



January 17, 2012

**Library of Congress
Copyright Office
[Docket No. 2011-10]
Remedies for Small Copyright Claims**

Comments by the Copyright Alliance

Introduction and Background

The Copyright Alliance welcomes this opportunity to participate in the U.S. Copyright Office study of whether the current legal system hinders or prevents copyright owners from pursuing “small copyright claims.”

The Copyright Alliance is a non-profit public interest and educational organization supported by more than 40 entities comprised of individual artists and creators, as well as the associations, guilds, and corporations that invest in and support them. Besides these institutional members, we represent more than 7,000 individual “One Voice Artist Advocates” who give their personal time and creativity to support our work. While many of the entities we represent are small businesses and individual creators, effective copyright enforcement is an issue that concerns all members of the copyright ecosystem. The Copyright Alliance is committed to promoting the cultural and economic benefits of copyright, providing information and resources on the contributions of copyright, and upholding the contributions of copyright to the fiscal health of the nation and for the good of creators, owners and consumers around the world. Among other principles, we seek to promote appropriate copyright enforcement in order to encourage the creation and lawful distribution of works, with fair compensation to the authors of creative works.

Consistent with these principles, the Copyright Alliance supports the effort of the Copyright Office to examine whether or how copyright owners can more effectively enforce copyright claims that may not have sufficient economic value to justify the time, expense and attorney’s fees involved in pursuing a copyright claim through the federal court system. It has been the experience of some of our members that infringers have little regard for the rights of creators where they know that the cost of pursuing a claim exceeds any potential damages that can be collected. Without an effective means for copyright owners to obtain remedies for small copyright claims, there may be continued erosion of creators’ rights and respect for copyright. Creating an alternative system for adjudicating small copyright claims nevertheless presents a host of challenges, including balancing any new approach pursued as part of an alternative small copyright claims system with defendants’ interests in such a system. Thus it is important to ensure that any new alternative claims system not be subject to abuse through frivolous

