July 19, 2015

Dear U.S. Copyright Office,

I am writing to you today as both an artist and student about my concerns on the apparent renewal of the Orphan Works Act and the possible major revision of copyright laws, because I believe it will be harmful to me and many other artists in our ability to protect our works and make an honest profit from our abilities and skills.

From what I understand, the Act proposes that if an artist is too difficult to find, then anyone can use a piece to make a profit. This is incredibly dangerous, as in this day in age, it is very easy to erase signatures, re-distribute, edit, and display images online in ways that completely erases any traces of the original creator's mark. This makes every artist susceptible to what will be legal theft if this Act is put into place, and will essentially punish any creator for letting their work be seen in public, something that is essential to building a creator's career.

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

The most significant challenge is competition. Most artists that are just starting out will find it is very difficult to draw an audience to their work, and if someone who is well know wanted to, they could easily steal the works from any artist, and claim they did it legally under this act, be it dishonest or otherwise. I have heard countless stories of artists already having their work stolen by large companies, and hurting their profit tremendously. An Act like this will only increase the incentive to do so.

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

Most creators do not have the means to compete with big companies. As stated before, theft from larger companies is already a common occurrence, and most artists are still unable to take legal action due to having little to no monetary power. An act like this would completely destroy and hope to reclaim what is rightfully ours.

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

Money. Most artists are very low income no matter how popular they are, and registering every piece of work we create will add up. Not to mention the companies charging may begin to take advantage of artists and over charge licenses. In the end, the only people who should be making a profit off an artist's work is the artist themselves, and anyone who was given permission by the artist to do so.

4. <u>What are the most significant challenges or frustrations for those who wish to make legal use of photographs, graphic art works, and/or illustrations?</u>

Typically, from personal experience, there is very little challenge or frustration. It is not difficult to do the right thing.

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

I believe that if someone wants to use a piece of art so badly that they are willing to steal it for their own gain, whether they "searched diligently" or not, than they need to be prepared to face the consequences if the original artist finds out. It is so easy to find an artist and commission them for the perfect piece these days that stealing a piece of already existing art is inexcusable. We should not punish or charge creators for creating art, especially when artists get paid very little in the first place. I have heard countless professionals warn students like me on how people are not willing to pay artists for their works, and setting in an act like this will only help those people keep artists struggling.

6. <u>What are the most significant challenges artists would face if these new copyright proposals become law?</u>

It all comes down to money. And in an Economy that is essentially stagnant, it is more important than ever that artists get paid for their work. Be it new or already existing. If a person or a company cannot find the original artist for permission, than they can easily go find someone else to make something similar (with out plagiarizing). They have no right to take what is not theirs.

Artists simply cannot afford to patent, license, and/or register all of their art. We are constantly creating, and what we create is ours. It came from us, and we are the only ones who get a say on what happens to it. We do not create just to have someone else profit off of us. We make very little as it is.

I hope my concerns as well as the concerns of other artists are all taken very seriously, as something like this copyright revision could ruin us financially. I also appreciate that you asked for our opinions on the matter. It makes me confident you are willing to listen. Thank you.

Sincerely,
Abigayle Kress