

Hello;

I would like to express a comment regarding the revision of the copyright act. Specifically, to ensure that the Copyright Act remains technologically neutral.

I believe that modern commercial practices are attempting to position their products such that overlapping copyright issues can be used to increase sales, to the detriment of consumers. I provide a suggestion for ensuring that fair usage rights remain for consumers.

I use an example to highlight the issues: Before the advent of Compact Discs (CDs), a person would obtain copyrighted material on an analog medium. If a person purchased a phonograph record of music, there were a multitude of copyrights: one for each song, plus one specific for the media the music is on.

Under this example, a consumer is able to re-use the music in any technological format available for personal use.

With the advent of encryption, many vendors now prevent the transfer of the product from one medium to another. The vendor is in fact *linking* the two above copyrights. It is common with most portable music players that the vendor restricts the product to one specific device. Regardless of the wording, any system which allows the restriction of personal use based upon a *device* is forcing the act to be technologically dependent.

Please ensure that a consumer's right to using the purchased work remains at the same level as today. Please ensure the act enforces:

- all media must allow for creation of a personal archival copy, without being bound by technological restrictions;
- any copyright protection must fully comply with the current Canadian privacy law;
- in disagreements between the proposed copyright act and a contract which limits the production, the act shall prevail.

thank you,

Grant Willison