

DMLA, the Digital Media Licensing Association is writing to support H.R. 2426, *The Copyright Alternative in Small-Claims Enforcement Act of 2019* (CASE Act), which was introduced in the House on May 1, alongside a companion bill, S. 1273, in the Senate.

Until now, Federal courts have exclusive jurisdiction over all copyright claims. This means that most individual creators and small businesses cannot afford to defend their rights in federal court when someone infringes their copyrighted works. .

The CASE ACT would create an affordable, efficient alternative to expensive and drawn out federal litigation to resolve ordinary copyright disputes. Copyright law and the means to effectively enforce rights under copyright is the bedrock of the media licensing industry. DMLA members represent the works of thousands of photographers, illustrators and visual artists for potential licensing. The ease in which images can be reproduced freely online undermines the licensing economy and the livelihood of the artists of works DMLA members represent. DMLA has been working for the past decade with the Copyright Office, Congress, and a coalition of visual artists associations in support of a creation of a voluntary copyright tribunal that will encourage the resolution of these kinds of infringement claims, where both sides can afford to seek a resolution without expensive legal fees.

One of the most prominent and important features of this legislation is that the process would be 100% optional. If a party does not want to bring or defend a copyright case before the tribunal, it can simply opt out. The streamlined process created by the CASE Act would alleviate the need to hire an attorney and limit statutory damages to \$15,000 per claim—one-tenth of the maximum that can be recovered under existing law—as well as limit the total recovery in the case to \$30,000.

America's creators are the lifeblood of the U.S. economy and our culture. We need to protect them and create an environment where they have the tools to protect themselves against unscrupulous infringers who steal their works. The CASE Act does just that. We urge every member of the Committee to show their support for individual creators and small businesses by co-sponsoring the CASE Act.