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To the Attention of the U.S. Copyright Office

In re: the expansion of "Orphan Works" and Mass Digitization:

I am a cartoonist, illustrator and animator. I've been doing this work in one form or another for about forty years. My work has appeared in a number of books, major magazines and other periodicals. My animation "Sister Mary Dracula" was an official selection in the San Diego Comic Con Independent Film Festival in 2004, and my Gravity Poster ("Gravity. It Isn't Just a Good Idea. It's the Law.") has sold over 4,000 copies and been cited in Scientific American.

I have also re-sold many of my works for second and third uses. Under copyright law, when I would create a commissioned work for a publication, it was always "For One-time North American Serial Rights Only." This phrase, on every one of my invoices for decades, memorializes my ownership of the artworks I create.

An artist's work is his stock in trade. Without ironclad ownership rules that only the government can provide, the ability of an artist to earn a livelihood with his work is severely curtailed, if not prevented altogether.

I am concerned by the latest attempt to legitimize the "Orphan Works" concept for the benefit of corporations who wish to reproduce artwork created and owned by artists without any mechanism (or expectation) for compensating the artists.

If I found a plot of land that I wanted to build on, it would be my job to locate the owner if there was one, and make arrangements to buy or rent the land. If I wanted to build on hundreds of such parcels, I don't get a pass just because it would be burdensome for me to find the owners.

There is an unfortunate and pervasive belief promoted on, and by, the Internet that any artwork you can copy-and-paste is free. This has led to widespread theft and misappropriation of what should be money-earning properties for their creators. And now we have an internet-based monolith (Google) wanting to codify this destructive trend into law. If anything, given the ease of making perfect copies of digital images, the protections for the image creators should if anything be increased, not decreased.

Best regards,

Gerard Mooney