

Merrikin-Brian-20050325170003

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

Date: 03/25/2005

From: Brian Merrikin

Comment:

While I believe it's important to free copyrighted works to which an owner cannot be identified, I also believe steps need to be taken to ensure that people can't easily "legally steal" another's copyrighted works simply by failing to receive a response from an identified owner. Guidelines and steps should be established to ensure that legal identifiable owners cannot have their copyrighted works legally hijacked by people who don't really attempt to identify the owner. Proof of identification attempts should be a mandatory step in the process of classifying works as "orphans". Also, there should be some procedures established for an owner to recover the copyrights to any works that were incorrectly identified as "orphans", even if those works were identified as "orphans" following all the correct procedures and steps.