

United States Senate
Washington, DC 20510-2002

October 2, 1998

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

It is my understanding that legislation recently passed by the House of Representatives to implement pending World Intellectual Property Organization copyright treaties (H.R. 2281) incorporates provisions dealing with the protection of "collections of information" or databases (H.R. 2652). I am concerned that these provisions could have inadvertant consequences for the growth of electronic commerce and research -- a view that is shared by many universities, libraries and other institutions of learning across the country --, and ask that you review this situation carefully as you go to conference on the WIPO implementing legislation.

While I understand the need for database protection, I believe a balance must be achieved between the rights of copyright holders and users. The WIPO treaties reflect this balance; the implementing legislation should as well. I therefore urge you to work in conference to develop a consensus approach to this issue that reflects the concerns of all interested parties, and maintains the delicate balance reached in the WIPO treaties themselves.

Thank you for your time and consideration.

With best regards,

Sincerely,

Paul S. Sarbanes
United States Senator

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