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

July 9, 2009

Re: Screen Capture Questions

1201 Rulemaking Witness:
Carleton Jackson
University of Maryland Film & Film Studies Initiative

Thanks for giving our group the chance to respond to your June 22, 2009 questions concerning screen capture software and their relationship to Section 1201.

As I testified previously, the Film & Film Studies Initiative is a group of faculty and librarians who use video to teach film and visual studies content in courses. The unifying character of our members is teaching what amounts to “film studies” outside of an actual film studies program or even a film class. As teachers we use media to teach *visual studies* in the broadest sense and *media literacy* in the narrowest, all within our various subject and interdisciplinary areas of expertise. As librarians we assist faculty with creating content within the context of media research, access and use. Historical and contemporary visual content on video is our primary text from which teaching and learning tools are compiled.

When I received your follow-up questions I realized that the answers were outside of the expertise that our group together fathom. Certainly a few of us have investigated the possibilities and seen examples of different software. But as a whole we have not yet attempted to learn these techniques.

Sharing these questions among us revealed to that our lack of knowledge is partially because only now do we have the infrastructure take advantage of the newest software and technology. But mainly, it is because we have been good citizens in the areas of circumvention and have not moved forward in this area. We have not taken advantage of our opportunities in spite of a unanimous desire to do so. But our wish is still to move forward, to restore to educators in schools, colleges, and universities the most powerful of teaching tools and capabilities available to us before the advent of DMCA.

In answer to your questions, we are unable as a group to answer any them from our perspective. So we are thankful that Jonathan Band and Peter Decherney have shared their expertise with you and we endorse their response. Honestly, it is as informative to us as it will hopefully be to you and your colleagues.

I have been asked by my faculty group then to send you the endorsement and this answer directly as follow up:

We have been good citizens up to now but look forward to a resolution that that will allow us to create the educational tools that our students and universities require. That means we need to use the best technology to convey the best information. Why should our tools continue to be *intellectually* and *visually* different for using a DVD than for film and tape? We have heard, read and re-read the testimony on all sides of the issue. We still support our previous testimony and the testimony of the other witnesses for the expansion of the circumvention exemptions.

Feel free to contact me again if the Register wishes to pose additional questions or follow-up questions. Thanks again for the opportunity to participate in this important process.

Carleton Jackson

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