American Society of Media Photographers

U.S. COPYRIGHT OFFICE

NOTICE OF INQUIRY

80 Fed. Reg. 23054 (Apr. 24, 2015)

COPYRIGHT PROTECTION FOR CERTAIN VISUAL WORKS

INITIAL COMMENTS
OF
AMERICAN SOCIETY OF MEDIA PHOTOGRAPHERS
(ASMP)

SUBMITTED BY
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INITIAL COMMENTS OF ASMP

INTRODUCTION

The American Society of Media Photographers (ASMP) wishes to thank the Copyright Office for addressing questions of enormous importance to our members as they work to make new images that contribute to our nation's cultural fabric and visual history.

Since 1944, the American Society of Media Photographers has protected and promoted the interests of independent professional photographers who earn their living making photographs for publication. Our more than 6800 members represent literally every genre of professional photography intended for commercial publication (as opposed to photographs intended for individual consumers). Our members provide editorial and commercial photographs in such diverse fields as advertising, food, fashion, fine arts, travel, natural history, photojournalism, and portraiture among others. They work in still photography and motion media forms and supply images to all major print publishers, broadcasting networks, and digital publishers across the world. As the oldest trade association of this nature, we have traditionally supported a strong copyright system as being crucial to providing incentives to individual creators.

That system is, unfortunately, showing severe signs of dysfunction. Relative to other forms of media such as movies, ASMP's members are creators of "high volume, low value" works: their ability to earn an income depends on obtaining comparatively modest compensation for a large volume of work. For example, an ASMP member may spend weeks in a test kitchen shooting various dishes for a cookbook. Or a member may spend several days in city shooting a new building for an architect, or a day in the field shooting grape harvesting at a small town winery for a regional travel magazine. Routinely,

these works end up "shared" on social media, in commercial presentations, as part of web sites and marketing brochures without permission or payment. Many (but not all) such infringements fall well below the threshold of $40,000 generally thought to be the base value necessary for an attorney to consider suing in federal court.

Put another way, disregard for our members' copyrights has become a marketplace norm. It is hard to overstate the impact on our members of the changing media landscape in the past 25 years: print publishing has declined and the licensing models formerly supporting independent photographers as small business owners have been altered, perhaps irrevocably. At the same time, technological changes have redefined the fundamentals of image creation, altered the business models available to fund new work, and changed the way that audiences find, consume, and share photographs and other works of visual art. As discussed below, these changes pose huge, daunting and, at times, insurmountable challenges for professional photographers. Our members are small business owners, not large corporations who can dedicate teams to hunt down online infringements or negotiate protocols with technology providers all too indifferent to the problems that ASMP members face.

We discuss those challenges (and proposed solutions) in more detail in our answers to individual questions, but they fall generally into the following thematic categories. Procedurally, we believe the copyright system would be improved through modernization of the Copyright Office and registration practice, and the adoption of streamlined procedures for registering photographs more in line with the way that the industry works. The day-to-day realities of digital photography make it difficult for our members to perfect their rights, and thereby secure access to the remedies necessary to obtain compensation for unauthorized use and preserve their incentives to create. Substantively, the creation of a small claims court is essential to avoid the cost of federal litigation and provide an inexpensive

forum in which ASMP member rights can be enforced. ASMP is not alone in these views.[1]

SUBJECTS OF INQUIRY

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

A. Online infringement is pervasive and is eroding the incentive to create.

Through both legitimate and illegitimate means, the changes wrought by instantaneous digital distribution have made it very difficult to earn a living as a professional photographer. The availability of digital images on a variety of platforms means that visual works are freely available and accessible at the click of a mouse—so much so that it has become a cliché. That ease, however, has led to another shift that is seismic and far more important: namely, the belief of consumers in a "sharing economy" one in which users share, and technology companies take.[2]

The "sharing" occurs to gain attention from others as represented by "likes," "followers," and "reposts." Uninhibited access to digital images on new social media platforms without any corresponding reference to licensing fees and mechanisms for compensating rights holders has reinforced a growing public attitude that visual images should be free and that

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[1] ASMP supports the comments submitted by other photographic groups and associations such as the National Press Photographers Association (NPPA), Professional Photographers of America (PPA), Digital Media Licensing Association (DMLA), the American Photographic Artists (APA), particularly the requests of the Graphic Arts Guild (GAG) to enable group registration for illustrations and graphic designs.

