

Dear Jule L. Sigall,

This is in regards to the "orphan works" as found under this link:

<http://www.copyright.gov/fedreg/2005/70fr3739.html>

It is utterly ridiculous to pass this into law, to protect the non-copyright owner. The rightful copyright owner/creator needs to be the one created.

Say for instance, I were to make a bicycle, and I leave it out. If a stranger, this so-called creative entity were to pass by, and see this bicycle, and say he even went around asking for the owner. If s/he weren't able to find me, does that give that person the right to use MY bicycle in his/her creative way. Am I limiting their creativity? Aww.. tough luck! They can go out and build their own bicycle. Leave mine well enough alone! Same thing goes for my photography, images, paintings... etc.

As regards to Canada's copyright law, as a quote from the article from the aforementioned link:

"The copyright law has a specific provision permitting anyone who seeks permission to make a copyright use of a work and cannot locate the copyright owner to petition the Canadian Copyright Board for a license. 171 The Copyright Board makes a determination as to whether sufficient effort has been made to locate the owner. If so, the Copyright Board may grant a license for the proposed use."

Who gave them, Canada, the government the right to "own" the work. Sure, a provision is made where monies can be collected if the rightful owner were to come along after the fact, but the fee/rates of usage may not be sufficient according to the owner. It should NOT be the burden of the copyright holder to find out if anyone is using their work without permission. The "burden" should be on the one wanting to use someone else's creation.

So in conclusion, the Orphan Works should NOT pass.

Sincerely,
Mr. Nguyen
Owner

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