

As an entrepreneur that thrives at the intersection of technology and music, I admit, there is no single solution to protect copyrights while pushing boundaries in the digital millennium, where content is created and shared at a rate that cannot be effectively moderated. Our Company represents tens of thousands of copyrighted works and makes money on those works. It equally innovates new technologies to support derivative works from those copyrights. So we are tasked to both exploit and protect these works.

Under current DMCA provisions, our struggle is not with the call to action to protect and police our own works, but with the lack of critical transparency given to copyright owners to effectively do so. To crawl or scan public media hosting sites, we must gain their support. But that is not in their best interest and is not currently required by law. The transparency and data gained from allowing independent parties to do so would furnish rights owners with verifiable and actionable intelligence. This intel would require that public media hosting sites build systems that effectively work when notified of infringing activities. But that is a justified consequence when operating a site that relies on, and in most cases, monetizes the content pushed to its site by third parties. Everything has consequences. Such is life.

At Audiosocket, we do not believe that the music industry (which we are a part of) has invested enough in technology to protect our own interests as innovation transpires. To date, the technologies that have been built to identify infringing activities have been built as a reaction to lawsuits by the same companies making money off of the infringing uses. Interests again are not aligned, and progress is needed on both sides so interests can be aligned.

For public media hosting sites to tell copyright owners to police their own content, but then to block access to their systems to do so will not work. And for copyright owners to expect/demand public media hosting sites to create technologies that work seamlessly for them is presumptuous and dangerous. The music and entertainment industries must step up and invest in innovation for themselves, or we will always be beholden to the companies that reap the rewards of our ignorance. This is just as critical as any piece of the puzzle. However, the public media hosting sites must be required to give us essential visibility into their world by allowing our innovations (technologies) to openly crawl and scan content on their sites in order to furnish rights holders with the ability to protect and police their own works.

In summary, I respectfully submit the following considerations as you review the Copyright Act to assist with forward progress as creation and consumption changes over time:

****Revisions that call to action copyright owners and music industry professionals to invest in and innovate technologies for themselves to protect their own interests.**

****Copyright owners should innovate ways to streamline the archaic licensing processes and systems which make it almost impossible to prevent infringement in light of creative innovation.**

****Require a level of transparency into the content hosted and available on public media hosting sites that furnish critical data to rights owners so they can find and protect their own work.**

I would love to participate in this review process and round table discussions in any way possible. Please let me know if there are opportunities to do so.

Respectfully,

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