Dear Copyright Office,

So, I was told that you are trying to bring back the idea of Orphan Works under copyright across the board, particularly the necessity to register the works you make for them to be considered copyrighted, and I need to tell you that; in its current form; this is a disastrous idea.

Because, as an individual artist, I would tell you that this would absolutely *destroy* many internet artists' ability to keep control of their work; due to the impossibility of many artists (Especially those with few economic resources) being able to pay the fee for every work they produce or spend their valuable time cataloging forms; especially in the age of the internet with the amount of content that is produced and placed online every moment.

But it would also give corporate actors with far more promotional/distributional resources a blank check to steal the works of smaller artists; out-compete the original creator with their own creations via said resources; and leave artists with no means of legal recompense.

And this will not affect corporate copyrights one whit; as the abilities of a huge corporate entity to register every single work they produce under copyright are much higher than those of small; individual artists, and in fact I am 99% sure that this incarnation of the concept is due to corporate lobbying, so that they can profit from the works of small artists without providing compensation (As they have been trying to do for years) and get away with it.

But, that being said, I do think that there should be a new Orphan Works policy, but only applying to corporate work-for-hire; leaving things the way they are for artists producing their own; individually-owned works, and adding to said policy the idea that if a work goes undistributed for a period of time (Like, say, 10 years), it would be released into the public domain. Because, there is a huge problem with corporate monopolism of copyright and corporate entities sitting on works they refuse to distribute for years, as the long list of works on TVTropes' "Keep Circulating The Tapes" pages can attest to, and this would either light a fire under them to re-distribute them or let them lapse copyrights and give certain works to the people.

And, if this duration could retroactively apply to works currently undistributed, I.E. adding on the years before the passage of a law a currently-undistributed work, than so much the better. For an example of the kind of corporate malfeasance this is meant to prevent, consumer activist Jim Sterling has brought this up as a major issue regarding the relatively new medium of video games, such as with the example of Activision sitting on the rights to the game Metal Arms: Glitch In The System, and refusing to even let the creator buy it from them. And, as an artist and a citizen, that's gotta stop.

But, under the current terms, this proposed Orphan Works bill does the exact opposite; favoring corporate entities in their ability to steal works from individual artists and throttling individual artists with much less distribution & advertising power to keep works as their own. The way this bill is going must be drastically changed, to keep corporate actors from sitting on their IP and allowing smaller artists access to remix & revamp their works to their heart's content, rather than the exact opposite.

You will never find a greater supporter of the re-invigoration of the Public Domain as me, as can be seen by the laundry-list of characters I have specifically created as Open Source (Read: Almost completely Public Domain from day 1), but this bill is not the way to do it, as I still believe small artists deserve control over their own work.

Government's goals in regulation should be to serve as a check to corporate power; which is increasingly becoming more and more totalitarian and accountable-to-nobody, but this law in fact does the exact opposite in allowing massive corporate entities dominion over the works of independent artists.

So please, for the love of America, make an Orphan Works law, but make one that puts the hammer down on corporate entities and empowers individual artists rather than the exact opposite that this current proposal is operating under.

Sincerely,
Thomas F. Johnson