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

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From: Henry F. Warner, III

Comment:

Computers are progressing in capabilities at amazing speeds. I have been in the field since 1984. Through those last 21 years, I have come across many pieces of software that are "timeless" in the sense that they have a well-organized user interface and all the functionality I need.

I have had several programs that worked great in the "old" windows 3.1 environment. These are 16 bit applications that do not function under today's 32-bit (and soon to be 64-bit) environment.

There are, however, emulators that run not only on the PC, but also on other devices such of PDAs. With very little effort, these programs could be ported to run in this new environment. This would give new life to these programs that have been abandoned for years.

My problem has been in locating the creators and/or copyright holders of these programs. Many of the companies that own the rights are out of business or have gone through so many iterations of purchases, mergers, and sell-offs that it would take thousands of dollars in research to determine the owner of the work.

I would like to see your office put a system in place where users can make a formal request to determine if a work is abandoned and, if no response is received within 90-120 days, the work is considered abandoned and is free to be used as the basis of a derivative work on the new hardware platform.