To Maria Pallante and the US Copyright Office Staff:

Thank you for the opportunity to comment on the issue of Orphan Works and Mass Digitization. It is very important that you protect the rights of artists, illustrators, and designers from being prone to theft and any other use without the explicit permission of the creator. The United States has founded itself with the message that innovation, creativity, and individuality should be celebrated, and I fear that any law allowing people to use "orphan works" after whatever cursory attempt they made at contacting the copyright holder will quash the motivation and livelihoods of many artists. Art is an idea made real, and it is the product of a creator's thought, talent, skill, and hard work. Make no mistake – art is work, and like any work, it is the livelihood for many Americans that should not be taken for anyone else to profit from.

Simply put, art is intellectual property. And by allowing the use of "orphan works" and loosening the terms by which people must obtain permission, the Copyright Office would be allowing corporations and other undeserving people or businesses free reign to use another person's property without their permission. Control of one's intellectual property must be held by the creator of that property, and it is appalling that a law may come into effect that may pass that control to another party without the creator's permission.

Use of intellectual property should not have priority over a creator's control over their property. Some people like to say that "art belongs to the people", but that simply isn't true. For many Americans, art is income, art means food on the table and a roof over their heads. Artists, illustrators, and designers are already underpaid for their work in most occasions, and are naturally afraid that laws allowing works to be designated "orphaned" will make it impossible to make a living from their work when it is so terribly difficult to do so already. The idea that someone – corporation or otherwise – might come along, claim a work as "orphaned", and then use that as they will for their own gain is a terrifying concept, and would essentially take money from hard-working citizens and give it to thieves who had to do very little to profit from someone else's talent and efforts. If some person or company wants to use a work of art or design, they *should* work hard to gain permission. It should not be easy at all for someone to use something that isn't theirs. Using someone else's work *should not* be easy, certainly not to the extent that a creator loses their right to control their work. Artists are usually not also lawmakers or lawyers. They can't afford to throw time and money into litigation, probably against people who have better paid attorneys than they do.

Copyrights are meant to protect a person's ownership of their property, aren't they? Art is property. Creators cannot afford for copyright laws to be lax in their protection of their property rights. They cannot afford to put their livelihoods in the hands of "good faith" users and public interest. Please keep copyright laws as they are, and do not allow any measures that would give away the rights of millions of Americans. Thank you.

Sincerely,

Kristine Negron