

[Proposed class or classes of copyrighted work(s) to be exempted]= sound recordings and other audiovisual works

[Brief summary of the argument(s) in support of the exemption proposed above]= The current copy protection schemes do not allow listening access in some cases, open security loopholes, and disable hardware when automatically copied programs are removed. I purchased a music disc about a year ago and when I put it in my PC a small intro video appeared and ran. Since it was a data file rather than a music file the CD drive would only allow me to see the data files on the disc. I could not get to the music tracks since the drive had decided it was not a music CD. It would run correctly in the CD player in my car that had a CD player in it. My other vehicles didn't have CD players. I attempted to take it back to the store I purchased it from but since the package had been opened and since it would play in the the car they would not refund my money. The second example relates to the current problems that Sony-BMC's copy protection schemes are causing. It is currently in the new!

s and all over the internet about the security problems it has caused and the system problems that develop if you attempt to remove the program components and drivers the music CD installs on PC systems. I believe the "disappearing CD drives" problem happened to me back in September before Sony's scheme was exposed. In order to get access to my CD drives back after they quit being accessible I ended up having to do a total reinstall of my system. Since everything had to be wiped out there is no way to prove it was Sony's program that caused the problem but the system exhibited the characteristics that are now being described if you remove the Sony program. I not only lost all my legitimately copied music files in the process but also 5 years worth of digital pictures and all my email and contacts for the last 4 years. Sony was aware they had a problem because until recently they had a way to circumvent their protection scheme posted on their site so people with Apple Ipods !

could copy songs to them. I think there should be a blanket exemption

until the music industry can develop a workable protection scheme that they can prove will not harm PCs and cause security breaches. Rather than including the extremely lengthy discussion of Sony's problem in the comment I will just reference the URL of the discussion site of the person who discovered the problem. It is:

<http://www.sysinternals.com/blog/2005/10/sony-rootkits-and-digital-rights.html>

Sony's replacement protection scheme now also infects MacIntosh machines.