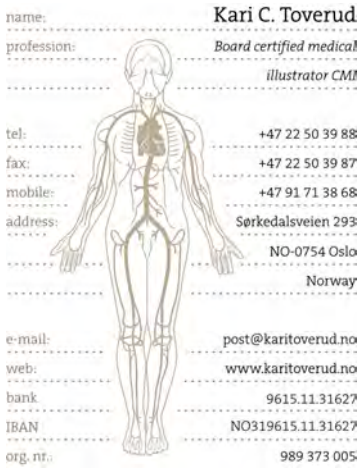
Medical Illustrator
Kari C. Toverud AS
Kari C. Toverud MS CMI
Sorkedalsveien 293
0754 Oslo, Norway

tlph: +47 22 50 39 88
fax:+47 22 50 39 87
cell: +47 917 13 868
e-mail: post@karitoverud.no
www.karitoverud.com
Designbasen.no



Orphan Works Act

I am an American citizen living in Oslo,
Norway and working as a board certified medical illustrator. I have a Master of Science degree in Medical illustration from The medical College of Georgia (Now called Georgia Regents University). I have been working as a professional award-winning medical illustrator for 32 years. I provide informative medical illustrations, animations, interactive learning sites and storyboard, script-writing for a variety of clients including publishers, international medical journals such as *Nature*, physicians, advertising agencies and the pharmaceutical industry. I have provided illustrations for 230 textbooks for medical, nursing, junior high and high school students. Many of these titles have been translated into Danish, Swedish and Finnish.

For me, copyright law is not an abstract legal issue, but the basis on which my business rests!! Over 65 % of my revenue is from re-licensing my artwork to new customers. Due to the nature of the subject matter, the human body, there is a huge need for these illustrations in many different publications without a conflict of interest for my different clients.
My copyright is the product I license. If the new law will allow public access to my work then over half my revenue would disappear!! The "reforms" you have proposed would allow large Internet firms to stock their databases with my pictures. This could happen either by forcing me to hand over my images to them as registered works, or by harvesting unregistered works as orphans and copyrighting them in their own names as "derivative works." This means that infringing my work is like stealing my money.

I have never signed over the copyright to any of my clients. My medical illustrations do NOT lose their value upon publication. It is VERY important to me to be able to re-license my artwork or make derivatives of my work to new clients. It is of utmost importance that I remain able to determine how and by whom my work is used. I have built up a HUGE image bank that is my business “inventory” and it is more valuable then ever since the digital era arrived. Customers from all over the world are now my clients and if the new Orphan Works Act is passed in it´s present form it will ruin my business and deprive me of control over my own creative images.
I sign all my artwork, but I have experienced on many occasions that people have digitally removed my signature and used my images illegally. This piece of artwork would with the new bill be considered as “orphaned” even if it was not and thereby making the image available for commercial infringement by “good faith” infringers unless I was forced to register my work. The new bill would also allow for others to alter my work and copyright these as “derivative works in their name!!

I strongly encourage you to not pass this bill since it will void my constitutional right to the exclusive control of my work.

Kari Toverud

Sincerely, Kari C Toverud