The parties met remotely, pursuant to notice, at 10:00 a.m.

PARTICIPANTS:

Session 1: Overview/Measuring Success

DANIELLE AGUIRRE, National Music Publishers' Association (NPMA)
KRIS AHREND, The MLC
KEVIN M. CASINI, Ecco Artist Services
CHRIS CASTLE, Christian L. Castle, Attorneys
BILL COLITRE, Music Reports, Inc.
TED KALO, Artist Rights Alliance
GARRETT LEVIN, Digital Media Association (DiMA)
VICKIE NAUMAN, Cross Border Works
CHARLES SANDERS, Songwriters Guild of America (SGA)
PARTICIPANTS: (Cont'd.)

Session 2: Data and Matching/Identifying Copyright Owners

DANIEL BALCELLS, BMAT Music Innovators
LUIS BONILLA, SoundExchange, Inc.
JANE BUSHMAKER, Prager Metis CPAs
ALAN JENNINGS, Amazon
BISHOP PERRY, BHP Royalty Company
RENE MERIDETH, Exploration Group LLC
LISA SELDEN, Spotify
MICHAEL SHANLEY, Music Reports, Inc.
RICHARD THOMPSON, The MLC
ALEX WINCK, Pandora

Session 3: User Experience, Accessibility, and Claiming

DAE BOGAN, The MLC
BRIAN BUCHANAN, Concord
CAROLINE CHAMPARNAUD, Society of Authors, Composers and Publishers of Music (SACEM)
ASHLEY IRWIN, Society of Composers & Lyricists (SCL)
DONNY KANNER, Spotify
SINDEE LEVIN, Sindee Levin Music
ABBY NORTH, Songwriters of North America (SONA)
DAVID TAYEBWA, Opus Music Publishing Africa

Session 4: Education and Outreach

SETH BERG, South Bay Music Group, LLC
LINDA BLOSS-BAUM, SoundExchange, Inc.
KEVIN COLES, 1020MUZIK
MONICA CORTON, Go to Eleven Entertainment, LLC
BOB DONNELLY, Fox Rothschild LLP
SERONA ELTON, The MLC
PHIL GALDSTON, Music Answers
EDDIE SCHWARTZ, The International Council of Music Creators (CIAM)
JAI YOKO, Jai Yoko Entertainment
MS. SMITH: Good morning, welcome everyone. My name is Regan Smith, I’m General Counsel of the United States Copyright Office, and welcome to the Copyright Office's roundtables in connection with our study on best practices in the mechanical licensing collective in identifying and locating copyright owners who may be entitled to unclaimed royalties. We're going to have a day and a half of discussions. We're very excited about this.

And before we start the first session, I'd like to go over some logistical items to explain the format. So, first, the roundtable sessions will be moderated by Copyright Office attorneys. We will be posing questions and calling on panelists to respond. We're going to try to give everyone the opportunity to respond to the questions that we pose.

If you wish to respond, you can sort of signal, you can use the "Raise Hand" button on Zoom if you would like to, and I know we're all pros in the digital environment, so, if you're not speaking, please mute your audio.

Given the number of panelists and topics that we're hoping to cover, we ask that you please...
limit your responses to about two minutes. Apologies in advance, but if you're going over, we may have to cut you off or even mute you. We appreciate your understanding of the time constraints and also ask that you limit your comments to the questions presented.

Secondly, there are five sessions scheduled today which can all be accessed if you're watching it through the same Zoom link that we're using throughout the day. There's a different Zoom link for tomorrow, which is on the Copyright Office's website. Links to information about the Music Modernization Act and our study will be posted in the chat. And general attendees who have any technical difficulties, you can type that in the Q&A, and someone from the Copyright Office will respond and assist you.

Our last session of the day is called an "Audience Participation" session, and so members of the public are able to provide comments for the record for us to consider. If you may be interested in participating, you can sign up with the SurveyMonkey link that is provided in the chat. If you wish to speak today, we ask that you sign up by no later than 3 p.m. Eastern. That session will begin at 5:15, and we will call on those who have signed up to
participate. Comments should be limited to
approximately three minutes and should stick to the
topics that we are studying in this report. We also
have a similar session for tomorrow in case you miss
the 3 p.m. cutoff.

So, third, today's event is being recorded.
Videos of the sessions will be posted on the Copyright
Office website, along with a transcript which is being
created by a court reporter. That is enough
housekeeping. When we dive into the first session,
I'd like to start by asking my Copyright Office
colleague to introduce herself.

MS. CHAUVET: Hi, good morning. I'm Anna
Chauvet. I serve as Associate General Counsel.

MS. SMITH: Thank you, Ms. Chauvet.

So this first panel is about overview and
measuring success of the project, and I want to remind
everyone of the topics the Copyright Office is
studying. So Congress has asked the Copyright Office
to study best practices that the new Mechanical
Licensing Collective may implement in order to
identify and locate musical work copyright owners with
unclaimed accrued royalties held by the collective to
encourage those copyright owners to claim their
royalties and ultimately to reduce the incidence of
unclaimed royalties.

We are looking forward to lively discussions, but we intend for these panels to be constructive, to be forward-looking, and to hew to this topic that Congress has asked us to study.

A quick roadmap for this panel so folks know where to chime in. First, we will touch upon identifying some of the biggest obstacles or opportunities for the MLC to reduce unclaimed royalties; second, to identify benchmarks or specific metrics by which the MLC can measure its progress; and third, to touch upon the role of transparency and disclosure in facilitating understanding and confidence in the system.

To start, I'm going to ask the panelists to provide your name, your organizational affiliation, and also whether you have any connection or affiliation with the Mechanical Licensing Collective or the Digital Licensee Coordinator. And after speaking, maybe we can get the panelists to just call on the panelist immediately to your right.

So, Mr. Kalo, you are the person immediately to my right. Would you please start?

MR. KALO: Thanks, Regan. I'm Ted Kalo.

I'm the Executive Director of the Artist Rights
Alliance. We're a nonprofit, artist-run organization advocating for fair pay for music creators. Basically, we work for songwriters and musicians.

MS. SMITH: And whoever is to your right, maybe just pass the mic to them, Mr. Kalo.

MR. KALO: I don't think I'm set up to see who's to my right. I'm sorry.

MS. SMITH: Okay. Sorry about that. I was trying to make it simple, and I made it more complicated. How about, Mr. Colitre, could you please go?

MR. COLITRE: Hi, I'm Bill Colitre. I'm the Vice President and General Counsel of Music Reports. No affiliation with the MLC or the DLC, although we do represent numerous members of DLC. Mr. Castle is --

MS. SMITH: Mr. Levin?

MR. COLITRE: -- to my right. Sorry. Chris Castle, that's you.

MR. CASTLE: Sorry. My name is Chris Castle. I'm a music lawyer in Austin, Texas. I have no affiliation with any of those organizations. I tend to be on the artist side or with tech startups on the company side.

MS. NAUMAN: And I'm Vickie Nauman. I am the founder of Cross Border Works, which is a
consulting advisory business. I have worked both with DSPs as well as with the MLC. I helped herd some cats for the MLC last fall on the DSP side, and I just want to say that I'm really happy to be here.

MS. SMITH: All right, Mr. Casini, I think you have some audio static. Would you like to introduce yourself and state your affiliation?

(No response.)

MS. SMITH: All right. I think Mr. Casini is having some audio issues. I will just call on the remaining people because this doesn't seem to be working as easy as I thought. So, going down in my order, Mr. Levin?

MR. LEVIN: Hi, thanks. Garrett Levin. I'm the President and CEO of Digital Media Association, DiMA, the trade association representing streaming services. I also am a non-voting board member for the MLC as the representative of the Digital Licensing Coordinator, and I am a non-voting board member of the DLC, the Digital Licensee Coordinator, that represents the services in the implementation of the MMA.

MS. SMITH: Thank you. Mr. Ahrend?

MR. AHREND: Hi, my name is Kris Ahrend, and it is my great privilege to serve as the CEO of the Mechanical Licensing Collective.
MS. SMITH: Thank you. Ms. Aguirre?

MS. AGUIRRE: Good morning. Hi, I am the Executive Vice President and General Counsel of the National Music Publishers' Association. We represent the vast majority of music publishers in the United States. I also serve as a non-voting board member of the MLC representing music publishers on that board.

MS. SMITH: Thank you. And Mr. Sanders?

MR. SANDERS: Sorry, I was on mute. Yeah, I'm Charlie Sanders. I'm outside counsel to the Songwriters Guild of America and advisor to Music Creators North America, two of the largest and most active groups in advocacy work for music creators. I'm also the Chairman of the Board of the National Music Council, which is the umbrella group for all of the music industry organizations. I am not here on behalf of that organization, and I do not have affiliation with the MLC.

MS. SMITH: Thank you. Mr. Casini, do you know if your audio issue is resolved? If you would like, you can signal.

(No response.)

MS. SMITH: Okay. Well, we'll get to him in a second.

So turning to the first issue, which is
framing some of the biggest opportunities for the MLC, I think it would be appropriate, Mr. Ahrend, as CEO of the MLC, to start with you. Would you like to say a few words about how the MLC conceives of its project?

MR. AHREND: Absolutely. Thank you, Regan, and thanks so much to you and your entire staff for all the work you've done over the past several years in helping to stand up the MLC.

You very clearly articulated the purpose of the roundtable, and I think it is important in part because it is consistent with what the Mechanical Licensing Collective is, and that is, as the name suggests, a collective, a group of individuals and organizations who have a shared objective, and in this case, I think that shared objective is to make sure that every rights holder entitled to receive mechanical royalties that we collect is ultimately able to receive them, and the issue of unclaimed royalties is one that speaks to the very mission, the heart of what we are setting out to do.

From the MLC's perspective, our goal certainly over the next day and a half is to do a lot of listening. In many respects, we are the newcomers to this discussion, in part because our organization is only a year-and-a-half old, and we've only begun...
our full operations in the last three months. And as all of you know, we have yet to distribute our first royalties.

So we are very much in the building stages, and, therefore, we are very eager to hear suggestions, the ideas, and the prior experiences of so many of the panelists who have been working in this space for many years and have much to offer to us as we go about that endeavor.

Listening is something that we have been doing a lot of over the past year, and the pandemic has probably made that in some ways even easier. We have done almost 150 public events, primarily webinars, and through those events, we have been able to reach more than 17,000 attendees.

So we have done a lot of listening, and our data shows that those attendees have come from all of the states of this country, all 50 states, and more than 65 countries around the world. We know that, through listening to our stakeholders and now our members, we will better understand how we can serve their needs and address this very important issue.

For my fellow panelists, I appreciate you being here. Each of you plays a part in ensuring our success, and I have spoken with many of you personally.
on a regular basis over the past year. I look forward to continuing to do that. I know how committed you are to our success, and I appreciate your partnership and your support.

MS. SMITH: Thank you. So I hope we start to get this on to an organic flow and people can start to signal if they'd like to comment, but to get it rolling, I wonder, Mr. Levin, your members are very familiar with how the system was functioning before, and you've been instrumental on behalf of the digital services. Would you like to offer your perspective?

MR. LEVIN: Sure. And thank you. I'll echo Kris's thanks to you, Regan, and your team at the Copyright Office for the incredible amount of work that has been done over the past number of years in kind of getting us to where we are and also kind of acknowledge the point that Chris made up front, which is we are now, you know, kind of three months on the other side of license availability date, and we have a lot to learn about how it's going to work and where the next steps will be.

But I do think it's important to just touch on up front I think some of the core structural changes that really, I think, present us, as you framed it as the first topic, with some real
opportunities for improvements in the system kind of brought about by how the MLC is structured, how the system is structured.

And I know that we'll get into a lot of these things as the days progress, but I just wanted to, you know, provide a little bit of perspective on some of the things that the services view as kind of real opportunities that are inherent in the way things are now set up for improvement.

Chief among those, I think, is the fact that the MLC now represents a kind of single point of entry to the system on both sides of the system both in terms of the extensive increased amount of data that will be received from the music services that'll be standardized across the, I think, 60 or so services that have filed notices of license to date thanks to the kind of regulations that are now in place.

It also presents a single authoritative database and source of entry for musical works copyright owners and songwriters to engage with the data, see it up front, see what is kind of claimed as theirs, and actually have the opportunity to make changes, to update it to provide that truth and allow that truth to kind of make its way back through the system.
It's also going to feature comprehensive reporting to copyright owners. Instead of, you know, 60-some statements, there will be a statement from the MLC that will provide a lot of input and transparency to copyright owners to identify where the gaps might be, to identify, as we talk about unclaimed royalties, where there are things that don't seem to make sense to them as the folks best positioned to know what it is that they own.

And I think Kris touched on a really important point up front and that I'm sure we'll talk about in terms of success, you know, the outreach here, the fact that because there is that single point of entry because the MLC sits in the middle of this now instead of a decentralized system, I think that the best thing that the rest of us can do throughout the industry is make sure we are getting the word out, as the MLC is doing itself, about the need to engage with them, about the need to find your way there, whether you're a copyright owner or, as the DLC has been doing, whether you're a service provider.

And the last thing I just want to touch on, I touched on a little bit about the authoritative database, but the fact that that data will be widely available, I think, is a really critical opportunity.
for improvements throughout the system, some that I think we can anticipate, some that we can't anticipate.

I'll end with just, like, a quick -- I think it's somewhat funny, but I think it's a good story about the availability of that data. I got a call last week from a service -- I'm not going to identify who it is -- but, like, they're, you know, a very smart person who called me. They said we're looking at the bulk database feed from the MLC that's available, and we're looking at the Terms of Service. I'm like, maybe I've been in this industry too long, but is this a trap? Like, it feels like this data is really useful and that we can use it.

And I said, yeah, it is useful, and you can use it, and we should all be using it. It's the benefit of having it available that I think will, you know, as it works its way through the system, and the system is bigger than just what the MLC is doing, I think we're going to see a lot of follow-on impacts not just about unclaimed royalties here in mechanical licensing but more broadly about some of the kind of vexing data challenges that have faced the industry for a long time. So thank you for having us.

MS. SMITH: Thank you. I'm wondering, Ms.
Aguirre, would you be able to offer a music publisher's perspective or, you know, on behalf of copyright owners what you're hoping to see with the new transitions to blanket licensing systems?

MS. AGUIRRE: Sure. Thank you, Regan. Yeah, look, I think the MLC is not some sort of magic wand that can wave over our data issues in this industry, of which we have many, and make the unmatched all matched. That was not the point of the creation of the MLC.

But I think, from a publisher's perspective, one of the most important things is the unparalleled transparency. You know, I think publishers for a very long time were lulled into this sense of there's nothing we can do about this. We don't even know where to check our data. There's nothing public where we can see if you have our data, much less if it's correct. It's very difficult to see if we're being paid correctly because, as Garrett said, it's a decentralized, not-very-open system.

The goal, I think, here and I think one of the first things that we would like to look at in terms of success is the ability simply to see, you know, behind the curtain, to be able to look at your own data, to, you know, work with and engage with the
MLC to make sure your data's correct, to bulk-download if you'd like to. But, really, it's the transparency that I think is going to be critical here in helping to clean the data up.

And when I say "engage with the MLC," I do think there has been historically some -- I don't want to say hesitancy because I think people wanted to engage and make sure their data was correct -- but I think, as I said, people were lulled into this sense of there's nothing really I can do about it, I'm going to wait for the problem to be fixed and for the royalties to flow to me.

And I think that publishers now, with this ability to go in and see all of their data, to fix all of their data, I think really do have to step forward and engage now, really engage with the MLC and make sure that they're doing that to make sure the data is correct. And that is going to be a critical component of matching a lot of what's unmatched, correcting a lot of the errors in the data that perhaps we've never been able to identify before.

And so, to me, a lot of this initial push as the MLC's getting up and running is publishers making sure, and really all rights-holders, self-published songwriters too, making sure they are going forward
and taking a little bit of responsibility to, you
know, really engage and look at their data now that
they're able to do that.

Ms. Smith: Thank you. So we've already
thrown out the word "data" a lot, and I think, Ms.
Nauman, this might be a good time to have sort of a
refresher of some of the technological issues and data
issues that are going to arrive as we go throughout
the roundtable.

So, you know, this is the last stop. I
think I said we've already held a symposium and we've
had rounds and comments that dive into some of the
details, but I'm wondering, do you want to offer a
refresher about what we are talking about and what is
involved when we're talking about identifying and
locating copyright owners, any sort of definitional
issues or, you know, trickiness that we should be
aware of as we tee up our conversation?

Ms. Nauman: Yeah, absolutely. So one of
the fundamental problems that we have is that the
supply chain goes from labels and distributors into
dSPs, and we monetize and serve up sound recordings
and ISRCs. And then the publishing is reported on the
back end based on those ISRCs. So this creates, in a
world where we have 60 million songs and who knows how
many average writers per song, we have literally
hundreds of millions of splits that need to be married
up with the sound recording.

The problems on this are that there's
fragmentation of the rights, there's a lot of things
that are happening around music changing hands. So
writers sell their share. Publishers sell their
share. The entire catalogues get bought and sold, and
new releases are out into the ecosystem without
publishing even sorted yet.

So there's a tremendous challenge, and I
think all the companies and what the MLC is doing,
this is no small challenge. And when I think about
the systems that we have out there, I think we have to
look at both the database and the systems that are
sitting on top of it because you can have great data
and poor systems and you won't get any good results.

And vice versa, you can have really poor
data and the best, most modern systems in the world
and you won't have any results. And so we have to
look at both of those. And one of the things that I
did in advance of this was really thinking about what
are metrics that we could measure this by, and just as
an example, there's match rate, and in the era before
we were in the MMA, we were always looking at the
percentage of match rate for music that had been used. And this was largely if there was at least one publishing share that was matched to a sound recording that had been used. And this was a metric that was really important because DSPs had statutory damages. And so it was about de-risking this for DSPs. It was also about it was a point of measurement to know that the service provider was actually doing what they were saying that they were doing and that they actually were getting able to match.

