



July 9, 2020

The Honorable Thom Tillis
Chairman, Subcommittee on
Intellectual Property
Senate Judiciary Committee
United States Senate
113 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Christopher A. Coons
Ranking Member, Subcommittee on
Intellectual Property
Senate Judiciary Committee
United States Senate
218 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Tillis and Ranking Member Coons:

In light of the staff briefing held by the Senate Judiciary Committee Subcommittee on Intellectual Property on the *Scope of Music Rights within the Digital Millennium Copyright Act*, we wanted to voice our support for a terrestrial public performance right for sound recordings.

The Copyright Alliance is a non-profit, non-partisan organization whose mission is to foster policies that promote and preserve the value of copyright, and to protect the rights of creators and innovators. We are the unified voice of the copyright community, representing the copyright interests of more than 1.8 million individual creators and over 13,000 organizations across the spectrum of copyright disciplines in the United States. The foundation of copyright is built on the creativity and ingenuity of these creators and organizations that rely on copyright, such as authors, photographers, songwriters, musicians, filmmakers, performers, coders, architects, and graphic designers as well as motion picture studios, record labels, book publishers, software and video game companies and numerous others.

The creation and delivery of music to audiences requires collaboration between a variety of creative individuals and businesses, including songwriters, music publishers, performers, producers and record labels. All of these creative individuals play an important role in crafting and bringing the final work to audiences. But while other copyright owners enjoy the exclusive right to perform their works to the public, sound recording owners do not. Currently, the United States is one of the few countries in the world that do not recognize a full public performance right for sound recording owners. The U.S. Copyright Office and previous Administrations of both parties have long supported legislation to change this.

The Copyright Alliance strongly believes that copyright law should recognize an effective public performance right for sound recordings. This position is based on our dedication to promoting and protecting the ability of creative professionals to earn a living from their creativity and our belief that all authors and creators are entitled to fair compensation for their creative work.

We think that Congress could enact an effective terrestrial public performance right for sound recordings in a way that takes into account many of the concerns that were voiced at the briefing. Stakeholders and policymakers should endeavor to achieve this goal without upsetting the balance achieved by other existing provisions in the law. We therefore urge the Subcommittee to consider this important issue and enact a terrestrial public performance right for sound recordings.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Kupferschmid', is written over a light gray rectangular background.

Keith Kupferschmid
CEO

Cc: Members of Senate Judiciary Committee Subcommittee on Intellectual Property