



Small Copyright Claims Court; New Legislation to Help Authors and Creators

Presented by

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ADVOCACY • CREATIVE COMMUNITY • BUSINESS RESOURCES

Visual Creators Working Together

Lisa Shaftel

- Graphic Artists Guild
- American Photographic Artists
- American Society of Media Photographers
- Digital Media Licensing Association
- National Press Photographers Association
- North American Nature Photography Association
- Professional Photographers of America
- PLUS



Why We Need a Small Copyright Claims Court

Nancy E. Wolff

[Watch the Video by Professional Photographers of America](#)

- Visual artists can't enforce the copyrights of our works because the expense of enforcement Federal court is too high.
- Unauthorized use hurts the ability of visual artists and their representatives to license our images.
- A lot of visual works aren't registered.
- Visual creators have no practical recourse against infringers; this hurts our income.

How Small Claims Copyright Court Came About

Nancy E. Wolff

- Our associations — GAG, ASMP, PPA, NPPA, APA, and PACA/DMLA — had separately been discussing a small claims court for low-value copyright infringement beginning about 20 years ago.
- Stephen Tepp at the Copyright Office contacted parties he knew would be affected in 2007.
- 2008 Copyright Small Claims included as part of the proposed orphan works legislation.
- Copyright Office initiated Notice of Inquiries, public roundtables, culminating in a Report released in 2013 and suggested language for a bill.
- Our associations worked together in responding to Copyright Office.
- Now we are working with Congress and in particular with Rep. Judy Chu (D-CA).

How It Will Work

Michael R. Klipper

- Key components of small claims legislation proposed by Copyright Office.
- Some additional key provisions we support.

Two Bills Will Be Introduced

Thomas R. Kennedy

- Introduction of small claims bill H.R. 5757, by Rep. Hakeem Jeffries (D-NY) with co-sponsor Rep. Tom Marino (R-PA).
- Expectations about introduction of another small claims bill by Rep. Judy Chu (D-CA) in the fall of 2016.
- Next steps including grassroots campaign by members of visual groups and lobbying key House Members on the House Judiciary Committee, and initial contact with U.S. Senators on the Senate Judiciary Committee.

Join our grassroots effort! [Go to CopyrightDefense.com](http://CopyrightDefense.com)

Your Questions



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Live webinar attendees may type in questions in Adobe Connect for presenters to answer.

1. Why is it so expensive to file a copyright infringement lawsuit?
2. Why can't someone just file for infringement in small claims court? Why do we have to go to federal court?
3. So if I wanted to file a copyright infringement lawsuit today, what would I have to do? How will that process be different in a small copyright claims court?
4. If a small copyright claims court is established, do we still have to register our artwork with the Copyright Office?
5. I see on your website that a bill was introduced by Representative Jeffries. Should we go ahead and start supporting it?
6. Doesn't it make sense to support a bill as soon as it's introduced, to build up support?
7. Should we set up online petitions and invite people to respond, or start letter writing campaigns?
8. How do we know when to support one of these bills?
9. I don't know how to read a bill. How do I know what to look out for that will tell me if a bill will represent my interests?
10. Will a small copyright claims court hurt us, by limiting the amount of damages we can be awarded?
11. There are supposed to be two bills proposed. How do we pick between them?
12. How does Congress pick between the two bills? If we decide to support one over the other, how can we influence Congress to make the one we like be passed into law?
13. If the committee accepts the recommendation, when is the earliest that implementation will occur? One year? Five years? Ten years?

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