

Longtime Copyright Office Leader Marybeth Peters Dead At 83

By Ryan Davis

Law360 (September 30, 2022, 6:31 PM EDT) -- Marybeth Peters, who led the U.S. Copyright Office from 1994 to 2010 and helped put in place many key laws including the Digital Millennium Copyright Act, died Thursday at 83, the office announced.

Peters had a career at the Copyright Office that spanned 45 years beginning when she took a job in the processing department in 1965. Decades later, she became the second woman to lead the office when she was named Register of Copyrights, and her 16-year tenure in that post was the second-longest of anyone in history.

Peters headed the agency as the advent of the Internet rapidly reshaped copyright law, and she was involved in the drafting, passage and implementation of several pieces of legislation important to that transition, including the DMCA and the Sonny Bono Copyright Term Extension Act, both enacted in 1998.

"Marybeth was a giant in the field of copyright law and both inspiring and imposing at the helm of the Copyright Office," Maria Pallante, who succeeded Peters as Register of Copyrights and is now president of the Association of American Publishers, said in a statement. "Her achievements — as a distinguished legal expert, public official, and chief executive officer — are unique and significant, and they will serve authors and the global public for generations to come."

Garrett Levin, president and CEO of the Digital Media Association, which represents music streaming companies like Apple Music, Pandora and Spotify, said in a statement that Peters leaves an "immense legacy of support for an efficient, fair, and modern copyright system."

"Marybeth Peters' diligence and vision helped intellectual property owners and licensees navigate through a time of change as the internet came of age," he said.

Peters held numerous roles at the Copyright Office, moving from music examiner to an attorney-advisor in the Office of the General Counsel, a position in which she helped implement the Copyright Act of 1976, the primary basis for current copyright law.

She went on to lead the agency's information and reference division and examining divisions, and served as advisor on policy planning before becoming Register of Copyrights.

In that role, she advised Congress on all copyright legislation enacted during her tenure, oversaw studies on issues like statutory licenses and orphan works, and established the Office of Policy and International

Affairs. She was also responsible for the development of the first electronic registration system, which she said "will be my legacy," according to the office.

"Marybeth Peters leaves an unparalleled legacy as a champion for creativity and an inspiring leader," current Register of Copyrights Shira Perlmutter said in a statement. "Her broad and deep knowledge of copyright was matched only by her warmth and generosity in sharing it with all of us."

Sandra Aistars, a professor at George Mason University Antonin Scalia Law School, was mentored by Peters after her retirement as Register of Copyrights, and said she was "inspired by her personal determination and her passion for the creative world and the law that governs it."

At the time, Aistars was CEO of the Copyright Alliance, a group that represents the interests of creators. She said in an interview that Peters offered her advice on how to advocate for individual artists and small businesses "to raise their voices up more and make sure that they were represented."

"Honestly, she was one of the people that inspired me to do what I'm doing now in academia," said Aistars, who now leads the school's Arts and Entertainment Advocacy Clinic, where students provide copyright advice for individuals and small businesses.

Aistars said she was inspired by Peters' example as a woman pursuing a career in copyright law in the 1960s and helping create a path for the next generations of women in the profession, adding that "having somebody of that background of those experiences to look up to in the copyright field was meaningful to me."

"Among many other qualities, I admired her strength and independence, and that neither of those admirable traits led her to lose her warmth or sense of humanity," she said. "She will be missed."

After retiring from the Copyright Office, Peters served as senior counsel at Oblon Spivak McClelland Maier & Neustadt LLP from 2011 to 2015 and Muncy Geissler Olds & Lowe PC from 2016 to 2017.

Oblon partner Eric Schweibenz said in an interview that "she was an amazing former colleague and she'll be greatly missed. It's just a really sad day for us."

"I think all of us considered it an honor and a privilege to have worked with her. She was without doubt one of the nation's preeminent copyright practitioners," he said.

Peters was Oblon's go-to person for anything dealing with copyrights, and her wealth of experience was a great help in explaining to clients how the system works, Schweibenz said.

"She was the embodiment of someone that was a consummate professional. She was always looking to help other people, and she was just a really great person," he said.

William Frankel of Crowell & Moring LLP said in an email that Peters "enthusiastically shared her vast knowledge and love of copyright with everyone who was fortunate enough to know her, and was a role model to many in the copyright world."

Numerous industry groups testified to Peters' impact on copyright law in statements Friday.

The Recording Industry Association of America said in a tweet that Peters "was a brilliant and wonderful

person who dedicated her life to protecting creators. We mourn her passing and are grateful for all she did for artists and everyone who supports them."

Keith Kupferschmid, CEO of the Copyright Alliance, said in a statement that the group was "deeply saddened" to learn of Peters' death and called her "a distinguished attorney who was broadly respected around the world."

"For reasons too numerous to count, Marybeth will be sorely missed and will long be remembered as a true leader and champion for the copyright world," he said. "There's no doubt that her legacy will live on to inspire those who follow on her path."

The American Society of Composers, Authors and Publishers said in a tweet that "all of us at ASCAP are mourning Marybeth Peters today."

"Marybeth helped to implement critical copyright laws impacting music creators. Her support of the music community will continue to be felt for decades," the group said.

The only Register of Copyrights with a longer tenure than Peters was the first person to hold the title, Thorvald Solberg, who served for 32 years in the early 20th Century.

In the 1970s, Peters served under Barbara Ringer, the first woman to lead the office. The three people who have led the office since Peters' departure have all been women: Pallante, Perlmutter and Karyn Temple, now general counsel of the Motion Picture Association.

--Editing by Alex Hubbard.