



January 27, 2017

The Honorable Robert W. Goodlatte
Chairman
Committee on the Judiciary
2138 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

The Honorable John Conyers, Jr.
Ranking Member
Committee on the Judiciary
B-351 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

Copyright Clearance Center (CCC) thanks you for the opportunity to offer comments in the context of the Judiciary Committee's recent paper, "Reform of the Copyright Office" ('Reform Proposal', December, 2016). We fully support efforts to ensure that the Copyright Office is able to meet the needs of a modern 21st Century copyright system. The questions raised in the proposal are critical for the ever-growing number of creators and publishers who depend upon an effective copyright system for their livelihood, and for the promotion of "the Progress of Science and useful Arts." These initial proposals by the Committee clearly support the goal of balancing the needs and interests of rightsholders and users in a changing environment. CCC greatly appreciates the Committee's continued attention to rejuvenating the Copyright Office's infrastructure.

At the heart of every company and academic institution, there's information. It's the content that fuels discovery, product and service innovations and learning. At CCC, our mission is to make it easy for people to obtain, use and share content worldwide, while protecting the interests of creators, publishers and other copyright holders. Our vision is to create global licensing and content solutions that make copyright work. Founded in 1978 as a not-for-profit organization, CCC provides smart solutions that simplify access to and licensing of content. These solutions enable businesses and academic users to quickly and easily obtain permission to share copyright-protected materials, while compensating publishers and creators for the use of their works.

An efficient and scalable 21st-century version of the Copyright Office is a critical component in an effective copyright system – one that everyone should welcome. CCC participated in the Committee’s comprehensive review of copyright law with this goal in mind. Towards that end, we offer brief comments on two topics: “Information Technology Upgrades” and “Copyright Office Advisory Committees.”

Information Technology Upgrades: The Copyright Office’s recent study on IT Modernization has documented the need for substantial improvements to the computing resources necessary to carry out the roles and responsibilities expected of the Copyright Office in the 21st century.¹ To take one example among many: Due to the explosion of content in the web-enabled era, many more people hold copyright rights, and therefore vastly more individuals have a personal, and indeed a potentially valuable, economic interest in efficiently maintaining and exploiting their rights. Yet tracing the “chain of title” to copyright, so important for commercially-valuable properties, remains a challenge. CCC’s own experience shows that several data design challenges must be met by any such system in order for it to meet its objectives. We believe that an upgrade of the Copyright Office’s information technology must embrace a network architecture which allows for semantic enrichment, shared metadata, and API’s. Such an upgrade would not only help industry participants to more efficiently maintain the accuracy of copyright records, but would also enable processing records at scale. It would be helpful to users as well, advancing the overall public purpose of a robust copyright system.

CCC specifically supports the proposal’s recommendation that the Copyright Office “maintain a searchable, digital database of historical and current copyright ownership information and encourage the inclusion of additional information such as licensing agents that would be available to the public.” CCC and other licensing organizations already host databases of rights, works, and licensing information. We would be happy to collaborate with the Copyright Office on knowledge sharing, best practices, and linked data.

Copyright Office Advisory Committees: The Reform Proposal asks for comments on possible “standing advisory committees,” similar to those utilized by other federal agencies such as the USPTO, to better “enable a more efficient knowledge transfer from the private sector to federal agencies.” The Copyright Office has always been good at soliciting the views not only of stakeholders but of the public, whether through RFIs, roundtables, public events or a host of other methods. Should standing advisory committees be added, these committees will more effectively carry out their work, and will better support both the statutory and policy work of the Copyright Office without undue burden or interference, if the numbers of committees and members are limited. The committees should each have a stated purpose, and they should be managed by Copyright Office staff with a view to the Office’s own needs rather than those of others. Further, from our perspective, the first priority of these committees should be to focus on improving operational performance and technological infrastructure.

¹ "Provisional information technology modernization plan and cost analysis" U.S. Copyright Office (February 29, 2016).

In any event, CCC welcomes an opportunity to participate in the appropriate Advisory Committees.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Roy S. Kaufman". The signature is written in a cursive style with a long horizontal flourish at the end.

Roy S. Kaufman
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