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Register of Copyrights
U.S. Copyright Office
RE: Notice of Inquiry, Copyright Office, Library of Congress
Copyright Protection for Certain Visual Works (Docket No. 2015-01)

I appreciate the opportunity to discuss why it is so important to retain the current US Copyright Laws, and that I am strongly oppose to the new copyright proposals. The copyright law is not an abstract legal issue, but the basis on which my livelihood rests. Our copyrights are the products we license. This means that infringing our work is like stealing our money. It's important to my business and my institution that we remain able to determine, voluntarily, how and by whom our work is used.

I have been working as a full time media specialist for the Medical University of South Carolina for over 5 years. In my role, I act as medical illustrator, animator, photographer, videographer and graphic designer. My work has been published in a variety of scientific publications and books, as well as populating the University's materials and websites. I am also the owner of a small limited liability corporation that focuses on visual arts including: photography, design, illustration, animation and fine art. In my free time I teach drawing at the local college.

My educational background is extensive and art focused. I was a double major in studio art and biology at the College of Charleston. I earned a Master of Science in Medical Illustration from the Medical College of Georgia, and I am a Board Certified Medical Illustrator.

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

Attracting new clients, negotiating fair prices with appropriate terms and rights of the work. Publishers often demand the copyright of artwork be transferred from the institution/artist to themselves. It is imperative that we retain copyright for something we create even if we have not registered it with the copyright office. Not only can we resale images, but create derivative works from them.

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

The high cost of legal fees, protecting my work and the new copyright proposal, which looks very similar to the Orphan Works bill. There are constant issues of people using work without payment or permission. Many times people and publishing companies have removed watermarks and signatures. I have found my work on personal blogs and other websites without permission or payment. Most recently a prestigious medical journal removed my signature from my illustration that went on their cover.

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

Forcing artists to register their work in order to maintain copyright would be a financial burden. It is not feasible for myself, my company or my institution to take the time, manpower and money to register every individual piece of work developed. I create multiple images/illustrations and photos every day. I would not be able to keep up with the volume. It would be a hardship to my institution. Our University's does not ask us to register our work due to process time and effort as well as the cost of copyright registry. It would put my corporation out of business. When I have no rights to my work I loose money.

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

This proposal seems to not be in support of artists. If we are creating the work, put our time, efforts, education and skill into these pieces we should have automatic rights to it.

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

My company would potentially be put out of business. I would not be able to monetarily afford registration of all of my previous, current and future work. My work would not be protected, I would not retain rights, and I would not be able to make a living.

As a professional in the world of visual arts I can say that the new copyright proposals would impact my livelihood negatively. It would void my right to exclusively control my work. It would privilege the public's right to use my work. It would pressure me to register all of my work with commercial registries, which is both time consuming and expensive. It would orphan any of my unregistered work, and allow other's to benefit from my unregistered work. It would allow others to alter my work and copyright the "derivative works" in their own names. It is a detriment to artists, and to those relying on art for a living.

I have published in a variety of scientific journals and it's is important that it is understood that my work does not lose value upon publication. Everything created becomes part of our business inventory. In the digital era inventory is more valuable than ever before. With our large selection of stock work we can distribute, create business, sell and create derivative work.

I want to summarize that I am strongly against the new copyright proposals. I believe that they would be a detriment to the professional world of the visual artist. Personally this legislation would negatively impact my field, my institution and my work.

Sincerely,
Emma C. Vought, MS, CMI