

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: copyright infringement and orphan works concerns
Date: Thursday, March 04, 2010 10:56:01 AM

TO: Victoria A. Espinel, the IPEC for the Office of Management and Budget in the Executive Office of the President

RE: the Shawn Bentley Orphan Works Act of 2008, S. 2913

Greetings. I am writing you regarding proposed legislation concerning copyright and intellectual property, the Shawn Bentley Orphan Works Act of 2008, S. 2913. As I believe you and the President are strong supporters of IP protection, I'm hoping you will take a moment to consider what I have to say.

The Senate passed their version of the bill in 2008 with little resistance. I believe it will be coming in front of the House sometime in the future. The Senate version represents the greatest threat to my livelihood that I have faced in 17 years of business. It is so unfair, so misguided, so hard for me to believe that I have trouble articulating my thoughts, bringing my words to bear.

I created my photographs. They represent my creativity. I paid for the equipment used to create them. I paid to travel around the world in order to create these images. I risk my life to make these photographs. (I am a full-time professional underwater photographer, and most of my work deals with sharks, whales, dolphins, etc.) They are my family's source of income. Copyright is everything to me.

Why should anyone else-- a book publisher, or a Fortune 500 company, or the business across town, or my neighbor-- have a preferential right to profit from my work without my permission? All of the rhetoric and clever words and spin I hear from those supporting this legislation fail to answer this. How is the bill good for me and photographers like me? How does it look out for our best interests? I am ashamed to think that my tax dollars have been used to bring this bill to the floor. Politicians such as Sen. Hatch should not presume to understand my needs and business better than I do. Sabotaging copyright protection will put me out of business.

I do not have the time, nor money, to spend the rest of my life in court suing those who will be given permission to steal my photographs if the House passes this bill.

Please stand up for the best interests of professional photographers like me. I sincerely hope you remember how devastating this bill as written would be to me and my family and my colleagues, and that you do whatever you can to prevent big business and special interest groups from gutting Copyright.

Thank you for listening!

Sincerely,

Brandon Cole

Brandon Cole
MARINE PHOTOGRAPHY
www.brandoncole.com
tel: 509-535-3489