July 20, 2015

U.S. Copyright Office
Orphan Works

Dear U.S. Copyright Office,

Thank you for taking the time to read my letter. As an artist for eight years, copyright is extremely important to me, my business, and my livelihood. Upon reading the different highlights of the proposed Orphan Works Copyright Law, I felt it was necessary to voice my concerns.

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

I am currently in the transition of becoming a full-time artist. The artwork I have produced in the past has been monetized via licensing. If the current copyright laws were changed in order to benefit internet-based companies, it would endanger my ability to make a living as a full-time artist. I already struggle with protecting my artwork and thanks to DMCA, I am able to issue take-down notices to other internet sites who may be hosting or monetizing my artwork unlawfully. I fear that modifying the law to give individuals or companies the option to try in "good faith" to contact me to license my work gives them an excuse to use it anyway and state "well, we tried".

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

Creators have been opposing Orphan Works since it first came up a decade ago. The problem still remains. A copyright law that allows internet companies to profit from creators who are simply trying to protect their fundamental right and protect their livelihood takes the control from the creators themselves and instead, gives it to big business corporations.

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

Registering works is already a financial burden. And it would be wrong to require creators to register and pay third-party companies in order to fundamentally protect our rights and our works. In addition, a lot of artists have been working for decades and finding past works and trying to track down all of their artwork for registration could be an utter financial nightmare.

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

I think the greatest interest of any proposed law should be to protect creators and prevent unjust conflicts of interest. It should be essential that if this law or anything of the same ilk goes into effect, no third-party company or organization should benefit financially from it. A company should not receive financial gain in order for me to protect my work, business, livelihood, and passion.

Again, thank you for reading my letter and ask that you please exclude visual art from any orphan works provisions Congress writes in the new copyright act.

My Best,

-- Leeanne M. Krecic