July 22, 2015

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)

To Whom it May Concern:

My name is K. Andrew Jones (aka: Drew Jones) and I'm an independent freelance artist/illustrator who has been producing professional quality art and design for clients, organizations, and institutions since 1996. This has included logo designs, cartoons, murals, commissioned paintings, portraits, RPG character designs, commissioned illustrations, t-shirt designs and architectural concept art and designs. I'm currently writing and illustrating my own graphic novel series I look to publish in the future of which I have registered both a visual arts and a literary claim through the Library of Congress prior to writing this letter.

Answer to question #1: When it comes to the challenges with monetizing my work it's fairly straight forward; I should be the only person determining the value price I set on my artwork and the only one determining how, when, and where I go about attempting to share and market my artwork or to whom I care to pitch my ideas for commissions for new artwork. As an artist coming up with what I feel my work is worth per given piece is easy, but that doesn't matter unless I factor in to this how much someone/company has in their budget to pay for it. I must take this factor into account but also not undervalue my own time, energy, and resources I put into creating my artwork, and can be a bit of a balancing act, but it's my balancing act. As an independent artist creating original and customized pieces of art and design for individual clients and companies (some for monetary value and others for barter), I don't want anyone else thinking it's their power to determine anything when it comes to how much my work is worth or profiting off work they had not created. Also, there might be an instance where I offer up art to creative commons for others to do what they want with it and in the event I make this decision over my artwork, I don't want some corporation coming along and claiming rights to something I gave away for others to use for free and then try and make money off it. That's not their place to do that..period.

Answer to question #2: When it comes to the challenges of enforcement I suppose it has a lot to do fundamentally with how computers operate. There aren't really any safeguards in place for

any random persons copying and pasting, printing and downloading artist's works off the internet with a simple click of the mouse. There is also not a very accurate image tracking system on the internet for artists themselves to access to for free that allows them to upload their work and accurately pinpoint any and every place their works might have been downloaded, uploaded, and used on for profit sites without the artist's permission.

Answer to question #3: As for challenges regarding artists registering their works through the copyright office, it would be much better if the fees to do so to be low and that there are more options for artists to register their works as compilations of multiple works in one claim. For example, if an artist has a life time of paintings they have created, they should be able to file a compilation of all their painting under one claim with a title heading "Paintings by Jane Doe" rather than compilation/collection claims having to pertain solely to a contents theme. Another example, I personally have registered over 100 pages of concept and character designs for my graphic novel under the title of the series being the theme related claim, although would be better if I could compile all my illustrations regardless of theme and register them as a compilation/collection under the heading of "Illustrations by Drew Jones". Also, the copyright office's website needs an overhaul to make its online registering system more user friendly, of which must be said is one of the biggest challenges to registering.

Answer to question #4: The challenges for someone wanting to use someone's artwork to profit off of would have a lot to do with not having a image tracking systems in place that would be able to locate online all users of a specific visual artwork eventually leading to one source. As said above, the copyright office really needs to make their website more user friendly for people seeking out copyright holders. These challenges might turn into frustrations for someone wanting to legally use an artwork for their purposes if they can't find the artists who own the inherent constitutionally protected copyrights, but that does not mean a person wanting to use the work can go ahead and do so even if their frustrations are apparent. If a person wanting to legally use a visual piece of art and can't find the artist, oh well, then they'll need to find another visual work they can use that they can indeed contact the copyright owner. There is no inherent right to artists' works being used without permission just because they aren't safeguards in place and the artwork is available online to be taken easily with a click of a mouse. Computer developers are the source of those frustrations for people not artists not having registered their visual work. People's frustrations are the very lowest priority in this equation. This would mean that maybe someone would have to seek out an artist for a 'work for hire' contract to create a piece of work similar to the one they couldn't find the copyright owner to and in this case they would own the copyrights from the onset.

Answer to question #5: Another issue or challenge could involve artists having a way of tracking infringements of their works in foreign countries.

When it comes to these new copyright laws being proposed, it really boils down to the copyright office not dissolving into for profit registrars. It is our right, under the Constitution, that authors/artists' works are protected with an individual copyright the moment the work is completed. Registration should not be forced upon creators. For profit registrars should not be given the power to steal all unregistered work, change it slightly, re-register it in their name, and be able to make a profit off it even if the artist themselves hadn't made a dime nor are compensated by these new registrars. Ultimately we as artists do NOT need these new copyright laws to exist for us to protect our work.

Thank you for reading my letter and I recommend that visual art be excluded from any orphan works provisions Congress proposes as a new copyright act.

Sincerely,

Drew Jones