

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty](#)  
**Subject:** Copyright Laws: Please retain protections for photographers  
**Date:** Wednesday, March 24, 2010 5:00:42 PM

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Dear Mr. President,

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 glad to have this opportunity because since the last administration, many of us who create have felt under attack from those who would like to steal and profit from my work - the work that I should be profiting from.

My photographs are my work. I am not a hobbyist: I create photographs to sell to earn my livelihood. My photographs pay all my bills. The only thing that protects me, and allows me to earn my livelihood is the Copyright that prevents others from just taking my creations, and selling my images as their own.

When someone infringes on my Copyright, it is no different than if they stole my car, or broke into my house and stole my property, or hired me to do a job and then decided to just not pay me. There are laws protecting me from those crimes and there should even stronger laws, COPYRIGHT LAWS protecting me from having my work stolen - because intellectual property crime is much worse.

For some reason, in our current culture, to many people think that art is for the taking; that artists don't deserve to be paid for their hard work. blame much of this on the climate created by conservatives who have belittled and demonized art and artists for years. That, coupled with the internet age, that grew before there were laws to cover it, has created a kind of wild west-type atmosphere where people think it is OK to steal from artists. I live in New York City, and all over the streets are (what we call) 'picture mafias' selling stolen artwork: Artwork that has been scanned and reproduced to be sold cheap, without the artists having knowledge or getting their rightful royalties. If the Copyright laws were weakened, this would get worse. This would be everywhere and no artist's work would be safe from anyone who wanted to reproduce it and sell it.

My livelihood would be cut down because I (the rightful owner of the rights to reproduce my work) would be competing against anyone who wanted to make copies of it and sell it themselves. And I would not be able to stop them.

Twice before, I have caught companies who have taken (infringed) my images, and both times the only reason I got the infringers to settle was because I had the weight

of the Copyright Laws behind me. Those infringers just figured they'd try to get away with what they could get away with, but once caught, they knew that if I had gone to court, I could have collected punitive damages, so they settled quickly. If the right to collect damages were taken away, there would be no way someone like me could collect from a corporation, or prevent them from just using my work without my consent. There would be nothing to protect any company from just taking my work and using it any way they please without paying me: Any company or potential client who requested portfolios for 'drop-off' from photographers could just scan the images and use them before returning them, and the photographer would not be able to stop them without being able to afford to hire a lawyer. And most of us could not afford to hire a lawyer if there were no punitive damages for the lawyer to collect. (And for me, ironically enough, one of those infringements I had was from a health insurance company that had just denied me coverage for a basic medical test, then stole one of my images for the cover of their corporate magazine!)

It is hard enough to make a living as an artist/photographer. If Copyright laws are weakened, hundreds of thousands of professional artists, like me, would lose everything. Please do not let this happen. It is not right. My intellectual property is mine. Please do not weaken the laws that protect me and my work.

Thank you!

Sincerely,

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