



United States Copyright Office

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April 27, 2021

Phil Malone
Jonathan Kaufman
Juelsgaard Intellectual Property and Innovation Clinic
Stanford Law
pmalone@law.stanford.edu

cc: Dan Jasnow
Arent Fox
Motor & Equipment Manufacturers Association
dan.jasnow@arentfox.com

Re: Docket No. 2020-11
Exemptions to Prohibition Against Circumvention of Technological
Measures Protecting Copyrighted Works

Dear Witnesses:

Thank you for your participation in the recent hearing related to Proposed Class 10 (Computer Programs – Unlocking) as part of the Copyright Office’s Section 1201 rulemaking proceeding. At the hearing, Mr. Kaufman referenced a report by the Global Supplier Alliance (GSA) as evidence supporting the request in Class 10 to permit unlocking all wireless devices. Mr. Kaufman also referred to additional documentary evidence showing the growing inclusion of 5G-capable modems into a variety of device categories and form factors.

Because these materials were not included in your written comments, the Office invites you to submit a response to this letter, attaching or otherwise directing the Office to the materials referenced at the hearing. Your written response may also address how these materials support the request in Class 10 to permit unlocking devices other than those listed in the current exemption. Please limit your response to discussing and providing documents referenced at the April 21, 2021 hearing; this is not an opportunity to add new evidence.

Please provide your response **no later than Friday, May 7, 2021**. Your response should identify should be no longer than five pages (excluding exhibits). We request that you submit your responses to me at regans@copyright.gov and Mark Gray at mgray@copyright.gov.

The Office will also welcome any response to your submission by the Motor & Equipment Manufacturers Association (MEMA). If MEMA chooses to file a response, it must be no longer than five pages and should be submitted to me and Mark Gray by **Friday, May 21, 2021**.

Sincerely,

A handwritten signature in black ink, appearing to read "Regan A. Smith". The signature is written in a cursive, flowing style.

Regan A. Smith
General Counsel and Associate Register of Copyrights