The classes of works proposed by Static control should be exempted, as they will promote innovation and protect the American consumer. Such classes, if subject to the DMCA, give hardware manufacturers too much power over the consumers who have bought products from them. If anything, the propsed classes are too narrow, and should be expanded.

I have no relationship to the computer printer industry except as an owner of such printers. As a consumer I find it very objectionable that a company can restrict my legal ability to use the hardware that I own in such ways as I see fit. Lexmark's application of the DMCA to printer cartridges is merely an attempt to embed software (to which the DMCA applies) in hardware (to which it does not), and thus effectively be able to "license" hardware such as ink cartridges, and make it impossible to use an unlicensed ink cartridge in their printers. This is much as if Ford Motor Company tried to make it illegal for car owners to use non-Ford gasoline in their cars. As such, I view this less as a question of the rights of Lexmark vs third-party ink cartridge manufacturers, and more of the rights of Lexmark vs printer owners. If the DMCA applies to ink cartridges, a large class of property rights have effectively been taken from consumers. As an American consumer, I find this very troubling.

I would urge the Copyright Office to grant the proposed exemptions, and to do so in as broad a means as possible. Restriction of the exemption to only include ink cartridges would be too narrow to prevent similar abuses of the DMCA by other product manufacturers.

William Tompkins