

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: Comments on Intellectual Property
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As a composer and quilter I have a number of concerns about the use of my intellectual property.

Music

As a student composer I had part of a class work copied by a classmate and used in a film score she had worked on with her father. There was nothing I could do. While theses and dissertation compositions can be copyrighted, it is currently very cumbersome and expensive to copyright a shorter "student" composition to stop it being claimed by another composer as their work. A simplification of the copyright process for works which are not formally published and/or recorded by "commercial" publishers/recording companies would be extremely helpful to fledgeling composers. At the same time, a loosening of restrictions on short quotations of scores in academic theses/dissertations would be helpful to those pursuing Masters' and Doctorate degrees. In order to avoid having to get copyright permission for every musical quotation in my Masters' thesis, I merely described music or referred to page and/or measure numbers, as it would have added months to the process to get a copyright approval for each very short (1-4 measure) quotation in the body of the written text. The U.S. also needs to bring its copyright into alignment with European, Asian and Australasian countries to avoid confusion. My understanding is that they have different copyright lengths to the U.S.

Quilting/Fiber Arts

The current law is very unclear as to what constitutes original work and what does not. The line between what is public domain and what is not is very "fuzzy", as many people develop and write about specific methods of creating what are considered "traditional" designs, such as Log Cabin, Nine Patch, Maple Leaf, Bars, etc. There is no publicly recognised consensus as to when something should be copyright and when it is truly in the public domain.

There have been a large number of instances where original works shown at quilt shows have been copied, and in some cases taught by, unscrupulous viewers/teachers who do not give credit to the originator, let alone offer them payment, or purchase their patterns/books. . In the quilt world it is not uncommon for teachers at the "local" level to take classes with "national" and "international" teachers and then teach the class at local shops, often without requiring the purchase of the original pattern or the national teacher's book, and without giving credit to that individual. Many shop owners are permitting this to happen. Similarly numerous images of quilts are appearing on blogs and websites WITHOUT the permission of the maker, there is no restriction on people copying the quilts, and the owner does not receive credit, let alone compensation, for the use of their image.

As a teacher, I always ensure that my students have the pattern by including it in the class fee, or I insist that they have the book. However it is extremely hard to stop friends from sharing a required book. I do not want to take the designer's livelihood away from them, yet there are no good controls other than my conscience. Similarly some of my classes become more expensive, and less attractive to students, than those of teachers who are

not following the law and requiring students to purchase the requisite book/pattern. I have attended local level classes where teachers have had every student copy the pattern from a book they own, or teachers have themselves copied and distributed the pattern and information to students. Based on what I have seen I have chosen not to write a book, or publish patterns, and I am becoming reluctant to show original work in some venues for fear of piracy.

To summarize, I think the law needs to be clarified, simplified to remove much of the "what if's" and the process of copyrighting intellectual property needs to be made simple and affordable for all artists regardless of what medium they are working in.

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