

Fixing the Future: A State of the Union on Right to Repair, Copyright, and Tools

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Topic: Building a Sustainable Circular Economy for Materials & Products

Secondary: The Role of Circularity in a Resource-Constrained World

Abstract

The circular economy depends on robust systems for repairing and extending the life of products. However, systemic barriers, particularly those rooted in U.S. copyright law, continue to hinder the Right to Repair movement. In the latest triennial review of Section 1201 of the Digital Millennium Copyright Act (DMCA), iFixit secured a significant victory: legal exemptions for repairing commercial food preparation equipment, including McDonald's ice cream machines. This ruling allows owners to bypass digital locks for repair purposes, signaling progress in the fight against restrictive repair monopolies.

Yet, these gains are hampered by broader legal constraints. Despite the new exemptions, manufacturers remain free to block the distribution of tools required to facilitate repair. Additionally, the Copyright Office declined to grant exemptions for industrial and commercial equipment beyond the retail kitchen sector, leaving critical industries—including agriculture, manufacturing, and healthcare—without repair autonomy.

Manufacturers across industries increasingly leverage digital locks to maintain control over repair ecosystems. In sectors like agriculture and manufacturing, restrictive repair policies prevent users from fixing their own equipment, forcing dependence on authorized service providers. These practices stifle innovation in repair solutions, increase costs, and lead to extended downtime for businesses.

For example, farmers face significant challenges with equipment from manufacturers like John Deere, whose software locks restrict access to diagnostic tools. Similarly, commercial kitchen operators struggle with malfunctioning machines, such as Taylor's ice cream makers, where error codes require proprietary tools to decipher and fix.

We will explore the current state of the Right to Repair, the implications of US Copyright law on repair ecosystems, and the broader impact of copyright law on the circular economy. By addressing these challenges and advocating for legislative reform, we aim to create an environment where repair is both accessible and sustainable, empowering consumers and businesses alike to combat obsolescence and e-waste.