

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: PRO-IP Act of 2008
Date: Thursday, March 18, 2010 11:16:11 AM

Dear Ms. Espinel:

My professional photography association, ASMP and the Copyright Alliance have made me aware of the government's intent to improve the workings of our copyright laws. As both a commercial and fine art photographer, protection of my copyright translates into protection of my income.

The two biggest threats to protection that I see are; the ability for violators to escape detection and thus avoid prosecution and the ability of clients to bully creators into accepting "Work for Hire" agreements in order to obtain work. Even in good economic times potential clients often bully independent creators into signing away their rights in order to obtain work. During this recession, with the photography business off 50% and fine art sales off 80%, we creators are especially vulnerable. The mere mention of copyright can end discussions with some potential clients about work.

Solving these problems will not be easy, but necessary for the survival of the creative community. Two suggestions which might help; require publishers of copyrighted material, (even in catalogs and advertising), to also publish attribution next to the work or immediately before multiple works by the same copyright holder and to ban "Work for Hire" agreements outside of full time employment situations. Something else: If users of copyrighted material were legally required to notify copyright holders about any and all uses of their work and backed up with significant monetary penalties split between the copyright office and rights holders, creators would be in a much stronger bargaining position.

Thank you,

Peter B. Treiber, photographer

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Publisher of [the book *Inside Bethlehem Steel*](#)

Member: [ASMP](#) American Society of Media Photographers

Member: [EP](#) Editorial Photographers