

The Office is now seeking written comments from all interested parties. Specifically, the Office is interested in whether there are compelling concerns raised by orphan works that merit a legislative, regulatory or other solution, and what type of solution could effectively address these concerns without conflicting with the legitimate interests of authors and right holders.

In reference to the above, "Publication has historically been the gold standard for legal notification. I see no reason why this would not satisfy legitimate considerations for using previously published material without written permission when the copyright holder can not be found or has passed."