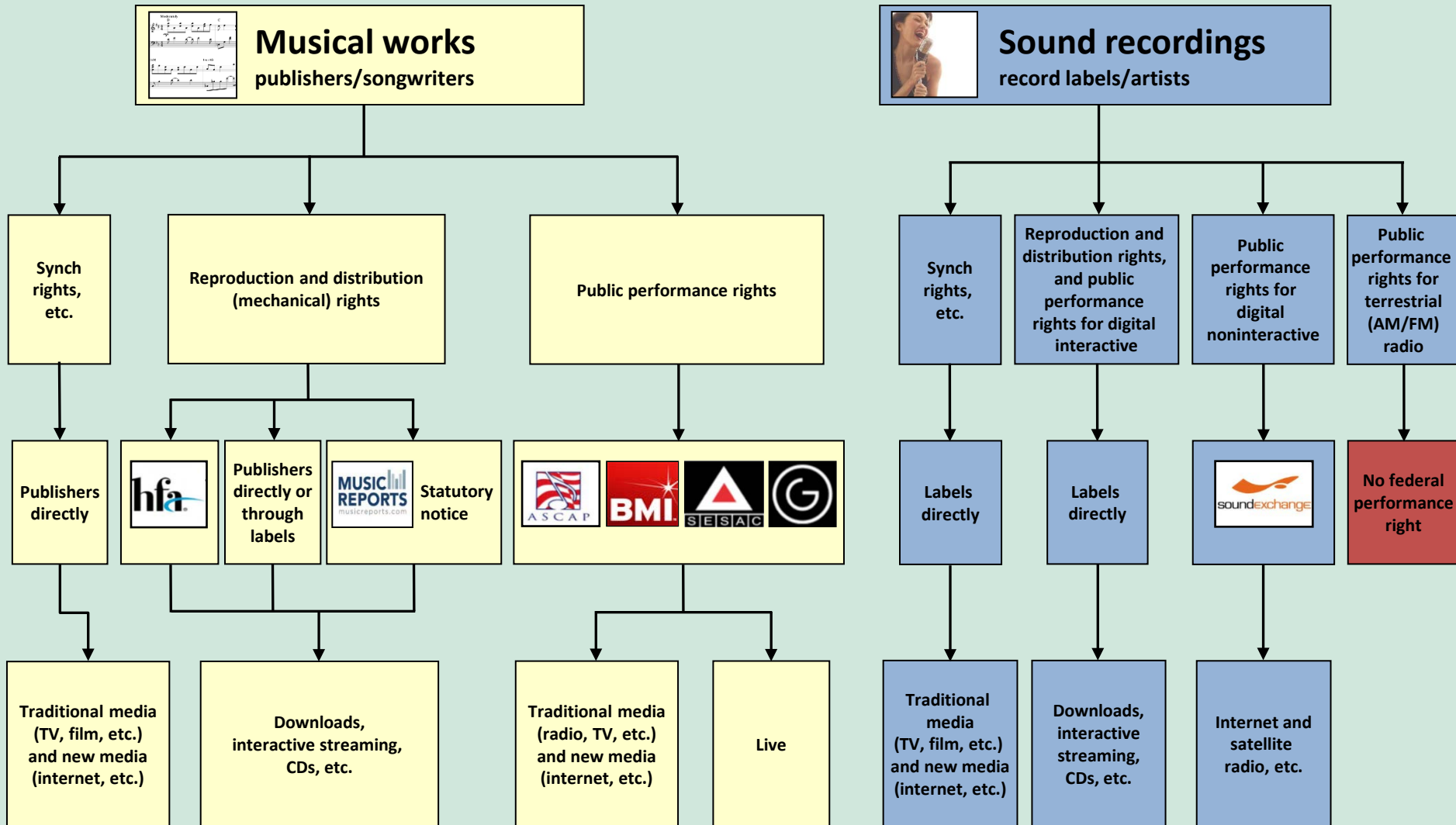
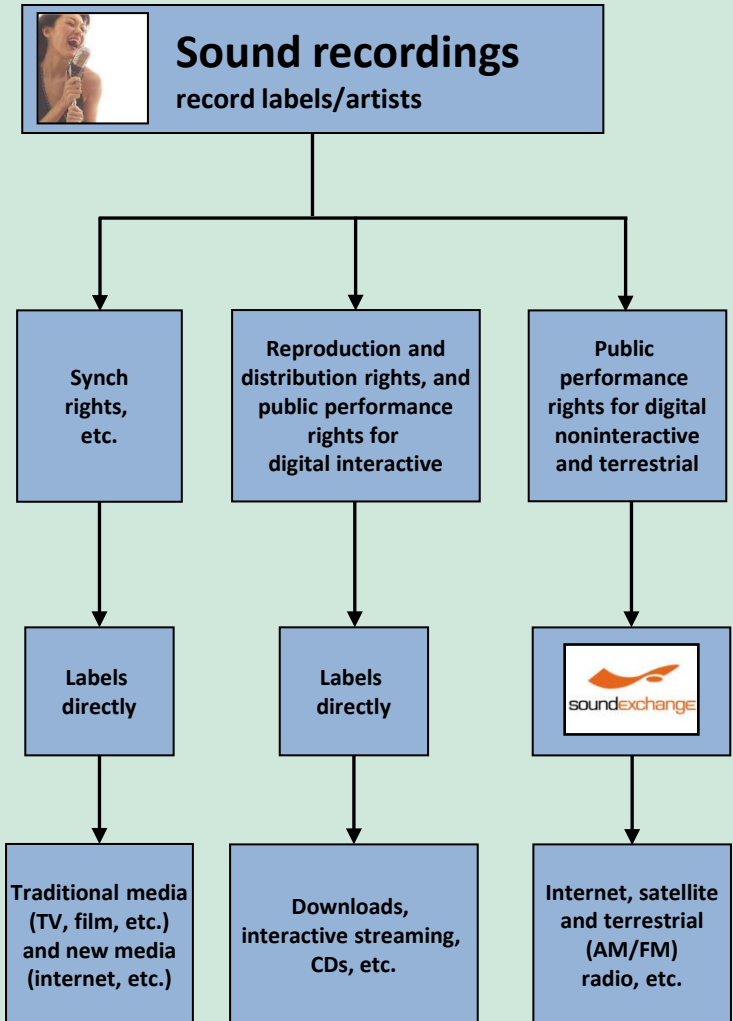
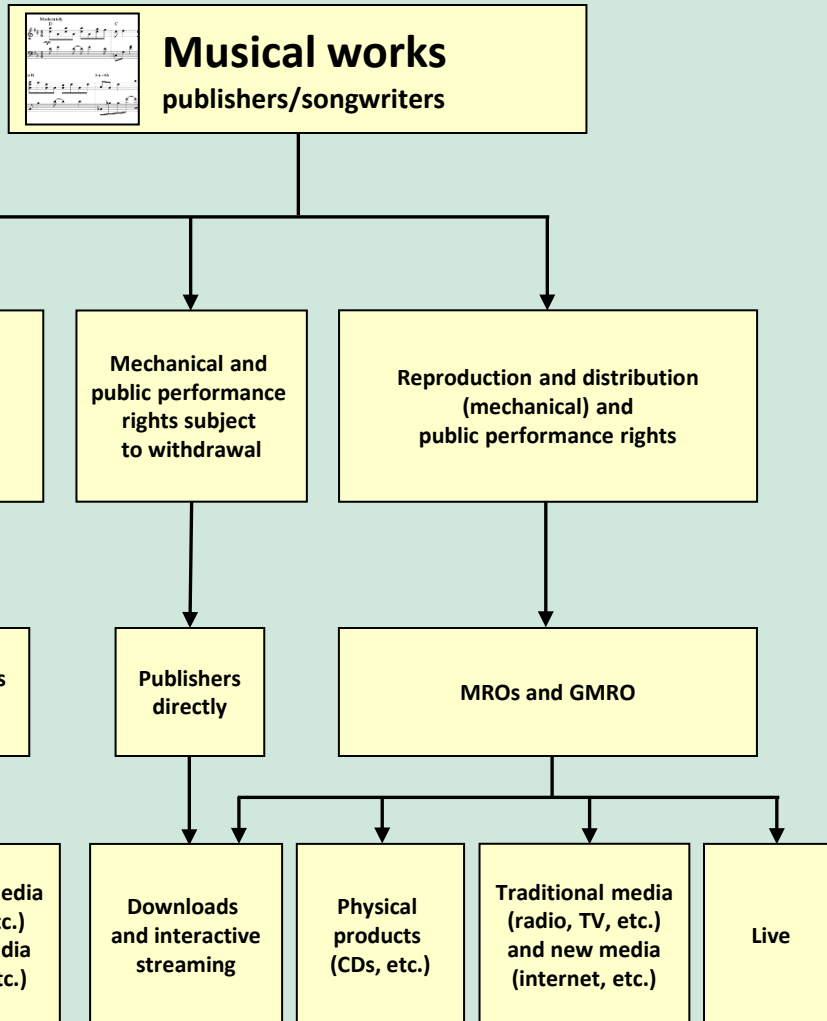


