John Meszaros

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Concerning Docket no. 2015-01

Copyright Protection for Certain Visual Works

To Whom it may concern,

Thank you for this opportunity to comment on the affects of copyright law on my livelihood as a visual artist.

I am John Meszaros, an illustrator from Connecticut specializing in marine, nature and paleontological illustrations. I have created and made prints of well over 200 original drawings. Many of my works require several days of research beforehand to make sure my subjects are portrayed as realistically as possible. Much of my revenue comes from creating prints of my work-- which I do myself-- and from printing my designs on apparel, which I also personally do myself using a home print shop. I have also created a number of book and interior illustrations for small press companies, most notably MarketingNewAuthors.com.

I am writing concerning the current docket no. 2015-01 and the problems faced by visual artists in the current digital age.

Copyrighting my works is essential to maintaining my business and finances. Copyright protects the integrity of my work and allows me to license my work for re-distribution for fair payments which are the foundation of my income.

Here I will address each of your inquiry questions

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

As an illustrator, I need to be able to retain and control the copyright on my works. Lobbyists have tried to testify that once an artist's work is published it has no further commercial value, but this is simply not true. As stated before, the majority of my income comes from making prints and other copies of my work for resale-- thus my work retains significant financial value to me after it has been published.

A revised copyright law that would give internet companies the right to digitize and resell my work as Orphan Works would detrimentally damage my ability to make a living. Furthermore, the monetary fees required to register every single one of my illustrations under a new copyright law to avoid having them

declared Orphan Works would significantly reduce my income to the point that it would not be financially feasible to continue as an illustrator.

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

A revised Copyright law that included "Orphan Works" provisions would be severely damaging to my career. It is difficult enough as it is to prevent others from illegally making digital copies of and reselling my work. Orphan Works would allow major internet corporations to digitize and resell my artwork as their own without compensating me. Artists like me have strongly opposed all previous attempts at Orphan Works bills because of this very, very real risk to our livelihoods.

Even under the current Copyright laws, piracy of artists' works is rampant. Although most artists provide a watermark, signature or other identifying information with their work, digital pirates often remove these markers and republish the work without acknowledging the original creator. Someone who finds these pirated works and wishes to use them would thus be unable to locate the creator. Under the current docket proposal, such works would become Orphan Works and thus be freely available to everyone. As a result, the artist who originally created the work would lose a significant amount of income.

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

The proposal to reintroduce registration for artists in order to avoid having their works labeled "Orphan Works" creates yet another financial burden that many artists-- already struggling to maintain an income-- simply could not afford. The current system, which grants Copyright upon creation of a work without the need for registration, is essential for artists like me to protect our work without having to pay exorbitant processing fees.

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?

While I understand that some people may be frustrated when trying to track down an artist to request permission to use their work, it is a necessary complication to protect the work of artists who have poured so much time and effort into their creations. Allowing the possibility for works to be treated as Orphan Works is way too open to potential abuse.

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

Requiring artists to register their works in order to avoid them potentially being labeled Orphan Works puts a huge, unfair burden on the creators, while simultaneously giving large internet companies who wish to obtain artistic works for resale an enormous advantage. This conflict of interest cannot be allowed to go through. It is essential that the government allow artists to maintain the Copyright to their works without being forced to register them or risk losing them as Orphan Works.

Furthermore, the proposed Copyright Small Claims Court would be a nightmare for both artists and the court system as the inevitable flood of copyright claims would create huge, hopeless snarls and cause unnecessary stress and financial difficulties for artists.

This proposed law to replace current Copyright law must be dismissed as it will create an unfair burden on artists who must already struggle to maintain control of their works and profit from them, while simultaneously giving large internet image-sharing corporations a tremendously unfair advantage. In essence, it would allow them to steal our works and sell them as their own without compensation to us.

I thank you for reading my letter and hope that you will consider my words-- and those of the many other artists who have written to you.

Sincerely,

John Meszaros