How animals communicate! Books and more...

July 22, 2015

United States Copyright Office
101 Independence Ave. S.E.
Washington, D.C. 20559-6000

Re: Orphan Works and Mass Digitization

To Whom it May Concern:

I am a freelance writer and illustrator of children's books on animal behavior, living and working in California. My books have been submitted and approved for copyright by your office.

I hold my own brand and publish my works so I bear all the expenses related to the production and distribution of my books. This includes computers, tablets for digital illustration, printers, scanners, software, office supplies, domain registration, website hosting fees, website updates, association memberships, continuing education, repairs and replacement, and all the risk.

I followed the rules and dutifully sent my work in for copyright at your office in order to have it protected from unlawful use and profiting by parties who have had nothing to do with the years of work I have put into my books. However, with the need to heavily market our work on social media these days, my sketches and illustrations are frequently seen outside of my books, including on my website and other sites. Followers want to know what we are working on; a personal connection with our readers and clients is a must these days.

Copyright infringement does exactly the same damage to the individual rights owner as it does to multi-national corporations, but individuals have far less resources to fight it, or recover from it. I should be the only one to control how my images are used. Without copyright protection I can't fight theft, misuse, or profiteering from my hard work.

The act of creation creates the copyright — it has from the first moment of copyright law's existance in 1790, and I thought that the mission of the Copyright Office was to protect artists and their work. Allowing orphan works and mass digitization represents a disregard of individual artists' rights as we try to protect our work from theft by corporations and other unauthorized users.

If the new copyright proposals become law, they will stunt our marketing efforts and our ability to sell our art. The moment someone claims they tried to find us and the work is considered orphaned, they will be protected while the creating artist and the work are not. How is that not a violation of the artist's rights and a gross injustice? What other professionals would be asked to work for hours on end and then watch someone else get a paycheck for the effort?

I thank you for your attention to this matter and for your consideration of our rights as artists.

Sincerely,

Alejandra Abella
Stormy Tales