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Letter to the Copyright Office opposing the new Orphan works proposal:

I am and have been a professional medical illustrator for more than 40 years. I attended DePauw University (1972 graduate) declaring majors in Art Studio and Art history with an (undeclared) additional major in Zoology. I then attended the Ohio State University program in Medical Illustration graduating in 1974. In addition to the medical illustration program requirements I studied veterinary and laboratory animal anatomy at the OSU College of Veterinary Medicine. My work appears in many of the textbooks in veterinary medicine and surgery (most recently the new edition of Bojrab, "Current Techniques in Small Animal Surgery" 2015) and I developed and co-authored "Feline Anatomy for Veterinarians" with my friend Dr. Lola Hudson, DVM, Ph. D. The book is in its second edition. I have also worked for more than 25 years on a project I initiated with Advanced Research Media doing kinesiology articles in three publications in the bodybuilding and fitness area. I have earned various awards for my work. I retain copyright to virtually all of my work. I am also a past president and chairman of the board of the Association of Medical Illustrators and have written a book chapter and a booklet on copyright after the 1976 law. For 15 years I headed up the Association of Medical Illustrators Artist Rights Ctte.

The changes proposed by the new "Orphan Works" legislation undermines the aims of the 1976 Copyright law to vest ownership of copyright with the creators of art, be it written or visual works. New technologies allow exact copies of work to appear on the internet of visual works often stripped of information identifying the authors of that work.

Within 5 minutes I can find multiple unsanctioned uses of my art on the internet, in some cases with someone else's copyright notice affixed. It is quite difficult and expensive to legally pursue these thefts, rather like playing "Whack a Mole". The revisions to the copyright law as proposed would allow internet firms and data bases to take my work from the internet use it, alter it, profit from it and even copyright it themselves, interfering with the income stream that I derive from licensing the work, while giving me little legal recourse. This would amount to a legalizing the theft of my property. Please understand that I have no objection to licensing my work to companies and data bases, for an appropriate fee and recognition of my ownership of the work. Obviously since so many unauthorised uses of my work appear on the internet and the fact that these firms want to collect and monetize my work, it (my work) does not lose its value upon publication, in fact the reuse fees can often generate more than the original licensing fee…uness of course this orphan works change becomes law. The my work loses value, to me but creates value for the companies stealing it. In today's digital world my image inventory is worth more than ever before. It is absurd for the legal scholars to claim

otherwise when the firms that employ them see value in the work by harvesting it as “orphan” and copyrighting it as “a derivative work”. I urge you to protect the right of individual business people to do business through control and licensing of their creations by strengthening the protections built into the copyrightlaws and making it EASIER, not more difficult for artists, writers and other creative professionals to seek compensation from unauthorized users of their work.

Sincerely

William P. Hamilton , CMI, FAMI