That doesn't really make sense anymore. I think matching still makes sense and linking, but we no longer really need to be focused on DSP risk because statutory damages are gone. We have blanket license instead of individual licenses, and we also have centralization of the MLC where all of the data is going to be flowing through that one agency.

So I think, now we're in an era where, what kinds of metrics really make sense? And one of the things that is in my head is that matching at least one share to a sound recording, that's very binary, and we don't really need to do that anymore. Now I think we need to look at granularity, and perhaps there's some sort of quartile metric where we could say, of all the songs that have been used in DSPs,
what percentage of those are at 100 percent matched on publishing?

Which ones are between 50 percent and 100 percent? Which ones are below 25 percent? Looking at this in quartiles because, in the old system, if we had 5 percent matched to a major publisher for a hit song and there was 95 percent that was from individual writers or really small publishers, that 95 percent ends up going into "unattributed."

And so I think we have to kind of take a step back and look at the drivers and the motivations and what success looks like, and getting as many of those publishing shares to be matched for each song, I think, is really, really critical.

And I think it's also critical to understand that there is some percentage of all the music that's out there that just will never have 100 percent or never even have publishing. It could be nature sounds. It could be things that are in perpetual conflict. It could be things that have changed hands or songs that are released without it. Maybe that's 15 percent of the total catalogue. I don't know. But I think that would also be a really interesting metric to look at, if we did everything right, how much could we possibly match?
MS. SMITH: Thank you. That is, on the one hand, a great way to tee up this question of benchmarks, but before we go right into that, I wonder, you know, is there any artist or songwriter representatives, whether on behalf of self-administered or otherwise, who want to speak to the overall opportunities or challenges for the MLC? I think we have two people who raised their hand, so maybe -- I saw Mr. Kalo first, and then Mr. Sanders?

MR. KALO: Thanks. So MusicAnswers and the Artist Rights Alliance lobbied for the inclusion of this study in the MMA, and we're very happy with all the work that the Copyright Office has done on it. One critical part of this study is the notion of some involvement of the Government Accountability Office, and there's a reason for that.

The reason for that is that, while some in the music industry have done a very good job of trying to find people who are owed royalties, it's been hard. SoundExchange has an excellent filing in this area. I think they have made herculean efforts to try and find royalty recipients.

They found that one-on-one communications have been most effective, but we kind of haven't -- we haven't cracked the code on this yet. And the notion
of the GAO being involved was intended to signal that we should look at disciplines where people are owed property or money that are broader than new music.

And along with MusicAnswers and some students at NYU, in preparation for this panel, we've done just a quick survey of looking around at those kinds of other disciplines. We're talking about class actions. We're talking about where governments owe people money and are trying to find them and trying to just at a surface level at least as far as we can tell find out what we can learn from that.

One thing we've learned is that for kind of less well-represented actors, putting the onus on them to check a database is unlikely to be successful, and we find that across all walks of life. So it's very important to get out and find those people and contact them in a way that is credible.

And a commonality that we found in programs that are successful are kind of broad mass communications from people they recognize as credible actors telling them that this thing is for real, that somebody might, in fact, owe them money.

As it turns out, you know, and this has been in part the SoundExchange experience, I think, telling people you owe them money sounds more like an email...
scam to them than an opportunity. So I'll just provide one quick example.

In South Dakota, the government is trying to figure out how it can find and pay the people who are owed government funds, government-held funds. And the Governor of South Dakota recently launched a public awareness program where the slogan is "All you have to do is cash the check." And that's coming from the Governor of South Dakota and mass media letting people know in a very clear way, we've got money for you and it's simple.

The second thing that we can tell that they do is that they follow up with a mailing that doesn't have a check in it that once again explains this is an official government process, you're owed money, and a check is coming. And they wait a little while, and they send the check. And they're having some success with that.

The other things, just very briefly, that we, you know, are thinking about are kind of things that we've learned in the digital era about what create better open rates for people who are receiving communications, for example, campaign emails, other kind of marketing communications. You know, many of you are very familiar with the ABC testing of
communications and kind of the way you fine-tune how you communicate with people. You're familiar that we learned things like having somebody's name in the subject line starts to look like spam instead of a genuine communication.

That's briefly what we've found looking broadly at areas from class actions to government property to where banks are holding money before they can reclaim them. And I think that's something useful for this Music Licensing Collective, which has such an exciting group of people and such dynamic leadership, to, you know, kind of look at what we've already learned in the music industry that works but think more broadly.

MS. SMITH: Great, thank you. And you mentioned GAO. The Copyright Office and GAO are consulting on this study, but we normally do that through the interagency process, and we've consulted on many other studies either led by the Copyright Office or led by GAO, and we're following that process here.

So I want to be mindful of time. I want to get everyone, so I'm going to remind everyone to please keep your comments to a minute or two. So Mr. Sanders then Mr. Castle?
MR. SANDERS: Yeah, thanks, Regan. First of all, I want to thank my colleague, Ted, and tell him I agree with what he just said. The NYU in particular and all my colleagues there have been very eager to work on these issues, and it's great to hear that.

I also want to thank Kris Ahrend personally for having reached out to the songwriter community in the frequent ways that he has, and we very much appreciate that and know it's going to continue.

Before we get into quartile metrics, I think it's really important, since this is an overview panel, to take a quick 90,000-foot view of the situation, and that involves taking a look at, rather than the trees, the forest here. This MMA, which everyone worked very hard on, had a lot of moving parts to it, but several groups agreed on one thing, and that was one of the principal reasons for enacting this legislation, was to guarantee transparency to songwriters and composers and to make sure that they're accurately paid because of the utter destruction that's occurred in that segment of the music industry over the past 20 or so years.

So we need to, when we're talking about establishing benchmarks for success, take a higher view and take a look at the way that the MLC is set up
and the handicaps under which it operates due to the built-in inherent conflicts of interest of its board. That's something that we need to keep in mind.

It is unfortunate to say, and it is not intended to besmirch any aspect of the music industry, but most of the board of the MLC will stand to benefit by not identifying unmatched royalties because, eventually, permanently unmatched royalties will be distributed on a market share basis. That's just a given, and we want to avoid a large percentage of unmatched being distributed to people that don't own it.

In talking with Kris about concrete ways that we can address that, one of them is direct contact with music creators, and as the report that the Copyright Office had prepared points out, the MLC does not have a database that allows direct contact with songwriters and composers, who are the best resource often for identifying unmatched.

Who does have a database like that? Well, the PROs do. The collective PRO information out there would allow outreach to a vast percentage of music creators in the world who could be asked directly to assist in the process of identification and cleaning up the database.
The MLC board could easily influence the PROs of the United States and around the world to voluntarily participate in that. We hope that they will. It is a thorn in the side of the music creator community that most mechanical rights organizations around the world have equal or better representation of music creators.

This is an important issue for music creators. It should be an important issue for Congress to debate in the future. But, for now, we need to work on ways to directly contact in an effective manner, as Ted just pointed out, the music creators directly and get them to participate in the process. And if we all work together on this, I think that we can make a huge difference, again, as Kris Ahrend and Chris Castle and all the people working on this have discovered. So that's the 90,000-foot view.

MS. SMITH: Thank you. Mr. Castle?

MR. CASTLE: So just a couple quick points. I think that, to Charlie's point, the MLC is moving into what I call the "Jerry Maguire" phase of life now, which is "show me the money," right? If for some reason they can't show the money, they're going to get communications from songwriters whether they like it or not. They will come by phone, they will come by
email, they will come by fax, they will come in
person, and they may even come in court, okay?

So I think what we really need to see here
is a feedback loop that will allow that kind of
commentary and complaint, which hopefully will not
happen, but I'm a realist, you know. I think it's
really a question of the degree to which it happens
and that the material can be received, can be made
public, and can also be made part of the record for
the Copyright Office's evaluation of how well the MLC
is doing.

So, also, that ties into sort of the
frustration level that I think is going to happen if
you look in your PRO database and you see all your
information there that you have spent time getting
there and making sure stays accurate, for which you
are being paid, everything working fine, but then you
go to the MLC and they've got some crazy information,
which has already happened a number of times, that's
coming actually not from the MLC because I don't think
that there actually is an MLC database, it's coming
from the Harry Fox agency, which, you know, love those
guys, but notoriously have holes over there sometimes.
So that's another aspect to take into account in terms
of a performance metric.
And, finally, I would just say, when I first started A&M, we decided that we were not going to put out records if we didn't have all the publishing data. And when the screaming stopped, what ended up happening was that we had the ultimate leverage point, which was you either give me this data, and remember it's in your contract, that part you never read, it's actually in your contract where you have to give it to me.

And then, that way, we don't have the words "copyright control" in our world, to the point which, after about three years of that, we get audited by the Harry Fox Agency. And I think our unmatched was like 10 grand for three years, right? And Ed Murphy was screaming that we were lying, right, was convinced that we were lying.

But then, when we explained it to him, when we explained what we did and the process, he accepted it, right? So the MMA codifies a situation where services can put records out without having all the information they need to pay publishers, which is their obligation, right?

And as long as that's the case, and I don't have any illusions that that's ever going to change -- and I've been told all the reasons why they can't do
it, but yet I know that's not true because I've done it myself -- as long as that's not going to change, the MLC's always going to be shooting at a moving target. So the blowback, I think, which is inevitable, is going to come most -- if you look back down the chain as to where it started from, that's going to be the weak point.

So I would just suggest that we anticipate the "show me the money" reality and that we have a way to measure it so that we can determine, you know, whether they're dealing with it in an appropriate way or they're coming up short.

MS. SMITH: Thank you, Mr. Castle.

Now I'm going to move and focus the conversation a little more specifically and hopefully maybe pick up the pace because we do have a lot to cover on benchmarks and analogues for the MLC, because one thing that has always struck me about the study the Copyright Office is directed to conduct, and really the law overall, is that the MLC is being asked to improve upon the incidence of unclaimed royalties without having established a baseline for its project.

So, Mr. Colitre, at the kickoff symposium, you provided an example of Music Reports. You said within 45 days of the close of the reporting period,
Music Reports is generally able to match and pay out 80 percent of royalties, and over three years, it's able to liquidate around 80 to 90 percent of that remaining 20 percent, which leaves 3 to 5 percent of the total pool, which might be, as Ms. Nauman was saying, non-music, nature sounds, public domain, others.

I wonder, do you want to offer an update as to whether you think that's a reasonable benchmark for the MLC, or do others want to throw out, in light of this quartile approach or any of the new differences in the blanket licensing system, what is a reasonable benchmark as a target for matching?

MR. COLITRE: Yes, thanks. I'll get to that. First, I'd like to again thank the office for the work you guys are doing. This is the biggest change to copyright in 20 years, and you guys are doing an enormous job of going through all these proceedings and rulemakings, and it's a huge amount of work, and we appreciate it. You guys are doing a great job.

I appreciate also that this is a short format, and there's a lot to talk about and dig in. If anyone would like to contact me outside of this event, I'm always available to talk. I'm very
reachable. So happy to do that.

You know, I want to remind everybody that while the MMA is a gigantic change to the law, what we're talking about is relatively narrow. We're talking about U.S. mechanical rights, right? This doesn't solve the data problem for the world. It doesn't solve the data problem for any kind of usage outside of DSP streaming and downloads.

And as a result, you know, this doesn't actually make less work for publishers or point to a single database that they need to register and maintain. As was mentioned earlier, there are PRO databases. There are other, you know, places where data must be registered and harmonized in order to ensure that all of these sources of revenues begin to and continue to flow to artists.

So this doesn't actually make a publisher's job easier. It makes it a little bit harder. It's one more database that they have to maintain now. And to that point, you know, a couple of people mentioned earlier the shift of incentives under the MMA. That's a really important point to note as well.

The DSPs have the primary responsibility for matching previous to the license availability date. There, you know, statutory damages were a very strong
incentive for them to be careful to match before they use.

MS. SMITH: Right. Can you speak to the specific benchmark percentage?

MR. COLITRE: Yeah, absolutely. The specific answer to your question is yes. The data that I provided in December of 2019 was based on 15 years of experience doing this. At a statistical level, it doesn't change. That is still accurate information that you were provided, and, you know, whether that should be the goal for the MLC is a different question.

I think the proper goal for the MLC is zero percent unclaimed property liquidated by market share, right? Everybody will agree that that's a least worst solution, and I don't actually think it's the least worst solution, but it's written into the law, so that's, you know, a foregone conclusion at this point.

But I think the goal for the MLC should be to say no money gets liquidated by market share. But a member of the unclaimed royalties committee of the MLC mentioned to me a point that I hadn't observed, that they're not required to distribute anything by market share. They're required to figure out how to deal with the unclaimed property, and while they have
the option to distribute it that way, they're not
obligated to do that.

MS. SMITH: Yeah. So, you know, we have two
panels tomorrow focused on that. Once, by law, once
the MLC makes a distribution, they must do so on a
market share basis on a yearly basis. But we're going
to dig into that tomorrow. I want to throw out
another datapoint for participants.

We also commissioned a report by Susan
Butler to look at what were practices of global CMOs,
and that report, she reported that match rates in the
high 80 percentile ranges are generally considered to
be very good.

I think we all agree the goal is zero, but
in terms of what is a reasonable expectation of the
MLC, does anyone have anything to offer? Is there
something analogous that we should look to? Mr.
Castle?

MR. CASTLE: I would just ask the question
of all those CMOs in that report, how many of them
were funded by the services? And then that ties into
sort of the cost-benefit analysis. I noticed in that
report that there was, when it came to matching, there
was a discussion, if I remember right, of a
cost-benefit analysis.
It would come at some point. You know, it's like the last 5 percent of security, right? It would get to a point where it would be too expensive for the CMO to try and track it down. But those CMOs, if I remember right, are all paid out of the proceeds. They all take a distribution fee, kind of like ASCAP, BMI, and SoundExchange, right? They don't have their costs covered by the users of the music, right?

So I'm just wondering if there -- and I'm just throwing it out there -- if there should be a different point of view given that we were all told the services will pay for this, it won't cost our writers anything, and there'll be, you know, transparency, right? So it seems to me, if that's the case, you're kind of comparing apples and oranges if you're looking at somebody who has their costs paid for by the users versus somebody who has their costs paid for by the songwriters.

MS. SMITH: So I hear you suggesting that perhaps given the different funding structure, it's more appropriate to allocate more resources to the MLC to match these harder use cases than might be occurring in other collectives. Is that fair?

MR. CASTLE: Yeah, I think so. And if you look -- to me, this is somewhat like orphan works,
right? There's kind of some orphan works undertones. And Shira Pearlmutter put together a great list a few years ago of what to search for and how to make sure you've done everything you can. So part of that is, I think, knowing exactly what the plan is, and I'd like to hear that from her as to who --

MS. SMITH: Right. I do need to keep it -- sorry, I need to keep it, because we are getting close on time, on the focus of metrics issues.

MR. CASTLE: Right.

MS. SMITH: And I also see a couple hands raised if that's okay. So thank you. I think that going into -- you did raise another issue I'd like to tee up too -- I think Mr. Levin, and then we'll go to Mr. Casini -- is that, to me, there's sort of two different buckets. There's what is all of the information coming to the MLC, all of the usages, what is a reasonable match rate or performance.

And then there's also for those harder cases or for whatever reason those works that fall into the unattributable pool that I would assume might have sort of a lower success rate for better or for worse should there be two different standards. So, Mr. Levin, then Mr. Casini?

MR. LEVIN: Sure, thank you. And, you know,
I think since Chris brought up the fact that the MLC is funded by the services, I do think it's important to note that the statute does require the service to pay the reasonable collective costs. And so I think there's still an element of efficiency here that we need to think about in terms of kind of the money spent to match dollars.

And, yes, I think everyone shares the goal of, I think as Bill put it, that money not be distributed kind of on a market share basis and that as much make it to the rightful owners as possible. But I think I'd like to go back to something that, actually, Vickie said in her comments because I think it's really insightful here, which is the kind of narrow focus on match rate above all might not tell us as much as we want it to tell us about kind of the opportunities for the MLC to actually move the ball forward here.

I actually had a note here about something that she had raised, which is, you know, for example, it doesn't tell us how much is unmatched because the splits haven't been determined yet. And I'll just as a little side note that, Chris, there was a nice little tweak there when you went from talking about the record label not releasing stuff to then turning
it on the services having the responsibility to not
take the stuff that's been given to them by the labels
and put it up before the splits are set.

But that is a reality, right? The splits
are not always set when the works make their way onto
the services, and there are works that have been in
dispute for a long time that MLC is working on really
extensive dispute resolution mechanisms. And match
rate doesn't tell us, you know, why there are
disputes, whether how much of that money that is not
making its way to someone because there's overclaims
or because we actually ended up with 120 percent
matched, which that doesn't make sense.

So I would encourage that as we talk about
this as the MLC gets its operations fully underway
that we actually embrace the opportunity, and I think
Vickie highlighted one area to look at, of what are
the metrics that we can look at that tell us more
about whether this system is succeeding and not so
much, like, how much got matched, right?

And I think, you know, Vickie talked about
looking at those, like, granular levels of the works
in the database that have, like, a clear 100 percent
ownership identified. Those kinds of metrics, which
dovetail back to Chris's initial point about outreach
and reaching people and Ted's point about how do we get songwriters and individual creators to engage with the data, those kinds of metrics, I think, are absolutely critical for all of us to be thinking about as we move forward here.

MS. SMITH: Thank you. So, Mr. Casini, can you speak constructively?

MR. CASINI: Yes.

MS. SMITH: What are useful metrics for the MLC? Thank you.

MR. CASINI: Yeah, I agree completely with Garrett except, when we're talking about metrics for datapoints that we've collected or benchmarks, we have to take a step back. You can't make those match rates until you've got the data put in, which means you have to figure out if you're trying to collect data on works or if you're trying to get as many registrants as possible or if you're trying to shrink the pool from the alleged black box.

