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Rob Kasunic
Principal Legal Advisor
Office of the General Counsel
United States Copyright Office

Re: Screen Capture Questions

Dear Mr. Kasunic:

This letter supplements the joint letter of the category 4 and 11 witnesses.

I just want to reiterate that for many of the reasons already stated at the hearing and in the joint letter, screen capture software remains insufficient for use by anyone who needs high-quality images and for media professors in particular. In my tests, using a powerful machine and the highest-quality settings, videos made using screen capture software consistently exhibit some combination of the following problems: noticeable pixilation, color distortion, sound flattening, and incorrect frame rate. These problems are enhanced when the images are enlarged, projected on a screen, or shown using a stereo sound system, as they are generally displayed classroom settings.

Some media studies professors have experimented with the use screen capture software for student projects. But, as documented in my initial comment in the current rulemaking, students have found the screen capture method to be a poor substitute for full-quality images. As one Middlebury student noted,

I think this is a really important assignment [creating a remixed video] that would benefit greatly from a more accessible format. . . With *SnapZ*, the quality of the images and sound is compromised and it takes a considerable amount of time to render the clips in final cut pro. (Comments of Decherney, et al., submitted December 2, 2008, p. 17)

As the student notes, screen capture software is not currently capable of recording stereo sound and full quality images. In my view, the inconsistency of frame capture poses the largest problem. The frame rate is

often reduced. Even when the frame rate is very high, the timing of the action can be distorted, creating staccato or jerky motion. More importantly, pieces of the video are simply missing. These “holes” in the video can be particularly noticeable when analyzing a work of animation or claymation, in which every frame has been composed individually by the filmmakers. It seems surprising that educators in any field would be asked to teach works with missing pieces. Imagine a rulemaking that prevented English professors from using every letter in a quotation. Perhaps students could still make out individual words, but the missing letters would certainly prove an impediment to close analysis and informed discussion. This analogy holds up when applied to film and video: both faculty and students need access to the complete work for purposes of analysis, criticism, and discussion. I can only speak for media professors and students, but I imagine that the same logic holds for educators in many other fields, for filmmakers trying to tell a story, and for fan “vidders” engaging in critical dialogue with media work. Jean-Luc Godard famously claimed that film is truth 24 times a second; screen capture video, with its missing frames, is something else.

Please let me know if I can answer any further questions.

Sincerely,

Peter Decherney