

I am writing to inform the Copyright Office and the World Intellectual Property Organization of the negative impact that extremely rigid copyright law has on my life as a law student and as a father. I have lived my whole life with dyslexia, a learning disability that severely affects the way I read and write. My form of dyslexia changes the way I read. I must learn each word twice - once for written text and again for spoken language. I am unable to sound words out beyond a first grade level, and have difficulty expressing my ideas in a written format. By contrast I am very well spoken and can engage in complex discourse over legal and technical problems in an oral format. My dyslexia went hidden for most of my life, I nearly failed high school and dropped out of undergrad more than once. Before the dyslexia was diagnosed, I would interview professors and only take classes that were graded heavily on spoken presentations or class projects like debate or computer programming classes, while avoiding written tests like the plague.

It was not until I started taking classes at the University of Washington in my junior year of college that I was directed to an educational psychologist who diagnosed the dyslexia. This changed my academic experience and my direction in life, I was allowed an accommodation that often include oral exams and alternative requirement for grammar or spelling intensive classes like foreign languages. My grade point average moved from a mid C to a solid A minus. After turning my academic career around and earning a Bachelors of Science in Informatics and a Bachelors of Arts in Political Science with minors in philosophy and human rights, I decided to pursue a law degree focusing on intellectual property law.

Reasonable accommodations and technology have enabled me to succeed both professionally and in law school. As a legal professional it is very important that I understand each word written. I use text-to-speech software to read statutes, case law, law review articles, memos, and legal books. Text-to-speech software is an important tool for my legal research and understanding of texts. Without text-to-speech software, my understand of text can be limited. If text-to-speech software is not available on a work that I need to reference I often have to go to outside help, having a friend or associate confirm the words written which can be time consuming or difficult. Locking a copyrighted work behind digital rights management (DRM) that does not allow text-to-speech functionality severely reduces my ability to understand the full meaning of the text.

I also use many technical features to improve my use of software. One example is spell suggest in search options. As a dyslexic it is often be difficult to search sites due to an inability to spell the key terms. Spell suggest allows me to use the search option as if I were not dyslexic. Copyright right law including the Digital Millennium Copyright Act (DMCA) prevents me from improving or adding features that make my software more accessible. An improved version of a piece of software may be considered an infringing derivative work, while tinkering with the program directly is often prevented by DRM. The anti-circumvention criminal penalties in the DMCA mean that I risk serious legal repercussions for trying to customized a work I own to be accessible. The criminal penalties of the DMCA also discourage professionals with more technical knowledge from helping me make works accessible. I am a law student and legal scholar. Limited exceptions to the DMCA that allow me to create personal work-around will not solve these problems, as I do not posses the skills to make all work accessible by myself. I need the support of a community of computer professionals to help create open innovative solutions to gain access to knowledge locked in print formats.

I am also the father of a seven-year-old girl who is learning to read. As a parent I understand how important it is to her development to read with her and help her on homework. Fortunately she appears not to have dyslexia - reading for her is a much easier task then it was for me as a child. Teaching her to read is a challenge for a dyslexic parent, she can already sound out words that I can only memorize. I can not help her sound out many words. Text-to-speech software can be very helpful in reading with her, it enables me to check the pronunciation of words and help her learn to read. Text-to-speech software can also be used as a tool for my daughter to check her own reading. Without technology that enables disabled parents to teach their children, there is a a real threat that these children will not learn the basic skills they need.

In the future please allow for comments to be submitted in an audio or video formats. For many people with dyslexia it is a real challenge to put thoughts and ideas in a written format. More people with print based disabilities are likely to comment if you enable comments in alternative formats. This letter was written and edited with the assistance of an editor, many people with dyslexia do not have access to a personal editor. Please feel free to contact me for future comments on this issue.

Sincerely,

Brian Rowe
3L Seattle University Law
Founder - Freedom for IP
Washington State Access to Justice Technology Committee Member