They're not all the same, and they flow from one to the next but maybe not as consistently as we think. You know, you've got "lies, damned lies, and statistics," so I think Garrett is right in that we can slice-and-dice match rates however we want to try to achieve some type of success rate.
But what's the end goal, and how do we work backwards from there? And for me, I think the data, the statistics we need to start measuring is how many people are signed up and how many works have they entered. And if we don't start at the beginning with that, then we may have 100 percent match rate of the works that we've collected, but if, collectively, as an ecosystem we haven't put in as much as possible, then it's not going to shrink, you know, the unclaimed portion.

And so we may pat ourselves all on the back that we've all contributed to this great thing and it's worked out as best as we could, and there's still an enormous portion of people that have been left completely out. And so I think that's an important thing to consider.

MS. SMITH: Okay, thank you. So, with our time, I want us to focus on what we think the MLC should look at as we're recommending best practices. Let's narrow down into specifics. And, Ms. Chauvet, do you want to direct this next stage of questions?

MS. CHAUVET: Thank you, Ms. Smith.

So, in response to the notice of inquiry that initiated this policy study, the MLC and other commenters agree that reducing unmatched funds is how
success of the MMA should be measured. My question initially is, how should the success of the MLC be measured, and how should it be defined? I see there are some hands up from before. Mr. Sanders?

MR. SANDERS: Yeah, again, I think that we have to remember that in looking at the 80 percent number as a benchmark, a lot of that data was drawn from organizations that had direct contact with songwriters because their organization deals in that manner and is sometimes related to the regional PRO.

The issue, I'm going to just quickly raise it again, of being able to being able to directly contact the music creator community to assist is going to help reach that benchmark of 80 percent.

MS. CHAUVET: That's great. We're going to talk about artist outreach and some other accessibility and user experience on other panels. Ms. Nauman, did you have something to add about defining and measuring success of the MLC?

MS. NAUMAN: Yes, I have, and I think that we have to move beyond these headline rates because it's really about defining how you got to that number. And I think that we have to have some granularity to that of what exactly is remaining. And then we aren't going to improve anything that has happened in the
past, the 424 million. We will continue to have that if we don't change some of the ways that we approach this.

And we have a lot of new tools that have reached a point of maturity and that are emerging in the markets around machine learning, artificial intelligence, having reference catalogues, having open systems where we can have input and data flowing in and out because this is a living, breathing dataset. It's constantly changing.

So I think we have to look at both the results of how can we break this granularity down a little bit further with some transparency and put things out. And the songs that only have 25 percent of the total publishing associated with it matched and linked in, we should be putting those out in a dataset and say is your song in here, not just in a claiming portal but on an ongoing basis so that we can constantly have -- especially the longer tail and the smaller songwriters and the smaller publishers that may not have systems that they can send sophisticated data feeds in and out.

We have to have a process to accommodate the way creators create now, which is six to eight songwriters per song, and we also have over 135,000
publishers in this country, and that takes a different approach.

MS. CHAUVET: Yes, thank you so much. Just in the interest of time, Ms. Aguirre, you had your hand raised. I just want to ask that we've talked a little bit about granularity of metrics. So there were multiple commenters who suggested various metrics, which I'm hearing match rate is not the only measure by which we should be evaluating the MLC's success. So perhaps if you could please comment on that, Ms. Aguirre, and then anything else that you wanted to add more generally about measuring success of the MLC?

MS. AGUIRRE: Sure. Yeah, I don't think match rate right now is the standard. And I think that if, you know, people try to set 80 percent or 85 percent, it's just not an accurate measure at this point of the MLC's life.

And it's unfortunate that this -- and I know we're all bound by the statute -- that this study had to happen so early in the life of the MLC. I think, at this stage, success is measured by engagement because engagement does mean higher match rates. And so I think measuring success is measuring level of engagement.
I also think that I think what you're hearing from everyone is you can't pick a number and if you pick a number, you're setting something up for failure, that what the MLC has to do is study the unmatched that it has and where it's coming from because the best way to determine metrics for how to reduce that is to understand where that unmatched is coming from. Is it coming from new releases that don't have ownership? Is it coming from conflicts? Is it coming from aggregators? Is it coming from the long tail?

I think the first metric is doing some sort of study to understand where most of the unmatched can be identified and then being able to target those areas to reduce the issues of unmatched in those specific areas. I mean, if you look at the unmatched that has come into the MLC for the historical unmatched, it is high across the board, and I'm not saying that it's -- every vendor has had a herculean effort to try to match all of these works. It is very, very difficult.

But I think it is very clear that no service was matching really better than any other service. Everybody, depending on the size of the service, turned over a significant substantial amount of
unmatched money on February 15. And so I think the first step is making sure people are engaged in measuring the level of engagement and making sure there's a study to determine where the unmatched is coming from so that you can best identify where your effort needs to be to reduce issues within that area.

MS. CHAUDET: All right. Thank you, Ms. Aguirre. So just to reiterate -- so the MLC and other commenters and Congress has emphasized that success of the MMA is focusing on reduction of what is ultimately distributed by market share or the unclaimed portion.

So the Office has said that the earliest distribution by market share is 2023, which is, you know, almost two years away at the very earliest. So, between now and then, we want some type of indication to see how the MLC is doing along the way.

So what are the granular details that can be used to measure reducing the incidence of unclaimed royalties as we get to that, like, later period of time? And I know, Mr. Kalo, you had your hand raised. If you could please maybe address that question and then anything else you had to say, that would be great. You're muted, Mr. Kalo.

MR. KALO: I'll be brief. As you alluded to in your question, you know, the Congressional intent
was that the market share distribution should go down.
That's in the Senate report.

I'd suggest that there's a corollary to
that, and it goes to, you know, finding people that
are hard to be found and getting them their money.

And, to me, it's the percentage of relatively small
payouts and whether the percentage of overall
royalties distributed has an increasing share of
relatively small payouts. Are you finding people who
are owed relatively small sums of money? That, to me,
it's less hard and fast than a benchmark of, say, 80
percent, but I think it's just very important to look
at trends.

And in terms of what the driving force of
the MMA was, according to the legislative history,
that working songwriters would be more fairly paid,
that's from the legislative report, that, to me, is a
worthy metric to consider.

And then, you know, how they deal with kind
of thorny issues around how they distribute prior
settlements and other things like that is also
something that will be a metric of success, is the
public confidence that is in the songwriter community
about how they handle those difficult issues.

MS. CHAUVET: Thank you, Mr. Kalo. You
Heritage Reporting Corporation
(202) 628-4888

mentioned trends. I also wanted to raise that. If we're measuring metrics over time, which some commenters have suggested doing, which trends should we be looking for in addition to, like, the granular metrics? That would be helpful. Mr. Casini, you've had your hand raised for a little while.

MR. CASINI: Yeah, thank you. I agree with Danielle that picking a number, 80 percent, is kind of arbitrary this early in the game. I'd also add that setting 80 percent as the goal kind of limits the opportunity that the MLC has, and the goal should be to try to get as close to 100 percent as possible.

But the first goal has got to be statutory compliance. So you've got to set up a database. You've got to reach out to as many people as possible. They're saying engagement. I think we should define what engagement is. And then you've got to, as Ted pointed out, shrink the overall number associated with the market share distribution.

But to say that that's the end result is true, it's too big to do. You've got to break it down into steps. And so how do you do that? We're still early in the game, as they pointed out, and I agree. So the resources should be dedicated towards trying to capture as much data as possible, and those all come
from the publishers.

Now the report that was just delivered by Ms. Butler indicates, you know, from the CMOs abroad, they're taking info from as many places as possible to try to do as much matching as they can. And so that could be an option. But, if you don't start setting goals that are incremental now, we want to get X amount of people registered by this date, we want to get Y amount of works into our system by this date, then you're going to set yourself up to fail down the line, and then you won't be statutorily compliant.

And so, you know, saying we want it to be a success is true, but we have to define what those things mean. What do we really mean when we're talking about --

MS. CHAUVE: Thank you, Mr. Casini. I'm sorry, just because we only have about 10 more minutes, Mr. Colitre, would you like to add any views?

MR. COLITRE: Yeah, thanks, Ms. Chauvet. You know, it's dead simple. Timely and accurate payment is the metric, right? The goal here is to get as much money paid out as quickly as possible. So you're looking for a trend statistic. Measure how fast and how accurately and how completely the royalties are being distributed on a monthly basis.
And, you know, the standard set by the previous statute was 20 days after the close of the month, which we managed for 15 years. You know, our technology and our systems exist to do this. As Ms. Aguirre pointed out, we know where all the sources of difficulty are, and engagement will help with some of that. The question is how fast and how efficiently does the MLC manage the task of speeding up its flywheel to be able to manage those processes. There is a very, very long way to go.

MS. CHAUVET: Mr. Castle?

MR. CASTLE: Just a real quick point. You know, one of the ways that you can find out how people are doing is not necessarily a metric, an internal metric like matching, but an external metric like complaints, right? And so either that comes through an ombudsman-type person or some sort of independent line where those complaints are analyzed, you know, to see, are there any consistent complaints, are they trending one way or another over time?

It empowers the songwriters to be able to raise their hands so it's not just all publishers, to the point that Charlie's trying to make here. And I think that that is something that I can't find if it's in there, and I think it could be really important.
because you could find out certainly how you're doing.

I mean, the best way to find out how you're doing is to sit down with your customer and ask, right? So one way you could do that here would be to establish not just kind of how many calls we got, but what were those calls and what issues were they raising. Were they in a foreign language? Were they elderly people who don't have internet connectivity and don't have any understanding of what's going on? What are they, right?

So I would just throw that out there that having a robust complaint and customer service analytical process might be useful.

MS. CHAUVE: Thank you, Mr. Castle.

So we've talked a little bit about metrics and granularity, and we've also heard about the importance of transparency in the MMA and the MLC's activities. So my next question is, how should the MLC be reporting certain metrics and how often should it be so that the public can measure the success or how well the MLC is in reducing the incidence of unclaimed royalties? Mr. Colitre?

MR. COLITRE: Well, just given that the process is set up to be monthly, I think the MLC should report monthly on its progress on as wide a
range of metrics as possible. Engagement, if you like, but also the timeliness of payment, the amount of payment relative to the royalty period, the number of tracks versus, you know, match rate.

So, just to be very clear on that last point, of course, whenever you're talking about matching, you need to talk about matching of what, right? Matching of usage versus matching of total available tracks, right?

Of total available tracks, everybody's going to get very, very low match rates because there's such a long tail of music that almost never gets played and is very difficult to match because there are no song records associated with those tracks.

But, with respect to royalties, you can get to a much higher rate. So royalties matched, tracks matched, timeliness of payment, engagement statistics on a monthly basis.

MS. CHAUVET: Thank you. Just a follow-up question on that before I turn to Ms. Nauman and Mr. Sanders. So should the MLC report on the confidence levels used in connection with any match rates that it publishes?

MR. COLITRE: Certainly. There is an element in most systemic matching processes of
confidence in the match, right? Computers matching at high volume which do most of the work in this space must be programmed to develop a certain level of confidence before they agree that something is a match or not a match using systemic algorithms. The MLC should definitely publish the match, you know, the percentage confidence that it uses for that process.

MS. CHAUVET: Thank you. Ms. Nauman?

MS. NAUMAN: Thank you. Yeah, I think what we will find, hopefully, is if we have transparency and if we have this measure and we're looking at the percentage of match rates that we will see over time the amount of money that's unattributed go down. And I think we have to take a long-term view on this because this doesn't happen overnight.

So I think, if we're measuring this at least quarterly, publishing that, we're also measuring what the engagement level is, how many people are coming into the database, those things should have a direct correlation of reducing the unmatched over the course of time.

And I think a lot of the points that have been made here about the long tail and songwriters and smaller entities, I feel like the engagement side of this also has to have some sort of neutral datapoint
that shows what activities are being done, what tools
are being made available, and how effective those
tools are to engage the smaller entities that are in
the publishing landscape.

MS. CHAUVE: Thank you. Mr. Sanders?

MR. SANDERS: Yeah, I think Vickie is
absolutely spot on with that. The end user here is
the songwriter and composer. We need a metric that
shows whether or not the royalties are reaching the
end user, and if they're not, there's a problem, and
it's a problem in communication. It's a problem in
not getting the word out that you, as a creator, need
to do your own investigation of your own music
publisher, et cetera, to make sure that the monies
have flowed through to you and, if not, to take proper
steps.

So that's got to be part of the analysis
that takes place as to whether or not the MLC system
is truly working as the MMA intends it to.

MS. CHAUVE: Speaking of creators and the
songwriters and rights owners, which data would be
helpful in encouraging them to come forward to claim?
Is there such data that the MLC could publish to
encourage such claiming? Yes, Mr. Sanders?

MR. SANDERS: Well, I certainly think that
regular contact saying we've received this money, it
should be being sent out soon. If you don't receive
it, check it. It may be a data problem. It may be a
payment problem, et cetera, but, again, and so many
people, including Danielle, have talked about
engagement and encouraging that.

That's really where the rubber meets the
road in this situation, and I think, when you hear
from Joerg Evers at CIAM and their experience related
to this and the European experience where they deal
with far greater numbers of royalties, I think we're
going to get some better insights and more specific
insights, I should say, into how to best make that
work.

MS. CHAUVE: Yes, Mr. Castle?

MR. CASTLE: I think I would just forward
look to John Simson's panel here. When John was
taking over the SoundExchange portfolio, he had great
efforts of outreach, you know, to law firms, business
managers, personal managers, you know, independent
labels. I mean, he would go and sit with you in your
office, you know, with his laptop, and you could look
up, you know, query his database.

So I would just point out that this is a
pretty granular thing, and having webinars -- I
realize COVID and all that -- having webinars is good, but it's not the only thing. And you have to kind of get to -- you may not be able to get to all the songwriters, but there's not that many music lawyers left in this country, right, you know? So you should be able to find all of them, and it shouldn't be too hard, you know, to get that message out so that people who inform the people who need to sign up are aware of what they need to do.

MS. CHAUVET: Thank you, Mr. Castle. Just in the interest of time, this might be the last question. The MLC's unclaimed royalties oversight committee listed a number of metrics that it proposed would be useful in helping to measure the MLC's success. For example, they proposed a dollar amount of unclaimed unmatched royalties in total and as a percentage of total collections, how those figures would change over time. Does anyone have any comments on those specific proposals? If so, you know, are those the metrics that should be used? All of them? Are some more important or are some more targeted than others? Mr. Colitre?

MR. COLITRE: In addition to what they mentioned, which is the proportion of the money that is currently accounted versus what goes into the
unclaimed pot for any period of time, that's an important metric to measure.

To measure engagement with the claiming system, you should also report the amount of dollars that are claimed and disbursed from the system before they get liquidated in another way. And to that point also, the number of tracks claimed across that system, the number of rightsholders who engage with that system to do claiming, and the degree to which the claims made by those parties turn out to be incorrect versus correct and affirmed.

MS. CHAUVET: Thank you, Mr. Colitre.

Ms. Smith, I'll turn it over to you to wrap up the panel.

MS. SMITH: Thank you. I think, if anyone has a burning desire to say one last thing, we might have a minute or two. Otherwise, we will be taking a short break. So last call? I see Mr. Ahrend?

MR. AHREND: Yeah. Just I appreciate many of the things that were said and agree with most, if not everything, that was said, starting with the fact that the goal should be and, in fact, is to match 100 percent of the money.

One point I wanted to note because I do think this is an element of how things are changing...
that is new for a lot of folks, and that is that the
pathway to the money is through the data. And one
thing that is true today and perhaps is not apparent
to everyone is that the data that speaks to what is
unclaimed is available right now, and any
rightsholder, any songwriter, can go see that. If you
go to the public search and you search for a writer or
a work, you can see whether that work has been claimed
100 percent or less. That's literally next to every
track in the database.

So I think that's a great place to start,
and it's a great example of how we are putting that
data out there, and I think the conversation today has
surfaced a lot of great ideas about other datapoints
and information that we can make available as we move
forward, and I appreciate the input that everyone has
given.

MS. SMITH: Thank you. I saw a couple
little stickers. We're technically out of time. I
think Mr. Kalo was one of them, if you wanted to say
anything? No, okay.

Well, I think we will conclude now. I want
to thank everyone for their participation. I think it
was a very valuable discussion. You know, the
Copyright Office has always been struck by the
consensus-driven nature of the MMA, and we really believe that broad input from the music community is going to help inform our study as well as the overall success of the project.

So we're going to take a short break. We're going to come back at 11:30 Eastern. So our friends on the West Coast should go get more coffee. Thank you for getting up for us. And the next panel, the second session, will be on data matching and identifying copyright owners. Thank you.

(Whereupon, a brief recess was taken.)

MS. CHAUVET: Welcome back, we’re going to go ahead and get started on the next session. For those just joining, my name is Anna Chauvet. I serve as Associate General Counsel at the U.S. Copyright Office. I'm going to be helping to moderate our next panel regarding data and matching and identifying copyright owners.

Before we begin, there are just a few housekeeping matters. This panel is going to be moderated by Copyright Office attorneys here on the call. We're going to pose questions and call on panelists to respond. We'll do our best to give everyone an opportunity to respond to questions.

Panelists are asked to raise their hand using the Zoom
feature or just by physically notifying that they
would like to say something, and we will call on you.

But, if you are not speaking, if you could
please mute your microphone to minimize any extraneous
noise. Given the number of panelists and the number
of topics we hope to cover in this panel, we ask if
you would please limit your responses to around two
minutes. We apologize in advance, but if you are
going over time, we will unfortunately have to cut you
off, and then, if necessary, we'll have to mute you.

We appreciate your understanding just with
the time constraints that we're under, and we ask that
you please limit your comments to the specific
question that was posed.

Momentarily, if not already, links to
educational materials about the Music Modernization
Act and the ongoing study will be posted in the chat.
General attendees will not be able to type in the
chat, so if you experience any technical difficulties,
please let us know in the Q&A feature on Zoom, and
someone from the Copyright Office will contact you and
try to help.

