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Subject: International Equity Distribution
Attach: Qualitative Inquiry into Equity of Royalty.docx

Thank You!!!!

Quantitative Inquiry into Equity of Royalty

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Introduction

Inequity within the international music industry presented many challenges for equal distribution of royalties to songwriters, authors, and publishers. Kimpel (2014) investigated the Songwriter's Equity Act and felt that artists were not compensated when their music has been downloaded from the internet. The author examined royalty fees for digital production and found that excessive file sharing has cost the industry billions of dollars. A pragmatic worldview looks at the political and policy aspects of government interest in the music industry. In the case of *United States v. American Society of Composers, authors and publishers (ASCAP)*, the court examined fairness in royalty distribution and need to clarify what is public performance. Freedman (2012) noted that freedom of speech and expression is at the heart of this matter. The author believes that the Bill of Rights would enable the justices examined all of the issues in the case. Podoshen (2008) and Isenberg (2012) investigated payment avoidance and choices available for hacking the system. This qualitative inquiry focused on four nations comprising of factors related to excessive downloading. However, Isenberg believes that licensure is the foundation for imposing standards to protect from harm.

Background of the Study

Dechernuy, (2012) discussed the importance of global entities involved in songwriting; authorship and recording have been established in replication. During the 80's and 90's much monopolization in the industry occurred. However, computer technology transformed the industry of production and performance. The case of *Edison v. Lubin* sat legal preference that resulted in price differentiation and an unstable market. This article also showed that performance rights exist in U.S law since 1856. Several lower courts of presided in the cases of ASCAP and internet vendors sought separate licensure for providing access to music, and radio. . Nevertheless, in 2010, the Digital Millennium

Copyright Act of 1998 (DMCA) was signed into law implementing world intellectual property organization copyrights agreements and updated U.S. copyrights law. However, the court was indecisive on what is meant by public performance and rates associated with downloading under Digital Millennium Act, the lower court returned the case to the Supreme Court.

Purpose Statement

The purpose of this quantitative inquiry is to provide the judiciary with sufficient quantitative variables to make informed judgment on issues facing the international music industry. These quantitative strategies were chosen because it best explains the types of strategic planning required for effectively addressing inequitable distribution of musical royalties internationally. The theories driving this study are judicial principles and the instrument of the constitution. Another reason for the study is to determine if there are correlations between and among independent variable (policy network) and dependent variable (inequitable royalty distribution). The data would be determined from questionnaire as responses would be reviewed. Cross-tabulation and multiple analyses of variance, as t-test confirm or reject the hypothesis. Creswell and Plano Clark (2011) noted that making generalizations determines whether the deductive follow-up better understood the phenomenon and the researcher's ability to establish validity and credibility in the study. Harrison (2010) and Baxter (2007) believed in the principles of equity and supported the distribution of equitable fees to composers and songwriters in an effort to promote social justice. The authors also believed that educational policies have certainly promoted theories of equity.

Quantitative Research Hypotheses

There was no change in the dependent variable after issuance of the pre-test resulting in null hypotheses. However, the administration of the independent resulted in frequency distribution and illustrates changes and dispersion on the dependent variable through matching and randomization.

Policy network = Independent Variable and inequitable rates = Dependent Variable. Assignments and Timing of Stimulus are also controlling variables. Theories will also be introduced in this section of the document verifying the predictions and to support the hypothesis.

Theoretical Framework

The theoretical view of this research is constitutional principles applied to equitable distribution of royalties among stakeholders. Stone (2002) offered rational paradigms that are involved in the decision making, and judicial interpretation. The author outlined issues of self and public interest as factors contributing to competition that are responsible for facilitating exchange and the allocation of resources. Furthermore, the author believes that global equitable distribution of royalties among stakeholders requires strict international policies and continued regulation by centralized governance for compliance. Scholars and researchers have applied vertical and horizontal equitable distribution showing supply and demand for downloading and musical and published materials. In addition, the Supreme Court must examine assets, revenues, tax policies and theories of deduction based on disposable income generated downloading. The author acknowledged John Rawls theory of justice that focuses on equitable procurement, allocation and efficiency. Reynolds, (2007) indicated that relationships between factual and abstraction identified the theoretical connections and believe that theories validate associations between speeches.

Literature Review

The universal language of sound recordings is grounded in the United States Constitution and emphasized in the first amendment. The Justices will apply this instrument in their upcoming case of the United States v. ASCAP and BMI inquired of license authorization to third-parties. Congressional actions have failed to implement appropriate regulations for downloading of musical performance. The cases mentioned also address copyrights, property rights, piracy, bootlegging and decreased in revenue of the

international music industry. International Musicians (2007) stated that congressional leaders have tabulated sale of intellectual property and indicated that musical albums sales increased by 60%, the subcommittee restored rights for paid discrimination. In an attempt to unite our universal languages countries may need to setup their judicial processes. Van Alstine (2012) indicated that the impartialities on foreign relations asked questions on the rational basis of foreign contract and that the Highest Court must acquire rules on their decision-making process and numerous legal classifications worldwide.

