From: Marna Jane Grove <groveart@shoreham.net>
Date: July 21, 2015 11:16:38 AM EDT
To: crowland@loc.gov, bernie@bernie.org
Subject: **2015 Orphan works**

July 21, 2015
TO: Catherine Rowland, Senior Advisor to the Register of Copyright
FROM: Marna Grove, Owner/Artist Grove Illustration & Design

Dear Ms. Rowland,

I am very concerned about the orphan works legislation that, if passed by congress,

threatens the already tenuous livelihood of creative artists, illustrators, and media designers everywhere.

Specifically sensitive is the copy protection when an artist's original work is displayed as a portfolio website for the purpose

of gaining opportunities to work.

The standard in presenting a web based portfolio and making income then depends on excellence in quality

considered to be that artist's 'best' work.

What happens when someone decides to use without permission that 'best' work?

Copyright is the basis of my income and ability to support my business.

It is the only way I have to protect the accuracy and integrity of

my work, and to negotiate an appropriate fee for re-licensing.

The biggest challenge to monetizing/licensing my work is to keep control of where it appears

and who uses it, and to keep my copyright notice and contact information associated with the work.

I require that my name and copyright information be included with the

image by my client - they will do so, but often the image is appropriated by someone else and that

information is cropped off. I always sign my work within the image area, essentially a watermark - but

there are multiple companies with software and tutorials instructing users how to erase watermarks.

There is nothing I can do to prevent my work from being 'orphaned'.

If the Copyright Office is sincere about protecting rights of creators, it should be declared illegal to

remove a watermark, metadata, and copyright information, and become

illegal to mass digitize any works not in the public domain without written permission from the

creator, all with stiff financial penalties.

The Copyright office should make all of its registered images

searchable by image, not just by textual data. If Google and Bing can do it, so can the Copyright Office.

In addition, the suggestion of a text-based 'Notice of Use' of a work assumed to be 'orphaned' would

be useless. The only real protection for creators is to eliminate the concept of orphan works altogether.

No work is an orphan: it all has been created by artists who should have legal rights to control use of their original work.

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