

Comments:

I run a large sales organization that specializes in the sales of remanufacture laser toner cartridges. My business is to sell cartridges to consumers at a substantial discount to a new cartridge. There are many benefits in using a repaired cartridge over a new cartridge. Remanufactures and their sales organizations employ Americans. We keep empty toner cartridges from going into landfills. By selling remanufactured cartridges instead of new ones, we reduce America's dependence on the imported oil used to make the body of a new toner cartridge.

The Digital Millennium Copyright Act, (DMCA) was not intended to prevent the use of repaired toner cartridges in laser printers. I join Static Control in urging the Copyright Office to clearly state that this is the case. However, in an abundance of caution I would also request the Copyright Office exempt from the DMCA the three classes requested by Static Control. These classes are:

1. Computer programs embedded in computer printers and toner cartridges and that control the interoperation and functions of the printer and toner cartridge.
2. Computer programs embedded in a machine or product and which cannot be copied during the ordinary operation or use of the machine or product.
3. Computer programs embedded in a machine or product and that control the operation of a machine or product connected thereto, but that do not otherwise control the performance, display or reproduction of copyrighted works that have an independent economic significance.

These three exemptions will not affect the DMCA's primary goal of preventing people from circumventing encryption for the purpose of copying protected works. It

will make clear that the DMCA was not intended to prevent the repair and reuse of hardware nor was it intended to prevent the interoperability of physical devices.

Regards,

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