

Martin-Charles-20050314083048

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

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From: Charles Martin

Comment:

A short example of the problems of abandonware/orphanware as it relates to software programming:

For years, I have been seeking the author of a Yahtzee-like game for the Macintosh computer platform with the interest of porting it from its original format (Mac OS 9) to Mac OS X (which is really UNIX, and thus a completely different platform developmentally speaking).

I could, as the original author did, create a derivative but dissimilar work so as not to violate either his copyright or the makers of the original Yahtzee game (his game is called "Dice-It" and is slightly different in nature), but this game is just great exactly as it is and my interest would be to exactly duplicate it for the new platform rather than "reinvent the wheel."

I have pursued the usual means of trying to contact the individual over the course of almost five years, all without success. My personal ethics stop me from investing time and money into the coding portion of this project (which would be small but substantial) until I am sure that I would be able to release and profit from the effort I put into it.

If I could just be sure that the author has abandoned the work, I would be free to disassemble it and obtain the source code needed to get the project going. What is really needed is a time limit for abandonware, after which the original owner/creator loses exclusivity.