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

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From: Phil Barker

Comment:

1. Convince the Supreme Court that Congress' actions to repeatedly extend copyright protections is unconstitutional. Ok, you can stop laughing.

2. Require copyright registration. Whether there is a nominal fee or not, require that the copyright holder register the work. If there is value, real or perceived, then the holder will register. If there is no registration then allow the work to pass immediately to the public domain.

3. Require copyright registrations to be kept up to date by requiring re-registration periodically throughout the copyright term. This helps ensure that copyright holders do not disappear and leave works orphaned.

4. Should a re-registration not take place, move the work to a paid use domain for the remainder of the copyright term. This would be similar to other paid use domains where a set fee can be charged for use of a work. These funds can be held and can be claimable by the copyright holder, provided the holder appears before the copyright office with proof of ownership of the work within a fixed period of time after the expiration of the copyright term itself. This would allow a copyright holder to choose to allow a work to pass to public use without the hassle of collecting individual licensing fees but still be able to reap reward for continued use of the work. Should funds go unclaimed after the fixed post copyright period, those funds can fall to any number of good causes or uses within the copyright office, government or public projects.

5. Provide a public database of copyright registrations that can be searched and is for use by consumers of copyrighted works.

6. To ease transition into a new program, allow a grace period where existing copyrighted works can be registered with the office.

These are just ideas (most from other people with far more knowledge about this problem that I have). There are many unanswered questions. But, I am happy to see the office addressing the problem and hope to see some progress soon.

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