

Honorable Members of the Copyright Committee,

First off, I would like to thank you for opening up the committee to accepting submissions from the public; now with that I would like to get down to business.

Bill C-32 is not overall a horrible bill; it updates many items that should be modernized like the right to post remixing of copyrighted material for creative non-commercial benefit, an updated fair use regime for personal and educational purposes. However all that is nullified by the inclusion of a single clause; 41.1, making it illegal to circumvent copy protection even if it is for reasons that are covered under "fair use".

I will be frank with you I believe, artist and companies should be paid for their work. What I do not believe is as technology and distribution gets cheaper that the price stays the same if not gets increased by the production companies. For example, the recent changes to the iTunes pricing scheme. It now cost the same if not more to purchase the same quality movie like "Alice In Wonderland" on iTunes then it does to buy the DVD or even the Blu-Ray in some cases. That's fine, if the production companies want to overcharge for digital distribution to try save their dying distribution industry, that's their choice. It is not the place of the Government to stand in the way of technology and innovation to "bail out" bad and changing business practices. The best example I can show you would be Leo Laporte's TWIT Network. A low cost technology network that produces high quality shows about technology distributed over the internet. Now if it were up to what I refer to as "Old Media" would not exist. Another Successful example of this would be a Show Called the "Guild" which is freely available to watch on NetFlix. "Old Media" had to be dragged kicking and screaming by Apple to be put on iTunes, which ended up being a huge win for them; if it were up to "Old Media", they would have sued Apple out of existence much like they did to Napster.

Giving consumers choice is always a good thing, this includes the ability to backup content, and change platforms to consume that content as the consumer sees fit. Under C-32 it would be illegal for me to rip a DVD and put it on an computer, ipad, iphone, android or windows device because of section 41.1. DVD's have digital copyright protection called CSS, it was cracked about 10 years ago. Has Copyright protection stopped piracy? No. Did Copyright Protection Inconvenience members of the open source community that cracked to the copyright protection because they couldn't watch or listen to items they purchased on their computers? Yes. That is hey the copyright protection was cracked in the first place. To watch DVD's on a Linux (Open Source) based computer.

Now we are coming to a crossroads and it's important to pick the right way to proceed. It is important we keep the internet in Canada a free and neutral place for innovation, communication and the free flow of idea's that will make Canada a world leader in the 21st century. Having fragmented systems where you can watch and listen to content on one device over another makes no sense. We must allow consumers the ability and choice to watch and listen to what they want where ever they want on any device they want to use.

I implore the committee to change provision 41.1 **to allow for the circumvention of DRM for**

personal and educational uses. The economy of the 21st century is going to be a knowledge based economy, let's make Canada, a leader in this brave new world.

My submission for an amendment is as follows.

42. Fair Use and Moral Rights - media shall not be restricted to or prohibit the user from not being able consume purchased media from a non-subscription based service on media consumption devices. The user shall be allowed to change the format of media for devices that the user owns at the time of purchase and in the future. Subscription based services shall not be prohibited or locked down to a single platform or content device.

For more information you [can read my blog post about this topic](#)

I would like to thank the committee for the time it took to read this email.

Trevor Tye

--