[2] Eugene Mopsik, former Executive Director of ASMP, identified many of these problems when he testified before Congress two years ago. *See* Statement of ASMP, Hearing on Innovation in America, H. Comm. on the Judiciary, Sumcomm. on Courts and Intellectual Property (July 25, 2013), available at http://judiciary.house.gov/_files/hearings/113th/07252013/072513%20Testimony%20Mopsik.pdf

photographers need not be paid for their creative efforts. Many consumers seem particularly accepting of the idea that all digital content, including photographs and other visual works is or should be "free" to consume, use, share, remix, et cetera. Further, much of the public fails to understand how intellectual property protection promotes free expression and cultural contributions by visual artists. A perusal of the many comments posted on blogs by users sued for copyright infringement reveal that people generally do not know that it is illegal to use images and other content without permission.

Another related issue involves the use of HTML code to enable the display of photographs via techniques known as "embedding," "framing," or "in-line linking." In this scenario, a photographer's work may reside on his or her website. These techniques enable another company to reference and display an image from the photographer's website without actually copying the image itself. To a viewer coming to the company's website, the photographs are an integrated part of all other content on that site and there is no referencing of the contextual material around the display held on the original website that was the source of these images. The ad revenues and other benefits of monetization all accrue to the company using these techniques, with none flowing back to the photographers who created the images in the first place. This is another way photographers are being deprived of the ability to earn income from works they created.

We find it particularly troubling that some technology companies have used visual images as a part of a recipe for attracting huge audiences that in turn have brought in enormous advertising dollars, venture capital funding, and high stock valuations, without any income being shared or returned to individual members of the creative community helping to generate these revenues. Some databases of photography and other visual works return results that permit image downloading at resolutions suitable for use on digital platforms without any corresponding display of related International Press

Telecommunication Council licensing metadata once the image is downloaded and saved.[3]

Infringement on social media poses a particularly vexing problem, as many photographers use social media outlets to build brand awareness and a following for their work, e.g. Instagram. Many clients and art buyers also now use such platforms as a primary way of finding and connecting with photographers they want to engage for assignments. It is therefore essential that photographers not have to surrender copyright and control of their work as the quid pro quo for marketing on these platforms. Social media networks enable users to exploit images without permission while the network earns advertising revenue derived from their display.

The reuse of ASMP member images on Pinterest, Facebook, or Twitter without attribution nullifies the major benefit of such platforms to visual artists: exposure to very large potential audiences. Frequently, infringers who post to such sites deliberately strip out metadata containing rights holder identification and other rights management information embedded in photographs. Without attribution, the creator's work is being exploited without any marketing or financial benefit. That harm is compounded when large image search engines permit the downloading of digital images from their databases without showing accompanying metadata as to ownership rights, and photographers now regularly face significant challenges in pursuing and deterring those who deliberately strip out licensing and rights ownership metadata.[4]

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[3] The IPTC standard is widely used throughout by the photography industry and its clients, and enables creators to include a variety of ownership and licensing information in each digital copy. *See generally* IPTC Photo Metadata Standard, available at https://iptc.org/standards/photo-metadata/iptc-standard/.

[4] The Copyright Office has acknowledged the challenges of detection and policing such behavior under section 1202.). NOI, 80 Fed. Reg. 23054, 20355 n. 6. (Apr.24, 2015).

The removal of metadata describing ownership rights to photographs increases the likelihood of orphan works and thus helps deprive photographers of appropriate licensing revenue. While we are pleased to see that in response to complaints by visual artists and other creators these networks are adopting notice and takedown policies in an attempt to comply with the Digital Millennium Copyright Act, much progress remains to be made.

