

From: Bil Corry

Comment:

About two years ago, I wanted to re-publish old issues of The Desert Magazine to the Internet (at no cost to anyone). The magazine has long since gone belly up (published 1937 to 1985), but is still very popular (do a search on eBay to see what I mean; some issues go for \$50 or \$60).

I tracked down a previous owner and in talking with her, the magazine had gone bankrupt and the assets were sold off. She wasn't certain if someone bought the rights to The Desert Magazine, or if it simply ceased to exist.

Compounding the issue, she believes many of the articles and photos were published using "first rights" - meaning the magazine got to publish the work first, then the copyright reverted back to the author.

In researching the copyrights, it appeared many authors never copyrighted their work. As there were too many possible copyright holders and I was just going to re-publish them for free on the Internet, I decided the risk of a copyright lawsuit was too great.

It is my belief that most of the copyrights contain in The Desert Magazine are orphaned works; for the dozen or so I tried, I was unsuccessful at discovering the current holder of the copyright.