

From: [REDACTED]
To: FN-OMB-IntellectualProperty
Cc: info@copyrightalliance.org
Subject: My thoughts regarding intellectual property and rights as an artist.
Date: Tuesday, March 23, 2010 6:26:49 PM

Dear President Obama and Ms Espinel,

I am writing you in response to an open invitation from the Obama Administration that I received thru the Copyright Alliance network. As a member of this network of individual Copyright Advocates I am very concerned with the recent Orphan's Work bill that was introduced into the senate and the more recent trend of broad ambiguous "fair use" interpretations of creative works of artists by the federal courts. As a working commercial photographer, the photograph is the engine of my business. It is how I make my money to buy groceries, pay my mortgage, and save for retirement. But this engine was not built in a day. It was built on waiting tables to pay for undergrad and art school. It was built on working two jobs to afford a internship with established and talented photographers. It was built on thousands of loaned dollars for very expensive equipment. It was built on sleepless nights and borrowed money for portfolios. It was built on thousands of rejections and the gumption to keep going. There are few of us who survived the beginnings of our professional careers as commercial artists. The ones who did, like myself, did not JUST push a button to create an image that now is in trend with advertisers, corporate marketeers, Internet service providers, and search engines; we forfeited necessities of life to create our personal style in a photograph and purchased the equipment that helped us achieve our visions. Before the digital revolution, safekeeping our copyright and intellectual property was simple. However, with the internet and the shift in the way we receive information today, new legislation has sided more towards protecting the needs of cyber users rather than protecting the usage rights of the artistic providers. Intellectual property rights are not widely understood and the needs of the consumer seems to be more legitimate among legislation than those rights of the creators. Copyright and Intellectual property protection was established so artists and other creators could reap economic rewards for their efforts and provide incentives for future creative advances that benefit society as a whole. To lose this protection, we lose our livelihoods, our homes, our means of taking care of ourselves. The financial loss is not the only repercussion of copyright reform. We would also lose the integrity and quality of great works. With weakened prosperity for creators, the quality of our countries creativity across the board will decline. We will no longer excel in journalism, photography, movies or music internationally. With corporations depending on artistic trends to promote their services and products, the lack of quality and innovation in the arts will directly effect companies ability to compete with those countries who support and protect creative rights of artists. We are as skilled in our creative profession as any medical doctor is in his/her profession and we have earned the right to make financial gains as he/she has. This is the U.S.A., the land of opportunity and as a citizen of this mighty country, I expect our government and the administration that I supported, to provide equal and just legislation for all professions.

Sincerely,

Kim Cook
Photographer
Denver Colorado