



United States Copyright Office

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April 16, 2021

Stan Adams
Center for Democracy & Technology
sadams@cdt.org

Christian Troncoso
BSA | The Software Alliance
christiant@bsa.org

J. Alex Halderman
University of Michigan
jhalderm@eecs.umich.edu

J. Matthew Williams
Joint Creators and Copyright Owners
mxw@msk.com

Chris Mohr
Software and Information
Industry Association
cmohr@siia.net

Aaron Williamson
Software Freedom Conservancy
aaron@akwlc.com

Morgan Reed
ACT | The App Association
drose@actonline.org

Blake Reid
Wilson Scarbeary
Samuelson-Glushko Technology Law &
Policy Clinic at Colorado Law
blake.reid@colorado.edu

David J. Taylor
DVD CCA
david.taylor@rightsizelaw.com

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

Dear Participants:

Thank you for your participation in the hearing related to Proposed Class 13 (Computer Programs – Security Research) as part of the Copyright Office’s Section 1201 rulemaking proceeding. During the hearing, there appeared to be agreement among participants that the current temporary exemption for security research covers the privacy-related research described

in the Software Freedom Conservancy's ("SFC"'s) petition. Participants thus appeared to agree that SFC's concerns regarding the scope of the current exemption may be adequately addressed through a clarifying statement in the Register's Recommendation, and do not require amendment of the regulatory text.

The Office would like to confirm whether this understanding accurately reflects the participants' views. Accordingly, the Office invites the participating parties to confer to determine whether there are remaining issues in dispute with respect to SFC's petition, and if not, to submit a joint letter so advising the Office. If the parties are unable to reach agreement, they should submit separate letters setting out (1) any remaining points of disagreement pertaining to privacy-related research, and (2) any proposed regulatory language that attempts to bridge those areas of disagreement.

Please provide your responses **no later than the close of business Friday, May 7, 2021**. Such responses should identify the responding party and the proposed class at issue, and should be no more than five pages in length. Please note that no further exhibits will be accepted. Please submit your responses to me at regans@copyright.gov and Brad A. Greenberg at brgr@copyright.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Regan A. Smith". The signature is fluid and cursive, with the first name "Regan" being the most prominent part.

Regan A. Smith
General Counsel and Associate Register of Copyrights