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 Miss Pallante-

“Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen.” - Winston Churchill

My name is Jon Riggle. Believe it or not, I’m known internationally for my work as a mid-western illustrator. I’ve been a Freelance Illustrator since 2002. I’ve been a Professional Photographer along with my Parents (retired now). They were Professional Photographers since 1973. I’ve worked in the commercial art industry as a freelancer. Through my ventures, commissions are what bring home money for me at this time.

I am writing to address a major obstacle that visual artists face especially in the digital age. Ironically, dealing with Copyright and the committee hearing taking place July 23, 2015.
I’ll answer why I’m writing through your questions.

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

In a word? Theft. Do you realize how evil people are anymore? How greedy? The digital age has provided an outlet for evil to be considered rational and okay. With the opening up of the myth of Orphaned Works (which that is what it is...a myth), people no longer consider contacting the owners of copyrighted works for permission to use their photographs, illustrations, articles...they just take as they please. It’s one thing for educational purposes...it’s another for infringers to profit over the owner of the work. I believe we call these people pirates when it comes to stealing software or movies. Many of which do this for profit.

Keeping control of where my work is displayed, how it’s used, and to keep the copyright notice and contact information associated with the work intact is another challenge. My revenue is made by posting online for people to see what I do, what I offer, and what I’m willing to provide them FOR PROFIT. Whether it’s a politician stealing my work for a campaign, or a juvenile stealing my work for a poster, or t-shirt...it steals money away from me -- the one who is the creator of the work so adored.

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

THIEVES are THEE most significant of enforcement challenges. What you, Congress, and Government want to be the “law of the land” is nothing short of angering AND shocking. This situation...this question...this discussion is but a revised Orphan Works bill. This has been opposed with a roar from artists since this mythical ideology appeared a decade ago. To be blunt...with this Orphaned Works bill, Government is giving a go ahead to Corporate America to STEAL the life blood that helps keep them where they are today. You steal our money, we can’t buy the goods and services they need us for. You steal our photographs, graphic illustrations, articles...you steal our livelihood in order to keep the CEO’s and Presidents in their lavish lifestyle creating stuff for us to buy. At this stage, people begin to steal their stuff which causes a vicious cycle to ensue. Yet no one questions how this began.

There is no bigger enemy to the little self employed / freelancer than Big Corporate America (online or otherwise) to steal from us and have it made legal all because someone claims Orphan Works is the identity of online content.

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

Financial burden. I can’t make enough money to really get by anymore. Having to jump through hoops, and come up with money to reintroduce registration, or even take away the philosophy of “I create it, therefore it is MINE” is nothing short of trying to squeeze blood from a stone. No matter how much these “registries” may charge at first, it doesn’t mean it won’t change for the worse. Like financial institutions; these “registries” would soon add charges -- fees that would increase as “registries” gain more and more control. If this passes, it will ruin what you wish to see happen. Greed is the sin of America...and Greed is going to be the undoing of the creative world that helps you, Government, America, the World in more ways than just pretty images and thoughtful words.

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?

Sorry to be rude, but it’s you. Government, Corporate America, Infringers, Thieves. Morality, common sense, manners, and greed; all these things are frustrating (to say the least).

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

What I’ve experienced, along with many others in the art/entertainment industries is a clone of what the Copyright Office has proposed to Congress (and how some Congress people like this idea) is a system all too common anymore. Because it happens, doesn’t make it right.

We have Authorities that fight pirating of movies online and hard copies sold...we learned that Greed infiltrated the idea of getting something for less money and the price of going to the cinema has increased to unimaginable costs because of it. Yet we find it okay to steal photographs, illustrations, graphic works and feel no guilt over it. Why is that? Worse yet, why do you have no one willing to fight for us like we have for Hollywood regarding Copyright laws?

Posting artwork or any created works online, is the only way to get it out to people I couldn't reach in the Mid-West. While my life struggles now, my work has been seen throughout the world and through that, I have had people contact me for personal art, and art for books, movies, commercial usage. Recently, I've started hearing that my work is being stolen, as are other works of artists and money being made without permission, nor reparations.

Also, just because you see it online, doesn't mean it was supposed to be there. My parents are dealing with a newspaper who stole a photograph made famous due to an event that occurred in my hometown. They stole it and for a year a legal battle was going on. We were told that the photograph was no longer in the newspaper's possession and an apology and retraction was printed in the paper...This was 1976. We just found out that they still have it and are selling it without my Dad's permission...no permission given and no reparations offered. How do you justify this as okay? It wasn't orphaned...no one was supposed to have it. But to this day, we still have to fight and nothing is being done to help us.

In my industry, we have to deal with people whom steal our work on a regular basis, claim it as their own, and have to fight the good fight (legally) to get them stopped. If Congress passes this proposal that you, the Copyright Office feels is such a great idea (it's not), you'll make it even harder for Americans to work for that which we are given by our Creator in the Declaration of Independence; Life, Liberty, and the Pursuit of Happiness as inalienable rights.

Despite what you've heard...Corporate America is NOT a human being. Artists like me are. We're what the Declaration of Independence was penned for. What's ironic...Governments are made to protect those rights...Something to think about on a grander scale than just greed and nonsensical ideals.

Jon Riggle
100 South 90th Street
Omaha, NE
68114