

Kearney-Gregory-20050314070010

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

Date: 03/14/2005

From: Gregory Kearney
Title: General Manager
Org: Lee News Service

Comment:
Dear Sirs;

Please accept this comment on the matter of orphaned works under copyright. I have encountered this problem on a number of occasions when dealing with the need to reproduce orphaned works in print and in braille.

It would seem to me that the reason copyright are granted in the first place is to promote the production and publication of creative works.

When the copyright holder has gone missing or permitted his work to become unavailable then the reason for granting the right has been lost.

I would urge the copyright office to make the following change to copyright law:

A copyright is good for the life of the author. It may be extended for another 75 years, provided that the work remains in print and available for purchase as such. Should at any time following the death of the author the work fall out of print then the work fall forever into the public domain.

In the case of corporately produced works, movies for example, the copyright would be good for 75 years and could be renewed for one 75 year term under the same restrictions above.

Such a changed would encourage publishers to maintain works in print while ensuring the right of authors to control of their works and the rights of the public to have material in the public domain.