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I am writing to you about the recent pushes by the recording industry to characterize the DVD player Livid and DeCSS as illegal. I disagree strongly as a consumer. I also disagree with the encryption research section of the DMCA.

Throughout the evolution of technology, we've seen the recording industry come up with anti-consumer attitudes regarding audio tape, CDs, BetaMax, VHS tapes, MP3s, and now DVDs. Each time, they claim they need governmental protection against the great harm that is coming to them from people being able to make copies of the works they legally own. Each time, they have claimed to not get enough protection to make a living **AND** their sales skyrocket and they make more money than ever. Obviously they lie to you each time they talk.

Again, they are in the courts asking for protection. **It is time to turn them away again** and tell them that they don't need more protection nor should the DMCA let them keep people from playing DVDs.

The DVD market is a hard one to understand. If I were to buy a DVD while on vacation in Europe, I can't legally play it at home in the USA because they don't want me to. They claim it would be illegal under the DMCA to disable this protection and watch the movie which I own. I would hope you will revise the DMCA to allow consumers to play DVDs they own in any way they see fit. Already there are methods due to New Zealand's law making it illegal to restrict products based on regions. These methods are known to me but I do not like the idea of breaking the law just to watch a movie I own. Telling people to break an unjust law decreases respect for law enforcement and makes people lose respect for police officers.

If I were to try to play a DVD on my Linux computer, I can't because nobody has paid the recording industry for a DVD license (and signed their license agreements). Nobody wants to sign their agreements because they have to promise only to play DVDs based on the region codes and to force people to watch the tracks which the studios want them to watch without fast-forward (Disney uses this for advertisements). This goes against the consumer's interest. It is no surprise nobody wants to pay for this restriction. Instead, they are writing a **compatible** player which plays DVDs without the recording industry's blessing. I think this should be legal under the *fair use* concept. If I own a DVD, I should be able to play it for my own use any way I see fit. I should not have restrictions placed upon me like having to view it through an approved player or only in the region it was marked for. Why the government would pass a law stopping me (and uphold it with injunctions) is beyond me. Is the government interested in the good of the people or in the donations of the recording industry?

The recording industry is bringing up the copyright issue claiming that people who break DVD protection can copy the DVD. This couldn't be farther from the truth. You can only

play a DVD in a standard player if you have the protection on. When the illegal copies are made in Russia, they make them with the protection in place because this is the only way a copy can play in a standard DVD player. Only the linux platform requires unprotected DVDs and that is because Windows handles the unprotecting via licensed software. The concept of breaking protection to make copies of a disk I own is laughable. A DVD movie sells for \$15 to \$20 on average and the media that would hold the copy costs \$30 to \$50. It would be foolish to copy DVDs this way (or in any way). The DeCSS program is designed to allow the movie to be played, not copied.

If you wish to copy a DVD currently, you can copy the files off to a hard disk (\$100) with no special software, even though they are encrypted. This hard disk can be used to play the movie on any Microsoft Windows platform but not on a linux box. The copy was made without DeCSS. How is this protected? No player would refuse to play this data even though it is encrypted. Encryption is not stopping anybody from making copies.

The DMCA seems to be a little too far reaching. I am concerned about the language on encryption research. It should be legal to create programs that deal with encryption of media as a hobby, not just as part of a business. Many of the current inventions and programs coming out are the work of people who do this as a hobby and beat the big business to the market. If you put in such poorly thought out wording as you did with the encryption research, you will put the fear of imprisonment in the hobbyist's mind and stifle creativity. This law is too far-reaching and infringes upon my right to make a legal living.

There is no need for the recording industry to be protected from people playing DVDs they bought. There is no need to stop encryption research by hobbyists. There is no reason to stop the distribution of DeCSS as it doesn't allow people to make copies any easier than you can make them without the program and only allows fair use playback of movies people own.

Thank you for fixing this unjust situation.

Gary Petersen