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

Date: 05/05/2005

From: Richard Brigante

Comment:

As an artist of many mediums, I am excited to see that at least one section of current copyright law (or lack thereof) is up for review by the public. I am appalled by current copyright laws pertaining to works for which supposed "owners" have control, though I do accept them. There is no reason to extend these laws to "orphan works." With the extreme popularity of the Internet and the widely increasing access to source material, it is inconceivable to think that all of such material, especially that which is cached and the original is long-lost, should be subject to the restrictions found in today's copyright laws. Artists who do not make a living on their art but rather simply enjoy making it, such as myself, do not have the means nor the desire to actively seek out the original creators of media and thus should not be held liable if the creator does emerge later.

Obviously, there room for abuse and certain restrictions ought to be considered. However, these restrictions should not put a burden on the artist. Instead, it should be left up to the original creator of the media to understand that if they do not make an effort to mark their work, it could easily enter the public domain. This "mark" can be something as simple as adding a © (copyright symbol) anywhere on or near their work, depending on the medium. Also necessary will be some kind of contact information for the creator of the work. Without these two requirements being met, artists should be allowed to consider a photograph, drawing, music file, video, etc. as having been entered into the public domain, and should be allowed to use them as they please.

I do hope that the copyright laws drafted for "orphan works" will be lax in nature, favoring the individual that would like to use the media that they have found.