July 23, 2015

To Whom It May Concern:

I am a fine art photographer who has invested many years of my life into developing my skills as an artist, and who has a significant financial investment in technical equipment needed to accomplish my work. My work has been shown in galleries from California to New York, featured in publications, and earned prizes in juried competitions.

Copyright protection for my work is essential. My ability to support myself financially depends upon my ability to control my work, sell and resell it at a price that I and my client deem suitable. Without copyright protection my work loses all its value, as it can be had for the taking by anyone who claims they didn't know who the original creator was. In this digital age, internet exposure for my work is essential for garnering an audience and potential customers, but it is a double-edged sword as it opens the door to deliberate misappropriation and misuse.

All files come out of my camera with metadata embedded in the image file, including my name, contact information, copyright restrictions, and much more. My images are signed and/or watermarked identifying them as created by me. And I register my work with the Copyright Office, submitting files and paying a fee for additional protection. This metadata accompanies my files when they are posted on the internet, whether on my blog, a print sales gallery, or social media site.

But websites, including huge powerful corporations as well as individuals, routinely in this digital age crop out my signature, erase the metadata, and essentially cause my work to be 'orphaned' my work without my knowledge and through no lapse of diligence on my part.

I have no way to counteract this abuse except under the protection of copyright law as it now stands. Even so the cost of legal representation when taking on a multinational corporation can be out of the realm of possibility. The copyright and orphan works legislation you are now considering amounts to carte blanche for these 'thieves' to appropriate my work and disburse it for their own

purposes and profit without any consideration of the time, expense and expertise that I, the creator, have invested into its creation.

Also as a photographer my work can number over the years in the thousands or tens of thousands of images. To individually register each of these images one by one, possibly in duplicate and at a fee per item, becomes a huge burden in both time and expense. And the proposal to have to re-register my work retroactively, after I have in past years already gone to the expense and trouble to record much of my imagery with the Copyright Office already, is patently unfair and burdensome.

The rights of ‘potential users’ should in no way supersede or even equal the rights of the creators. Copyright law should exist, as it has historically, to protect the creators of art, not those corporate entities who seek to strip ownership away and divert any profit to their own corporate bottom line.

The legislation you are considering will serve to deprive all artists, authors, photographers and all other creators of their capability to make a living from their art. Artists who depend on the sale and (especially in the case of photographers) repeated resale of their work will be forced into insolvency and ultimately into another career by this ill-advised and insensitive legislation.

Sincerely,

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