To the U.S. Copyright Office:

This is a terrible idea.

Regardless of what anyone has said, the current copyright law we have is one everyone ultimately likes. The original purpose of copyright was to inspire content creators to make something all their own. As some of my own pre-development processes that I perform as a content creator have proven, it does just that.

Have you ever been to DeviantART? Of course you haven't, you run copyright law and can't understand what the little people do. DeviantART is one of those art gallery websites that has had a consistent problem of art theft. People will download art from the site, some of which take hours of work, and reupload them to their galleries, claiming they created it. Furthermore, there have been cases when an artist's upload was printed onto canvas, put in a frame, and sold on eBay as the thief's original work for $100+. If I could recall where the journal saying so is (if it wasn't deleted), I assure you I would link it. Regardless of the site's stance on the matter, this is *wrong*. Not only is this is flying in the face of current copyright law, it's plain *rude*.

And it's not just DeviantART that has this problem. Almost every art gallery site suffers from this; it's not just as apparently because they're rarely as large as DeivantART. Every website with user-uploaded content has this issue one or way or another. The blogging site Tumblr has users that remove or change text from a reblogged image post to imply that they created the image, or even save the image and reupload it as a new post while doing the same. 9gag.com is occasionally accused of removing watermarks and other copyright info from the images they upload and stamping their own logo on. Day of the Shirt often steals its apparel designs from art sites, only to destroy the evidence when they cycle it out the next day, and they are explicitly making money off these shirts.

The Orphan Works Copyright Act would make all of this nonsense *legal*. That is *inexcusable*. That is *the exact opposite of the reason copyright exists*.

This act would leave starting content creators out in the cold. In order to prevent a work affected by this act from being considered orphaned, it must be registered. Knowing the government the way I do, that would require a fee, and in case you didn't know, the economy is not good for those that don't already have a job. Many starting content creators would not be able to register their work, will not be able to receive ample credit, and will not be able to develop enough revenue as a content creator to make a living off their own work. It's a complete *lock out*.

I also have issues concerning the idea of "good faith" infringers. This is the age of the Internet; good faith means little anymore. People will make no effort to contact the content creator when they take an image for commercial purposes, and say they did when asked by authorities. The only people able to dispute that will be the ones with the cash to take it to court, which again will lock out any starting content creators

Who are you even trying to protect anyway? Businessmen who use any old image off the Internet for official business presentations because they don't understand how clipart works? Let's Players, to get that whole debacle to shut up (because videos and video games *are* a visual art)? There is already enough a gap between the rich in the poor in this country, and what you think will serve the public interest will *make that gap wider*.

You say there's going to be a small claims court specifically for handling lawsuits that arise based on this act? Have you *seen* how many images there are on Imgur alone? *You are not prepared.*

You will NEVER BE prepared.

Do not attempt to make this act law. It will benefit no one, and will hurt more than you can possibly imagine. The world is not made of clipart.

Sincerely,
-Robert Joseph Schwaniger II