Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence Ave. S.E.
Washington, DC 20559-6000

Re: Notice of Inquiry on Copyright Protection for Certain Visual Works

To Maria Pallante,

My name is Caitlin Bemis. While I am not a digital artist, I do take a lot of photos and I am also a writer. Copyright affects me because whatever changes in the Copyright Laws for visual artists, can very quickly change the Copyright Laws for written works of fiction or non-fiction. I have a Bachelor's Degree in Creative Writing and English from the University of Arizona and do intend to make money on books that I write in my future.

While I do believe the Copyright Protection Laws for visual works does need to be tweaked, I do not feel that this is the best way to go about doing it. Is stolen artwork a problem? Yes. But to require artists to register their artwork to commercial registries or otherwise surrender their artwork as "orphaned" is ridiculous. Websites like DeviantArt, Etsy, Redbubble, and Tumblr are full of artists who post previews of prints or screens that can be bought through the artist's personal site.

What is wrong, is when other people take the artwork and sell it for their own. If a person is truly a "good faith" user, they will contact the artist, or drop the issue of the artist cannot be contacted. It is not good faith to steal the artwork anyway if one or two attempts to reach the artist fail.

What is especially wrong, is when larger companies like Target and Hot Topic take artwork and sell it in their stores. Sometimes, the merchandise with the stolen artwork is removed, sometimes the artist doesn't have the resources to fight to get that far.

This problem will not be solved by having artists register every single piece of artwork to prevent them from becoming stolen. The Copyright Law should protect artists, not place the onus on them to keep their artwork safe. What should be done, instead, is give artists the option to register it, should they choose to receive profit that way. Those artworks, and only those artworks, can be considered for public use. If artwork is not registered, it cannot be used without the expressed permission of the artist. That would be a better solution.

I do not wish my photographs to be taken and used by others because I have not registered them. My photographs should be my photographs, regardless of whether or not I put them on Tumblr, DeviantArt, or Facebook. I do not wish to register every fictional piece that I write out of the necessity of it becoming protected. I wrote it, it should be mine. She painted it, it should be hers. He created digital art on his computer, it should be his. The original artist should be the only one making a profit. There are no such thing as "good faith" users because they gain profits

only for themselves. Actual good faith users will only use something they can credit back to the original artist.

The Copyright Laws are there to protect us. Not to make it our sole responsibility to keep what little rights we already have. If the laws change to the current proposition, we will lose thousands of man hours registering everything just to comply with a law that only *might* protect us. Any changes to this law need to make it harder for art thieves to steal art, not make it harder for artists to produce it.

If there was one thing I learned being an English major, is that I had to cite everything I used from another source. If the words in my essays or presentations were not mine, I had to give credit to whoever said them. Did it take time? Yes. Did I resent it sometimes? Yes. But I understood as a writer myself, that if I did not credit other people, how could I expect them to credit me? It made me a better academic.

As a freelance writer, I am still pressed to cite everything I write that is not specifically my ideas or words. When I use artwork or information for blog posts, I am called to cite them. It takes me a little bit of extra time, but credit must be given where it is due. Artists and other freelancers make money off of people buying their works from them, not from any other source. Many artists, freelancers especially, do not have insurance benefits and vacation time from large jobs. They need every profit possible from their artwork to make ends meet.

Changing the Copyright Laws effectively ruins any chance freelancers have at working efficiently and making a profit. This cannot happen.

So, with all of that said, please take my thoughts into consideration when discussing changing the Copyright Laws.

Regards,

Caitlin Bemis
Freelance Writer
5608 Whispering Woods Drive
Pace, Florida 32571