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For a photographer, the Orphanworks legislation is a death sentence. It allows Google and Facebook (as well as others) to claim ownership of my work due to anyone's sharing, even if I have not given any permission to anyone to share that work. The intent of the current copyright law is clear. The metadata can only be changed by the copyright owner, in this case myself. But if my work is posted to Facebook or Google's Picasa by an unauthorized party, both services *strip out all the metadata*, thereby removing my ownership information. This is no accident. It is by design. If the Orphanworks legislation is passed, they will now have nothing to fear. They will be able to claim that they can't figure out who created the work, and therefore it is an orphan that they can use as they please - read profitably. As the creator, what do I get, besides finding my work nearly valueless. I'd receive nothing, even though my work has effectively been stolen. I've poured hundreds of thousands of dollars, and thousands of hours into creating unique works. They are mine, and it should remain that way.

To address the 5 questions that I've been asked to respond to, here are my thoughts.

The *challenges related to monetizing and/or licensing* photographs is simple. Many people are unaware of what the law means, and since it is so easy to grab an image, they do. If they are a corporation or a for profit entity, then there is lost potential revenue for me. It isn't easy to track where things are used, especially when the metadata is gone. The value is lower, since the web has created a flood of available imagery. When I look at the cost of all the technology, the cost to create the work isn't lower. You still must do the work, and for me, those tools are expensive - many thousands of dollars.

The *enforcement challenges* are as above. People can copy anything that is on the internet. Unless there is a way to permanently embed ownership info to an image, it is hard to impossible to track. Unfortunately, any digital information can be changed by anyone. And since as a nation, we mostly prosecute little people, the big fish have no fear. Just look at how many bankers have gone to jail for rigging the world's financial markets - zero in the latest scandal. Facebook and Google, etc need to explain to the federal government, in court, why they strip out the metadata from all images that are uploaded to their sites. Enforce the law, or the law doesn't matter.

The *registration challenges* aren't the issue. If people have no fear of the legal consequences, they'll just keep stealing the work, whether it is registered or not.

The *challenges or frustrations to legal use* are a market with no set fee structures across the board, but that is because all images are not created equal. Again, if all images had ownership info embedded into them, it would be simpler.

What other issues or challenges are there. As I said above, I embed my ownership info. Facebook removes it. Make them stop. I believe that they violate the spirit, if not the letter of the law.

As I say above, if this law passes, it will make my work less valuable, since I'd be competing against anyone who steals work, and sells it for little. They don't have the costs and challenges of making the work, and it is mostly profit for them. This will just drive the value and price of the work down to less than it cost me to produce.