



January 31, 2017

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The Honorable Robert W. Goodlatte

The Honorable John Conyers, Jr.

House of Representatives Judiciary Committee

2138 Rayburn Office Building

Washington, D.C. 20515

Dear Chairman Goodlatte and Ranking Member Conyers,

Volunteer Lawyers for the Arts, Inc. ("VLA") writes in support of the House of Representatives Judiciary Committee proposal for Reform of the U.S. Copyright Office ("Reform Proposal"). A strong, independent, and properly funded Copyright Office is vitally important to address the challenges our struggling artists encounter when seeking to protect their creative works and their livelihoods as creators.

VLA is a legal aid and education organization dedicated to artists and its arts and cultural organizations (ACOs). Founded in 1969, VLA strives to protect the artistic community's livelihoods, businesses, and creative works through access to dedicated legal representation and focused education programs. To achieve this mission, VLA facilitates pro bono (free) legal representation for low-income artists and nonprofit arts and cultural organizations; offers counseling on arts-related legal issues, educational programs on arts-related legal matters, advocacy for artists and ACO's, and alternative dispute resolution services to the entire arts community.

The Reform Proposal identifies several areas of interest to VLA artists who rely on the Copyright Office to fairly balance their ownership interests against the interests of technology-based companies who rely on use of their copyrighted, creative works without any or fair compensation. To that end, the Copyright Office must have an independent voice before the Legislative Branch and input into US positions on international copyright matters. The Office also should have autonomy over its budget and technology needs. Moreover, VLA feels strongly that the Register first and foremost have expertise in Copyright law. As the Reform Proposal sets out, the Register may then be supported by a Chief Economist, Chief Technologist, and a Deputy Register. These individuals, working at the direction of the Register, may focus on the technology needs most pressing to copyright owners and to their potential licensees – a streamlined, up-to-date, searchable digital database. To accomplish these goals, VLA supports the IT modernization plan for the Copyright Office and its funding. VLA likewise supports the creation of Copyright Office Advisory Committees to advise the Register on critical issues in a timely manner.

Volunteer Lawyers for the Arts

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The Reform Proposal also carries forward the initiative to create a small claims system as set out in the report on the issue released by the Copyright Office. VLA was active in the roundtables and comment process, highlighting the experience of VLA artists and arts organizations that routinely encounter blatant copyright infringement by parties seeking to take advantage of our indigent artists' modest means. The bills sponsored by Representative Jeffries, The Copyright Alternatives in Small Claims Enforcement Act of 2016, proposed in July 2016, and by Representative Chu, Fairness for American Small Creators Act, proposed in December 2016, while not perfect, are an excellent starting point from which Congress should continue to work. VLA welcomes the opportunity to continue to provide testimony and comments more particular to this program.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Leichtman", with a long horizontal flourish extending to the right.

Volunteer Lawyers for the Arts, Inc.

David Leichtman, Chairman