To whom it may concern:

My name is Tracy McNamar and I have been an in and out artist since I graduated from Oklahoma Baptist University in 2003. I taught High School art for three years and then left teaching to try and start selling my own art. I ended up taking a job at Hobby Lobby because of financial issues and just recently (last August/Sept.) left that job to become a stay at home mom. My focus right now is on my children not a career, but my eventual goal is to become an illustrator and write and illustrate my own children's books. For this to happen, I feel that any new copyright laws need to **not** have at their heart the Orphan Works ideas.

I understand that the new digital age has made copyright laws harder to stand by, but at their heart the current laws give artists, even hobby artists an automatic right to their creative property and creations. Changing this where others can say the works are orphaned or that the artist could not be found and thus they are free to use and make money off of such images without paying the artist would only create a beginning to major infringement on artist works and steal from artists their very livelihoods.

I have only been a member of the Society of Children's Authors and Illustrators for a few months, and yet have learned that one way illustrators stay afloat in today's markets of visual art is by creating an art piece, selling the rights to a company to use it one time on one set print run, and the artist keeping the rights themselves. Then the artist can turn around and resale the original art to someone, can take the digital copy of their art which they have the rights to, and turn around and resell the rights of that image to an add company for a one time use, or to a puzzle manufacturing company to use on a puzzle allowing them in essence temporary rights to the image. In this way an artist is able to make money on their one piece of art in several ways.

I hope this is making sense and helping you see the vitality in keeping copyright laws the way they are and not allowing others to say that once an artist uses their art once it is of no financial use to them anymore. Artist work is important to them long after they create the initial artwork. I should know as I created a painting and have made prints of that painting and given it away as birthday presents, wedding presents, sold prints at craft shows, used it to show my artistic style. And I am by no means a recognizable professional artist. I hope to be one day maybe, but still my works are important to me and I would not like a law that allows some company to take my work that may show up on Instagram or Facebook or Tumbler and steal it, modify a few colors on it and then now not have to pay me the artist. I am the one who created the work and put in the time and energy on it and should thus been the one to financially benefit from it should someone see a way that that could happen. I do not desire a law that would let a company say they searched for an artist but could not find them…or worse yet, register artists work for copyright protection from non government entities allowing them to grow an enormous collection of work that they can then turn around and manipulate digitally, and use under this orphaned idea thus keeping the creator of the art from making a penny on their work that could have taken them weeks or months to complete (depending on the piece). By allowing artists to have copyright laws that protect and encourage their livelihood rather than that of an infringer, artist will thrive in this country and will continue to be able to create rich art. Take that away and many real artists will be turned away from their artistic careers and have to put their work aside to "make a living." I feel this would be a deep tragedy for our culturally and visually rich society, don't you?

Sincerely,
Tracy McNamar