July 22, 2015

To: 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)

Dear Ms. Pallante & U.S. Copyright Office Staff:

I have been a professional designer, artist and illustrator for 20 years. My work is licensed in the scrapbooking and fabric industries.

I have a BFA in visual arts, a certificate in botanical illustration, and have completes numerous professional online art courses including Lilla Rogers' Make Art that Sells and Rachael Taylor's Art and Business of Surface Pattern Design. I've been featured on numerous blogs including Print & Pattern and Riley Blake Fabrics, Somerset Studio magazine and several books, and have won awards for my work including seven Spoonflower Fabric of the Week awards, an Aster Award for Medical Marketing and a Graphic Design award for promotional design from GD USA.

The creation of a piece of artwork is only part of my business. Art licensing comprises 90% of my business and as such, the ability to control copyright and ownership of my artwork is critical to my livelihood.

Once my artwork is used by one company on one product, it does not lose its value. Rather, since I retain the copyright and ownership and am licensing it to that company, I can license it to another company, thereby potentially doubling my earnings on just that one artwork. One could see how the potential for earnings from just one piece of art could potentially increase almost limitlessly, assuming that the artist is able to determine voluntarily how and by whom our work is used and retains full copyright and ownership of that artwork.

Every piece of artwork I create becomes part of my business inventory. In this digital era, inventory is more valuable to artists than ever before.

The proposed U.S. Copyright Act will force artists to copyright every single piece of artwork upon creation, or risk losing control of that artwork. It would be prohibitively expensive and time consuming. I create hundreds of artworks every year, and being a sole proprietor, I simply lack the funds and time to do this. The real effect of this proposed legislation is that infringers will be able to create and register derivative works, which would in turn make it even more difficult for artists to monetize their creations because they would not necessarily be able to guarantee their licensees exclusive use of a design.

Jennifer L. Wambach
Licensed artist, illustrator and designer
www.jenniferwambach.com