

April 30, 2019

via electronic filing

Federal Trade Commission
Washington, DC 20024

**Re: Call for Empirical Research: Nixing the Fix
Curated Archive of Copyright Office Records on Repair Issues**

In response to the above-referenced call for empirical research,¹ the Samuelson-Glushko Technology Law & Policy Clinic at Colorado Law has prepared an archive of the record developed in proceedings at the United States Copyright Office focusing on repair issues during the 2012,² 2015,³ and 2018⁴ triennial reviews of proposed exemptions from Section 1201 of the Digital Millennium Copyright Act (DMCA) as well as relevant materials from the Office's policy study on Section 1201⁵ and its study of software-enabled consumer products.⁶ The Office has considered a variety of repair-related issues in those proceedings, and we believe the record developed in the triennial reviews may help inform the Commission's review of repair issues.

The attached archive contains what we believe is a comprehensive collection of relevant recommendations, final rules, and reports from the Copyright Office, exemption petitions, comments, hearing transcripts, and *ex parte* and post-hearing communications. In the interest of aiding the Commission's early empirical exploration of this issue, we have not provided any normative arguments about the issues raised in the proceedings. However, we have provided a spreadsheet in the root directory of the archive that briefly describes the content of each document. The archive is also publicly available online:

<https://tlpc.colorado.edu/wp-content/uploads/2019/04/2019.04.30-Copyright-Office-Repair-Issues.zip>

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Please don't hesitate to contact us if you have any questions.

¹ *Call for Empirical Research: Nixing the Fix: A workshop on repair restrictions*, <https://www.ftc.gov/nixing-the-fix-call-for-research>.

² <https://www.copyright.gov/1201/2012/>

³ <https://www.copyright.gov/1201/2015/>

⁴ <https://www.copyright.gov/1201/2018/>

⁵ <https://www.copyright.gov/policy/1201/>

⁶ <https://www.copyright.gov/policy/software/>.

Respectfully submitted,

/s/

Kayla Enriquez and Sarah Rippy

Student Attorneys

Blake Reid

Director

Samuelson-Glushko Technology Law &
Policy Clinic (TLPC)

blake.reid@colorado.edu

303-492-0548

CC: Regan Smith, Copyright Office