Kaitlyn Lawson July 20, 2015

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)

To Those It May Concern,

As I am Kaitlyn Lawson, a freelance illustrator. I am a small Virginia based artist and illustrator. Since 2007, at the very least, I have produced well over 500 pieces for the same number of the public to view. Via online, in person, or whatever makes sense. I am also a member of the Illustrators Partnership of America and have been an advocate for protecting, collecting and distributing long-overdue foreign royalties to artists. I am writing to address the problems visual artists face in the new digital environment.

1. What are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?
As a freelance artist, I need to maintain my right to my own works. The resale of my past, present, and future art is a day to day part of my life and business. My collection of work is a valuable resource that produces access to new career opportunities and jobs. Any attempt to replace our existing copyright laws with a system that would benefit internet companies would endanger my ability to make a living. Certain companies would have complete access to my work, my ideals, my ideas, my life-- And they would not have to pay me. Not have to ask. Not have to do much except copy and paste. Why would the government favor corporations like this instead of those of us who actually create new work? Why would they go and cheat their way through life by using other's works?

2. What are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?
The very proposals the Copyright Office has made to Congress are against my values. It is essentially a revised Orphan Works (OW) bill, but would be even worse. Orphan Works bills have been overzealously opposed by artists since they first appeared a decade ago. A copyright law built on the foundation of orphan works law would allow internet companies to drain off revenue from the artists with the hopes of creating an even better revenue stream for themselves and no one else. There can be no bigger challenge for those of us who make our living creating new works than to have to compete with giant corporations that can get artwork free from artists and compete with us for our own markets.

3. What are the most significant registration challenges for photographers, graphic artists, and/or illustrators?
The proposal to reintroduce registration would become another financial burden for artists and their families. No matter how little registries might charge in the beginning, like banks, they

would soon begin to introduce charges and fees that would grow as they gain a greater and greater competitive advantage over freelance artists such as myself and many great friends and colleagues. Anyone who says this won't happen is not living in the real world or is not an artist themselves. In the end, if the government succeeds in passing this legislation, the end result will be that artists like myself will find ourselves paying through the nose to maintain our images in somebody else's for profit registries. Every single image we want to create, have created, and so forth, would be countless hours and even weeks to get it through and not to mention the financial crises that will arise. As for the images we can't afford to register, or those we can't find the time to register, or those we can't find decades old metadata to register will all fall into noncompliance and a lifetime of images created at great expense and effort will be free to be exploited by others. Free to be used, again and again, and even changed to the new ‘owner’s view that wouldn’t be how the original art was intended. Countless families will suffer, and countless cities, counties, states, and more, will find themselves at a great loss and even bigger crisis than what the United States is already going through.

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?
In my work, and lifetime, I have made fair use of photographs, stock images, and other graphic artworks for reference and help in proportions; but, that is about all I ever use. I have come to a point in my art where I can simply focus and draw what I desire without reference. At times, I will browse the free to use stock images for posing and help-- but I always give credit back to the site, person, image, etc.

5. What other issues or challenges should the Office be aware of regarding photographs, graphic artworks, and/or illustrations under the Copyright Act?
The kind of system the Copyright Office has proposed to Congress seems all too unfairly researched and biased. Artists have already seen their foreign reprographics royalties diverted away from them for at least 20 years. I fear, as many others do, this is exactly what is going to happen with the proposals the Copyright Office has made to Congress. To prevent this unjust conflict of interest, it is vital that no artists group that supports this legislation be allowed to receive any financial benefit from the creation of copyright registries or notice of use registries. These artists organizations have failed artists and should not be allowed to use this legislation to profit even further off the artists they were created to help. There are more artists, patrons, and families of artists, than you think there are in the United States. If this act goes through, then there are plenty of dying inspirations to follow and plenty of hopeful-creative minds, gone to waste.

I want to thank you for reading my letter. I ask that you to recommend that visual art be excluded from any orphan works provisions Congress writes into the new copyright act.

Thank you,
Kaitlyn Lawson