

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Alan Downing.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

The claim that multiplayer gameplay over the internet is not a core functionality of some video games is absurd. Titanfall, World of Warcraft, and Elite: Dangerous can *only* be played online. One of the largest selling points of Grand Theft Auto V was online multiplayer. This was touted as a huge innovation and step forward, and anecdotally is why a number of people I know bought it.Ú

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When servers for games like these shut down, it is in fact denying the ability to play the game, possibly entirely.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Alex Weber.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Great games are often abandoned, but dedicated persons can keep the communities they spawn alive with this exemption
Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Allan Graves.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

For me, online multiplayer is central to the gameplay of many of my games. I game with a group of friends that is scattered across the world. This is how we keep in touch. If a game does not have online multiplayer, it is not considered for our gaming experience. Removing the online experience for us requires us to find a new game to play together. Ú

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In fact, taking a look at many ads for games, you can see that the online component of many games (Halo Series, EA Sports, etc) emphasizes the online component. To say that something you emphasize in ads is not central to the game experience seems odd to me.
Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Allen Fuller.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I believe that developers and publishers should be able to control their software and art. However, once the game is no longer sold and no longer supported users should have the right to maintain the ability to play games they legally purchased. A business decision to stop supporting a game should not mean that people that paid for it can not play any more. More and more games are coming out as multiplayer only or with server and multiplayer elements. This is going to make important pieces of art and culture disappear. Old movies can continue to exist long after the copyright holders have moved on, but these games will not. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Andrew Faehnle.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Dear Copyright Office:Ú

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The notion that "multiplayer gameplay over the Internet is not a core functionality of the video game," as alleged by the ESA is laughable. Consider the following games:Ú

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Star Wars: Battlefront (release date 12/2015)Ú

Titanfall (release date 3/2014)Ú

Destiny (release date 9/2014)Ú

Overwatch (release date 2016)Ú

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All of them share the fact that there is no single player campaign that can be played without a connection to the developer's servers. Also consider the case of massively multiplayer online games (MMOs); these are games such as World of Warcraft or EVE Online that, by definition, are played while accessing the developing company's servers.Ú

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The tech and games press has taken note of the growing trend to favor multiplayer over single player:Ú

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"The Growing Illusion of Single Player" Giant Bomb, 14 Sept 2014 <http://www.giantbomb.com/articles/the-growing-illusion-of-single-player/1100-5017/> (Accessed 22 April 2015)Ú

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"Is Single-Player Dying" Venture Beat, 16 June 2014 <http://venturebeat.com/>

community/2014/06/16/is-single-player-dying-the-move-to-multiplayer-and-the-sacrifice-of-solitude/ (Accessed 22 April 2015)Ú

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"Player One" The Guardian, 14 July 2014 <http://www.theguardian.com/technology/2014/jul/14/single-player-gamers-destiny-solo-activision-grand-theft-forza> (Accessed 22 April 2015)Ú

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Even EA Games, one of the major industry publishers, has this to say about single-player:Ú

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“[We’re] very comfortable moving the discussion towards how we make connected gameplay — be it cooperative or multiplayer or online services — as opposed to fire-and-forget, packaged goods only, single-player, 25-hours-and you’re out. I think that model is finished. Online is where the innovation, and the action, is at.”Ú

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Lest you think this is just PR, that quote is attributed to EA Games label president Frank Gibeau. ("EA: Single-Player Games Are Finished" Wired, 8 December 2010, <http://www.wired.com/2010/12/ea-single-player/> [Accessed 22 April 2015])Ú

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It is clear that the major players in the video game industry are intent on moving to a server-based, subscription-based model. Whether the subscription is de jure (as in the case with many MMOs where you pay a monthly charge for access) or de facto (as when a company shuts down the servers for a game with only server-based play, forcing people to buy another version) is immaterial at this point.Ú

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Multiplayer is absolutely a core part of modern day video games, and to claim anything else is either naive or dishonest.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Andrew Krukowski.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Many games have been created specifically for competitive play, and it would be awful to lose the ability to play these games online with real competition as time goes on. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Andrew M Wallace.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Games are art and laws like this actively work to kill that art forever. It is pathetic that companies like EA do not view these works as worthy of being saved. Please please side with consumers who want to actually own the things they buy.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Anna Hagen.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

I think people are destroying history by turning these servers off. They should allow the code to live on in the public domain when it ceases to be useful to them.
Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Benjamin Croxton.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

This issue has effected friends, family, and myself directly. Many games and portions of gaming systems become completely unusable when an internet connection is not available. In many cases the online connection seems to only be used for DRM management, which is quite frustrating. Further, when a game manufacturer decides to stop running the servers that support this DRM/login ability the game becomes completely useless. At the VERY least, I think game manufacturers should have to release code so that end users can run the DRM/login servers when the manufacturer no longer wishes to. I would also like to see the requirement for online DRM be removed.

