From

To: FN-OMB-IntellectualProperty
Cc: info@copyrightalliance.org

Subject: Fwd: Last Chance to give the Obama Administration Advice

Date: Wednesday, March 24, 2010 1:09:31 PM

Attachments: Brian Littrell Original Article.png

Brian Littrell unauthorized usage.png Leibowitz Backstage Example.png Brian Littrell No Images.png

Dear Ms. Espinel --

The Copyright Alliance has informed me of this welcome invitation from the Obama Administration to share my thoughts on my rights as a creator. As a professional photographer my livelihood and my career depend on unique images and intellectual property. My ability to receive income and control the use of my images has a direct impact on the success or failure of my business. I cannot succeed as a photographer if my images and other creative products (videos, multimedia slide shows) are copied, distributed or sold without my permission or knowledge.

With the growth of the internet over the last few years theft of my images has become rampant.

There are several areas where theft of my images occurs on a regular basis. Here are several examples:

1. On a recent shoot of Brian Littrell for People magazine, the day the magazine hit the newstands, my images rapidly spread across the internet via blogs and fan sites. These sites are <u>for profit</u> sites that use my images without my permission. This is a common occurrence that happens so frequently and so rapidly that it's impossible for me, as an individual artist, to find and request removal of all the images.

Here is the original article and one example of a photograph from this shoot being used without permission and without credit: http://www.babble.com/CS/blogs/famecrawler/archive/tags/Karl+Erikson/default.aspx?PageIndex=3



Backstreet Boys' Brian Littrell Opens Up About Son's Kawasaki Disease



Being a parent is sometimes a very scary thing, and it's no different for Backstreet Boys star Brian Littrell and his wife, Leighanne. Their 6-year-old son Baylee has given them quite a few scares.

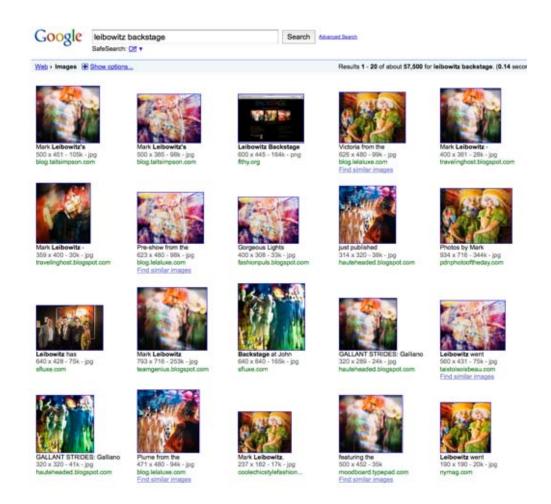
More photos and details after the jump.

Read More ...

Posted Apr 02 2009, 12:36 PM by Karl Erikson with | with 2 comment(s)
Filed under: celebrity parents, celebrity dads, celebrity fathers, Backstreet boys, pop music, brian littrell, Karl
Erikson, kawasaki disease, Leighanne Littrell, medical scares for parents

2. Another example is a recent art series I produced of images shot backstage at the fashion shows in Paris. This series was released on New York Magazine's website, nymag.com and again quickly spread to hundreds of blogs that have advertising and are operating as for-profit websites. This immediately removed any possibility I had of licensing use of these images to other websites, especially international publications which used to be a substantial source of revenue for me. Most of these sites did provide credit to me as the artist which is helpful but nonetheless, they are using my images without my permission as content for their sites. This leaves our only option to try and turn these unauthorized usages into "positive press" for my brand. While press is great, it doesn't pay the bills or keep the lights on in my studio. For that, I need my images to be protected and I need the ability to make substantial monetary claims against unauthorized usage.

A simple search on Google for "Leibowitz Backstage" shows just how far the images spread: http://images.google.com/images? hl=en&source=hp&g=leibowitz%20backstage&um=1&ie=UTF-8&sa=N&tab=wi



Is there a way to stop this from happening? I'm not sure, but again, it illustrates the importance of strengthening copyright protections for visual artists and maintaining or even increasing penalties for unauthorized use. It's a dangerous line we are walking and the boundaries must be clearly defined so that artists and content producers are capable of artistic integrity and financial survival. The unauthorized copying, sale, and distribution of my intellectual property directly impacts my ability to control the use of my own creativity, not to mention my ability to receive income that I have earned from my labor. This is true for all artists and therefore impacts U.S. employment and the economy, and our nation's ability to compete globally.

Imagine the example where photographers can't license their images because they are immediately stolen upon publication. The day rates paid by clients are not sufficient to keep a photographer in business. We must have substantial protection of our images because the ability to re-sell our images is a necessity to stay in business. These protections must be updated to protect against theft and unauthorized usage in the digital age. This includes protections against blogs and even search engines like Google. Without these protections visual artists will go out of business and media without photos is not a pretty picture.



WHAT IS KAWASAKI DISEASE?

We think, "What if we didn't catch this and it got worse." "—EEGRANDEE

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Sincerely,

Mark Leibowitz Photographer Los Angeles, CA