

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Cc: [REDACTED]
Subject: My Comments: Intellectual Property Infringement
Date: Wednesday, March 24, 2010 12:42:40 PM

Dear Ms. Espinel,

As a professional photographer for more than 20 years and a member of the American Society of Media Photographers, I'd like to thank you and the Obama administration for preparing the Joint Strategic Plan for the PRO-IP Act of 2008, and I'd like to suggest you change the copyright law so registration with the Library of Congress is no longer required. **Most other countries don't require registration**...now is the time to change U.S. law.

There seems to be a double standard...the law states that I own the copyright to my photographs the moment they are taken (and no one can use the photographs without my permission); however, my photographs are not fully protected against copyright infringement until they are registered with the Library of Congress. Why the double standard? I'm suppose to own the copyright of my photographs and be protected by copyright law, so why should I have to register them?

Also, no lawyer wants to work on my behalf in a copyright infringement case unless I've registered my photographs, so I'm on my own in court.

If **I have not registered** my photographs and take someone or a company to court for copyright infringement and somehow win...I'm only entitled to the value of the photographs in today's market.

If **I register** my photographs, go to court and win...my attorney's fees are paid for and I'm also entitled to statutory damages up to \$150,000.

This is a huge difference! Registering is an added expense both in time and money, it reduces my efficiency, increases my work flow and adds costs that I have to pass on to my clients. My clients don't want to pay that added cost and in this time of shrinking budgets, I frankly can't afford to pay it either. If I'm protected by copyright law, I should not have to go to the added expense of registering all my photographs for all my clients.

It's that simple, either copyright law protects my photographs, or it really doesn't until I pay to register them.

My photographs are my sole means of income for the support of my family. Copyright law gives me some protection against the unlawful use of my photographs...but, only to a point! Now is the time to change the law so that registration is no longer required. Thank you for your consideration.

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