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Comment

I support the DMCA exemption proposed by the Auto Care Association and the Electronic Frontier Foundation that would prevent manufacturers from using DMCA to require motor vehicle owners to have the software-controlled portions of their vehicles repaired at a manufacturer-authorized service facility. Motor vehicle owners should be free to choose any repair facility to work on any part of their vehicle. I work in a factory-authorized dealership for motor vehicles. We repair our brand and other brands also, and repair work is the profit center that makes our business viable. Due to proprietary software, we are unable to perform most common maintenance procedures on several of our competitors' recent models. Without their authorized-dealer-only computer interface, we cannot update the vehicle's onboard maintenance records and thereby satisfy the warranty requirements. We also cannot service safety-critical systems such as antilock brakes because the proprietary interface must be used to perform any services on those systems. Not only does this reduce our ability to earn a living repairing other brands of vehicles, it potentially endangers the owner if he or she were to experience a problem in a small town with a competent repair shop that didn't have the proprietary software.

More broadly, I believe that copyright protection is inappropriate for software that performs a function. Copyright should be limited to artistic works that primarily have an aesthetic purpose and do not primarily accomplish a task or function for the user. Patent law should govern software, and software should be protected under patent law like any other functional device. I will support any exemption to the DMCA that encourages creators of software to seek patent protection for their functional works and I will oppose any use of copyright law for software whose primary purpose is functional.

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Comment Details

Submitter Info

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