When a consumer purchases something, it should belong to them in general. If they want to take it apart to tinker, repair, or improve the item they should be completely free to do so. Changing these laws and regulations at the source is in the best interest of the general consumer/citizen. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Calum Traveler.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Imagine for a moment that you buy a toaster for cooking toast, but that toaster will only function by accepting a certain radio frequency that the owners broadcast to allow you to make toast.

What happens then when that owner shuts down the broadcast for the toaster never to begin that broadcast again? The toaster that you've bought and paid for becomes useless. Ú

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But what if you could make a new signal that tells the toaster to work again? This is the same situation that online multiplayer games faces. Without an online server, some games quite simply just **WILL NOT FUNCTION**. Some games that are even Single Player and do not even contain an Online component **STILL** require an active internet connection to a certain server in order to even work! And when that connection is inevitably taken down, the product that has been paid for is now completely useless.Ú

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We've lawfully purchased games that contain online components, but are unable to use them when a server goes down? How is that fair?

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Chandler Reynolds.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Online multiplayer is the core reason that I am a gamer. Without the use of private servers for online games, then I would not be able to stay in contact as well with friends and family. When a publisher chooses to no longer support an older game, then it should absolutely not be illegal for a private individual to fund a server to run the game. In fact, private servers can actually help spur game sales long after the game has been released. Richard Burns Rally is an example of a game that is still alive thanks to a thriving modding and support community. Without the use of private servers run by individuals, the game would not see the sales that it has today.

I urge you to think logically and objectively about each of these issues and to gather your own data before making a ruling. Think about the smartphone in your own pocket and how you would react if it was illegal for you to make your own decision about which carrier to use with your phone. It is important to prevent plagiarism and knock-offs, but it is far more important to encourage competition and innovation. Taking ownership out of the consumer's hands will not benefit the general public, and will stifle competition and innovation in the future. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Chaz Dash.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Whether or not the ESA views our purchase as a rental, lease, or purchase, that money is going towards the game as a whole. When you lease a car do you only get to use cruise control for the first year? After that does the leaser disable the option? Go tell Activisions subset Blizzard internet connectivity is not a core functionality of the video game. I'm sure you'll get a chuckle, without that they're out every penny they make through the fiscal year, as all their games REQUIRE internet connectivity to operate.

Monopoly is a great game, not a great economy.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Chris Colson.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Connected video gameplay is the majority of game playing these days. That's simple. Collaboration and sharing has increased a million fold since the internet was created. That's why games are produced as online only, e.g. Titanfall. I haven't even played the storyline on COD in 3 years; its multiplayer online only. Thus, companies that understandably have to shutdown shouldn't be able to kill the games I own. if the community wants to pay to keep it alive and fund their own servers they should. The companies have abandoned that particular IP and the community should be able to pickup where they left it. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Christian Williams.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

I buy it. I own it. I can do what I want with it within the reasonable bounds of the law. Corporations do not own my stuff after I pay for it. Period.
Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Chris Walker.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Companies die or change hands it happens, but why in the world should copyright law be used to enforce protection on something that doesn't even exist anymore.

Thank you for your consideration. We live in a modern changing world, if people are not allowed to try new ideas and enact their own change the world as a whole wont be able to progress at the same rate, being limited by corporations.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Dale Porter.

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Item 3. Statement Regarding Proposed Exemption

Online multiplayer abilities is the first thing I look for in my games. If the game does not provide the feature I usually pass on it.
Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Daniel Moore.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

I still have games that run on DOS. If folks aren't allowed to preserve and alter that old code, art is lost.Ú

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Yes, games are art. How can a dozen artists spend a year putting together Art and have the end product NOT be Art?

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Daniel Nichols.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

The claim that the internet functionality of games should be determined solely by the developer is harmful to the gaming community. It allows content providers like Steam to change the software after the user has already purchased it, without the user's permission, and makes it so games are unplayable without internet connections, even if internet connectivity does not factor into gameplay at all.Ú

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It also means that when a developer no longer wants to support online play, or no longer supports the online checks that games require to run (even for single-player play) users are completely out-of-luck, stuck with a worthless, functionless program.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Daniel Nicolosi.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Video games should be treated the same as board games in regards to playing with other people. If i buy a board game or table top game and the company that makes it go out of business or stops selling it, I can still play with friends. I don't have to throw it out because it's no longer "supported". Ú

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Again, video games should be the same. If s company shuts down their servers and services for playing a game that I legitimately bought, then I or someone else should be allow to host a private network for fans to continue playing.

