

February 6, 2015

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The Music Library Association (MLA) respectfully submits the following comment in response to the call for comments, "Section 1201 Exemptions to Prohibition Against Circumvention of Technological Measures Protecting Copyrighted Works," (<http://copyright.gov/1201/>). The MLA is the professional association for music libraries and librarianship in the United States. Founded in 1931, MLA has an international membership of over 800 librarians, musicians, scholars, educators, and members of the book and music trades. Complementing the Association's national and international activities are eleven regional chapters that carry out its programs on the local level. The Music Library Association provides a professional forum for librarians, archivists, and others who support and preserve the world's musical heritage.

This comment addresses the eighth proposed class of exemptions out of 27 created by the Copyright Office in December 2014:

***8. Audiovisual works – space-shifting and format-shifting***

*This proposed class would allow circumvention of access controls on lawfully made and acquired audiovisual works for the purpose of noncommercial space-shifting or format-shifting. This exemption has been requested for audiovisual material made available on DVDs protected by CSS, Blu-ray discs protected by AACS, and TPM-protected online distribution services.*

Music libraries have historically saved and preserved audiovisual materials. Space- and format-shifting are important preservation practices that ensure continued access to important musical materials as format and playback technology become obsolete. It is also important for purposes of reasonable non-commercial playback of music library materials in an educational setting. For protected formats of audiovisual works, librarians must be able to circumvent access controls in order to make preservation copies and ensure the stewardship of our audiovisual cultural heritage.