

November 25, 2018

To: The Standing Committee on Industry, Science and Technology

From: Albert Ng, as an individual

Re: Brief on Statutory Review of the Copyright Act

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As a citizen of the digital age, I am deeply concern about digital lock and circumvention rules.

Online retailer enables me to access media and learning resources from other part of the world. However, DVD player and computer DVD drive selling here are mostly locked. These devices can only play Region-1 media. As an immigrant I enjoy entertainment and learning resources that are available from Asia (like Hong Kong, China, Japan, Korean, etc.). These content came with a different region code (i.e. Region 2, 3, 6, etc.), and cannot play on devices purchased here.

Well there are "multi-region" player or device that are available from online retailer or after market. However, they are either costly, or present warranty issues. Furthermore, provide multi-region and/or region-free devices might be an issue under S.41.1(1)(c)(i), although no court case has been established.

Recently CRTC has stopped phone manufacturers and retailers from adding digital locks to cell phone selling in Canada. This enable Canadians to use their phone on any carrier they choose. Before the CRTC got involved, the restriction of competition restricted the liberty of Canadians to own device that they had purchased.

Digital locks and circumvention rules also make format shifting of purchased content to mobile device (i.e. tablet or mobile phone) more difficult than it needs to be. Moreover selling the circumventing devices and/or providing the services might be held liable under the Act.

I think the committee should consider amend the Act, prohibiting manufacturers from addition digital locks on DVD players and devices selling in Canada.

My recommendation:

1. Prohibit manufacturers from addition digital locks on DVD players and devices selling in Canada.

2. Remove rules that prohibit format shifting and copying, enable the use of legally purchased content on multiple devices own.
3. Allow the circumvention of TPM for non-infringing purposes.
4. Amend the Act to clarify that the circumvent TPM is only illegal for acts that are infringement of copyright.

Your attention on this matter would be appreciated.