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:

My name is Anne Gibbons. I am a cartoonist and illustrator, self-employed for over 25 years. I am writing to address the problems visual artists face in the new digital environment.

1. What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?As a freelance artist the resale of my past images is part of my day to day way of doing business. Any attempt to replace our existing copyright laws with a system that would benefit internet companies would endanger my ability to make a living. It is unethical for companies to digitize my artwork without my permission or financial compensation. Why would the government favor corporations like this instead of those of us who actually create new work?

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

The proposals the Copyright Office has made to Congress concern me. It is essentially a revised Orphan Works (OW) bill, but would be even worse. Orphan Works bills have been resoundingly opposed by artists since they first appeared a decade ago. I find it hard to believe we are revisiting this issue again. A copyright law built on the foundation of orphan works law would allow internet companies to syphon off revenue from artists with the hopes of creating an even better revenue stream for themselves. How can individual artist can compete with huge corporations? It is impossible and unjust.

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

The proposal to reintroduce registration would become another financial burden for artists. No matter how little registries might charge in the beginning, like banks, they would soon begin to introduce charges and fees that would grow as they gain a greater and greater competitive advantage over freelance artists such as myself. Anyone who says this won't happen is not living in the real world. In
the end, if the government succeeds in passing this legislation, the end result will be that artists like myself will find ourselves paying through the nose to maintain our images in somebody else's for profit registries.

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

This is not an issue for my work.

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

The kind of system the Copyright Office has proposed to Congress is all too familiar to me. Artists have already seen their foreign reprographics royalties diverted away from them for at least 20 years. I fear this is exactly what is going to happen with the proposals the Copyright Office has made to Congress. To prevent this unjust conflict of interest, it is imperative that no artists group that supports this legislation be allowed to receive any financial benefit from the creation of copyright registries or notice of use registries.

Thank you for reading my letter. I urge you to recommend that visual art be excluded from any orphan works provisions Congress writes into the new copyright act.

Sincerely,

Anne Gibbons