

3rd July 2003

Sir,

Computer printer ink cartridges

You report (3rd July, page 5) that use of a recalibration tool can overcome the technique employed by some manufacturers of computer printer ink cartridges of making a cartridge appear to run dry before it really has. Other similar techniques by manufacturers consist of preventing altogether the use of cheaper cartridges supplied by competitors, or the refilling of the manufacturer's cartridges. Perhaps tools can be made to overcome this technique too.

But there is a real danger that tools of this kind may be outlawed in Britain by its implementation of the European Union Copyright Directive. Efforts to give legal protection to the techniques used by the music industry to frustrate piracy could enable manufacturers of printers, mobile phones and many other electronic devices to tie their customers into using only their ink, batteries and other consumables, and could deny consumers the tools to circumvent the abuse of these technologies, which is both anti-competitive and an impediment to recycling.

This danger is not theoretical. In the US, Lexmark has brought just such a case against Static Control Components under the US equivalent law, the Digital Millennium Copyright Act, and had its claim upheld. As the UK considers the implementation of the Copyright Directive, it is important that we do not fall into the same trap.

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