Unauthorized activity is not limited to situations involving for-profit entities. Another growing problem for visual artists is the unauthorized exploitation of their works on online courses offered by educational institutions. Sometimes these uses are simple garden-variety infringements; other times they occur when an educational user blatantly ignores the scope of a licensed use. For example, institutions may license copies of images for one semester, and then re-use those images in another semester without paying for that subsequent use. In addition, certain educational institutions have begun creating and urging the adoption of so-called "best practice" guides created without either seeking or accepting input from groups representing individual photographers or other creators of visual works. These guides reflect a view of fair use far more grounded in their audience's naked interest in consumption than a practical guide to the law, and limiting, if not eliminating, the necessity of image licensing.[5]

In addition, overly broad judicial readings of fair use have damaged severely the ability of photographers to monetize their works by allowing users to "repurpose" or "transform" photographs without compensation to, or approval by,

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[5] *E.g.,* College Art Association, Code of Best Practices in Fair Use for the Visual Arts, available at http://www.collegeart.org/pdf/fair-use/best-practices-fair-use-visual-arts.pdf.

photographers who initially created the images.[6] In the wake of the *Prince* decision [7] for example, ASMP members are increasingly seeing the "portraitization" of their works, consisting of little more than enlargement and pixilation.

B. Changes to the licensing structures caused by demands for worldwide rights, work made for hire agreements, and overbroad social media terms has created enormous practical marketplace difficulties.

The instant worldwide availability of a digital photograph has altered the licensing patterns formerly used for print products that produced crucial revenue streams after initial publication. Previously, print publishers would license publishing rights on the basis of a geographical region and time duration, e.g., first North American rights for one year, leaving open the possibility of relicensing elsewhere. Today, these same publishers frequently seek global digital distribution rights for an unlimited time, meaning that photographers only get one payment for an assignment that previously would have generated additional licensing fees. The single licensing fee for unlimited rights in the digital arena has meant photographers are getting far less total compensation from assignments.

In addition, social media platforms create their own sets of downward pricing pressure for works that lawfully appear. Typically, those using the most popular social media platforms face terms of service that make it clear they are granting to those platforms "a non-exclusive, transferable, sub-licensable,

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[6] Our general counsel Victor Perlman testified on this issue before the House Judiciary Committee in 2014. *See* Statement of ASMP, Hearing on Fair Use, H. Comm. on the Judiciary, Subcomm. on Courts and Intellectual Property (testimony of ASMP), available at http://asmp.org/pdfs/Fair_Use_Jan2014.pdf (Jan. 28, 2014).

[7] Cariou v. Prince, 714 F. 3d 694 (2d Cir. 2013).

royalty-free, world-wide license... ."[8] Thus, a photographer that uses social media to build a following has signed away his rights to those photos—the social media platform may do anything that the owner can do with the work for its own benefit. For all practical purposes, ownership rights in those works are gone.

Beyond social media, the market for assignments has changed to go beyond negotiated terms of use to demands for copyright ownership. "Work-Made-for-Hire" contracts and those that require copyright transfer in order to gain access to events (ever-more common terms in contracts for musicians doing live performances) are utilized by various publishers and other types of clients to treat freelance photographers as staff employees without conveying any of the benefits of permanent employment. Most relevant for these purposes, copyright transfers in the events contexts increasingly contain terms that enable the organizations staging the events to have unfettered marketing use of the images without any compensation for the photographers for downstream use.

These dual realities have created a vise that will eventually squeeze the life out of professional photographers. On the one hand, the shrinking number of those who are willing to pay for works are increasingly demanding "all rights" in one form or another, cutting off potential income streams and driving prices for assignments lower. On the other, the wide availability of infringing copies and the low chance of detection enables too many users to forego the licensing process altogether, and potential ASMP customers know it. Changing

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[8] *E.g.,* Facebook Terms of Service: Sharing Your Content and Information, https://www.facebook.com/legal/terms ("you grant us a non-exclusive, transferable, sub-licensable, royalty-free, worldwide license to use any IP content that you post on or *in connection with* Facebook (IP License). This IP License ends when you delete your IP content or your account unless your content has been shared with others, and they have not deleted it.") (emphasis supplied).

technology will create new competitive pressures, but no photographer can compete with free. Colorable enforcement mechanisms are essential to restoring a functioning marketplace for photographs.

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

A. Photographers believe the current copyright system falls far short of providing an effective means of protecting their property interests.

The cost of litigation in the federal courts has effectively closed their doors to most of ASMP's members. It is not unusual for photographers to create hundreds, if not thousands, of images in a given day to satisfy client needs. The vast majority of those images are not likely to have a value sufficient to cause the infringements to rise to a value of at least $30,000, the level at which most lawyers responding to an ABA survey of copyright attorneys would consider necessary to take an uncomplicated copyright claims case.[9] The discovery process alone can easily cost more than potential recovery, and a variety of procedural tactics can be employed to make pursuit of such claims uneconomic. Consequently, most photographers do not bother to register their works—an issue exacerbated by the limited group registration rules available to them. At the same time, absent an effective enforcement system, users have little incentive to follow the law and seek a license.

