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U.S. Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

To Whom It May Concern:

What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?
Protecting my artwork and retaining ownership of it. My art and designs are my livelihood. I don't create art for others to take and make their own UNLESS I sell them the license to do so. I spend many hours (almost 2 decades of work experience factors into it as well) in creating something. I want to retain the right to my work. The majority of my art may be digital in nature, but it should be respected the same as if I made a one-of-a-kind sculpture or piece of furniture, etc. If someone came into my house and stole a physical piece of art, it would be theft. The same should be said in the case of digital art. If it isn't your art, you shouldn't take it and make it yours. Even changing it 20% is not making it yours. The art is my personal property until I sell it or license it. Potential users should not have any rights to the work I create unless I give permission. If they need art, they can hire an artist or purchase artwork from an artist. Artists are in abundance and should be used as professionals in their field.

What are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?
I've seen my digital artwork (digital scrapbooking supplies, for example, with many many pngs) stolen and distributed or sold on etsy, etc.. I can attempt to contact the owner of the site and cross my fingers that they take my work down.

What are the most significant registration challenges for photographers, graphic artists, and/or illustrators?
The cost is a challenge. I create a large volume of sketches and designs and it would be cost prohibitive for me to register it all. I need to have rights from the very beginning to my art, even before the art is copyrighted or registered at the copyright office.

What are the most significant challenges or frustrations for those who wish to make legal use of photographs, graphic art works, and/or illustrations?
Companies or individuals might want to use someone else's artwork and can't find the owners and creators of the art. But honest artists in this trade know not to infringe or steal other artists' work. If you can't find who to ask permission, then you don't use it. It would be theft to use art you have not created and are not granted to use. And that use should only be granted by the originator of the artwork, unless the artist sold the rights to the artwork to another person or company.

What are the most significant challenges artists would face if these new copyright proposals become law?

I might spend many hours on creating artwork to sell or license. Clients can ask me for exclusive use when licensing my artwork. How can I guarantee that exclusivity if people have free reign to take art that they did not create themselves? What would be the incentive to create artwork anymore or to dare to post it on my blog or portfolio site if there are no protections for me other than to spend years of hours and more money than I have to register every little thing I create? I will become an art hermit and become secretive in what I create. Artists will become more fearful and there will be less beautiful abundance of sharing via the internet and public venues.

This copyright act has the potential to devastate our industry. It would also be showing those that access the internet that everything is free to take and use without permission. What would be the motivation to really look hard for a copyright owner if there is such a loophole? This is unethical.

Sincerely,
Erica Hite