

From:
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I am writing this letter in response to the Digital Copyright Millenium Act(DCMA) . I believe that this law which somehow was railroaded through Congress, without the knowledge of the Citizens of the United States of America is an Un-Constitutional law. The main point of contention with this law is that it may prevent the betterment of society. Certainly it is illegal to copy others' works or creations and to sell of pirated copies of such work. This is, and should always be, illegal. Again the main contention is that we all can see the works of others and have a natural, in-alienable right to attempt to improve on what we see and create derivative works.

Why do people go to an art museum? To be inspired, of course. Some of those people in turn create more art. If you hear a piece of music, you may think about the tune and write something similar. Just because one artist decided to use a drum or guitar in their creation, it should not prevent others from using that musical instrument in their music.

Likewise persons have a right to take something apart and see how it works. This is how we get innovation. This is one of the cornerstones of our country and civilization. Music, Art, Media should only be protected to the point that no one besides the original creator or licensor should benefit from the sale of such works. But along with this, such said work should not be encrypted. I should not have to purchase a special pair of glasses to see a work of art. If I decide to go to Paris to see the Eiffel tower, I should be able to create such a piece of work, maybe even in an improved upon form.

Persons should be allowed to examine or disassemble anything, hardware or software, to see how it works and maybe improve on it if possible. Persons should be allowed to create derivative works which don't impede the patent or intellectual property rights of others. Persons should be allowed to disassemble works for analysis and information sharing purposes, they just shouldn't be able to make money from such efforts.

The Laws of this great country should not be pliable to the needs of money laden industry groups or corporations. Laws should only be passed for the betterment of life through innovation and discovery.

For example the recent litigation in California and NY regarding the Content Scrambling System. The movie industry should not have wasted resources on scrambling movies. That effort could have been used to give a better product to the customers. The descrambling of the CSS system should not be illegal under the DCMA. If a company copies movies without the rights to distribute such work, then that company should be held liable. But is some one breaks the code for some scrambling system then that should not be illegal. Likewise if a company really cared about security, they would use an unbreakable code.

The Laws of this great country should not be pliable to the needs of money laden industry groups or corporations. Laws should only be passed for the betterment of life through innovation and discovery. I would like to respectfully request that the DMCA be adjusted to allow for scientific or intellectual discovery purposes. Persons should be allowed to find and expose the weaknesses of things whether they are hardware or software, thoughts or concepts.. With this type of freedom should come the responsibility to not impede others' rights to patent or copyright works. There is definitely a common ground where all sides in this issue may be happy.

A danger that exists with Draconian laws like the DMCA is that they can be used to set precedence in other fields. For example you go to a hospital to get your appendix taken out. The medical procedure may be protected by copyright. But suppose a new doctor has found a better way to perform the operation with less pain and risk for the patient. Should that then not be allowed since it will impede the rights of the initial doctor.

Please adjust the DMCA to really be law that both protects innovation and intellectual discovery while protecting the rights of copyright owners. A lot of resources are wasted on scrambling things for consumers. These types of protections are not needed in an open and free society. Only Governments and the Military should use this technology.

Thank you for your time.

Respectfully,

Mete Gencyuz