Our last session of the day today is our
audience participation panel in which members of the
public are able to provide oral testimony to be on the
Heritage Reporting Corporation
(202) 628-4888

record. For those who are interested in signing up to participate in the audience participation panel, there is a link to the SurveyMonkey sign-up that will also be put in the chat. We ask that you please sign up no later than 3:00 today Eastern Time because that panel, the audience participation panel, will begin at 5:15 Eastern Time, and at that time, Copyright Office staff will call on the people who have signed up, time permitting, and we ask that you please limit your comments on that panel to around three minutes.

Before we begin, I would like to turn it over to my Copyright Office colleague who is helping to moderate this panel to let him introduce himself and to take it from here.

MR. SLOAN: Thank you. My name is Jason Sloan, and I am Assistant General Counsel here at the Copyright Office. In this session, we'll be discussing best practice recommendations for how the MLC can reduce the incidence of unclaimed royalties through its efforts to match usage data to repertoire and ownership data and more generally how certain data sources and data practices can also help address the unclaimed pool.

To give a quick roadmap so everyone can think about where they might want to jump in, we're
hoping to cover three main areas today in the following order: matching practices; using third-party data; and data quality and reconciliation. Of course, during our conversation, you should feel free to also raise any other related topics relevant to the issues of data and matching in the context of best practices for the MLC, but please stick to that specific area given our limited time. We just want to make sure we get to everything and get to hear from everyone.

So, to begin, I will call on each participant. Please provide your name, your affiliation, and whether you or your organization has any affiliation with the MLC or DLC. Mr. Balcells?

MR. BALCELLS: Hey, everyone, and thanks a lot for having us. My name is Daniel Balcells. I am the Regional Manager for North America of BMAT Music Innovators, a music tech company that's headquartered in Spain, and we do not have an affiliation with the MLC.

MR. SLOAN: Thank you. Mr. Bonilla?

MR. BONILLA: Hi, I'm the Senior Vice President of Operations of SoundExchange, and we don't have any association with either the DLC or the MLC.

MR. SLOAN: Ms. Bushmaker?
MS. BUSHMAKER: Hi -- and I'm honored to be here -- I'm Jane Bushmaker. I'm Director of Royalty Audit and Contract Compliance at Prager Metis CPAs, where I specialize in auditing digital services -- DMPs or DSPs -- for copyright owners and other royalty collection organizations, like SoundExchange, to ensure that royalties are paid properly. And I am not affiliated with the DLC or the MLC.

MR. SLOAN: Mr. Jennings?

MR. JENNINGS: Hi, my name's Alan Jennings. I'm the Head of Publishing Operations at Amazon Music, and we do have an association with the MLC. They are our partner for mechanical royalties. And we are also involved in the DLC.

MR. SLOAN: Mr. Perry?

MR. PERRY: Yes, my name is Bishop Perry. I'm the owner of BHP Royalty Company, where we specialize in administering the rights of song owners, and we work with other platforms to acquire data to gain accuracy in collecting royalties for some of these owners. We're based out of Atlanta, Georgia, and we're not affiliated with the DLC, but we are affiliated with the MLC.

MR. SLOAN: Thank you. Ms. Merideth?

MS. MERIDETH: Hi. I'm Rene Merideth, and
I'm the owner of Exploration Group. We're a music publishing company, and we are members of the MLC for collection of royalties for songwriters.

MR. SLOAN: Ms. Selden?

MS. SELDEN: Hi, thank you, Jason. Lisa Selden. I am the Head of Publishing Solutions at Spotify, and we are a blanket licensee, so we work really closely with the MLC, and I am a board member of the DLC.

MR. SLOAN: Mr. Shanley?

MR. SHANLEY: Hello. Thanks for having me today, guys. I'm Mike Shanley, Vice President and General Manager of the Audio Services Group at Music Reports. We're not associated or affiliated with the MLC or the DLC, but we support many digital distributors in their interactions with the MLC.

MR. SLOAN: Mr. Thompson?

MR. THOMPSON: Hi, Rich Thompson. I am the CTO of the MLC.

MR. SLOAN: And Mr. Winck?

MR. WINCK: Hi, everyone. Alex Winck, Head of Royalties for Pandora, and we are associated with the MLC as well as DLC.

MR. SLOAN: Great, thank you, everyone. So let's begin with matching. It might be a good start.
to begin with an understanding of what matching actually is. So, basically, a DMP reports a stream or download to the MLC, and then the MLC will have to match that to its musical work repertoire database. And to break that down a little bit, the MLC will need to identify the sound recording that was played, match it to the underlying musical work embodied in the recording, identify the owner of the musical work, and locate the owner so they can be paid.

And you can also have what are called "partially matched works" where there are multiple copyright owners for the musical work, some of which have been identified and located and others of which have not. So, in other words, you could have some shares that are fully matched and can be paid but not all of them.

So, to start us off, would anyone like to comment on what I just laid out and perhaps speak to any major barriers that exist to fully matching a work so that all shares can be paid to their proper owners?

Mr. Shanley?

MR. SHANLEY: Sure. Thanks, Jason. You know, I would just say that, you know, the volume of music we're releasing these days is so much greater than it was historically, right? If we take the
heyday of music, maybe 1995, we were releasing 
probably 10,000 sound recordings commercially per 
year, and we're releasing about 60,000 per day at this 
point. Most of those are coming through indie 
sources, and even when they're not indie, there's a 
lot of indie producers, songwriters affiliated with 
major releases.

And so I think a big part of the partially 
matching problem is addressing that constituency that 
may not have a professional partner, like a 
professional record label or professional music 
publisher. So I think educating and addressing really 
the folks who are creating a lot of the volume of 
content today helps with the challenge greatly and 
building systems so that they can engage with 
unmatched data, claiming sound recordings, systems for 
easy registration of content rights, I think is a big 
part of the solution.

MR. SLOAN: Thank you. Would anyone else 
like to respond to that? Yes, Ms. Merideth?

MS. MERIDETH: Yes. I wanted to say that I 
think there has sometimes been an overreliance on 
really great software tools, that the larger the 
publisher is, the greater their reliance on only 
trying to do everything through software, and software
is an incredibly valuable tool for the amount of data that we have moving around, but we need to balance that more with a human element to actually cross-check this because the software's only going to move the data that we give it.

And at some point, a human's got to put it in somewhere, and if we don't have smart people who understand this, we end up with bad data in, and it just propagates so quickly because the software that's out there now is so, like, brilliantly made, and it moves fast.

MR. SLOAN: So let's talk about those two pieces. You know, the matching process involves automated computerized matching using various algorithms, but then there's also a manual human element. So maybe let's start with the automated component. Can anyone speak to specific kinds of automated matching processes that are common and effective that are being used that the MLC should look to? Mr. Bonilla?

MR. BONILLA: Yeah, thank you. So, again, SoundExchange has been doing this for almost 20 years now. So we evolved over time to figure out the best and most precise way of getting content matched. What we've seen in our experience is that the best way to
actually achieve the possible maximum pay-through rate and pay out as much as we can is to clearly split the data into three categories and clearly segregate usage, sound recording repertoire, and musical work repertoire, the usage being all the different spellings, new spellings used by the DSPs, the repertoire being the content that comes from the copyright owners, either sound recording or musical works, and then linking the recordings to the works and matching the uses to the recordings really, in our experience, has allowed us to sort of perfect over time the art of matching the content all the way through.

And I guess two lessons learned that we've seen is that by using authoritative repertoire sound recording in the middle of the process, it really helped us in the past to reduce the number of recordings that had to be worked with, which, in our experience, what we saw is that increased the quality of the matches.

And, secondly and probably even more important, it actually allowed us to be proactive and pre-match. We didn't have to wait until the content was actually viewed by the DSP before we could actually either associate the recordings to copyright
owners or musical works or link, and we were ready for 
whenever those recordings were used. 

And as soon as we saw those in our report of 
views, we could pay all the way through. And it's 
only not about paying out as much as we can but also 
as fast as we can, and we believe that with this 
three-tier architecture, we actually achieve that. 

MR. SLOAN: Would the others have anything 
they'd like to add about the idea of pre-matching and 
how common that is, if that's a best practice that 
should be recommended? Mr. Shanley? 

MR. SHANLEY: Sure. And I think Luis raises 
a good point, and I think, you know, Rene's point is a 
really important one too, which is it's not just a 
software problem. And we focus so much on systems and 
we talk about blockchain, and really, you know, the 
problem comes down to people, and people have to 
understand that they need to disseminate this 
information, and that really starts in the creative 
process. 

But, because of this volume that's hitting 
all the digital distributors every day, the DSPs, the 
fitness tech platforms, there's a lot of content, 
right? There's a lot of sound recording metadata, and 
there's a lot of music publishing data. And, of
course, the music publishing data is inherently more complicated than the sound recording data. It's coming from, you know, several endpoints. You know, today, popular music works can be composed by 10, 15 folks who have various representatives who may split their rights. You know, a long way of saying the data is extremely complicated that comes from the composition side, and it may not be analogous from a data population perspective to the sound recording data that embodies that composition.

And so, you know, I think Luis's point is a really important one, and it's something that we've been doing at Music Reports for quite some time as well, which is integrating all these new sound recordings every day and constantly attempting to match them to composition-level information that's coming in from music publishers.

I think that's core to a successful platform. If we, you know, backload everything to trying to match everything once it's been used, you know, first, we're a little bit behind, but then also, you know, we create this sort of logjam of attempting to get these things done in time for royalty distributions. And so I think it's really important to have an always-on matching process.
MS. CHAUVET: Just to clarify, Mr. Shanley, so you're suggesting a best practice would be to proactively match and not wait for usage of a musical report embodied in a sound recording for attempting to match?

MR. SHANLEY: I certainly would advocate for that, and that's the way we do it at Music Reports, which is to integrate catalogue on a daily basis as it's released from record labels and constantly attempt to match that to CWR data or ownership data coming from the publishing community.

Now that happens in high volume with systems, but at Music Reports, we have 50-plus manual operators of our Songdex database in our copyright research department. You know, it's an expensive challenge, right, housing that many people to really just work on data, and a lot of what they do, the copyright research folks at Music Reports, is analyzing sound recordings, what's going to trend, you know, what do we need to clear, and actually reaching out proactively to folks that may know something about the control of ownership of the embodied composition and helping them actually build that information out.

So a lot of data that's populated into the Songdex database is actually built out by working with
music publishers manually. Of course, that's a low-volume, high-value sort of approach, and, of course, it's expensive to administer, but I think it's essential to the process happening. So, yes, I think, Anna, we should be doing that, you know, constantly.

MS. CHAUVET: Thank you, Mr. Shanley. You also raised manual matching, which I would like to hear what you have to say but also any other panelists, if maybe you could talk a little bit more about what that is. We hear that term being used a lot and that we should put resources towards it. What does that actually mean in practice?

MR. SHANLEY: Yeah, from our perspective at Music Reports, manual matching is literally the act of our Copyright Research Specialists, you know, analyzing sound recording metadata -- title, artist, album, ISRC codes -- and attempting to find manually any information that could be available about the composition.

Now most of what we do takes place through automation, but that's the high-volume problem. That only speaks to, you know, composition-level metadata that comes in through automated sources from the majors, from major independents. You know, there's a lot of music publishers out there that are also
artists that are on the road, et cetera, and so, you
know, housing these sophisticated data dissemination
systems is just not possible.

And so manual matching is literally the act
of researching a sound recording to find the embodied
composition and locate the folks who are responsible
for actually creating the work, and that's done with
people.

MR. SLOAN: I saw Ms. Merideth first.

MS. MERIDETH: Yeah, I was just going to say
from a -- thank you, Michael. I really like the way
you put that into words there from your perspective.
From the publisher's perspective, we have always
wanted that proactivity. We've always wanted this
ability to be proactive, and in so many platforms now,
we have the power to do that. We have it at YouTube.
We have it at the MLC. We have it at MRI.

And I think one of the frustrating things
that I see is a degree of apathy by some fellow
publishers who get frustrated or who don't want to
learn a system or who just don't have the bandwidth to
go in and do the work, and some who have apathy
towards it or just don't want to do the work or have
questions of why do I have to go give my data all the
time, they're not understanding the problem
completely. So I think there needs to be an education
done as to how does this bad data happen and
understanding of why it's so important to go do the
work and encourage more publishers to go do the work.

MR. SLOAN: So we're going to have a panel
later today focusing exactly on education and outreach
for sure. I'd like to try to keep the focus here on
what best practices should be for the MLC once it has
the data, however good or bad it may be. I believe I
saw Ms. Selden's hand up as well a moment ago.

MS. SELDEN: Yeah, so, just in reaction to
Mike talking about the 50 copyright experts that are
manually going in and creating all those links, like,
it is a lot of manual work, and I agree with Rene.
It's like try to get the publishers to do some of the
work. And one of the great things about the MLC is
having all of that usage in one place. So you can
give them the tools, have, like, claiming portals that
are really easy for them, for the publishers, even if
they are, like, afraid of technology, afraid of
learning new systems.

Like, make it really easy for them to create
a lot of those links so it's not all on the
administrative people, it's not all on the MLC to
hire, like, tons and tons of people to do this manual
link creation when some of the burden should be on the copyright owners also.

MR. SLOAN: Thank you. Ms. Bushmaker?

MS. BUSHMAKER: Hi. Yes. In response to that and all the discussion about manual matching, I would urge the Copyright Office to get away from the manual matching as much as possible and use the technology tools that exist and that can do a lot of the heavy lifting.

And then the human element still does need to come in. But when we're talking about the volume that all of these services are disseminating daily, and all of the recordings that are coming in, you have to leverage the technology that's out there, whether there's some AI, artificial intelligence, or machine-learning aspects. Neural networks are an option.

And even going so far as -- you know, the problem we're talking about here with unmatched royalties is that there was nothing to match to. The data is not there. The services -- and this was alluded to in the previous panel -- the services did not know who to match to, and they did not have data to match to.

You have to have data to match to. And so
they've managed it in their own ways, and part of what I would encourage the Copyright Office to require the DMPs to report would be not only the ISRC, but we're talking about identifiers so that the tools can do the matching. We need unique identifiers, ISRCs along with the digital music provider's unique sound recording identifier, and that should remain constant throughout this whole process because that's how each service is managing their content, right?

So creating the links between identifiers so that the tools can perform the matching process would be what I would urge the Copyright Office to explore.

MR. SLOAN: Thank you. Mr. Bonilla?

MR. BONILLA: Yeah, I strongly agree with Jane. I mean, in the 21st Century, with the volume of data that we're receiving from the DMPs, from record owners, from copyright owners, either you rely on technology and on international standards or, as we were discussing, we're going to end up with an immense amount of manual work by a technician.

Based on our experience, it's not as effective or efficient, and I don't think we will be able to move the same amount of royalties as if we were really relying on ISRCs at least. I know that we've been back and forth on the ISRCs, and I agree
they're not perfect, but it's by far the best identifier that we have on the sound recording. And when used accordingly in a proper matching algorithm, it really increases the confidence level with those matches. And at the end of the day, it reduces manual matches. And the less humans we involve, the more we pay out and the less unpaid royalties we have, which is why we're here today.

MR. SLOAN: Thank you. Mr. Thompson, I believe you had your hand up a moment ago?

MR. THOMPSON: I did. First here let me just, I guess, endorse a comment heard earlier, use of the systems identifiers because, of course, absolutely, you know, they are essential, and, you know, open and available repositories of persistent identifiers are a key building block to -- you know, those identification schemes are a key building block of an awful lot of the work that we do.

But just on a comment Jane made around an alternative approach is, you know, one that I'm personally sort of still quite keen to explore further is actually audio-to-audio matching. Ultimately, the consumer listens to the music. I mean, they somewhat consumed the metadata and, you know, maybe they looked to the metadata and not who the writers were.
But, ultimately, people wanted to listen to the audio, and I think and as some people in the call will know sort of during the rulemaking process, you know, we've been exploring with the Copyright Office and the DLC and others, you know, avenues that we might explore to be able to get ahold of the audio in order to help us do audio-to-audio matching, whether that is sort of recording to recording, or if you have an audio reference for a work, you know, work to recording matching via that mechanism.

And in particular, my hypothesis is that I think it would be quite an interesting way to get into some of the long tail. You know, some of the DSPs that we are working with are UGC DSPs where, you know, I dare say that some of those recordings, you know, perhaps could be identified sort of, you know -- I don't quite know what the appropriate implementation of that is at the moment, whether it's some sort of hashing or fingerprinting, I don't know.

But it certainly feels to me that, you know, audio-to-audio matching is perhaps an area that remains a little underexplored at the moment, though I know certainly some organizations have done a good body of work in this area. And so that's it.

MR. SLOAN: So, in terms of these kinds of
emerging technologies like audio fingerprinting and I think machine learning and AI was also mentioned, I mean, to what extent are these being used in the industry now? Is anyone using them now? Mr. Balcells?

MR. BALCELLS: So, at BMAT, for example, we have our own proprietary fingerprinting technology that we've used for about 15 years, so it's basically a way to extract, we call it a digital fingerprint of an audio file, which, if you think of your own fingerprint as sort of the smallest bit of information that can uniquely identify you as opposed to any other human being, an audio fingerprint is essentially the same thing for an audio file. It's a very compact description of what is going on in that waveform that allows you to identify it and spot it, whether it's in a noisy environment or, you know, if there's any kind of overlaid music or speech.

And, I guess, to echo Richard's comments on audio-to-audio matching, this is something that we definitely use in our metadata matching engine. So we use audio-to-audio matching to cluster together sound recordings that come from different sources. And then, once we've created a cluster of different sound recordings that we know are the same based on the
audio, we can pull together their metadata and create a sort of more-complete metadata picture for that sound recording.

