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X-Sun-Data-Type: text  
X-Sun-Data-Description: text  
X-Sun-Data-Name: text  
X-Sun-Charset: us-ascii  
X-Sun-Content-Lines: 16

Hello,

Attached is my submittal for your consideration, regarding section 1201 of the Digital Millennium Copyright Act. The attachment is in ASCII format.

In the event that the attachment is corrupted or lost, for the record I would like to offer that I believe section 1201 is wrong and wonder if it is even constitutional.

Please advise me if my submittal is not of the correct format.

Respectfully,

Casey McCoy

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X-Sun-Data-Type: default  
X-Sun-Data-Description: default  
X-Sun-Data-Name: 1201  
X-Sun-Charset: us-ascii  
X-Sun-Content-Lines: 63

Hello,

I would like to take this opportunity you are giving the public to address:

"...noninfringing uses of certain classes of works...(being possibly)... adversely affected by the prohibition against circumvention of access control technologies."

Your very request for input on this matter suggests that you are aware of problems, so in the interest of sustaining the limited attention you can afford any one response, I will keep my response brief. The class of works I will address is movies - stored on and played using encryption from DVDs:

I would like to play DVDs in the DVD player in my home PC; I believe this is categorized as a noninfringing use of a purchased DVD. DVD-playing programs are available for the Microsoft Windows operating system, but I have only the Linux operating system for which legal DVD-playing programs are not available. This is by my own choice, and so it is my problem.

The one solution directly available to me is to employ an unsanctioned DVD-playing program (DeCSS) which circumvents the DVD's access control technology and thereby gains access to the contents of the DVD. If I employ an unsanctioned program, I am violating the prohibition against such action. At the same time, if I honor the prohibition, I am then adversely affected in that I cannot play the DVDs I have bought.

I realize that my situation must be very much in the minority, and so the

practical value of my argument is perhaps weakened. But I believe that the philosophical value is not weakened, and it is that of \*free speech\*:

What I do with books, pictures, movies, music, clothes, hardware tools, silverware or anything else I have bought is my prerogative insofar as it is within the law. It is illegal to distribute copies, but whether I destroy my belongings or alter them is up to me.

Would society stand for Nike enforcing "acceptable use" of its clothing? Should we expect this is coming, and that it will be upheld in court?

Somehow software and data has come to enjoy excessive protection under the law, even against its owner. In fact, it's now to the point where ownership itself is in dispute, if not already a done deal in favor of The Company; this relates also to the apparent haphazard broadness of software patents, but I will ignore this crucial topic for the sake of brevity.

In summary, I believe the issues relate closely to free speech, and these are menacing times for free speech. Technology is providing us with new means for communicating, storing and manipulating data. These means introduce both promising possibilities, hazardous possibilities, and outright silly possibilities, as exemplified in telecommunications, where (without astute governing) one may, at the hands of a controlling, profit motivated entity: ID, block-ID, counter-block, counter-counter... to the point where the highest bidder wins both his privacy and free speech AND his peers' privacy and free speech.

I urge you to please Do the Right Thing: \*Remove the Prohibition\*  
Do not allow corporate interests to dictate personal freedoms.

Thank you so much for this opportunity.

Respectfully,

Casey McCoy