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To whom it may concern:

The proposed new US Copyright Act with its provisions treating any unregistered works as Orphan Works, permits stealing any artist's work with no recourse to the artist. The current protection we have of our work, whether or not we publish or register our work, is vital to our ability to earn a living as an artist, or to do so at a given future time if we are still viewed as hobbyists by the IRS. Without the protection of our work from the time we conceive it to the time we sell specific rights, whether the work is a registered work or not, we have no recourse against theft of our intellectual property. Our paintings, sculptures, and other forms of visual expression, and any works we derive from our own existing works deserve protection from theft by anyone from whom a license for specific rights has not been purchased. Rights to create derivative works, if not substantially different than the original, must be executed only once rights to produce said derivative works have been purchased from the original creator of the work, whether or not the original work is registered with the copyright office.

Rather than considering unregistered works by individual artisans as orphaned works, they should be afforded stronger protections. In comparison, major corporations who license software as intellectual property are protected during development and any trial or demo period in addition to after the sale of said intellectual property, a practice which is comparable to an artist making an image of their work on available electronically, with the expectation that payment will be given for prints or for the original, while the artist retains all rights, unless those rights are specifically sold, to reproduce said image in any form they see fit, or see fit to license to another party or parties. These protections must remain in place, irrespective of registration with the copyright office. Sale of a print, or of reproduction rights, unless all rights are purchased, does not give the purchaser the right to reproduce at will. Additionally, the purchaser of an original piece of art does not purchase any reproduction rights unless specified by contract between the creator and the purchaser.

For Congress to infringe on our rights to our own intellectual property by enacting laws granting rights to reproduce art to parties not involved in the creation of original art is tantamount to government sanctioned theft of our rights, property, and livelihood. We cannot be asked to stand idly by while our means of earning is stripped from us. Any requirement of registration prior to copyright protection for the visual arts is a crime against creation. Without our art, we risk civilization itself: Art is what makes

the world an interesting and informative place to live. Without protection from corporate greed, we individual artists cannot hope to survive, and thus our ability to drive civilization forward is muted and destroyed. Only by retaining our ability to create without our intellectual property being usurped can we as artists keep creation alive and well, and our civilization moving forward.

Sincerely,

Neena Plant-Henninger
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