

Request for exemption of prohibition against circumvention of technological measures that control access to certain classes of copyrighted works for the benefit of disabled persons.

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class of works proposed for exemption: **Literary and Educational written text protected by ebook software.**

Summary:

Because some people have different physical requirements for reading, it is necessary for such disabled persons to gain access to openly formatted contents of ebooks we have purchased so we can actually read them. I am legally blind and have special requirements for reading not met by commercial ebook software.

Arguments:

1. There is no credible evidence to show that posting written material in a protected format (as opposed to an open format) does any fiscal harm to the copyright holder, either in the long term or the short. Note that "credible" evidence is objectively obtained by persons *without* fiduciary involvement in the content 'industry'.

2. Persons with limited eyesight (such as myself) are limited in what we can read to only those materials which can be made available in standard formats to be read by specialized software to support our individual requirements for reading it.

For example, some people need voice output. Others require large print. Still others require formatting of the text on an appropriately sized screen (me) with appropriately sized letters. These requirements cannot all be cataloged and addressed by ebook reader software companies because they are as varied as the number of disabled people, which is rising every year.

3. Denial of access to literary or educational materials is a breach of the Americans with Disabilities Act.

In summary, in order for me to practically pursue a University Education, the educational materials required for course completion must be available for me to convert to the format which I require in order to read them.

In my case, this means the text must be converted to be shown on a small screen PDA with large bright letters using software which is not available off-the-shelf. It is hard enough for me to either program or pay someone else to program software required for me to read material. It is unreasonable that the material must be protected from my access, even after I have paid money to purchase it.

Please feel free to call me with questions or for additional details.