I can appreciate how difficult it is for some endeavors, like building a search database or assembling a documentary, to move forward when the copyright holders of works they would like to use cannot be located. But that could be largely rememedied by clarifying the terms of existing Fair Use provisions and/or shortening the term of copyright to one that is more reasonable. The original copyright law was really very good, and more in line with other IP law, which offers exclusivity to the creator only for a few years before their work becomes public domain.

But privatizing registration while embracing the default position that unregistered works are up for grabs? Why not just give Google the keys to my studio? Why not ring the dinner bell for pirate stockhouses who only exist to stick their flag on any undefended creative work they can find? You will simply be creating a new class of patent troll. Want to see a chilling effect? If this work passes, anyone without the pockets for endless registrations and an IP lawyer on speed dial will immediately lose any incentive to distribute their work. Why bother? It will simply be stolen.

I'm not a lawyer, so the nuances of the proposed Orphan Works legislation probably escape me, but I'm not a carpenter, either, and it is still obvious to me when I'm being screwed.

Please find a better way to bring copyright law into the 21st century.

---Barry Munden