Wednesday, July 22, 2015

To the United States Copyright Office:

I have been working as a scientific illustrator for 10 years, and I've worked at the academic journal Annual Reviews for over 7. I have a graduate degree in scientific illustration from UC Santa Cruz and my professional website can be seen at www.glendamahoney.com

I happen to have a staff position at a journal, which is rare in the illustration field. Most of my colleagues are self-employed. However, this gives me a unique view of the copyright problems that are rampant in publishing. Authors who are writing academic papers submit figures to me, and my job is to edit them (or create new ones, if they request it). All of my work is done under the copyright of Annual Reviews, so I don't personally profit from it.

However, I do see *a lot* of work submitted that authors have not gotten permission for. This issue comes up on at least a weekly basis. Legally, it is the authors' responsibility to secure copyright permissions for the figures that they republish with us. In reality, we send them several reminders as they are submitting to get permissions, and they often still fail to do so. Personally, I don't believe this is done out of malice.

I think there is widespread misunderstanding and ignorance of copyright law in the academic community, with many people imagining that "academic use" of a figure should be free. *The problem with that is the amount of hours that go into each illustration and the livelihoods of the artists.*

Some people/companies claim that it is often hard to find the creator of an image on the internet. This is completely false! Most artists take great pains to stamp copyright notifications on their work, and advertise it widely via their personal websites. With image-search engines to help, it is easy to find the source of most illustrations online. Furthermore, it is easy to get permission to re-use images. When authors are confused about how to secure copyright for a given figure, we have staff that will go to copyright clearance center and take care of it in a matter of minutes. The fees are usually modest, often $30-$50. **Any claim that this causes a hardship for publishers is ridiculous.**

I also do freelance work on the side and have old work on my personal website that I occasionally get requests for. There are some figures that I sold the copyright to when I was creating them, and in hindsight, I wish I had not done so. It would be so helpful to have a backlog of images to provide a revenue stream going forward. Plus, it would be easier for others to re-use my images! I have an illustration of an ear canal that I get requests for regularly that I have had to refuse to let others use repeatedly, because the medical company that contracted me to create it does not respond to emails about licensing the image. Therefore, I am sure that it has been pirated.

I do not know what the ideal answer is to these issues, but I hope that the copyright office will create a policy that protects artists' livelihoods over corporate profits. It is hard enough to make a living as an artist the way things are now, and if the government erodes that any further, the country will be deprived of an extremely valuable educational too (illustrations), as talented people will inevitably choose other fields based on income instead of passion for what they do. Please support the arts and independent artists! Thank you for your time.

Sincerely,
Glenda Lee Mahoney

Illustration Editor at Annual Reviews
www.annualreviews.org