



United States Copyright Office

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June 20, 2012

Marcia Hoffman, Esq.
Electronic Frontier Foundation
454 Shotwell St.
San Francisco, CA 94110

Christian Genetski, Esq.
The Entertainment Software Association
575 7th Street, NW, Suite 300
Washington, DC 20004

Steven J. Metalitz, Esq.
Mitchell, Silberberg & Knupp LLP
1818 N Street, N.W. 8th Floor
Washington, D.C. 20036

Re: Docket No. RM 2011-7
Exemptions to Prohibition on Circumvention of Technological
Measures that Control Access to Copyrighted Works

Dear Counsel:

Thank you for your participation in the recent hearings relating to proposed Class 3 in the Copyright Office's "1201 Rulemaking" proceeding.

Following our review of the transcripts, we would like to ask that Ms. Hoffman respond to the following three questions no later than Friday, June 29, and that Mr. Genetski and Mr. Metalitz offer any responses they might have no later than Tuesday, July 10:

1. The proposed class of works for video game consoles appears to be broad enough to encompass all past, present, and future video game systems. Is there any evidence that scientists and homebrewers need an exemption to circumvent technological protection measures on the original Playstation, the Playstation 2, XBOX, all iterations of Nintendo's video game consoles prior to the Wii, and any other legacy videogame console?
2. The proposed class of works may be read to encompass handheld gaming platforms such as the Playstation Vita and all iterations of Nintendo's Game Boy and DS systems. Is there any evidence that scientists and homebrewers have a need to circumvent technological protection measures on such devices?

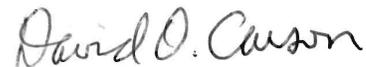
3. Please state for the record whether, and under what circumstances, videogame console repair requires an act of circumvention.

Please respond by letters sent as email attachments, addressed to daca@loc.gov, with hard copy mailed to:

David O. Carson
General Counsel
U.S. Copyright Office
P.O. Box 70400
Washington, DC 20024

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "David O. Carson".

David O. Carson
General Counsel