Thank you for your consideration and talking the time out of your schedule to read this.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, David Hoepelman.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

In numerous modern games online multiplayer (multiple people playing together through the internet) is an important, the most important or even the only available option. It is not financially feasible or interesting for the producer of the game to indefinitely support the servers and indefinitely modify games to support more recent environments (operating systems, hardware, networks).U

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Similar to us being able to enjoy an old painting, TV show or book from your childhood it is important to me that I am able to play games after the producer has stopped supporting it. This is only possible if consumers are allowed to run unofficial servers after the official servers have been shut down.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, David Moak.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

I want to be able to use my old games, that I paid for. I can't because the original publisher shut down the servers that allowed multiplayer. I also want to be able to play current games (in multiplayer) with my children, but away from the often rude, predatory, and sometimes dangerous publisher controlled servers. I want to be able to play new and old games on safe servers that me and people like me can add parental filters and control access to. This is not something that publishers are interested in providing to me. Ú

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Games like Descent 1&2 are good examples of what the community can accomplish regarding content controls and adding new features to an old game.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Derek Smith.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Not only is online multiplayer a valuable part of modern video games, many new games are marketed solely because of their multiplayer gameplay (which, of course, requires internet connectivity). Many of the largest titles in video gaming don't even create lengthy singleplayer experiences anymore, and opt to focus their efforts on the multiplayer portion of their product instead. Online multiplayer adds a human element to games, which cannot be replaced. Even electronic versions of classic board games would not be fun if they could only be played computer opponents instead of real people, so why should we believe the claim that multiplayer is not a core function of video games?

Thank you for your time and consideration, and I wish you the best of luck as you sift through all the comments!

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Donald Pohlman.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

I entered an agreement with the game publisher to support the product I bought. Can I get my money back when they stop supporting it. NO I CAN'T
Why do I have to fight for my right to use a product I purchased anyway? Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Don Durrance.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Online multiplayer is extremely important to me as a game player. It is one of the main deciding factors on whether or not I will buy a game. I have a lot of friends in other countries, and gaming online with them is one of the main ways we bond and keep our friendships going. Many games completely lose their appeal once you take out online multiplayer. Ú

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It seems completely ridiculous to not allow the community to support online multiplayer after the company has abandoned the game, which happens all too often.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Doug Wetzel.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

With the advent of the Internet and the ease for which consumers can connect with one another, inside and outside of games, multi-player gaming has become an essential and highly desirable feature in modern video games. ¶

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In the 90s and 00s, companies often provided the ability for gamers to host servers on their own, and it was and still is an important feature. However, some companies have realized that they can control access to their games if they require customers to play on servers they host themselves, and simultaneously refuse to provide a way for customers to host servers themselves. ¶

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As a person who has played video games, starting with Atari's Pong in the early 1970s, up to the very latest games on both computers and mobile devices today, I can say without any hesitation that multi-player gaming is a core feature of modern video games. It is ridiculous and false to assert otherwise.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Drew Nevins.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

This is ridiculous. My little brother and I were just talking the other day about the greatest story told on the Xbox 360 - a game called Mass Effect 3 - that was known not only for its amazing single-player storyline and gameplay, but its fun, strategic, and fast paced multiplayer gameplay as well. We remembered fondly how many hours we spent bonding by playing *just* the multiplayer part of the game together. Sometimes we would talk about issues that were effecting our lives while we played - issues that would otherwise be difficult to talk about without the common ground of video games. When EA (the video game publisher) finally shut down the multiplayer servers for Mass Effect 3, we were devastated. We openly talked about how much we would like to run our own Mass Effect 3 server so we could continue playing together, but we were unable to due to restrictions on operating custom servers.

Please take a moment to consider how you would feel in this situation, as a private citizen who isn't attempting to break the law, but merely wants to enjoy a product they already purchased outside of what the sales and marketing team sold you the product to do.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Drew Shoemaker.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I enjoy playing videogames online with my friends. Often times, we enjoy great games that are classic, but the label "classic" usually means old, and therefore the servers are no longer running or supported. Why do we not have the right to set up our own servers to run the games? We own the games. WE DO. Not the corporations I bought the game from. It is MY CD sitting in MY CD Drive of MY PC I built using MY money sitting on MY desk in MY house. These are MY things, not EA's, not Ubisofts, MINE. Until they reimburse me for the cost of my home, car, and electric belongings they have no right to tell me what I can and cannot do with them (ultimately I do what I want with them since they are mine anyways and they can come drag them out of my cold dead hands if they wish to reclaim them for violations). Ú

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Since when is owning something not owning it? These corporations need to learn that if they are SELLING a PRODUCT, they are creating something for consumption that is meant to be purchased by consumers. (For the Lawyers out there, "purchasing" means transfer of ownership from the seller to the buyer - a revolutionary concept I understand. The first time in the past 50,000 years of human history that we are actually wanting to push the novel idea of actually owning what we buy.)Ú

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The excuse I have often heard is "We might decide to bring back the servers one day." Yes, the cash strapped game devs are going to take a 1,000,000 to 1 shot of bringing back Imperialism II servers hoping it might rake in millions of dollars...yes. This sounds absolutely like a sound idea. Too bad pigs don't fly. Do not tell me what I can do with my things.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Eric Evans.

Item 2. Proposed Class Addressed

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Item 3. Statement Regarding Proposed Exemption

Unethical corporate greed, and BS reasons, that deprive the consumer of their right to ownership.

