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I am a freelance illustrator, and in response to the Copyright Office's solicitation of comments involving small copyright claims, I'd like to share my experiences, both of which occurred within the last few years.

1) Without my permission, a small business used approximately 30 of my illustrations on its website. They took these illustrations from a paying client's website. After shutting down their website by contacting its host, I searched for eventually found a lawyer willing to work on contingency who sent a letter to the infringing business asking for compensation. No reply was received. Even though my illustrations were registered with the U.S. Copyright Office prior to the infringement, the lawyer was not willing to pursue this in court because he did not expect the result to be worth the expense. Although my case was solid, a judgement in my favor that included my lawyer's fees was likely more than the infringing company could have afforded to pay. The lawyer's fees would have ended up costing far more than the compensation I wanted.

Without a serious threat of ending up in court, what incentive do infringers like this one have to respond to letters like the one my lawyer wrote? None! I might have had a more satisfactory result if taking the infringer to court wasn't so costly.

2) Almost exactly the same scenario as (1), except this time I did not bother to ask the lawyer to write a letter to the infringing business because I expected the same result as (1).