July 22, 2015
301 10th Street
Crystal City, MO 63019

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)

Dear Register of Copyrights:

My name is Wendy Martin. I have been a professional artist since 1981.I have produced illustrated works in the fields of Graphic Design, Comics/Cartooning, Fashion Design and Illustration for publishing and licensing markets, as well as for businesses as large as Fortune 500 companies and as small as the local Mom & Pop down the street.

My work has an international scope with my children's books being sold all over the world, as well as original paintings in public and private collections and museums both in the USA and abroad. I produce hundreds of illustrations a year, from sketch and concept creation to the finished works, created both digitally and traditionally.

Eighty-five percent of my income is derived from the transfer and sale of copyrights to my art. The remainder is from the sale of original pieces or limited edition prints.

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

As a freelance illustrator, I need to maintain revenue streams in order to make a living for wage. Copyrights are the means of producing this income in a reliable and lucrative manner. Allowing infringement of my art is the same as removing my ability to pay my bills, feed my family and maintain a home. My collection of work is a valuable resource that produces this income. Any attempt to replace our existing copyright laws with a system that would benefit third party companies would endanger my ability to make a living. Certain companies have already begun digitizing my work without my permission or financial compensation. Providing a legal way for Big Business to use my work without payment to me, or my permission would jeopardize continued ability as a business to remain profitable. An artwork's inherent value is in the copyright. GE, Coca Cola and Kraft would definitely be upset if the right to their intellectual property was removed or compromised.

The very proposals the Copyright Office has made to Congress concern me. It is essentially a revised Orphan Works (OW) bill, but would be even worse. Artists have

resoundingly opposed Orphan Works bills since they first appeared a decade ago. A copyright law built on the foundation of orphan works law would allow Big Business to siphon off revenue from artists with the hopes of creating an even better revenue stream for themselves. There can be no bigger challenge for those of us who make our living creating new works than to have to compete with such giant corporations wanting to get artwork free from artists and compete with us for our own markets.

The proposal to reintroduce registration would become a huge financial burden for artists. No matter how little registries might charge, with an inventory spanning over three decades work, hundreds of individual pieces, would add up to a huge amount of money. In the end, if the government succeeds in passing this legislation, the end result will be that artists like myself will find ourselves overburdened with huge fees to register in the proposed for profit registries. As for the images we can't afford to register, or those we can't find the time to register, or those we can't find decades old metadata to register will all fall into noncompliance and a lifetime of images created at great expense and effort will be free to be exploited by others.

Publishing significantly increases the value of my artwork. I currently receive royalties on images created for books over a decade old. I am optimistic that the illustrations I have created this year for future planned publications will also be a revenue stream of royalties for more than a decade. Publication of my art increases its value and my income. All this will be negated should the proposed legislation be allowed to continue.

I in no way do not welcome any entity monetizing my artwork without my knowledge or consent, nor any hope of payment or regress for infringement.

I thank you for reading my letter and I ask you to recommend that any orphan works provisions be removed before Congress writes a new copyright act.

Thanks,

Wendy Martin