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Library of Congress

Copyright Office

Docket No. 2012-12

Orphan Works and Mass Digitization

RE: Reply Comments by Graphic Artists Guild, Inc.

The Graphic Artist Guild supports the comments and positions so well stated in the National Press Photographers Association (NPPA) reply comments regarding Orphan Works and Mass Digitization.

Graphic artists and illustrators share the same concerns as photographers, as our visual works are often separated from or published/reproduced without any attribution to the creator.

Some comments have suggested changes to existing copyright law that would remove copyright protection from works currently protected because someone might deem the works have no commercial value (who and how would that be established?), the work was previously unpublished, or the work lacked attribution. This is a clear violation of copyright law, and seeks to strip living rights holders of their copyrights by manipulating a solution to the use of genuinely orphaned works into a major overturn of US Copyright Law.

As stated in our initial comment letter: Under copyright law, creators have the right to decide if, and how, their works are used. Creators also have the right to deny use by any entity, or for any purpose, that would be objectionable to them. Creators may not want certain unpublished works made available to the public for any number of reasons, because those works were never intended for display or distribution in the first place.



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The Graphic Artists Guild also wishes to remind the Copyright Office the importance of keeping the issue of mass digitization of library collections, and non-commercial use or preservation of genuinely orphaned works, as two entirely separate issues.

Respectfully submitted,
Lisa Shaftel, National Advocacy Committee
Haydn S. Adams, National President
Todd LeMieux, National Advocacy Chair
Tricia McKiernan, Executive Director