

Maria Pallante, Register of Copyright
U.S. Copyright Office
Library of Congress

Re: Orphan Works and Mass Digitization
(FR Doc. 2012-25932; Copyright Office Docket Number 2012-12)

Dear Ms. Pallante:

I endorse the comments submitted to the Copyright Office by the National Writers Union.

My parents, now deceased, both had works copyrighted by your office. I grew up believing that the Copyright Office was there to protect our rights and our future.

Now as a US citizen working for 38 years in 3 different countries outside of the US, I feel threatened by any "orphan works" legislation that permits use of my work without my knowledge or permission merely because someone claims they were unable to identify or locate me. It is, in fact, difficult to find me in order to make such an inquiry. This does not mean that I have relinquished my right to my work. It is my understanding that my children will inherit the rights to use my work if they so desire.

For those writers outside the U.S. such as myself, such a law would violate rights guaranteed by the Berne Convention and other international treaties.

Before the Copyright Office or Congress considers any "orphan works" legislation, I urge you to hold hearings to learn from writers and other creators about how such a law would affect us. No "orphan works" legislation should be considered unless it respects the rights of creators.

Sincerely,

Christine Marie Tokunaga
Member NWU

