

The Library of Congress  
U.S. Copyright Office  
101 Independence Avenue SE  
Washington D.C. 20550-6000

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In the Matter of

Copyright Office Initiates Study and  
Seeks Comments on Small Copyright Claims

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The Copyright Office published a Federal Register notice requesting written comments on how copyright owners have handled small copyright claims. Specifically, the Office seeks comments on how copyright owners and defendants use the current legal system for small copyright claims; the obstacles and benefits of using federal district courts; potential alternatives for handling copyright claims that have a relatively small economic value; the logistics of potential alternatives; and the benefits and risks presented by different types of processes. Over the next two years, the Office expects to seek additional comments, conduct roundtables or hearings, and meet with stakeholders. Because of Dr. Martin Luther King's Birthday the deadline for comments of January 16, 2012 was extended to January 17, 2012

**. COMMENTS**

The following are the comments of James Cannings as an individual small copyright owner and Our Own Performance Society, ("OOPS") as a small company that represents, Small Claimants and Copyright Owners in general and before the Copyright Royalty Tribunal

It is a recognized principle that ownership in copyright is a Constitutional Right. Infringement of this Constitutional Right is an offence that dictates judicial intervention.

However, Congress has now recognized that the right to due process is prohibitive based on the small amount that small copyright owner may realize from copyright infringement -- though this right and protection is Constitutionally guaranteed.

Therefore, it is suggested that copyright infringement disputes, up to the amount of \$10,000, be subject to a waiver of all fees in Binding Arbitration -- with federal judicial review. It is our opinion that this is the least expensive regime for small copyright owners.

Legal representation in this regard, if elected, can be made through selection from a registered pool of highly skilled copyright lawyers who are willing to satisfy the pro bono requirement as set forth in the Canons of the Legal Profession.

Upon request at the time of filing disputed claims, the designated Arbitration organization can made available to small copyright owners a list of these registered skilled Pro Bono attorneys.

**WHEREFORE**, for reasons aforementioned it is respectfully submitted that the Copyright Office take these comments into serious consideration and make changes, as it deems necessary,

Respectfully Submitted

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