

TIME WARNER

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**Peter R. Haje**  
Executive Vice President &  
General Counsel

December 13, 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, associations representing educators and copyright owners have met periodically 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. Although, as you know, Time Warner Inc. was not a member of the negotiating group, several associations to which Time Warner belongs were members and Bernard R. Sorkin of our Corporate Law Department participated in your meetings, speaking for the Motion Picture Association.

The creation of fair use guidelines involves the development of a series of compromises, inasmuch as fair use does not have a precise definition in the copyright law or in the courts themselves. We feel these guidelines are a positive development in that they provide a sense of direction in an area of technology that is just now developing, yet has already become such an important part of the teaching and learning process. It is clear to us that without these guidelines, educators and students who develop multimedia projects may be inhibited in their efforts, and copyright proprietors are similarly negatively impacted.

We appreciate having that opportunity to be part of the negotiating committee, and are pleased to be able to add our company'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.

Sincerely,

  
Peter R. Haje