Pure Light Design

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July 21, 2015

U.S. Copyright Office
RE: Orphan Works

Dear Copyright Office,

I am an artist and graphic designer with a degree in Graphic Design Technologies from Valencia College in Orlando, FL and additional studies of Traditional Illustration at the Academy of Art University in San Francisco, CA.

The proposed legislation; also known as "The Next Great Copyright Act", is of critical importance to my own business, and other visual artists and art business entities, and should never circumvent the originating artist's copyright privileges.

Artists and their creative works have economic value, particularly in the United States, yet also, in the global marketplace by way of digitalized images. Currently, artists have Constitutional rights to control their own Intellectual Property and may market and license their creative images. The lifeblood of my business is copyrighting and licensing my artwork, and the derivatives of my artwork. If we, as artists, are forced to register every bit of visual art, published and unpublished, past, present and future; foreign and domestic; primarily, this would decimate earning a livelihood from our artwork.

Visual artists produce creative work, which is Intellectual Property, and it has monetary value by way of licensing to the commercial user. The originating artist(s) should retain individual(s) discretion and control regarding the commerce of their own visual intellectual property. My business produces its inventory and income from licensing designs and illustrations.

When I create artwork, such as a logo design, that product becomes inherently valuable by licensing the use through the copyright. This certifies that the visual creative design is my own. With a copyright, I also have the right to protect the artwork from anyone who tries to steal it, stop anyone from profiting from using it without my consent, and I have legal rights to protect the use of my artwork product from any non-authorized product, service and/or website that I would consider inappropriate. This kind of copyright infringement would have a direct impact on my reputation and income.

This Proposed Legislative Act would void our Constitutional rights and, in a very diabolical, bullying maneuver, steal the artist's practical capabilities to continue making a living in the visual arts. If the public-at-large had the right and privilege to alter and/or copyright the originating artist's visual art, that is the same as pilfering directly from the artist's pocket.

If a commercial entity desires to use the creative artist's Intellectual Property, in any way, by any means, without the artist's consent, without remuneration, this would compromise that artist's business and the entire visual arts community. Altering the my creative work by use and users, and then allowing a non-originator to copyright it without compensating me, the originating artist, well, this is as egregious as any bank heist.

All visual artists would not only lose their Constitutional right to the control of their own visual art, but also, visual artists would be unnecessarily burdened and pressured to register a lifetime of creative work. Do not allow unregistered work to be considered as "orphan". If Congress approves the newly proposed Orphan Works Act, also known as "The Next Great Copyright Act", this horrendous legislation, as it is proposed, would undermine the sustainability of the visual arts community in the United States. My business implores you: Please protect the individual rights and copyright privileges of the originating visual artists.

Sincerely,

Kathleen L. Hooker
Proprietor/Visual Artist