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July 21, 2015

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 Whom it May Concern:

My name is Karrie Ross. I am an internationally shown museum fine artist and well known California based artist/designer. Since the 1990s I have created, copyrighted, and published well over 500 pieces of art and illustration for my business, characters, clients and personal sales.

I am writing to address the problems visual artists face in the new digital environment. Because of our past opposition to orphan works legislation, the Copyright Office has issued a special Notice of Inquiry on Visual Works. In it, they acknowledge that visual artists face special problems in the marketplace and they've asked artists to respond to five questions:

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

Being seen as the owner, building a reputation of excellence know for my unique take on imagery. Establishing my brand as mine.

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

Stopping people from copying and using my work without approval or payment.

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

We are not rich… for me I create all the time, and I'm just a me. Registration would take me away from making a living. I already wear many hats. And until you have been self employeed AND a creative person, you would not understand these as challenges.

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

Maintaining ownership and use rights. We can have people sign contracts agreements until pigs fly and never prevent the unauthorized use of our work if someone want it.

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

The kind of system the Copyright Office has proposed to Congress seems all too to me. Artists have already seen their foreign reprographics royalties diverted away from them for at least 20 years. I fear this is exactly what is going to happen with the proposals the Copyright Office has made to Congress. To prevent this unjust conflict of interest, it is imperative that no artists group that supports this legislation be allowed to receive any financial benefit from the creation of copyright registries or notice of use registries. These artists organizations have failed artists and should not be allowed to use this legislation to profit even further off the artists they were created to help.

And we might suggest a 6th question

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

Gee…. Being sarcastic here… when would I ever have time to create and make a living and bring to the world the wonder and excitement and questions that art does.

I thank you for reading my letter and I ask you to recommend that visual art be excluded from any orphan works provisions Congress writes into the new copyright act.

Sincerely
Karrie Ross
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