

To: U.S. Copyright Office
From: Edward Wittmann
Re: Digital Millennium Copyright Act

These comments are submitted in response to the Copyright Office's request for "reply comments" related to the implementation of the Digital Millennium Copyright Act (DMCA).

Thank you for this opportunity to provide feedback on the DMCA. The DMCA is a very broad act which adversely affects consumers in a number of ways.

First and foremost, it threatens the concept of "fair use," which ensures the purchaser of a product the right to use it as he/she sees fit.

The authors of the DMCA would have us believe that a crime is committed if the consumer views a digital work, which was legally bought, on unauthorized equipment. As an example:

- The consumer views a digital work, which was legally bought, with a software or hardware player that was not officially sectioned by the DVD consortium. If I, as a consumer, build my own software or hardware to view DVDs, I have committed a crime as defined by the DMCA.

The authors of the DMCA would have us believe that a crime is committed if the consumer views a digital work, which was legally bought in one "region," in another "region." As an example:

- I buy a movie in England, on DVD. I move to the United States. The authors of the DMCA would have us believe that I must now buy a new copy of the same work to legally view this digital work in this new "region."

The authors of the DMCA would furthermore have us believe that a crime is committed if the consumer copies a digital work, which was legally bought, for the purposes of archiving, or to be viewed on alternative medium. As an example:

- I, the consumer, buy a DVD product. I have a DVD player on my computer, but not on my television. I stream the output of DVD to VHS tape, so that I might also watch it on my VCR.

Legislation like the DMCA is an effort by large corporations to restrict what we, the consumers, can and cannot view. Despite the apparent lack of copy protection and restriction on VHS, the industry does a booming business selling VCR tapes. Furthermore, the copy protection scheme does NOT prevent bit-by-bit copies of DVDs. The DMCA does not attack real pirates, who use DVD-ROM burning equipment which costs several thousand dollars (and which is therefore well out of the reach of the common consumer). The copy protection scheme only affects the end consumer.

Thank you for your time,
Edward Wittmann