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THE CENTER FOR COPYRIGHT
INTEGRITY
562 688 2883
www.centerforcopyrightintegrity.com

US COPYRIGHT OFFICE
DOCKET No. 2015-01

AGENCY: U.S. COPYRIGHT OFFICE, LIBRARY OF CONGRESS
ACTION: NOTICE OF INQUIRY

COPYRIGHT PROTECTION

FOR CERTAIN VISUAL WORKS

Maria Pallante
Register of Copyrights

July 23, 2015

Dear Maria

Given an opportunity, again, to respond to a solicitation, again, on your office attempting to rob artists and photographers of their property and incomes, I thought I would take a more creative approach, factually posed, of course.

An ad online posted in 2012, said "Until October 12, 2010, you may apply for the director of the U.S. Copyright Office and the principal U.S. public official in copyrights. Salary = $165,300. Click for openings in copyright."[1]

You make in and around $165,300 a year. I don't. I invested almost 10 years in to covering the White House and Capitol Hill. Me and my colleagues have almost nothing to show for it. The internet busted our careers. Hour per dollar cost ratio, my buddies and I make nothing.

Now, you are colluding with those Internet giants to decimate us even further with the *"Next Great Property Robbery"* named *"The Next Great Copyright Act."*

[1] http://www.copyrightlaws.com/us/u-s-register-of-copyright-marybeth-peters-is-retiring/

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You said in *"Supplementary Information, Background"* of the Federal notice, *"talent is involved"*[2] in our creating arts. The agenda you are pushing robs professionals like me who spent years, studying our craft and building our brand. We don't work for free.

Our revenues have not declined *"over the past few years."* Our revenues have disappeared while the revenues of the ISPs, the Googles, have exponentially exploded in to the billions of earnings. The ISPs, the Googles, have the technology to stop the thefts. You do not force the ISPs and technologies to implement those *"speed bump"* technologies. Instead, your proposal broadcasts your Final Solution when you should be saying *"no, no way, no how. These people have paid millions of dollars to my Agency for protections."*

I think you forgot who you work for, Maria. You work for every person who paid your Agency for Copyright registration. You forgot that our Copyrights remain in effect for the lifetime of the certificate holder plus 70 years unless renewed. You forget the Copyright you registered protects the physical expression of our work. You can't change that contract you took payment for. You are bound to it for our lives plus 70 years. Breaking that contract is grounds for litigation, and claims of deception.

Your "academic partnership with Stanford Law School…. exploring ways to centrally assemble information concerning marketplace resources for the licensing of photographs and the data standards relied upon by copyright owners and licensees to engage in such transactions" is misguided.

Stanford = Google.

I do my own licensing agreements. Not Google. Not the USPTO. Not the Department of Commerce and ICANN. Not the UK Copyright Hub.

What part of "I don't work for free" are you not getting from my Arts community. We did not train and work hard to build yours and Google's ambition of the largest stock agencies in the globe implemented using the Orphan Works ideas, collective licensing and mass digitization.

Let me put Orphan Works, Collective Licensing and Mass Digitization in to your work world terms.

Orphan Works? Well, time to remove all security guards from the Library of Congress doors. No more need to check for stolen LOC property anymore. The Guttenberg Bible in the glass case off the foyer? The marble angels on the Grand Hall bannisters? The rare book

[2] Federal Register/Vol. 80, No. 79/ Friday, April 24, 2015/ Notices, Page 23054

collection? Your purse in your office? Free for the taking, since you think our Arts should belong to everybody, free for the taking.

Collective Licensing? You and your Copyright Office co-workers will pool your salaries, bonuses and overtimes in to a collective pay-pot that you will all draw from. The guy sweeping floors, the women at the information desk and cafeteria, too, will share in your $165,300 paycheck, after all, that is what you are asking of me.

Mass Digitization? Well, you did it with Google Books….. Google testified in their New York pleadings that your Library gave Google access to your collection, copyrighted and non copyrighted, all for the cost of an e-book copy, that permission of the owner was not sought… according to Google

Answering your questions;

- The most significant challenge to my earning money from my written, drawn and photographic arts is theft of my property by the ISPS, bots, online auctions. Time spent researching image thefts is time not spent on me and/or creating.
- The most significant enforcement challenges is that the ISPs and webhosts have locking technologies available to them that they do not implement to stop thefts and sharing. Theft should be reportable to local police and state enforcement. Theft is theft.
- The most significant registration challenges is that you have walked away from the Berne Convention which says creating of an image is when protection begins, that the Content is protected without having to pay a fee to your office. The fee paid to your office does not guarantee a lawyer will want to represent us against thieves. Lawyers run businesses, too.
- In an internet world when anyone can be found online, there is no challenge for someone who wants to make use of a photo. If the owner of the Arts says 'no,' that is the answer. If the owner of the Arts cannot be found, that is the answer too. The Arts cannot be used. Make it yourself or use another image.
- The Copyright Act is government condoned theft, Eminent Domain of other people's Arts property.

