To: Jule L. Sigall
   Associate Register for Policy & International Affairs
Date: 03/14/2005
From: William Couture

Comment:
I would like to comment on orphan works from the "other side"

In my career writing software, I have worked for a number of companies that are now out of business.

In almost all of these cases I have the only existing copies of the source code, but since they are works-for-hire, I do not own the copyright. The principals of the corporation are gone, and the works are abandoned.

The software is a legal limbo -- I cannot distribute the software nor make the source available, yet I frequently see the ideas I was using 20 years ago being patented since there is no open record of what was written long ago.