

From: [REDACTED]
Sent: Wednesday, March 24, 2010 4:34 PM
To: FN-OMB-IntellectualProperty
Cc: info@copyrightalliance.org
Subject: Thoughts on my rights as a creator

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Ms Espinel,

ASMP and the Copyright Alliance have informed me of this welcome invitation from the Obama Administration to share my thoughts on my rights as a creator.

Intellectual property rights are theoretically at the foundation of my business as a photographer. The reality of enforcing this theoretical right however is an ongoing struggle for each photographer. On a regular basis I find my images being used without authorization and compensation. The unfortunate reality is that it is incumbent upon me to first find unauthorized usage and then initiate correspondence to rectify the situation. Retaining legal counsel to litigate the matter is financially unattainable for most photographers, especially in the current economic environment.

The sad fact is that copyright most benefits large corporations that have legal departments.

Freelance photographers such as myself often rely on sending a cease and desist letter to the offenders. While this may eventually stop unauthorized usage, it often does not result in compensation for the usage that did occur. With the proliferation of the internet, unauthorized usage has exploded and is harder to defend, especially since offending parties may be located outside of the United States.

While I very much appreciate the theoretical legal benefits that copyright provide, I wish that there was wider respect in the population for intellectual property and an easier path for independent artists to defend against intellectual property theft. Perhaps if there were PSA's or some other way of educating the public and even businesses that just because you can copy something doesn't mean you should. Unfortunately many people don't see copying of photographers images as theft.

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