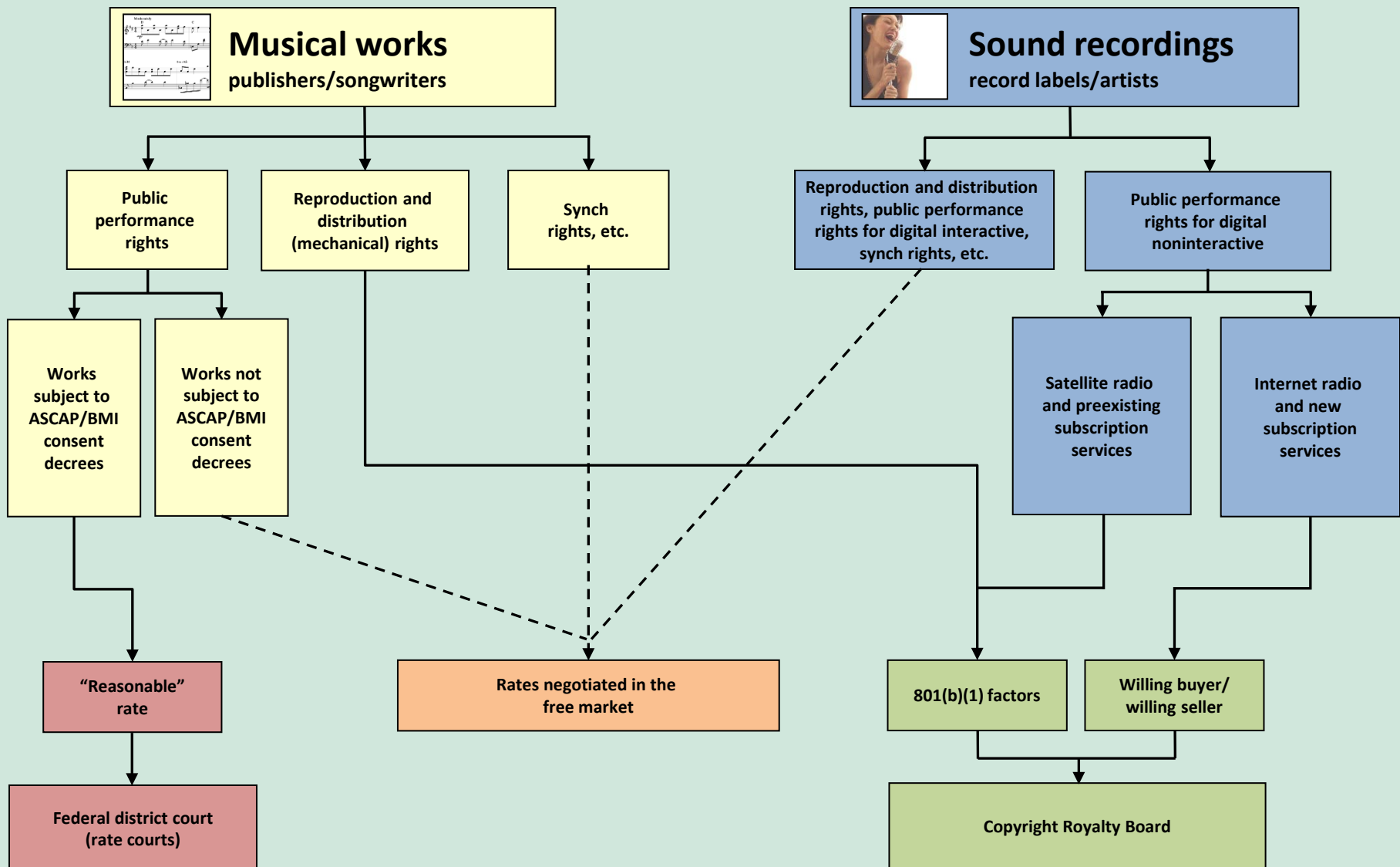
Copyright and the Music Marketplace: Existing Licensing Framework



