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Maria Pallante
Register of Copyrights
U.S. Copyright Office
101 Independence Ave. S.E.
Washington, DC 20559-6000

RE: Notice on Inquiry, Copyright Office, Library of Congress
Copyright Protection for Certain Visual Works (Docket No. 2015-01)

Dear Ms. Pallante & the US Copyrights Staff,

Thanks for the opportunity to comment on the proposed legislation which will affect all creators of visual works. I've worked as a professional illustrator, designer and writer for nearly twenty years. My work spans several industries--publishing, advertising, education, small business and nonprofit. I've produced original works, as well as, purchased from stock art directories for some of my commissioned design work.

Since I've had a broad range of experiences, I feel that I am very equipped to answer the follow questions:

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

As a creator of visual art, I seek ways to leverage my own work and re-purpose and/or re-sell it. I want to be assured that the copyright of my work is respected and linked to me (via byline or copyright notation) when it's out in the world, on the internet and in print. The fact that our current copyright law ensures immediate designation that I own copyright of my own work gives me "peace of mind." I do register my work with the Office US Copyrights primarily for my work in publishing. The fees add up and artists like myself will generate lots of iterations of he work (sketches, early drafts, etc) in addition to the finished pieces. Our creative output should be protected as fast as we produce it. U.S. Constitution Article 1, Section 8, Clause 8 is aligned with our current copyright law, supporting freedom and honor for artists to produce their works. If this is taken away then we risk halting our great outflow of creativity as artists will not be able to make a living wage in a society that doesn't honor the artists ability to leverage his/her work with fair licensing and usage policy. The new copyright proposal sends a message that material gain is more important than the contributions of original thinkers and authors which we know not to be the case in a free nation.

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

I have had my art "lifted" by others for their own use and personal gain.It's not only frustrating and disappointing but it's also incurs a cost for the artist, beyond the monetary loss of sales or usage. We are put into the role of educating and enforcing copyrights causing us to expend time and resources on outside activities when we could be working to grow our business. The proposed law promotes stealing with a sense of entitlement and leaving the burden of proof on the victims. This would lead to a downward trend in productivity of artists and

original authors. What sort of incentive will there be to produce art that will be held in disregard and viewed as "free for the taking." The notion that unregistered or "unattached" works existing on the internet and elsewhere is a problem for those coveting their aquistion. The enactment of the law will impede on our ability to earn from our own creations. My guess is it won't matter to them as long as they stake their claim on what will surely become a Wild West scenario--the pilfering of intellectual property. Only it won't be considered lawless but "the law." Shameful.

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

Firstly, the fees are high and therefore, a disincentive. Also, requiring artists and creators of every stripe to register their work in order, all forms of it--past creations, sketches, final images, etc, in order for it to be their"proven" property is impractical as artists are prolific in their production. It would seem to me that the proponents of this new copyright are banking on this scenario. If we consider the sheer volume of what's on the internet now, we'll see that there is no way *everything* can become registered. It's not rocket science to figure this out to be a losing propostion for authors and artists. Precisely the thing the founding fathers didn't want.

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?

There needs to be consideration for the driving purpose of these items in question. The libraries and museums which expressed the greatest need for preservation and archival purposes were rewarded with the recent expansion of "fair use exceptions." We ought to abandon the push for registries which serve to benefit the relative few insiders in the secondary marketplace. And we, artists, do not factor into that.

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

The fact that the Copyright Act, at its core, is a rogue and disengenous that will destroy a free, open and fairly honorable marketplace for artists and authors of original works. In my opinion, it should be nixed. I ask that Congress instead consider the American Royalties Too (ART) Act of 2015, put forth by Congressman Jerrold Nadler. It contains provisions to promote honesty, accountability and transparency in the secondary licensing market and would assist the USA in becoming an honest society that values its artists in attitude and in deed. For example, there would be a system for returning lost royalties to artists.

In summary, I urge the Copyright Office and Congress to do the fair and constitutionally correct thing--practice forthrightness in its dealings with "we, the artists." I would like to go to work tomorrow, the next day and the next, etc. knowing that my creations will help me make a living wage, put my kids through school, put food on the table and a roof over our heads. I want to contribute to society with both my art and my ability to live a decent lifestyle. Thank you for listening.

Sincerely,
Edna Cabcabin Moran

I'm an multi-disciplined, award-winning artist--author/illustrator, designer, and arts educator working in a the publishing, entertainment, nonprofits and small business B2B markets. I volunteer in organizations which serve youth and I have sat on several committees of nonprofit organizations.