July 22, 2015

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 Ms.Catherine and the Copyright Office Staff:

I am grateful of this opportunity to comment on the problems visual arts face in the marketplace. I am a professional freelance artist from Finland. I've been creating art for others to be viewed and enjoyed for a decade now as well as making a good portion of my living off of freelance illustrations.
This has been possible because of the 1976 Copyright Act.

I stand in the same position as many other illustrators and any changes to the current Copyright law would make my livelihood near impossible.
My income is dependant on the fact that I do not need to license everything I produce.
I can share some of my works freely without worrying that someone, somewhere will use it without my permission to gain profit.
It would hinder my way of working closely with my clients and the way I let them review the illustrations I provide.

If the changes are made it will only benefit Internet corporations and leave artists without proper protection of their own creations.

To answer to your question to the best of my ability:

(1) what are the most significant challenges related to monetizing and/or licensing photographs, graphic artworks, and/or illustrations?

It would take away any negotiation power from the artists.
It would make it possible for publishers to demand artist in question to sign away their digital rights as an agreement condition and that way gain an advantage.

(2) what are the most significant enforcement challenges for photographers, graphic artists, and/or illustrators?

Most of the artists already work under very tight budget and really busy schedules. The time and money it would take to fight for rights wouldn't be justified and too great loss compared to all the effort put in.

(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. If such fee is being introduced it can destroy many aspiring artists career.
Not to mention as competition grows, prices will go up and large corporations get advantage over freelancers who have to pay everything from their limited budget.

(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?

I sometimes use photographs and other illustrations as an inspiration but do not use them for anything other than that.
I have never been frustrated over it and I have mutual respect for other artists and their right to their own creations.

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

The proposed Copyright law would be downright unjust towards artists and would greatly favor large companies with manpower and budget to play with.
It is very concerning to me that with the new copyright law potential users would have the same right to my work as I do, which they do not.
Changes to the current Copyright law would also make it extremely difficult for aspiring professional artists to make a breakthrough in marketplace.

I sincerely ask you at Copyright Office to keep the Copyright law as it is, to protect the works of visual artists from corporations aiming to profit from someone else's hard work.

Thank you for reading

Sincerely,

Toni Mäkelä