

**U. S. Copyright Office
Comment on Orphan Works**

Why might we care about orphaned works?

As a sub-tropical state, Florida is subjected to high heat and humidity many months each year. This has had substantial impact on the collections. Of the volumes identified in UF collections as so brittle they should not be used again until reproduced, approximately 40% are copyrighted. And of these, only 10% were published by publishers we know to continue in business today. The other 30% either went out of business completely or were acquired by other publishers who then allowed the acquired inventory to go out-of-print and not infrequently, also lost the records regarding copyright of these materials.

Using the most recent, though now dated UF survey of brittle books, there are approximately 120,000 volumes in this limbo at the University of Florida. The most damaged volumes, those that should not be used again at all until they are reformatted, number approximately 48,000.

Council on Library and Information Resources (CLIR) research indicates a surprisingly small 20% holdings overlap among brittle books held in major research libraries like the UFL. If that is true, approximately 38,000 volumes unique to UF – mostly regional and area studies collections – are in immediate danger and will likely deteriorate beyond recovery before copyright allows us to do anything to preserve them. This will be a loss not only for scholars, but also for regional history.

Dale B. Canelas

Director of University Libraries

University of Florida