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?

Copyright helps support me and my ability to show the work I create without any real peril. It supports a property right that I have diligently worked toward through years of school, research, and study. I have spent a lot of my own personal money in hopes of helping me advance my craft and to keep me up to date with the technologies involved with digital painting. However there is still infringement. People and companies still steal the work of others and use it, even now with the laws that are already in place. I have only ever had to deal with the small infringement on the internet as I am still a student; however, I know and have friends that are illustrators that have had work stolen with unauthorized licensing from larger corporations that should have paid the artist.

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

There is an imbalance between the creator and the user of said art work. There are very few protections for artists, many artists who take commissions can be deprived of their authorship of the piece. There are so many numerous ways people steal work already claiming it is their own and if this is passed I believe those sorts of people will not only continue but they will grow. It will truly make it impossible to share work online for fear of others taking it on “good faith” and using it for their own monetary gain and not giving credit or payment to the artist in question. Our rights need to be secured rather than weakened.

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

It is absolutely unreasonable to ask artists to register all their work. Not to mention that the high cost to register just one work lasts for only 10 years. With the amount of work visual artists make, myself included I would be unable to pay for them all to be protected. Those works would then be subject to exploitation from others and could potentially be lucrative for others all because I couldn’t afford to protect it.

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 have never personally experienced any challenges or frustrations on this sort of thing. I take all of my own reference shots and do no appropriate work by other creators and call it my own.

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

This legislation would be profiting off the artists, artists that many times have to scrape by. Artists that are already forced to be diligent about art theft and repurposing. Artists and their work need to be protected, it is something that is already so hard to do in this digital age and this legislation would just be adding fuel to the fire.

I thank you for reading my letter and I beg that you exclude visual art from this copyright act or any orphan work sort of legislation.

Thank you!
RM