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Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence 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 all it concerns,

I am a recent college graduate with an Illustration degree. Like many of my peers, I enter a field where I've been told it's difficult to make a living. That hasn't stopped me. But I still fear whenever the topic of copyright in this country comes up in a conversation with other professionals. As a young artist, I don't have years of experience, clout or a large audience to offer as protection and validation of my work. As a young artist, the internet is my main tool of getting my work seen and recognized and thus far, I thought it had been safe by the presence of my watermark and signature on my work – that that would serve as evidence that the work was mine and that the rest of my body of work would prove it. I don't have nearly the amount of means to register the copyright for everything I've ever made and it scares me that I might not get the protection that should be inherent in something I created, without registration.

I understand the need and benefit of digitization of books and media: to bring these materials to a new audience and to enable them to be searched for more easily online. But I also believe that if the effort exists to digitize this large massive amount of media, then the same effort should go into finding and compensating the copyright holder. The Internet is a new platform that is vast and difficult to monitor,

but that shouldn't be an excuse to make rights easier to be given to people who are not the artist – just for the sake of convenience. The law should adapt to include a new platform, but not remove the fundamental right that artists have guaranteed copyright to something they DID indeed create; there shouldn't be a need to pay for registration, it should be inherent.

The Internet is such a wealth of information; pooling the collective resources of many different users with access to and knowledge in all different fields, finding the author or authors of a work may be time-consuming but it is possible and should not be given up on just because it is a time investment. The creation of the work itself is an even greater time investment. Anyone can do a Google image search to start tracing the work back to an original source; there are forums where the community can be asked to contribute information if they recognize a work; most work generally has an artist's mark or original source where information about who the author is, can be found – with that author holding the inherent copyright. I understand that it might take time to find the original author, but when they are found, they should be compensated in full for the oversight; using copyrighted work without proper acknowledgment of another's work, is a symptom of the country's failure to recognize the incredible amount of work that artists do. As a former student who lost nights of sleep over work assignments, spent weeks perfecting a series of 5 piece or an entire picture book, and has lived under adults telling my peers and I that artists can never make as much as doctors and lawyers – the idea that my work or anyone's artistic work – which really is like your child – could be deemed an orphan because their parent couldn't immediately be found – is frustrating heartbreak.

There are blogs and websites dedicated to finding and exposing art theft by individuals and, more dreadfully, companies that use artists' work for their own profits, sometimes without the artists knowing until someone in their audience brings it to their attention. In these cases especially, artists should not receive less compensation because some amount of time, during which they would have been

allowed to complain, has passed. As a creator, I think it should be obvious that work must be properly credited, and that compensation of the author should be prepared or else the work should not be used commercially at all.

This expectation should be a present for all artists' peace of mind. So that we don't have to fear that our work will be used with the assumption that it does not have an owner. Such an atmosphere of devaluing artists' work would just be a deterrent from creation. What is the point of making work if the government favors the public being able to make use of it over those who labored to make it. Both sides of the fence – the users and creators – are equally important to building a more informed and creatively-nourished society. Both have different needs, but without the artist, this work would not even be available; the rights and will of the artist should be respected, compensated, and guaranteed without necessity of the artist sending off a thousands of check for each of their children.

Thank you,

Justyna Babinska
Freelance Artist/Illustrator