July 22, 2015

Maria Pallante
Register of Copyrights
U. S. Copyright Office
101 Independence Ave. S. E.
Washington, DC 20559-6000

RE: Notice of Inquiry, Copyright Office, Library of Congress

Copyright Protection for Certain Visual Works (Docket No. 2015-01)

To Whom it May Concern,

Thank you for allowing me to make my voice heard. I appreciate the opportunity. As a young artist, working for a publishing company and looking forward to beginning a freelance career, this new "Orphan Works" proposal greatly concerns me. As I researched past, present and future legislation of copyrights, I came to some interesting conclusions.

Copyrights are an artist's bread and butter. They are how an artist makes money from the work they have spent a lifetime perfecting.

While the current copyright laws are certainly not perfect, the Orphan Works law will create more problems for artists than solutions. It is almost as if those who are supporting this new proposal are maliciously attempting to drive all artists into poverty and take the money we should be making into their own greedy pockets. Orphan Works protects the infringer, not the original artist.

1. What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?

The proposed new legislation would favor large companies who already steal the work of artists and keep them from making a decent living. The current copyright laws help artists put food on the table for themselves and their families.

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

Artists who create new works are constantly competing with big corporations. Any orphan works law would only make it easier for businesses to use an artist's work for free as well as steal away current and potential clients.

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

We must think realistically and logically about this. Artists spend a lifetime creating hundreds of thousands of pieces (not counting the "metadata" of sketches and drawings).

Compiling and registering all of these would make an artist, as Brad Holland put it, "the unpaid employee..." of these image banks as they will spend countless hours to comply with an Orphan Works law. For myself, a young artist, this may not be the case, but the financial burden of registration alone would quickly put me into bankruptcy. Then if I am unable to register the work I do in the future, it would be available for anyone to legally steal away from me, simply because I didn't have the money to comply.

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?

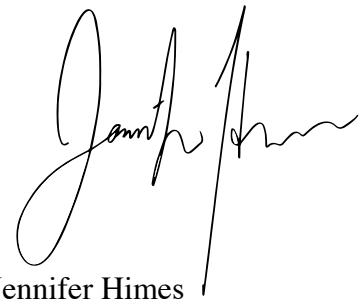
Personally, I only use other artists' work for reference and fair use.

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

Art registries and image banks do not operate in favor of artists. Any Orphan Works legislation will not protect artists' constitutional rights, nor does it make any logical business sense. Those who are promoting these laws either don't understand how art business works or are purposely and maliciously trying to steal money away from artists, as companies that claim to represent the artist class have done for years.

The bill will make it much harder for artists to prosecute infringers, and will cost artists valuable time and hundreds, possibly thousands of dollars just to comply. Anyone who creates visual art will be effected. Remember that our work is our product, just like the iPhone is an Apple product. No one expects the government to make a law that requires Apple to hand their product over to the public and to other companies for free. We currently have the right to exclusively own our work. Please do not force artists, who have a hard enough time making a living, to pay fees to big companies who will eventually steal their work.

Sincerely,



Jennifer Himes

Production Artist
A Beka Book Publishing

www.jhimesart.wordpress.com