To the Copyright Office
Notice of Inquiry
Regarding: 2015 Orphan Works and Mass Digitization Work July 1, 2015

Dear Sirs/Madams,

My name is Audra Geras. I am a trained biomedical artist and president of Geras Healthcare Productions, an internationally renowned visual biomedical communications studio. I have been in business for over 25 years. My studio creates visuals, both 2D and 3D biomedical illustration, and 3D animation/video production for all aspects of the healthcare industry. I am writing to you on behalf of myself, and the 7 members of my studio, to express our *strongest* opposition to the proposed changes to the Orphan Works and Copyright legislation. It would not be an exaggeration to say that these changes, if implemented, would mean the end of our professional careers and the closure of our studio.

In order to become a qualified biomedical artist, I studied for 8 years to earn advanced honors degrees in both Molecular Biology and Biocommunications (which required 3 years of medical school). The other artists in my studio have equivalent educational backgrounds. We have all also worked extremely hard and long hours for many years, and with utmost dedication, to acquire the knowledge, experience and high-end artistic skills needed to create award-winning illustration and animation. Our studio has won well over 100 international Awards of Excellence for both our biomedical illustrations and our animation.

It is very important that you understand that the illustrations and animations we create are not sold as 'products'. **What we sell are licensing rights for the use of our visual artworks,** whether illustrations or animation. The contracts for these licenses are structured depending on the needs of our clients. They may provide One-time print use, or Online rights, or Limited Non-exclusive rights, or World-wide Exclusive rights in perpetuity, or virtually anything in between. The fee for licensing these rights takes into consideration the nature of the intended usage, the distribution, duration, geographic area, exclusivity, and the market's perceived value of our artistic works.

It is also important for you to understand that when we sell licensing rights to our creative works **we always retain the right to create derivative artworks of non-proprietary (the client's) subjects**, and we retain all of our studio's intellectual property.

The creation of a single original work of visual art by me, or one of my studio's artists, means years of income, because it is the norm for us to sell limited and strictly-defined licensing rights to multiple clients, for multiple uses, over a stretch of many years. Our work does not lose its value upon publication, but rather continues to have value into the indefinite future, and often, even

increases in value. Any one of our visual creations can lead to significant and repeated sources of income through potentially multiple publications or usages over a period of many years by many clients. I have illustrations that have been licensed for different uses, by different clients, well over a dozen times. **The artworks we create therefore become part of a highly valuable *proprietary inventory* of visuals that are available for licensing by our clients.** This is how we earn a living as artists!

If we, as visual artists, lose the copyright protection afforded to us, the source of our income will be lethally damaged. The talents, skills and knowledge that we have worked so hard to acquire will be deemed worthless, as anyone will be able to infringe upon our *original* works of art by using it without the need of a license, or by creating derivative artworks of visuals created through our unique vision and that may often also have required us to spend months researching the scientific literature, and engaged in creative problem-solving.

Furthermore, since we regularly sell 'exclusive' rights to clients, we would no longer be able to ensure and license this exclusivity because we would not have the copyright protection needed to do so. Anyone would be free to infringe with impunity upon our clients' contractually-guaranteed exclusivity to our artwork.

In summary, and to put it very clearly, **the proposed changes to the copyright laws will allow the theft of our income and means of earning a living**. We will be permanently out of business. These changes will not only have a lethal impact on our studio, but you can be sure that the impact on the immense creativity, and productivity of the vast visual artist community and many thousands of successful businesses, will be irreparable and incalculable.

Please, *please,* protect the continued ability of creative visual artists to earn a living, and maintain ownership and control of their copyrights to the original visual artworks born of their blood, sweat and tears. As a nation, the U.S. should surely be championing and protecting creativity and the investments and hard work of creative individuals. It is the fair, ethical and moral thing to do. It is the American thing to do.

With respect,

Audra Geras
President, Geras Healthcare Productions

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Creative Concept Development and Direction / 2D and 3D Biomedical Illustration / Murals and Installations
Script Consultation / Storyboards / 3D Modeling and Animation / Complete Video Production