Dear Sir or Madam:

I have been a visual artist for more than 40 years and have taught Illustration at OCAD University in Toronto for 35 years. I hold a Bachelor's degree in Art from the University of Arkansas and a Master's degree from Syracuse University in New York. Although, I live in Canada, I am an American citizen (I vote in Arkansas) and most of my work has been created for the U.S. market. Copyright is a very important one for me, and is a cornerstone of my business. The Orphan Works Act will have a detrimental effect, not only my livelihood, but to the livelihood to all artists!

Lobbyists have testified that our work has virtually no value after publication. This is simply NOT true. I have works that has sold up to 15 times worldwide, and several of them have sold for more than the original commissioned price! As a specific example, over the past 15 years I have produced more than 260 portraits for the *Wall Street Journal* in New York. Many of these have been re-published by the *Journal*, providing me with additional revenue. Also, many of the works have been sold to the individual subjects, sold to companies they work for, or used to promote companies they work for – all of these represented income to my business.

My copyright is the product I license. I should be able to determine voluntarily how and to whom my work is used. Otherwise, it is simply theft of my intellectual property. Contrary to the opinion of supporters of this copyright change, infringing my work is simply taking money out of my pocket. Everything that I create becomes part of my business inventory!

Furthermore, I should not be pressured to register with a commercial registry. I created the work; it is mine! Even if a work is orphaned, it should not be automatically available for use – I should have choice as to how my images are used!

Statements that these works have no value are patently false and self-serving. If they had no value, there would be no concerted effort to harness them! Realizing that this is a complex issue especially in a digital world, and that 'special interests' stand to benefit greatly from this, I sincerely hope that wiser heads prevail and The Orphan Works Act is rejected.

Respectfully submitted,

Terry W. Shoffner
Associate Professor
OCAD University
100 McCaul
Toronto, Ontario M5T 1W1

U.S. Address

513 Highland
Fayetteville, Arkansas
U.S.A. 72701