These are all examples of unethical corporate greed, and BS reasons, that aim to deprive the consumer of their right to ownership and freedom to do with their property whatever they wish. Please stand up to them and don't let them fool you with crying poor.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Eric Goldman.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

The video game industry's control over legacy games is a mirage designed to force consumer to buy new games as a supplement for older games they enjoy but can no longer access. Once a user purchases a product, they should have the freedom to use the product for any length of time. Features which do not depend upon the server, including access to all offline content which exists, should be preserved. The vendor should be under no obligation to perform support for unsupported software. In addition, the vendor should enable users to enjoy the freedom to use the tool as they want to make supplicants for when support ends by allowing homebrew servers, patching, etc. Otherwise, vendors are not only limiting choice but also limiting the security of users.

Thank you for your consideration. You must consider all efforts to make reasonable changes to the DMCA so that consumers can enjoy their alienable rights without the tyranny of large corporations controlling the use of the owner's own property

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Item 1. Commenter Information

I am providing comments on behalf of myself, Gaspar Garcia de Paredes.

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Item 3. Statement Regarding Proposed Exemption

The quote above on how online multiplayer is not a core functionality of a video game works only in complete ignorance of: 1) real world usage. The most popular games world-wide and the ones with the longest lifespan usually are online multiplayer (see: Halo 2; Counter-Strike; WoW; Call of Duty for the last decade; etc) and 2) how video game companies market this games. No advertising (at least none I've seen) ever touts chat communications, points, achievements, or updating roster information as a main feature of online connectivity.Ú

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A useful comparison to me would be claiming that people pay for the lines (rather than the rides) at Disney World because that's where they spend the most of their time. Similarly, even if leaderboards or rankings in, say Call of Duty, are relevant and important to players they are only meaningful as a companion to the actual online playing part of the game.Ú

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Features such as: "chat communications, sharing of user-generated content, leaderboards, points, badges and other achievement markers", or even updated roster information at a sports game are as relevant and the main gameplay aspect. No one cares about a leaderboard if there is no underlying competition. Similarly a chat room in a video game is useless unless there is something worth discussing: namely, the game itself.

There is a real disconnect between the traditional understanding of ownership and copyright of assets, goods, and intellectual property and how ownership and copyrights of software is being interpreted. The idea that purchasing software does not make you the owner of that copy of the program does not make sense to most consumers.

The perfect example is digital versus physical books. No one ever thinks in terms of buying a license when they purchase a Kindle books (similarly with music). You buy the book. Just like you used to buy a paperback or hardcover and its yours forever. Ask the average consumer and his answer will rarely be "I own a license to the books on my Kindle" or a "own a licence to the games on my iPad".

Everyone intuitively believes, even if they are mistaken (given what current interpretations of copyright law seem to be), that they own their digital copy of 50 Shades or their Justin Beiber single.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Gordon Brown.

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Many new video games that are released today feature multiplayer as the the main (or only!) selling point - this is a trend that has been growing since the release of Quake 3. In a game which includes only a multiplayer mode and a simulation of multiplayer mode with AI opponents, I don't see how it could possibly be argued that multiplayer gameplay is not "core functionality."

Thank you for your consideration.

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Item 1. Commenter Information

I am providing comments on behalf of myself, Gregory Farr.

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Software should not have a shelf life.
Thank you for your consideration.

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Item 1. Commenter Information

I am providing comments on behalf of myself, Harlan Lieberman-Berg.

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Item 3. Statement Regarding Proposed Exemption

As a gamer, online multiplayer is critical to the games that I play. Starcraft, one of the most important video games of all time, is still one of the most commonly played online games today, despite being over 17 years old. This only happens, though, because of the benevolence of its owner. The servers have been threatened on a few occasions, which would threaten tens of thousands of gamers' ability to play.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Isaac Hayes.

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Item 3. Statement Regarding Proposed Exemption

Video games are purchased with the promise that the consumer will have access to play the game as long as they do not violate the terms of use. But if the servers are shutdown then the games are no longer able to be "used" as promised and therefore the terms of use can no longer apply. Consumers need the right to extend the life of a game once it is no longer supported by the publisher as this is the only way that theft of user rights would not occur. In modern games the number of hours played on the multilayer aspects of a game far exceeds the time spend by all consumers on the single player campaigns. Call of Duty, Halo, Battlefield, and DotA are just a few examples of games have exponentially more time spent globally on multiplayer than on the single player mode.

