July 20, 2015

Maria Pallante

Register of Copyrights

U.S. Copyright Office

101 Independence 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 Manuel Guevara I am an amateur artist and illustrator and a professional web developer. Since 2013 I have produced and displayed over 100 public works in the Reno Art Town festival. Having grown up in a digital age, I am writing to address the problems visual artists face in the digital environment.

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

I am a freelance illustrator, I maintain a revenue stream and business by providing new artwork and reselling this artwork when applicable. Redistribution or reselling of this artwork without compensation has been a constant struggle that is already faced. Changing the copyright law would now be providing legal excuses for internet companies or private parties to steal my profits from under me. Certain companies have already begun digitizing my work without my permission or financial compensation. These companies already have Terms of Services that provide them with a lot of leverage over how they may use content provided to them, even if this content is provided by themselves to their own service. 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?

This revised version of the Orphan Works (OW) bill, would be even worse. Orphan Works bills have been detested since the appearance of it in January 2006. A copyright law built on the foundation of orphan works law would allow internet companies to syphon off revenue from artists with the hopes of creating an even better revenue stream for themselves.

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

Artists know its common knowledge that they need to take their own photographs for works they wish to produce. Or that they may only use graphic art works or illustrations as reference or inspirational material for their own works. As a web developer, we enjoy the benefits of contracting artists and photographers directly for images to be used as it is part of networking in the business.

To prevent this unjust conflict of interest, it is imperative that no artists group that supports this legislation be allowed to receive any financial benefit from the creation of copyright registries or notice of use registries. These artists organizations have failed artists and should not be allowed to use this legislation to profit even further off the artists they were created to help.

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

Thanks,

Manuel Guevara