MR. SLOAN: Thank you. Just to circle back on the manual efforts because, it seems everyone agrees using automated methods is important, but, you won't always get a clear result, and the comments talk about the issue of when automated matching yields multiple potential match candidates. So, in terms of manual efforts, are there any common techniques in particular to help with that issue? Mr. Shanley?

MR. SHANLEY: Yeah, thanks, Jason. Just to comment quickly on the last point as well, but I'll answer your question first. I think definitely. Look, we want to do everything we can with systems, and we employ, you know, as modern-day systems as we possibly can to match.

Of course, you need both sides of data in order to secure a match, right? There has to be data from the composition side in order to match a sound recording. But, yeah, Jason, I think there's a lot of false-positive opportunities. There's a lot of bad metadata out there.

Music Reports, for example, hosts a claiming system that's been up for five-plus years where folks
can come in and actually identify sound recordings and submit their composition control to Music Reports. Now that has to be reviewed, right, because we're ingesting data from many trusted sources at once. I mean, we have tens of thousands of music publishers sending us data, you know, every day and hundreds of music users sending us data on the other side at the same time.

And so there's a lot of potential for overlap. There's a lot of potential for false identifications. There's a lot of potential for lack of understanding, right? Coming into a claiming system and only working with metadata, I think Richard's comments are spot-on about audio-to-audio matching, and this is the "but" where I wanted to step back for a second.

I think understanding that, you know, that one sound recording is the same sound recording across, you know, Spotify and Apple and Amazon, et cetera, is extremely important so you can do all that work at once, especially if you're in that centralized position like the MLC is, like Music Reports is.

It's important to do as much as you can at the same time. But it's important to ensure that, you know, you have people vetting accuracy, that you have
people vetting, you know, the understanding of folks who are submitting metadata, who may not control particular right types, et cetera, but they're submitting data because they don't necessarily understand that. There could be false positives.

And so, you know, I think a manual reconciliation to just vet incoming claims, to vet incoming data, is really important.

MR. SLOAN: Thank you. So I'll just ask if there are any specific techniques that might be able to be recommended? I saw Mr. Jennings next, and then I believe Mr. Perry after that, please.

MR. JENNINGS: Yes, hi. I just wanted to comment a little bit about the audio matching piece. You know, it's helpful in identifying that a particular song is the same across a different service, Amazon and Spotify, et cetera, but, you know, by itself, it still doesn't solve the real underlying problem, which is that we're trying to figure out what is the underlying composition to an audio recording. And so there still needs to be an effort of focusing on matching an audio work to a sound recording.

MR. SLOAN: Mr. Perry?

MR. PERRY: Yes, thank you. I work with a lot of -- I wouldn't say a lot, but I work with a
substantial amount of owners who have rights to their music, and what we have to do, I would say about 70 percent of our recordings have to be inputted manually because of previous information being incorrect where we have to correct it and then resubmit.

So I suggest, you know, before, you know, you go all automatic that, you know, everything that's being put into the filter's already correct because you'll just keep churning, you know, a faulty royalty, you know, that's going to somebody that it's not supposed to go to, you know?

In one case, speaking to Luis Bonilla, SoundExchange over there, great people, we had a case one time where they were telling us we're sending the email to you. We sent the email. Why haven't -- you know, you guys are not doing it. We're like, you know, we've done everything we're supposed to do. So, when I finally got the individual on -- I think her name was Candace -- got her on the phone, and I asked her to letter for letter, tell me what the email address said, and the guy's name happened to be Turner, and it was one letter off. She put in T-U-N-E-R.

So I would just say it can take something as simple as that would divert somebody's royalties
that's supposed to come there way. So, before it, you
know, deposits, I think the accuracy with something
like what Mr. Daniel Balcells said with the
audio-to-audio matching, you know, just confirming
that this is exactly what it is and the credits that
are associated with it will travel with it.

MR. SLOAN: Thank you. Keeping on this
topic of manual matching, are there any particular
best practices the MLC should follow in terms of
prioritizing usage to go through manual efforts or
prioritizing which efforts to use in terms of what
efforts may be the most economical or cost-effective?
I believe Mr. Balcells has had his hand up for a
while.

MR. BALCELLS: Well, yeah, I just wanted to
add that manual and automatic matching don't have to
be absolutely, you know, orthogonal solutions. They
can tie into each other. So something that's quite
typical of automatic systems is that they produce a
measure of how confident they are in the decision that
they make.

So an automatic matching engine might be
able to say it looks like this musical work and this
sound recording should be linked together, but I'm
about 70 percent sure or I'm about 99 percent sure.
And, incidentally, a huge part of that confidence comes from the identifiers because they're obviously much more robust to variations than the more fuzzy metadata field.

But, basically, the point I wanted to make is that you could use that measure of confidence as a way to say, okay, well, the ones that are, let's say, above 90 percent confidence, we're just going to go ahead and trust them, or at least they're not going to be the first ones that we're going to review manually. And anything that's below a certain threshold of confidence might be what you want to look at in terms of manual confidence or manual matching.

MR. SLOAN: Thank you.

MS. CHAUVET: Confidence levels came up. Thank you, Mr. Balcells. I think it would be helpful if we could hear a little bit about how they are developed and what would be, like, a best practice for developing them or what might be a "good" confidence level. If we could maybe hear about that, and then we can go back more to the manual matching. Does anyone have any comments on that particular issue? Mr. Shanley?

MR. SHANLEY: Yeah, and I think, you know, the spirit of what I'm about to say has come up
already, which is you need to use multifactor
matching, right, in order to secure high confidence.
So, you know, matching on title is definitely not
going to get you where you need to be, right?

So you need at least title and artist. You
need title, artist, ISRC. You need album and UPC.
You know, you need to really secure high confidence
matches on multiple fields before you can even, I
think, approach the point of feeling confident about
securing your match.

And one thing I just wanted to say about
manual and Jason's direct question about best
practices, I think, you know, at the end of the day,
the goal is to achieve consensus, right? And so, you
know, the best way to do that when you're unsure is to
get everybody involved who might be involved.

And, again, that's an expensive process, but
there are tools that we built to automatically notify
folks so that they understand that certain works are
in conflict or that there's co-publishers that may
have an overlapping claim, and we need to come to the
table and figure this out as a group.

Or we have conflicting matches, and we're
not exactly sure, you know, where this belongs. I
think gaining consensus with the folks, the
stakeholders, is really important and probably a best practice.

MS. CHAUVET: Thank you. Did anyone want to comment on confidence levels? Mr. Thompson?

MR. THOMPSON: Thanks. Firstly, I want to endorse Mike's comments, you know, when he says, you know, he begins to paint a picture of actually how complicated the algorithms underlying matching are and how, you know, it is dangerous to use a single factor.

You know, you can't just direct it, to take as example, you know, you can't just use a title. Work titles are obviously very, very far from unique, you know, and I think those of us who have been in this business a long time, you know, know that it is actually essential to make sure that, for any given match, you know, you are incorporating as much data as you possibly can and looking at a possible match through as many different lenses as possible and through as many different approaches as possible. So well said, Mike.

A thing I just want to caution against a little bit, and I think this came out in the previous panel, is that somehow there is a notion that all of this can be boiled down into a single confidence percentage number. It's far, far more complicated
than that. You cannot simplify, you know, the process when, you know, you're building all sort -- I mean, you know, there are any number of technological approaches to this, as other panelists have said, but I caution against thinking that, you know, all of these algorithms or rules engines or elastic search indexes or that any of those can somehow be boiled down to a simple, okay, this came out to 93 percent confidence and, therefore, we think it's good, or this one came out to 67, so we don't think it's good.

It is so much more complicated than that. You know, I don't think it is helpful or realistic to think we can boil down the sophistication, simplify these algorithms down to a single percentage confidence level. It's a lot more complicated than that.

MS. SMITH: Thank you. Can I ask a related question? If an across-the-board or one-size-fits-all approach doesn't always work, can we focus on whether there are specific best practices or strategies based on the type of music that is being, you know, matched and located?

And I think some bucket I would like to talk about for consideration are genres like classical or jazz or foreign language or even foreign alphabet.
You know, I would assume maybe the universal identifier becomes more important in that case. But, if it's not one-size-fits-all, what are best practices that should be considered in designing the system? And I guess Mr. Bonilla had his hand raised.

MR. BONILLA: Thank you. So one thing we were going to say is it worked really well on our end when it comes to manual matching, and it's to do away with having lists of unmatched compositions and matching recording by value or have users go at it.

Instead of doing that, what we've seen works pretty well is when we add all our transactional data into a data warehouse, and then we do daily targeted exercises where we ask users to action and group different compositions, different works, by category. So there's a lot of potential when a user can kill 10 birds with one stone because it was 10 different misspellings of the same recording, or we have the 20 different spellings of Beethoven or all these areas that otherwise, in the past, users would have had to type one by one, recording by recording, very ineffectively. There's now very good tools out there to do data mining, analytics, and come up with things that the naked eye, a human being, cannot really see and group them in ways that really make the
manual work much more effective.  

MS. CHAUVET: Mr. Jennings, you had your hand raised?

MR. JENNINGS: Yes. You know, kind of in terms of my recommendations when there's not a one-size-fits-all approach is really just to take a data-driven approach towards figuring out what the best matching process is. So, obviously, the identifiers are going to be your best bet as they provide the most definitive and direct links, and any other field besides the identifier is really just a best guess.

You're trying to leverage the metadata that you have to make a sort of estimated link, and how you leverage those other fields is very much context-dependent. It can depend on the data sources that you have, and like the example that you cited, the metadata for classical works might vary from, you know, rock works. And so, you know, using kind of one set of fields, you can't definitively say, you know, use the title and the release year and that's going to work. It's going to depend on the context.

And so I recommend developing sort of flexible machine learning algorithms that leverage -- supervised machine learning algorithms that leverage
some of the identified, already-matched data that we have through the identifiers and using that to build an algorithm that takes that context into account and dynamically adjusts based on the data that you have.

MR. SLOAN: Thank you. Ms. Merideth?

MS. MERIDETH: Yes, thank you. What I've been hearing here is a lot of audio matching versus data matching. It's not an all-or-nothing thing. It's a combination that works. You've got to have some level of automation because of the volume. You've got to have some cross-population. When I match an ISRC code from one source, it should match that ISRC code from all sources. Sometimes that doesn't always happen out in the wild.

And then, going back to make comment about best practices here, when you have a partial match, provide a link in the manual portion. When you have, you know, a partial match that doesn't fully match and you're trying to develop a queue for a manual review or you've got completely unmatched, what would be really great in that field of reviewing things -- and, Michael, I've recommended this to Music Reports before -- is have a link that goes back to that platform's use of the song so that right there in the moment when you're trying to match, you can go, by
song title, "I Love You." Is this my "I Love You"?
Because I don't recognize that artist. Click. Now I
can go hear it from the source, and I know right then,
if you could implement that.

MR. SLOAN: Thank you. We're going to have
a panel about being able to claim and register and
things like that in a little bit. I just really want
to try to keep the focus here on --

MS. MERIDETH: These actually go back to
best practices, so I just wanted to get that comment
out there.

MR. SLOAN: No, we definitely appreciate it.
Thank you. I just want to follow up on Ms. Smith's
question. Are there any specific recommended
techniques for any particular types of areas, like
foreign works or certain genres that anyone would like
to speak to? Mr. Balcells?

MR. BALCELLS: Yeah, I think foreign
languages and especially foreign alphabets are very,
very tricky. And as we see foreign genres like K-Pop
emerge to a global scene and as we see, let's say,
Chinese DSPs grow to, you know, become an important
part of worldwide revenue, I think it's going to be
more and more of an issue.

I would say one fairly straightforward
approach to sort of not necessarily tackle these
problems specifically but at least take them into
account when we're measuring performance is to make
sure that the data sets that are used to measure
matching rates, data sets that are used to measure how
much of the revenue is staying in those unclaimed
pools, that when we do tests with subsets of data that
we're actually taking varied data into account because
otherwise we're actually overfitting our solutions,
our algorithms, to basically Western and essentially
English-speaking music, and that's just, in all
likelihood, not going to generalize to other types of
music.

MR. SLOAN: Thank you. I see some other
hands up. I just am mindful of the time, so I want to
circle back to a question about confidence levels and
then you can perhaps respond to both. I think we
understand what was said before about that it's very
complicated and you may not necessarily be able to
recommend that something should be at a certain
percent confidence or not, but are there any best
practices for how to tune your confidence levels, you
know, in terms of how you make that determination, or,
more generally, how do you define what a match is, if
anyone could speak to that. I see Mr. Shanley with
MR. SHANLEY: Thanks, Jason. You know, we work on these challenges a lot, so I'm sorry to hog the time. You know, I hate to say it again, but I think, at the end of the day, machines work best when they're guided by people. And you build algorithms and you set them out into the wild, and the only way to ensure that they work the way you expect is to test them with people and to validate, you know, their results and then fine-tune.

So I would say, you know, best practices of gaining, you know, or achieving higher levels of match confidence is to run that test, Q&A, and then redesign and rerun. So I think there has to just be, you know, regression testing in any matching algorithm. That's probably obvious, but I think the best way to achieve that high confidence is to really fine-tune your matching algorithms by vetting that through people and testing.

MR. SLOAN: Thank you. There were, I think, in the comments, CISAC and BIEM mentioned three specific examples where they said they would consider the data to be sufficient to be a match, and I just wanted to get input from the rest of you on that.

Their first scenario was if the usage data
is 100 percent identical with data successfully
matched in a previous reporting period, was the first
one. The second one is if there's a standard
identifier, like an ISWC or ISRC, in the usage report
that's matched against a registered work, and then
also, you match a title, creator, or performer. And
then the third one was if there's no standard
identifier that you match the title and either the
creator or the performer.

Does anyone have any perspectives on those
three examples? Mr. Perry? I think you're muted.

MR. PERRY: I'm sorry about that. My first
royalty collection was the late Nina Simone, and it
was done without any of the identifiers that we're
speaking about today. There was not anything digital
about that process because it was done on 56k and fax
from the south of France, okay?

So it comes with -- you have to look it in a
perspective of breaking it all the way down to a
simplicity, okay? This person's name, first and last
name, find out -- I mean, the credits, looking at the
authenticity of the credits and their work. Some
credits are issued with mistakes, as we've seen, you
know, in previous situations where letters can throw,
you know, credibility off.
So it's more of getting to the manual aspect of it and staying there with it until it's fixed instead of, you know, taking what's not fixed and trying to push it digital, because it's just going to carry the problem into the new technology.

MR. SLOAN: Thank you. Some of the commenters also expressed concern over the MLC potentially applying a stream count or a value-based threshold that would have to be reached before engaging in certain types of matching efforts as some of the CMOs do. So I'd like to ask what kind of cost-benefit analysis, if any, would be appropriate for the MLC to engage in when deciding whether to undertake the expense of certain types of matching efforts? Mr. Shanley?

MR. SHANLEY: Thanks, Jason. First, I would say, you know, I'm allergic to the idea of not matching everything all the time. Now I appreciate that there is, like you said, a cost analysis that has to go into different types of matching, and maybe you don't want to spend manual resources on digging into works that haven't been used.

I mean, I think that makes a lot of sense. But, from a technological perspective, I think systems should always be running and always be matching. And
just to speak to one of the three scenarios you threw out before, which I think is, you know, a little bit dangerous, which is relying on historical evidentiary matching, to just use that going forward.

I think, you know, data has to be, you know, constantly revised and checked. I think the movement in publishing data is, you know, quite dynamic, and, quite frankly, in between accounting periods, thousands of music publishing catalogues are sold. And if that metadata is not backpopulated and updated to that previous match that you've secured, it's just going to be wrong going forward, and that's going to affect accountings. It's going to expose folks to liability from an infringement perspective.

So, one, I think we should be matching all sound recordings that are leased or attempting to match them all the time, and, of course, systems built at scale can do that. That doesn't mean they'll secure the match, but they could attempt to match it. And I think that data needs to constantly be revised and revisited because there's so much catalogue movement in the publishing space.

MR. SLOAN: Thank you. Does anyone perhaps from one of the services have any thoughts on this? Because, at the end of the day, they're the ones...
funding the MLC. Do they have any perspectives on this issue that was raised in the comments?

MS. SELDEN: I think you always have to do a cost-benefit analysis for any of those because you could spend endless resources matching the long tail, but that's not super-efficient. You have to prioritize, like, the most streamed tracks, and that sort of threshold of what you focus on will change each month depending on usage. But you really want to get the biggest bang for your buck. And there's, like, limited tech resources at the end of the day, limited manual resources at the end of the day.

And I think it depends, like, if you have different projects that can move the needle for implementing, like, some great AI that could flesh a lot of royalties out of the system, you're going to want to put your resources there instead of having lots of manual matching people just, like, doing one-off matches. So I think it really depends on what different technologies or projects could be implemented. It's an ongoing cost-benefit analysis.

MR. SLOAN: Thank you. I saw Mr. Jennings next, I believe.

MR. JENNINGS: Yeah, I wanted to echo Lisa's comments in the sense that, you know, there's a cost
to doing the matching. Fortunately, with automated matching, that cost is relatively low for, you know, a large volume of works. When we get into manual matching, it's an inherently non-scalable process and expensive.

Now that doesn't mean that there's a particular threshold that I would necessarily recommend to say, you know, don't even bother to match. I think the usage activity should guide your prioritization. So it really should be a prioritization discussion to say, you know, these are the biggest impact or the most streamed works, and these might be the ones, after automated matching fails, these are the ones that we will tackle in order for manual matching.

MR. SLOAN: Thank you. So we've heard that data --

MS. BUSHMAKER: Can I ask something real quick? I'm sorry.

MR. SLOAN: Yes, we're just short on time. But, yes, of course. Yes, by all means.

MS. BUSHMAKER: Just on the funding discussion.

MR. SLOAN: Sure.

