

# We are the Guild.

## Orphan Works Timeline

**1978**  
July 1

Copyright Act of 1976 becomes law. Formal work registration is no longer required, and infringement is discouraged by statutory damages and attorneys fee provisions for registered works.

**2005**

January 26

Copyright Office files notice in Federal Register soliciting written comments about Orphan Works. Begins year-long study with three public roundtables. The Guild files comments along with 721 other comments and 146 reply comments.

July '05 –  
Spring '06

Graphic Artists Guild meets with the Copyright Office at roundtable sessions and other occasions to protect artists' rights.

Publishers, museums, libraries and other key stakeholders support less restrictive orphan works legislation.

**2006**

January 30

Copyright Office issues report that largely ignores the Guild's repeated recommendations.

March 8

An oversight hearing is held by the House Subcommittee about Orphan Works. The Guild submits a letter on March 14 for inclusion in the record that asks for an additional year to amend the bill.

April 6

An oversight hearing held by the Senate Judiciary Subcommittee goes nowhere due in part to disparate testimony.

April '06 –  
August '06

The House Intellectual Property Subcommittee has weekly private meetings with only certain invited groups to resolve issues, and the Guild authorizes ASMP to represent the Guild's interests.

September 27

Markup of H.R. 6052, The Copyright Modernization Act of 2006, which included the Orphan Works Act (H.R. 5439), is cancelled because of concerns unrelated to Orphan Works. Some graphics arts groups claim victory, but this turns out to be illusory. The Guild returns to lobbying Congress.

Fall '06

The Guild hires lobbyist and copyright lawyer Megan Gray to pursue artists' rights with legislators. Ms. Gray meets with offices of the Senate Judiciary Committee at least 20 times, offices of the House IP Subcommittee at least 20 times, three senators and ten other Hill offices. She also meets with at least 11 groups of other associated stakeholders.

**2007**

Ms. Gray continues to lobby legislators and accumulate friends and allegiances with other artistic interests and stakeholders.

She circulates numerous briefing papers including: Real World Applications of Orphan Works to Visual Art, The Case for an Image-Recognition Database at the Copyright Office, Graphic Arts Industry Summary, Solutions to the Orphan Works Dilemma, Summary of Orphan Works, Copyright Protection Legislation and American Textile Competitiveness and Deposits of Visual Art at the Copyright Office.

Ms. Gray also compiles and sends state-specific handouts about the size and importance of visual arts industry to lawmakers.

**2008**

March 13

The House IP Subcommittee holds hearing about Orphan Works.

April 24

The House and Senate both introduce similar bills, S. 2913 and H.R. 5889. Ms. Gray continues to contact lawmakers to urge inclusion of Useful Articles and Notice of Use clauses while reinforcing the inadequacy of current database technology to protect artist rights.

May 7

House IP Subcommittee votes to approve H.R. 5889 in voice vote after several changes are made.

May 15

Senate Judiciary Committee approves S. 2913 without the Notice of Use clause but includes the Useful Articles provision.

May 16

Guild Board of Directors votes unanimously to oppose Senate bill. Guild members are notified to oppose the bill.

May 19

Guild issues press release calling S. 2913 incomplete, insufficient, and indifferent.

May 21

Guild attends a House closed door meeting on Orphan Works.

May '08 –  
present

Ms. Gray continues the Guild lobbying effort.

As of July 1, no new information about where the bill stands.



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