

February 19, 2021

Honorable Shira Perlmutter  
Register of Copyrights  
U.S. Copyright Office  
101 Independence Ave. S.E.  
Washington, D.C. 20559

Re: Eighth Triennial 1201 Rulemaking

Dear Register Perlmutter:

We are writing with respect to the current Section 1201 Rulemaking concerning Exemptions to Prohibitions Against Circumvention of Technological Protection Measures Protecting Copyrighted Works.

In the Opposition comments filed by DVD CCA and AACCS LA ("Respondents") with respect to Class 1 and Class 5, the Respondents included a letter from Swank, dated February 9, 2021, that describes our Digital Campus platform license of a vast catalog of motion pictures, television programs and documentaries for educational use, including for streaming to students to support out-of-classroom viewing and remote learning.

Respondents' filings also included the names of a number of individual university and college librarians whose institutions are licensees of Swank's Digital Campus platform and quoted certain statements from those named individuals. The names and quoted statements were taken from video testimonials on Swank's publicly available website. Those testimonials were given willingly and Swank was granted permission to include them on Swank's website. Swank gathered and posted the testimonials for the purpose of demonstrating the value proposition Swank offers in its Digital Campus platform. The statements were not made in the context of this Rulemaking. Accordingly, for the sake of avoiding any potential confusion, Swank wishes to clarify that neither the individuals quoted nor their affiliated institutions were opining on the Rulemaking, the proposed class, or respondents' opposition comments. Rather, the statements were referenced solely as examples confirming the utility and value of Swank's Digital Campus platform.

Swank appreciates your consideration and understanding of the statements for what they clearly are-- examples of the positive feedback and satisfaction expressed by a number of our educational institution licensees about the Digital Campus platform license and our service—and not as oppositions to the proposed exemptions.

Sincerely,



Tim Swank  
Chairman, Swank Motion Pictures, Inc.