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June 10, 2019

Dear Chairman Nadler and Ranking Member Collins,

The Society of Composers & Lyricists wishes to express our support for **H.R. 2426, *The Copyright Alternative in Small-Claims Enforcement Act of 2019 (CASE Act)***, which was introduced in the House on May 1, 2019, with companion Bill, **S. 1273**, in the Senate.

The ability to defend copyright claims is of prime importance to all working music creators. Without it, the very system of copyrights becomes meaningless. Yet for our community of composers, whose authorship copyrights are frequently infringed, any legal recourse is out of reach. Infringements must be contested exclusively in Federal courts and at costs well beyond the means of the individual or even small business, often exceeding half a million dollars. A majority of these infringements are therefore left unchallenged.

The proposed CASE Act would remedy this state of affairs by establishing a voluntary, affordable and simplified alternative to litigation in Federal court. It revives a practical value and meaning to copyright law, giving creators an avenue to enforce their rights and protect their work. It will eliminate the need to hire a lawyer and will limit statutory damages to \$15,000 per claim – one-tenth of the current recoverable maximum – and limiting the total recovery per case to \$30,000. In addition, this process would be completely optional.

Originally introduced in 2017, the newly revised version of the CASE Act addresses a number of concerns that were raised. A provision was added to limit the number of cases any single individual can bring per year, and penalties for bad faith claims was increased considerably, to dissuade potential “copyright trolls” from abusing the system. Furthermore, since participation will be optional, to prevent inadvertent default judgments the opt-out period was increased from 30 to 60 days and a provision was added to require the Copyright Office to notify respondents about the action as well as the consequences of not responding.

Creators make a vital contribution to the culture and economy of the United States. They deserve real protections from would-be infringers and the opportunity to defend their authorship rights in a cost-effective and expedient manner. We believe The Case Act provides these essential protections and urge every member of the Judiciary Committee to consider co-sponsoring the Act.

Sincerely,



Ashley Irwin

President, The Society of Composers & Lyricists