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To: ATR-LT3-ASCAP-BMI-Decree-Review <ASCAP-BMI-Decree-Review@ATR.USDOJ.GOV>
Subject: From the artist's perspective

There will always be one issue left uncovered, as those in the room represent the smaller yet more "valuable" group of rights holders. However, the majority of us with the smaller voice only wish one thing is considered as laws are finally adjusted to fit this new environment.

ASCAP, BMI, and all major labels have zero interest in small service providers. They have set minimum fees and created a difficult expensive process forcing true small businesses (not those with 1m in funding) to either not enter the space, or enter as basically illegal services. As a result, artists are losing money. It may not be the kind of money ASCAP cares about since a service may only generate \$50K in a year. However, the thousands they would willingly pay to music artists will not occur. Because there is too much focus on how to squeeze money from the multi-million dollar services without allowing smaller services to simply register, report, and pay their fees.

So far the system has promoted the ideal that if you're not "big" enough, you can fly under the radar without paying royalties. Then once you are making millions the major music companies want to make sure they are paid. This is counterproductive, assuming the purpose is to protect musicians.

WE prefer to get as much money as possible. A check for \$10 still pays a bill for me. And there are services who are not legal today, not because they didn't want to be, but because to do so would have put them out of business before they started.

Let's allow truly small companies who can generate a few thousand dollars in royalties pay those royalties. The minimum fees need to be realistic and the registration must be possible without requiring an expensive attorney to do so.

In the days of record stores, any one who could pay rent or reserve a shelf in their store, could purchase some CDs at whole sale to sell. It was affordable and easy to buy 50CDs each month, where major chains may be buying hundreds of thousands. Artists need this system back, so that the true "mom & pop" businesses (now defined as under the radar digital music services) can enter the space legally without having to spend their entire annual revenue.

I can speak for independent artists every where when I say, "we want the money, all of it, whether a few pennies from tiny services to millions from major ones."

- Josh Gilman