DEAR COPYRIGHT OFFICE:

I'm a graphic designer / illustrator, in practice for the last 14 years. I'm in the business of creating visual assets both in print, paint, and pixels and more. I'm a commercial artist. I'm also a businessman and a family man.

Recent suggestions to revise copyright law have given me pause to take time out of my busy schedule providing for my family to voice my concern and displeasure for the revisions to copyright suggested.

Specifically the issues raised are these:

> "The Next Great Copyright Act" would replace all existing copyright law.
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> It would void our Constitutional right to the exclusive control of our work.
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> It would "privilege" the public's right to use our work.
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> It would "pressure" you to register your work with commercial registries.
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> It would "orphan" unregistered work.
> It would make orphaned work available for commercial infringement by "good faith" infringers.
>
> It would allow others to alter your work and copyright these "derivative works" in their own names.
>
> It would affect all visual art: drawings, paintings, sketches, photos, etc.; past, present and future; published and unpublished; domestic and foreign.

FIRST: "The Next Great Copyright Act" would replace all existing copyright law.
By replace, I sincerely hope this means amend. As most law today in my limited experience with the use of it, always seems to be densely packed with complicated verbiage, exemptions, limits, and specific examples. To be so bold as to suggest a complete replacement is either warranted, necessary or even completed and ready for implementation is dubious.

SECOND: It would void our Constitutional right to the exclusive control of our work.
This is of utmost importance and must not be allowed. If I were a farmer, the government would have no right to come to my farm, harvest my produce and give it or sell it to someone else. That right belongs to the creator of the work or the one with justifiable ownership of it based on the ownership of all property used to create the work, effort exerted in producing the work, and overall right to the intellectual property of the idea of the work being generated.

THIRD: It would "privilege" the public's right to use our work.
This is absolutely absurd. Trademarks are a simple example of why this makes no sense at all. The public has no right to the use of a visual piece of art that represents any business or interest, unless willed to the public by the owner of the mark. Additionally, designers/artists must be in control of their ability to transfer this right of ownership to their clients to protect them, and empower them with the knowledge that the visual artwork created in fact is now owned by the

business the artwork is to represent.

FOURTH: It would "pressure" you to register your work with commercial registries.
Forcing registry if all visual artworks created would result in inflated prices, delays in service to clients as well as result in bloat to registries hardware needs – potentially creating an opportunity for one sector of the industry to monopolize services in the visual arts industry.

FIFTH: It would "orphan" unregistered work. It would make orphaned work available for commercial infringement by "good faith" infringers.
Potentially the most destructive tenant of them all. This must not happen. This potentially affects musicians as well and is viewed as highly destructive in my view to the artist. This affects the ability to pass on a legacy for my family the way others build their family businesses and pass it on from generation to generation based on the knowledge and inventories they've accrued over the years. So, an artist can develop knowledge to build a business legacy to be curated by their surviving generations. In the music industry intense legal battles have been fought over unfair auctions of created work in which the original creator was unable to protect their own creation from being exploited by others due to a system that allows others to exploit the rights of created work. This type of mentality in our world only serves to tear us apart, fighting among one another, instead of appreciating the work and creations of others.

SIXTH: It would allow others to alter your work and copyright these "derivative works" in their own names.

There is already sufficiently vague fair use law, often to a fault allowing derivative work to be produced and exploited with minimal repercussion. Allowing more opportunity for this to occur will only serve to devalue the offering of original artwork. Intellectual property theft will be allowed to run a muck, under the guise of 'fair-use' and 'derivative work.'

SEVEN: It would affect all visual art: drawings, paintings, sketches, photos, etc.; past, present and future; published and unpublished; domestic and foreign.

Protecting all these areas of visual arts and other arts of all kind is of the utmost importance to continue to protect those whom create works of art for income, hobby or leisure, and subjecting them to devaluation by public ownership. It should always remain the right of the producer of the work whether or not it should be in the public domain, and if it should be, how it should exist, be experienced and offered throughout the public domain.

Thank you for the opportunity to express the importance of these issues. They are of the utmost importance to myself, my family, colleagues, and friends.

Best Regards,

Michael Wisniach
Graphic Designer, Illustrator, Father, Businessman, and Citizen