I am an independent artist whom works entirely from home. Upon hearing about the Orphan Works Act, I became extremely concerned for the integrity, accuracy, and well-being of my work.

I have been told that I should answer a certain set of questions within my letter. I will respond to the questions that have posed as best as I can.

1. What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?
Typically, when monetizing a work through a publisher, artists will lose much of their royalties lost via various fees involved in maintentance, processing, and/or publishing. While someone might pay $100 for an image, sometimes an artist can see half of that or even less due to this. This results in very much effort being rewarded with very little.

2. What are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?
Legal fees in an infringement lawsuit are often very high, and tend to be an expense that independent artists cannot afford. Artists, especially independent artists, earn very little as it is.

3. What are the most significant registration challenges for photographers, graphic artists, and/or illustrators?
Proper registration is expensive, time-consuming, and often complicated, especially for independent artists whom also have to hold down second jobs before we can really get our work off the ground. Under the current copyright law, we are afforded protection without needing to go through much complicated work, saving us a lot of time and money and allowing us to create more content.

4. 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 real frustration or challenge is getting permission to use the work, which honestly isn't even that difficult and thus not much of a frustration at all. The real challenge is when one is protective of their work, and often they are protecting it for good reason, be it to safeguard their integrity or to safeguard many years of hard work perfecting their creation. Often, however, artists are willing to allow others to use their work, but only so long as credit is given and - in many cases - they receive compensation. The Orphan Works Act would threaten to take this away entirely.

5. What other issues or challenges should the Office be aware of regarding photographs, graphic artworks, and/or illustrations under the Copyright Act?
Under current copyright laws, I am able to freely create new content for others to enjoy without restraint and with little fear of my hard work being infringed upon. My integrity as an artist, under current laws, is protected.

The changes of this law would completely disregard my integrity and hard work. They would make it so that others could freely take my work, which I have put months or even years into for little to no pay, and easily make a profit off of it.

For many independent artists such as myself, we are paid very little, usually less than standard unless we are hired by large studios, and even then tend to be paid little (and in large studios, we tend to have little to no ownership or control over our work, as it belongs to the company). What we do have, however, is protection of our work. Creating artwork, videos, good photographs, illustrations, stories, and similar creative works takes many years - usually a lifetime - of study and discipline to perfect. Many independent artists share their work online to be enjoyed by others completely for free, being paid either through website advertisements, crowdfunding via patreon or kickstarter, or not being paid at all. The loss of protection of these works would see much less of this content being posted online.

If this act goes into effect, many artists will be reluctant to share their original works withe the country or the world out

of fear of unwelcome or unwanted alteration. Very few will be able to register our creative works. Both of these will result in much less art and creative entertainment content being shared, which is currently usually being shared FOR FREE. The tedious process of having to register everything created will discourage more art from being created or shared, as it will be unnecessarily complicated just to publish an original work.

In short, current copyright laws encourage artists to create and share, since their work will be protected. The Orphan Works Act would discourage artists from doing this, and those that would could easily have their works used without permission in such a way that violates the integrity and hard work of the artist.

Copyright, for artists (especially independent artists), is how we make our livings, keep a roof over our heads and food on our plates. Some of us are able to thrive this way. With the changes proposed, this could all go away.

Before making major decisions as to copyright laws, one must consider the fact that livelihoods and jobs could be made or broken by such things. This act threatens the future careers of myself and countless other independent artists in a very negative way.

Thank you for your time.

Sincerely,
M. Godfrey