Maria Pallante

Register of Copyrights

U.S. Copyright Office

101 Independence Ave. S.E.

Washington, DC 20559-6000

RE: Notice of Inquiry, Copyright Office, Library of Congress

Copyright Protection for Certain Visual Works (Docket No. 2015-01)

Dear Ms. Pallante and the Copyright Office Staff:

I am writing this letter to you as a professional freelance illustrator, whose work is the sole source of income in my household. I believe it is very important that you opened up to the real life perspectives of working artists, and want to thank you for the opportunity to be heard. It is important for you to know that copyright is not a nebulous concept for us, but rather an important and vital part of how we earn our living. Without Copyright, I would be completely out of a job, and my family would be forced to seek other means of income to support our household. This is a very personal and crucial issue for myself and hundreds or thousands of other artists.

What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?

Artists are pressured by clients to sign away their rights to the work in order to get the job/contract. This not only strips the artist of control of their work, but future income based off royalties and licensing from those works. We also face predatory image licensing houses, asking artists ridiculous fees to get "found" by companies searching their image banks. If our art is used, the house keeps inordinately large percentages. If the new copyright law changes are put into effect, these problems will only increase.

What are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?

It's burden of proof is on artists when their work is infringed on. Most of us are small time creators, who don't have a lot of money to hire lawyers to pursue such cases. It's often more cost effective to allow infringers to continue infringing on or rights, so we don't use up our precious time and money chasing down people who steal our work for their own profit. Right now we at least have the legal ability to pursue infringers, which would be made all but impossible under the new proposed changes.

What are the most significant registration challenges for photographers, graphic artists, and/or illustrators?

If these new copyright changes occur, artists will be forced to pay HUGE amounts of money to register their works with the US copyright office, and various private licensing houses in order to protect their

work. That financial burden would be impossible for some of us to meet, seeing as how many of us have thousands of individual works we wish to protect.

What are the most significant challenges or frustrations for those who wish to make legal use of photographs, graphic art works, and/or illustrations?

The only thing someone has to do in order to legally use a work of art, is to find the artist and work a licensing deal out with them. With modern image searches, it's not very hard to track down the original creator and contact them for a licensing deal. To claim this process is too difficult is to admit ineptitude and laziness.

What other issues or challenges should the Office be aware of regarding photographs, graphic artworks, and/or illustrations under the Copyright Act?

The Copyright Office should be aware that image registries such as the Copyright Clearance Center are breaking the law and stripping artists of their constitutionally protected rights already, and should have been shut down long ago. It's hard to believe such entities are allowed to exist, and continue to stomp on the rights of artists for decades.

Also, please be aware that we are relying on you to protect us. We creators NEED you to foster an environment in which artists feel safe to create works and make a living from them. Without proper legal protection, we won't be making works of art. It is vital to culture, and vital to us individually, that our legal right to control our work is protected.

Sincerely,

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