

Miller-Dan-20050508140002

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

Date: 05/08/2005

From: Dan Miller

Comment:

Hi, having read the comments of David H. Bailey (<http://www.copyright.gov/orphan/comments/OW0026-Bailey.pdf>), I just wished to make it known that I agree. If it is impossible to locate the copyright holder, a work should enter the public domain.

If a work is being used profitably by the copyright holder, they should be easy to track down. Orphaned works are the ones that nobody is using. Society is objectively better off if these works can be used freely. Without harming anyone, the office can make society better off by rendering orphaned works into the public domain, or at least allowing their free use until the owner chooses to assert his copyright. There's no reason to stifle creativity.