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Thank you for this opportunity to respond to your invitation to comment on the affects of copyright law on my career as animator creating his own show to pitch using the Internet.

I've been an animator working in the animation industry in Los Angeles for the past nine years. I've worn many hats: Animator, designer, art director, director and storyboard artist. I'm at a point in my career where my next step is to create a private IP. I've been working on one for the past four years and am just about ready to share a part of it with the internet to create a fanbase and to give me more negotiating power when pitching the show to a network.

I need the protection of the current copyright laws that took place in 1978 in order to safely share my creation knowing I can protect my creation that I worked so hard on. If a network were to take my private IP without asking me for permission then I'll have no rights to fight them for it. That would mean I have lost out on potential royalties, profit, retirement and career growth. Basically it would mean I have worked my butt off creating something completely brand new and original only to get it stolen by someone with commercial power and wealth.

Artists have been able to utilize the internet to gain publicity and fan bases which they can use to sell their artwork to and generate more income. Some artists even solely rely on this income. If anyone has the right or privilege to take the artists work and use it for their own self gain then we're destroying a whole industry.

The rest of this letter was taken from artist, Keith Ferris, since I felt he worded it much better than I ever could have. I'll let him explain the rest of my thoughts and feelings about this copyright law:

"Automatic copyright protection bestowed on the author in the 1976 act without the requirement for registration guaranteed the author of works created after January 1, 1978 the exclusive right to control his/her copyrights for life plus seventy years. The only way the creator could lose his/her copyrights was to transfer them to someone else in writing. An artist's copyrights serve as a source of income far beyond their first licensed use. Since copyrights are infinitely divisible, one's inventory of copyrights is as good as a bank account and amounts to very valuable personal property.

The advent of the internet with its rapid communication ability has actually greatly increased the value of our personal inventory of copyrights. Any effort to allow third parties to exploit these rights other than through exercise of the artist's exclusive right to do so would be theft of his/her personal property, resulting in the stealing of money belonging to the artist. It is important for the successful business of art that we voluntarily control all uses of our art.

Any plan which reverses current law and requires registration of an artists' entire inventory of copyrights to avoid exposing them to potential infringement would be unconscionable. For artists with huge bodies of work this would be a total disaster. Few, if any artists will have the time and/or financial assets available to register their entire inventories.

Mandatory registration with a commercial entity would place that entity between the artist and the buyer and would remove the artist's exclusive right to control his/her intellectual property guaranteed under current law. I expect such a government action would serve to dampen creativity (the exact opposite of the primary purpose of copyright law) while reducing the ability of the nation's artists to make a living in the arts.

Anychange in copyright law which would remove artists' exclusive control of our copyrights would greatly impact our future income streams, and amount to theft of this vital source of income.

A few final thoughts:

I expect that all artists and creators of intellectual property, who are aware of these potential threats to their livelihood, would hope that the government will decide to continue the protection of the rights of our nation's artists.

Everyone must understand that the theft of value in an artist's inventory of copyrights will also adversely impact his/her potential retirement income.

It is also worth noting that the freelance artist is engaged in an unpredictable vocation without employer provided health insurance, retirement plans or unemployment insurance. The self employed carries full responsibility for all of these requirements themselves, plus their own full social security and all of the usual requirements of family.

It makes no sense for the government to put in place an action designed to end or reduce the taxable income and potential savings of artists, adversely impacting the business and livelihoods of an entire segment of industry.

It is clear that my own successful career has been made possible by my exclusive right to the exploitation of my intellectual property as guaranteed
by the Copyright law in effect since January 1, 1978."

With great respect,

Jeremy Polgar
Career Animator/Storyboard Artist/Private Intellectual Property Creator