

Paul -Young-John-20050318103004

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

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From: John Paul Young

Comment:

I am a composer. I create completely original works as well as works that derive from both public-domain (i.e. reinterpretation of Mozart's Requiem) and copyrighted (i.e. remixes of recent releases) sources. The current process for distinguishing between copyrighted and non-copyrighted materials is almost prohibitively cumbersome, time-consuming, and antagonistic to artistic inspiration. There is a time-honored tradition in music of honoring one's influences, paying homage by making allusions, recontextualizing, and/or wholesale quotation of material dating from the beginning of modern musical history (i.e. Josquin de Prez and Ockeghem) to the present. This is how the discipline of music grows and evolves, as any musicologist not employed in copyright enforcement will attest.

So, the easier it is to legally and economically make use of preexisting materials, the better it is for musicians, musical culture, and anyone who enjoys the fruits of this work. Clearly, orphaned works that no longer generate financial benefit or artistic recognition for their creators should be released into the public domain in order to continue providing creative benefits to others who find them inspiring and wish to demonstrate that respect by incorporating elements of orphaned works into new creations. I cannot imagine a more clear-cut situation in which the entire musical ecosystem can benefit while not a single entity is harmed.

Copyright is meant to encourage creativity, not stifle it. Please release orphaned works into the public domain and make it straightforward and inexpensive to determine which works have been thus classified. Artists everywhere will thank you for helping us preserve and reinterpret the best of the past in order to create the future.