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Ellen Davis, MSMI
Medical illustrator
Children's book illustrator

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

February 14, 2014

RE: Notice of Inquiry, Copyright Office, Library of Congress

To whom it may concern:

I am the Sole Proprietor and Creative Director of a medical illustration and animation company, Precision Medical Media, LLC. I completed a BFA degree in Scientific Illustration at the University of Georgia and went on to earn a Master's of Science degree at Georgia Regent's University, specializing in medical illustration. My highly specialized training included Comparative Vertebrate Anatomy, Human Anatomy and Physiology with cadaver dissection, Neuroanatomy, Histology, and Pathology, in addition to a host of traditional and digital illustration courses.

I am currently employed as a medical illustrator and animator at the University of Georgia College of Veterinary Medicine. On evenings and weekends, I spend my time completing freelance medical illustration projects for Precision Medical Media and illustrating children's books. I am ***extremely*** alarmed at the prospect that my self-created property, my sole source of income, is in jeapordy at the hands of potential orphan works legislation.

Becoming a medical illustrator takes years of study and dedication, not to mention expense. I am rightly worried that the very way in which I derive my income may soon be undermined by the Copyright Office (the very office that I once thought existed to protect my constitutional right to protect my creative works). Liscensing my newly created and previously existing works is the bedrock on which my client contracts are founded. Orphan works legislation will invalidate my exclusive rights to my creative works and will absolutely devalue every illustration that I have created or will create in the future by as much as 50-60 percent. In addition, I feel that it is highly tedious, expensive, and unjust that I should be required to register every creative work (including sketches!). Please understand that for every medical illustration I create, there are probably 6-10 unique sketches involved. This sort of registration burden would greatly decrease my billable hours, thus directly affecting my income. Why not create a searchable database from our visual art registration deposits?

PRECISIONMEDICALMEDIA.COM 334.467.8990 ELLEN@PRECISIONMEDICALMEDIA.COM

Furthermore, and perhaps more importantly, current copyright law allows me to protect my medical illustrations from infringements which might render them inaccurate. The value of my degree lies in the fact that I am trained to create illustrations which are scientifically accurate for the sole purpose that they might educate others. I fear that those who speak loudest in defense of orphan works are not ultimately concerned with the quality, accuracy, or integrity of the illustrations which they would like to utilize free of charge. I would hate to see the day when my illustrations are altered or repurposed and used to educate someone in an unintended or incorrect manner. But I may have no real remediation for one of my "reappropriated" works like this in the future, and the larger implications of this are worse still for the public interest than they are for my income. Losing professional control over our works will undoubtedly lead to serious quality control issues in publishing and on the internet. Experience has taught me that many orphan works proponents care little about quality and care greatly about their bottom line.

I think it is important to note that I almost didn't bother taking the time to write this letter, because a large part of me believes it is futile. It seems to me that the Copyright Office is constructing policy that gives special interests priorities over copyrights of visual artists such as myself. I sincerely hope that I am proved wrong.

Sincerely,

Ellen Davis, MSMI
Owner & Creative Director
Precision Medical Media, LLC