



JOHN DEERE

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John Deere Dealers,

As you may know, Wired Magazine has posted an online editorial criticizing Deere for taking steps to protect its intellectual property rights in software code embedded in Deere equipment. The full editorial is available at: <http://www.wired.com/2015/04/dmca-ownership-john-deere/>. The author of the editorial mistakenly claims that Deere takes the position that John Deere customers do not actually own their John Deere equipment.

While untrue, this claim is not surprisingly generating concern and questions from you and our customers. To not only help you understand Deere's position but to also help you respond to customer inquiries, consider the following:

- There is no question that Deere customers own the equipment that they purchase.
- Deere's number one priority is to design and manufacture safe equipment that provides value and performance for our customers. As designed, our software enables equipment to perform safely, efficiently and accurately.
- Similar to a car or computer, ownership of equipment does not include the right to copy, modify or distribute software that is embedded in that equipment. A purchaser may own a book, but he/she does not have a right to copy the book, to modify the book or to distribute unauthorized copies to others.
- Current copyright law makes it illegal to bypass security measures in equipment that prevent unauthorized access to copyrighted works, including software related to guidance, engine performance and entertainment functions.
- A proposed revision to the current law would allow owners of equipment, including Deere competitors or software developers, to access or to hack Deere's protected software to repair, diagnose, or modify any vehicle software.
- In order to maintain the right to enforce copyright protection and protect its product and software investment(s), Deere, other manufacturers and industry trade associations have opposed this revision.
- Embedded software is designed and tested to ensure equipment works in certain, expected ways. Software modifications increase the risk that equipment will not function as designed. As a result, allowing unqualified individuals to hack or modify equipment software can endanger Deere customers, dealers and others; and may result in equipment that no longer complies with industry and safety standards or environmental regulations.

In addition, AEM provided comments and a concise summary of Deere's position at:

http://copyright.gov/1201/2015/comments-032715/class%2021/Association_of_Equipment_Manufacturers_Class21_1201_2014.pdf.

If you have questions or need additional assistance, contact any member of your field team.

Sincerely,

Manager, U.S. Sales – Eastern Region

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