

While the copyright laws seemingly protect the intellectual property of artists and others, the enforcement of these laws are impractical and unaffordable, rendering them toothless.

One of the best tools we have for getting stolen images taken down from websites is the DMCA takedown notice, but even this represents countless hours of artists' time to find and deal with infringements. Thankfully, most web hosts or providers honor the DMCA but some do not. Some of the infringers are repeat offenders, finding a new host within hours of being shut down, and stealing again. Infringers are not necessarily naive people who occasionally copy an image they like to their blog as a decoration. The infringers may claim the work as theirs, sell it, or use it to lure viewers to their site and click on ads which then generate income for the site's owner. That income was gained at the expense of the rightful copyright owner.

Therefore, a small claims court of some kind for low money damage infringement cases might be a very useful way for artists to handle some of these cases, and to send the message to the public that it is illegal to take images and use or sell them without permission. When nothing happens to infringers, the message is, 'Nothing can be done so just keep stealing.' I would like to see such a dispute resolution process address the kinds of damages that represent an artist's time and expenses, so that pursuing a case does not mean throwing good money after bad. I'd also like to see such a new law avoid the pitfalls of relying on private arbitration firms; these have proven biased and secretive in other industries like credit cards, real estate, warranties, etc.

I'd also like to see the availability of multiple plaintiff-copyright owners to join together in one lawsuit against infringers who have stolen work from that group of people. This would streamline the process, as a number of infringers have stolen many images from various artists. I believe the deterrent effect of having a public record against them, and having to pay money damages, would help reduce the casual stealing and low money damage stealing that has taken up so much of artists' time, and for which there is little they can do but rely on the DMCA and hope it is honored. Thank you.