



INFORMATION INDUSTRY ASSOCIATION

September 25, 1996

Ivan Bender
Lisa Livingston
Co-Chairs, Educational Multimedia
Fair Use Guideline Development Committee

Dear Mr. Bender and Ms. Livingston:

For the past eighteen months, the Information Industry Association (IIA) has met with you and other associations representing educators and copyright owners for the purpose of creating fair use guidelines for educational multimedia. These guidelines are designed to be used by educators and students when they create their own multimedia projects. I am writing to inform you of IIA's formal endorsement of the CCUMC guidelines.

IIA is the trade association of leading companies involved in the creation, distribution and use of information products, services and technologies. Our 550 corporate members range from multinationals to entrepreneurial start-ups and include among other, traditional and electronic publishers, as well as database producers and providers. Therefore, any proceedings or legislation addressing the use of these information products is extremely important to our members.

While IIA recognizes that these guidelines represent a series of compromises inasmuch as fair use does not have a precise definition in copyright law, we believe that the fair use doctrine is an affirmative defense that must be balanced against the ability of creators to reap rewards from their efforts. Indeed, it is the principle of allowing creators to reap for themselves the rewards which result from their works that provides users with such a rich font of literary and information products. IIA believes that these guidelines strike an acceptable balance between innovation and access, and will provide students and educators with a sense of direction in this nascent technology which is a burgeoning part of the National Information Infrastructure.

We appreciate having the opportunity to be part of the negotiating committee and are pleased to be able to add IIA's name to the list of other organizations that formally approve of the fair use guidelines for educational multimedia—with the understanding that you will be seeking Congressional approval of them and not recommending any amendment to the law itself.

If you have any questions, please feel free to contact me at (202) 319-0157 or Bill Ashworth at (202) 319-0143.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel C. Duncan".

Daniel C. Duncan
Vice-President, Government Relations
Information Industry Association
1625 Massachusetts Avenue, N.W.
Washington, D.C. 20036