July 21, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101 Independence 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:

Hello, my name is Kimberly Moreno. I am an upcoming freshman at the School of Visual Arts in New York City. Throughout my high school career, I have dedicated myself to art, so much so that I have made it into the path that I want to continue in my life. Both in and out of school, I make art for the world to see and enjoy, posting my work to be seen by hundreds of people via the internet.

I am writing this to address the problems visual artists face in the new digital environment.

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

As a young artist, there are many challenges I already face. I don't readily make money, unless commissioned, and even that is rare. When you monetize and/or licensing works, it provides a system that the artist can profit from. When you take that away, its essentially taking a paycheck away from a worker. With digitizing the works of people without their permission or financial compensations, you are essentially stealing works from people who have spent many hours in creating. You are then discouraging them from further creating works.

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

Proposals made by the Copyright Office to Congress concern me. A revised Orphan Works bill would make it worse. The bill opposes artist. The challenge with the bill is that the people who's sole income is through their art, would now have to compete with giant companies that can get artwork free from artist as well as compete with fellow artist.

3. *What are the most significant registration challenged for photographers, graphic artist, and/or illustrators?*

To reintroduce registrations would be yet another financial burden for many artist. They would introduce fees that would eventually grow and grow as they gain a greater competitive advantage over freelance artists. With the passing of this bill, many artist would need to pay in order to keep their work from being someone else's profit. The works the artist cannot afford or have the time to register would then fall into the hands of profit hungry companies. The time an artist took to create that work would be exploited by others.

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?*

For the work I have created, I make fair use of the works used for references and make sure to give credit where it is due.

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

Many artists have already seen their royalties diverted away from them. I fear that is this exactly what is going to happen with the proposals the Copyright Office has made to Congress.

It is imperative that no artists group that supports this legislation receive any financial benefit from the creation of copyright registries. These artist organizations have failed artist and should not be allowed to use this legislation to further profit off of the artists they were created to help.

Thank you for reading my letter. I ask you to recommend that visual art to be excluded from any orphan works provisions Congress writes into the new copyright act. Please do not be the people who discourage generations of young artist from creating their work for the population to be seen.

Thank you,
Kimberly Moreno