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U.S. patent law protects consumers' right to repair their motor vehicle themselves, or choose a trusted technician to perform the work for them. Cleaning, repairing and refurbishing parts or replacing worn or broken parts has always been considered permissible under the law. Congress passed the DMCA to provide IP protections for expressive works, such as movies or music - NOT to enable original equipment manufacturers to design systems that prevent replacement of functional software and parts. While unattended, DMCA is being used to stifle competition in the vehicle repair industry.

Congress and the U.S. Copyright Office must take immediate action to clarify that vehicle owners and authorized third parties can continue to access embedded software for purposes of repair and maintenance.

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Comment Details

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