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To Whom it May Concern,

I believe the DMCA will further delineate the consumer's rights of fair use when DVD-audio is introduced to the public. According to the DMCA, I will not be able to circumvent the CSS-2 encryption (or whatever the encryption will be) of the DVD-audio disk that I legally purchased to make audiotape copies, which I would use in my cars tape player, or even my tape player I take to the beach. Clearly the DMCA is supported by The Music Industry, and it also explains why the Music Industry is so eager to introduce DVD-audio:

1. It will force consumers to buy more (in my previous example, that would mean a consumer that bought a DVD-audio disk would be forced to go buy the same exact audio tape because they would be unable to make the tape themselves, and/or it would be illegal as per DMCA).
2. DMCA will not allow a consumer to make a backup copy of the DVD-audio disk, because copying the audio tracks would clearly circumvent the copy protection, thus making the whole process illegal. I do not mean a bit-for-bit copy which would work even if a disk is encrypted or not, because there is no way to make hard copies of DVD-audio disks like one can make today with regular audio CD's and CD burners, another reason why the music industry is pushing DVD-audio because once DVD-audio Burners hit the market, software to make backup copies of DVD-audio's will be illegal as per DMCA.
3. What I usually do with audio CD's that I legally buy is copy the audio tracks that I like to my hard drive and compress them to mp3 format, so if I feel like listening to some music, I dont have to bother with finding where I put some particular CD, then bother with inserting CD's into my CD-ROM drive. I can basically have my entire CD collection on my hard drive all at my finger tips. This is all fair use of products

I have spent my money on. The DMCA will render me into a criminal for trying to

attempt this with DVD-audio because the disks will be encrypted and to copy the audio

tracks to my hard drive will require circumvention of the encryption, thus very illegal

as per DMCA.

4. I am a very proud Linux user, and my Creative Labs 6x DVD-ROM Drive and my Dxr3 decoder

card have been useless ever since I completely erased that Microsoft product from my

hard drive. (well, with DeCSS I can finally watch my Criterion Collection DVD's, but

that alone is also a criminal act as per DMCA). I suspect the same will be the case

with any DVD-audio drives that hit the market for computers.

5. If DVD-audio players are gonna be region coded, that would mean I would not be able to

listen to DVD-audio disks that I might buy in different countries. This would make it

Impossible and/or illegal as per DMCA to listen to disks that would probably not be

available in ones country (such as real good Polka DVD-audio disks that are only available

In Poland). At this point there are no DVD-audio players available, but I'm sure the

Music Industry would love to region code DVD-audio, it would mean more sales all over

the world and ripping people off just like the DVD community does: some DVD's come

out in some parts of the world like 6 months after the release in the USA, and they cost

around 2-3 times as much as the USA DVD, depending on the region of course, thus forcing

people to spend alot more money on a product that can get cheaper if not for the practice

of region coding.

It seems the DMCA was passed to help protect the best interests of huge companies by

reducing fair use rights of the consumers. I wish I had heard of this law when it was being

passed, but I'm not surprised it was passed very "silently". If not for the publicity DeCSS

drew and in uncovering the butchery of law and Freedom called DMCA, we would have never known

what hit us.

My Views are not necessarily those of my employer, and this document was written and

submitted during my lunch break ^_^