

1.The problem of obtaining rights or clearances in preexisting works for academics or others who wish to use the work without profit or for controlled and limited distribution relates to the lack of clear understanding about the process and the time involved in achieving clarity.

2.Orphan works should be defined as much as possible by a formal system which would indicate basic steps to follow for identification and impose a clear limit to what is required. The idea of an initial agreement indicating continuing claims might be accomplished by a symbol entered with the original registration.

No new lists would be necessary for future registrations if a symbol is included with the original registration.

3.Orphan works should be viewed as a defined category with provision for use by educational or research institutions if the basic steps for the search are followed. A for profit use of the item would require different consideration.

The problems that are being encountered in academic or research library settings relate to orphan works which are important for specified projects or courses. In addition to the consideration relating to the orphan title itself the images contained need also to be included in any discussion. The results of the discussion I would hope would result in a procedure which would entail the least amount of direct and indirect cost to the researcher and to the federal government.

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