July 22, 2015

U.S. Copyright
Orphan Works

Dear U.S. Copyright Office,
I graduated from the first Design School here in El Salvador – From the Escuela de Diseño Rosemarie Vázquez Liévano from the Universidad Dr. José Matías Delgado.

Before graduating I started working with local companies but the last 2 jobs and consulting projects I had opened my eyes to a whole different and beautiful world a graphic designer could ever dream of. This was to have direct contact with American clients. One was for a candle company – we manufactured everything here in El Salvador and would export 95% of our candle collections to chain stores like Target, Pier One Imports, Garden Ridge, Kirklands, among others. The others have been USAid funded programs - one here in El Salvador where I worked for 3 year period in its second phase and also a USAid funded program in Iraq. For a designer in my country it is heaven to be able to work with people that value ones expertise and actual design work and that is what I have had in working with American clients – To be able to sleep at night knowing my property – my copyright – is safe is cherished! For me, like for so many others, American based companies are - Awe! Heaven!

Since I realized working with American based clients was *the* perfect match for me, I discovered surface pattern design and fell in love with it! So much so (after years of postponing my thesis) I developed my thesis and introduced this discipline of Surface Design into the country as an opportunity for Salvadoran designers to developed aboard – mainly with US companies… I have been working with American clients for the last 10 years – 7 of those working from my own studio full time. I cannot opt for local (Salvadoran) companies under the title surface pattern designer because there isn't market for it here, so what I have done for 9 years now is investing in US based companies exhibiting my work in specialized tradeshows in the United States – mainly in New York. And now I have a U.S. agent!

Copyright is the basis of our livelihood. It is our way of earning the food we put to our tables. And I say our, not only for me, but also for American artists and American companies that organize and hold these tradeshow events. I asked my lawyer about Orphan Works and although laws here in El Salvador are different, it can affect even me as an international artist too… The cross of law infringement if Orphan Work is passed can be not only confusing but have a tremendous impact on the companies that infringe copyrights.

I also kindly ask of you to ask yourselves – this law if passed is like stealing – it is stealing actually…. Stealing others work. It is like working on a report for your boss (that has nothing to do with creative work) and having a co-worker present it as his/hers and getting paid for someone else's work.

Our livelihood and future revenue rests on the current copyright protection law. Please do not pass it. This could be a potential turmoil since American companies work with artists worldwide and each country's laws are completely different.

Please consider maintaining copyright law as it is. So many depend on it to be able to feed our families.

Kind regards,
Emma Schonenberg
Surface Designer
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Central America