22, July 2015

San Salvador, El Salvador

Regarding Notice of Inquirity (OW)

I am Ulises Garcia, I am a freelancer Illustrator from El Salvador, Most of my work have been upload in Websites that belongs to American Companies and Servers that supports Globe Artist.

Regarding Notice inquirity I have this comments and statement to say:

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

As A freelancer I need to make profit or any kind of revenue based in all my artwork cuz I have a family and I can´t fail them. Any attempt to replace this existing copyright laws in USA with a system that would benefit internet companies would endanger my ability to make a living. That means USE government will be in the side of thief instead the actually owner and creator of that hard work…

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

Proposal to the Copyright Office has made to Congress worries me. It is essentially a revised Orphan Works (OW) bill, but would be even worse. Orphan Works bills have been resoundingly opposed by artists since they first appeared a decade ago. 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. There can be no bigger challenge for those of us who make our living creating new works than to have to compete with giant corporations that can get artwork free from artists and compete with us for our own markets.

(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. No matter how little registries might charge in the beginning, like banks, they would soon begin to introduce charges and fees that would grow as they gain a greater and greater competitive advantage over freelance artists such as myself. Anyone who says this won't happen is not living in the real world. In the end, if the government succeeds in passing this legislation, the end result will be that artists like myself will find ourselves paying through the nose to maintain 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 noncompliance 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?

We as illustrator call legal to use a photograph or any kind of visual work as a references not entirely copy just to have a better perspective.

(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 seems all too familiar to me. Artists have already seen their foreign reprographics royalties diverted away from them for at least 20 years. 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.

I know this comments is alike many others but English is not my native language so I took references from another fellow artist, I am able to understand better the English that express what I am trying to say In this language.

Again Thank you.

Ulises Garcia.