

From: Steve DeGrazia <stev[REDACTED]>
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To: ATR-LitIII-Information (ATR) <ATR.LitIII.Information@ATR.USDOJ.gov>
Subject: Public Comments for Consent Decrees

- Do the Consent Decrees continue to serve important competitive purposes today? Why or why not? Are there provisions that are no longer necessary to protect competition? Which ones and why? Are there provisions that are ineffective in protecting competition? Which ones and why?

I do not believe the consent decrees continue to serve important competitive purpose today. What began as a way to regulate the PROs from taking a large share of the publishing/royalty collection industry has 1) Prevented the PROs from becoming financially healthy enough to reinvest in their businesses and serve the songwriters with robust platforms rather than become obsolete by piracy and fast moving technology 2) Prevented innovative startups from challenging and pushing these PROs to serve the songwriters by being non-profit, mandated businesses.

- What, if any, modifications to the Consent Decrees would enhance competition and efficiency?

I do not believe that ASCAP and BMI would have such a big piece of the market if the decrees were pulled. Many innovative tools exist now that would allow entrants to compete for licensing such as Blockchain, Transparency of Direct Licensing agreements, Data Aggregation, etc.

- Would termination of the Consent Decrees serve the public interest? If so, should termination be immediate or should there instead be a sunset period? What, if any, modifications to the Consent Decrees would provide an efficient transitional period before any decree termination?

It would allow the public to have more of a say in what the competitive rate of public works should be valued at. This should be immediate as sunseting will allow for posturing and drawn out negotiations.

- Are there differences between ASCAP/BMI and PROs that are not subject to the Consent Decrees that adversely affect competition?

Yes there are differences so might as well put everyone on the same playing field. If songwriters/publishers had other options besides ASCAP/BMI, there market share would shrink and they would be forced to become better at keeping up with unclaimed royalties that streaming companies have had a field day with for the last decade.

Stephen DeGrazia
Founder, SangCash