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Copyright Protection for Certain Visual Works

My name is Steve Young. I am Uk citizen who is is recovering from a illness that has prevented me from working, recently I have been able to illustrate as a form of recovery, and now considering becoming a freelance artist and illustrator. I have just discovered that Brad Holland and Cynthia Turner for the Board of the Illustrators' Partnership have made be aware of the 2015 Orphan Works and Mass Digitization Report. I have become quite concerned.

I am writing 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 freelance illustrator, I would need to maintain revenue streams in order to make a living for my family. Any attempt to replace existing copyright laws with a system that would benefit internet companies would endanger my ability to make a living. Certain companies have already begun digitizing other artists works without there permission or financial compensation.

2. What are the most significant enforcement challenges for photographers,graphic artists, and/or illustrators?
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. A copyright law built on the foundation of orphan works law would allow internet companies to syphon off revenue from artists with the hopes of creating an even better revenue stream for themselves.

3. What are the most significant registration challenges for photographers,graphic artists, and/or illustrators?
The proposal to reintroduce registration would become another financial burden for artists, and virtually impossible to maintain. No matter how little registries might charge in the beginning, like banks, they would soon begin to introduce charges and fees that would grow ast hey gain a greater and greater competitive advantage over freelance artists. If the government succeeds in passing this legislation, the end result will be that artists will find ourselves paying through the nose to maintain copyright on our images in somebody else's 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 non compliance and a lifetime of images created at great expense and effort will be free to 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?

In my work I make fair use of photographs and other graphic artworks for reference but that is about all. I have no issue for government bodies or institutions like schools using my works who wish to make legal use of them.

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

The kind of system the Copyright Office has proposed to Congress. Artists have already seen their foreign repro graphics royalties diverted away from them for at least 20years. I fear this is exactly what is going to happen with the proposals the Copyright Office has made to Congress. To prevent this unjust conflict of interest, it is imperative that no artists group that supports this legislation be allowed to receive any financial benefit from the creation of copyright registries or notice of use registries. These artists organizations have failed artists and should not be allowed to use this legislation to profit even further off the artists they were created to help. I thank you for reading my letter and I ask you to recommend that visual art be excluded from any orphan works provisions Congress writes into the new copyright act.

Thanks, Steve Young