July 21, 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)

To Whom it May Concern:

My name is Noemi Perera. I am a graphic and web designer based in West Palm Beach Florida, and being creating logos, illustrations, websites, photographs since 1996. My creations have been done in Spanish and English, and the ads I have designed have been published in magazines with distributed in the whole United States.

At this time I am writing to address the problems visual artists face in the new digital environment.

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

One of the most uncomfortable experiences is finding out in the web, artwork I have created and other person claimed as their own, now is much worse with some digitizing my work without my permission or financial compensation. I consider that the job of the government is to protect the creator and not corporations benefiting from it.

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

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 take away 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.

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

The proposal to reintroduce registration would become another financial burden for artists. It is not logical to force us to do so and giving it to a non-profit company. It seems more a burden for the creator and benefiting big corporations who have the money and the ability to do so. This proposal is simply ludicrous, not considering that taxing on something that is our right already given by the constitution.

4. What other issues or challenges should the Office be aware of regarding photographs, graphic artworks, and/or illustrations under the Copyright Act?
The issue is very simple; the creator should be the only one benefiting from his creation, and allowing big corporations is allowing the system to get corrupted.
Thank you for reading my letter and I ask you to recommend that any kind creation: visual art of any kind to be excluded from any orphan works provisions Congress writes into the new copyright act.

Thanks,

Noemi Perera