

**U.S. Copyright Office  
Library of Congress**

RE: Section 512 Study: Notice and Request for Public Comment, Docket No. 2015-7

**COMMENTS OF RECORDING ARTISTS & SONGWRITERS**

The recording artists and songwriters submitting this filing are an eclectic mix of international musicians, spanning a variety of genres and generations, who depend on the protection of copyright to earn their living.

Submitted by Rebecca Greenberg  
Azoff MSG Entertainment & Global Music Rights

## **Songwriters' and Artists' Perspective on DMCA: A Threat to the Future of Creating Music**

As songwriters and artists who are a vital contributing force to the U.S. and to American exports around the world, we are writing to express our concern about the ability of the next generation of creators to earn a living, given the legislative and judicial environment that has evolved in the wake of technological innovation over the last decade.

The existing laws -- and their interpretation by judges -- threaten the continued viability of songwriters and recording artists to survive from the creation of music. The next generation of creators may be silenced if the economics don't justify a career in the music industry.

One of the biggest problems confronting us as songwriters and recording artists today is the Digital Millennium Copyright Act. This law was written and passed in an era that is technologically out-of-date compared to the era in which we live. It has allowed major tech companies to grow and generate huge profits by creating ease of use for consumers to carry almost every recorded song in history in their pocket via a smartphone, while songwriters' and artists' earnings continue to diminish. Music consumption has skyrocketed, but the monies generated by individual writers and artists for that consumption has plummeted. The growth and support of technology companies should not be at the expense of artists and songwriters.

Section 512 of the DMCA has become the all-purpose shield that tech companies hide behind while they threaten the livelihood of music creators. The notice-and-takedown provision to which we refer allows ongoing infringements of the works we create since videos can immediately be re-posted, even after we have requested to have them removed. This outdated law forces us to stand by helplessly as billions of dollars in advertising is sold around illegal copies of our work. Most of the money goes to the tech services -- not to creators. In fact, according to a recently released report by the RIAA, U.S. vinyl sales generated more revenue for the music industry than ad-supported, free streaming by services like YouTube and Spotify over the past year.

The DMCA actually thwarts the success of digital services that are prepared to pay musicians a living wage. These legitimate services are having a difficult time getting consumers to pay for music when illegal copies of our music are readily made available through services that hide behind the DMCA.

As writers and artists who spend countless hours perfecting our craft, it is extremely demoralizing to have no control over poor quality reproductions of our songs or performances. For some acts, videos posted from live concerts are not reflective of the way we would choose to present our performances, and illegal lyric videos are created without our consent.

In sum, the DMCA simply doesn't work. It's impossible for tens of thousands of individual songwriters and artists to muster the resources necessary to comply with its application. The tech companies who benefit from the DMCA today were not the intended protectorate when it was signed into law nearly two decades ago. We ask you to recommend sensible reform that balances our interests as creators with the interests of the companies who exploit our creations for their financial enrichment. It's only then that consumers will truly benefit.

Respectfully submitted to the U.S. Copyright Office, *(signed as of 8 pm EST, 4/1/16)*

Bryan Adams	Estate of Ronnie James	Bruno Mars
Christina Aguilera	Dio	John Mayer
Arcade Fire	Carla Dirlikov	Shane McAnally
Saint Asonia	Kenny "Babyface" Edmonds	Steve Miller
Sara Bareilles	Melissa Etheridge	David Paich
Estate of Count Basie	Fifth Harmony	Pearl Jam
Tony Bennett	Mick Fleetwood	Katy Perry
Eric Bent	Estate of Glenn Frey	Dianne Reeves
Black Veil Brides	Estate of Judy Garland	Haley Reinhart
Benny Blanco	Siedah Garrett	Lionel Richie
Blue Oyster Cult	CeeLo Green	Mark Ronson
Jon Bon Jovi	Don Henley	Tom Scholz
Danielle Brisebois	Billy Idol	Troye Sivan
Garth Brooks	Billy Joel	JD Souther
Ryan Cabrera	Mick Jones	Ronnie Spector
Neko Case	Gabriel Kahane	Gwen Stefani
Kenny Chesney	Luke Laird	Rod Stewart
Bootsy Collins	Cyndi Lauper	Stone Temple Pilots
Chris Cornell	Amy Lee	Bernie Taupin
Sheryl Crow	Joanie Madden	James Taylor
Dave Matthews Band	Barry Manilow	Ryan Tedder
deadmau5	Maroon 5	The Ting Tings

Pete Townshend

Steven Tyler

Jim Vallance

Pharrell Williams

Kip Winger

Trisha Yearwood