

Greetings,

Class of works:

1) Data file formats

Summary:

I believe there should be an exemption made to allow reverse engineering data file formats, where the content generally stored in the file format is created by the end user, e.g. word processing software file types, image file types, music file types, etc.

Much of our country's currently generated information is stored electronically in digital file formats. Every year more of our historical documents and data is also converted. I believe there now exists a very real danger of losing data due to obsolete software or even file format versions. From an individual all the way up to the national level, a delay of a couple years in person's, company's, or governmental agency's ability to afford updating their software could result in the inability to convert data from an older version of the software to the current version. The data would be intact, but inaccessible to anyone but the owner. As soon as the older technology breaks down, for any reason, the data would be lost to the owner.

An example of the dangers created by the DMCA includes Microsoft Word, a popular word processing software package. The current version of the product cannot read the original file format version. It cannot read the second or third versions of the file format.

It is a commonly accepted practice in the software industry to only support the previous one or two file format versions. Although this is done for a number of valid reasons, it also presents a clear and present danger to the users of the software.

Examples of loss:

There are many common scenarios where content created by a person or entity is no longer accessible, rendering the data useless.

Example 1:

I personally used a software package called Rio Animator, a 2D vector and image animation tool. There was a "lite" version called Rio, which allowed composition on a single, or still image. The software was sold to AT&T, who discontinued the high end Rio Animator version.

Rio Animator runs on the DOS operating system, which is being left further and further behind. The DMCA makes it illegal for me to reverse engineer the file format.

Example 2:

I have used another DOS-based software package for compressing image files, called Alicec. It has

been many years since the software has been supported. I have many thousands of animation images I created stored on cd-roms in the Alicec file format. Sad to say, due to a hard drive crash or two, I have lost the Alicec software utility. I cannot access those images. The data I created is currently lost to me and the DMCA makes it illegal for me engineer a means to access it.

Thank you for your time,
Don R. Hanson II