It is critical that Congress create a small claims system as an alternative to full-blown federal litigation and that it contain incentives sufficient to encourage users to participate. Creation

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[9] Remedies for Small Copyright Claims: ABA Response to Notice of Inquiry, 77 Fed. Reg. 51068, available at http://www.copyright.gov/docs/smallclaims/comments/noi_10112012/ABA_IPL.pdf

of such an effective small claims adjudication system is a top ASMP legislative priority.

B. The DMCA notice and takedown process has become an endless game of "whack a mole" that ASMP members cannot afford to play.

Many of our members view the current DMCA takedown procedures as a system that protects infringers more than rights holders. Infringers may temporarily take down content while responding to a notice, but then may re-post the material almost immediately or place it in another location. It requires each instance of infringement to be documented separately. We attach the efforts of a single architectural photographer to track down infringers over a six-month period as Appendix A. This is just a small example of a much larger problem. Moreover, many Internet service providers have created internal requirements for takedown that contain more than statutorily necessary (for example, by demanding proof of a claim beyond the certifications the statute requires), making an already inefficient process even more burdensome. Enforcement is further complicated by difficulties in finding accurate data about domain name ownership, and the terms of service of many user-content driven sites state that they have no responsibility for the content that individuals upload (yet they make advertising money off of the traffic these posts generate). These companies must assume more responsibility for the content on their sites and should be required to be more proactive in disabling infringing activity.

ASMP member Lisa Corson described some of the daunting problems facing photographers under the current notice and take down system:

> For infringements that I find on individual blogs and other uses where an individual and not a company is using my images, I send a takedown notice. My experience with this is mixed. Sending the notices themselves takes a fair amount of time. And some ISPs, like Tumblr, require that I send a

> link to each individual picture before they will take it down.
>
> That's doable for one photo, but not for the upwards of 60 images I had to tell them to take down last month from one blog alone, http://wsjhouseoftheday.tumblr.com, even though they were posted together on about 5 different pages. A blog whose description is, "A collection of images and descriptions from the Wall Street Journal's 'House of the Day' feature. This blog is in no way affiliated with the Wall Street Journal," which clearly states that they are posting images they do not own the rights to. This blog is still active.

The absence of a "take down/stay down" mechanism undermines the DMCA as a tool to address infringements, and ASMP supports the Author's Guild's suggestions in this regard.[10] Once notified of the presence of an image, a service provider should have to make reasonable efforts to ensure that such an image does not appear. Even the largest media companies, who have entire divisions devoted solely to Internet antipiracy enforcement, barely can crack the surface of online infringements. For small businesses like those run by ASMP members, the burdens of tracking infringements and filing separate notices for each instance impose costs that they cannot bear.

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[10] Author's Guild, Guild to Congress: Close Internet Piracy Loopholes, Implement "Notice and Stay Down," available at https://www.authorsguild.org/industry-advocacy/guild-to-congress-close-internet-piracy-loopholes-implement-notice-and-stay-down/

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

A. Several intertwined technical, cost, and process issues keep most photographers from appropriately registering their photographs to maximize copyright protection.

Responses to a recent Professional Photographers of America (PPA) survey indicate that only one per cent of their members regularly register their copyrights and 84 per cent have never registered photographs.[11] ASMP's estimates suggest member use runs at about three percent. Many of our members have expressed concerns about the current registration system including its regulatory structure, ease of use, and expense as reasons for not filing.

1. The registration process's distinction between published and unpublished works is of limited utility to ASMP members.

The most vocal complaint about the current system is the time-consuming and expensive process of distinguishing between published and unpublished works in the registration process. As applied in the context of modern photography, that distinction has largely lost its significance. Working photographers routinely shoot thousands of images per week, and even a thousand in a day, for clients who want to access and use of these photographs immediately across a myriad of publishing and social media platforms. In that environment, it is extremely difficult to track whether or not individual photographs have been published and where and when they are first appearing.

