and robustness of evidence gathering? If you believe that an alternative approach would be more appropriate please explain, providing supporting evidence.:

I don't believe that the 'infringer' can be determined as the tracing methods used only give an ISP and user which can easily be cloned, faked or used without the connection owner's knowledge even if the connection is encrypted and password protected.

If a car was stolen and used in a ram raid would you send a letter to the owner telling them they are liable for the actions of the thief!?

If a copyright holder downloads material from a user and attains court order to get details from the internet provider and subsequently manages to prove which person infringed in a court of law then that would be the best way of dealing with the case.

Question 4.3: Do you agree that it is appropriate for Copyright Owners to be required to send CIRs within 10 working days of evidence being gathered? If not, what time period do you believe to be appropriate and why?:

No, simply because the CIR may not be based on valid 'evidence'.

The letter should not be sent unless the Copyright holder can prove what material was taken, when and by whom.

Question 5.1: Do you agree with our proposals for the treatment of invalid CIRs? If you favour an alternative approach, please provide supporting arguments.:

All CIRs should be treated as invalid.

Question 5.2: Do you agree with our proposal to use a quality assurance approach to address the accuracy and robustness of subscriber identification? If not, please give reasons. If you believe that an alternative approach would be more appropriate please explain, providing supporting evidence.:

I do not agree. I think the best way to avoid error is to scrap the programme entirely.

Question 5.3: Do you agree with our proposals for the notification process? If not, please give reasons. If you favour an alternative approach, please provide supporting arguments. :

I disagree because they imply that a consumer is guilty without giving them a right to reply to the claim of criminality in a court of law.

The consumer should be able to stop further claims to anyone from the copyright holder until the case is proven in a court of law.

Copyright holders should be struck from access if they are found to make a false claim for any reason.

Question 5.4: Do you believe we should add any additional requirements into the draft code for the content of the notifications? If so, can you provide evidence as to the benefits of adding those proposed additional requirements? Do you have any comments on the draft illustrative notification (cover letters and information sheet) in Annex 6?:

Yes, you should add requirements that the Copyright holder need acquire a court order for the release of any details.

Question 6.1: Do you agree with the threshold we are proposing? Do you agree with the frequency with which Copyright Owners may make requests? If not, please provide reasons. If you favour an alternative approach, please provide supporting evidence for that approach. :

No. I feel as though, as has already happened under the current system, that numerous false and/or bogus copyright infringement allegations will be made by unscrupulous

law firms to essentially extort money or even blackmail consumers on the nature of the content.

Question 7.1: Do you agree with Ofcom's approach to subscriber appeals in the Code? If not, please provide reasons. If you would like to propose an alternative approach, please provide supporting evidence on the benefits of that approach.:

No. I think that all cases should be automatically appealed. Why should consumers have to waste their time dealing with possible endless bogus claims.

Question 8.1: Do you agree with Ofcom's approach to administration, enforcement, dispute resolution and information gathering in the Code? If not, please provide reasons. If you favour an alternative approach, please provide supporting evidence on the benefits of that approach.:

No, I think that Ofcom is taking the line that the accusers are legitimate and the alleged are guilty.

I suggest that all user be treated as innocent and any claims should be proven to get a court order for the information.