

I am writing to express my total disagreement with Bill C-32 - especially with regards to DRM (aka 'Digital Locks')

It seems to be that nearly every legal activity spelled out in the bill, such as the ability to time-shift or format-shift legally purchased media is nullified entirely by the DRM provisions of C-32.

In fact, of all modern digital media - only CDs are free of DRM.

- DVDs (DRM)
- Blu-ray (DRM)
- Cable TV (DRM and HDCP in the HDMI connections themselves)
- iTunes downloads (DRM and paying extra for no DRM)

In the US, where the DMCA law has been passed, there have been many anti-competitive abuses due to making the breaking of DRM illegal. The most egregious of these aren't even in the content sphere. For example, a printer manufacturer encrypted the protocol between the printer and the inkjet cartridge and jacked up the cost of ink - while suing any competitor that broke that communication key to offer a competing product. Similarly, universal garage door opener manufacturers have been sued.

Personally, I lived and worked in the UK for a few years, and built up a collection of over 100 legally purchased DVDs. Since they are a different region code, I break the CSS encryption only so I may watch them here in Canada. Similarly, I have copied a few movies to my iPod. I understand this activity will be punishable by with fines of up to \$1,000,000 and five years in jail. Could you kindly explain to me why an activity enshrined under fair dealing (namely the ability to use and view my legally purchased material on different media such as my non-UK DVD player, or my iPod) is now null and void, with extremely draconian punitive measures? How does this benefit the consumer?

I have worked in the computer software industry for many years now, and each and every dollar I earn is ultimately from the sale of intellectual property - so I fully support artists, writers, and other creators of media and software to be fully compensated for their work. However copyright is a balance - in exchange for a government issued monopoly on a work, there has to be a similar set of rights for consumers include right of first sale, fair dealing, and the ability to use the legally purchased media in uses not intended by the creator. By placing the breaking of a digital lock above all these other rights, this necessary balance is broken and tipped too far against the consumer and even newer forms and uses of media. The result will be (and has been in the US) an imbalance of rights, which are then abused by creators to lock out competition and force consumers to pay for the same goods multiple times.

Similarly, greater emphasis on digital locks and enforcement won't bring services like Netflix, Hulu, and Pandora to Canada. There is already interest (or active participation) from those companies, but it is not the copyright laws in Canada preventing their entry, it's the overly high media usage rates demanded by our media regimes.

The bill has a few flaws, but this one is paramount in my mind. There are no advantages to consumers in this bill, few incentives for new and innovative media distribution companies, no incentives for artists themselves (indeed most artist groups are against the bill as well) only protections for an outdated business model for the media middle-men.

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