

**From:** [REDACTED]  
**Sent:** Wednesday, March 24, 2010 4:39 PM  
**To:** FN-OMB-IntellectualProperty  
**Subject:** public input regarding intellectual property protection

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To Whom it may concern;  
Regarding intellectual property rights:

As a small business owner I would like to submit this note on the importance of intellectual rights to my business and my career.

My name is Chris Sickels of Red Nose Studio, Inc. located in Greenfield Indiana. I am a freelance illustrator who has worked with a variety of corporations and publishers both nationally and internationally.

In illustration much like any field within the commercial arts industry, the rights to an image are often much more valuable than the cost to actually produce the image. Creative rights are not tangible widgets that can be easily seen as equaling the cost of production, materials and overhead, they are based on how an image, oftentimes created for a specific product, will be used by the client to promote a specific product. The image is a visual solution to the creative challenge of drawing attention to a product or written text. If an image is used by another party without consent and compensation to the creator of that image, it can be used for financial or commercial gain to the infringer with no benefit to the creator of that image.

If the intellectual property rights are not properly protected by changing U.S. copyright law the entire creative industry could potentially lose compensation due to infringers that take advantage of the loopholes intentionally placed in such proposals as the Orphan Works Act.

I propose that whatever new strategies are taken, the creators of the intellectual property must be the primary focus of protection as opposed to those that seek to infringe the rights of the creators who are the intellectual property holders.

There are numerous alternatives that could protect the interests of public museums with limited commercial interests, and home scrapbookers with no commercial interests, without effectively deregulating corporations along with them. Moms would like to make personal family albums, they always have and will continue to. Museums would like to ethically sell greeting cards and publications to supplement their income. The large corporations that are lobbying congress to 'protect' these moms and museums have powerful economic reasons to change the current law – they stand to profit greatly by the change as the change allows them the same liberties as the supposed 'victim moms & museums'. That profit would come at the expense of the copyright holders, and would remove an entire chunk of economic value from the economy at large. The corporations will still sell whatever they are selling, they will just make larger profits by not having to pay for rights. The chunk of money that would have gone to the copyright holders will be lost to both those individuals and our entire economy, forever.

The corporations are not just hoping steal away the rights from the copyright holders, they are hoping no one notices that they will have stolen a enormous chunk of economic volume from our great nation's economy. Don't leave it to them to decide whether it is too hard to track down a copyright holder, they'll never make the effort.

Thank you for your time.  
Sincerely,  
Chris Sickels

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