

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: Artists and piracy
Date: Wednesday, March 24, 2010 3:43:20 PM

Dear Ms. Espinel,

I was encouraged to read that you want to hear from the creative sector about how we're faring in the face of internet piracy. As a 36-year old musician who has made my living from my art for the past decade, and only recently (and necessarily) through taking on another job, it's something I've come to feel very strongly about.

I want to sign my name to this with every fiber of my being; I feel it's my absolute ethical obligation to put my name to my words.

But horrifically, I CAN'T. I've done the research, and I know it; if I put my name on this, the same people who appreciate my work but who won't accept its value will actually speak out and decry me for saying that I'm worth it.

Well I AM worth it. I know scores of other independent musicians and artists who are also worth it. And the way things are going, our potentially rich future cultural contributions are never going to see the light of day. We're simply not going to have the time or energy to give to their creation after the other jobs we're taking on to make ends meet. For those of us who are going back to school to pursue our "fall-back" career options, the student loans are going to ensure that we never again have the freedom to hop in a van and tour our work to the masses.

The argument I hear in favor of the 'good' that widespread file-sharing has done for music is that "never before have so MANY artists been given a voice who otherwise would never be heard".

That is carefully phrased, but what it actually means is that the sea of mediocrity has become so vast, it is almost impossible for an artist to achieve true ubiquity. And that is a disservice to a great many visionaries who, not a decade ago, would have stunned the world with their contributions, but who now toil away in obscurity.

The internet allows anyone to be an "independent artist". The term has lost any value. Additionally, and just as damaging, it allows anyone to be an independent art CRITIC. The sea of mediocrity is not without a great many sharks that will swarm on anyone who appears to need humbling.

My point in describing these travails is not to bash the internet. It is this: it is hard enough to battle all these factors, but I do it ceaselessly, as I have done it for over a decade. After all of it, to develop a core audience of people who actually DO hear through the mud and appreciate what I've put my heart and soul into... after years of just believing that truth-will-out, and hoping the music does its job...

...after all that, my coveted true fans who honestly appreciate my music... roughly 80% do not pay me anything at all for it. I have done the research and run the numbers, and even heard it from them directly; they just take it off of torrent sites; off of proxy servers; off university-hosted FTP sites. They do it because they can. They think that paying me in words is enough. Many of them are young enough to think that it's what I expect, and see no issue with the practice.

We have raised an entire generation to believe that ART IS WORTHLESS.

It's a total lack of exchange. It's degrading in the worst way. It needs to stop.

Art does not, as I have heard, "want to be socialistic". The only people who tow that line are artists who know that nobody thinks their work is valuable. By pulling down the value of greatness, they make nobody great, and thus their playing field is level.

The remaining file sharing communities and bit torrent sites (especially in other countries) are a big problem, and I would advocate cooperative measures with other governments to get their cooperation. Proxy servers should be somehow registered and monitored, and illegal distribution of intellectual property on proxy servers should carry steep penalties. As for penalizing the end-user, I have been following the UK's proposed "Three strikes" legislation, and think it definitely has merit, though I'm not sure how easy implementation would be.

Again, thank you for asking to hear from us in the creative community. Here's hoping that a difference can be made.

Sincerely,

Anonymous in Nevada