

Short Comment Regarding a Proposed Exemption Under 17 U.S.C. 1201

Item 1. Commenter Information

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Item 2. Proposed Class Addressed

Proposed Class 21: Vehicle software – diagnosis, repair, or modification

This proposed class would allow circumvention of TPMs protecting computer programs that control the functioning of a motorized land vehicle, including personal automobiles, commercial motor vehicles, and agricultural machinery, for purposes of lawful diagnosis and repair, or aftermarket personalization, modification, or other improvement. Under the exemption as proposed, circumvention would be allowed when undertaken by or on behalf of the lawful owner of the vehicle.

Item 3. Statement Regarding Proposed Exemption

I am writing on behalf of a small business in Montgomery, AL. Randy's Repair, LLC. Is a small auto repair shop that specializes in general automotive maintenance and repair. There is no doubt whatsoever that this proposed exemption is absolutely critical for not only our business to remain operational, but for tens of thousands of other small businesses throughout the United States. Failure to grant the exemption would enable the Association of Global Automaker members to hold an instant monopoly on the repair of these vehicles. We believe this is a situation in which the fair use doctrine of the DMCA holds a clear and compelling public interest.

Randy's Repair, LLC. supports the position held by the Electronic Frontier Foundation in that this proposed exemption under the DMCA holds no positive public benefit. We implore the United States Copyright Office to not grant this exemption.

PRIVACY ACT ADVISORY STATEMENT Required by the Privacy Act of 1974 (P.L. 93-579)

The authority for requesting this information is 17 U.S.C. §§ 1201(a)(1) and 705. Furnishing the requested information is voluntary. The principal use of the requested information is publication on the Copyright Office website and use by Copyright Office staff for purposes of the rulemaking proceeding conducted under 17 U.S.C. § 1201(a)(1). NOTE: No other advisory statement will be given in connection with this submission. Please keep this statement and refer to it if we communicate with you regarding this submission.