



December 17, 2019

Attn: Members of the Subcommittee on Intellectual Property of the Senate Judiciary Committee,

Engine is a non-profit technology policy, research, and advocacy organization that bridges the gap between policymakers and startups. Engine works with government and a community of thousands of high-technology, growth-oriented startups across the nation to support the development of technology entrepreneurship.

With our focus on promoting pro-innovation policies that advance the interests of startups, we appreciate your interest in bringing modernization to the U.S. Copyright Office. While a great deal of startups go on to become highly successful ventures, many begin their journeys with limited finances—often cobbled together from personal and familial savings or bank loans—and little room for the hiring of extraneous staff or costly legal counsel. These founders are often forgoing a salary themselves, in hopes of quickly getting on a path of fiscal stability and growth. As such, startups need certainty—which includes being able to predict whether they will be accused of IP infringement, and making technical, business, or licensing decisions at an early stage that can help them avoid liability later on. Specifically relevant to the Copyright Office modernization efforts, startups would benefit from an improved, user-friendly digital database where the public can efficiently and effectively search copyrighted works and identify copyright owners and license holders.

Startups and their users both create and use content. Improved access to Copyright Office records will mean that startups and their users will be able to better identify, in advance, whether content they want to use or build off of is protected, and if so, how to seek permissions to use it. A streamlined, modern, digitized system should make it easier to identify the content being searched, should detail copyright ownership and licensing information, and should be intuitive. Having a searchable database would improve the ability of startups and their users to determine copyright ownership with greater ease. Modernizing copyright search capacity is particularly important because copyrighted content is both so ubiquitous and the nature of the protections are complex, often allowing for the possibility of multiple owners of a single work and several ownership claims to similar content, all of which is unknowable to startups and users under the current system.

Engine appreciates the opportunity to speak to startup concerns affected by efforts to modernize the Copyright Office. While the committee considers a number of complex proposals related to modernization, many of which may fall outside the scope of what directly affects startup founders, we hope that you will consider the impact IT modernization—and through that modernization, the much-needed updates to the copyright ownership database—will have on startup owners and the ease with which they should be able to navigate the U.S. copyright system.