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To whom it may concern:

This Orphaned Work Law is a horrible idea and will allow for massive theft and use of images that belong to hard working visual artists and photographers.

First off just because you can't find the creator of the image does not make the work orphaned. Many people steal images, crop out the watermarks or resave them so there is no EXIF or Copyright Data in the file. They do this intentionally to say they thought it was "Public domain" which they are almost never public domain. It's a cheap con being used against content creators, visual artists and photographers.

Currently their ignorance and con does not protect those thieves them from being sued. But if this law goes through it will and image theft will become even more rampant than it is and but with no consequences.

In this current digital age where everyone has a camera in their pocket and people steal images online left and right it already very hard for photographers especially new ones to make a living. Now with a law like this it take away the legal action that allows us to protect our hard work. Because anyone can change the file, crop the image and claim it was a "Orphaned work". This is not right.

This law will make it cost prohibitive to sue for infringement as without the statutory damages no lawyer will take the case on contingency.

If you are going to change copyright law you need to change it to protect artists…

One law that should be changed is that of "Appropriation Art" that has allowed artist (if you can call him that, I call him a thief) Richard Prince to actually steal other people work, add a picture frame or a border or scribble on it and then call it his own and sell it for huge sums of money. THAT IS WRONG! And needs to stop!

Another law that needs to be changed is that regarding tattoos on models. A photographer or model should not be able to be sued by a tattoo artist for taking a photograph of a tattoo on the model. There should be a implied release with the purchase of the tattoo as it now on the models body. As it is now a tattoo artist can sue for not giving permission to the model or photographer to use their tattoo art in an image. This limits the work the model can get, and puts a photographer and publisher at risk for a lawsuit. I'm all for the tattoo art being protected and not duplicated but when it's on the model, it places an unnecessary burden on anyone working with a model with tattoos.

Sincerely,

Nico Simon Princely
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