

Printer Cartridges Are An Overly Specific Exemption

Summary:

This is a comment in regard to the request that printer cartridge software be exempted from the DMCA. Printer cartridge software should be exempted for the reasons the petitioner provided, but the exemption should be generalized. Where access to content by a device or program is required for the interoperation of those devices or programs with other devices or programs, that access to content should be exempted from the DMCA.

Facts:

A great variety of device manufacturers are now seeking to employ the DMCA so as to allow them to control interoperability for the purpose of monopoly leveraging. Printer cartridges are just one member of a larger class of such devices and programs.

Argument:

Where access to content by a device or program is required for the interoperation of those devices or programs with other devices or programs, that access to content should be exempted from the DMCA.

Such access to content should be differentiated from access to content for the purpose of creating a copy that can be provided to a human for that human's consumption, which, if the spirit of the DMCA is to be retained, should remain restricted.

If you reject this argument, then as the products of our society become more digitally interactive, there will be no limit on the ability of manufacturers to instruct their devices to not cooperate with their monopoly leveraging victims. Failing your decisive action, devices and programs that engage in such monopoly leveraging motivated exclusion of competitors will become quite common.

I urge you to act in my defense.

Sincerely,

Hans Reiser
(Author of ReiserFS for Linux)
Namesys
reiser@namesys.com