

Heskett-Gene-20050314160004

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

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From: Gene Heskett

Comment:

As a software author, whose "legacy" machinery has long since died that would allow me to actively support my product, I am occasionally getting queries about the status of such and such a program I may have written way back then.

I certainly have no problem with my older work becoming public domain.

By older, I refer for instance to some code I wrote for the amiga ten years ago, and which when asked about it, have attempted to place it in the public domain verbally or by email message to the questioner. However, when the questioner then downloads it from someplace, he is faced with a copyright notice within the archive package, and often doesn't have a clue what he should do next.

My feelings are, that if a google search starting with the last known email address comes up blank, that the clock should be ticking down on a 1 year delay, after which, if I haven't surfaced, the code is automatically made public domain unless it already is carrying a GPL license, which some of my work does. Who knows, I'm now 70 years old, and it would be a shame to lock my stuff up when I die till its of no use to anyone due to the over-exhuberance in keeping Mickey Mouse out of the public domain. The Sonny Bono act and its kin are the worst thing thats happened to the creation of new material in 200 years.

My personal beliefs are that copyright belongs to the author, and cannot be sold, ever. Leased for a period of time to allow the exploitation of the work, yes. But everything should lapse into the public domain at the end of 7 years unless the copyright holder requests one more 7 year period, and one is all he gets. And no 'automatic copyrights' they must be applied for, and granted expressly for the purpose of maintaining a public record of who owns what IN YOUR PUBLICLY SEARCHABLE DATABASE..

And thats my \$0.02 on the subject.

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Cheers, Gene