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

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From: Tim Onosko

Comment:

I am a documentary filmmaker, and the use of copyrighted material poses two problems, when it should only pose one: How to pay for the rights to use the copyrighted material. Instead, there is frequently the additional problem of WHO to pay. That is the case for film and television clips, for example, whose copyright owners are nowhere to be found.

To be honest, many people that I know solve the problem their own way: They use the material until someone notifies them otherwise. This is one solution, and it frequently works, but who wants to nervously circulate a new work in fear that someone will emerge from the crowd and accuse you of improper use? Certainly not me.

I would like a fair and legal solution to the problem of so-called "orphaned works." And let's be frank about this, more and more works will pile up in this category, threatening to undermine the legitimacy of copyright, itself.

As someone who creates original works, that is the last thing that I want to see happen. Let's fix this problem, now.