

**From:** S Canatz <musiclicensingfairnes[REDACTED]>  
**Sent:** Thursday, August 7, 2014 12:09 AM  
**To:** ATR-LT3-ASCAP-BMI-Decree-Review <ASCAP-BMI-Decree-Review@ATR.USDOJ.GOV>  
**Subject:** ASCAP and BMI

---

Both BMI and ASCAP are unethical businesses.

Because neither of these businesses have really no other competition, because they overwhelm small businesses with threat of financial ruin, and have developed practices that are unscrupulous and illegal.

Examples...

1) BMI has told me I should pay them fees even if ALL the music I play is original music. If all the music is original and I pay them fees, where does the money go? Not to the composers who wrote the original music. This is extortion.

2) ASCAP told me that if a 250 room hotel, with a lounge that seats 50, wants to have karaoke, ASCAP wants to be paid as if all 250 rooms are occupied. It is not taken into consideration that the hotel may only have a 50% occupancy rate and a lounge that seats 50... it's because, and I quote, "It's easier." This is extortion.

3) If a song is played through a sound system, whose music is provided by MUZAC, the licensing fees are to BMI and ASCAP by MUZAC. If the same song, within the same listening area, is played via karaoke, these companies want more money in addition to the money paid to them by MUZAK. If the same song is then played by a live band, they want even more money. And if the song is played via a jukebox they want even more money. Both BMI and ASCAP demand more money because the business is making more money. Neither BMI nor ASCAP will take into account that for every new way a song is played the previous way, the same song, is not. This is double. triple and over billing.

Both BMI and ASCAP will bully any business who confronts their extortion tactics. If they believe someone is questioning their ethics both BMI and ASCAP will send their representatives into a business, not disguising their efforts to "count speakers" to ensure their adversaries are in their compliance. These bad practices will only exacerbate if these companies are allowed to decide who plays music and who does not.

The singers who become enriched, because of a composer's work, should be the ones who pay the song writers. It shouldn't be the Girl Scouts, who got sued by ASCAP because of songs the Girl Scouts were singing around camp fires.