U.S. Copyright Office
www.copyright.gov

To whom it may concern,
I am a self-taught artist who has sold my art to needlework/craft magazines for fifteen years and now has been licensing my art for another fifteen years to manufacturers. Unlike selling my art outright, licensing my art allows me to continue to receive revenue from the same image as I license it to various manufacturers for placement on their products. I have been successful in obtaining licensing contracts from manufactures that sell their products to non-profit organizations, e-stores, and retail stores including large chain stores such as Lowe's.

It is untrue that once my art is published it no longer has a monetary value to me as claimed by proponents of the Orphan Works Act. Many of my images have been licensed multiple times for use on a variety of products such as greeting cards, gift wraps, gift bags, decorative flags, mail box covers, wall decor, etc. The success of my art licensing business depends on the ability to license the same images and derivatives of it.

I place the copyright symbol and my name on each piece of art that I publish. This is very important because my art is very visible to everyone. It is marketed on the Internet and in publications (website, blog and advertisements) to obtain licensing contracts from manufacturers. However, in the licensing industry many manufacturers remove the creators name from the art and place it elsewhere on the product depending on its type. Manufactures claim that the copyright symbol and artist name detracts from the art. This practice is something I rarely have control over and makes my art an orphan. That is why the Orphan Works Act will drastically hurt my business of creating art for products because manufacturers market their products in advertisements and on the Internet with no credit given to who created the art.

Although the existing Copyright Act needs to be improved, it does protect my ownership of the art I create. So far, I have been fortunate that I have not needed to take legal action against those that infringe on my copyright. But, I have used the copyright law to successfully stop those infringers from selling products with my art on them by issuing a cease-and desist notice stating they are breaking the law. I would not have that protection with the Orphan Works Act if infringers claim that they could not find the name of the artist.

I hope that the Copyright Office will seriously listen to my comments and the comments submitted by other artists. If the Orphan Works Act is installed as is, it will drastically change the art licensing industry. It will reduce the number of artists willing to license their art to manufacturers if they have little hope in protecting their art with a copyright act that does not work for them. And thus, it will hurt the manufacturing of products that depend upon a steady supply of great art that helps sell their products. Please do not let this happen by sending an Orphan Works bill to Congress that may work for Internet companies that sell art but does not work for artists that supply the art!

Sincerely,
Joan Beiriger

Joan Beiriger • email: joan@joanbeiriger.com • website: www.joanbeiriger.com • blog: www.joanbeiriger.blogspot.com