Thank you for your consideration in this issue. Empowered consumers lead to great advancements and economic stability for all.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Isaac Lovin.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Communities are built, often times, through the internet in the form of online multiplayer. Shutting down servers AND disallowing the community to continue to interact in the main way that they do, through video games, is a huge blow to social connectivity. Please don't continue to allow this to happen.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, J. Whitson.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I have been a longtime player of the 2001 games Tribes 2, originally published by the now-defunct Sierra Games and later acquired by Vivendi Universal. Tribes 2 was an entirely multiplayer-based game. There was literally nothing in it for single player except for a couple training missions. In 2007 or 2008, Vivendi shut down the master servers that would tell the gaming client where individual game servers were. Fortunately, the game was always highly modifiable and someone started a new master server and developed a patch for the game to direct the client to look at it for the server list instead of the old Vivendi server. Thousands of people were once again able to enjoy a game that had meant so much to them nearly a decade before. Ú

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This is all to say that the interpretation of the DMCA being put forth by the Electronic Software Association would prevent this kind of activity and forced Tribes 2 permanently offline. Further, even if peripheral services like leaderboards and points and a bunch of other useless ancillary services are offered with a multiplayer game, all of these services are moot if one cannot play the game for which they were designed. I urge you to reject this interpretation of the law and permit modification of game clients for whatever purpose - whether it be for connected to a new master server so the game can live again or so that someone can introduce some unique vehicle or graphic texture or communications protocol or a thing else. I urge you to take the position that rewards innovation - not outlaws it. Thank you.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Jacob W Hayes.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Not really a game, but I have a medical device that the manufacturer no longer supports the software needed to review the daily treatment statistics. Insurance will not allow me to get a new device for another 3 years. I have had to use an opensource emulator to access the device history.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, James Willing.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I personally do not spend a great deal of time with online multiplayer games, therefore that aspect does not play a major role in my purchasing choices when selecting a game for entertainment purposes.Ú

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That being said, at the same time while I appreciate the ability to "purchase" additions, extensions, or accessories for the game content online I do not see how that should justify the implicit 'tethering' of games to online servers operated by companies and corporations.Ú

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While not dismissing the issue of the overall ability of access to an Internet connection sufficient to support multiplayer game play, the greater issue is similar to that of access to digital program (movie, TV, etc.) media. The potential for loss of access to said media at the whim of the company operating the servers when it is determined to no longer be 'financially viable'.Ú

Ú

This has been a repeated occurrence over the (fairly short) history of modern gaming, multiplayer or not. Due to the conscious decisions made by any number of companies, consumers who legitimately purchased games on the open market are now denied the ability to play these same games, not because the associated purchased hardware (computer, gaming console, etc.) has failed or become unusable but rather that the company owned and operated servers to which those games were made dependent, regardless of if that dependency directly contributed any aspect to the game play or not have been made inaccessible and these same companies have refused to provide the information required in order for those that might wish to do so, and either personally have the skill set or have access to the needed resources to make the

changes to the game or configure personal servers to replace these lost capabilities.Ú

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Were these companies content to simply admit that they have abandoned these properties, and leave the people who might be so inclined as to develop the resource or changes required in order to allow continued access to this previously purchased material, but instead in repeated instances these companies have either actively hindered such activities &/or threatened participants with legal action should they continue.Ú

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If a company is going to abandon support for a particular game property and in doing so cause these legitimately purchased programs to become unusable, then they should be required to either make available the information for someone else (either individual, group, or company) who would choose to do so to make required changes to the core code or configure supporting servers to allow the continued enjoyment of these games, or at the very least not obstruct through activity or threats of legal action those who desire to keep these games operating. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Jayaprakash Pasala.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I have lawfully purchased over multiple games over time but the gaming industry shuts down the servers and I can no longer play the games any more. Ú

Example: I bought \$300 Wii console and \$50 Mario Kart for wii. Now after couple of years, they shutdown the servers so I cannot play the game anymore online. I am not for enforcing Nintendo to keep up the servers. But, if Nintendo does not setup the servers, I want the option for the community to setup the servers.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Jeremiah Blatz.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Many modern games have multiplayer as a central part of their experience. Others that do not provide much value in multiplayer require online servers in order to function at all. To purchase a game, only to find that it can not legally be played as intended, or even at all, at the whim of a publisher is an insult to consumers.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Jeremy Kenyon.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Typically the only games I buy these days are those with online multiplayer abilities so that I can play with my friends. Games aren't made to be played on the same console or system anymore like they used to. If you want the ability to play most games made in the last decade with your friends you have to have online multiplayer.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, John Allaman.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

As games age it is not illogical that support for the product would be 'sunsetting'. But disallowing users who have purchased the software to continue using it is abhorrent. Modifying software so that it is able to run on newer platforms or connect peer to peer for multiplayer activity should be embraced, as it allows consumers to keep products alive so long as their passion is kept alive. Thank you for your consideration. I hope you see how detrimental these policies can be to both consumers and producers in the long term, and that words from myself and others have not fallen on deaf ears.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, John Anderson.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Several old games (Westwood studios comes to mind) and some new ones are requiring Online parts to play the whole game even several single player games. When and after these services get shut down, there is no way to play the full game, examples Microsoft's Freelancer, Newer would be Battlefield 2142, I know when battlefield 3 servers shut down there won't be a way to play it at all.Ú

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All these requirements do is planned obsolescence...well as soon as x servers shut down then no one can play their game they paid for... Everquest (whenever it finally closes will do the same). Unless it's legal for us to have a "Cloned server" after it's gone then there goes all the time energy etc.