I worked in DC covering the White House and Capitol Hill. We don't see the totality of our stolen property. The ISPs and Googles restricting image searches to our location at search time. The attached images and screengra*bs* show that ISPs and Search engines knowingly stole my images. They post the pop-up Disclaimer *"these images may be copyrighted."* The list

includes that thieves put their watermarks on our images or stretch stolen thumbnails for use without payment. Those images you want me to let Google use for free, means no money for me.

The government attitude is to protect the *"jobs"* person while tossing the small business entrepreneur, solopreneur or freelancer, under the bus. As a freelancer, I don't get minimum wage or a guaranteed $15.00 an hour; I don't get health benefits, medical and dental plans or maternity leave; I get vacation pay; I don't get overtime when I have to work a 24 hour day; I don't get a pension. If I don't work, I don't get paid.

If you think working for free is respectful, I have a proposal for you, a challenge to you, to Bill Gates, Eric Schmidt, Mark Zuckerberg, Jeff Bezos, Jack Ma, Marissa Mayer, Arianna Huffington, Dick Costello, Sergey Brin, Pierre Omidyar and techs others.

Maria, as the expression goes *"to know someone, walk a mile in their shoes."* I am challenging you to walk in the Arts creators shoes, for a week, on camera, in disguise.

You will *'walk'* in a career in an arts- dance, music, visual art, design, photography, writer- determined by *'short straw.'* You will walk out the door, disguised. For one week you will be going **"Creative Commando."** You will be given a backstory and a paper bag. You will be issued an identity, good or bad. You will be assigned the art you will have to earn a living in. What you get in that bag is what you will use to build your Wealth. You will have to create a signature Arts from which you will make monies to live off of. You may end up with others, in a foreign country or a block away. Expect that you will be hit with the unexpected. The unexpected may be good, may be bad. You will live naked and raw to the film crew following you. No one will know your real life identity. You will have no lifelines. You will learn this no *'gameshow.'* You will learn this reality show you are stripping my IP and property ownership, is my life.

A spin of the wheel will determine the portion of your salary that you will donate to an Arts charity chosen by another spin of the wheel. Let's see how you survive walking in my design shoes. I am sure I can pitch or sell the show to Discovery, PBS or TLC. Better yet, I can i-film you on my i-pad.

For the record, anyone out there thinking they can Steal This Idea. Not yet. Why? Because the Next Great Copyright Act is not law yet. This concept is protected

My Arts allowed me a single mom to raise my sons myself without financial support from their dad. My Arts were supposed to let me care for me as I head in to my Golden Years. I can't do that, now. Go to my website to look at the "image" pages I wanted to attach to my comment submission but could not. These image pages are just a sampling of the laws the ISPs are

breaking in stealing my Arts content and distributing it internationally
(http://www.centerforcopyrightintegrity.com/roc--uspto-patents--trademarks.html)

Look at the screengrabs where it says *"images may be copyrighted."* Not maybe. THEY ARE.

In the America I live in knowingly working with someone who is an accessory to a crime makes them subject to criminal law also. I know, I know, I know. Laws can and are changed to accommodate deeper pockets. Know this, Maria. It will be your legacy that you were party to this. All the APPS in the world won't change that.

Respecting your job is not to be the originator of an idea but to implement the laws that Congress writes and tells you to implement, look twice at those parties giving the order, on the Judiciary, now, 'cross the pond' to compare to UK Legislators. Screengrabs available on my website to see for yourself that the UK Legislators give FULL disclosure of what they own in holdings, and positions and other data that shows the public the influences the UK parliament are vested in.

To hear only at a hearing that Congressman Goodlatte's son worked at Facebook, reduced my faith in his ability to be fair to the Arts Content world, raising then, the question, what does he own, partner in, sit on the Board of, etc., etc, along with all of the Judiciary, the Small Business, the Financial Services, the Health/Labor/Pensions, the Energy & Commerce committees, some of the all with a voice in my Arts future.

Lets be real with the numbers- look at the screengrab samples on this webpage. There ALONE over 140 samplings of my IP aggregated in to a one stop shop that I have tracked my images from to sites/domains around the world. Results vary depending on what zipcode I sit in when the search is done. Google boxes Search ability in.

You are looking at 140 litigations I am faced with. I want to draw. I want to write. I want to take photographs not spend my time looking to see who stole from me now. I want your $160K salary or more that my invested work will earn. I want you to make the ISPs criminals, as called for in Title 18 of the Code- the term for people who steal other people's property. Or else? I want you to entitle me as a freelancer to all the unemployment and other benefits that a "jobs" person gets.

Your other option is where you are pushing me and my community, in to debt and on to the welfare rolls. THIS will be your legacy. We know each other, Maria. You are a nice person doing your job. You deserve better.

Accept my challenge. Walk in my Arts footsteps. Go *"Creative Commando,"* learn firsthand about working for free. Or else, meet you on the Soup Line over at 3rd near Judiciary Square.

Sincerely
Carrie Devorah
Founder THE CENTER FOR COPYRIGHT
INTEGRITY www.centerforcopyrightintegrity.com