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[11] Comments of the Professional Photographers of America in , response to NOI, Orphan Works and Mass Digitization, 77 Fed. Reg. 64555 (Oct. 12, 2012), available at http://copyright.gov/orphan/comments/noi_10222012/ (No. 77).

Although we appreciate the efforts that the Copyright Office made when creating its group registration procedure in 2001,[12] those procedures need updating to reflect the manner in which ASMP members and other professional photographers work today. The Copyright Act defines "Publication" as

> the distribution of copies or phonorecords of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending. The offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display, constitutes publication. [13]

The statute does not treat the public performance or display of a work in and of itself as publication.[14] Under this definition, sharing images with a single client in a password protected web gallery might render the image "published" even though it is never seen by the general public. This lack of clarity about definitions sows confusion in the registration process because unpublished and published work cannot be registered together in a single grouping. Given these concerns, ASMP recommends that the Copyright Office review the necessity of designating works as published or unpublished as a registration requirement.

2. Photographers lack the ability to integrate modern digital production tools with the electronic registration system.

Current digital photography workflow tools such as Adobe Photoshop, Adobe Lightroom, Photo Mechanic and other software tools do not integrate with the electronic copyright

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[12] Final Rule, Registration of Claims to Copyright, Group Registration of Photographs, 66 Fed. Reg. 37142 (July 17, 2001).

[13] 17 U.S.C. § 101.

[14] *See id.*

registration process. The problem of tool integration compounds the problem posed by needing to register a high volume of output on a regular basis. As ASMP member Fritz Liedtke puts it, "What is needed is a simple online system for image upload. Drag and drop, automatically read the meta[data] info we've incorporated into the files, quick and simple." The lack of workflow tools that can feed into the Copyright Office's electronic registration means that photographers have to develop time-consuming alternative routines. Most photographers simply choose not to participate rather than devote the time to trying to navigate a website that they find confusing, expensive, and prohibitively time consuming to use.[15]

Overwhelmingly, respondents to our request for NOI comments asked for the ability to pay an annual subscription fee that would permit them to file batches of images from assignments as the work was being produced. Paul Ottaviano, an ASMP member, represents this sentiment in his response:

> The new upload function at the U.S. Copyright Office website is nice. But it's still $35 per work. Most of us don't have the money to register each and every single image that we publish. I think a base annual fee is reasonable and then we're able to upload as many photos as we want to a profile in a searchable database. Something like PLUS for the Copyright Office website. For example, $300 per year and we can upload our photos. Then we can print out or save a digital copy of the certificate, or have a verified web link sent to our profile to confirm the registration. That way we don't have hundreds of registration paper certificates to file at our studios.

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[15] *See* Comments of ASMP in Response to NOI, Technological Upgrades to Recordation Functions, 77 Fed. Reg. 17722 (March 22, 2013), http://copyright.gov/docs/technical_upgrades/comments/ASMP.pdf

There are, obviously, both regulatory and technological components to such a solution. The first is a plug-in that could readily be added to existing software tools. The second involves a series of technological standards and protocols that would enable such tools to interact with the electronic registration system securely and efficiently, using industry standard formats for deposit. This kind of administrative streamlining is absolutely essential to the long-term survival of professional photography. We appreciate that these and other suggested information technology improvements within the Library can only occur with Copyright Office modernization, and that is why we fully and unequivocally support the Register's efforts in that regard.

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?

> **Clients who are seeking to make legal use of photographs and other visual works lack a full understanding of the basic aspects of image licensing, the necessity of seeking permissions (particularly for digital uses) and other legal uses.**

There is a general lack of knowledge about the specific attributes of image licensing (e.g. media type, publishing platform, duration of license, geography, publication language, etc.) that were once commonplace in an earlier era dominated by print publishing. Clients do not understand how those attributes should affect the pricing schedule and valuation of licenses, and they are frustrated by the time required to negotiate on points they don't understand, or see as impediments to usages they want to make. To eliminate necessity of negotiating terms that contribute to an essential revenue stream of creators, clients often seek to simplify image acquisition, particularly for use on digital platforms, by asking for global licensing rights "in perpetuity, on all media platforms

and devices known now or yet to be invented, in this or any other universe." Photographers confronting those kinds of extreme licensing terms are finding it time-consuming and challenging to push back so that their future, essential income streams are still available. One potential remedy is creation of a universal standard glossary of terms and a recommended licensing format that is highlighted on the Copyright Office website.[16]

