Dear Sir or Madam:

I recently learned of the U.S. Copyright Office study to assess the desirability of bringing state copyright laws for music recordings fixed before February 15,1972 into federal jurisdiction and respectfully submit this opinion in support of such adoption.

As a music lover and music consumer, I believe the adoption of pre-1972 content into federal law will allow for greater access to and preservation of such works because it will simplify the laws new and innovative content distribution start-ups must navigate in order to succeed. The status quo has resulted in a complex web of state common law that cannot be expected to keep uniformly up to date with the fast pace of technology development. It is important to have a clear set of rules for companies attempting to create new digital content revenue models for digital content as well as push the capabilities of new media and its impact on our culture and economy to follow.

Of course, it is also important to respect the rights of copyright holders. However, a simplified set of federal rules for new media and content companies to follow will ultimately benefit rights holders more so than the current regime. These companies, representing the ways in which media, culture, and content distribution will evolve along side new technologies, will be the engines that repair our music industry's market failures. They will improve the preservation of works through dissemination, access to work through digital revenue models, and they will reduce piracy by giving music consumers what they demand while rewarding rights holders. In this way the economic interests of rights holders will be best served as entrepreneurial start-ups, acting under the clear guidelines of federal law, continue to develop new revenue models that robustly and profitably reward copyright holders for their works in our digital age.

In my opinion, it's important for the laws of the United States to reflect the ideals on which this country was founded: that innovation and entrepreneurship push industry and culture forward. Adopting the complicated state-by-state music copyright laws into federal jurisdiction would not only make it possible for companies to further existing industries, but to create new industries that benefit all of the parties involved.

I submit this opinion recommending the adoption of pre-1972 music recording copyright law into federal law.

Respectfully,

José F. Hilbert