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September 15, 2014

<http://www.copyright.gov/docs/musiclicensingstudy>

Jacqueline C. Charlesworth, Esquire
General Counsel and Associate Register of Copyrights
U.S. Copyright Office

Re: *Music Licensing Study - Docket No. 2014-03*

Dear Ms. Charlesworth:

This correspondence is forwarded on behalf of Montgomery County, MD (the “County”), in response to the Music Licensing Study (“Study”) found at Docket No. 2014-03, as published in the Federal Register, Vol. 79, No. 148, on August 1, 2014. The County responds to the Study’s “Subjects of Inquiry,” #10., which states: “Please identify any other pertinent issues that the Copyright Office may wish to consider in evaluating the music license landscape.”

Response: The County simply makes an observation, rather than address the business practices of, or relationships between, stakeholders in the music licensing industry.

The County’s involvement with the music license landscape arises from occasionally sponsoring, or permitting a third-party onto County property to hold, an event at which music is performed. The County protects the music copyright interests of writers, authors, and publishers. It obtains any necessary authorization (including a license) to perform music at its events. It further requires any third-party performing music on its property to obtain any necessary authorization to perform music, and requires the third-party to indemnify and hold harmless the County from any failure by the third-party to obtain any necessary authorization. The County has observed that the presence of a centralized process or repository through which a person may identify those with an interest in a musical work, and to obtain the authorization to use the work, is helpful to those participating in the music license landscape. In this regard, three performance rights organizations, namely- ASCAP, BMI, and SESAC, presently represent the interests of various musical works and provide a centralized point of contact for a person to identify and seek authorization to perform a particular musical work. Otherwise, a person is faced with the less efficient process of identifying every writer, author, or publisher who may have an interest in a musical work, and then seeking the necessary authorizations from each of those stakeholders.

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Very truly yours,

Richard H. Melnick
Associate County Attorney