

**From:** re [REDACTED]  
**Sent:** Saturday, July 5, 2014 11:21 AM  
**To:** ATR-LT3-ASCAP-BMI-Decree-Review <ASCAP-BMI-Decree-Review@ATR.USDOJ.GOV>  
**Subject:** Music industry disaster.

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Dear Sir,

We do not need another modification of outdated 1941 licensing rules. With current diversity of platforms and delivery methods any law you create will be killing some and favoring others.

The issue is not only hot for song writers and composers.

**Performing artists and recording industry is identical - no income struggle.**

The only way out of current demolition mode is to allow music to become merchandise again.

It can be done with introduction of new **"fair use doctrine"**.

Mooches like Shazam, Soundhound, Google Voice Search, and all lyrics ID providers have to be removed from music house. As is they are trespassing private property, sort thru it and give it away to stringers while unaware owners are asleep.

New fair use would allow those entities to process someone's property only if results are offered for sale.

In the era of internet someone who knows the name of the tune is automatically the owner of the tune.

Discovery Moment Monetization that would follow could convert Radio and all streamers to digital music stores. 2 billion users of music ID services with help of new FAIR USE DOCTRINE would be converted from looters to paing consumers of music.

All tunes broadcasted in the public would have custom code that would pay predetermined amount to creators, performers and distributors.

I.E. Tune added to the play list via Shazam while driving a car and listing to "limited display" XM station for just 50 cents would be delivered to XM DJ with "hidden license plate" coding for payment all parties including Shazam and XM.

To summarize \$100 billion dollar global music industry can and will deliver proper compensation to all involved parties.

Technology can keep track of all tunes played and provide proper payout. Music industry needs just help to put music back into virtual walls. Music as a merchandise will solve most monetization issues.

What you working on and being asked for is worse than 5 year plans in USSR.

You have to give them "fishing rod" not new and impossible to justly implement taxation of almost dead business.

Best regards,

Remi Swierczek

[www.musicindustryRX.com](http://www.musicindustryRX.com)

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