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From: Michael Briggs

Comment:

Several years ago I was doing antarctic research, and was looking to compile a history of the McMurdu station and it's researchers. There are MANY sources for information, ranging from newspaper articles to journals to personal memoirs. Most of the larger sources, e.g. newspapers, are easily contacted for permissions etc. I found that many of the photographs etc. I was most interested in using were poorly attributed, and even if attributed, there was often considerable confusion regarding whom should be contacted. For example, if a researcher takes a number of photos of his living quarters, while working for a university, and funded by multiple partners, who owns the copyright to the photo? Can I use it, 50 years later, to illustrate poorly documented historical details, or will the third-cousin of the current owner of one of the groups funding the original expedition sue me?

The lawyers I contacted assured me that there was no legally-safe way to handle such questions, and strongly advised I abandon all hope of documenting a fascinating piece of history, due to our idiotic "intellectual property" laws. Not having a desire to be sued, I took their advice and abandoned the project.

In order to protect the vanishingly-small amount of material with continued commercial value, our current system relegates the vast majority of our history to the trash-bin, and imposes unreasonable risks and financial burdens on anyone who would like to preserve a record of our history. At least Disney's ability to profit from "Steamboat Willie" is assured, even if the creative efforts of countless others are lost to the dustbin of history.