

To: Julie L. Sigall
Associate Register for Policy & International Affairs

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From: Ruth Berman

Comment:

The orphan works problem could probably be best solved by rolling back the copyright period to 75 years instead of 95 years (for the works published prior to 1978 or whatever the changeover year was). If this change involved rolling back the copyright period for new works from life plus 70 years to life plus 50 years, that would probably be a good thing, too, as the life plus 70 years means that any given work belongs to grandchildren or even great-grandchildren, and the difficulties of getting what is often a large group of people to come to agreements in such matters, if the original author did not direct the formation of a trust with a method for picking its director, is often formidable. When I wanted to print a manuscript letter by my grandmother, I did finally manage to get agreements from all the relevant grandchildren and great-grandchildren -- but only because my late cousin's wife was kind enough to nag the kid who kept thinking she would reply later and kept not getting around to it! And in that case, I knew the names and addresses of everyone whose permission I needed.

I've reprinted several drawings in the public domain by an artist whose work I admire, Frederick Richardson. I'd like to reprint some of his late work, from 1923 through the 30s, too, if I could clear the rights to do so, but his one son died some 20 years ago, and a letter to his former address did not reach anyone. I have no idea who now holds the rights, and don't know a way to find out if the son had any kids, or, if not, who the heir would be.