July 14, 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 US Copyright Office:

I am writing to you out of concern for my wellbeing, and the wellbeing of my family. I am a cartoonist and illustrator, a husband and a dad, and my work provides income that keeps us housed and fed. I have created comics, graphics, logos, illustrations, and animations for private clients, websites, and a television art department. I am not famous and have not won any awards but I have been working steadily since 2007 and the copyright of my work is the means by which I turn my art into income. As others have said before me, our copyrights are the inventory with which we artists stock our business. Copyright law is not an abstract thing, but a very real and singular principle on which my business operates.

The basis of the new copyright act presumes that visual art loses its value after creation or first publication, and therefore is of more value when it is free for “public use.” This makes no more sense than claiming an invention no longer has any value to its creator after it is used once. My negotiation and re-negotiation of the use of my work, of who uses it and how, and the fact that it continues to have value to me and to clients demonstrates the wrongheadedness of the presumption. In the digital age, my need to control how my work is used is more important than ever. Currently the effort to retain that control is sometimes difficult. Under the new act, it would be unmanageable.

The proposed “reform” of copyright law enables and legalizes the infringement and even plagiarism of artists’ work, and relieves infringers from any obligation to pay artists for their work so long as the work fits the flimsy criteria of “orphaned” work. In fact, it would be remarkably easy for a person or piece of software to “orphan” a piece of my work in spite of my very best efforts to retain my rights as creator. Furthermore, the process to register our work places an unreasonable burden of time, money, and effort upon us. For artists with a large body of work, that becomes an impossible burden. For many creators, I would guess, a career-ending burden.

The new copyright favors rights of potential users, be they individuals or corporations, over those of the actual creator. The right to license my work is mine to grant, not defaulted to others unless I can somehow, with limited resources, manage to wrest control.

Sincerely,
Adam Watson
Seattle, WA