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Comment:

Frequently, identifying copyright holders is for all practical purposes impossible for small creative enterprises. A simple solution would be to establish an indemnity pool for useage.

If an individual or company cannot find a holder, they would have the opportunity to join a government sponsored indemnity pool that would hold them harmless for use of a work, if after some specified period of use they have not been contacted by the legitimate holder. Further, if after that specified period, no holder contacted the user to assert rights the work being used would enter the public domain.

This might also create an auction potential for government revenues if one or more of the public wanted to purchase and assert "copyright control" over the use of the work. In this case, rather than entering the public domain a public auctions for the right to assert "copy protection" would be held. All revenues would go to the government sponsoring the auction.

I realize that regulations would have to be developed to ensure a reasonable search prior to accepting a petitioner into the indemnity pool. I realize that costs per work used or a blanket admission charge would have to be worked out. Perhaps both would need to be required. I also realize that a searchable registry would have to be instituted for this to work. In other words, if an original holder sees his work in circulation, the original holder should be able to access a database that will hold him harmless for the problem in reverse, i.e. not being able to find the infringing user.