

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty](mailto:FN-OMB-IntellectualProperty)  
**Subject:** How Intellectual theft affects me.  
**Date:** Saturday, March 20, 2010 6:33:38 PM

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Dear Ms. Victoria Espinel,  
U.S. Intellectual Property Enforcement Coordinator (IPEC)

My name is Joe Schmidt. I'm a freelance cartoonist in San Diego, California, a member of the National Cartoonists Society and a board member of the Southern California Cartoonists Society. I create cartoon illustrations for magazines, companies and individuals. I'm thankful input is being sought to improve copyright protections. They form the backbone of the commercial art industry. Without real and enforceable intellectual property protections, commercial artists would literally have no products to sell.

Every day, law enforcement officers are put at risk, valuable resources are expended and great lengths gone to in order to arrest, jail and prosecute thieves who shoplift things worth very few dollars. If even an attempt were to be made to take cash from a person or cash register, a dangerous car pursuit might even endanger lives; BUT, when thieves enter my website and steal cartoons, it is apparently of little to no concern to anyone but me who loses the potential income. Its as if no crime were committed at all. Today alone, Google lists five websites on the first two pages who without permission used my cartoons or set up links to make their website more attractive. I consider that to be a form of shop-lifting. I would be laughed at if I were to contact law enforcement about those thefts until, well... what *would* be the amount required for me to expect justice to be served?

I'm not expecting a police officer, with lights and siren blaring, to appear at the door of a thief who steals from a website... just for the law to begin to consider and treat this as a real crime. Unless a theft is so large that it justifies the risk of attorney and court fees, petty thieves know they nothing will happen to them. Some don't even bother removing the image from their website when approached.

To put this into a more concrete loss of income form: I charge \$30 for posting one cartoon for a year on a commercial website or \$15 for a private website; I charge \$35 to \$80 for one cartoon used in a commercial lecture/presentation; Lower rates for multiple cartoons. That might not sound like much... but when multiplied by the number of discovered and estimated cartoon thefts that I don't discover... at my income level it's significant to me. It's also lost tax revenue multiplied by the number of commercial artists.

Perhaps a website could be developed for artists to report verified details of petty thefts. The

accumulated names and website addresses would not be available to the public, but if reported a determined number of times, accused violators would be investigated by proper authorities. Revenue from an established fine structure, developed with the help of industry professionals, would be used to cover the cost of the website and enforcement. Although artists themselves might not be reimbursed, this would serve as a theft deterrent. Yes, this is a concept in the rough, but until some form of accountability and real punishments begin to occur at a lower level than felonies, intellectual property theft will continue to grow.

Your assistance to strengthen copyright enforcement would be greatly appreciated.

Respectfully, Joe Schmidt