



United States Copyright Office

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VIA EMAIL ONLY

May 20, 2024

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Re: Docket No. 2023-5
Exemptions to Prohibition Against Circumvention of Technological Measures Protecting
Copyrighted Works

Dear Participants:

Thank you for your participation in the hearing related to Proposed Class 7 (Computer Programs – Vehicle Operational Data) as part of the Copyright Office’s Section 1201 rulemaking proceeding. As a follow up to certain matters discussed at the hearing, we would like to provide you with an opportunity to provide written responses to the requests below.

1. Please provide additional detail for example use cases already in the record. Specifically, each example should explain the TPMs circumvented, the means of circumvention, and whether and why the example falls outside the current regulatory exemption, 37 C.F.R. § 202.40(b)(13). The Office will also welcome any response from other participants.
2. Proponents: Please identify with particularity any public reporting or other evidence of interested parties who are likely to engage in circumvention under the proposed exemption.

3. Auto Care Association: At the April 18, 2024 hearing, you referenced a survey you conducted. Please attach or otherwise direct the Office to the survey and survey results. Your written response should also address how these materials relate to the proposed exemption. Please limit your response to the survey referenced at the hearing; this is not an opportunity to add new evidence.
4. Auto Care Association and Auto Innovators: At the April 18, 2024 hearing, you referenced a 2024 Government Accountability Office study. Please attach or otherwise direct the Office to this study. Your written response should also address how this study relates to the proposed exemption. Please limit your response to the document referenced at the hearing; this is not an opportunity to add new evidence.

Please provide your responses **no later than Tuesday, May 28, 2024**. Such responses should identify the responding party and the proposed class at issue, and should be no longer than eight pages (excluding the requested survey and study). Please note that no further exhibits will be accepted. Please submit your responses to me at svwilson@copyright.gov and Melinda Kern at mkern@copyright.gov.

Sincerely,



Suzanne V. Wilson
General Counsel and Associate Register of Copyrights