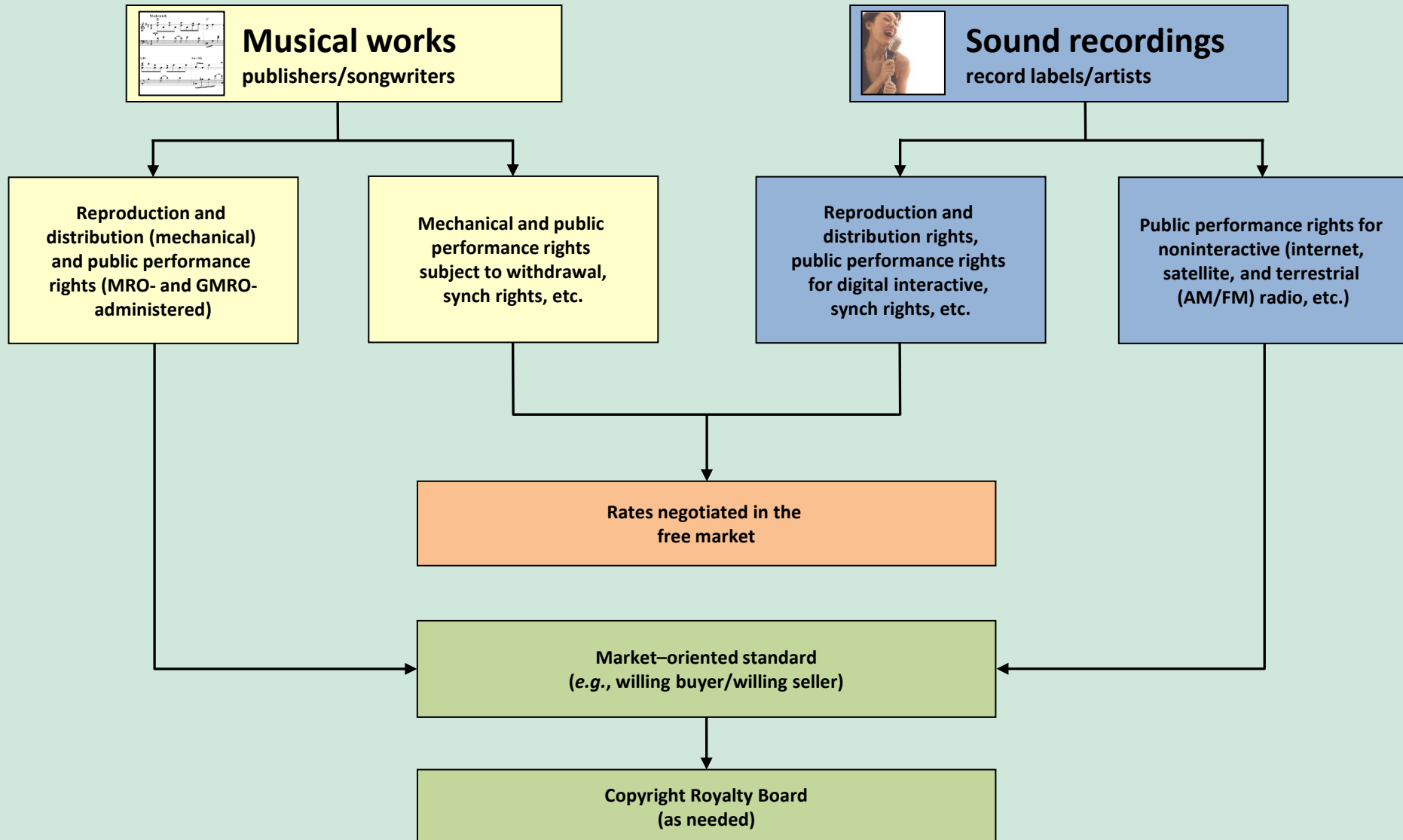
Copyright and the Music Marketplace: Proposed Licensing Framework