The full implementation and roll out of the PLUS Registry is essential to address licensing issues affecting photographers. Ultimately, ASMP members hope that full implementation of the PLUS Registry will lead to a marketplace-created end-to-end image licensing system that links searchable Copyright Office records for photographs to a payment system that returns payments directly to the appropriate rights holder. As envisioned by many groups in the industry, the PLUS Registry would form a central hub that could interact with all other registries, image databases, or similar systems on a worldwide basis. Visual creators would be able to participate in a simplified and clearer online copyright registration process that allows them to supply thumbnails and associated metadata assisting in the search process. A search of one would be a search of all, and the returned results would allow rights holders to clearly convey applicable global or regional licensing terms. Such a system should be considered by the Copyright Office as the end goal of an internal image database that shows thumbnails of all published photography and other visual works. ASMP believes that this kind of voluntary system will come ultimately to fruition only with Copyright Office modernization. If a marketplace system does not emerge, then Congress may need to consider a legislative response.

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16 *See* http://www.useplus.com/index.asp.

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

In our upcoming filing in response to the Copyright Office's Notice of Inquiry (80 Fed. Reg. 32614 (June 9, 2015)) ASMP will offer its comments on two other challenges confronting visual artists: the mass digitization of copyrighted works and the treatment of orphan works under existing law.

CONCLUSION

ASMP reaffirms its support for the Register's efforts to encourage Congress to modernize the Copyright Office. Enabling the Copyright Office to obtain staff, financial, and technology resources to improve its functioning in the digital age are important to photographers seeking to protect their rights as individual creators. We appreciate the progress she and other staff members have made in clarifying rule-making documents and including new information on the Copyright Office website to ensure operational procedures are clearer.

We also appreciate the Register's repeated public statements that "if copyright doesn't work for the individual creator, then it doesn't work for anyone." Fulfillment of the promise implicit in the Register's statement benefits not only photographers, but the public at large.

Respectfully submitted,

Thomas R. Kennedy
Executive Director,
ASMP

APPENDIX A

violator's profile	location	violation type	No. of ph.	© removed	status	current situation	action item
blog		web site	1		TBD	TBD	
engineers	MD	web site	8	y	open	stalling	wait till 4/17/15
engineers	MD	web site	4	y	open	stalling	wait till 4/17/15
engineers	Reston, VA	web site	1	y	open	refused demand	
broker	SF, CA	web site	2	y		NOT authorized by client	
review site	CA	web site			closed	authorized by client	
engineers		web site	2	y	open	stalling	
building owner	MD	web site	1		TBD		
broker			1		TBD		
university		web site	3	n	TBD	wait for law advice?	
blogger		web site	1		TBD		
architect	Spain	web site	5		TBD		
broker		web site	1	y	TBD		
broker		web site	1	y	TBD		
broker		web site	1	y	TBD		
broker		web site	1	y	TBD		
broker		web site	1	y	TBD		
non-profit		web site	1	y	TBD		wait till 7/18/2015
broker		web site	1	y	TBD		
architect	DC	blog			unresolved		forget for now; may revisit.
architect	DC	blog			unresolved		forget for now; may revisit.
property mgmnt	VA	web site			closed	settled	none
blog		web site			unresolved		forget for now; may revisit.
law firm	WV	web site	1	y	TBD		
law school		invitation			unresolved		
law firm		web site			TBD		
law firm		web site			open	stalling	
broker		web site	1	y			
broker	DC	web site			open	stalling	
property mgmnt	England	web site			TBD		to IP lawyer
blogger	DC, FL	web site			TBD		

