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Dear Sirs

I write in response to your consultation, "Digital Communications Infrastructure Strategy consultation". My response is my own, as an individual, slightly tangential, and represents no other party. I am a consumer of digital services.

I have read most of your consultation documents and believe that your summary objectives per https://www.gov.uk/government/consultations/digital-communications-infrastructure-strategy-consultation are the most appropriate for my comments. I make no attempt to cover all aspects of your consultation documents; I merely cover the headlines of my primary concerns, and the list is not exhaustive.

Part 1 - immediate responses:

- the role of government should be largely as it is now, extending its scope to beyond any national border, but kept within the current function of law (in particular, Supply of Goods & Services Act 1992, Sales of Goods Act 1979, Unfair Contract Terms Act 1977, the distance selling regulations, the Competition Act 1998 and the Enterprise Act 2002). Consumer welfare should remain the priority; vested interests should be exterminated (and more so than as at present).
- the role of government should absolutely exclude attempts to forecast what technologies might exist in the future, and what regulation might thus be required. It should react only to what actually happens/has happened.
- the regulatory framework should adapt by curbing the abuses-of-law (including extortion-by-artificial-property-right) by some corporations. Copyright and trademark laws are the main obstacles to development, holding us all back, for the sake of artificial short-term profiteering by some corporations.
- investment into digital service delivery processes should be exclusively private sector.
- digital services encompass virtual currencies: the state should claim no jurisdiction in virtual currencies for at least the next 20 years - virtual currencies are currently highly risky and therefore self-regulating ("*caveat emptor*"). At present, they are embryonic and evolving, so regulation would never be fit-for-purpose anyway. The state could recognise virtual currencies as a means of taxable revenue, which would mean accepting that any citizen could be a multi-currency taxpayer (about which HMRC might want specific consultation!). The vested interests that shall fight hardest against this strategy are the banking industry and the UK government, both of whom rather like their monopoly of money supply and transaction handling. As with all monopolies - in this case, a state-sponsored cartel between government and one industry - consumer welfare (in particular, savers' welfare) has been deliberately destroyed by a policy of low-interest-rates of a *de facto* monopoly currency and a sovereign debt crisis caused by the same state senselessly nationalising toxic banks. This fraudulent regulatory model is inappropriate for any saver/consumer/taxpayer, let alone virtual currencies.

Part 2 - details

re the role of government:

- the main change should be to re-define the nexus of the law, which should be that any transaction, via any medium anywhere in world with a citizen of the United Kingdom who is physically present in the United Kingdom at the point of sale, causes the UK law to apply to the transaction. This must apply to suppliers in the US, Canada, Australia, China, Japan, Europe, as it does within the UK. Other countries will not like it: tough. In VAT law, the Europeans have already accepted the concept of "where the customer belongs"; in principle, where the "customer belongs" in the UK, this should be the nexus with worldwide jurisdiction.
- competition is a double-edged sword wherever a network monopoly exists, whether electricity grids, railways, networks or data formats. Microsoft, Apple and Google all seek to monopolise their

userbases and have no commercial desire to ensure compatibility between their platforms. Their data formats are *de facto* local monopolies with no useful substitution. On the one hand, if they seek to co-operate, then existing regulation will characterise them as a cartel; on the other hand, data formats are arguably trade secrets. Enforcing competition law against such data formats will just destroy the data, because the data can't easily move to another place (it's not like, say, breaking up high street chains by a selective sale of shops). Government cannot and should not regulate data formats, but could oblige all suppliers to UK/EU consumers and businesses to migrate their customer's cloud-based data to plain, common data formats, on demand, with clearly defined damages if the supplier either cannot or simply won't.

- privacy largely does not apply in the digital world. Users are more than happy to give away their personal data to corporations, who then choose to re-sell users' data to advertisers. Provided users give informed consent, this is acceptable.
- the European "right to be forgotten" must be abolished immediately and unilaterally. If the ECJ/EU complains, then withdraw from the ECJ/EU. The UK is a sovereign state, we don't need anybody else's permission to exist.

re copyright & trademark law

- copyright and trademark law is a major obstacle to any advancement in any digital economy. In overview, 18th century idea of copyright of paper-based works combine with a neo-classical view of intangible property rights, and the result is a dysfunctional environment for any digital services.
- in the UK, the Digital Economy Act 2010 effectively brings the contractual obligations of copyright compliance agents and dumps the workload onto internet service providers, supposedly without compensation to the latter for them doing the former's job (the fact that Labour government - supposedly anti-capitalist? - whipped its MPs into enacting the bill is truly sickening).
- meanwhile, In 1996, a Scottish sandwich bar called McMunchies was sued by the American corporation McDonalds. Copyright law has allowed Apple to make money out of Samsung via the courts, because Samsung implemented at least one idea that a six-year-old child could have had, but which Apple patented. Apple even sued the Beatles multiple times between 1978 and 2006 because the name of their music company was "Apple". In all cases, the primarily function of the litigation was opportunistic compensation for *opportunity cost* ("We're gonna make money out of you because the law says we can, rather than because you've stolen our stuff"), rather than any credible "passing-off" or matter of counterfeit goods.
- copyright and trademark law should be either harmonised worldwide (on a European model), or abolished worldwide. Failing that, a general de-recognition of American copyright & trademark law within the UK should be an immediate step to protect innovators in the UK and give them a chance to compete with China (Europe can do its own thing; if it complains, withdraw from Europe; we don't need anybody else's permission to exist). The status quo is unworkable, and exists simply to justify corporations ripping off both consumers and each-other.

Part 3 - other aspects

- protectionism must be recognised as a civil liability when law is abused to ban competition. For example, whatever the German court heard that made it ban the Über taxi-booking service, the UK government must ensure that sinister, sectional vested interests pay a very heavy price for misleading a court in such an attempt to stifle competition (as both the Berlin Taxi Association and Taxi Deutschland sought to achieve by invoking the old "health & safety" excuse). One way to do this is to make the directors and beneficial owners of such petitions, wherever they are officially and physically based, *personally financially liable* to the court *and* to the wronged party for any financial losses arising from such an approach to a court, escalating to a *criminal offence* of contempt of court resulting in extradition proceedings to the UK as appropriate. The one-way extradition treaty between UK & US shall need immediate abolition, lest American prosecutors start abusing it to protect their own sinister, sectional vested interests.
- television: it has always irritated me that television companies bundle channels into packages and charge a fortune for many channels which are basically garbage, interspersed with huge amounts of advertising. To be blunt, if advertisers want me to watch their poxy adverts, ***they should be paying me***. The role of government regarding quality of any product/service is currently saleable quality (Sales of Goods Act) and being fit for the consumer's purpose. Yet if one wants better quality television, one pays a huge price for it, and *still* gets thousands of channels containing advert-contaminated garbage. Can existing competition law and consumer law be enforced to ensure that individual channels can be subscribed to individually, and not part of an unwanted bundle?

If you have any queries, please ask.

Kind regards