July 23, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence 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:

My name is Amelia Davis, and I have just finished my college education in digital art and animation, spilling thousands of dollars into my future as an artist. I have student loans that overwhelm me. I work as a freelance illustrator and comic artist every day for clients. One of the book covers I did is a one-time use cover, and when the author goes to re-print, he will need to pay me again to continue to use that cover. I have now been working for almost 3 years as an artist, and only because I can sell the copyright, only because I have control over how many prints can be made of my work, only because I have exclusive rights over my work, can I make a living off of what I am doing.

On top of the freelance work that I do, I also write and draw my own comic book. Right now I let the public view it for free upon my own accord. I want people to enjoy it, and many of my readers pay for digital copies to be sent to them, or prints of my work. My online comic is considered published, but it is increasing in value to me as more readers buy prints, digital copies, and other merchandise I produce. Under this new law, I could not protect my comic and my artwork.

My copyright over my work is sacred to me, it is the way that I make ends meet, it is the way that I can put food on my table. My art is my job. My exclusive control over my work is imperative to me, however, I can not afford to go though commercial registries to buy the copyright over something that I made and created to begin with. What you are essentially doing

is letting me bake my bread, pay for the ingredients, and put my knowledge into making it, then you are taking it away from me and offering to sell it to me at a cost I can not afford.

I have seen my friend's works stolen and put on book covers without their permission, but under the copyright law that currently protects us, they were able to get compensated and their work taken off future publications. All of us create so much, and we want to let the public see it, to enjoy it. We feel safe under the current copyright law to put it out there (many times for free to look at) for the public to enjoy. If that changes so will our art. We will no longer feel safe to put it online for the public to view, and we will be trapped in a world were everyone wants to take what it rightfully ours.

I have sold the use of a picture that I did for fun to then be used in a print, under this new law they could have just taken my "published" work that I did because I felt like it, and used it without permission or payment. Under this new law I would need to copyright everything that I ever make, and I make art every day. My job would start to cost more in time and money than I would have to give to it.

My art is my child, my baby, something that I have though hard over and worked hard to make. I love it as a mother loves her children. I put my creation out for people to be inspired by, to fell joy, and to inspire. This law would take the ownership of that child away from me, it would kidnap my child legally. This law would take my life away from me.

Here's your questions answered.

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

As a freelance illustrator, I need to maintain revenue streams in order to continue to pay off my student debt, and pay my bills. One of the ways that I do this is to re-sell prints and other copied forms of past images and illustrations that I have made. My collection of work is a valuable resource that produces income for me. Any attempt to replace our existing copyright laws with a system that would benefit internet companies would endanger my ability to make a living. Why would the government favor corporations like this instead of those of us who actually create new work? If the new copyright law goes into action, my way of living will be stolen away from me.

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

The very proposals the Copyright Office has made to Congress concern me. It is essentially a revised Orphan Works (OW) bill, but would be even worse. Orphan Works bills have been resoundingly opposed by artists since they first appeared a decade ago. A copyright law built on the foundation of orphan works law would allow internet companies to syphon off revenue from artists with the hopes of creating an even better revenue stream for themselves. There can be no bigger challenge for those of us who make our living creating new works than to have to compete with giant corporations that can get artwork free from artists and compete with us for our own markets.

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

The proposal to reintroduce registration would become another financial burden for artists. No matter how little registries might charge in the beginning, like banks, they would soon begin to introduce charges and fees that would grow as they gain a greater and greater competitive advantage over freelance artists such as myself. Anyone who says this won't happen is not living in the real world. In the end, if the government succeeds in passing this legislation, the end result will be that artists like myself will find ourselves paying through the nose to maintain our images in somebody else's for profit registries. As for the images we can't afford to register, or those we can't find the time to register, or those we can't find decades old metadata to register will all fall into noncompliance and a lifetime of images created at great expense and effort will be free to be exploited by others. They will be stolen by others.

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?

In my work I make fair use of photographs and other graphic artworks for reference but that is about all.

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

The kind of system the Copyright Office has proposed to Congress seems all too familiar to me. Artists have already seen their foreign reprographics royalties diverted away from them for at least 20 years. I fear this is exactly what is going to happen with the proposals the Copyright Office has made to Congress.

To prevent this unjust conflict of interest, it is imperative that no artists group that supports this legislation be allowed to receive **any** financial benefit from the creation of copyright registries or notice of use registries. These artists organizations have failed artists and should not be allowed to use this legislation to profit even further off the artists they were created to help.

I thank you for reading my letter and I ask you to recommend that visual art be excluded from any orphan works provisions Congress writes into the new copyright act.

Infringement of my work, is theft of my work. Right now I can protect myself from that theft. Under this new law, I could not protect myself. Please do not pass this new law, please respect my work and my art as my own. Please protect and respect the artists of America.

-Amelia Davis