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US House of Representatives,
Committee on the Judiciary
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Dear Chairman Goodlatte, Ranking Member Conyers and Members of the Committee:

The Committee has requested comments on its [proposal](#) for copyright-office modernization. My name is Tom Sydnor. I developed extensive experience litigating IP and administrative-law cases in the D.C. offices of two national law firms, including cases related to copyrights. I later served as Counsel for Intellectual Property and Technology to the Chairman of the Senate Committee on the Judiciary. I then served as a member of USPTO's Copyright Group, where I worked on domestic and international issues including China, the US-Korea FTA, and USTR's successful WTO case against China.

Since then, I have worked as an IP-focused fellow or scholar at three leading D.C.-based nonprofit think tanks. In those capacities, I have testified four times before this and other congressional Committees; most recently, I testified about the always-controversial issue of copyright term during this Committee's recent review of US copyright laws. I currently serve as a Visiting Scholar at the Center for Internet, Communication and Technology Policy at the American Enterprise Institute, where I have written about IP-related topics including [the importance of modernizing](#) the US Copyright Office. The following comments are made in my personal capacity: I do not purport to speak for either the Center or for AEI.

I strongly support the Committee's proposed approach to US-Copyright-Office modernization. During the last century, the United States has emerged as the world's most successful net exporter of an increasingly broad array of copyright-protected works. Our remarkable and growing success as a producer and net exporter of copyrighted works has decreased our trade deficit, increased our GDP, and created high-paying US jobs across the country. Identifying the factors underlying this record of US success remains one of the most understudied issues in copyright law. The US thus has every incentive to ensure that the US Copyright Office is the world's most technologically advanced, efficient, effective and responsive. To its credit, the US Copyright Office has long recognized this.

In the 19th Century, the US decided to make the US Copyright Office a subdivision of the US Library of Congress. Remarkably, that decision served US interests well throughout the 20th Century even though the missions of the US Library of Congress and the US Copyright Office do conflict significantly. Simply put, those potential conflicts were largely minimized for decades because the Library respected the

Office's need for autonomy and the Office ensured that its registration process continued to help build the now world-leading collection of the Library of Congress.

Unfortunately, that long history of mutual respect came to an abrupt and unfortunate end in 2016 when the current Librarian of Congress chose to become the first in US legal history to remove a sitting US Register of Copyrights from her office under circumstances so suggestive of improper political motives that the Chairman of the Federal Communications Commission found them [amusing](#).

I do not – and neither should any of the US creators and creative industries whose risky, long-term investments of human and financial capital have turned copyrighted works into major US export industries.

I thus strongly support the Committee's modernization proposal because it creates a framework that would give the Office the increased procurement and substantive independence that will enable it to modernize efficiently and effectively – and to be held accountable by this Committee if it does not. Measures that eliminate needless bureaucracy in order to increase government accountability will always deserve bipartisan support. That is what this Committee's modernization framework would do.

I thus strongly support it.