violator's profile	location	violation type	No. of ph.	© removed	status	current situation	action item
broker		web site	1		closed	micro thumbnail	revisit later
broker	FL	web site	1	y	TBD		
consultant		power point			closed	X called her	
broker		blog			TBD	NOT authorized by Client	
blog		web site			closed	closed	server not found; forget for now;
blog		web site			closed	closed	server not found; forget for now;
broker		web site	1	y			
non-profit			1	y	TBD		
design build		web site			closed		forget for now; may revisit.
builder		web site	3	y		prob past project thumbnail	forget for now; may revisit.
architect	India	web site			TBD		
engineer		web site			TBD		
marketing		web site			closed		forget for now; may revisit.
international					TBD		
tenant, consulting	VA	web site			closed	closed	settled
retail		web site			TBD	closed	owner not found; forget for now;
association		web site			TBD	1st ltr ready	
TBD		web site			TBD	checked;	forget for now; may revisit.
consultant		web site	1	y	TBD		
architect	FL	personal			call		find phone; call;
broker		web site	2	y	TBD		write ltr
marketing		web site			TBD		
blog	Germany	web site			TBD		
magazine	MD	blog			call		
real estate blog?		web site			TBD		later

violator's profile	location	violation type	No. of ph.	© removed	status	current situation	action item
blog		web site				closed	cannot find perp; forget for now
broker		web site	1	y	TBD	wait for law advice?	
broker		web site	1	y	TBD	wait for law advice?	
broker		web site	1	y	TBD		
non profit?		web site			TBD		BF demand
consultant		presentation, pdf	1	y	TBD		
blog					TBD		
broker	MD	web site	1	y	TBD		
designer		web site			TBD		forget for now; may revisit.
law firm			1	y	**TBD**		
newsletter		web site			later		
broker		web site	1	y	TBD		
non profit?		web site			TBD		
broker		web site	1	y	TBD		
broker		web site	1	y	TBD		removed not checked yet
broker		web site	1	y	TBD		removed not checked yet
broker		web site	1	y	TBD		removed not checked yet
student		web site			closed	closed	no contact info; forget
owner		web site			TBD		write?
TV station	MD	web site			TBD		
manufacturer	VA	web site			closed	closed	settled
student	PA	MS ? Thesis			TBD		write ltr
architect	CA	web site			closed	closed	settled
broker			1	y	TBD		
blog					TBD		

violator's profile	location	violation type	No. of ph.	© removed	status	current situation	action item
broker		web site			closed		authorized by Client
newsletter		web site			TBD		request credit
developer		web site	3		open	demand sent 4/20	wait till 4/24
builder		web site	5		closed	closed	settled
think tank		web site			TBD		
		web site			not on the co. web site but awarded; who submitted???		
architect	VA	web site			TBD		forget for now; may revisit.
blog		web site			TBD		
blog		web site			TBD		TBD
Demolition Contractor		web site	1	y	open	stalling	wait till 4/17/15
broker		web site	1	y	TBD		removed not checked yet
broker		web site	1	y	TBD		
broker		blog			TBD		TBD
broker		web site	3	y	hold	NOT authorized by Client	cannot find address
TV station		web site			TBD		
violator's profile	**location**	**violation type**	**No. of ph.**	**© removed**	**status**	**current situation**	**action item**
blog		web site			TBD		TBD
architect	NJ	web site	2	n	TBD	1st ltr ready	
blog		web site			TBD		
retail	WA	web site	1	y	open	stalling	wait till 4/20
blog		web site			closed	checked; news site in India	
government		web site			closed	closed	settled
broker		web site			TBD		

violator's profile	location	violation type	No. of ph.	© removed	status	current situation	action item
broker	NY, TX	web site	1	y	TBD	collecting data	write ltr
engineers	VA	web site	1	y	open	stalling	
non profit?		web site			TBD		to IP lawyer
engineers		web site	1	y	**TBD**		
engineers		web site			open	stalling	
engineers		web site			closed	closed	settled
broker		web site	2	y	TBD		
tour operator	Vietnam, USA	web site			TBD		BF demand
builder	MD	web site	1	y	TBD		
retail		web site	1	y	TBD		
retail		web site	1	y	TBD		
IT		web site			open	waiting for lawyer	
owner		movie			TBD	pass?	
engineer		web site	1	y	TBD		
broker		web site			TBD		later
broker		web site			TBD		later
broker		web site			TBD		later
blog		web site			TBD		
broker		web site	1	y	TBD	NOT authorized by Client	
writer		web site			TBD		
engineers		web site			closed	closed	settled
engineers		web site			closed	closed	settled
property mgmnt		web site	1	y	**TBD**		
web site		web site			TBD		TBD
broker		web site		y	TBD		to IP lawyer
broker		web site			closed		authorized by Client