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Comments on 17 USC Section 1201(a)(1), Digital Millennium Copyright Act

Dear Copyright Office,

The Library of Congress should exempt all classes of copyright works
from the prohibition of circumvention of access controls due to the
adverse affect on users of alternative operating systems, United
States citizens residing outside the United States, and multilingual
or non-English speaking U.S. residents.

For all classes of works, non-infringing use of the copyrighted
materials by users of alternative operating systems would be adversely
affected by dependence on certain operating systems. Specific
examples would be the inability to read a book, view a graphic, play a
DVD, or listen to music that is protected by software which only runs
on Windows by users of MacOs, Linux, Solaris, or BeOs. The dependence
on specific language support also often makes this a problem in
different language versions of the same operating system, so a
Japanese language copyrighted work with a Japanese language specific
protection program may not be installable or operable in the English
version Windows. The adverse effect is the requirement to purchase
and install an otherwise unneeded operating system.

For many classes of works, games and DVDs being the prime examples,
the use of region codes in the protection scheme dissallows access by
game machines and players made for differing countries. Specifically,
a DVD purchased in the United States is not playable on a DVD player
manufactured for use in Japan, and a DVD purchased in Japan is not
playable on a DVD player manufactured for use in the United States.
The end result is that by design non-infringing use of the copyright
material is not possible without unreasonable hardware expenditures,
namely purchase of a player or game console for each region.

Thank you for your consideration of these issues.

Shaun Lawson
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