MS. BUSHMAKER: We ended up here with $424
million unmatched. And so I would urge the Copyright Office to also look at the funding of the MLC and how do we -- big-picture, let's talk numbers -- what resources can we put towards matching $424 million that has not gone to the owners of the songs that were streamed? So I would urge looking from the 90,000-foot, 40,000-foot, whatever view you want to call it, at the dollars that can be put towards funding the matching aspect and developing the database.

And one last comment: I totally agree with prioritizing -- and also I think we're probably going there with the confidence levels and the source of truth that we're really all going for.

Let's remember there's a portal here with songwriters and publishers on the other end of it that know their catalogues, know their songs, and they can verify a match. And I wholeheartedly agree with Rene, who mentioned let's provide a link, and this goes to Richard's comment about let's audio match.

Give them the audio. They'll know if it's their song or not, and that's going to be your source of truth, to some extent, along with other sources. We can talk about third parties later perhaps.

MR. SLOAN: Thank you. Is there any kind of
rule of thumb as to how frequently data should be rerun through these efforts? That's an issue that's come up in the comments. I wanted to see if there are any best practices to follow for how often you reapply these efforts, because we know the data changes over time. We've heard before that the data gets better over time. If anyone would like to speak to that? Mr. Perry?

MR. PERRY: So the rerun of it doesn't have to take place perpetually. It's a single process with correct information. So, if it's re-ran, that's just giving you, you know, just the management aspect of it letting you know that what you put together is solid and you don't have any leaks in it.

So perpetually, you know, adding to or calibrating it I don't think would be, you know, the greatest, you know, route to take because that's consumption of time and effort. So just having a solidified on-point entry where all data is correct and accurate, you know, would just have you in a position where you're just monitoring it from that point.

MR. SLOAN: Thank you. Mr. Shanley?

MR. SHANLEY: Yeah, you know, just as a best practice, at Music Reports, like Alan said, you can
only do so much with people, but what you can do with scalable systems is something else, right? And if you have the right cloud architecture and you're trying to tackle these challenges and the incentives are aligned, meaning, you know, there's economies of scale to do these things, you know, you can build a system that does continuously rerun.

And at Music Reports, we attempt to rematch every work at least two times per day. That may happen overnight. It may happen in a morning automation schedule. But, you know, because we're managing all these sound recordings on behalf of hundreds of users and, again, interfacing with tens of thousands of music publishers, there's just new data all the time, and so these systems have to be continuously running in our environment at least.

MR. SLOAN: Thank you. Are there any standards for things like quality assurance checks and error detection in the matching process that the MLC should follow? And relatedly, are there any common practices that should be recommended to the MLC for allowing owners to provide feedback about any perceived errors or to have them investigated? Mr. Perry?

MR. PERRY: Yes, thank you. So aligning
similar processes with similar problems. So the problem being that we can't find the person that's the rightful owner to the song. So you use a process that's similar to, like, with let's say a credit system, where they're allowed to dispute a claim where you're allowing someone to dispute the creditworthiness of a song, and that's kind of giving an opportunity for a person to relieve themselves of having to do some litigation, you know, to have names changed and things like that. So, if you show more of a primary effort in acknowledging the fact that if you do have mistakes and information and creditworthiness there, then there's an opportunity that you can get it corrected.

MR. SLOAN: Thank you. And just lastly before we move on to third-party data and issues like conflicts, is there any specific information in particular about the MLC's matching activities and practices that should be made publicly available, in terms of, what specific types of automated algorithms they're using or types of manual matching efforts being employed or things like that? Any suggestions?

(No response.)

MR. SLOAN: Okay.

MS. CHAUVET: Maybe, Music Reports or
SoundExchange, you can comment. Do you publicly disclose your confidence levels or, which algorithms you're using? Or are there perhaps best practices that are used in the industry in terms of disclosure?

Mr. Shanley?

MR. SHANLEY: Yeah, I'll answer that. I wouldn't say we publicly disclose matching algorithms, although we're happy to dive deep on them with anybody who is really interested. I think, from a disclosure perspective, we're just constantly exchanging data to gain that consensus I mentioned earlier with everybody involved.

And, you know, this is an imperfect industry, right, and we're going to have false positives, there's going to be incorrect share submissions, there's going to be missing, you know, shares, there's going to be lack of understanding, and so, you know, I think, from a disclosure perspective, just being transparent with the data all the time with the folks who control it and who will be paid and licensed due to that data is ultimately important.

MR. SLOAN: Thank you. So now, we are just being mindful of the time, I'd like to move on to third-party data sources. As most of you, I'm sure, know, a related issue that's come up is whether and to
what extent the MLC should be looking at third-party
data sources beyond DMP usage reporting and the
information that comes from copyright owners
registering and claiming.

There have been several examples mentioned
in the comments, such as some of SoundExchange's ISRC
and MDX systems, the domestic PROs and foreign CMO
databases, things like CIS-Net and the IPI database,
as well as the Copyright Office's records.

So my question broadly is, could and should
the MLC use any of these for other third-party data
sources and, if so, how can they do so effectively?
Ms. Merideth?

MS. MERIDETH: Yes, I have seen where an
ISRC code is matched in one place, like ASCAP or BMI
or Music Reports, yet it's not matched at Harry Fox or
at YouTube or someplace else. That kind of thing is
going to continue to happen. So I think it would be a
good idea to explore using third-party data because,
if it matches one place, it should be matching across
all of them.

MR. SLOAN: Any? Ms. Bushmaker?

MS. BUSHMAKER: Hi, yes. Thank you. I also
would urge you to explore third-party sources. I'm
not going to advocate for any particular one, but
there is value in, like Rene said, where if you've got all the different sources matching and pointing you in the same direction, there's value to that, and that can be used for confidence levels in algorithms. If you've got another database that you're just checking against, even that can be valuable too, on the same truth, so to speak. Thank you.

MS. CHAUVET: Thank you. Mr. Balcells? Mr. Balcells, you're muted.

MR. BALCELLS: I'm sorry. I would also argue in favor of using multiple datasets. The way we usually say it -- and this isn't our phrase, it's kind of like a legend, I don't know who said it initially, but it's reached legendary status at BMAT -- is if you're just building your own database, you're just building one more clock, and the industry is full of clocks. Everyone has their own clock, but the real challenge is putting them all in sync.

So that's why you definitely need to connect the points across databases. And this can actually be turned from a challenge into a strength of a matching system, which I think is what Jane was alluding to. I think, if you have information from, you know, a wealth of rightsholders, you have information from the services, you have information from the PROs, if you
can triangulate -- it's not really a matter of doing point-to-point matching. You want to do triangular matching across sources. That can sort of point you in the right direction. I think definitely in our experience with metadata matching, it is one of the best ways of really pushing the matching levels up that extra sort of 10, 20 percent from 70, 80, which is okay, to, like, 80, 90 percent.

I think we were discussing earlier about those three sort of use cases that would be accepted as valid matches. I think those were a fairly strict definition of what constitutes a match, and that would off the top of my head leave at least, you know, 10 to 30 percent of usage or of the catalogue unmatched.

So, if you want to go into that fuzzier end of the tail, sort of the final 10 to 30 percent, you need to start looking at smarter ways to match, and in our experience, triangular matching with other data sources is definitely one of the best ways to do that.

MS. CHAUVET: Just to follow up, Mr. Balcells, then did you have any criteria to add in addition to those that were proposed by other commenters in terms of defining a match?

MR. BALCELLS: Well, when you're doing this kind of triangular matching, we have a criteria that
we call "closest to source." So we will rank the various sources that we're taking into account, and this is just common sense, I think, based on how close they are to the source of the music itself.

MR. SLOAN: Are there any specifics, I guess, as to in what part of the process, and maybe it's in more than one of them, that you thought third-party data might be useful? For example, would you use it to help build the repertoire database, or would you use it to cross-reference against when you're actually matching the usage report to the database? Are there any specific methods that might be recommended to be employed in using the data? Mr. Thompson?

MS. SMITH: I think Mr. Thompson has his hand raised.

MR. THOMPSON: Thanks. I don't know quite whether I'm going to directly answer your question, so I apologize in advance if I don't. But you were sort of going to a place that I was just thinking about.

There isn't, of course, a single dataset that we're talking about here. Off the top of my head, I think we have four different datasets, primary source datasets that make up sort of the work that we do. There's what we might call the data defining the
identity of a work, so "Yesterday" by Lennon and McCartney.

Broadly speaking, that data is immutable and, you know, that is just public, factual data, you know, that can be reasonably sourced, I would say, you know, ideally from -- and we'll come up to this in a moment -- but the rightsholders of it. But, equally, you could see that, you know, sourcing that sort of information about the identity of the work from something like the ISWC notes. That would be a trusted repository of that sort of data.

You've then got a second dataset of claims against those works, and as I think Mike pointed out, you know, that data is far from immutable. It changes regularly. Catalogues change hands every day, and I would fairly strongly be of the view that that data is best sourced from the people who represent those copyrights at a given point in time. And I would caution there against, I think, trying to sort of crowdsource that data or take any other approach, you know.

And to Rene's, you know, earlier comment, publishers, administrators, CMOs, whoever the people representing those works do need to be proactive and go out and claim them. And it is, you know, probably
the first responsibility of anybody representing a
catalogue of musical works to make sure that those
works are correctly registered and claimed at their
partners, whether those partners be CMOs or labels or
DSPs, publishers, or what have you. But that is, you
know, a second dataset.

And just as an aside, you know, equally I've
heard sort of comments that, you know, perhaps we
should have taken data from ASCAP and BMI. You know,
firstly, obviously, that's performing data, not
mechanical data, and that also rather assumes that
ASCAP and BMI would be prepared to just hand it over
to us. I don't know which -- I don't know. I've not
asked them, but, you know, that isn't a given, you
know, that that is a dataset that they are either
happy to or able to hand over. You know, there may be
other reasons. I'll try and accelerate a bit.

Dataset number three are I would say the
data on the recordings, and, again, you know, there
are potentially helpful sources of that. You know,
SoundExchange would be one such example there. There
may be others.

And then, finally, obviously, the data on
the usage that occurred on the service, and,
obviously, that encompasses the recording information
and sometimes includes some of the information on the identity of the work.

But I say all of this just to sort of illustrate that I think we need to think about each of those different sets of data in terms of what the appropriate alternative third-party data sources might be for each of those. I don't think we can sort of treat them all as one large blob of data that we can augment. We need to make sure that we augment with the appropriate data source of an appropriate level of authority and an appropriate level of quality if we are going to meaningfully contribute to and improve the quality of the data available to the MLC.

MS. SMITH: One question I had in following up is whether others agree with the four categories Mr. Thompson has laid out or see ways in which data that might be pointing in one direction but not authoritative -- for example, the performance data that ASCAP and BMI make public already, right, which might be in many cases the same but in not all the cases -- is one I would like to see addressed, whether there's use for that.

And, secondly, taking the Lennon and McCartney example, if you are the songwriter yourself and you rely upon publishers or administrators, but
you want to contribute, is there a role for them to be providing information that they may not be having or controlling the copyright ownership information, but they may be a good source of authority for the underlying ownership data?

    MS. CHAUVET:  Ms. Merideth, go ahead.

    MS. MERIDETH:  Thank you. I wanted to address the first part of what Regan said. I definitely think that what we're really looking at here is an ISWC code, a unique identifier for a composition, matching to every ISRC code out there that is that song.

    And if you're looking at -- you know, while ASCAP and BMI, you know -- Richard, this is to your point -- you're absolutely correct. The splits could be different. The metadata of the composition could be a little bit different depending on ownership rights, but there's a repository there of ISWC codes matched to ISRC codes already that already exists at Music Reports and in other sources as well that could lend a lot of support to what is unmatched that's getting turned into the MLC, because that information doesn't always get back to the DSP to provide it again at another location. And the way that I know that I have to add an ISRC code to my database is when a...
source pays me via an ISRC code. I have to update internally and then update everywhere else in the world. So I think that there is value there in that element.

MR. SLOAN: I had myself muted. Mr. Shanley, was that your hand I saw?

MR. SHANLEY: Yeah, thanks, Jason. You know, agree with what everybody's saying, and I think, you know, it's an expensive endeavor. We can't just talk about third-party data as if it's an event, right? Here's a dump of third-party data. Let's use it, right? It has to be a sophisticated integration that constantly takes place, which is going to require, you know, significant setup.

But there's a lot of examples of this taking place for us to look to for best practices, I think, around the world, not exactly analogous, but, you know, the international CCID process where, you know, folks generate claims on a monthly basis, submit them to a central source, oftentimes a DSP, where they're kind of churned through this conflicts resolution mechanism and then spit back out to everybody until we achieve this consensus.

And so that's not really third-party data, but that's a lot of parties submitting data on the
same set of activity to achieve some level of consensus. There's also some systems here in the U.S. related to public performing rights in television where, you know, there's a really transparent ecosystem of high-volume data being exchanged with ASCAP and BMI on a regular basis to ensure that, you know, the most valuable music used in television programming is being identified, is being routed appropriately.

And that's just, you know, multi-endpoint data exchange process to get right. And, of course, it requires significant setup, vetting, and authority.

MS. SMITH: I wonder if we could hear from any of the DSPs as to what they did in the pre-blanket licensing system. And, you know, one thing I'm reminded of is when we had our symposium in 2019, a different DPS, Google, talked about they use their sort of proposer system to identification and engaging with copyright owners. I don't know if that is worth exploring as a place for data that may be less authoritative because you don't have confirmation that it's coming from the current copyright owner or if there's other ways you have been able to ingest additional data helpfully. So I don't know, Mr. Winck, or Ms. Selden, or Mr. Jennings, is there
anything you could say?

MS. SELDEN: When we were on a song-by-song, we relied on our vendor to do the matching. So, really, they kept the copyright database. They did all the links. And we had high confidence in their ability, and, obviously, the MLC had high confidence because they take them to be the backend for the MLC.

But I do just want to really quickly -- I raised my hand -- for the topic that we just covered under third-party data. I do think there is value in third-party data because it could help automate some of your confidence because every, like, source of data, every link is sort of a signal. And if you have many signals -- if you have, like, five different data sources who all have the same links, then, in an automated way, you can say with high confidence that's correct. So I think that could help with some of the automating and getting high confidence matches.

MR. SLOAN: Thank you. Given our limited time, I just want to ask my colleagues if they have any additional third-party data questions. Otherwise, I think we'd like to shift to data quality and reconciliation.

(Nonverbal response.)

MR. SLOAN: Okay. I see shaking heads. So,
for our last bucket here, does anyone have any
recommendations for how the MLC can ensure that its
repertoire data is high-quality and kept up to date?
Mr. Thompson?

MR. THOMPSON: Okay. For those of you familiar with it, I'm going to do a two-minute pitch for our DQI initiative. To any sort of representatives of musical works watching, it is essential if you are not already engaging with the DQI that you do so.

I guess the 30-second description, the DQI is a diagnostic tool that lets you understand what, you know, the MLCs do with your data. And in an automatic way, you send us a file containing your data, a very, very simple file format, or if you are using a vendor to store your data, we've spoken to many vendors in the marketplace and have done integrations with a number of them. But the principle is that, you know, you send us the data that you hold on your works, we compare it to the data that we hold on your works, and we send you back some reporting highlighting where there are any differences.

Now the differences may be because the data that the MLC holds is not correct. It may be that the data that you hold is not correct. It may be actually
we might both be incorrect. But the point is, you
know, you have had it flagged to you as something that
you need to take action on, and we do our very best to
make sure that the reporting is as actionable as
possible.

So, you know, it is, I would say,
particularly targeted at people, you know, with
catalogues of reasonable volume, but we can and we do
run millions of works through it a day. It is by far
and away the best way to make sure that your data or
the data that the MLC is storing on your behalf is as
you think it should be.

If you look on the MLC's website, you will
find further information, or, alternatively, you can
email data.quality@themlc.com, and my colleagues will
be delighted to help you. Sales pitch over.

Apologies.

MR. SLOAN: Thank you. In addition to the
DQI, does anyone have any additional suggestions of
any other initiatives or tools that could be
considered to help in that process? And just to give
one example, the Unclaimed Royalties Oversight
Committee in their comments discussed the possibility
of trying to have automated API links between
publisher internal song databases and the MLC's
database to flag things.

And that was also something that SoundExchange echoed at the kickoff symposium. That, at least for the majors, to ensure up-to-date data, using APIs and DDEX messages has been helpful. Would anyone like to speak to that? Ms. Bushmaker?

MS. BUSHMAKER: Thank you. Yes, I would also encourage use of APIs just as you've mentioned, to use with the majors, et cetera. APIs can be very useful in keeping things up to date.

MR. SLOAN: Thank you. Anyone else? Mr. Bonilla?

MR. BONILLA: Yeah, I guess two things on best practices on how to deal with data quality. I don't know if it's strictly related to how to fix the quality issues that we have at hand, but something that we consider a best practice at SoundExchange is to make sure that we never change the data ourselves.

We always want to be in sync with the data that we receive from the submitter. If it's a DDEX feed, if it's something that somebody looked at through a portal, if we see an issue with that, we don't touch it ourselves. We just highlight the issue, and we ask the submitter to fix it and send us back whatever they need to resubmit to ensure that

Heritage Reporting Corporation
(202) 628-4888
we're always in sync because, otherwise, we risk propagating bad data across the industry.

So the second question about the ISRC, APIs, I think it's critical, as Jane was saying, that we automate as much as we can on all these quality checks. There's a lot of opportunities in the marketplace to quickly ping and see if an ISRC is correct. If we can ping somewhere and see if the rights are correct, the more APIs and the more automation, the better.

MR. SLOAN: Thank you. Does anyone else have anything to add?

(No response.)

MR. SLOAN: Okay. What can the MLC do to verify owner-provided data and prevent fraudulent registrations and claims or just good-faith mistakes from happening? Are there any mitigation efforts they can do to help with that? Mr. Perry?

MR. PERRY: Yes, what they can do is they can take the data that they receive from the actual registration for the claim and they can cross-check it with a verifiable source, meaning an agency that would naturally fall in line with them would be, like, your Social Security Administration, some other government department that can give you, you know, absolute
verification expeditiously. And that would kind of prevent some fraudulent activity from creating itself organically in that with, you know, a verifiable person there.

