

To the Parliamentary Committee for the review of copyright,

I submit this brief as a concerned citizen. I have other worries about copyright, but this is the most important.

I ask you to consider striking out the anti-circumvention rules of copyright law that were added in 2012, in a misguided attempt to come in line with the IP section of the Trans Pacific Partnership that never ended up coming into effect.

These rules should be taken out because they are an undue restriction on liberty, and have consequences far outside the regular realm of copyright law.

The rules, in brief, make it illegal to break digital locks. This is unprecedented in the physical world. Imagine if a desk that you had purchased came with a lock such that you couldn't open the drawer without paying the manufacturer more money. You would fear not, as you own the desk. You would simply break the lock, or, if you could not, a company could be hired to break the lock for you. It's a huge part of what ownership means.

Because of these rules, the same is not true for digital locks on all types of devices. You cannot properly own a device that includes within its confines a computer. This is probably fine if we are imagining a simple device for protecting copyrighted media, but digital locks have applications far outside of that realm. Most recently, the CRTC has stopped phone manufacturers from adding digital locks to their phones to stop the use of that phone with more than one telecom company, but before the CRTC got involved, the restriction of competition restricted the liberty of Canadians to own devices that they had purchased outright. Seeing as the CRTC has already ruled that those locks are illegal (not to break, but to create in the first place), they agree with the destructive effects they can have. Let's look at other uses of digital locks though. Most recently farmers have discovered that John Deere has been using them to stop after market repairs to their tractors. Car manufacturers have caught on, and are using it to shut down and control the car repair market as well[1]. Finally, the Kuerig coffee machines have been using digital locks to control where their users purchase their coffee from[2].

With such wide use of digital locks, and computers in general, these anti-circumvention rules are having effects far outside of the proper realm of copyright law. These locks are an abomination, no less than if you were to purchase a desk with a lock on it. Please in your review of the copyright act of Canada, consider the liberty of the Canadian people, their ability to own devices that they purchased, and their ability to live in a society with free competition for repair services. Please consider striking down the anti-circumvention rules.

P.S. I also think the loss of public domain works and extension of copyright law is a tragedy for the archival of our culture and many other reasons, but I'm sure you've heard about that ad-nausea from others, so I will leave it at that.

[1] <https://www.eff.org/de/deeplinks/2015/04/automakers-say-you-dont-really-own-your-car>

This article talks about the US rules, upon which ours are based. People who are considering starting companies to break digital locks in Canada have the same concerns, and companies are taking advantage in the same ways, so I don't believe it to be a stretch.

[2] <https://www.theglobeandmail.com/technology/gadgets-and-gear/gift-guide-dont-buy-a-coffee-maker-from-keurig/article21867249/>