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Librarian of Congress Carla Hayden
101 Independence Ave, SE
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Re: Public Input Regarding the Next Register of Copyrights

Via online submission

What are the knowledge, skills, and abilities you believe are the most important for the Register of Copyrights?

Authors Alliance welcomes the opportunity to offer comments in response to the Librarian of Congress' request for public input on the next Register of Copyrights. Authors Alliance is a nonprofit organization with the mission to advance the interests of authors who want to serve the public good by sharing their creations broadly. We create resources to help authors understand and enjoy their rights and promote policies that make knowledge and culture available and discoverable.

As a threshold matter, the next Register should have a record of being receptive to input from a wide variety of creators, including those with an interest in balanced copyright policy. Authors Alliance's members routinely rely on copyright's limitations as well as its rights. They believe that fair use and other limitations on copyright are vital to their work as authors and to the public's ability to locate, preserve, and use their works now and for generations to come. It is therefore important to our membership that the Register understand that not all creators are well served by efforts to strengthen copyright, and that equal attention needs to be given to reasonable limitations that promote the goals of copyright. Likewise, the next Register should be willing to take into account the role of copyright in enhancing access to works, by, for example, providing guidance about what works are in the public domain and encouraging the creation of publicly accessible digital databases of public domain works. The Register should have a demonstrated willingness to take into account the diversity of viewpoints among creative communities when developing the procedures and practices of the Copyright Office and testifying before Congress on copyright matters.

In addition, the Register should have the knowledge and skills to support the Office's modernization efforts, particularly with respect to improving the registration process and enhancing access to public records. Our members have an interest in ensuring that the public record of copyright claims is as timely, complete, and accurate as possible. The next Register should have a deep appreciation of the importance of a well-functioning registration and recordation system to authors and the public, and should be able to collaborate with the Copyright Modernization Office and the Library's Office of the Chief Information Officer to

support the development of a new technological infrastructure system. Moreover, the Register should have the knowledge to recommend the legal and policy changes necessary to improve user experience, increase Office efficiency, and decrease processing times.

Finally, the Register should have the knowledge and skills to increase the capacity of the Copyright Office to engage in empirical studies about creative industries and the role of copyright. The Register should place a high value on developing practices and policies that are informed by empirical data. For example, the Register could initiate or commission an empirical study of authors' views on the advantages of and barriers to registration to evaluate why only a fraction of eligible works are registered. With additional information from authors, the Register could work to restructure incentives to register copyright claims in order to promote greater participation in the registration system.

What should be the top three priorities for the Register of Copyrights?

1. **Improving Ownership Records:** The Register should prioritize plans to ensure that the public record of copyright ownership is accurate, complete, and timely. Alongside modernization efforts to make registration easier, the Register should work with Congress to identify and implement meaningful incentives to ensure copyright records, including those reflecting transfers of ownership, are accurate.
2. **Providing Comprehensive Access to Records:** The Register should prioritize efforts to make registration records and recorded documents fully available and searchable online. The information included in these documents needs to be readily accessible to the public to help facilitate permissions requests, prevent works from becoming orphans, and establish how long copyright lasts for any given work.
3. **Making Fees Affordable:** The Register should prioritize adopting methods for differentiating fees, giving particular consideration to authors whose works have an unproven or low commercial value. Empirical evidence suggests that registration decreases in response to small increases in registration fees. Affordable fees will bolster the public record and help ensure authors' legacies are not lost.