July 23, 2015

To whom it may concern in the U.S. Copyright Office, Library of Congress,

Thank you for accepting comments on the proposed changes to copyright protection for "Certain Visual Works". I am very concerned about these proposed changes, as they will seriously impact my ability to make money from images I have created during the course of a career as a scientific illustrator.

I have operated a small business, Production Post Studios for over 20 years. This studio creates illustrations for clients ranging from museums to major newspapers, government agencies, travel magazines and educational non-profits.

As I negotiate price with a client I am often able to retain significant rights to the images I create for them. They may buy, for example, only "first North American rights". Even if they buy significantly higher use in multiple media, they usually don't buy all the rights. This reduces the initial client's price and gives me some control, often a lot of control over my images to sell other use rights to other clients. Sometimes, the second use will be strictly "as is"; at other times, minor modifications —derivative work— better suit the second client.

Any changes that reduce my ability to control my images and collect these reuse fees will significantly decrease my annual income. Last year I made about $6000. In reuse fees; at times I have made about 3x that amount in reuse fees.

The images that generate these fees may be only a few months old, but in some cases the image being reused is 15 years old. Their use to me has not expired; being able to control my images is essential.

This business consists of me creating art for clients and marketing my services to find new ones. I cannot afford a staff to police the internet and jump through a series of registry hoops. What would help is making the process of registering copyrights more streamlined, not more time-consuming.

Thank you for your consideration of my situation. I do hope that as you move forward with copyright legislation you gather information from people in the business of creating art about how their businesses operate.

Sincerely,

Frank Ippolito
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