July 11, 2015

Dear Copyright Office.
It has come to my attention that there are big changes being proposed to the US Copyright Act specifically to Orphan Works.

I have been a professional illustrator for 25 years. I have a degree in zoology, and a graduate certificate in natural science illustration. I have illustrated many books, articles, museum exhibits, etc. The copyright law is not an abstract legal issue, but the basis on which my illustration business rests. Because I retain the copyrights for my illustrations, I can use each one multiple times for different projects- projects that I am paid for. Every work that I do, with all the time and research that goes into it, is valuable to me as part of my business inventory.

In the digital era, it is easier than ever to steal images. This has not happened to me personally (at least that I know of), but my husband (also an artist) has seen his work show up on billboards, business cards, books, and magazines- when he has not authorized their use or been compensated for that use. Thousands of dollars of potential income lost. And that is not including any of the work used that he didn't happen to find.

Illustration work does NOT lose value upon publication- if anything, the exposure that it receives makes it more valuable. If other people are allowed to freely use any works that have already been published, it robs illustrators of important income, both from work already done, or new work that companies would otherwise hire illustrators to do.

Illustration work is labor-intensive, involving much research, even before an illustration is begun. As online images and photos become used more regularly, it is harder than ever to find illustration work, and even the jobs available often pay very little- many magazines, books, and online publishers even think they should be provided with illustrations for free! Consequently, being able to sell the use of an image multiple times is important to be able to get a reasonable value for the work that has gone into it.

An illustrator's copyright is the source of his/her income. Please don't take it away.

Thank you.
Marni Fylling