But beyond, you know, that going into the music there, you would have to then cross-check that with actual performances of the songs that have taken place on a current basis and a past basis, speaking of which, with the new passage of the MMA, you know, with Title 2, you know, which allows for, you know, the collection of pre-dated, you know, pre-1972 recordings, you know, it's how are you going to verify that? You know, it's kind of one of those things.

Where are you going to get your verifications from when it comes to that? Because most of those people are probably dead and gone at that point. So you have to look at how many department resources we can use that can substantially, you know, create a verification formally for us.

MR. SLOAN: Thank you. Mr. Bonilla?

MR. BONILLA: You know, one thing I was going to say is what we've seen in our experience is that human beings are very, very bad at detecting fraud. These frauds are getting more and more
sophisticated over time. I think we need to heavily rely on algorithms, data mining, analytics. Otherwise, we wouldn't catch anything.

MR. SLOAN: Thank you. So I think let's move on to conflicts. Generally speaking, are there any kind of accepted norms or industry standards for handling data conflict situations that anyone has recommendations for for the MLC? Mr. Thompson?

MR. THOMPSON: Yes, is the short sentence to start. So I'm sure many people will be familiar with the -- there is a forum that exists sort of between the CISAC societies and the ICMP, I think I'm right in saying, that has existed for many years generally known as the Society Publisher Forum.

That forum has done a lot of good work down the years on sort of producing best practices on producing policies and guiding principles that, yeah, can be used to sort of guide, you know, the -- because, really, I would suggest it is a CMO's role to facilitate, you know, rather than, say, referee, the resolution over claims and conflicts.

I think, you know, I definitely see a CMO's role as facilitation. I think sort of perhaps Luis perhaps spoke to that about a minute or two ago. You know, you create the tools and let the people do it
rather than try and do it for the people, if you see
what I mean. And I think that a similar concept
exists here.

But, yeah, so there is a very, very good
body of work that has been done and used, I would say,
on a near-global basis or at least between, you know,
significant CMOs and significant publishers around the
globe, and those materials are freely available and
could be made available to the Copyright Office if
that was helpful.

MR. SLOAN: So would it be a best practice
for -- or is this what happens today with others
operating in the industry, for claiming parties to,
essentially, be alerted to a conflict or an overlap so
it can be investigated or resolved? Are there any
particular best practices for how a copyright owner
should be able to come forward and correct the data?

And I'm not necessarily thinking of, like,
an actual dispute, but maybe you have two co-owners
that both provided potentially conflicting information
about the metadata of a song and not necessarily about
their splits but, other potential data. How do you
address that? Ms. Merideth?

MS. MERIDETH: I was going to say, you know,
one of the frustrating things is when we end up with a
dispute or a conflict somewhere where the platform, like the MLC would be in this position, where there is no encouragement. It's left in the hands of the publishers to get together and resolve it.

But, when a party goes silent in that discussion or when they're just not coming to agreement, there is no pushing. There is no encouragement to get to a solution. And that can cause money to keep going to various places. Well, one of the blessings is that, in some places, the money is frozen until the conflict is resolved. And that is actually a great blessing because, especially when you have bad actors who can get into the system and throw things off, it's a great blessing to have the money frozen until the actual owners can get together and resolve it. That also pushes the correct owners to get on the same page and get the conflict resolved so that the money can get paid out.

MS. CHAUVET: Alan, I saw you nodding your head. Did you want to offer any perspective on that?

(No response.)

MS. CHAUVET: Mr. Sloan, we have three minutes left in the hour. Did you want to go ahead and maybe ask one final question?

MR. SLOAN: Yeah. So, I mean, so related to
what we've been talking about, are there any particular best practices for the MLC to identify and de-duplicate kind of conflicting entries. Like, just knowing that they're there in the first place, that you had, -- that basically what you're looking at are conflicting registrations for the same song as opposed to two different songs? Are there any best practices there? Yes, Mr. Shanley?

MR. SHANLEY: You know, I just wanted to say, you know, initially that conflicts, generally speaking, are legion, right? I mean, and it's not necessarily -- well, certainly not fraud -- it has to reach consensus, right, for a work to equal 100 percent.

And, you know, at Music Reports, we build software, and we build systems. But, again, this is a challenge that needs to be solved by people, and people need to come to an agreement. And so I think, you know, from a best practices insofar as royalties are concerned, there's a lot of ways to do it.

You know, I think, you know, Rene mentioned one that incentivizes folks to really get involved and fix the problem, which is to hold the money. In other ecosystems, that's just not possible, and so the best practice is to take everybody's shares and make it
equal 100 percent pro rata until there's enough data to adjust retroactively when everybody has reached that consensus point.

But I think what has to happen is tools have to be provided to rights owners so that they can do these things. And, you know, Richard talked about a lot of those tools, but I think, at the end of the day, it has to be engaged by those people as systems aren't going to be able to solve all these conflicts.

MR. SLOAN: Great, thank you. We are out of time here, I see. So I will just wrap up by saying thank you to all of our panelists for participating and providing your views, and I think now we're going to break for lunch, and we'll resume at 1:30. Thank you, everyone.

MS. CHAUVET: 1:30 Eastern Time. Thank you so much, everyone.

(Whereupon, at 1:00 p.m., the roundtable in the above-entitled matter recessed, to reconvene at 1:30 p.m. this same day, Thursday, March 25, 2021.)
AFTERNOON SESSION

(1:30 p.m.)

MS. CHAUVET: Great. Welcome back. For those just joining, my name is Anna Chauvet. I serve as Associate General Counsel at the U.S. Copyright Office. I'll be helping to moderate our next panel regarding user experience, accessibility, and claiming. Before we begin, let me address a few housekeeping matters.

So this panel will be moderated by Copyright Office attorneys here on the call --- or I should say, the virtual panel. We will pose questions and call on panelists to respond. We'll do our best to give everyone an opportunity to respond to questions.

Panelists, you're asked to please raise your hand using either the Zoom "Raise Hand" feature or just by signaling, and we'll do our best to call on you in a timely manner, though, if you are not speaking, we ask if you could please mute your audio to minimize any extraneous noise.

Given the number of panelists and the topics that we're hoping to cover, we ask if you could please try to limit your response to around two minutes. We apologize in advance, but if you go much longer than that, we may have to cut you off or might even have to
mute you. We apologize in advance. Just due to the
time constrictions that we have, that may happen.

We hope not. It hasn't happened yet on any
of the other panels, but we appreciate your
understanding, and we also ask that you please limit
your comments to the specific question posed.

In the chat, there should be links to
educational materials if they're not already, but they
will be made available about the Music Modernization
Act and our ongoing policy study.

General attendees will not be able to type
into the chat, so if you experience any technical
difficulties, please use the Q&A feature, and someone
at the Copyright Office will respond and help.

Our last session today is an audience
participation session in which members of the public
will be able to provide oral testimony for the record.
Those who are interested in participating, you may
sign up using the link to the SurveyMonkey that's been
made available in the chat. We ask that you please
sign up no later than 3:00 p.m. Eastern today. The
audience participation panel will begin at 5:15 p.m.
Eastern Time. Copyright Office staff will call on
those who have signed up to be participants, time
permitting. Comments for the audience participation
panel should be limited to around three minutes, and any statements should be limited to topics at issue in this study. Those who do not adhere to these rules will be muted.

We’re also, for this panel, going to post -- a few people had asked about who the panelists -- what their affiliation is, so if we could please post a link to the agenda, which lists all of the panelists and their affiliations, and I will go ahead and ask them to introduce themselves in a minute.

But, before we begin, if I could please ask my Copyright Office colleagues who are going to help me moderate this panel to have them introduce themselves?

MR. RILEY: Hello, my name is John Riley. I'm an Assistant General Counsel.

MS. SCIORTINO: Good afternoon. My name's Cassie Sciortino. I'm a Barbara Ringer Fellow with the Copyright Office.

MS. CHAUVET: Thank you.

So, in this session, we are hoping to touch on a few areas: best practices to make the public musical works database accessible and easy to use; best practices for users to identify data inconsistencies in the public database and to have
their data corrected; and then best practices for the claiming portal, including discussion of claiming systems that have been used in the past and particular features from those systems that might be helpful to be incorporated into the MLC's claiming portal.

So, to begin, I will call on panelists to provide their name, their company and affiliation, and to disclose any affiliation to the Mechanical Licensing Collective or Digital Licensee Coordinator. 

I'm going to call on you in alphabetical order by last name. Mr. Bogan?

MR. BOGAN: I'm Dae Bogan, Head of Third-Party Partnerships at the MLC.

MS. CHAUVET: Mr. Buchanan?

MR. BUCHANAN: Hi, I'm Brian Buchanan, Head of Income Tracking with Concord.

MS. CHAUVET: Ms. Champarnaud?

MS. CHAMPARNAUD: Hi, Caroline Champarnaud. I'm Head of International Development at SACEM, the French CMO, representing performing rights and mechanical rights for what you would call foreign writers compared to U.S. writers.

MS. CHAUVET: And do you have MLC or DLC affiliation?

MS. CHAMPARNAUD: As a foreign CMO, we have...
a link with the MLC. We expect the MLC to collect on behalf of our writers. And we do not have any link with the DLC.

MS. CHAUVET: Thank you. Mr. Irwin?

MR. IRWIN: Hi, thank you for having me on this panel. I feel very privileged to be with these people. I am the President of the Society of Composers & Lyricists. We are the primary organization representing composers and songwriters working in film, television, video games, and theatre, most audiovisual media. And that's about it. We have no affiliation with either the MLC or the DLC.

MS. CHAUVET: Thank you. Mr. Kanner?

MR. KANNER: My name is Donny Kanner. I work as a Program and Systems Manager within our publishing team at Spotify. We are affiliated with the DLC.

MS. CHAUVET: Ms. Levin?

MS. LEVIN: My name is Sindee Levin. I'm a lawyer by profession. I ran a mechanical rights society for 16 years called AMRA, until 2017, and now I have a publishing company, and I guess I am, as a publisher, I am affiliated with MLC, or I'm a member.

MS. CHAUVET: Ms. North?

MS. NORTH: Hi, my name's Abby North. Thank
you so much for including me. My company is North Music Group. I do music rights management, both composition and sound recording side, but today I'm here in my role at SONA in advocacy and education. So, as a publisher, I am an affiliate of the MLC, but, further, I am a DQI provider as, I guess, designated by the MLC.

MS. CHAUVET: Thank you. Mr. Tayebwa?

MR. TAYEBWA: Hi, everyone. I'm David Tayebwa. I'm from Uganda specifically, Africa, and I represent Opus Music Publishing Africa from Uganda, but I'm also heading the Department of Publishing of voices and beats records, also from Uganda, and we are not affiliated to any of the organizations, MLC or DLC. Yeah.

MS. CHAUVET: Great. Thank you so much to all of you for participating as panelists today. We really appreciate your time, and I feel like this is going to be a very educational panel for us for the policy study.

So let's first talk about the public musical works database. It's currently available on the MLC's website as the MLC has stated all unmatched uses and works for which money is being held will be searchable through the MLC's public database for everyone,
regardless of whether one is a registered user of the MLC portal.

So my question to you panelists is, how can the MLC facilitate claiming of accrued royalties through the public works database? Ms. North?

MS. NORTH: So, within the public portal currently, we are able to search for our works and see which datapoints are there, right? What we currently see is quite a bit of missing data. So, to be able to identify what's missing and then create a report and then deliver it, that would be the ideal way to go from portal to claim. The problem is there's no claiming portal, so that's an obstacle.

The other problem is there isn't, within the MLC, a way to sort of in bulk make corrections to a lot of datapoints across a lot of works. So, if we can add those functionalities to the portal, then we have the combination of seeing what's missing, claiming in a claiming portal, and then correcting what's missing or adding what's missing.

MS. CHAUVE: Ms. Levin?

MS. LEVIN: I'm sorry, I probably hit that by mistake. But the one thing I'd say about this portal or other portals is they really need to be simple, very simple, and I appreciate all the
education that's gone into it, but I have legacy clients and heirs, and they barely know what ASCAP and BMI are. So there needs to be really, you know, simplified or assistance from the MLC to get through these portals.

MS. CHAUVET: Ms. Champarnaud?

MS. CHAMPARNAUD: Yeah. Thank you. I fully subscribe to what Mrs. North just said before. There is, so far, a lot of missing information as far as we are concerned at this point, and what we have in our data in the HSA database, it would've been given in a way to the MLC. And before being able to claim, we really need to have proper, what we call "documentation," copyright information fully documented in the MLC database.

And, so far, the professional IT that are offered for bulk registration is limited to 300 works, and we would like to be able to load much more data and have a bulk check, either us or our potential service provider, technical service provider, rendering that service to us.

MS. CHAUVET: I see some hands being raised. I think what might be helpful, Mr. Bogan, it would be great if perhaps you could talk just a little bit about the MLC's initiatives to help users review their
data to find data inconsistencies, and I want to talk
about finding data inconsistencies and then maybe
separately talk about how to correct data with the
MLC. But maybe we can kind of take a step back, and,
Mr. Bogan, if you could maybe just touch upon, like,
the MLC's efforts and initiatives, I think that would
be a great start.

MR. BOGAN: Sure. I actually think the
initial comments from the three co-panelists reflects
the diversity of users and members of MLC, which is
why this type of issue is such an important issue,
because what Sindee needs from a simple user
experience versus what Abby needs on behalf of her
publisher clients and writers versus what Caroline
needs as a society is totally different.

So, when you have an organization trying to
meet the needs of these three different types of
unique members, this type of conflict will arise
because you need to prioritize and roll out a product
development roadmap that makes sense for the majority
of a userbase, which may not be a society, for
example, right? It may be the long tail or in terms
of the actual number of users who provide feedback to
us on a regular basis.

So this is the type of input that any
organization or any software development company would have to deal with when figuring out how to roll out a usable platform. That being said, I'm very happy with the data quality initiative that the MLC has launched last year. It's one of the only organizations where a rightsholder can check their existing data in bulk to get a report on where the discrepancies exist so that you can then set a strategy for acting on those discrepancies, whether it's missing data or duplicate data or incomplete data.

So that's one thing that has already been underway. We've already helped a number of rightsholders check millions of works against our database and have already began the process of cleaning up that data. So cleaning up the data is obviously the first part in terms of being able to -- we'll be able to see the data as a first part to clean it up, right, and some organizations are not able to actually see it. So I think that's something we're already doing right, is providing a solution for rightsholders.

The second thing is our partnerships. So I specifically handle third-party partnerships, and I think it's really exciting that we're able to engage rights technology companies who are in the marketplace...
dealing with publishers and songwriters and getting feedback and building solutions that are specific to the type of targeted users or targeted rightsholders that they're supporting and then being able to pipe into the MLC as a third-party solution to help rightsholders to participate in the data quality initiative.

We currently have five partners in the marketplace, including Exactuals, Tune Registry, Blocker, Music Data Services, which is Abby North's company, and Best Acts, who helped us launch the data quality initiative. These five companies offer five different, unique routes into the data quality initiative in terms of economics for a rightsholder, you know, in terms of what it costs you to participate, the actual service offering, whether it's on a case-by-case basis or a catalogue basis. So it already provides us a whole other layer of service diversity that we're able to provide to marketplace that goes back to our data quality initiative.

So, in general, I think, you know, we're taking in these inputs and these feedback but also realizing that there's going to be different feature sets and different needs for different types of user. What Sindee needs representing legacy songwriters is

Heritage Reporting Corporation
(202) 628-4888
going to be totally different from an experience standpoint than what Caroline needs as a society representing millions of works.

MS. CHAUVE: Thank you. So, for the other panelists, let's just stay on identifying data inconsistencies for a moment. We'll definitely get to data correcting in a minute. But, for data inconsistencies, are there industry best practices for identifying such inconsistencies that the MLC should adopt in addition to the DQI initiative? Mr. Irwin, you had your hand raised before. Did you want to comment on that issue, please?

MR. IRWIN: Yes. I mean, are you talking mainly about disputes, or are you talking more about --

MS. CHAUVE: Not necessarily disputes. Like, so, if someone were to go to the public database, which is available now, and do a search and say, oh, you know, this is my work and I'm seeing that the data is maybe not what I had in my records, are there any industry practices for organizations that, like, now, that have online public databases, you know, for them to help users be able to identify those discrepancies so that they can then be reported to the MLC?
MR. IRWIN: My main experience is with the performing rights organizations, and in those situations, you just submit your data, submit a claim, and they investigate it. They notify the other copyright holders if there are other copyright holders. If not, I guess they just determine whether your claim is accurate or not.

I think it's probably different from society to society whether mechanical or performing around the world. I think one of the problems that I've noticed with the portal at the moment is I've checked several people I know who work in our area where, you know, we work for many different publishers over the course of the year, and their names will be registered maybe three, four different times, sometimes with initials, sometimes with middle names, but they're all the same person.

And the publishers are not entering their IPI number. They're just claiming as the publisher in a work-for-hire situation. There's no mechanism for those writers to consolidate their names or their works or any of their IPIs, and I think there should be some part of the portal that allows someone who can see that, you know, all these four or five names are really me, how do I tell -- do I have to go to every
single publisher? Why can't I just notify the MLC
with my IPI and make that claim? I think that would
clean up a lot of the data very quickly on our end.

MS. CHAUVET: Mr. Buchanan? You had your
hand raised.

MR. BUCHANAN: Yeah, I think that -- well,
first off, I think the DQI has been fantastic, that
the MLC has provided to us. However, I think that
maybe it would be more useful on a going-forward basis
if we could extract the data to be reviewed from the
portal directly by various parameters like maybe IPI,
writer name, so that we could see subsets of our
catalogue come back and review in smaller batches,
smaller doses than what the DQI has been able to offer
us, which, again, has been great. It's just a lot of
data to go through at once.

