July 22, 2015

Maria Pallante
Register of Copyrights
U.S. Copyright Office
101Independence Ave. S.E.
Washington, DC 20559-6000

Dear Ms. Pallante,

I have been a professional artist/illustrator at Hallmark Cards for nearly 29 years. During this time I have also created hundreds of personal works/illustrations. I have recently become aware of the Orphan Work and Mass Digitization Report and the efforts being made by U.S. Copyright Office to change existing copyright laws.

My awareness of this effort coincides with a current copyright infringement case that I have been pursuing with a personal work. (Hallmark has a Legal Department to pursue work created for Hallmark.) In this case, the infringer removed my copyright signature and proceeded to use my artwork on shirts to sell to infinite numbers of vendors. They in turn are selling the product around the world.

The current efforts being made to change the copyright law would make this type of infringement even easier for noncompliant businesses or those that are "unable to track down the creator." Given the worldwide distribution of this product, it would be impossible to track down and stop the use of my copyrighted work without extensive personal time, resources and attorney's fees. Indeed, finding an attorney that would take such a case, under the new law, would be impossible given lack of proper compensation required by perpetrators to cover costs.

As far as commercial registries go, it would be quite impossible to register all of my work and continue to be able to make a living. The time and money required would be prohibitive. In addition, having a third party make decisions and negotiations about licensing my work would give me little to no control over how, when or where (or even if) my work is used and make it easy for my to do my own derivative work based on my original work when creating collections or books.

From what I understand, the new law would give anyone the right to alter my work and copyright these works in their own name. I can't understand how this could ever make sense on any level. Without my original creation, the derivative work, and it's commercial benefit to the "creator," would not be possible. This would prove to remove my secondary rights income in the long run.

Thank you for taking the time to read my letter. Please don't hesitate to contact me if you have further questions.

Sincerely,

Terry Runyan
terryrunyan@gmail.com