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**To:** [FN-OMB-IntellectualProperty](mailto:FN-OMB-IntellectualProperty)  
**Cc:** [info@copyrightalliance.org](mailto:info@copyrightalliance.org)  
**Subject:** Intellectual Property Copyright Enforcement  
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Dear Ms. Espinal,

ASMP and the Copyright Alliance have informed me of this welcome invitation from the Obama Administration to share my thoughts on my rights as a creator.

I am a creative professional photographer and derive 100% of my taxable income from creation of photographic images.

Intellectual property rights in general, and copyright to my images specifically, is vitally important to preserve my taxable income stream and to support myself and my extended family.

Copyright piracy and infringement have adversely impacted my ability to maximise my taxable income. Failure on the part of the infringing parties to pay for use of my works represents a leakage from the income tax system because I book no revenue income from the unauthorised use of my works. Not only does this adversely impact my ability to manage my financial responsibilities but it also robs the U.S. Treasury of tax revenue at a time when our nation faces high and seemingly increasing fiscal deficits. All three branches of the U.S. Government need to act immediately to protect the rights of copyright owners and creative professionals who manufacture copyright works from unauthorised and uncompensated use of those works.

Orphan works are particularly a concern. Publishers and others wish to get a free ride on the backs of creative people and at the expense of U.S. taxpayers. All present proposals that do not guarantee timely and commercially reasonable payment to the rightful owners of copyrighted works should be scrapped immediately. It is my position that in the event that a copyright owner cannot be identified a publisher be granted a one-time only single use license to use the work in a single media (print, online, broadcast, etc.) in exchange for a reasonable fixed fee per reproduction. This license fee should be paid in two parts: 85% should go to a central fund for unidentified copyright owners to be held in trust for the copyright owner who may subsequently identify himself/herself, and 15% should be remitted to the U.S. Treasury as a copyright user withholding tax.

Thank you for this opportunity to contribute to this important debate.

Brad. D., Houston, Texas.