



United States Copyright Office

Library of Congress · 101 Independence Avenue SE · Washington, DC 20559-6000 · www.copyright.gov

April 16, 2021

Michael Ayers
AACSLA
michael@ayerstechlaw.com

David Bamman
University of California, Berkeley
dbamman@berkeley.edu

Jonathan Band
Library Copyright Alliance
jband@policybandwidth.com

Jacqueline Charlesworth
Association of American Publishers
jacqueline@charlesworthlaw.com

Chris Hoffman
University of California, Berkeley
chris.hoffman@berkeley.edu

Chris Mohr
SIIA
cmohr@siia.net

Brianna Schofield
Authors Alliance
brianna@authorsalliance.org

Erik Stallman
Ziyad Alghamdi
Tait Anderson
Erin Moore
Authors Alliance
estallman@clinical.law.berkeley.edu
zalghamdi@clinical.law.berkeley.edu
tait_anderson@berkeley.edu
erin_moore@berkeley.edu

David J. Taylor
DVD CCA
david.taylor@rightsize.com

Henry Alexander Wermer-Colan
Temple University
alwermercolan@gmail.com

J. Matthew Williams
Joint Creators and Copyright Owners
mxw@msk.com

Re: Docket No. 2020-11
Exemptions to Prohibition Against Circumvention of Technological Measures Protecting
Copyrighted Works

Dear Participants:

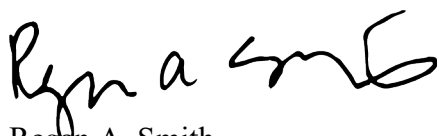
Thank you for your participation in the hearing related to Proposed Classes 7(a) (Motion Pictures – Text and Data Mining) and 7(b) (Literary Works – Text and Data Mining) as part of the Copyright Office’s Section 1201 rulemaking proceeding. As a follow up to certain matters

discussed at the hearing, we would like to provide you with an opportunity to provide written responses to the following questions:

1. Please provide your views regarding minimum, yet sufficient, security measures with which eligible institutions should be required to comply when creating a corpus of literary works or motion pictures on which text and data mining techniques can be performed. We welcome specific examples of standards for information security management currently used by academic institutions that the Office should consider, as well as suggestions of specific security measures that could potentially be used individually or in combination with other measures. We also invite you to compare standards you suggest with the approach taken by the EU Directive on Copyright in the Digital Single Market.
2. Proponents explained in the hearing that the proposed text and data mining techniques would not enable researchers to view the text of literary works or the images from motion pictures included in a corpus in whole or in part. Please provide your views on regulatory language that would specify that researchers would not be permitted to view the text or images from works included in a corpus.
3. In their reply comments, proponents amended their proposed exemptions significantly in response to points opponents raised in their comments. These amendments introduced several new issues into the proceeding to which opponents have not have the opportunity to respond in writing. Opponents may respond to any new issues raised in proponents' reply comment.

Please provide your responses **no later than the close of business May 7, 2021**. Such responses should identify the responding party and the proposed class at issue, and should be no more than ten pages in length for proponents and fifteen pages in length for opponents. Please note that no further exhibits will be accepted. Please submit your responses to me at regans@copyright.gov and Jordana Rubel at jrubel@copyright.gov.

Sincerely,



Regan A. Smith
General Counsel and Associate Register of Copyrights