Mary Elizabeth Smith

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Library of Congress, Copyright Office
RE: Notice of Inquiry on Copyright Protection for Certain Visual Works

I am writing this letter in reference to the “Next Great Copyright Act” and how passing this would detrimentally affect my livelihood and future a professional artist.

While I was still in high school, I attended a Commecial Art certificate program at a local college because I knew deep inside that I wanted to have some sort of career in the art industry. Since then, I have been a successful starving artist for over 30 years but wouldn’t change it for the world. Honing my talent and skills by attending many workshops, classes, and retreats, I have won many awards in local, regional and national juried shows and had five galleries representing my work before the big recession hit in 2008.

Recently, I sold 6 original watercolors at a local restaurant and have my art for sale on MarySmithArt.com and several other websites (FineArtAmerica.com and Zazzle). I have illustrated and sold a children’s book that dealt with issues children face such as bullying, loneliness and relocating to strange new places. Locally, I sell through one gallery/gift shop in my home town.

Copyrighting my work has protected my investment of time and money and given value to what I do. It serves as a reminder to people that they must respect my work by not copying it without giving me recognition and usually fair compensation in order to continue to afford to survive in this field of art. I always have a Bill of Sale that goes with every original painting and a Statement of Authenticity with prints that state I retain all reproduction rights unless agreed to in writing my me.

My other profession is as a freelance graphic designer, operating Harbor Design Services. I have provided innovative graphic design solutions for over 15 years and copyright materials on behalf of my clients, to protect them from someone taking their ideas. My clients include many local authors, artists, small businesses and non-profit organizations. I create marketing material for businesses and non-profits of all sizes. Sometimes I incorporate my own artwork into the backgrounds or anywhere the client may want to use it but it is very clear to them that I have control over how my art is used,

A local museum has used my artwork with permission on the cover of their Harbor History Walk brochure for an annual Use Fee, which is more about respecting my work, and they do not have rights to repropduce it or use it without permission. It is very important that I have the freedom to determine how and by whom my work is used.

Everything I create is MINE and become my inventory for my business - I earn my living with it. My work does not lose value when it is printed as a fine art print or in an article for someone else to view. Digital access to my work is becoming a large part of my business (print on demand websites such as FineArtAmerica) and I need to retain copyright to avaoid someone else swooping in and taking credit for and making profit from my talents.

I urge you to help protect our rights as artists and creative people in order to profit from our own works and continue to bring beauty and ideas to life for our world!

Please vote in favor of THE ARTIST in regards to the Notice of Inquiry on Copyright Protection for Certain Visual Works.

Respectfully submitted,
Mary E. Smith, artist and graphic designer