To Whom It May Concern:

My name is Emily Winfield. I am a little-known part-time freelancer who focuses on selling the rights to my designs using the Internet as my marketing platform and producing conceptual artworks for an independent, non-profit video game studio. I am writing out of extreme concern for the future ability of freelance artists to profit from their own works or protect the rights and usage of their works in the future, in light of this proposed change to existing copyright law.

1. **What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?**

As a freelance artist who often deals in selling the rights and/or licensure of pre-made artistic designs to private consumers FOR THEIR USE ONLY, my main concern is the protection of my work from those who would attempt to unlawfully use these designs without having purchased the rights from myself OR the private consumers who lawfully receive them from me. If my intellectual property rights became unenforceable, I would have no income, and my clients would not be able to claim ownership of purchased works. Currently, I am otherwise unemployed and enrolled full-time in a community college as I work towards my career. I would not be able to afford such costs as materials or transportation if I were to lose the ability to sell my work. Therefore, I believe that one of the most significant challenges to artists is protecting their already-sold works from theft or unlawful re-selling; therefore, intellectual property rights are vital to the entire freelance industry as a whole, to protect us from both infringing individuals AND entities that would seek to profit off of our works, directly or indirectly. If my works were not made my intellectual property instantly, thousands of people could potentially find my images on the Internet and use them for their own gain legally; this would be impossible for me to fight and my art would have no worth, making it impossible for myself, the content creator, to profit from my own works.

2. **What are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?**

The proposals made by the Copyright Office to Congress are my chief concern. Copyright laws built on the heavily flawed foundation of the flawed Orphan Works bill will not sufficiently protect artists, a class most often abused already by corporate entities that we cannot fight against. Essentially making it legal to profit off of the works of artists who can't afford to pay rights registration fees is theft on both sides: by the government and by corporations. Freelancers such as myself that make minimal wages would be hit the hardest by this law, alongside artists who struggle to support themselves entirely on revenue made from selling their works. Not only would it be impossible to compete with corporate entities, it would also be impossible to defend ourselves from their infringement in court; between the time and expenses wasted on trying to defeat corporate-level lawyers and the continued infringement of works stealing profit from the original artists, many could find themselves unable to pay for basic cost of living, in deep debt, or homeless.

3. What are the most significant registration challenges for photographers, graphic artists, and/or illustrators?

Registration fees present another unnecessary financial strain for content creators, who typically already make very little. This is a terrible idea for a system, and would also increase strain on the offices that must now process all of these extra claims and registration requests. This would congest the operation of government offices greatly and increase dissatisfaction with the timeliness of government services.

4. What are the most significant challenges or frustrations for those who wish to make legal use of photographs, graphic art works, and/or illustrations?

There are none! Find materials specified BY THE ARTIST as free-to-use, pay the artist for the rights as per their terms, or don't use the work at all! If corporations can afford to pay their top-level members such ridiculous salaries, then they can afford to handsomely recompense artists for their works and operate only within the artist's terms of use.

5. What other issues or challenges should the Office be aware of regarding photographs, graphic artworks, and/or illustrations under the Copyright Act?

Another challenge is the sense of entitlement among 'users'. Specifically, the new 'potential users' class created by this new proposal. The rights of possible users ARE NOT equivalent to or above those of CONTENT CREATORS. Plagiarism is already rampant, especially on the Internet, and the only tool we have to stop theft is intellectual property rights. The choice of how the image is used lies with the artist, NOT entitled users or corporate entities that wish to profit unlawfully off of our works. If a 'potential user' or corporate entity can't find an image that they can lawfully use amongst my works or the works of others, they should commission an artist, as they always have in the past, and keep the economy moving instead of being allowed to steal because they can't handle being told 'no'.

6. What are the most significant challenges artists would face if these new copyright proposals become law?

Artists, to summarize, would become unable to support themselves or defend their works. These laws would damage the entire culture of art, make plagiarism legal, and run many artists of all types out of business. This would ruin an entire sector of the economy, and our government would be to blame for actively and intentionally increasing the rate of unemployment, homelessness, and debt.

I thank you for your time and hope that you will all consider doing the right thing; that is, blocking this law entirely from coming to pass.