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U. S. Copyright
Orphan Works

Dear U. S. Copyright Office:

I have been an Art Director and Artist during my entire career spanning over 35 years. During that time, I have registered copyrights on over 115 collections of artwork containing thousands of related images.

I license my artwork to third-party companies that place the artwork on products and sell them to consumers. In my contracts, we have clauses that require the work to be original from me. In addition, we both agree that we will defend against any infringement by other parties who may try to use the images without authorization.

With the growth of the Internet, it has become harder and harder to keep artwork from being used (stolen) by other groups. On the other hand, it has also become possible to discover unauthorized use of artwork through the use of search engines. It would seem that with a little extra effort, the true owner of the artwork can most often be found, making the idea of an “orphan” work seem less likely.

I am afraid that loosening the rules on copyrighting will create in the United States the environment that is often seen in overseas production facilities. Often, a licensed artist will see their work copied, receive no compensation, and have no recourse that isn’t expensive for discontinuing its unauthorized use.

I would prefer that the United States stay a place where I can believe the artwork I create belongs to me, that I may use the artwork to my benefit, and that I may defend my ownership rights to the artwork and its use.

Sincerely,

Cathy Heck