23 July 2015

To whom it may concern:

I'm greatly dismayed to see that the proposed changes to the copyright laws, including the proposed return of what's best known as the Orphan Works Act. As an award-winning, professional visual-artist for over 25 years, I have created many images that I currently retain ownership of under current copyright law simply by right of having created it, even without a copyright notice. I work in comic books, and in a comic book there are several images, or panels, as we call them, per page. Currently the use of any or all part of any of these images is a violation of copyright, and I have legal recourse.

Under the proposed changes, if taken to where it sounds like they will go, I would have to pay to protect my work in any form I can imagine: the whole comic book, each page, each panel, and any combination of panels. With hundreds of panels per comic book, that will take an immense time and expense to do, and will prevent me from actually producing more work and earning a living, something difficult enough to do even as things stand now. Because it sounds like any slight change to my work will make it a derivative work, even that may not protect me. And it will be entirely up to me to police my work and to prove malicious intent, instead of simply being able to say I own something. Anyone could say they used my work by accident or without malice, and get away with it the way things could be changed.

I need to protect that work. I have created several comics series, and currently I am in negotiations to bring back to print a couple of them, the past material being only worth something to me and to be worth paying for by the publisher if I have exclusive right and control of it. By allowing pretty much any slight alteration to my work making it no longer under my control, my past work becomes worthless. This is not right. I and other artists an any media should have the right to earn what we can, and that's often little enough, from what we've created.

Please keep in mind that even though it may look easy to draw a picture, it takes years of work and practice, and if we draw something, we've earned the right to control and own that image outright. As currently proposed, the changes will leave so many loopholes that it may become impossible to protect our work no matter how many databases we register with or fees we pay (or can't afford to pay).

I can be reached if you want to discuss this further.

-Andrew Pepoy

www.pepoy.com