

I have many issues with the Digital Millennium Copyright Act (DMCA) Section 1201. In my view, the DMCA Section 1201 is harmful to the established rights of citizens under copyright law prior to the enactment of the DMCA.

Section 1201 of the DMCA states, "No person shall circumvent a technological measure that effectively controls access to a work protected under this" title." What about established copyright laws concerning fair use? What if I want to make a back-up of my copyrighted material that I have paid for? What if I do not have access to an authorized viewing or playback apparatus?

The current hype around the DVD Consortium and CSS are perfect examples of why Section 1201 is bad for citizens and their rights.

DVDs use a weak encryption system called CSS for scrambling of content. Each DVD player has a key that allows the player to unscramble the content for playback. This content scrambling then has the ability for content providers to create DVDs that can only be played on machines in a certain geographical region. It also means that DVDs cannot be played on equipment other than that officially sanctioned by the DVD Copy Control Association (CCA). What this amounts to is the DVD CCA is nothing more than a cartel that can restrict the fair use of media that the consumer has paid for.

I am sickened and ashamed that my country is allowing special interests to undermine the freedom of individuals. The DMCA has singlehandedly taken away a consumer's right to fair use of copyrighted information. If content providers *REALLY* want to combat piracy, it can be done in the open market and not via idiotic legislation. If content is available for a reasonable price, citizens will purchase it rather than steal it.

What is on the horizon for us? Cars that only work with one brand of gasoline? Houses that only work with electricity from one utility company? Phones that can only communicate with other phones provided by one telecommunications company? Of course not. Such attempts would never survive in the open market. However, the DMCA has effectively removed the ability of the open market to choose how or where a citizen can view copyrighted works via legislation.

In closing, when I legitimately purchase copyrighted material, I demand the ability to make use of that copyrighted material without having to make use of "authorized" methods of display and playback. Revoke Section 1201 of the DMCA!

Regards,

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