Ms. Maria Pallante
Register of Copyrights
U.S. Copyright Office
Washington, DC 20559

Re: Notice of Inquiry, Copyright Office, Library of Congress
Copyright Protection for Certain Visual Works

Dear Ms. Pallante and other members of the Copyright Office staff,

I have been a professional scientific illustrator for over 30 years. Although now perhaps semi-retired, I have been both a salaried employee at a major museum and a free-lance contractor. I have close family in the same situation and maintain an interest in the profession. I have been able to observe and participate in monetary aspects of reuse of images. This is a very important aspect of making a living as a professional artist.

With a salaried position, the artist employee surrenders all rights to their work in return for a steady paycheck and benefits. Not so the freelance artist and small studio business. The work is more unpredictable; the potential compensation is being able to control the assets of the business.

Over the course of time a small studio acquires visual assets, which are the sweat equity of the illustration business. Some images have a lot of resale value; while they may not have paid much at first, by generating multiple re-use fees over long periods of time, they can become valuable assets of the business. The savvy business person takes possible re-use fees into account when bidding on a project. For other projects, parts of an image are often re-useable, making related work more go more quickly and efficiently, allowing the artist to complete more work in a shorter amount of time; this increases billable hours for the studio. The new proposed copyright legislation will strip these small businesses of all of these assets.

Monetizing images can only be done if the artist retains some control over their art. Any changes to the copyright law that make it more difficult for the small business owner to control their product, their images, will make it more difficult to monetize their assets.

We are in the business of making art, not policing the internet for theft. It is already difficult enough to find people infringing on our copyrights; this proposed legislation will make it much more difficult to do so.

Thank you for your consideration of these points. I would ask that as you go forward with legislation you consult with people who make a living creating images, not just with people who want to use images.

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