



The Honorable Bob Goodlatte
Chairman, House Judiciary Committee
2309 Rayburn HOB
Washington, D.C. 20515

The Honorable John Conyers
Ranking Member, House Judiciary Committee
2426 Rayburn HOB
Washington, DC 20215

Dear Chairman Goodlatte and Ranking Member Conyers:

Thank you for your leadership on the Register of Copyrights Selection and Accountability Act of 2017—an important and meaningful legislative priority for the creative industries. I urge you to swiftly enact this important legislation, which is a vital first step towards modernizing the US Copyright Office (USCO) for the digital age.

As the Founder and CEO of Film Life—a company as focused on advocating for diversity as its “bottom line,” that produces groundbreaking events and television programming including the American Black Film Festival (ABFF)—I am keenly aware of the important role copyright law plays in fostering the marketplace for creative works. I am also keenly aware of the important role the USCO plays in administering copyright law, and how the Office is struggling to keep pace in the digital age.

The Copyright Office has long sought to develop a searchable copyright registration database that is interoperable with numerous private-sector databases, and recently published the most comprehensive and forward looking information technology plan ever to come out of the agency. But these ambitious goals require a specialized staff, sufficient budget, and a degree of autonomy that is lacking because the Copyright Office currently resides under the direction of the Librarian of Congress, who has a very different mission and thus very different priorities. As a result, the Copyright Office has been thwarted in its efforts.

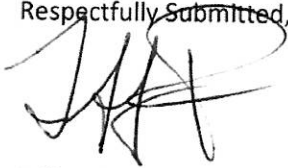
For instance, when I search the Copyright Office online database for “ABFF Ventures” (the copyright holder for the ABFF), or “Jeff Friday,” I have trouble finding even my own works. Consider this: a search for “ABFF Ventures” lists the film “Caddyshack” as the 25th entry (of 7656). For sure, I like “Caddyshack” as much as the next person, but if I can’t even find my own works, how will someone trying to license them? I worry that potential licensees of my works are steered towards a golf comedy or other misdirection as opposed to the premier annual event for black creators. The USCO databases are simply not the tool that they should or could be.

What's more, as a business executive focused on creating opportunities for diverse creators, I find other examples even more troubling. When I search the USCO database for "Oscar Devereaux Micheaux"—widely regarded as the first major African-American feature filmmaker, having produced and/or directed more than forty-four films—the results are replete with works about Micheaux, but devoid of his own creative legacy. This, because Micheaux passed in 1951, and the USCO online database only includes works registered or recorded after 1978. How is that acceptable in 2017? Particularly as diverse creators work to harness the potential of new distribution opportunities.

The USCO is aware of these problems, and they are trying to improve. The USCO itself has published reports about the shortcomings of its systems and proposals for how to modernize. But the USCO doesn't control its own budget, human resources, or IT; the Library of Congress does. The USCO needs to have autonomy so that the people who understand the copyright system and work with creators, right holders, licensees, and users every day can specifically design and implement systems that make the copyright system work the way it can.

By making the Register of Copyrights a Presidentially appointed, Senate confirmed position, H.R. 1695 is an affirmative step towards creating a Copyright Office that can fix these problems, thereby helping the creative marketplace continue to grow—and creating new opportunities for all creators.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "JAF", written over the text "Respectfully Submitted,".

Jeff Friday