Jennifer Zhu

1430 232nd Ave SE
Sammamish, WA 98075
(206)617-4909
jzhu6@pratt.edu

www.behance.net/aridax

July 21, 2015

Library of Congress
U.S. Copyright Office

Copyright Protection for Certain Visual Works (Docket No. 2015-01)

To Whom it May Concern:

I am a college student whose family has invested hundreds of thousands of dollars in my arts college education in the hopes that I can become a professional visual artist. I am an A student with an approximately 3.7 GPA with teacher recommendations. However, all of this ambition will be made worthless by the 2015 Orphan Works and Mass Digitization Act if it passes into copyright law.

An artist hones his or her skill by being prolific, but if they cannot realistically claim their own work, then there is both no way for their name to get out to the public and no way for them to make a living off of their creations. If this act passes, even I, a fledgling artist, will have to register thousands of works made by my hand if I hope to keep from losing my owner's rights to them, and then renew them all again every few decades. Under this new law, I would be able to spend hundreds of thousands of dollars in litigation fees to sue every falsely declared "orphan work" that I know was made by my hand. That is time and money that I do not have as I am already trying to balance work and school so that I can pay off my last year in college. And if I do not, anyone can take my work, claim it to be an orphan, and redistribute it without sourcing it back to me. I'm not so well known that the average person could recognize my work without my name on it. I cannot gain recognition or income from this. And even if I do go through with the registrations, the for-profit Copyright Clearance Centers have the ability to take a large share of our royalties, or even completely bypass the creators to do business with our customers.

If the 2015 Orphan Works and Mass Digitization Act passes, the only way for me to preserve my pride as a creator is to take down everything that I have ever made from the internet and other sources, refuse to share any future works in print or online, and grudgingly hunt down and disparage all resemblances of my works that I can glean from the world for the rest of my life. I might consider leaving the United States, but unfortunately this Act will not only affect American artists—it would also allow American users to exploit international artists legally.

I understand that there is a need to make creative work more available to the public to prevent copyright monopoly so that big creators cannot sue every volunteer who paints their characters on preschool walls. There is also a fair desire to archive work on the web so that it can be seen and sourced, which comes with the reasonably daunting task of requesting permission from every creator. In the face of all this, the 2015 Orphan Works Act is not the answer. There are other options that do not strangle our professional futures

such as maintaining and improving our current Fair Use policies, and encouraging large internet platforms to include artist-inputted usage rights upon submission.

If our work is as valuable to human culture as the Orphan Works Act seems to suggest it is, that it would demand artists to relinquish their rights to the works that they have created so everyone could claim them in the name of culture, then Congress needs to stop choking the spring at its source. If our work cannot realistically be our own, then Congress is discouraging our sharing of it. If commercial entities have no more reason to come to the artists for money in exchange for fair labor, then we cannot create as much as before because we will need to make a living another way.

Please include our pleas in your consideration of the 2015 Orphan Works and Mass Digitization Act! Of course there is a lot of potential money in the Orphan Works Act—it is the money that the creators live off of.

Regards,

Jennifer Jie Zhu
Pratt Institute Undergraduate
Major: 3D Animation