July 22, 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 Ms. Pallante and the Copyright Office Staff:

My name is Kelly Greene and I am an undergraduate at a private technical college in Redmond, WA, studying Digital Art and Animation. I am learning what it takes to become a professional artist in this digitally consumed world. I work over 45 hours a week during the school year on my school work alone to prepare myself for the hardships of becoming a working artist.

I fear enough for the current challenges I will face upon graduation, such as finding a reliable game or film company that will credit me for the work I produce. Job stability is not something that comes easily for an artist in the game industry, and especially not in the film industry. This is why freelance is an extremely important option.

For many, freelance work is their sole source of income. Our artwork is our business and living, and the current copyright law is the foundation upon which it stands and holds steady. Without it, our already unstable means of making a living will utterly disappear, leaving us unpaid for the long hours put into each piece of art lovingly created, whilst *someone else* monetizes from work that is not theirs.

I understand that it is proposed to have artist register *every* one of their works. While this is understandable, it does not take into consideration the struggle for first time start-up artist, or even for long time professionals to sell each and every one of their pieces. With the proposed Copyright law, artist's profit margin will further decrease with the cost of registry being added on top of the highly expensive cost of art materials and/or the digital software we must use to create their work.

The Orphan Works and Digitization document states that:

"Currently, anyone using an orphan work runs the risk that the copyright owner may step forward and bring an infringement action for substantial damages. In these cases productive and beneficial uses of works may be inhibited not because the copyright owner has asserted his or her exclusive rights in the work, or because the user and owner cannot agree on the terms of a license, but merely because the user cannot identify and/or locate the owner and therefore cannot determine whether, or under what conditions, he or she may make use of the work."

There may be cases in which the "user" or more likely, infringer, does makes beneficial use of works; however, these cases are minimal in comparison to the amount of works that are used for the infringer's monetary gain. As for the user "merely" not being able to identify, locate, or

determine the owner, it should be noted that if they are unable to do so, they should refrain from using the work at all. There is a multitude of royalty free and copyright clear image based websites that any user can pull from without fear of infringing upon a copyrighted image. It is absolutely imperative that as artists we remain able to determine voluntarily how and by whom our work is used. Infringement upon our work is the equivalent of stealing our income.

In absolutely *no way* does digital artwork lose its value upon publication. It becomes a part of our business inventory. As a digital art student, I can say with ease, that in this digital age, an artist's inventory is now more important and valuable than ever.

I ask on behalf of the entire visual art community, to not take away our right to our own work. This new Copyright Act could put thousands of hardworking artists out of a job and place pieces of art that were slaved over for countless hours, into the hands of users who merely had only to click a button, and snatch away part of someone else's income.

Thank you for your time.

Sincerely,

Kelly Khristianne Greene