

Thank you for allowing me to submit some comments regarding enforcement of Section 1201(a)(1) of the Digital Millennium Copyright Act. I strongly believe that enforcement of this Act would severely inhibit non-infringing uses of copyrighted material.

Consider these traditionally-allowed fair uses that the DMCA has already effectively prevented, in the case of Digital Versatile Discs ("DVDs"):

1. Making a copy for archival purposes - DVD discs have a limited lifetime (~10 years by current estimates) to start with, and can be rendered unusable through scratching, decay, fire, theft, etc. Libraries in particular may want to protect against such problems - their copies will generally suffer more wear than private copies.
2. Personal manipulation - With a DVD, I may want to allow my children to see most but not all of a particular movie; the current DVD format prevents this. I cannot easily excise specific material I might find unacceptable for whatever reason. Or, if material was originally excised from a movie and is available elsewhere (perhaps certain scenes were cut, but appear at the end of the disc) I may wish to stitch the movie together as originally intended.
3. Extracting only portions of a work, e.g. the audio. Perhaps a visually impaired person only needs the audio portion of a work, and would like to place it in a CD format, for their personal use in a portable CD player. This is certainly allowed in other formats, but acquiring the best possible audio is prevented by the DVD medium as currently implemented.

The current DVD standard prevents *any* fair-use excerpting whatsoever. Online movie reviews, for example, lose out on several potential advantages of the medium - printed reviews are certainly allowed to excerpt passages from a book.

Existing techniques, such as digital watermarking, work to prevent unauthorized copying. The DMCA is not only unnecessary for its stated purpose, but actively removes existing, long-established rights of consumers, including libraries.

In summary, I urge the Librarian of Congress to find that application of Section 1201(a)(1) will adversely affect non-infringing uses of copyrighted works for ALL CLASSES of copyrighted material. Thank you for your attention.

Sincerely,

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