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To whom it may concern,

I am a professional artist with a master's in commercial art and have worked in publishing for about seven years. Art has been my whole life and I hope to one day branch out into production art or creator-owned comic work. Because of this, protection of my own original art is a must if I'm to succeed; however, purposed laws such as the Orphaned Works Act and mass Digitization won't help the art industry, but ruin it.

The current copyright gives protection of an artist's work once they post it, show proof of their ownership and it allows them the safety of making a living off their craft. They have control over their craft and the right to sell o r license it to anyone as a means of employment; however, a copyright law based around the proposed Orphan Works act would make life both difficult or impossible for artists to sell their art and make a honest profit. The idea of labeling anyone's current art that has not been filed or copyrighted becoming, in a sense, public domain is ridiculous, and artists already have a hard enough time protecting their work from being stolen and/or sold without their consent. If passed, it would give companies or users the right to take any not copyrighted material (labeled "orphaned works") as their own, this is theft in-and-of itself. Orphaned Works act would allow something that has been long accepted as theft to be come legal; the only people it helps are corporations and people too lazy or greedy to commission an artist to do art for them. This would have the same effect on the art and photography world that piracy has had on the music and film industries; loss of money, and jobs for the people created those works.

Second, an artist relies on the easy accessibility to promote their work, and the internet and social media have allowed this to be done. However, the requiring of an artist and photographer to licence every piece of work they have posted would be near to impossible for most. Many have spent years promoting and publishing hundreds of pieces, and requiring a copyrighting of every piece they have ever done, or risk it being taken or data-mined, is completely impractical. It will not only be a hassle for the effected individual, but potentiality end many artist's careers. The registration fees combined would cost anywhere from the hundreds to thousands of dollars; draining them financially and inhibit their careers. Also, who's to say, in the future, this fee isn't increased due to taxes or the economy; thus, making claiming art impossible. Not all artists have the full know-how of copyright laws or even the financial means to register all their work, most are amateurs who are just trying to make a name for themselves. Artists need the ability to freely promote their work; unless it's part of a specialized social media group or personal website providing companies, not constant fees to prove what is already their own.

Lastly, this new purposed law would not only hurt the art community but major businesses would suffer greatly as well. Artists, writers and photographers are the backbone of some of the most successful companies and industries in the world; film, television, animation, comics, literature and video gaming rely heavily on the original creativity of artists. When freely able promote their work, artists can acquire jobs or commissions from these companies and do work that allow them to earn a living and for companies to make money. Taking away or overly complicating this working system can discourage artists from even bothering submit their work at all and deprive businesses of finding fresh, new talent. Thus, major publishing houses , software companies, film studios and even galleries are robbed of original

material that could provide profit, jobs and creative ideas that can help the industry move forward. The Artists need to be able to maintain this ability to promote themselves to companies and businesses need it to make money.

I may be wrong, but Orphan Works based copyright law seems to have been designed by people who don't seem to truly grasp the life an artist or photographer lives,or see the full scope of the damage it would cause to the art industry and business. It would hinder the arts and culture of the country, turing the arts into something it never was in the first place, a expensive vocation that only the privileged or financially secure. Above all, it is a violation of our Constitutional rights to our work and our freedom of speech and expression. If any thing, the Copyright office needs to emphasize that a person's original work is their own and that illegal reproduction without the official consent or acknowledgement of the artist is theft plain and simple. If individuals or companies wish to use art or a photo, they should contact the artist or photographer and go through the necessary steps to acquire the work. Websites and the Copyright office should make strives to have artists and photographers give means of contact should anyone be interested in their work and should could increase fines and penalties for any infringement of another's copyrighted work, so as to more readily discourage theft. This helps maintain a working system that benefits the individuals and helps build up the economy.

Thank you for giving me the opportunity to express these views.

Sincerely,

Peter Kothe