

[Proposed class or classes of copyrighted work(s) to be exempted]= Class One: Audiovisual works contained in a college or university library, when circumvention is accomplished for the purpose of making compilations of portions of those works for educational use in the classroom by media studies or film professors.

Class Two: Audiovisual works contained in a college or university library, when circumvention is accomplished for the purpose of making compilations of portions of those works for coursework by media studies or film students.

[Brief summary of the argument(s) in support of the exemption proposed above]= The 2006 DMCA exemption for media professors has transformed the field of film and media education, and it has helped bring media studies into the digital age. New avenues for teaching have been opened up and many university and college faculty members across the country have been able to do their jobs unhampered by anti-circumvention restrictions on the fair use of copyrighted material under Section 107 and the application of the educational exemptions of Section 110 of the Copyright Act. Renewal of this exemption will allow professors to continue to demonstrate theories and techniques relating to media and film studies in such a way that other technologies will not allow.

We also propose two expansions to this exemption. First, an expansion of this exemption to include works available in a college and university library will broaden the resources available to professors for use in classroom demonstrations. Second, an extension of this exemption to include students will facilitate a more active learning environment.

The rationale for the first expansion is straightforward: the current exemption places an unnecessary limit on the range of films that can be taught, and it often requires the wasteful expenditure of resources to purchase multiple copies of each work. If the university wishes to provide a particular work to its student body, the most logical and accessible place to store that work is the main library. This permits the greatest number of students and faculty to have access to the work; indeed, that is the primary function of libraries, especially university libraries. We limit the scope of our exemption to a college or university library to maintain a narrowly tailored class, as required by Section 1201.

For the past three years, media professors have benefited greatly from the anticircumvention exemption, and we now hope to extend this exemption to allow students to enhance their learning experience in the field of media and film studies. While professors are able to circumvent CSS encryption to compile clips and create useful comparisons to teach relevant material, students are still subject to the anticircumvention provision, which restricts their ability to fully utilize and learn from information that is not otherwise available in unprotected formats. Students need to have the ability to manipulate content to facilitate their learning, rather than passively watching as their professors demonstrate techniques. Expanding the exemption to include students will allow them to apply their knowledge and understanding of subject matter in meaningful ways.