3 July 2015

To the US Copyright Office:

As a part-time professional photographer in the 21st Century, I have concerns about the Copyright laws as they currently stand. With the advent of Instagram, Flickr, Facebook, and other similar online photo sharing sights many images are being taken by others and used without permission, payment, or attribution.

I have had some of my images "used" on other web sites without my permission and I have lost sales because the web site users believed that "if it is on the web then it is free to use." Even though I have stated in advance that all images are copyrighted and permission is required prior to use as well as setting system permissions to block other from copying the images, people seem to find a way around it. While I understand that it impossible to ensure no copyright infringement, something must be done to minimize the threat to the creative industries like photography.

Some online application have made it the taking a part of the terms of service but bury the statements DEEP in the legal mumbo jumbo. By making law state that no web site or application can use an image without expressly requesting the creative person for permission and some form of payment, this problem can be minimized.

Additionally, for photographers who register their images with the Copyright Office, there should be no distinction between images shown as Published or Unpublished. I have photographer friends who have lost sales due to the current difference between Published and Unpublished images. The law should be changed to simply 'Copyrighted.' Any use by any person or corporate entity must require permission from the photographer to use the images as well as some form of payment and attribution to the photographer.

The term 'Fair Use' is brought up continuously where another creative utilizes the initial efforts of another and 'modifies' it is some way to create 'derivative' art work. While I applaud others that are inspired by a beginning piece of work, there still needs to be some form of payment to the original creative for their work to create the initial piece of art. The original artist has to make a living too and that seems to be forgotten in the 'Fair Use' and 'derivative' process.

Thank you for taking the time to understand my perspective.

Sincerely,

Chris A. Moore
Denver, Colorado