July 5, 2015
United States Copyright Office
Department of the Library of Congress

To Whom It May Concern:

I am writing to share my concerns for the new copyright law now being considered.

I have been a visual artist all my life. For 35 years I have been filing my taxes as a small business-person in the arts. Currently, my work produces well over half of my yearly income. Early in my professional life I earned 2 Masters degress (MFA, Hunter College; M.Ed, Columbia University, Teachers College.) I have presented over 18 solo exhibitions of my work and received grants and fellowships regularly. My work resides in many collections, both public and private, included the New York Public Library, Memorial Sloan Kettering Cancer Center, St. Mary's Church, The New York City Department of Education and the Reinhart collection in Germany.

Copyright law is not an abstract legal issue, but the basis on which my business rests. My copyrights are the products I license. When someone infringes on my work it is like stealing my money: everything I create becomes a part of my business inventory and when anyone can use it to create products I do not sanction, my ability to create income from my own work is stolen.

It's important to my business that I remain able to determine voluntarily how and by whom my work is used. My work does not lose its value upon publication: it gains value. My business inventory is more valuable to me than ever before in this digital age, precisely because of the increase in value upon publication that the work undergoes.

As I understand the new proposal for copyright law, it would void my Constitutional right to the exclusive control of my work. It would "privilege" the public's right to use my work. It would pressure me to register my work with commercial registries. It would "orphan" unregistered work. It would make orphaned work available for commercial infringement by good faith infringers. It would allow others to alter my work and copyright these "derivative works" in their own names! It would affect all visual art: drawings, paintings, sketches, photos, etc.; past, present and future; published and unpublished; domestic and foreign.

These changes are completely unacceptable to me. They will undermine my business and take the control of what I am producing out of my own hands, giving anyone in the public domain the right to use my work as they wish. This devaluing of my work will destroy my business, my livelihood, my source of income.

Please reconsider the parameters of this new law. I want the work I create to remain in my control, to remain a source of livelihood and to provide for my children when I am no longer here. Under current copyright law, my work is protected. Please keep it that way.

Thank you.

Karen Fitzgerald, MFA, M.Ed