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- 1) Music (CD)
- 2) Video (DVD)
- 3) Electronic Printed Media ("E-Books")

Current technologies to prevent misuse also can prevent "Fair Use" applications, Eg: many CD's with copy protection cannot be played on the cd player in my computer, which is where I, and many other professional programmers, do the majority of our listening. The use of "Cracking" programs to enable fair use should not be subject to criminal penalties. While "Trading" (Stealing) or sale of physical reproductions of such works should clearly be illegal, the current regulations, which consist of a blanket ban against the breaking of digital copy protection methods inhibit fair use of products legally purchased in the following ways:

- 1) Copy protection methods currently in force can prevent the legal playing of protected works in most computer's sound systems, and occasionally in Auto CD players, and even more rarely in some makes and models of dedicated Home CD players.
- 2) Current regulations make illegal any methods of compressing such copy protected files for otherwise legal listening on commercially available "MP3 Players" (much like a "walkman", or Automobile sound system MP3 decks.) Such compression allows the user to carry with them a much larger number of songs than would be practicable in the native cd format.
- 3) Current rules are the logical equivalent of executing all of the residents of a town to make sure you get the one serial killer among them. This alone classifies the current regulations as "Not in the public interest"
- 4) Copying digital media for legal, "Fair Use", purposes is not an exercise in "Interstate Commerce" and is therefore not subject to Federal Regulation.

I would add, as an aside, that I am both a musician and a professional software publisher. As such I most certainly do not approve of the pirating of Copyrighted materials. None the less, preserving the legal concept of "Fair Use" is beneficial not only to the end users of such products, but to the producers of those products as well.