

The proposed mass digitization policy is a disaster. I do not support it.

Copyright exists to take the fundamentally free flow of information and constrain it for the stated purpose of encouraging progress in science and useful arts. We do this by providing an exclusive right to authors and creators to their own works for a limited time period. This allows authors and creators to make a profit off of their works, encouraging them to create in search of that profit.

The prospect of a limited time for this exclusion is written in our Constitution, and is a requirement for such an encouragement to work. Were creators to have a perpetual exclusivity, it would damage progress in several ways. First, a creator of a popular work would forever gain profit from it, and have no incentive then to go create something new. Second, any creator wishing improve or add on to a previous work would not have the chance, without first getting permission from the original creator.

The proposed policy also would have a detrimental effect on progress. It would require new authors to seek permission of unknown and/or unregistered original authors, which is a lengthy and expensive process. Placing the burden of this expense on new creators, who have not gained the profit of copyright, is ridiculously backward.

The burden of copyright should lie on the original creators. If they derive profit from a work, they can be expected to register it, and keep that registration information up to date. If they do not, then the copyright is not providing any incentive for progress, and should be allowed to lapse. It is that simple.