



Subject: DCMA EXEMPTION AS IT APPLIES TO STATIC CONTROLS

LaserCycle, Inc., Lenexa, KS, is primarily engaged in the remanufacture of laser toner and inkjet cartridges. Our business includes the refurbishment of used toner cartridges by cleaning them, replacing worn or critical components, and adding aftermarket toner. The resulting remanufactured cartridge is sold to consumers at a substantial discount to a new cartridge. There are many benefits in using a repaired cartridge over a new cartridge. LaserCycle currently employs 149 people in our Lenexa, Kansas manufacturing and distribution facility. Along with providing jobs, we prevent empty toner cartridges from needlessly adding to the ever-increasing problem of landfill waste. By remanufacturing cartridges instead of making new ones, our industry helps reduce America's dependence on the imported oil required to make the body of a new toner cartridge.

We believe that the Digital Millennium Copyright Act, (DMCA) was never intended to prevent the use of repaired toner cartridges in laser printers. We join Static Control in urging the Copyright Office to clearly state that this is the case. We also request the Copyright Office exempt from the DMCA the three classes requested by Static Control. These classes are:

1. Computer programs embedded in computer printers and toner cartridges and that control the interoperation and functions of the printer and toner cartridge.
2. Computer programs embedded in a machine or product and which cannot be copied during the ordinary operation or use of the machine or product.



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3. Computer programs embedded in a machine or product and that control the operation of a machine or product connected thereto, but that do not otherwise control the performance, display or reproduction of copyrighted works that have an independent economic significance.

These three exemptions will not affect the DMCA's primary goal of preventing people from circumventing encryption for the purpose of copying protected works. It will make clear that the DMCA was not intended to prevent the repair and reuse of hardware nor was it intended to prevent the interoperability of physical devices.

Thank you for your serious consideration of this matter and the implications for the consumption of natural resources and US jobs that it represents.

Brad Roderick

Vice President Marketing

LaserCycle, Inc.



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