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May 17, 2019

The Honorable Sheldon Whitehouse
530 Hart Senate Office Building
Washington, DC 20510

Dear Senator Whitehouse:

On behalf of graphic artists – illustrators, designers, animators, and others – we would like urge you to co-sponsor and support S. 1273, The Copyright Alternative in Small Claims Enforcement Act of 2019 (The CASE Act). This legislation addresses a crucial concern for all individual creators and small copyright holders.

Currently, graphic artists such as the designers, illustrators, web designers, cartoonists, and animators we represent see their work repeatedly infringed by those who use their works without permission or compensation. The online portfolios graphic artists must post their work to in order to attract new clients are too often seen as giant goody-bags of free images, or their designs and illustrations are simply right-clicked and downloaded from webpages and social media accounts where the work is published. Infringers act with impunity; a majority of graphic artists report that infringers simply don't respond to their communications.

This unlicensed use is detrimental to graphic artists. Graphic artists license their work, and manage those licenses for unique markets and clients so that their work retains market value. When their work is infringed and appears on websites, throughout social media, is printed on products, or is made into giftware, that work loses licensing value. The entities who nabbed the work are profiting from it – not the illustrations and designers who created it. For the small businesses designers and illustrators represent, the loss of a few thousand dollars of licensing income can be devastating.

The only course of action graphic artists and other creators have is to take infringers to federal court in a procedure that is complex, time-consuming, and costly. In small copyright cases, the legal costs often dwarf the potential recovery, making it difficult for small copyright holders to find legal counsel willing to on their cases. .

The small copyright claims tribunal proposed by S. 1273, The CASE Act, would be an equitable and affordable option for graphic artists with small copyright infringement cases. The legislation is balanced and fair to both copyright owners and those who use copyright. And it has in place safeguards to protect against copyright trolling and abuse. For the small businesses and individual creators who have been disenfranchised from the copyright system, The CASE Act offers a solution that is long overdue.

We urge you to consider co-sponsoring S. 1273, The CASE Act, and to support the Act when it come up for a vote. Please feel free to contact us if you have any questions, or would like to hear more about why we support this Bill.

Sincerely,

Lara Kislewska, National President
Rebecca Blake, Advocacy Liaison