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Sent: Tuesday, August 5, 2014 7:04 PM
To: ATR-LT3-ASCAP-BMI-Decree-Review <ASCAP-BMI-Decree-Review@ATR.USDOJ.GOV>
Subject: Flat rate compulsory (Tracked and payed) Every Play!

If you use any other product, whether it be a parking spot in a parking garage or rent a vacuum cleaner, in society you pay per use. This can be done because there is a set fee that is held accountable for the entity utilizing the service. Why should intellectual property be any different?

The problem is not a compulsory license and a bunch of uptight writers not wanting their work published by certain formats. The problem is they don't know how often or how much they are getting paid per use.

Let's say Pandora or Clear Channel's fee to use a copyright one time for one play of a song was \$0.02. And let's say that this was tracked digitally, so that automatically when the copyright was utilized that money was debited to the copyright owner/owners to a digital wallet. If that song got a million plays on those services combined, the copyright owners would be paid \$20,000.

That is a terribly low compulsory license rate of \$0.02 that all of the services utilizing the copyright would have to follow and adapt to paying PER-PLAY. But the irony of that, is the rate is transparent and every copyright holder gets paid some rate and winds up making more money. This is different than these fractions of a penny rates that are never fully disclosed by ASCAP, BMI or SESAC, and vary from independent to major label copyright holders.

A copyright is a copyright no matter who owns it, and it should be just as valuable as the service choosing to utilize it and be paid out a direct compensation for its use, like a commodity.

Pay-per-play. Track all of this digitally. Then the copyright holders have an auditing mechanism to hold companies and services accountable for their payments.

The Performing Rights Organization component is just a distraction in my opinion. They may have been necessary in a non-digital world. But why are we confusing the royalty payments in a streamlined digital age and allowing these privileged tax status and non-audited shadow companies like BMI, ASCAP and SESAC to skim more of the money off the top of estimated usage fees that are supposed to be destined for copyright holders?