To the United States Copyright Office,

There has been a lot of talk amongst artists here about a suspicious law being worked on that would create certain roadblocks in the copyrights reserved for artists. It's a law that has been cited by many as the Orphan Works Law of 2015, and has raised a great deal of eyebrows for artists in regards to their liberties in what they can claim as their own intellectual property. To you I say this: if such a law is up for consideration at Congress, I sincerely urge you to reconsider.

The law is contentious to many artists for a great and varying number of reasons, one such issue being the grounds for which they can justifiably claim that their work is indeed their own. This law would presumably insist that any and every piece of original art or content must be registered by its initial creator. Such an act is a lofty one, but one that has before it a slew of problems, both bureaucratically and systematically. First off is the availability of this law to the creators at hand. How will the consensus of artists or content creators be made aware of this law? Will there be advertisements or press for it? Will everyone receive a letter in the mail? Or perhaps will this be a law that will assume legislation and soon be shelved to public consideration, save when it's too late, such as when they make a piece of content which inadvertently, and unbeknownst to public legal sense, breaks certain laws of copyright?

The second issue with this law is in how you enforce it. I assume the purpose of this law is to create not only tighter restrictions in order to protect people's intellectual property, but also to form a more cohesive model on recognizing art as a commodity. After all, when copyright is concerned, people are generally strongly for it when it comes to their art being sold under their name. But concerning the amount of times an artist must register their properties would assume that there is no property that cannot be claimed under a general license. Many current licenses, mainly Creative Commons, provide easily available licenses to content creators without much hassle. If such a law as this one were to be passed, at the very least I would hope that the model or procedure for which creators would have to register all of their content would be as accessible. Otherwise it would be, by modern standards, a time-consuming, paperwork-filled, lengthy and floppy process to provide even a single license to a single piece of work, let alone however much this license might cost to be obtained.

The third issue with this law's presumed restrictions is that it conflicts with many of the clauses stated in the original copyright law, and one such contender that many artists will be guaranteed to question adamantly is the Fair Use claim. This one, admittedly, is an ambivalent clause, as it has been abused and butchered by many illegal scammers to rip off content creators' work in the name of 'fair use', but the clause stands as a means for artists to generally express interest in, and help promote, existing IP's without claiming that the content is originally made by them. And many companies and celebrities have allowed for their properties' likeliness to be used for creative purposes by adoring fans, such as Nintendo's allowance of their content to be used legally in fan-based projects, even if they are for profit (save that profit going to the individual creating it and not to anything else). Fair use is what allows many companies to freely advertise their work to fans through usage of their content, such as a movement of YouTube content creators called 'Let's Players', who make their living promoting other companies and indie developers' video games for the purpose of reviewing, satirizing

and expressing opinions toward said content. This model has provided a win-win scenario for both the Let's Players, the developers who make the games (free advertisement), and the viewers of the Let's Players who then decide to buy the game and play for themselves. All this to say, a great concern with this new law in regards to Fair Use would be in the basis for which you would determine the validity of fair use with existing intellectual properties, which I would argue would be made more difficult, and would make for more unnecessary penalties and infringements to creators who merely express their love and interest in these properties. The idea of creating Let's Plays, fan art, or parody films and other media, would be almost impossible without being penalized.

I know this law means well in many ways, but the suspicions and contention lies in how much rights the artist believes they have left when creating anything that expresses an idea or behaves similarly to other existing content. And if it is passed, we believe we will only have the option to either wait until we get approved by the government for simply creating anything, or run the risk of being blamed for either lack of effort or unfair copyright infringement. Please consider that this law will have severe drawbacks and issues that might affect the livelihood of those forming the backbone of America's culture and creative freedom. Please reconsider passing this law and putting artists at risk at both being penalized as well as further taken advantage of.

Thank you for reading,

Yours truly,

Aaron Schmit