July 19, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101 Independence Ave S.E.
Washington. D.C. 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 am Thomas Kenneth Dye, a visual artist who has published comics online for over seventeen years. I have also published several books independently containing reprints of those comics. You have asked creators to respond to the following questions:

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

The internet is a world where often people feel free to assume others' works as their own. More often than not, many people find ways around gaining permission or paying royalties. Thus, it is all but impossible to reap full value from the works people create. If restrictions were loosened, and the Copyright Office allowed freer reign for companies to raid the internet at large for content, creators would be less motivated to create knowing that the already limited options for gaining compensation for their work would become more limited.

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

Simply put, corporations and companies have more legal resources at their disposal. With the current proposals advanced by the Copyright Office, creators would be outgunned in the fight to regain any claim to their own intellectual property.

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

Exactly how does one register tens of thousands of produced artwork without a significant financial hardship? With the legal support imbalance posited in the answer to question two, it would also be very difficult to ascertain how much of one's work one has to register before intellectual property rights are fairly established. The prospect of registering such an enormous amount of produced work can only have an intimidating

effect on artists and creators. No matter how compliant one feels with the new regulations, one can only fear a "back door" effect of companies stealing some of their work and managing to create a loophole in intellectual property rights.

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 the past, negotiating with the creator has always been the single most honest and democratic method of obtaining legal use of others' images. It seems to me this should always be the first recourse, and no law or policy should be established to allow people to circumvent the creator when deciding to appropriate their work.

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

The primary one to consider is this: Additional arbitrary burdens are not what are needed here. Additional registration just serves to create a situation where plundering happens often and the issue of ownership or creation dissolves over time. Already there have been too many instances of creators being shut out of their legacy due to misappropriation of their work. This is a heinous injustice to a profession that works every bit as hard and every bit as conscientiously as any American worker.

Thank you for your consideration. Please, when crafting new copyright regulations, do not add an undue and injust burden to the artist in order to empower those who wish to exploit them.

Sincerely,

Thomas K. Dye