July 20, 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,

I recently graduated with honors from the Savannah College of Art and Design with a degree in Illustration. I find myself at the cusp of a career as a freelance illustrator, having been educated in the ways of navigating our nation's current copyright system as an independent artist, of protecting oneself and one's work, and of trying to eke out a living through creation of original creative work. No professor or industry professional by whom I was taught ever suggested such a thing was easy, but the proposed changes to current copyright law, the so-called "Orphan Works" act, might make this path nearly impossible.

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

A lack of general understanding of copyright law, especially by clients/potential clients is a significant hindrance. They often fail to realize that we make money often primarily by retaining the rights to our works and relicensing, and demand or assume control over the intellectual property they have not been contractually given. They routinely undervalue and commoditize artwork, especially now that the internet has made such a variety of it so apparently accessible, resulting in a fundamental misunderstanding between artist and client.

Also, the difficulty of controlling the spread of one's work online- I have more than once encountered (or been alerted to) older work of mine being shared (not yet sold, although I know many people to whom that has happened) with my information removed, thereby "orphaning" it against my will, without my knowledge, and depriving me of any potential business resulting from the publicity.

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

As above, identifying when one's work has been circulated or used without one's permission. Artists who aren't yet able to fully earn a living off their art often cannot afford to register every piece of art they put out, or have put out in the past- it would

be laughably impractical, given the length of time I have been disseminating art online and the number of works I have produce over even the past few years- and therefore have less recourse against any potential misuse, while also being the most economically vulnerable.

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

The system that is designed for a pre-digital age. When I was taught to write a licensing contract, the examples given, and the law they're based on, has language that is inadequate for today's internet-based publication, distribution, and self-marketing of art.

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?

This question does not apply to my work.

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

Art is essential to the growth of our culture, and no one knows that better than artists. If you do not protect us- and our works, for each piece an artist makes is forever a part of that person, regardless of its significance or insignificance or *any* law of man- and help us to protect ourselves, the livelihoods of many thousands of brilliant, creative Americans will be in jeopardy. Or, in my case, crushed before being allowed to truly flourish.

Please consider an exemption for visual works in the proposed bill.

Most sincerely,

Mica Low
Seattle, WA