

From a remanufacturer of laser toner cartridges.

We remanufacture laser toner cartridges, which are sold to government and corporate accounts at a significant cost savings compared to a new cartridge. The many benefits of our business are that North Americans are employed in assembly; cartridges are reused and are kept out of landfills.

The Digital Millennium Copyright Act (DMCA) was not intended to prevent the reuse of laser toner cartridges in laser printers. We 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 that control the interoperation and functions of the printer and toner cartridge.
2. Computer programs embedded in a machine or product, which cannot be copied during the ordinary operation or use of the machine or product.
3. Computer programs embedded in a machine or product 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 exemptions will no 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 or reuse of hardware nor was it intended to prevent the interoperability of physical devices.

Edouard Pahud, C.A.
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