Hello,

My name is Josh Figueroa and I am freelance illustrator who is writing to you to address an alarming issue about to face all artists in the United States. The alarming issue is the passage of new copyright laws that seek to undermine the concept of authorship and creators who create a work(s) of art. I use the term undermine in the kindest way possible as what will occur should these new copyright laws pass will be nothing short of a maelstrom of plagiarism and artists and creators will not be allowed to legally to protect their original creations.

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

Artists oftentimes do not have the financial ability to formally copyright their own artwork and oftentimes undermine themselves since we do not know fair market rates to charge the client. On a more personal note, people hiring artists do not take us seriously and think that what we do should be undervalued and underpaid. The lack of respect is daunting and frankly insulting.

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

The most significant enforcement challenges lie outside of the United States but also from within because artists do not have the financial backing to take potential infringers of their copyright to task via legal means in a courtroom. Also, individuals & companies in countries outside of the United States have frequently plagiarized existing copyrighted artwork and continue to do so for their own personal financial benefit without any repercussions mostly due to lax or weak copyright laws in their own countries which limits artists creating original work in the United States to protect their works of art abroad.

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

The most significant challenges are the high fees involved to copyright every single work of art or its derivative or altered version. Second would be the ease of registration since most artists I know, including myself, do not put their personal work of art online due to fear of plagiarism. There is no way to protect yourself currently unless you can defend ownership of your idea through an official document showing your ownership of said copyright and or trademark.

> *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?*

That they cannot do so without paying the author and rightfully so since they had no use in the creation of the work of art and therefore should have to pay the author to use his/her creation(s). I do not know a single person who happily works for free and in matter of fact lawyers or doctors are allowed to charge high rates not only for their expertise but also for the knowledge they have acquired. The same is true of musicians and writers.

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

Artist’s rights need to be upheld in the United States if people want to enjoy creative, original works of art in all forms of media. Allowing for laws that undermine creators will effectively scare

many of us and stifle creative, artistic, original works of art because it will send the message that all of must register every single piece of artwork.-Even minor changes that we may need to make after the work of art is created and finalized. This is physically impossible as artists do not have the time or monetary income to do so and robs all creators of freedom that we once enjoyed which is if you are an artist/creator of a work of art: you automatically retain all rights associated with said work of art until you sign the rights away. Passing laws like the Orphan Act or other laws crafted by large corporations will directly undermine every artist in the United States and allow for people who have nothing to do with a work of art created by an artist to be plagiarize it to their financial content. The very same artist will then be financially undermined out of authorship, hard work put in and credit.This means going forward he/she won't be able to make a decent living since corporations will be able to lower his worth. Corporations will be able to throw legal backing behind anything they want to steal and monetize thereby undermining the entire concept of authorship. Making a small change to my art doesn't make the person making that small change the author! This is the type of plagiarism that will occur and will also lead to other forms of art such as music and literature to therefore be affected since they are also concerned with authorship.

6. What are the most significant challenges artists would face if these new copyright proposals become law?

If these new copyright laws become law, plagiarism cases will fill up courtrooms since artist rights will be undermined all over America. The people doing the plagiarizing will be able to steal all they want and not face legal or moral repercussions. Also, the concept of freedom and authorship to artists everywhere will be destroyed as we will not be able to showcase our work online or otherwise for fear it will be plagiarized or stolen by corporations or individuals for their own financial gain. The importance of upholding older copyright laws for the foreseeable future will prevent authorship of a work of art from being undermined and leaving the rights to a work of art with where it belongs. – With the author and creator of a work of art.

I thank you for your valuable time and for hearing me out in this matter and I look forward to hearing your thoughts on the matter. I have faith that you will side with artists and creators everywhere by upholding the current copyright laws and forgoing the passing of the newer, more archaic and illegal propositions from passing into law.

Respectfully,

Josh Figueroa
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