

FCC Extends Review of E-Reader Coalition Petition

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Earlier this year, a coalition of e-reader manufacturers (Amazon, Kobo and Sony Electronics) [petitioned for waiver from the disabled access requirements](#) applicable to Advanced Communications Services ("ACS") under the 21st Century Communications and Video Accessibility Act of 2010 ("CVAA"). The Coalition seeks a class waiver from the accessibility requirements for e-readers, such as Kindles, on the grounds that such devices are designed, marketed and used primarily for reading and not for ACS, although they may include some simple browsing and messaging capabilities (e.g., to email documents for viewing on the e-reader). Several consumer groups opposed the petition, and the matter was under consideration when the federal government shutdown commenced.

On October 22, 2013, the Consumer & Government Affairs Bureau of the FCC extended its review of the petition. It did so by [granting a temporary waiver](#) – until January 28, 2014 – for compliance with its ACS rules to a class of e-reader equipment. The waiver noted that over the next three months, the Consumer and Governmental Affairs Bureau would further evaluate the primary purpose of the e-reader equipment in question and examine the product life cycle of such e-readers to determine the appropriate duration of any further waiver, should it be granted.

The waiver applies only to e-reader devices that: (1) have no LCD screen; (2) have no camera; (3) are not offered or shipped to consumers with built-in ACS client applications, though the devices may include a browser and social media applications; and (4) are marketed to consumers as reading devices and promotional material does not advertise the capability to access ACS.