July 22, 2015

Kathryn Yingling

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 (80fr23054)

Dear Ms. Pallante,

I am writing to ask that you create policy to protect visual artists and their exclusive rights, and support a sustainable environment for professional authorship. I work as an illustrator in film, television, the publishing industry. I have a variety of jobs because it is difficult to make a living as a visual artist. Aside from those at the very top, artists have always had to struggle to make ends meet.

Copyright laws have always been an economic asset to artists. And, they allow for the creative control of artwork to protect its accuracy, integrity and authenticity. The 1976 Copyright Act has enabled me to sustain a professional career. However, I have experienced a substantial and growing loss of rights. I am also facing threats to the integrity and preservation of my lifetime body of work, which is my business inventory and also my legacy. My concerns and experiences are shared by my colleagues and by fellow visual artists throughout this country.

The digitization of the world's creative works, along with the dramatically rising arc of unauthorized secondary licensing by ever-expanding publishing behemoths, are increasingly harming visual authors. For over 25 years a passive U.S. Copyright Office has not implemented policy or recommended legislation to restore balance to the author/publisher relationship. I am grateful to this new Copyright Office administration for the opportunity to participate in the first inquiry into visual art during my 40-year career. It is all too easy for any individual or company to upload an image from Google and use it in an unauthorized fashion. Artists today invest in expensive digital equipment and software that require frequent updating. And there is a great amount of time and effort that goes into the making of the work. Please assure that royalties are paid to the artists who earned them, and not to publishers, content aggregators, commercial databases, "art" charities or "art advocacy" trade organizations.

I support the Congressman Jerrold Nadler's American Royalties Too (ART) Act of 2015 which calls for the institution of the reciprocal resale royalty in the United States, and for the Copyright Office to bring transparency and justice to artists' secondary licensing rights. I thank the Copyright Office for recommending this bill to Congress.

Sincerely,
Kathryn Yingling