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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 (80fr23054)

Dear Ms. Pallante,

In recognition of the time and effort expended by a great many people in dealing with this issue of orphaned works of art, I'd like to say that the amount a paperwork generated has been impressive. However, I find myself still asking what's really at the root of this problem. Is it because the works of art are orphans? Or maybe this driving need to get everything digitized for some greater good is propelling things too fast? Actually, I'd say no to both of these. What I think the root of the problem is, is that people are wanting to use what they don't own or have permission to use. And I see many problems with the proposed solutions and I think we would be better served sticking to one basic tenet: if it's not yours, don't use it if you cannot obtain permission to use it—period. The world will not come to an end if we don't get everything digitized right away. Advertisers will not die a lingering death if they have to use one piece of art rather than another.

I have been a graphic arts professional and business owner in that field for over 40 years. I have also been a hobbyist watercolorist for over 23 years and have sold many pieces of my art and display many on my Facebook page. I am semi-retired from my graphics career, and have never depended on my art sales to make a living. So I stand little to lose no matter what is decided. But I know there are many, many artists who do depend on their graphics careers and art to survive, and I am very concerned how the proposed copyright changes are going to impact them.

Granted, infringement is rampant, and orphaned works certainly are tempting. However, legalizing problems to solve them is never, ever a just solution, and in this case, the proposed changes appear to only benefit the violators by limiting the amount of monetary damages they would have to pay if sued by an artist. It seems to be saying that the abusers rights are more important than the victim's rights. This is not right. I say the artists/creators have the most to lose and their rights originated first, and so should take precedence. Please do not pass this legislation.

Sincerely,

Bobbie Nelson

Bobbie Nelson
Owner, Vista Type, Print & Design