July 22, 2015

Re: U.S. Copyright Office Docket No. 2015-01: Copyright Protection for Certain Visual Works

To Whom It May Concern,

I am writing today to ask you to keep in force the current legislation that grants the visual artist immediate copyright protection and exclusive control over their intellectual and physical property. Artists depend on income generated from their creative ideas, including any royalties or commissions that should be paid by a third party who wishes to duplicate the artists' work for profit.

I am a painter. Registering each new painting (large or small) with the Copyright Office can be cost prohibitive. In the current digital world in which we reside, contact with my collectors and fans via social media, blogging, and posting my paintings on my website is necessary. Posting images of my paintings helps me to promote my work, reach a wide audience, and generate revenue. Publishing of a painting in a magazine or other printed publications (with the artist's permission) allows the artist to build reputation and credibility, increasing the value of their work and increasing their ability to generate income.

I understand "fair use" of my paintings. If another artist likes an image that I have created and decides to make his/her own original painting based on that inspiration, but changes the work significantly enough to be easily distinguishable as different from my own, I have no opposition to that. I think the digital world is a great avenue for the sharing of ideas. However, a print shop (like wallpart.com) that steal a digital image of my painting that is offered for sale online and offers a print service to an online buyer, printing an exact copy of my painting, making a profit from it, and not paying a commission to me as the artist is currently against copyright law. It is this exact protection I count on when I contact said print shop to request that they stop using my image without permission.

While many instances of this kind of copyright infringement do and will continue to occur, at least the artist has the backing of the U.S. copyright laws to protect them should they decide to pursue the matter with the online thief, allowing the artist legal backing to request recompense for the stealing and exact reproduction of their image for profit outside of the "fair use" standard.

Changing copyright law to make any painting an artist posts online available for print shop thievery – exact replication of the image without permission or fair compensation – will force artists to move away from the use of digital media for promotion and sales of their original work, thus hindering their ability to generate income in an already challenging economic environment. A change in this law, making all images posted online "free use" (not "fair use"), will mean the government is siding with the online thieves – allowing the stealing of digital images and intellectual property without recompense.

Our country is built upon ideals that encourage free thinkers, small businesses and entrepreneurship. There is intrinsic value in beautification and expressionism in our culture. If the government wishes to encourage small business and entrepreneurship as an illustration of the enterprising nature of our American culture, then artists must be allowed to keep up with other businesses by utilizing the digital venues available to them for promoting and selling their work. In order for artists to compete and succeed in today's digital business environment, digital and physical copyright protection for artists MUST remain intact.

Sincerely,
Jennifer Love