

Beth-Walsh-Sara-20050315123004

To: Julie L. Sigall
Associate Register for Policy & International Affairs

Date: 03/15/2005

From: Sara Beth Walsh
Title: Visual Resources Manager & Assistant Registrar
Org: Chrysler Museum of Art

Comment:

The Chrysler Museum of Art has recently faced the challenges posed by "orphan works" while working on the upcoming scholarly Handbook of our American collections, which is supported by a grant from the Luce Foundation. In addition, we are developing an accompanying online gallery of our American collection, ultimately to be expanded to showcase our entire collection.

The Associate Registrar and the Visual Resources Manager spent months doing extensive research into copyright holders. We consulted VAGA's list of artists represented, the ARS website, artnet.com, and performed searches on www.google.com and www.dogpile.com. If we could turn up a gallery that dealt work by a particular artist we would call the gallery and try to get help finding the copyright holders, which was often the most efficient method. For the remaining 20 or so contemporary artists we sent an inquiry on the RCAAM listserv asking registrars from other museums if they had any information on our orphan works. Ultimately we were left with 18 contemporary artists for whom we could not find any information regarding copyright representation.

Due to these orphan works we added the following disclaimer to the book's frontispiece:

"We have made every effort to obtain permissions for all copyright-protected images. If you have copyright-protected work in this publication and you have not given us permission, please contact the Museum's Visual Resources Manager."

Finding copyright information for artists not represented by VAGA or ARS was very difficult and required many hours and many long-distance telephone calls. New legislation would reduce our anxiety about reproducing a work where the copyright holder cannot be located (we'd still always use our disclaimer plus whatever number the copyright office assigns to "orphan works" legislation). It would also stimulate wider use of these materials, and through that use copyright holders might be discovered.

Sara Beth Walsh
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Chrysler Museum of Art