

Boland-Tracy-20050505150001

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

Date: 05/05/2005

From: Tracy Boland

Comment:

Dear US Copyright Office,

As Sir Isaac Newton once said, "If I have seen further it is by standing on ye shoulders of Giants." Or, more colloquially put by Michael Eric Dyson said, "Someone changed your diapers. And if that's the case, you ain't self-made."

Nobody comes up with an idea in a vacuum. It's always a synthesis or improvisation on existing ideas. When we, as a society, restrict the availability of ideas, through the restriction of the use of their expressions, we retard our own growth and advancement.

The notion that only people whose ideas are "protected" will choose to share those ideas is belied by the explosive growth of the internet. The World Wide Web (<http://protocol>) and email (sendmail) were concrete expressions of ideas that were shared freely, even though their inventors could have hoarded them for personal gain. As a result, millions of people have access to information that permits them to do things as varied as graduate from an online class to monitor the status of an NGO in Iraq to register their opinions with the US Copyright Office.

The notion that an inventor or creator, who has developed a twist on an already established idea, should be able to choke off access to his work, as if that work had sprung, fully-formed, from his brow with no influence from previous works, is repellent and hubristic.

I might argue that an inventor or creator who would ransom his minute contribution to a generations-old accretion of human knowledge deserves no protection or encouragement; he refuses to acknowledge his debt to those who have gone before and free himself of that debt by offering his development without obligation to those who come after him.

I will not argue for no copyright protection. I will, instead, argue for a policy that restores the rights of public domain to society. A copyright should exist for a distinct expression of an idea for the author, without need for registration, for a period of 10 years.

After that time, should an author wish to prevent others from building upon his work, he must register that work with the Copyright Office. Registered works would be protected for 50 years after their creation.

Works older than 10 years that are not registered would become "orphans" and would be immediately available for use by the public.

Thank you for the opportunity to express my views on this matter.

Sincerely,
Tracy Boland