

William J. Maher, "Copyright Term, Retrospective Extension, and the Copyright Law of 1790 in Historical Context," was published in 49 *Journal of the Copyright Society of the U.S.A.*, (Summer 2002): 1021-39.

This article examines the contemporary historical context of the 1790 copyright law in relation to whether its provision for retrospective registration of works already printed before 1790 could form a precedent for the kind of retrospective term extension allowed by the 1998 Sonny Bono Copyright Term Extension Act. The article concludes that historical circumstances of 1787-90 were so fundamentally different, that the 1790 law provides little guidance for the modern notion of retrospective extension. Further, the article examines all copyrights registered 1790-1800 to find that only a very small percentage of works (less than .058 percent) constituted retrospective registrations.