

Backe-Chris-20050306180004

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

Date: 03/06/2005

From: Chris Backe

Comment:

Good evening,

As a college student, it's part of my education to research and review other people's ideas to learn about them myself. Many times, this sort of research / review will lead me to use books or magazines that provide me with the needed information.

I was a music minor in college, and as such, I was required to listen to a LOT of music, both classical and current in nature. However, teachers were either not permitted or not able to share music in an efficient way. Why? The fear that what they consider sharing or fair use will be considered illegal file-sharing or somehow taking away from the rights of the music creators. Somehow I think the composers Haydn and Bach won't be profiting from their masterpieces anymore. In any case, we were still 'restricted' from fairly copying a CD of the teachers because she was concerned about copyrights. I tried to explain the concept of fair use, but she stated that the consequences were so high that she didn't want to risk it.

Now that I've graduated from college, I've moved on to arranging songs. My personal problem has been trying to track down the copyright holders of songs I'd like to arrange. Quite simply, if I can't find the copyright holder, I can't take the risk of arranging and releasing it. That opens me up to any amount of liability if they decide to file suit.

I ask that the Copyright Office consider the orphan works program as a start to fixing copyright. If someone files a copyright, let's make sure they work to keep their copyright up to date by filing a periodic update to their original copyright. As long as they're using it or doing something with it, let them keep it for a reasonable amount of time, after which it goes into the public domain. Thanks for your time and consideration :)