

Commenter's name: Ivan Bethencourt

Proposed class of works to be exempted:

1. Music distributed on CD (Compact Disc), SACD (Super Audio Compact Disc), and DVD-A (DVD-Audio), and motion pictures distributed on DVD (Digital Video Disc or Digital Versatile Disc) and future HD DVD (High Definition DVD) and Blu-ray formats.

Brief summary of the argument in support of the exemptions proposed above:

Copying the contents of vinyl records, audio cassette tapes, and video cassette tapes that have been legally acquired has been permissible for years, as long as it is for personal, educational, or nonprofit purposes. This should continue to be the case, no matter what media the copyrighted works are contained in. Restrictions placed upon the copying of such materials hurt consumers. An example of this is the Sony BMG DRM (Digital Rights Management) Copy Protection scandal. The security of countless computers was compromised by a piece of software that installed itself without consumers' authorization (<http://www.eff.org/IP/DRM/Sony-BMG/>).

2. Music and motion pictures broadcasts on both the analog and digital spectrum.

Brief summary of the argument in support of the exemptions proposed above:

Recording radio and television programs has been permissible for years, as long as it is for personal, educational, or nonprofit purposes. This should continue to be the case.

There is no legitimate reason to place restrictions upon the recording of such materials, other than to allow companies to benefit monetarily by charging for programming that has been available freely for years.

Consumers should be entitled to the right of reproducing copyrighted works that they have legally acquired, as long as their use is for personal, educational, or nonprofit purposes. This is considered non-infringing use or "fair" use.