July 19, 2015

Maria Pallante

Register of Copyrights

U.S. Copyright Office

101Independence Ave. S.E.

Washington, DC 20559-6000

RE: Notice of Inquiry, Copyright Office, Library of Congress

Copyright Protection for Certain Visual Works (Docket No. 2015-01)

Dear Ms. Pallante and the Copyright Office Staff:

I greatly appreciate your effort to go and talk to the artists themselves about this new copyright law. I have read several things about this, and it has made me concerned. Not only do I fear that it will prevent me, as a young artist, from producing my own work it will ultimately force me to do what people want, and not what I want. On top of this, I fear that these new laws will deter people from going into art or from making art.

As an artist, I can say with confidence that our art is our property. It should be protected and treated as such. It should not be treated like anything but property. We should not be forced to register or license it to anyone but ourselves, and if we don't it should not be "orphaned" and available for anyone to use. We put our time and energy into these pieces that we may or may not actually sell. It is important that we know our art is protected.

I will now answer the questions you provided to the best of my ability.

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

First off, young artists who would want to post their art online and potentially sell it would not be able to. They would have to get it licensed before they would put it up online, and that could take a long time to do. On top of that, they would have to find someone who will license their art, or do it themselves which could cost lots of money.

If you do manage to pick up a license for your art, you could be forced to produce items that sell. Meaning, you would not be able to produce your own art, and the art wouldn't be true to yourself. As an artist, drawing something you really don't want to or having people put a leash on your creativity is really a problem, especially when you are learning. It prevents you from discovering yourself as an artist.

Paying money to get your art licensed is not why we are making art. We are making art because we want to make money off of it. Besides, if your art is licensed you will not have control over what it is used for and you may not be able to receive compensation when it is used (from what I understand). This presents a terrifying image as an artist because this means it can be anywhere without my consent. As someone who is actively trying to build up a portfolio, it will ultimately prevent me from being able to do so, since my art could be put up online without my knowledge and spread around, even used for advertising, without me ever receiving compensation.

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

There will most likely be fines and fees if an artist fails to license their work (or even if they do). Most artists don't have the money to pay those fees. They will run themselves out of money trying to get their art out there to sell it. It will cost them more to try to make sure their art is legal than it would for them to actually produce it, so there will be many artists who simply don't make art. Without art, children and especially adults wouldn't have the means to express themselves in a non-verbal way.

I fear that it would also allow corporations to control what art is being produced. Since corporations are out to make money, they could deny a young artist who is producing personal art and instead accept someone who is making art that is popular or "cool" for the time. This will discourage artists from even trying to get their art out there, in turn shortening the pool for artists.

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

The time. It would take much more time for an artist to register their art than it would to just not make it, so it would discourage people from actually making this their living. While many old artists may pick up on it easily and be ready to change it, new artists or artists who don't sell their art would be forced to do more than just upload it online. They would have a high likelihood of just dropping art altogether, which will lead to fewer and fewer artists in the world. It is such a beautiful thing to see people express themselves how they want, so why should we be making it harder for them to do so? Why should we force them to register their art to anyone but themselves quite frankly?

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?**

One frustration would be registering art and knowing where it is. The corporation an artist could register their art to would have thousands of pieces, and they would be able to do with it what they will (or so it's been presented).

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

The copyright act would get rid of a lot of protection to new artists. Currently, if someone steals and tries to sell your art, you can sue them. You can force them to take it down. Under this new law, if they make even a slight alteration to your art, they would be able to claim it is their own and sell it as their own, even if it's just a small change like changing the eye color of a character from blue to green.

The law itself is presenting itself to be more focused on the corporations involved rather than the artists themselves. Artists need protection for their art under their circumstances, not ones from corporations. It could lead to censorship or worse, and the artist would have no way to defend themselves. If a user doesn't license their art, they wouldn't have any right to claim it as their own and if it is stolen and sold elsewhere it wouldn't be any problem—our art is our property, and it should be protected as such.

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

As an artist, I will honestly say that licensing my work to someone would be the most challenging thing. I am terrified of them using my art to promote something without my knowledge or consent. I am afraid that if I do license my art, I will be censored because of what I produce.

I am trying to create several web comics at once. I fear that with this new copyright law I will be unable to pursue those dreams and tell those stories. I am afraid that I will be unable to express myself creatively and I will have to keep these pieces to myself. I will not be able to make money off of them or inspire others. I will, primarily, be unable to strengthen my portfolio. Since I will be going into 3D animation, it is important that I have one at the ready. If corporations can take my art and use it however they please, I will be unable to say that it is my art and it will, in turn, not be protected. If I don't license it, it will be orphaned and I cannot claim ownership to it, giving corporations even more free will to use it how they please.

This law is *not* going to help artists in any way, shape, or form. In fact, this law is going to make it harder for artists to actually make and produce art. I would highly

recommend not going through with this, and instead taking a look at what you actually wrote and changing it completely. The old copyright laws work just fine. While they are outdated, you would only have to update them and not re-write them altogether.

Thank you for taking the time to read this letter.

Signed,

Elizabeth May.