Culpan (2006) outlined a detailed plan for establishing the Chinese Judicial court to hear cases of intellectual property rights. Another means of protecting software files is by coding bits and pieces of important information. Zeilinger (2014) practiced coding virtual musical texts as resistance against piracy to facilitate policies by conducting surveys in copyright laws. However, the author believes that live quires dispute the core of copyrights law and assumption regarding equitable distribution. Unfortunately, the circuit courts were unable to resolve issues of payment as they were indecisive on the definition of public performance. As a result, the United States Justices must preside in the matter of inequitable distribution of musical royalties.

Sprackman (2014) and Baptise (2012) said that the Canadians have setup their society of composers, authors and music publisher of Canada (SCCAN) in an effort to protect songwriters have exploitation of copyrights music and tax rules applied to business expanses. However, Baptise focused on the recent Canadian Supreme Court decision that took away the rights of (SCCAN) to collect sound recording royalties from downloading. According to the report, the court decision only corporation will benefit as inequity in royalties still remains an issue. Leach (2009) and Jones (2009) discussed the importance of copy rights law impacting musical performance, however; these author believes that technologies have threatened the privileges of composers, publishers, and performers and that copy rights extends to 70 years after death.

The future payment of royalties internationally would need to be considered by the justices as they attempt to interpret the American Jurist –prudence. In article I and II of the United States Constitution discussed the authority of the federal court system and the power entrusted to the Highest Court that has jurisdiction in this matter. Depending on how the justices decide, Rakove (2009) noted that the Supreme Court usually examine precedence in cases of equity and has the capacity to issue injunctive relief prohibiting further offenses from occurring. According to Rakove, the Constitution permits federal authority to exercise equitable jurisdiction as a matter of power extend to all cases in equity and treaties established by the executive and or legislative branches of governance.

Whittington (2007) and Williams (2011) stated that the Supreme Court in the cases of American Society of Composers, Authors and publishers (ASCAP) et al; No.09-0539, 2010. WL 37492 (2nd Cir 2010) focused on copyrights liability and indicated that the Supreme Court has the constitutional power to reconsider cases heard by the court of appeals. Unlike Willington, Williams focused on the international relations of author and composers society net sales revenue of 5.6% in 2010. Williams believe that validation for the copyrights law is that it generates revenue for stakeholders. In addition, the author believes that there are significant conflicts between authors, distribution, songwriters, and third party entities seeking independent licensure from ASCAP. . Lipsky (2009) recognized the standing of journalists in American society and the need of music companies to follow the regulation for publishing and accessing delicate information. Yet, the author surveyed musical cases related to how data is presented to the press and the constitutionality of published information.

These disagreements involve significant sums of earnings as artists typically receive 2.15 billion dollars for record trademarks that might include 50% royalty. Stien (2012) and Giesler (2008) argued that capitalization is the primary reason innovations are licenses. The authors considered gross and net sales. Here is a typical example, the royalty rate of 50% times net sales 50,000 = net royalty of 25,000.

Other factors are taken into consideration for the calculation of lump sum and adjustment of payment for third party entities. Giesler believed that the industry creates the culture of exchange of knowledgeable products that are grounded in the philosophical assumptions of Utilitarian, Progressive and principles of ethics.

According to Christon (2013) statistics have shown that there have been significant increases in royalty payments in 2012 compared to 2011. The report showed that ASCAP collected approximately \$940 million dollars 4.5% decreased from 2011 totaling \$980 million dollars that the cost benefit shows in the operating expenses. In Music Trade (2012) noted increased rates for third party retail distributors from 12% to 15 % as Amazon changed valued to its customers. The European authorizes are currently have Amazon under investigation for taxes. Nevertheless, Bouhm (2009) and Sila (2011) discussed the importance of copyrights law and bootlegging. The articles focused on scholarly, congressional and judicial interpretation of performance. Leech and Onweuegbuzie (2009) and Tashakkori, A; & Teddie, C. (2010) emphasized the significance of multiple typologies in research involving statistical for generalizing and interpreting problems associated to payments of musical royalties.

Bouhm, highlighted the case of Capital Records v. Thomas resulted in significant money claim for infringement of copyrights law, \$150,000 per file totaling \$3.6 million altogether. Sila believed that congress failed to appropriately regulate the national music industry and has no jurisdiction on the international scene. Cummings (2010) emphasized the importance of piracy laws and efforts by congress in extending the copyrights laws as the author believe that copyrights should be for 1000 years. Simson (2010) wrote about the importance of both copyrights and equitable royalty distribution, and factors related to billions of transactions that occur over the internet.

