

Nathanson-David-20050315113003

To: Julie L. Sigall  
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From: David Nathanson

Comment:

2 examples & 2 important real life case:

I used some old software and have been unable to find the authors and/or copyright holders. They have just vanished. This presents many problems, including the inability to obtain a replacement copy of the software that was purchased and received via download, but by license agreement was not allowed to archive. Needed a replacement copy of the software. But unless I can find the author, or copyright holder, I'm out of luck. Many software authors have "moved on" to other pursuits, and are basically unfindable. Even if you found them, they may not be able to provide copies of their old software.

Another problem that can happen is that I buy a license to use X number of copies of a software. Much later, still using the software, the company disappears, making it impossible to obtain a license to use more copies of the software. Many software programs are "network aware" in their license enforcement, so it's both ethically & technically important to have a legitimate license.

Some companies abandon a software product when they refocus their company. Unfortunately, this results in the loss of some very useful software. Contacting the company usually results in someone saying that nobody even knows anything about that software anymore, and because they don't want to field support calls for it, they don't offer it at all. Then it gets lost, and nobody has it. This has happened to several otherwise very good GPS GIS mapping programs for the Macintosh.

I also use some old software that has become orphaned and unsupported after the authoring company was bought by another company that had no need for this software. The new company gives away a free version of a similar software, but we like the version we bought years ago. Repeated attempts to locate & contact anyone with the source code of this software have been unsuccessful. A good example of this is Claris Mailer, which was discontinued in January 1998. Even in 2005, there is still an active community of people who use and love this software, and who love to update a few functions so it can work with modern mail servers. But the source code appears to have been lost. We would really really like to get the source code for this orphaned product so it could be updated and not become unusable with modern mail servers.

Please seriously consider supporting some sort of procedure by which abandoned software and it's the source code could fall into the public domain.

Thanks!

Dave Nathanson