

From: [REDACTED]
To: FN-OMB-IntellectualProperty
Cc: info@copyrightalliance.org
Subject: the costs and risks of intellectual property theft
Date: Tuesday, March 16, 2010 10:26:16 PM

Ms. Espinel

The Copyright Alliance has informed me of this welcome invitation from the Obama Administration to share my thoughts on my rights as a creator and I thank them for it.

Since 2004, I have been writing full time. This is my job, and it is how I provide for my family. I'm a writer and the sale of my books-their royalties-are my primary source of income. That income is what lets me provide for my children.

I take a great deal of pride in this, in knowing that I'm able to use not just a talent, but a marketable one, to help provide for my family, and it's one that provides enjoyment for others.

However, something that casts a heavy pall on this is the matter of copyright infringement and the rampant abuse of my intellectual property.

In any given week, I send out takedown notices to filesharing sites and forums-sometimes it's just for five files, sometimes it for upwards for thirty or more. Sometimes I spent thirty minutes a day, sometimes I spend more than an hour a day.

An hour a day fighting to protect works that should already be protected under US and international copyright laws. These laws state that people *cannot* redistribute my work, yet they do it anyway.

Now can I get it removed? Yes. And here is how.

I spend time combing the net looking for the filesharing sites.

I make a list of the links.

I put together the letter for each individual site.

I send emails to each individual site.

I follow up with each individual site, 24 hours later, 36 hours later, 48 hours later. If the links aren't removed within 48 hours, I forward them to my publishers.

This is generally a daily task for me.

Now I could pass this on to my publisher, and yes, they have legal personnel who can handle it.

But it is *my* work. I feel *obligated* to protect it because if I can't take the time, why should they?

This adds up to sometimes thirty minutes out of my writing day, sometimes an hour...sadly, sometimes it's more.

But the time isn't just the worst part.

Sometimes the worst part is just the endless struggle.

These people who rampantly infringe my rights claim to enjoy my work, yet they steal from me.

They claim to love the time I spent crafting the story, yet they do the one thing that makes it harder for me to *continue* crafting stories.

Writers depend on the *sale* of their work to continue writing. Yet these people steal instead of legally obtain.

There is a financial cost to me and to my publishers, but there are also the times when those who steal from me have me questioning... *why? Why do I bother?* There have been days when I write nothing, at all, and it's because the struggle with piracy leaves me in a mindset that isn't conducive to writing. Writing, sadly, isn't always something I can turn off and on at the flip of a switch, and when the mindset isn't there, I can't force it.

The people out there who constantly steal from intellectual property holders claim to admire the work, yet they do unimaginable harm to those who create it. Sooner or later, they will realize there are costs to their actions.

- If publishers stop taking risks on newer voices—those who pirate instead of legally obtaining their books contributed to that. The profits of the proven sellers are one of the reasons publishers are probably *able* to take the risks on newer voices.
- When publishers don't continue a current series because sales weren't what they'd hoped to see, everybody that pirated instead of obtaining legally contributed.

I invest too much time, too much money, too much of myself into my writing, and *I do not do it solely to get read*. If I did that, I'd slap my work up on a free site and I wouldn't deal with the headaches that go with writing professionally.

My *reward* in writing comes in knowing that I can use to provide for my kids and copyright infringement, the **theft** of my intellectual property, and piracy take from that.

Piracy in and of itself has been a thorn in my side for the past six years. I've ended a books series, and the deciding factor there was piracy. That impacted not just me, but it impacted legitimate paying readers as well. Intellectual property theft doesn't just hurt the artists. It hurts a lot of people.

Thank you for the time.

Shiloh Walker

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