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

Date: 03/20/2005

From: Donald Walker

Comment:
I once wrote a emulator for the BBC Model B Microcomputer. This microcomputer was produced by a company in the UK called Acorn. The operating system for this computer was held on ROM inside the computer. In order for me to distribute the emulator, I needed to be able to contact the manufacturer to be able to distribute the OS ROM code. However, the computer had long since ceased to be manufactured and supported.

It was not at all clear who owned the copyright on the OS ROM code, since the company who originally manufactured the system had been disbanded (to the best of my knowledge). It was not at all clear with whom the rights to OS ROM code then or now rest with. As a result, I was not able to distribute a working version of this emulator.

On a related note, the BBC Doomsday project which ran on the BBC Microcomputer system and was a modern electronic homage to the 11th Century AD book came within a hairs width of being lost forever only a few decades after its creation, since the platform had been abandoned by literally everyone.

Please see http://www.si.umich.edu/CAMILEON/domesday/rescue.html
for a reference.

Many works are now protected using so called 'Digital Rights Management' (DRM) and in the long term this will pose a significant problem. As far as I am aware, no single DRM system to date deals with the concept of expiring copyright or long term curation.

Although I am personally based in the United Kingdom, I am well aware that US policy on intellectual property has global repercussions, hence my writing to you.

In summary, I am particularly concerned that with electronic works there is often no way to ascertain their copyright status and that the public domain in the future will not been enriched by the expiration of copyright on DRM protected works.