

From: Paul Bleeker <pable[REDACTED]>
Sent: Tuesday, June 18, 2019 11:48 AM
To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: Review of the ASCAP and BMI consent decrees

My wife and I are the owners of a small 2 screen movie theater in Newton, Iowa. I would like to share my thoughts as you review the ASCAP and BMI consent decrees. We do not feel it would be fair to make movie theaters pay royalties every time we show a movie. Many songs that are on a movie soundtrack would not sell nearly as many copies without the added exposure they get from us playing them as part of a movie. The Greatest Showman Movie soundtrack was the number one selling album in the world in 2018. Granted, these songs were written specifically for the movie, but it would have never sold 3.5 million copies without the exposure it had in the movie itself. It's also interesting to point out that the soundtracks for A Star Is Born, Bohemian Rhapsody, and Mamma Mia, all finished in the top 10 for worldwide sales in 2018. (see link to article below)

In another article about the best selling movie soundtracks of all time, it mentions how Elvis Presley wanted to record one of Dolly Parton's songs, "I Will Always Love You", but they didn't agree on terms. Dolly is quoted as saying she made enough money off Whitney Houston's version, in the movie "The Bodyguard", that she could have bought Elvis' Graceland. "The Bodyguard" soundtrack is the #1 selling soundtrack of all time. Many older songs can suddenly get new life from being in a movie. Forest Gump had many great oldies on its soundtrack that sold over 12 million copies. Nothing like going platinum, 12 times over, 20 years after your song is released! This would have never happened if it wasn't part of the movie.

If you really think about it, we are promoting their songs in the movies we play. They should be wanting their songs in the movies. Not only do they get royalties from the Movie Producers, but they get royalties from all the increased sales of their songs that the movie soundtrack generates. If anything, they should be paying us for the promotion of their songs in the movies, instead of the other way around. Please keep the consent decrees as they are.

Thank you for your time and careful consideration in this matter.

Paul Bleeker
Owner/Booking Agent
Capitol II Theatre, Newton, IA

<https://www.ifpi.org/news/The-Greatest-Showman-soundtrack-named-best-selling-album-of-2018>
<http://mentalfloss.com/article/567464/best-selling-movie-soundtracks-of-all-time>