Thank you for your consideration. Hopefully you can see the poor ramifications of the Law as applied to this topic.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, John Cason.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I bought a game. I should be able to play it. It does not say I am renting it for a specific period of time (until they shut down the servers). I should be able to use other servers. I paid for it, I should be able to use it.

Thank you for your consideration. Please remember that consumers pay for the products they buy. They are entitled to use them in what ever manner they choose. This idea that the manufacturer still owns the products I buy is patently unfair.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, John M. Archer.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

It's your server. You can do what you want with it. I fully support this...Ú

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...But, if you're not doing **anything** with it, fighting to prevent anyone else from doing anything with it is clearly just an attempt to shaft the consumer into spending more money on some other product. You want consumers to buy new games? MAKE BETTER GAMES. Don't sit there and imagine that it's your right to make it **illegal** to play older games. That kind of behavior invalidates the whole basis of your industry and your art form.Ú

Ú
Copyright is intended to encourage the creation of valuable content by rewarding content creators. Banning the enjoyment of said content in fact creates a disincentive to create valuable content in the future, thereby undermining the entire purpose of copyright law. The fact that I'm writing to request **exemptions** in copyright law for this case makes it clear to me that the entire legal concept of copyright, as it is presently interpreted, is deeply and fundamentally flawed. In theory, because I work as a software developer, copyrights provide the very basis of my income--of my whole **life**--and yet I am ashamed to be associated with such a disgusting body of legislation.

The American people are asking you to work with us to **fix** this law. Just remember, if you can't work with us, you **will** be replaced with someone who can.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, jon parker.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Hi. I bought a used game only to find that the multi player function was turned off after only 1 year of owning it. If I could stand up my own servers, this would increase the life of the game and make it more valuable to me and my family. I would love to share this game with my kids, but I can't any more because the corporation didn't want to expend the resources to keep the servers up. I understand that, but let me continue to host the servers even if they don't want to. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Kate Rush.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I play video games as a social activity and consequently, I do not own any games that do not have some sort of online multiplayer mode. Even when they do have campaign mode, allegedly the "main" part of the game, I never play it. I'm a female in my 20s, I have zero interest in sitting by myself in an isolated world. But I have made many friends through online gaming, and that's what keeps me coming back.

I cannot believe that John Deere and the auto manufacturers are trying to prevent people from fixing their vehicles when they break. It's taking our consumer culture to extremes and sets a dangerous precedent. Forty years ago people repaired things like stereos and kitchen appliances, but now they just throw them away and buy new ones. And maybe that's fine, but to say that it's ILLEGAL to repair something you are the rightful owner of is ridiculous. Fixing things teaches people to be resourceful, it's empowering, it's better for the environment, and saves money.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Kelly Skeel.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

For me, multiplayer online gaming is the primary way I play games. I play new games but I also still play games online from the past. One example is Call of Duty:Black Ops 2 on the Sony PlayStation 3. There are still 100000 people online at any given time playing a game that is almost 3 years old. We should be able to keep playing games online while there are enough players to play. Surely the companies can use less servers and resources as the game gets older. Thank you.

Thank you for your consideration. This is important to me. It actually impacts my daily life.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Kelsey Higham.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I move a lot, so I play a lot of online games. It's one of the only ways for me to maintain long-term friendships. When a multiplayer game server shuts down, I don't want to lose one of the most important social spaces in my life. I want to keep in touch with my friends. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Kirk Brooks.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

This is a totally fallacious argument. Old, abandoned software is that way because it was deemed worthless by the owners. Once all other lawful protections have expired the work becomes part of the public domain. This is not complicated.
Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Maddy Myers.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Multiplayer is an integral part of electronic games, and preserving it -- even if only on a few servers -- is key to the archival of videogames in the long term. The historical and academic study of these cultural artifacts would be ruined if multiplayer could not continue to be made available, especially for smaller and more artistic games developed by independent artists. I have worked as a professional videogame critic for publications including the Boston Phoenix, Paste Magazine, MIT Technology Review, and others for almost a decade, and I firmly believe in the preservation of these digital artifacts for future generations to study and critique. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Matthew Schoendorf.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

