

From: Andy Reynolds <andy.reyn[REDACTED]>
Sent: Monday, June 10, 2019 9:14 AM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: ANTITRUST CONSENT DECREE REVIEW - ASCAP AND BMI 2019

To Whom It May Concern:

I own a small brewery in Northern Kentucky. Last year, our net profits were roughly \$5,000. We are a young business. Before opening our doors, I took a copyright law class to learn and understand as much as I could about music licensing. Before we opened our doors, I contacted ASCAP, BMI, and SESAC to get quotes on music licensing. They base it on square footage and number of live performances. Our square footage is rather large as we have a manufacturing aspect in an open concept. We were quoted a sum of roughly \$6000 a year. We wound up using Pandora for Business which covers our agreements on any music played over their player and do not offer live music.

These licensing agencies hurt small businesses and use bullying and scare tactics to get people to subscribe to their licensing. I am harassed daily by BMI and sent letters weekly from ASCAP threatening to file suit against the business because we do not have licensing through them. Every phone call we tell them we have Pandora for business. Every time they tell us we are putting ourselves at risk by not paying for their licensing. Their behavior is nothing short of criminal. We ask to not receive their harassing calls or letters anymore, they still come. We explained to both BMI and ASCAP that paying for their licensing will put us out of business. Their response is that of "as long as we get money, we don't care." The 2 agencies, BMI and ASCAP hold close to 90% of the music licensing forcing any business owner or band seriously consider caving into the bullying of these two organizations.

Therefore, I ask that you reconsider the previous decision held, recognize that these companies are a monopoly on music rights, and return these rights back to the artists and record labels to manage these rights or possibly even read the proposal of Harvard Law's copyright guru, Terry Fisher, and put all music rights into the public domain.

Thank you for your time and consideration.

Cheers,

Andy Reynolds

CEO/Founder/Head Brewer
Alexandria Brewing Company, LLC.
7926 Alexandria Pike; Suite 1
Alexandria, KY 41001
(859) 694-6999