July 21, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence Ave. S.E.
Washington, DC 20559-6000

RE: Notice of Inquiry, Copyright Office, Library of Congress Copyright Protection for Certain Visual Works (Docket No. 2015-01)

Dear Ms. Pallante and the Copyright Office Staff:

I am an artist who supports himself predominantly through licensing my original artwork, and I'm writing to explain that the proposed changes to copyright law would be highly detrimental to my ability to make a living by essentially allowing others to, without my consent, and without compensating me, use and benefit financially from my artwork (which is really my only business asset).

The vast majority of my work is not commissioned by a client. I create the art myself for no immediate compensation. My only income is derived from licencing the work to various companies, who each purchase narrow rights to use the work for a particular product/ category, period of time, geographical area, etc.. That way I can license and re-license all my existing work indefinitely. As I create more and more artwork, my growing library gives me more and more opportunities to license, and this is the only way I accumulate enough income to support myself.

It's essential that I post my work on the internet, as it's the only way potential licensees can find my work in numbers sufficient for me to make a living. Any negative impact on my ownership of my original artwork based on posting it on the internet would create an unfair catch-22, where I'd be forced to either give up the rights to my own creatons, or give up the ability to find customers.

If I lost the inherent ownership of the artwork I create, and/or was forced into costly, time-consuming efforts to register each and every piece of art I've ever created or will create, my entire ability to make a living would be effectively taken away, not to mention that from a common sense point of view, how can it not be outright theft for another to freely use and benefit financially from something I independently brought into existence through my own work, effort and creativity?

Thanks very much for the opportunity to be heard.

Regards,

David Olenick