There are countless A-List blockbuster video games sold today which ONLY have online multiplayer. Playing video games online with friends through the most convenient method possible is a major way that games hold their value over time.
Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Mike Behnke.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I have games that I have lawfully purchased and spent 100s of hours playing that I can no longer enjoy because the game manufacturer has shut down the servers necessary to play the game, specifically in the Battlefield franchise. The only purpose of the game was multi-player, that is the only reason people purchase the game, and it is worthless now because the servers are down. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Natalija Moss.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Look, let's be reasonable here. Why do companies call something "massively multiplayer" if multiplayer isn't important? Even the very first video game, pong, was multiplayer. No one bought a copy of StarCraft in order to play it single-player exclusively. They just didn't. Stop listening to these corporate bullies and use some common sense. These guys are basically doing evil work for entities which are actually by definition evil. Use your judgement and say no to their obviously false assertions.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Nathan Horne.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Online multiplayer functionality is a core part of any modern game. If it were not, then the producers and publishers of video games would not advertise this functionality so prominently in their media campaigns and even on the case the game comes in. Halting support of multiplayer servers for older games is sensible--it makes no sense for a company to continue paying for servers for a game they sold a decade ago and which very few people still play. But it makes no sense for such legacy games to be de facto excluded from online play because of consumers' inability to host their own servers. The only reason that this policy exists is to force players of older games who still desire to play online into purchasing newer versions of the game. It would cost the original company nothing to allow gamers to operate their own servers for legacy games, while allowing those gamers access to a core function of the game.

The choice we face is between corporate intrusion into consumers' lives as they seek to dictate not just how their products are made and sold, but how they are used afterward. Provided my actions are legal, it is no one's business but mine how I use a video game, car, or tractor once I have purchased it. If corporations are allowed to control the use of their products past the point of sale there will be no more true ownership of the goods we purchase, and there will be less choice available to consumers, leading to lower quality and higher prices.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Ned Horsted.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Usually I will not buy a game unless it has online multiplayer functionality. For a game to not work after an official server shuts down is kind of like being robbed of something you already paid for.

Thank you for your time and consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Noah Schnoll.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

The argument that online multiplayer does not affect the play experience is directly contradicted by the marketing and development strategies of digital game developers and publishers. All major releases tout online multiplayer as a key aspect. Marketing campaigns focus on the ability to play games online with other users. As a game designer myself, I find the assertion that multiplayer gameplay is unnecessary in some situations to be laughable at best and deceptive in the worst way. Ú

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Many classic and modern games both literally require online capability to function in any meaningful way. For the game to exist, a user must be able to interact with the system. For the user to be able to interact with the system, there must be some facilitation of code. In many of these games, that is only possible via remote servers.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Patrick Marshall.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Online multiplayer is a given in games. Take Titanfall for example, it doesn't even have an off line option.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Paul Maschhoff.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

In many games produced nowadays, online multiplayer is the primary intended mode of play, with thousands of players online simultaneously. These games include recent rendition of the Battlefield series and many other first person shooter games.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, R. Bond.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

There are many video games that can ONLY be played online, in concert or competition with other people who are also online. If the game's creators abandon the network structure or interface of the games that their customers continue to own, their customers must be allowed to create their own interface or network structure to continue to use it. Ú

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When a company no longer supports a piece of software they do not force all previous customers to return or stop using that piece of software. That company has merely revoked their offer of assistance in its use. The customer should still be able to use it to the best of their ability. The company still owns the IP and the copyright, but they cannot force people to abandon their product simply because they no longer hand out a ready made interface. Ú

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One specific example: My company made a piece of software to create programs for industrial automation. It has since stopped making that particular piece of software and it no longer makes interfaces for the current generation of robots. That does not mean we can tell everyone to stop using that software under threat of copyright infringement. It means if they want to continue using that software, they must write their own interfaces for the current generation of robots. Games should be no different.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Raul Ramos-Schulze.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

As games transition more and more into always-online requirements, (even in single-player modes) it's a bit scary that I might get locked out of a game that I paid for just because the manufacturer decides to turn off the servers. If the game manufacturer is no longer interested in running the servers because it makes no financial sense for them, then they should allow others to run their own servers, or at least disable the always-online requirement and let me continue playing offline.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, richard hagen.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Servers should be left on for perpetuity.. or turned over to public domain after the online game is no longer developed by the company. It's that simple. Ú

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Shutting off the servers for this sort of thing is the same as if Random House publishers decided that all the copies of books that they have made before 2010 - whether they were in libraries, homes or stores - should be immediately burned.. and that they will do so on their own behalf - the users of those books wouldn't have a say in the matter. Ú

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This is loss of art history. You may not think of games as art, but it is a loss. Human endeavour being deleted as IF IT NEVER EXISTED. Is that what you want?

