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To:

Date:

[REDACTED]
[REDACTED] Comment regarding the Joint Strategic Plan of the IPEC
Wednesday, March 24, 2010 3:40:51 PM

To: Victoria Espinel, U.S. Intellectual Property Enforcement Coordinator
Re: Request for Public Comment regarding the Joint Strategic Plan of the IPEC

Dear Ms. Espinel,

The American Society of Picture Professional welcomes the commitment to domestic and international copyright enforcement currently being adopted by the Obama administration.

ASPP is a non-profit association that provides professional networking and educational opportunities for those who create, edit, research, license, manage or publish pictures. We have approximately 700 members in the U.S., and we provide regular opportunities for our members to share their knowledge and ideas through local chapter meetings, national programs, our website and publications, and other social media outlets.

Regardless of their professional role in our industry, all of our members share a common respect for the critical importance of intellectual property (IP).

- Our photographer members and their photo licensing agencies have battled for years to maintain the integrity of their copyrights. As the commerce in photography has grown with the advent of huge world markets, and with the inherent ease provided by the web for a user to lift images without permission, countless thousands of images are being infringed daily. Some of these infringements are innocent, some are due to the ignorance of the user, and some are deliberate and nefarious. But all represent a loss of livelihood to the creator and their agents. Although technologies have been created, (and are continually being invented) to try and circumvent or find these infringements, it is the creator who has borne the costly burden to track this piracy, and seek legal redress.

- Our members who run collections attached to museums and educational institutions face similar problems. When images from their collections are pirated in some way, they not only lose potential licensing revenue, but serious legal ramifications can occur due to unlawful usage.

- Our photo researcher, editor, and publisher members, who need to properly source and license images for a multitude of uses, find that their professional practices are undermined by unlawful actions of others. Their jobs too are increasingly being threatened and lost due to piracy of IP. Researchers often waste a lot of time trying to track down the rightful owner of the image to license it legitimately. Potential sales are being lost to the photographer/agency when the researcher is unable to track down the copyright owner.

Looking ahead, ASPP would like to make these additional comments:

1. Education about copyright and intellectual property is critical ? in our schools, in our workplace, in our homes. Our citizens have to learn to respect copyright and the rights of copyright holders. Organizations such as the Copyright Alliance (www.copyrightalliance.org) are taking great steps to further such education.
2. With the enormous increase of IP theft of images on the Internet, without proper identification or licensing, an insidious ramification is the probability that images thus infringed will become ?orphans?. This will lead to a further diminishing of revenue for the creators.
3. Proper enforcement of IP rights is critical if creators of photography are going to be willing to continue to create original work. Conversely, infringement of IP hurts our economy, and undermines jobs in our industry

Thank you, Ms Espinel for allowing our association to express its views. We would like to help you going forward and give you further data to answer questions about the costs and risks related to unprotected intellectual property. If you have any questions or comments, please contact me at cathy@aspp.com

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Building Community among Image Professionals