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Register of Copyrights
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Washington, DC 20559-6000

I am freelance fantasy and Science fiction Illustrator creating visual imagery for various platforms including books, magazines, and games. I have been self employed and illustrating for the last three years and am concerned about my future career in regards to proposed laws that could replace existing copyright law. Artist copyrights are a valuable source of income and being able to license them plays a crucial role in sustainability. Everything I create becomes part of my inventory and it's a necessity that artist remain able to determine how and by whom our work is used.

I would like to address the following proposed questions.

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

The biggest challenge facing many fantasy Illustrators comes from Publishers forcing artists to sign away their digital and various other secondary rights as a condition of accepting assignments. Work for hire agreements designate the commissioning party as the arts creator and deprives the artist of authorship. In order for an artist to stay completive its necessary for an artist to constantly promote their work on various social networks which can be next to impossible when you have to get permission to show work that you no longer own the rights to.

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

Promoting your work online is a must if you want to stay in business. However, once an image is out on the web watermarked or not it is difficult for the creator to keep control on were that image ends up and how it is used. The only real way to protect the creators work is to eliminate the idea of "orphan works." No work is orphaned, someone has created it despite rather or not a potential user of the image knows who he or she is.

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

The biggest challenge would stem from the sheer volume of work. As an avid social networker and promoter I am constantly updating multiple sites with finished illustrations both published and personal, as well as daily sketches, and color comps. If pressured to register every image I create in order to protect my inventory it would be next to impossible to sustain my business. Registering would eat up expenses and suck up valuable time needed for creating the art and for promoting my services.

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?

Like most Illustrators, I use photographs and works by other artists as points of reference or inspiration. However, I rely mostly on my sketchbooks, my photos taken by me, and from my imagination. The work I market is created by my hands.

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

I am concerned about the potential of a new copyright act that could void our constitutional right to the exclusive control of our work and pressure artist to register work with commercial registries. I thank you for taking the time to read my letter, and recommend that any orphan works provisions be kept out of the visual arts.

Many thanks,

-Grant Griffin