## Joe Beasley

The problem of copyright infringement is a growing one, Early in January 2012, I filed a DMCA complaint against a website no longer online. They had copied one of my original photographs and was selling buttons with the image on them for \$1.00 They indicated on their website that they had 1,000 in stock. The website could have set up as an associate of zazzle, displayed products from Zazzle artists and earned a 15% referral fee on all sales they referred. I was able to id two other artists from Zazzle that they had taken art from.

In December of 2011, I with a number of other artists from <u>www.Zazzle.com</u>, <u>www.redbubble.com</u>, and other online art sites discover that a scraper site was harvesting our work and offering low resolution distorted versions as downloads as free computer wallpaper. Some people <u>http://blogs.photopreneur.com/selling-your-photos-as-wallpaper</u> sell their their work as wallpaper.

Over a span of two weeks, the infringing site was removed from at least four hosting sites. The effort to put a end to this massive copyright infringements required the submission of many DMCA take down notices by many artists

While the copyright laws seemingly protect the intellectual property of artists and others, the enforcement of these laws are impractical and unaffordable

Thankfully, most web hosts or providers honor the DMCA, but some of the infringers are repeat offenders, finding a new host within hours of being shut down.

Infringers are not necessarily naive people who occasionally copy an image they like to their blog as a decoration. The infringers may claim the work as theirs, sell it, or use it to lure viewers to their site and click on ads which then generate income for the site's owner. That income was gained at the expense of the rightful copyright owner. When the infringer does not provide credit and a link back to the original artist, it increases the chances that someone else will take the work from the infringing site, believing it to be an "orphans work".

A small claims court of some kind for low money damage infringement cases might be a very useful way for artists to handle some of these cases, and to send the message to the public that it is illegal to take images and use or sell them without permission. When nothing happens to infringers, the message sent is "it's no big deal, everyone does it!"

Thank you.