July 20th, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence 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 and the Copyright Office Staff:

I appreciate the opportunity to comment on the problems visual arts face in the marketplace, especially now in what is being referred to 'the digital age'. I have been working in the visual art industry for almost a decade now (most of it freelance), and creating artwork is how I maintain my livelihood and provide for my family. I am writing to express my concern for all visual artists, including myself, if this new copyright law should pass. Please allow me to attempt a succinct response to the questions you have posed.

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

One of the main challenges is maintaining and negotiating rights to one's own personal work prior to each business engagement. For an artist, the ability to negotiate usage rights for his/her own work is how that artist generates income. If this basic right is removed from a business equation, the artist forfeits any possible bargaining power, and the transaction becomes one sided.

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

The fact that the orphan works policies are being proposed again to Congress presents a huge challenge for all visual artists. Working as a visual artist has never been an easy profession, and requires the artist to constantly be aware of details in contracts to protect him/herself when entering into a business agreement. I'm not saying people are inherently trying to take advantage of artists in each and every contract, but the tone of this proposed copyright law certainly sounds like any creator of a visual image is, by default, taken advantage of by stripping away the most basic rights entitled to creators.

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

The new registration proposed in the new law is just an absurd and highly illogical requirement for anyone that would require thousands of hours of locating, cataloging, scanning, paperwork, and fees just to register. As a concept artist, I am required to create images in high volume, sometimes up to 15 per day. I have been working as a concept artist for almost a decade. I have created literally thousands of images within my professional career. For me to register all of these images would be humanly

impossible; it would take me years to locate, scan, and fill out paperwork. Not to mention the amount of money in fees I would be required to pay just to register them.

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?

As a concept artist, I look at photographs and other artist's work for reference and inspiration. However, I make fair use of these images, and credit the creator when necessary.

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

This proposed copyright system by the Copyright Office is a transparent attempt to take away creator rights, and offer them up to corporations, essentially so these corporations can 'legally' take advantage of each and every artistic creator. This new proposal to the copyright law, if passed, would only be detrimental to the artistic community by creating unrealistic requirements, just to continue working in our field.

Thank you for your time in reading this letter. I implore you to not endorse this new proposal by the Copyright Office.

Sincerely,

John Gallagher