

Ana Rodriguez  
37642 29<sup>th</sup> Street East  
Palmdale, CA 93550  
(661) 272-5780

March 7, 2003

U.S. Copyright Office

I, Ana Rodriguez am concerned about the misuse of the Digital Millennium Copyright act (DMCA) as it applies to Lexmark's T520 printer cartridge. I fully support Static Control Components request for exception of the three classes Static Control Component listed as follows:

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. These tree exemptions will make clear 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. Lexmark cannot prevent end users from purchasing remanufactured T520's at a much lower cost, and at the same time help our environment by recycled and keeping the cartridge from ending up in landfills. I fully support SCC request exemptions as they proposed. I urge you not to allow

Lexmark International Inc., to be able to apply DMCA chips on their toner cartridges in order to prevent remanufacturing companies from being able to offer the public the choice of recycling or buying remanufactured less expensive toner cartridges. I am sending this message to you because I work for a remanufacturing company and know that if Lexmark is able to control the remanufacturing of their cartridge in this way, many other toner cartridge manufacturers will follow. My coworkers and I will be out of a job if this happens. I feel that we cannot send out a message to other manufacturers in other industries that this can be done because then, many other workers in other areas will be out of jobs also. There is many aftermarket producers out there and I know that Lexmark's actions will have a big impact on many other industries, not only the toner remanufacturing industry. Also, we cannot afford to send the message that we do not care about the environment. Any recycling that is done is good for all of us. We need to do anything in our hands to give future generations a clean environment to enjoy. Your help in stopping Lexmark's anti-competitive action will assure that free trade is encouraged, and that consumers will have the opportunity to buy products at a lower price and help the environment at the same time.