Copyright and the Music Marketplace: Existing Ratesetting Framework



Copyright and the Music Marketplace: Proposed Ratesetting Framework





Regulatory Overview

	Sound recording	Musical work
Reproduction/ distribution	Freely negotiated	Regulated – CRB
Digital interactive performance	Freely negotiated	Regulated – rate courts (ASCAP & BMI)
		Freely negotiated (other PROs)
Digital noninteractive performance	Regulated – CRB	Regulated – rate courts (ASCAP & BMI)
		Freely negotiated (other PROs)
Terrestrial performance (e.g., AM/FM radio)	No right	Regulated – rate courts (ASCAP & BMI)
		Freely negotiated (other PROs)
Synch	Freely negotiated	Freely negotiated



Ratesetting Standards

Use	Ratesetting body	Authority	Standard
§115 mechanical (musical works)	Copyright Royalty Board	§801(b)(1)	Multifactor policy- oriented approach
§114 satellite radio (sound recordings)	Copyright Royalty Board	§801(b)(1)	Multifactor policy- oriented approach
§114 internet radio (sound recordings)	Copyright Royalty Board	§114(f)	“Willing buyer/ willing seller”
ASCAP/BMI public performance (musical works)	Federal “rate courts” in New York	Consent decrees	“Reasonable fee” (or “fair market value” considering antitrust concerns)