To US Copyright Office
The Library of Congress

These are my comments regarding “Copyright Protection for Certain Visual Works,” and particularly proposed changes in the treatment of so-called “orphan works.”

I am a visual artist (photographer) and earn my living as a photographer. I have been a paid photographer off and on for more than 40 years. I sell prints online and through art galleries, and license my images to magazines, tourism agencies and marketing agencies.

I am already burdened with protecting my intellectual property (images) from misappropriation through scans of prints and screen grabs of work shown online for marketing purposes. Any change in the law that facilitates those who would make unauthorized use of my images would be costly in lost sales and lost time defending my rights.

No outside agency or commercial interest should have the unilateral right to set value of my work; it is worth the price I determine. Further, it is urgent that I retain the right to determine where and when my work is licensed in order to protect my images from devaluation due to excessive or inappropriate uses.

It is my opinion that broadening the definition of so-called “orphan works” will only benefit users who wish to exploit the intellectual property of artists ... which will, of course, diminish our ability to earn a living. It will also erode motivation to create, to the detriment of ourselves and our audiences.