

## **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 This law was written and passed in an era that is technologically out-of-date compared to the era in which we live.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 This outdated law forces us to stand by helplessly as billions of dollars in advertising is sold around illegal copies of our work.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 4pm EST 3/31/16)*

Bryan Adams	Carla Dirlikov	David Paich
Christina Aguilera	Kenny "Babyface" Edmonds	Steve Miller
Saint Asonia	Melissa Etheridge	Pearl Jam
Estate of Count Basie	Fifth Harmony	Katy Perry
Tony Bennett	Mick Fleetwood	Dianne Reeves
Eric Bent	Estate of Judy Garland	Haley Reinhart
Benny Blanco	Siedah Garrett	Lionel Richie
Jon Bon Jovi	CeeLo Green	Tom Scholz
Black Veil Brides	Don Henley	JD Souther
Blue Oyster Cult	Billy Joel	Ronnie Spector
Danielle Brisebois	Gabriel Kahane	Rod Stewart
Garth Brooks	Luke Laird	Bernie Taupin
Neko Case	Cyndi Lauper	The Ting Tings
Kenny Chesney	Amy Lee	Pete Townshend
Bootsy Collins	Joanie Madden	Steven Tyler
Chris Cornell	Barry Manilow	Stone Temple Pilots
Sheryl Crow	Maroon 5	Jim Vallance
Dave Matthews Band	John Mayer	Kip Winger
deadmau5	Shane McAnally	Trisha Yearwood
Estate of Ronnie James Dio		