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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

November 1, 2019

The Honorable Karyn Temple  
Register of Copyrights  
U.S. Copyright Office  
101 Independence Ave. S.E.  
Washington, D.C. 20559-6000

Dear Register Temple,

Congress enacted the Music Modernization Act to bring comprehensive reform to the licensing and payment systems for musical works. Congress has long believed that artists and copyright owners deserve to be fully compensated for the use of their works. It has been an unfortunate industry reality that some revenue goes unmatched. These unmatched royalties have many causes, ranging from missing or incorrect metadata when a work is created to errors and omissions in metadata as the work is commercialized.

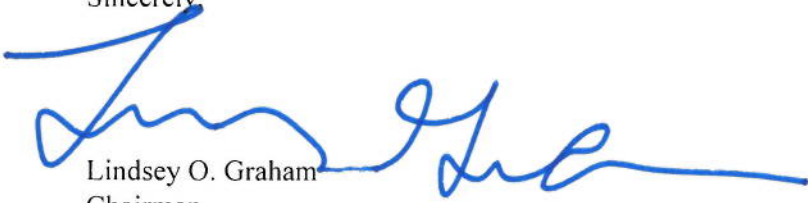
The Music Modernization Act recognized that the vast number of musical works commercially available requires a payment system to be based upon more than simply matching artist names and work titles. The adoption and use of robust metadata based upon industry standards that is used on a prospective basis can solve tomorrow's problems, but the lack of an existing centralized database for existing works means that current metadata is often missing or incorrect.

Much work will need to be undertaken by the Music Licensing Collective to develop this initial database of older works. I urge your continuing oversight of such efforts as demonstrated by your recent Notification of Inquiry on September 24 and upcoming unclaimed royalties symposium on December 6. To this end, I urge your use of a specific metric as a key measurement for determining the impact and value of any Copyright Office regulation as well as any expenditures or actions by the Music Licensing Collective – the impact of such action or expenditure upon improving the overall matching rate.

All artists deserve to be fully paid for the uses of their works and the adoption of accurate metadata throughout the industry, beginning with implementation efforts for the Music Modernization Act, will be key to accomplishing this. Reducing unmatched funds is the measure by which the success of this important legislation should be measured.

I appreciate your efforts to work with Congress to quickly implement this important legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lindsey O. Graham', written in a cursive style.

Lindsey O. Graham  
Chairman