

June 15, 2006

David O. Carson  
General Counsel  
United States Copyright Office  
101 Independence Avenue, SE  
Washington, D.C. 20559-6000

Dear Mr. Carson:

The American Foundation for the Blind is pleased to have this opportunity to respond to the follow up questions posed relating to the existing exemption for “Literary works distributed in ebook format when all existing ebook editions of the work (including digital text editions made available by authorized entities) contain access controls that prevent the enabling of the ebook’s read-aloud function and that prevent the enabling of screen readers to render the text into a specialized format.”

Response to Question One:

AFB is not aware of individuals or entities that have taken advantage of the existing exemption. Unfortunately, the nature of the exemption places the burden squarely on individuals who must, either on their own, or through assistance of another knowledgeable individual, find the means to bypass the access controls. Typically, given the nature of the task, individuals who are blind or visually impaired simply want access to the work and would not take the time to register their activity with any other entity.

Response to Question Two:

AFB is unaware of any ebook publisher practice change with respect to enabling use of the read-aloud function and/or enabling of the screen readers. We think it is appropriate to point out that we have substantial concerns regarding assumptions that read aloud functions are equivalent to screen reader function. Read aloud, as a stand alone access feature, provides nothing like the book reading experience that is available with screen reader functions that allow full navigation of text to give the reader who is blind an equivalent books reading experience. Lock out features have the effect of shutting out both systems.

For future reference, please contact me directly.

Sincerely,

Mark Richert, Esq.  
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American Foundation for the Blind  
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