

Digital Millennium Copyright Act

Anti-Circumvention and Anti-Trafficking Provisions

(17 U.S.C. 1201 *et seq.*)

§ 1201. Circumvention of Copyright Protection Systems

(a) Violations Regarding Circumvention of Technological Measures.—

(1)(A) No person shall *circumvent* a technological measure that effectively *controls access* to a work protected under this title. . . .

(2) No person shall manufacture, import, offer to the public, provide or otherwise traffic in any technology, product, service, device, component, or part thereof, that—

(A) is *primarily designed or produced for the purpose* of circumventing a technological measure that effectively *controls access* to a work protected under this title;

(B) *has only limited commercially significant purpose or use other than* to circumvent a technological measure that effectively *controls access* to a work protected under this title; or

(C) *is marketed* by that person or another acting in concert with that person with that person's knowledge *for use* in circumventing a technological measure that effectively *controls access* to a work protected under this title.

(b) Additional Violations.—

(1) No person shall manufacture, import, offer to the public, provide or otherwise traffic in any technology, product, service, device, component, or part thereof, that—

(A) is *primarily designed or produced for the purpose* of circumventing protection afforded by a technological measure that effectively *protects a right of a copyright owner* under this title in a work or portion thereof;

(B) *has only limited commercially significant purpose or use other than* to circumvent protection afforded by a technological measure that effectively *protects a right of a copyright owner* under this title in a work or portion thereof; or

(C) *is marketed* by that person or another acting in concert with that person with that person's knowledge *for use* in circumventing protection afforded by a technological measure that effectively *protects a right of a copyright owner* under this title in a work or portion thereof.

Note the absence of a provision parallel to 1201(a)(1) prohibiting circumvention of a copy control.