July 20, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101 Independence 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:

I appreciate the opportunity to comment on the affects of the Copyright Act on my career as an illustrator. I've been an independent artist for the past thirty-six years and have built up a large body of work. Licensing the rights to my work is the primary way I earn a living. I write to ask for protection for my Copyrights and to prevent the establishment of central commercial clearing houses from managing and exploiting those rights.

As an independent freelance artist, there are no safeguards in place for income stability, employer-provided health insurance, unemployment insurance, retirement plans or legal assistance. This is a challenge due to economic instabilities and internet digital piracy.

1. *What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?*

The threat of loosing automatic Copyright protection for my work through the current Copyright Act if Orphan Works policies replace them.

The prohibitive cost to register thousands of images, and the time to digitize those images.

2. *What are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?*

The high cost of legal fees to defend against infringement of Copyrights.

The Orphan Works policies being proposed in Congress.

3. *What are the most significant registration challenges for photographers, graphic artists, and/or illustrators?*

Proposing registration of individual works (or even bodies of work) would be prohibitively time consuming to scan and prepare the images for registration and too costly for every freelance artist I know.

For works not registered, we would loose our rights and the income generating ability those rights hold for us and our heirs.

4. *What are the most significant challenges or frustrations for those who wish to make legal use of photographs, graphic art works, and/or illustrations?*

I allow fair use of my work for non-commercial purposes.

5. *What other issues or challenges should the Office be aware of regarding photographs, graphic artworks, and/or illustrations under the Copyright Act?*

Over the years, registering each new work with the Copyright Office would have been too costly but the fact that the work is automatically copyrighted without registration requirement has been a lifesaver in my business (monetarily and time-wise), thanks to the current Copyright Act policies.

But switching to a system of registration with for-profit clearing houses, independent artists' Copyrights would be left unprotected and vulnerable to exploitation. This kind of unfair scenario would most likely make it impossible for freelance artists to compete.

How could we continue creating work that gets absorbed by large corporations making money selling those rights to the very clients we now work with, essentially undercutting our business? This is a seriously flawed proposal, which needs to be dismissed and never revisited. We need Copyright laws that protect independent artists and their creative work from exploitation.

Intellectual property rights are created through a lifetime of study and time spent perfecting our craft. Please prevent the Orphan Works policies from taking away our Copyrights, current livelihood, the source of retirement income and income for our heirs.

To allow for-profit clearing houses to manage artists' intellectual property rights would be legitimizing digital piracy in the United States, as well as placing unreasonable burdens on independent artists in the time required to digitize their entire art collections and the prohibitive costs to register these huge bodies of work.

Sincerely,

Richard Jesse Watson