July 20, 2015

ATTN: Maria Pallante, Register of Copyrights

Hello, my name is Lydia Boatright. I am a digital freelance artist. This means that I, of course, work for myself in the very competitive market of illustration and the like. Over the past 7 years following my graduation in Media Arts and Animation, I have worked on many different projects for clients who have smaller budgets. This is all possible through my portfolio website which contains many of my greatest works for projects both personal and freelance. Because of this, I am writing to voice my concerns over the possible upcoming changes to the rights we artists hold over our own creations.

As with any kind of freelance work, the potential risk of "working for free" is always significantly higher than for those who work for larger companies. It is difficult enough to find trustworthy clients who will actually compensate freelancers for their work after a digital project is completed. If everyone suddenly had the right to pull any of my work from my portfolio and other art related websites for their own use without penalty, then how would I ever be able to make any money from my work? Who would need to commission anyone to create work "like" any artists' online examples, if the examples themselves become free for the taking? Even signed works would be up for grabs for those who know how to remove signatures and watermarks. It is an easy process for anyone owning (or pirating) a copy of Adobe Photoshop, or any similar image editing software.

Any bill such as Orphan Works would only endanger freelance artists' already existing work, and make it even more difficult for them to compete with larger companies or any 'potential user' who could use their work for free. In turn, many of us would be reluctant to publish our creations online for fear that everyone would simply use them for free instead of commissioning us. This would not only render our expensive and hard earned art degrees useless, but it would leave us unable to promote our own work through the internet. As a freelance artist, I have to count on the fact that if I found my work being used without any compensation to me, then I am able to pursue legal action against these thefts. The copyright laws need to protect those who create art digitally just the same as those who create physical works.

Now, as I have stated previously, many digital freelancers do not work on large scale projects or for corporations. It is up to us to use our own meager earnings to both protect and promote our work. If we have to go through another company just to make sure we retain the rights to our own creations, then our profit margin dips even lower. Those of us with families, large school loans and other bills and debts will be forced to abandon the work we so love, and take on jobs which have nothing to do with the creative field. Many of my fellow art school graduates have faced this struggle already, and these new laws haven't even come into effect yet. It is difficult enough to make a living doing freelance work without having to pay extra money just to retain rights to works which never would have existed without their creators in the first place.

I also would like to stress that many artists take a great deal of pride in their creations. We strive to express ourselves in a way that is entirely unique to us. When we create something, we pour our heart, soul and skills into it. Anything that comes purely from our own imagination and hard work should be treated the same as any physical creation. If one had the ability to create a completely unique car through many hours of hard work, then should it not be used and/or sold in a way that the creator chooses? Even if the ability to replicate such a thing through digital media existed, it does not change the fact that the original creator should hold all rights to it.

In closing, I hope I have made clear the struggles of freelance artists, and even just creative individuals in general. We strive to create, and we want our creations to be protected. We are more than happy to use our skills to work for fair means, but we do not wish our work to be seen simply as something that is free for the taking. No one would work if they were not being compensated for their work in some way. Artists, like everyone else, have bills to pay.

Thank you for taking the time to read this letter. If I have successfully conveyed the plight of digital artists, then I would urge you to stress the need to protect every type of visual art when the copyright laws are rewritten.

Sincerely,

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