

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: Copyright Law
Date: Wednesday, March 24, 2010 1:20:45 PM

To whom it may concern,

I am writing in regard to Intellectual Copyright Law in regard to artists. I am a New York City-based graphic artist and photographer. I have worked as an Art Director for many years assigning work to illustrators and photographers. In addition I am president emeritis of The Camera Club of New York.

I have heard many stories over the years of copyright infringement. Artists rely on resale of their art for income. In many cases artists make more money off the resale of their work than the initial paid fee. This is especially true in publishing where fees are low. The proposed changes to copyright law considers a work of art an "orphan" if someone claims to have tried to find the owner of the artwork and can't, which is on itself flawed and unprovable. It also places economic stress on artists to copyright all their work, which is an onerous and relatively impossible task, since artists generally do not have staff or interns, and involves digitizing years of work.

Additionally artists need to have to right to accept how their images are used, such as context. Misuse of art can lead to economic hardship, say for instance an illustrator does primarily childrens books and an art work is used by a liquor company or other adult product. Or in a gray zone, I have worked with illustrators whose work was then appropriated by stock companies who have copied their style and concepts.

It has been increasingly hard for artists to survive, given the predominance of the use of stock art vs. commissioned work, plus the common practice of artists having to sign contracts enabling online usage for either no additional fee, or a token small fee.

In short artists need to have control over the context of their work, and rely on resale for income.

Best,
Caren Rosenblatt
New York City.