Dear Copyright Office:

As a student of animation aspiring to work as a professional artist upon graduation, I am writing in regards to the recommendations for copyright law as it will negatively impact my ability to earn a living. This will have far reaching effects on artists and visual authors the world over.

After carefully considering what is being proposed, I'm concerned about how this will affect my potential clients as well. If the mere act of publishing a work makes it available to the public, then that would seem to invalidate any exclusivity a client would be expecting when hiring me to create a work for them. I fail to see how I would be able to guarantee that the work is exclusively theirs as they paid for the rights to it.

Knowing that the work I create has protections in place that keep others from easily appropriating it and claiming it as theirs provides a great incentive for me to continue creating and inspiring others to create. With the new laws that are being considered, I would no longer be willing to share my creations publicly as I would fear that others would be able to lift my work and claim it as their own, reaping financial benefits without putting forth the work to earn it. I feel that this will prevent creative growth representing our culture.

As it stands, the internet, with its great reach, has proven a double edged sword in terms of content. While it allows a creator the ability to reach a wide and varied audience, it also makes it difficult to exert control over how the images are used. It is far too common an occurrence that I read about other artists that I admire and respect finding their work being appropriated by someone else. This is an alarming trend and it concerns me that some unscrupulous individuals will be given carte blanche to continue these practices without fear of penalty.

Making a living as a creative individual is challenging enough as it is. If you're freelance, that means appropriately advertising your services to attract clients and balance personal needs with business cost. As a student, I have my loan debt to consider in addition to supporting a family. I urge you to reconsider how a future law based on the 2015 Orphan Works and Mass Digitization Report could affect not only professional creators, but those that are working tirelessly to break into the field.

Sincerely,

James M. Westfall