ATTN.: Catherine Rowland
Senior Advisor to the Register of Copyrights
U.S. Copyrigh Office

Dear Catherine Rowland,

With great concern I am respectfully writing to you in regard to the planned reform of the Copyright Law.

My professional career as a visual artist is backed by a Fine Art Master's Degree and 30 years of international experience. I have worked for the postal authorities of Bhutan, Micronesia, Tanzania, Ghana, Republic of Congo, Uganda, Gambia, Liberia, Republic of Comoros, Guyana, etc, totalizing almost 20 countries from Asia, Africa, Australia, and the Americas. My work has been featured in Forbes magazine, the Boston Globe, Scholastic, American Educator, books for Mc Graw-Hill, Harper & Collins Canada, and other publishing companies and theaters of America. In Spain I have worked for the Ministry of Public Works, the Defense Ministry, the National Employment Institute, the National Council of Scientific Research, the National Youth Institute, as well as for religious institutions, publishing and advertising companies.

Any of the images that I produce takes from several days to several weeks until completion. Other images that I have created and can be found online are the fruit of years of maturation. Although letting people browse such images online cannot prevent them from being stored, reposted or used for personal enjoyment -and it is assumed that all of this will happen- we artists do not post our work online to give it for free to professionals or corporations. This problem has so far being prevented by the enforcement of the Copyright Laws in the Western world and beyond.

My income and my representative?s come from Copyright sales, including those for printed and for online use. Edition size, usage period, territory, and the different ways images are to be published determine the price. Not only repeated use will result in increased pricing, but the fact that use is restricted, makes it possible for new sales, and also new assignments. In an ever-shrinking market where prices have been dropping during over the last 80 years, the flooding of public-domain images from dead artists have already made things very difficult for the survival of living artists. Corporations must pay for the use of our work if they wish to use it. Anybody trying to decide for others that a published work is of no value is misinformed or more likely is hiding the indecent purpose of usurping other people's work.

There is no such a thing as "Orphan Work". We the authors are in no way responsible for the use that search engines and Internet users do of our images, sharing them with no credit line, and even cropping watermarks. But publishers have the responsibility of identifying Copyright holders, and otherwise refraining from publishing whatever they cannot identify.

Any law making my images available to other parties without my consent, implies that the US Administration is confiscating my work. As my private property, it is protected by Article 1 of the US Constitution. Under the Berne Convention, the very same US Administration must protect intellectual property according to the agreed international consensus.

Whilst I sometimes participate in charitable and pro-bono causes, I adamantly oppose to the free use of my work without my consent. If the US Congress would decide to allow for the planned spoliation, the European Copyright owners and our organizations will use all the legal resources at our reach and will pressure our authorities to revise the status of the US as a member of the Berne Convention, should this Administration fail complying as a qualified member of it.

Please keep protecting intellectual property by dismissing any "reforms" on a law that already establishes a limited life to Copyrights, and the generous license of Fair Use, for the sake of industry, progress and culture.

Sincerely,

Enrique Moreiro

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