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US Copyright Office
Re: Docket No. 2015-01

To whom it may concern:

I have recently been informed of the intention of allowing works posted to the Internet but not registered with the copyright office to no longer be subject to the extant copyright law. I do not support or agree with this idea; in fact, I find myself adamantly opposed to the proposition.

Though I am largely a writer in my online endeavors, I do find myself, upon occasion, posting a photograph that I wish to share with others. I do not have the monetary resources to pay a fee for each photograph I choose to share online in order to register it for protection, and have always relied upon the United States Copyright Act of 1976 and its clauses for protection of my intellectual property. You intend to obliterate those protections.

While this may indeed make things easier for large corporation who wish to not have to pay for the items they wish to use, and will certainly "ease the burden" on companies who would like to defraud visual artists, it is a detriment to copyright as it stands as well as to the creative endeavors of the people of the United States.

For the last decade I have been a part of numerous online communities. I have seen people enraged and infuriated when others in those same communities take their works and post them without authorization. As this proposal reads, you now stand to strip them of the only protection afforded to them – the filing of a DMCA takedown notice to the website itself requesting the removal of their copyrighted content. You do this because you strip the work of its copyright, a right that we, as US citizens, are afforded within the constitution itself.

Yes, you may read that as my understanding that your intention is unconstitutional, as it deprives creators of something we have long understood to be an inalienable right. Though it wasn't until the modern era that some things changed with respect to how works are copyrighted, I maintained the understanding that the changes which were implemented occurred because it was recognized that limiting creative protection only to the already wealthy is counter-productive not only to "the American Dream" but also to the very premise of creativity itself.

When your creative minds feel that nothing they conceive is their own work in such a way as that they are unable to make money from it, unable to support themselves by it, unable to retain ownership of it – even for a small time – then you cripple the collective imagination of the American public. The only thing you promote thereafter is continual rehashing of things which are entirely unoriginal.

You can, I hope, appreciate my point. Hollywood is already rife with reproductions, any originality "Tinsel Town" once had having been sapped from it by money-hungry corporations siphoning all thought and creativity from the artists in their employ through the promise of fiscal remuneration if it's "done their way", regardless of how horrible the story or how terrible the picture. "Artists" like Richard Prince are allowed to spit in the face of true photographers by selling Instagram screen shots for $90,000.

If you strip the general public of their only protection for their property, and their only means of having the works removed if posted without license or permission, then such instances will be the only artwork available online except that posted by those who have no interest in protecting or establishing their rights, something they may regret at a later date. You strip artists and writers of the largest platform they have for reaching an audience. You cripple a portion of "Silicon Valley" that relies on start-up ventures for its income and you bankrupt websites who rely on user-submitted creative content, and the viewing of that content, for their continued existence.

In essence, you destroy the existing Internet and replace it with a haven of morally bankrupt corporations who use a lack of registration as a means to an end, keeping as their bedfellows pirates and pornographers.

I admit that for me there is great irony in that these corporations would not hesitate to take someone to court and bankrupt them financially if they so much as tread on a trademark, yet they have no qualms about suffocating the very artists on whose work they so richly rely for their continued existence.

I urge you not to pass any proposal that strips artists of this right. Do not force us to return to the days of apprenticeship (some of us are too old) or of being funded by wealthy patrons. I fear that this proposal would set us back to a time of teachers claiming the works of their pupils without any recourse available because the creation – as you would now have it defined – would belong to the person who registered a copyright on it. Not the person who actually placed effort into its birth.

Kind regards,

Elizabeth Ng