Thank you for your consideration. I know you will come to the same conclusions that I have.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Riordan Frost.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Multiplayer functionality is integral to many modern day video games and is used and enjoyed (often extensively) by people who have legally purchased the game. If the original servers that host multiplayer are taken down, the company that sold the game is renegeing on part of that gameplay provision and the decision of a third party to allow multiplayer play to continue on their servers is really more about sustaining a community committed to a certain game than taking money from the company that decided to shut down their servers in the first place. Ultimately, copyright reform should be about the citizens of the US - the consumers, researchers, artists, farmers, gamers, teachers, and more - everyday people, whose primary motivation is to lead a fulfilling life and contribute in some small way to society. It should not be about the companies whose primary motivation is profit. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Ryan Satcher.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Online multiplayer is a core part of almost every video game released in the past three years. Microsoft and Sony (and Nintendo) have spent billions in order to bring us gaming consoles and video games (for the PC as well) in order to play these games. Copyright law must be amended such that when a company decides that they do not want to run the servers anymore, the game be put into public domain such that a person or company can run the servers. It is hypocritical for game companies to release these games, claim after a few years that it is no longer profitable, then lock it away. If the game companies (and other software companies) no longer value the code it needs to be put into public domain; if necessary this must be codified into law. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Ryan Scott.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Just because a company decides they no longer want to support something shouldn't mean it is worthless. That actually encourages obsolescence. Very few games these days have strong single player modes. Often times games are bought solely to play among friends. Also many games require you to connect to the server even to play single player.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Ryan.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

If profit on the game is no longer possible or voluntarily given up by the creators, then users should be able to continue the game beyond its profitable life span. Ú

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If a little league organization disbands, it doesn't mean the kids have to stop playing baseball. Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Samuel Hellerstein.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

It is highly ridiculous to say that multiplayer gameplay is not a core function of the game. There are numerous games where the ONLY function is online play, or where it would drastically harm the game experience for online play to be removed. DOTA and other MOBAs would be crippled without online play, as would fighting games like Street Fighter, shooters like Call of Duty (where online play is just as, if not more, important to the average consumer than the singleplayer mode), MMO games like World of Warcraft and World of Tanks, as well as games like Dark Souls and Bloodborne, which feature singleplayer-multiplayer fluidity as a vital part of the overall experience. If a game has been abandoned by the owner, then allow third parties to create freely accessible servers unless the owner would actually be harmed by the existence of said server.

Thank you for your consideration.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Sebastien Vakerics.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

I'm stunned by the ESA's statement that multiplayer gameplay over the Internet is not a core functionality of a video game. Firstly, a large majority of games are sold, by marketing efforts of the game's publishers, on their ability to connect players via the Internet to participate in multiplayer gameplay. How can someone heavily advertise multiplayer gameplay, but not recognize it is integral to the game itself?Ú

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There are games that have been released, and are being released, that do not include a single player game mode *at all.* If the developer shuts down the ability to access multiplayer, the users have no game. Gameplay, the core aspect of *video games*, has been disabled entirely.Ú

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Players should have the ability to continue to play these games, for which they have paid, long after the developer has simply lost interest in supporting it. Not being able to set up private servers for abandoned games is like having an audio CD that gets tired of singing. It's deceptive, counter intuitive, and plainly anti-user. If the developer doesn't bear the cost for these fan-run servers, what is the real danger is allowing one's fans, the people who paid for the game, who enjoy and celebrate the work of the developer, to continue to play the title in question?Ú

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Furthermore, what becomes of the history of video games as a medium? Doom, Mario, Metroid, Sonic, and other iconic titles still have vibrant communities not only for new entries, but for the original games. How could people continue to share, reference, and analyze these classic titles if they were disabled remotely? Do game companies expect collectors and archivists to gather a library purely of Title Screens and Main Menus with no access to actual gameplay? How could

movies and literature have a history to build upon if each work were simply turned off?Ú
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Again, I am absolutely stunned that a developer would create and sell a game with the express purpose of having people play it, stop supporting the game, and then treat their customers as criminals for trying to continue to use the game that was advertised and sold to them.

Sincerely,
Sebastien Vakerics

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Stephen Scott.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

John Locke once proponent the idea of Life, Liberty and Property. This was one of the inspirations of the Declaration of Independence. Not only do excessive copyright law go against this freedom, it denies us the very process used to found this country.

John Locke once proponent the idea of Life, Liberty and Property. This was one of the inspirations of the Declaration of Independence. Not only do excessive copyright law go against this freedom, it denies us the very process used to found this country.

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

Item 1. Commenter Information

I am providing comments on behalf of myself, Wesley Wu.

Item 2. Proposed Class Addressed

Proposed Class 23: Abandoned software – video games requiring server communication

Item 3. Statement Regarding Proposed Exemption

Software expires extremely fast in the modern world. Many companies release new games every year, rendering the old one obsolete. However, maintaining servers for derelict games is costly. It makes perfect sense that a company would want to shut down the multiplayer servers of a game that doesn't make them money anymore. Ú

But what about the players? The people who paid \$50 to the company to play their game? What happens to them if they want to play the game? Some enterprising computer tinkerers can open up the game and allow connections to other servers, so that people who want to reminisce about an old game can still play.Ú

What is the harm in this? Does the company potential profits on a game that they had already written off as unprofitable? In many cases, by the time the servers are shut down, the company itself has already gone bankrupt or been merged into another company, so it is unable to receive any profits anyways.

When I buy a product, it should be mine to tinker with as I please. Doing so allows me to learn more about it and become a better computer scientist, which helps society as a whole, as opposed to a corporation receiving a few hundred dollars.