July 23, 2015

United States Copyright Office

Concerning the legislation to reform Copyright Law.

To Whom it May Concern,

As an illustrator, visual artist and writer who values creativity not only as a spiritual haven but as a livelihood, I must protest the proposed changes to copyright law.

My illustrations for *Grandpa's Magic Tortilla* were published in 2010 by University of New Mexico Press, and I graduated Magna Cum Laude from the Southwest University of Visual Arts in 2012 with a Bachelor of Arts in Illustration and Minor in Animation. Since graduation, I have experienced the difficulties that we who choose the life of an artist face: namely, the constant devaluing of one's technical, intellectual, and creative skills.

I have spent the last few years selling my artwork and writing, developing several illustrated books that I hope will someday be published. Therefore this legislation directly affects my life, because any further weakening of current copyright protection, directly affects the future of my work and my ability to make a living from it.

In this digital age, the atmosphere is frightening enough as it is. Images permeate and saturate every avenue of daily life, whether it be through television, advertisement, internet and social media. The image is the driving force behind our discussions and sharing, and many of these images were created by someone like myself. An illustrator specifically, lives off of the rights that they are able to sell for any given illustration that they produce, even more that then the actual time it takes to create the illustration. An image once created, has the ability to be broken up into rights to be licensed for specific periods of time; the results of which, are a very small percentage of the actual cost that went into the image's creation. It is therefore, absolutely necessary, that it's creator negotiate wisely, and spread the pieces wisely so that an actual profit can be realized.

But think about how easy it is already for the millions around the world to take these images and use them for personal gain without discretion? Think how easy it is to pluck an image from the sea of the internet, regardless of whether it has been watermarked or not, and use it without a thought to the original creator. Not only does it rob the artist, the creator, of their technical, intellectual, and creative labor, it devalues the creation itself. One may see the effects of this in the many millions offering their "illustration" services at a pittance. One can only imagine how much worse this situation will become if creators are not given the right to determine and control how their work is being used or even to challenge those who steal their work.

I sell prints of my art at conventions, crafts fairs, and shows. On more than one occasion, I have sold a print to to a customer and have had them tell me, "I love this, I've been looking for the right image for my next tattoo. I think this is it." Awkward as it is, I then have to explain that such an act would be considered an infringement of my copyright. Imagine if everyone I sold my art to made a copy of it and sold or gave it away to ten of their friends, who then make a copy and sell or give it away to ten more of their friends. If I sell each my prints for $20 a piece, I've just lost $400 on prints alone, regardless of whether they paid for the illicit copy or not.

If a client were to commission a tattoo from me, I would be charging them by the hour based on the complexity of the design. Suffice it to say, it would be much, much more than $20. And even then, a custom, commissioned piece does not make it alright for the person to take a photo and make 100 xerox copies to advertise their next party; because unless I sell my copyright, the image still %100 mine as the creator. The sad thing is, that the people who tell me that the print they just bought may become their next tattoo, do not even realize that such a thing is an infringement of copyright, or in other words a theft. They have no idea the kind of thought and time and materials and love that I put into an image that I create. All they can see is the end result.

Imagine if I sold a print to a nice person at a comic convention, and a year later my art turns up on the cover of their next comic book. Maybe the colors are a little different, maybe this nice person added a teddy bear with a pink bow to the composition. Maybe they erased the logo I had placed at the bottom of the image. The fact still remains that the original image, my creation, is invested with my technical, intellectual, and creative skills. Not only does such an infringement devalue my time and my skills, but it competes with my brand, my image, my identity as a person and as an artist. It constitutes as theft.

Now, most people that I meet and most people that I sell to are not going to use my art in this manner. Most of them genuinely enjoy it as a commodity and value me as the creator. However, just one instance of theft is enough. If the general populace can take what I have printed or published, in short, what I have created and use it in a way that was not intended, then I have lost something very valuable. I am in essence, competing with myself. Life is hard enough as it is, and business is hard enough as it is without this kind of situation making it unlivable.

Creation is my life. Every moment of everyday, my mind is racing and creating. I draw, I paint, I write. Everything that I produced is part of my soul. As of now, my intellectual property and the images that I create are protected by copyright the moment they come into being. I realize that in order to have a case in court, I need to register my work with the National Copy right Office. However, consider the hundreds upon hundreds of drawings and ideas that I commit to paper. Registering every single line is going to bankrupt me, long before the normal challenges of life might. Leaving my unregistered work to be the prey of the corporations, or by that nice-enough guy making a poster for his school dance, is not harmless. Giving corporate moguls and the faceless masses of internet even more power to use my work, the work of an individual, as they see fit is not only unjust, is is unethical.

Bad or good, graphic artist are now forced to have some sort of internet representation to even be considered for some jobs. In many cases, it is our online presence that is our lively hood. In this age of digital portfolios and facebook pages, and tumblrs and twitters and photo manipulation software, the danger is not limited to the people I meet and the people I sell my books or prints to. The threat encompasses anyone who has access to the internet, anyone with access to Photoshop, anyone who has the resources to take an image and use it on their blog or social media. In many cases, its fairly innocent. But taking away my right to challenge someone for taking and using my image is not innocent. That is *not* harmless. Limiting me and my fellow creatives – the fellow artists, who struggle like myself to make a living by following our passion – through so-called reforms to copyright law, will only cause more harm than good. Please consider the importance of this right to people like myself. Consider, that my future as an artist and as a person is at stake. Don’t take my copyright away.

Respectfully,

Lisa May Casaus
Illustrator