The author believed that congress must regulate musical exchanges and the obligations of licensee and copyrights holders must stick to rules of downloading. Furthermore, that the sound

conversation statutory representation required disbursements based on equivalent rates as seven billion tracks are processed annually. Laing (2008) discussed trends in the worldwide music production as governmental officials embody recording companies and appraisal the music financial system to be \$100 billion and international music sales to be \$33 billion. The author believes that the financial data for the international music industry must include data from the recording industry, music publishing and live performance.

Hendricks and Sorensen (2009) and Woodley (2010) acknowledged the effects of sales and pricing and offered various economic principles of consumption of musical items. Hendricks and Sorensen argued that sampling is based on models market mix. The graphical illustration revealed a slope in the sale distribution. While Woodley discussed connections in software piracy and put forward the philosophy of reasoned action as various behaviors predicted. Shiller and Waldfogel (2011) conducted survey with university students and have explored alternatives to standard pricing for downloading popular songs in 2008-2009. The authors predicted that annual revenue for digital music could rise by approximately 7% maximizing uniform pricing.

On the other hand, the author believed that person specific pricing would raise revenue 50%. Trade Music. (2013) noted that pop music controls 8% of retail sales in Russia. Munkittrick (2010) and Ng (2010) conducted an overall assessment of music through paradigms that explain the protection of music as communication. The authors evaluated responses of government action to the local and international song industry, and promoted the principle of the 1st Amendment Jurisprudence. According to Ng, authorship is also significant with copyrights, ownership, and scholarly research in today's copyright jurisprudence. Other issues discussed were the work of literary and artist as a property rights facilitate market transfer to private rights.

The article acknowledged ownership rights in the digital era and technologies that provides a platform for scholar and performer's composition is simple and cost-effective. Somme rich (2014) and Bakker (2011) revealed the numbers of the industry published by the international federation of phonographic industry (IFPI) in England showed decreased in revenue of 2013, was a result of decreased revenues in Japan. The authors believed that adaptation to the digital platform illustrate positive cash follow in the European markets. According to Bakker, marginal revenue is proportional to marginal profit results in vertical integration to inequitable distribution of income among stars. The new business paradigm transformed customers into producer's surplus.

In addition, Bakker noted that vertical integration and the portfolio of A&R labels have limited the economics of sales and global distribution. The international music activities would require systems technologies for monitoring regulatory compliance and to identify payment fraud by implementing security measures internally and externally. Disbursement systems in the United States rely on financial establishments to serve as gatekeepers, however; financial institutions must be familiar with regulation of third-party licensure, and implementation of a worldwide payment system. Furthermore, financial institutions must also acknowledge virtual and digital currencies like bit coins as streams of generating revenue, and the P2P network, mobile deposit are all forms of online banking.

However, managing of international accounts could be challenging due to decentralized operations with multiple bank accounts, locations and financial management systems. Bruno (2010) and Score (2011) agreed that there are much potential for mobile payment system for the purchase of music by credit cards and the use of mobile phones. Score believed that financial accounts are significant and must illustrate payment activities and royalty attained. Billboards (2011) reported the merged companies Roots Music and Sound Exchange assist artists owed digital performance royalties. Roots

have approximately eight thousand members and have not received 5.3 million dollars from Sound Exchange.

Sound Exchange is responsible for the collection and distribution of royalties for digital performance of sound recording from webcast and satellite radio. *Billboards* (2014) revealed Pandora statistics for 2014 and found rates paid by internet companies to publish by consent decree total 43% as paid approximately 18.1 million dollars and about 10% for radio. There are serious consequences for copyrights infringement. More importantly, protection of humans intellectual rights as well as incorporating global ethics in copyrights law. Zeillinger (2014), Chiou, Cleng and Hong (2011) argued that efforts were made undermine artists and songwriters their intellectual property rights by further coding the copyright law and programming.

The authors agreed that there are extensive internet usage and believes that downloading may be infringing on copyright laws. Hall (2006) examined the United States Supreme Court's decision on copyrights infringement and accountability in the case of *Metro-Goldwyn- Mayer Studio Inc. v. Grokster Ltd.* In this case the Supreme Court reversed the decision of the ninth circuit. Mohoney (2007) wrote about treaties under Article 2 are not of lawmaking but agreements of self-governing countries as many justice of the peace disagreed and raise division of power issues and rules why the court limit its inquiry in contract elucidation reported by Justice Scalia. The author indicated that the judicial review are established rules for interpretation of constitutional context on the cost of deliberation of treaties and motivate foreign constituencies in determinations by United States Courts. Whittington (2007) stated that the Judges must interface with lawmaking and executive authority for the determination of explanatory law that involves separation of power. Goff (2008) probed relations between storyline and constitutional philosophies and evaluated the instrument of anecdote and political science.

