

[Proposed class or classes of copyrighted work(s) to be exempted]= Digital audio and video media of all types

[Brief summary of the argument(s) in support of the exemption proposed above]= The courts have established clear precedent for fair use. When a consumer purchases a vinyl record, an audio CD, VHS video tape or DVD movie, etc, he has the right and the technical capability to access that content perpetually on a multitude of devices, made by a multitude of different manufacturers. Today if I purchase digital music from iTunes, there are technical barriers intended to prevent me from accessing that music from non-Apple hardware. Thus my fair use rights are infringed. To exercise my fair use rights I must circumvent the protective technology. For another example, if I record a movie on my Tivo, proposed technology would prevent me from keeping the movie beyond a certain date--denying me access to the movie after that date, and effectively denying me the fair use right to keep a copy of the movie. The only way to exercise the same fair use rights established by the courts, I ! would have to circumvent the protective technology.