



U.S. COPYRIGHT OFFICE

# Software-Enabled Consumer Products Study

UC Hastings College of the Law, Alumni Reception Center  
San Francisco, CA

Tuesday, May 24, 2016

9:00 – 10:00 AM

## SESSION 1

### The Proper Role of Copyright in Protecting Software-Enabled Consumer Products

This session will explore the role of copyright law as it relates to software, including whether and how software in “everyday products” can be distinguished from other types of software, the rationale and proper scope of copyright protection for embedded software, and the need for interoperability with software-embedded devices.

Ashley Ailsworth  
Evan Cox  
Cathy Gellis  
Sam McClure

Andrew Shore  
Kit Walsh  
Kyle Wiens

Specialty Equipment Market Association  
BSA | The Software Alliance  
Digital Age Defense  
Juelsgaard IP & Innovation Clinic/  
Engine Advocacy  
Owners’ Rights Initiative  
EFF  
iFixit

---

10:00 – 10:15 AM    BREAK

10:15 – 11:15 AM

## SESSION 2

### Ownership and Contractual Issues

This session will explore the state of contract law vis-à-vis software embedded in everyday products, and how contracts such as end user license agreements impact investment in and the dissemination and use of everyday products, including whether any legislative action in this area is needed.

Ashley Ailsworth  
Evan Cox  
Ben Sheffner  
Andrew Shore  
Erica Sollazzo

Kit Walsh  
Kyle Wiens

Specialty Equipment Market Association  
BSA | The Software Alliance  
Motion Picture Association of America, Inc.  
Owners’ Rights Initiative  
Juelsgaard IP & Innovation Clinic/  
Engine Advocacy  
EFF  
iFixit

---

11:15 – 11:30 AM BREAK

---

11:30 AM – 12:30 PM

**SESSION 3**

**Fair Use**

This session will explore how courts have applied the fair use doctrine to permit uses of software that ensure reverse engineering and/or interoperability of software with new products and devices.

Ashley Ailsworth  
Evan Cox  
Cathy Gellis  
Stephen Liu  
  
Andrew Shore  
Kit Walsh  
Kyle Wiens

Specialty Equipment Market Association  
BSA | The Software Alliance  
Digital Age Defense  
Juelsgaard IP & Innovation Clinic/  
Engine Advocacy  
Owners' Rights Initiative  
EFF  
iFixit

---

12:30 – 1:30 PM LUNCH (ON YOUR OWN)

---

1:30 – 2:30 PM

**SESSION 4**

**The First Sale Doctrine, Section 117, and Other Limitations and Exceptions**

This session will explore whether current limitations on and exceptions to copyright protection adequately address issues concerning software embedded in everyday products, or whether amendments or clarifications would be useful.

Ashley Ailsworth  
Andrew Shore  
Erica Sollazzo  
  
Kit Walsh

Specialty Equipment Market Association  
Owners' Rights Initiative  
Juelsgaard IP & Innovation Clinic/  
Engine Advocacy  
EFF

---

2:30 – 2:45 PM

**Observer Comments**

Structured opportunity for roundtable observers to provide additional comments on panel topics.