Methodology

This explanatory study focuses on establishing frequency distribution for responses to questionnaire and to conduct pre and posttests in determining relationship amongst independent and dependent variables. Many political and judicial principles are evident in world musical royalty's settlements that require collective governance. The independent variable (international policy network) influencing the dependent Variable is (inequitable distribution of royalty payments) to developed payment system for downloading, copyrights, established definition for performance, and to resolve third-party licensure. The researcher focused on judicial review, constitutional principles, government documents and press-release. Inequity of royalty distribution is supported by theories. Stone (2002) revealed rational model and theories regarding equity and social justice.

Creswell and Plano Clark (2011) Noted differences in variables that were normally distributed, multiple analysis of variables (MANOVA) tabulated all of the variables; while ANOVA examined independent variables. This design provides comprehensive solutions for addressing inequity of royal payments. Skodvin and Adresen (2009) noted that the constitution gave the judiciary authority over international policy; however, that power must be shared with congress as article 3 section1 and 2 gives the court jurisdiction hear international cases where the country's business entities are involved.

According to Creswell and Plano Clark (2011) various computer technologies (SPSS) is useful in quantitative research that requires the organization of data that involves numeric that assist in the analytics for better understanding of the phenomenon that relates to international policy network impacting inequity of royalties. The authors believed that graphs and charts are visual models illustrating skewed in variable. Other variables impacting this inquiry are age, male, female, income, education, race and socio-economic s of artists, authors, composers and publishers.

MANOVA TESTS

Effect	value	F	Hypothesis	Error	Sig
intercept					
Pilai					
Lambda					
Roy's root					
Group					
Pilai tra					
Lambda					
Roy's root					

Nachnias and Nachmias (2008) argued that cross-tabulation is useful for associated variables by putting sample into subgroups. Categorical items in addition quantitative variables revealed effects of the cooperative efforts required for redressing all-disaster strategies. The importance of lambda (.521) = .521 $p = .028$ and repeated tests of ANOVA showed significance of reliability and validity in measurement and process. The emerging aspect of the inquiry will explore chunks of categorical patterns and will recode much of the quantitative data for further comparison and interpretation.

According to Leech and Onweuegbuzie (2009) explained deductive inquiry involves multiple paradigms useful for analysis and interpretation. In an attempt to confirm or reject the null hypothesis analysis of the confidence interval, alpha, standard deviation, degree of freedom, and significance levels are required. The researcher examined comparison among/ between groups as well as the number of independent and dependent variable and the type of scales applied to measurement of the variables. The researcher gets the opportunity to analyzed the process by representing by summarizing the results and findings of the analysis that would indicate significant ($p > .05$) among groups, $F(6, 12) = 8.98, p = .032$, effect size = .97SD. Cronk (2012) indicated that multiple analysis of variance tests involves more than a single dependent variable and that by conducting many univariate tests may inflate type 1 error. The author said that MANOVA looks at the entire dependent constructs simultaneously as ANOVA examine the entire independent variables together. The author believes that there are ways of presenting outcomes that are substantial, referring to outputs of multiple analysis of variance that would show significant improvement in cooperation among homeland security regional offices ($F(3,14) = 8.310, p = .005$), that were significantly enhanced by policy implementation ($F(3,14) = 9.221, p = .003$).

Reliability and Validity

As an attempt to address reliability and validity within the study, the researcher has applied built-in mechanisms in the selected designs that foreshadows randomization and assignments that limits threats to validity also the coding and recoding strategies provides protection within the study. The researcher applied professional codes of ethics also redress the validity and reliability within the study by seeking appropriate approval and for following research protocols for collection, evaluating and interpreting and when merging / converting inductive to deductive information. However, other researchers may need to replicate the study. Researchers may want to investigate procedures, instruments, and theories associated with applicable strategies outcomes.

For example, researchers may want to examine the comparison of scores of the responses to instruments or scales used in statistical data collection, analysis and evaluation or pre and posttests interventions, as well as qualitative procedures. A revision by peer is another way of ascertaining reliability and validity within studies weighing the rigor and persuasiveness with mixed methods research; examining quantified and thematic analyses. Reliability of sample frame and generated responses addressing issues of bias is also an essential marker for how reliable the data, analysis strategies and evaluation procedures.

Distribution of Earnings

Quartile	White male %	All other writer %
1	8.2	2.3
2	25.6	28.0
3	34.7	35.0
Mean Earnings		

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