



United States Copyright Office

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

April 16, 2021

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

Dear Participants:

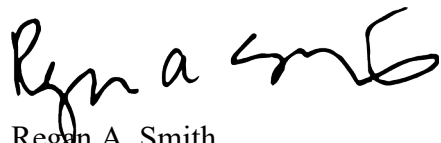
Thank you for your participation in the recent hearing related to Proposed Class 8 (Literary Works – Accessibility) as part of the Copyright Office’s Section 1201 rulemaking proceeding. At the hearing, the Office was pleased to see general agreement regarding the requested modifications to the existing temporary exemption, including with respect to the scope of the term “phonorecords.”

The Office requests that the participating parties confer to determine whether they can reach agreement on specific definitional language to clarify that the exemption does not cover sound recordings of performances of musical works. After conferring, the parties are invited to submit a joint letter proposing regulatory language that could be adopted in full if the exemption were to be granted. If the parties are unable to reach agreement, they should submit separate letters

setting out (1) any remaining points of disagreement, and (2) proposed regulatory language that attempts to bridge those areas of disagreement.

Please provide your response(s) **no later than the close of business Friday, May 7, 2021**. Such responses should identify the responding party and the proposed class at issue, and should be no longer than five pages. Please note that no further exhibits will be accepted. Please submit your responses to me at regans@copyright.gov and Anna Chauvet at achau@copyright.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Regan A. Smith". The signature is written in a cursive, flowing style.

Regan A. Smith
General Counsel and Associate Register of Copyrights