July 21, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence Ave. S.E.
Washington, DC 20559-6000

RE: Notice of Inquiry, Copyright Office, Library of Congress

Copyright Protection for Certain Visual Works (Docket No. 2015-01)

To Whom it May Concern:

My name is Christopher B Short. I am a nationally known freelance illustrator and animator. Since 1990 I have produced and published hundreds of illustrations and animations, national and international for many mass market magazine and trade publications such as Newsweek, The Wall Street Journal, Scholastic, Reader's Digest and Popular Science. My work has been on the forefront of many historic news and editorial covers, making them iconic to the general public.

I am writing to address the problems visual artists face in the new digital environment.

1. What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?

As a freelance illustrator, I need to maintain revenue streams in order to make a living for my family. The resale of my past images is part of my day to day way of doing business. My collection of work is a valuable resource that produces income for me and my family and is my property. Any attempt to replace our existing copyright laws with a system that would benefit internet companies would endanger my ability to make a living. On numerous occasions, other entities have been using my work without my permission or financial compensation. Why would the government favor corporations like this instead of those of us who actually create new work?

2. What are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?

The current proposals the Copyright Office has made to Congress has me very worried. Orphan Works bills have been resoundingly opposed by artists since they first appeared a decade ago. A copyright law built on the foundation of orphan works law would allow internet companies to take revenue from artists with the hopes of creating an even better revenue stream for themselves. There can be no bigger challenge for those of us who make our living creating new works than to have to compete with giant corporations that can get artwork free from artists and compete with us for our own markets.

3. What are the most significant registration challenges for photographers, graphic artists, and/or illustrators?

The proposal to reintroduce registration would become a huge financial burden for artists such as myself. With the large number of images I produce, registering all of them would put significant strain on my budget. In the end, if the government succeeds in passing this legislation, the end result will be that artists, like myself, will find ourselves paying through the nose to maintain our images in somebody else's "for profit" registries. As for the images we can't afford to register, or those we can't find out in

the internet to register will all fall into noncompliance and a lifetime of images created at great expense and effort will be free to be exploited by others.

4. What are the most significant challenges or frustrations for those who wish to make legal use of photographs, graphic art works, and/or illustrations?

I rarely, if at all, use other sources. If other sources are used, proper compensation and credits are obtained legally.

5. What other issues or challenges should the Office be aware of regarding photographs, graphic artworks, and/or illustrations under the Copyright Act?

The perception that "if it is on the internet, then anyone has the right to use it" mentality needs to change. The artist's work has value as intellectual property to that artist. We have the right to promote our work, but by doing so, exposes the work to be taken and used without permission because perpetrator claimed to find the artist "in good faith" when most likely they didn't. As freelancers, we are not a large corporation with the resources to go to court every time there is an infraction, only to have them say "they tried to find us" and we are left holding the bag. The Copyright Law should be adjusted to protect the artist, be allowed to assess courtroom fees and larger damages without having to register every single piece we create. This would definitely deter improper appropriations.

I thank you for reading my letter and I ask you to recommend that visual art be excluded from any orphan works provisions Congress writes into the new copyright act.

Thank you so much,

Christopher B Short