

27 September 2012

In response to the Copyright Office's Federal Register Notice in consideration of a federal resale royalty right in the United States, the Calder Foundation offers the following:

When considering a federal resale royalty right in the United States, it must be recognized that the labor component of a work represents an inalienable part of the artist. The resale right allows artists to labor on their work in an uninhibited way, knowing they will be compensated fairly for their work and bringing peace of mind that their families will be properly cared for after their death. For the law to support the natural property rights of artists and their families is to support and stimulate the artistic creativity of artists.

A country and its society without art is missing a key element of civilization, and for a country's laws to support and protect artists and their creative output shows an interest in its people. While artists such as writers, composers, and filmmakers can produce and market endless copies of their works, visual artists often create only one work, or a very limited number of works. While the Copyright Act promotes arts for this country, it fails to provide economic incentives for visual artists comparable with those granted to authors, composers and filmmakers. Additionally, a federal resale royalty right does not threaten the art market. Rather, it is compensation that the market provides for the immeasurable labor and talent that artists invest in the creation of their work.

The institution of a federal resale royalty right would be a strong step in rectifying the disparity of support for visual artists in contrast to other artists and would foster a culturally rich and complete society for our citizens.

Signed,



Alexander S.C. Rower  
President

ASCR:kc



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