July 23, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101 Independence 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)

Dear Ms. Pallante and the Copyright Office Staff,

Thank you for the opportunity to comment on the proposed copyright legislation. In this letter, I am using "artist" to include photographers, graphic designers, and illustrators.

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

   Artists do not benefit from any one else taking control of their work, or using their work without compensation and credit.

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

   It is difficult to find and hold infringers responsible. Plagiarism used to be a serious offense; today, it seems "borrowing" artists' images is not considered serious and punishable by law.

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

   Time and cost are significant challenges in registering our copyrights. We produce a considerable amount of work that is often under valued to begin with. The time and cost of registering copyrights becomes prohibitive, so much so that many artists rely on the copyright symbol attached to their names as protection, which it used to, and should, be. (©Gretchen Halpert 2015). There should be no question that any person's original creation belongs to him/her.

4. **What are the most significant challenges or frustrations for those who with to make legal use of photographs, graphic art works, and/or illustrations?**

It seems simple enough that if an artist wishes to share or promote their work for use by others, they advertise that their work is available for use for a fee, or for free. If a business or individual wishes to use an image that is not theirs, they contact the artist. Most artists have usage fees in place for these purposes. It is often through re-use that artists make their incomes. When artists place images on the web, they attach their names to their work. It is not difficult to find an image and locate the artist.

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

Creating images is our livelihood. We are small business owners devoted to documenting the world. In my case, my first business is creating illustrations that educate the public and serve science. My second business is educating and training new scientific illustrators. Imagine if my drawings, and those of my students, are not protected from infringers. Both my businesses would close.

I have worked in this field since 1986. In all my classes, I educate students on copyright and respecting the rights of other artists. Several years ago, I rejected a significant contract because of their work-for-hire policy, where I would be compensated for my work, but not for further use of my 350 drawings, from which the company would benefit handsomely. The book author who selected me to illustrate his book was fair in his proposal; it was the larger organization and their lawyer who used existing laws to make sure the company, and not the small business owner artist, received all copyrights plus the original artwork, leaving me no rights with which to negotiate re-use fees-vital in our business.

While work-for-hire is not in artists' best interests, the proposed copyright law is considerably more damaging to our livelihoods. The new proposed law disrespects the worth of all artists.

Thank you for your attention to this serious infringement of what should be the rights of all artists.

Sincerely yours,

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