

Shaftel & Schmelzer

Shaftel and Schmelzer CASE Act of 2019 Statement of Support | Much of the American creative community is composed of small businesses and individual author/creators who are plagued by the unauthorized use of their work. Although their rights are protected by the letter of the law, they are unable to avail themselves of recourse in the federal court system because legal action for damages under \$30,000 is cost prohibitive. The CASE Act creates a simplified and less costly alternate dispute resolution process for creators and copyright owners to recover the licensing fees owed to them by businesses that make unauthorized use of their photos, illustrations and graphics. The ADR Tribunal process within the Copyright Office will also provide the means for authors and creators to get injunctive relief from an offensive and/or unauthorized use of their work as well. The CASE Act serves notice to the business community that there will be a low cost and simplified legal opportunity for authors and creators to enforce their ownership and copyrights, and underscores the value of creative works. The CASE Act doesn't change copyright law, nor does it change our court system. The CASE Act would level the playing field by enabling authors and creators to enforce their copyrights without being required to hire an attorney and file a lawsuit in federal court that would result in costs exceeding the damages suffered.