

From:
To: FN-OMB-IntellectualProperty
Cc: info@copyrightalliance.org
Subject: Intellectual Property Enforcement
Date: Wednesday, March 24, 2010 1:06:11 PM

Dear Ms. Espinel:

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

It has been said that trying to organize photographers is like trying to herd cats. For independent, often one-person businesses, the time consuming task of tracking down the use of unlicensed images, and seeking resolution by either having those images removed from web sites (and tracking that) or invoicing them for unlicensed usage, is daunting.

The potential penalties for copyright infringement do not seem to be much of a deterrent, as the chances of getting caught are slim.

If infringers are caught, they may also refuse to negotiate or comply going on the assumption that independents do not have deep enough pockets (in time and money) to take the matter any further.

In addition to tracking challenges, contract negotiations are rife with pressure for photographers to relinquish licensing rights, so we are getting squeezed throughout the process. I fear the pending Orphan Copyright Act may make the situation worse.

ASMP and the Copyright Alliance have long been working to educate members, nonmembers, and emerging photographers about the value of copyright registration, and we are slowly waking up to the current facts of life. Rapidly changing technology is a challenge to many of us, but the breathtaking possibilities are exciting if we can manage to stay in business.

Thank you for your interest.

Sincerely,

Linda Jeub



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