To whom it may concern:

I am writing regarding the changes being considered to copyright in the United States.

I am a fine art photographer and a United States citizen residing abroad, and copyright is extremely important to my livelihood. It ensures I receive credit, and payment, for my work.

My understanding of the proposed changes to copyright is that the passive protection granted under current law, in which the work is automatically protected without any action of the artist, will be abandoned in favor of an active defence, in which the artist must expend time, effort, and money in order to protect his or her work from infringement. This needlessly places a heavy burden upon artists, who are not, by and large, members of the leisure class with vast amounts of money at their disposal for such a burden. Such a change is of no value to artists or to society as a whole, and there is no rational, above-board reason to make such a change.

I also understand that the proposed changes include devolving the government function of the copyright office onto private corporations. At this time, said corporations are not required to forward revenues for registered works on to the creators of that work – the actual holders of copyright. This seems to be diversion of wealth from artists and creators to a manufactured middleman who creates no benefit for the artists or society as a whole. This middleman, manufactured by the government, then becomes the largest violator of copyright, flying in the face of the Constitution requirements for copyright protection.

Finally, the proposed changes seem to allow for an extraordinarily flexible re-use of an image with minimal changes. This change would render copyright effectively worthless in the United States, because it would effectively allow for the outright theft of images as long as thief makes slight changes such as minimal cropping or a minor change in color cast. Combined with the proposal to abandon passive protection of copyright, this would also allow a thief to potentially register the stolen image, even before the actual creator of the image, and thereby rob the creator of any potential credit and revenue from his or her creation.

Copyright is the lifeblood of the artist and photographer. Without it – and the proposed changes would effectively nullify copyright protection in the United States – there would be no artistic work produced if artists could not profit from their work.

Sincerely,

William Hornbostel