July 20, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence Ave. S.E.
Washington, DC 20559-6000

RE: Notice of Inquiry, Copyright Office, Library of Congress
Copyright Protection for Certain Visual Works (Docket No. 2015-01)

Dear Ms. Pallante and the Copyright Office Staff:

Thank you for the opportunity to comment on the problems visual arts face in the marketplace.

I am writing you as a upcoming professional artist who needs to maintain revenue streams in order to make a living. 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.
Any attempt to replace our existing copyright laws with a system that would benefit internet companies would endanger my ability to make a living. Why would the government favor corporations who ultimately steal from artists instead of those of us who actually create new work?

The very proposals the Copyright Office has made to Congress concern me. It is essentially a revised Orphan Works (OW) bill, but would be even worse. Orphan Works bills have been resoundingly opposed by artists since they first appeared a decade ago. A copyright law built on the foundation of orphan works law would allow internet companies to syphon off revenue from artists with the hopes of creating an even better revenue stream for themselves. There can be no bigger challenge for those of us who make our living creating new works than to have to compete with giant corporations that can get artwork free from artists and compete with us for our own markets.

If the Copyright Office is sincere about protecting rights of creators, it should make it illegal to remove a watermark, illegal to remove metadata, illegal to remove copyright information, and also 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.

Also I am not a citizen of the US. Still the Orphan Works Copyright Act would affect me as my work can be found on the internet and thus might be used by US corporations under the Orphan Works Copyright Act. Please be aware that the Orphan Works Copyright Act would force artists from all over the world to bend to Your rules and not the rules or their own country. Forcing them to register their work at the Copyright Office of another country to make sure their work isn't used - and ultimately the revenue from this use stolen from them - by a (foreign) corporation.

I thank you for reading my letter and I ask you to recommend that visual art be excluded from any orphan works provisions Congress writes into the new copyright act.

Very respectfully,

Martina Peters

Career Freelance Artist/Illustrator