And the way that it comes to us is fixed in
time, I guess you could say, for when the DQI was ran.
But it would be great if we had the ability through
the portal to run a DQI, fix things, then go back and
run that same DQI on that subset later, a week or two
later to see what still needs to be corrected.

MS. CHAUVET: Thank you. Ms. North?

MS. NORTH: So, first of all, I agree with
what Ashley said and what Brian said and also Dae.
DQI is amazing, and the MLC is the very first society that I know of that has offered that kind of a tool where the rightsholder is able to submit a list of his or her works and related information and, in return, receive a report that shows the disparities.

But there's a couple problems. If I'm a published writer, I can't use DQI. I have no way to submit any kind of correction about me or my IPI, just as Ashley said. So I think in the same way that the MLC was the first to create this DQI, the MLC could be the very first to create a repository for published writers to submit their data. They could go through what's in the portal, identify what's either missing or wrong, and have a separate writer repository where their truth lives.

And then, as the MLC is able to get to validating and vetting, it could take that truth and migrate it into the production environment, and that would give writers a voice here that is missing, really, around the world.

MS. CHAUVET: Thank you. So, focusing more on, like, the less sophisticated users who wouldn't be using DQI but maybe going to the public database, which is currently available, we've had commenters suggest that the interface should be user-friendly,
very simple to use. Do you have any suggestions as to what user-friendly means for perhaps a less sophisticated user as opposed to someone who might be using DQI?

And this is, again, to really, you know -- as was mentioned on a panel earlier today, this is, like, for transparency, this is wonderful. People can go and view their own information and can find inconsistencies. But are there any best practices for, like, the user interface to help them do that better? Ms. Champarnaud?

MS. CHAMPARNAUD: Thank you. As a CMO, I said we need some bulk features on our facilities to ingest works, but it may well be also that we have an urgent mess to solve and that we need to upload only one work or several works of an album, for example, that is becoming very successful in the U.S., and we do not want to miss the opportunity to claim for that work.

And in our world, unfortunately, even though there is a lot of technology and there is a lot of bulk facilities, et cetera, we still have so many works to do, especially we want to check very precisely some components of the copyright.

And I must say that the MLC portal is very
simple and easy to use. The only bit that is missing, to me, for the time being, is dispute management. For the time being, we have to submit a question to check whether there is a dispute or not. We cannot clearly see the dispute, and I said earlier that all the data that we have put in HSA, there's not even half of it in the MLC portal, and we would like to check whether there are some dispute. And sometimes, for big hits, a simple manual check would be much easier than, you know, trying to send files. So the dispute management feature is missing for me.

MS. CHAUVET: So just a follow-up question. So would a best practice then be to have some type of alert system, you know, to indicate to the MLC that data for this particular work is -- you know, maybe there's not a dispute in terms of, you know, percentage of claim ownership but just, you know, information about that musical work might be correct. But would that be a best practice to allow users to alert the MLC so that the MLC can investigate further?

MR. KANNER: Thanks. Yeah, so I just want to pick up on a few of the points and I think what Abby was mentioning about, you know, giving songwriters -- something we've learned at Spotify, and
I'm mostly speaking today, some from claiming portals we've worked in conjunction with in the past but also other artists and creator-facing tools that we've invested in, I think you want to meet the end users, obviously, in the interfaces that they understand and to help them solve the problems that they're trying to solve.

I mean, I think everyone will agree, like, user experience needs to focus on who are the different user constituents. And for that songwriter group, you know, there's just a lot of confusion in this incredibly complex system about where does the data come from and, you know -- do I have to contact my publisher? Do I have to contact the label?

So I'll just provide one example, is, you know, our songwriter credits feature is just not -- it's a feed into, essentially, these public records because those same datapoints are passed along in our monthly reporting. But those names that are being passed along come from the record labels. And so songwriters need to understand, if they have a question, where in the system is this information coming from so they know who to reach out to or to even provide that information in general.

So I think, you know, one thing at least
with the public search I would say would make sense is being able to, when you pull up a work or the related recording records, be able to easily share what you're seeing to someone else when you have a question and see what the source of the information is.

MS. CHAUVET: Thank you. Mr. Irwin?

MR. IRWIN: Yeah, I want to go back to what Sindee touched on a little earlier about people who really don't understand the codes, IPIS, ISWC, and I think, in an unclaimed area, I know it would require some work on the part of the MLC, but, you know, just in the way you go shopping for shoes online, you have lots of fields and lots of ways to filter things, and I think if you could, in an unclaimed “sort-by” fields for people who don't understand the codes, maybe something like "language," maybe something like "country of origin," maybe something like "number of writers." You know, obviously, if you're working in a genre, even a “genre” could be a filter maybe, or, you know, a genre like hip-hop where you might have half a dozen or more writers, you don't need to search something that's “classical.” Or maybe “country” only has a couple of writers, you know?

So, if there were fields that you could filter down to find what you're looking for, I think
that would be helpful to people who are not familiar
with all the codes and things, you know.

MS. CHAUVET: Thank you. Mr. Buchanan?

MR. BUCHANAN: Yeah, kind of following up on
what Ashley said, I think the idea of an advanced
search feature in the public search is good, but I've
noticed that when you click through an initial search
that advanced search goes away and it's no longer
there. But I think being able to filter, to toggle,
to sort the initial search results would be very
helpful, especially if you're looking at a particular
writer that has, you know, 500 works, and you want to
be able to go through and find a certain one very
quickly or a subset of those very quickly. I think
being able to toggle, sort, filter would be extremely
beneficial.

MS. CHAUVET: Ms. Levin?

MS. LEVIN: I think Ashley came out with a
good point, which is it was some type of drop-down or
filter that would say, you know, titles that came out
of Harry Fox. Oftentimes Harry Fox's data was not
accurate. And then also, again, going back to legacy
artists or heir, they know what HFO was. They think
that they registered there. You know, they don't want
to do it again because it's not all rational
oftentimes. So I think maybe if there was a way to, like, filter what was with Harry Fox.

And the other thing -- it goes against everything in terms of technology -- if there was a way to print this out. Now, obviously, for Caroline with, you know, a million copyrights, it doesn't make any sense. But, you know, again, I have people who maybe have, you know, 57 copyrights. So, to print that out, and they're used to working with paper and just have that as an option, even if it's just a list, you know, of things. That's all.

MS. CHAUVET: Ms. North?

MS. NORTH: So most writers I know have multiple IPI name numbers, and each IPI name number has a unique, let's say, spelling or permutation. It would be outstanding to be able to see all four, let's say, of my IPI name numbers in one search of the portal. So I'd like to be able to, like, check, let's say, multiple versions of me and see that entire display.

The other thing is, you know, as a, let's say, published writer, let's say I've gone from one deal to another, I absolutely want to see the link between writer and publisher, which isn't clearly there in my understanding, so that I could confirm,
let's say, that my share was being attributed to my publisher.

MS. CHAUVET: Ms. Levin, did you have a follow-up comment?

MS. LEVIN: No, I just think that Abby came up with a good point because many, if not most, songwriters do have more than one IPI, and it becomes, you know, confusing which one's the right one. So I was just really agreeing with her.

MS. CHAUVET: Thank you. Ms. Champarnaud or Mr. Tayebwa, for foreign works, are there any search capabilities that need to consider any unique features searching for foreign works? Accents or, I'm not sure, umlauts or anything?

MS. CHAMPARNAUD: I noticed that some have some accents, some don't. But it also depends, you know, on any fluttering that may have happened in between because sometimes, when we report our work on an international level, we skip the accent so that, you know, there is a UPCA to international norm that we use so that everyone can or every work can fit into any given database.

Search facilities, you already have a large number of criteria if you want to manually search. Being able to extract, and I agree with what Mr.
Buchanan just said, extract the whole catalogue or a subset of catalogue or for the specific one of our members or several at the same time, export them into a machinery to multiple match would be of great help.

MS. CHAUVET: So, speaking of access, under the office's regulations, the MLC must make bulk access available through APIs starting December 31, 2021. So are there any particular things that the MLC should consider in developing APIs related to bulk access of the public database? Ms. Levin, do you have your hand raised? Okay. Will you please lower the -- there's like -- if you click the Zoom hand raise, it'll shut off. There we go.

Or perhaps another way, should the MLC solicit feedback from industry participants in developing the APIs and, if so, how should it do that? Ms. North?

MS. NORTH: So, yes, absolutely. The people who are using the MLC data dump should be consulted. I think one of the questions is what is the front end that the user would be using to access the data via the API. I think the other question is should the MLC be responsible for creating a front end for that purpose. I think also, you know, we have to look at what's in the data dump right now. There's quite a
bit of missing data. So I'm wondering if, within the
API in the same way that -- like, if there could be a
choreography where, in the same way that, as a user,
we access that data dump, maybe we could also deliver
in some process with that API.

MS. CHAUVET: Mr. Tayebwa, have you been
wanting -- I'm sorry if I missed your hand-waving.
Did you want to offer a perspective?

MR. TAYEBWA: Oh, yes.

(Technical interference.)

MS. CHAUVET: Mr. Tayebwa, I'm actually
having a little difficulty hearing you. You're
cutting in and out. Sorry, I'm not able to hear you,
Mr. Tayebwa. Maybe let's go ahead and we'll -- okay,
now we can hear you.

MR. TAYEBWA: I found it. I know this on
the MLC portal, examples would be with data that we
are actually having some missing links with the
filters. Yeah, for example, with territories, which
territories are these writers from? For us here in
Africa, we're actually missing putting some of our
data actually, some of our own content, our own
metadata is missing, and it should actually be able to
be looked up and not be found.

Another thing, I did get full access to the
portal maybe to log in and everything, but from the
search that I've made, I think we also need to trace
back where -- who actually -- who uploaded this music?
Who uploaded this content? We actually need to trace
them back and maybe know, if we have a mistake, how
can we correct it with that person? Yes, those are my
comments so far.

MS. CHAUVET: Thank you. Ms. North?

MS. NORTH: I'm sorry, I didn't actually
mean to have my hand up. But I'm really liking this
whole territory kind of filter. Territory and
language filter, I think, is fantastic. I also
actually did want to kind of address what Caroline
said and your question regarding things like accents
or characters from foreign languages.

You know, in CWR, Common Works Registration,
the standard for works registration, we are restricted
in the characters that we can deliver with that
format. But if the data's coming -- like, for
example, if the artist's name has some kind of
non-ASCII compliant character, like an underscore, I
can't deliver that underscore in a valid manner within
a CWR file. But, if I'm delivering DDEX feed to
Spotify, I can include that underscore.

So we need to sort of, with logic,
anticipate how the source character will be modified
to accommodate ASCII, and then that might be a filter,
like, within that search and claiming work.

MS. CHAUVET: Ms. Champarnaud?

MS. CHAMPARNAUD: I just wanted to add that
we are all for API exchanges of data. We have
implemented this for sets of machine agreement
information that we get on a regular basis at SACEM
for France or some other countries. We are about to
implement the same co-work registration, and we do
believe that it's helped a lot to smooth the process.

You can choose the frequency, the volume, et
cetera. You can have the basic information on a
quicker basis. So anything that has to do with API or
API exchanges of data would be very valuable to the
whole data exchange, especially if we have, of course,
large volumes of data to exchange. Thank you.

MS. CHAUVET: So one thing that is seen in
the industry is, with SoundExchange, it currently
publicizes lists of artists and rightsholders for who
it is holding royalties and makes those lists publicly
available for searching. Would that be a best
practice that the MLC should do, would be to try to
publicize lists for rightsholders for which it is
holding royalties? Ms. North?
MS. NORTH: Sorry -- but I do want to say SoundExchange, yes, has done such a good job over time identifying the rightsholders and getting them to claim. So how do they do that? Some of it is lists. Lists can be great. The problem sometimes is we need to make sure that those lists actually reach the people who are on there.

But a list is great. But I think also, if there can be actual outreach somehow to those people on the list, and I remember, you know, John Simson would go around with his laptop. He'd be like, is this you? I mean, it's COVID. It's tough to go around with our laptops, but to the extent that that could be done, it's extremely useful to be taking these lists and publicizing them everywhere, because the MLC has done a wonderful job of so many -- there have been so many webinars and they've been so informative, but they're only reaching people who know about the MLC.

So, if you don't know about the MLC, you won't know about those lists. So the lists are fantastic, but let's get them out. And it could be that a PRO should be publicizing the lists because publishers have a lot of members. It could be that, you know, David in Uganda, he probably has a lot of
suggestions about who within his territory or other
African territories sort of are the resource to reach
the writers. That's what we need. Yes, a list, but
it's got to get propagated.

MS. CHAUVET: Yes, the next panel's going to
focus on education and outreach exactly to that point
of, like, how to get that type of information to the
people who need it. Mr. Irwin, I see your hand has
been raised?

MR. IRWIN: Yes, just speaking of my own
organization, but I think it would be fair to say of
most creator organizations, if there was an API or
some form of portal that could be assigned to our
website so that if these lists are updated on a
monthly basis or whatever, members of these
organizations would know, be notified and could go and
search the new lists in an easy way.

There are hundreds of composer and
songwriter organizations around the world who I'm sure
would love to have access to that, and that would be a
way to get the information to people in a very, very
expeditious way if there was something like that. A
lot of these sites are created on a very fundamental
WordPress basis. If there's a simple API that could
interface, I don't know anyone who wouldn't want to
put it on their site for their members to search.

MS. CHAUVET: Thank you. Ms. Levin?

MS. LEVIN: Just to add on to what Abby had said, when SoundExchange was first set up, they had a lot of testimonials from big artists who had found out they had money for that. And I think it drew a lot of attention probably because they were big artists. I think -- let's see if there's a nice way to say it -- I think the current portal where you look for things is not comprehensive anymore on SoundExchange.

But I agree with others in terms of having a portal where people can search and maybe see various trade organizations, like Ashley is saying or probably Sam was just talking about, a song guild. There's countless things, but, yes, to have it on sites so people could be looking for it and even maybe for some of the foreign societies for people, you know, who feel that they have songs here that are, you know, being used. So it's just, yeah, a lot more exposure, and that is what initially SoundExchange, you know, did.

MR. RILEY: Could I ask you briefly to follow up on what you referenced with SoundExchange? You said that there was an issue with their portal, and maybe we can take a lesson learned from that?
MS. LEVIN: I find the portal is not as comprehensive as it was 10 years ago if that's, in fact, when John left. But, yeah, it's really not comprehensive.

MS. CHAUVET: Thank you. Ms. Champarnaud?

MS. CHAMPARNAUD: Yeah, I just wanted to share an example with you. All the foreign societies inside of CISAC, the International Confederation of Authors and Composers, we do share on a periodical basis what we call unidentified performances lists, and we do use our CIS-Net network of databases where we all store our copyright information.

We push that unidentified performances to this network so that all societies can search for their own work that are in performance, for example, in France or in Germany or wherever in the world, depending upon the CMO, and it's very useful, and something similar or the MLC joining the club of CISAC so that all these unclaimed are known at least by the PRO and CMO community would be very helpful. And I know that the MLC is already talking to CISAC about some working groups, which is great.

MS. CHAUVET: Thank you. Mr. Kanner and then Mr. Bogan?

MR. KANNER: Yeah, so, just to speak to the
API question, I think, you know, that there's a huge advantage in terms of the speed to information. So, even with the bulk information that's available today, there's still a cadence. A lot of the processes in this industry are in bulk, but when it comes to some of the applications that either Spotify or other DSPs might be interested in using that data, we can make it available in other services so that it's visible with an API and they can be real-time.

I think that's one of the advantages, is just enabling anybody who's investing in tooling for the industry to have the ability to take the MLC as being this authoritative database and make it visible in as many places and attribute it back to the MLC will speed up that process of data improvement as more actors see what's coming.

MS. CHAUVET: Mr. Bogan?

MR. BOGAN: Actually, to go off of what Donny was just saying, I think that, you know, again, we've made a lot of examples of different types of features, implementations that the MLC could consider offering, but I think, in addition to providing a set of features and functionality at the MLC, what's incredibly important is also making sure we have the types of partnerships and operability within the music
industry that enables innovation.

Not only looking at how we can build out something in the limited roadmap and scope of resources, but also how we can partner with innovative startups and emerging technology companies that are already doing the type of outreach that could expedite people's engagement with our data. APIs make that possible.

I'm a full supporter of APIs and also working with an array of technology companies at all levels, not just the kind of known and tried-and-true service providers but also the emerging and new tech founders who have innovative ways of using data in their own environments to support their market segment of rightsholder customers.

That means that we have to do a great job of providing standardized solutions, which means all the customization based on one set of members' needs may not be as much of a priority as the ability to provide a standardized solution that can be used across the industry in multiple ways.

We see that already with the DQI being one example, but with the rollout of new APIs, whether it's to register works or to check data or to check the unmatched or to submit updates, any API, in my
belief, is going to need to be quickly and easily accessible by not only existing members who may have their own proprietary systems, like CMOs and large independent publishers, but also the technology companies that are servicing thousands of rightsholders who may be members and who are looking to those software companies to provide solutions for them in their interaction and engagement with the MLC.

So we're doing those two things simultaneously. Those are two different strategies that I think we are doing where we're looking at simultaneously not only building our own proprietary systems, but how do we partner with the various proprietary system providers out there so that there is this multi-touchpoint with the MLC's data.

So I think this input has been, you know, great not only thinking about, you know, what we can offer in our own portal but also how we can work with services like Music Data Service and like, you know, Best Acts and Blocker and everyone else out there. You know, there's dozens of rights tech software companies that have much faster ways of implementing on unique sets of features that we can't necessarily implement within the same timeline.

MS. CHAUVE: Thank you. Mr. Kanner?
MR. KANNER: Yeah, if I could just quickly respond, jumping off what Dae is saying, I would say, from a DSP perspective, you know, obviously, all MLC members want publishers and CMOs and everybody to have complete access to that, and I think that's what the APIs and the bulk database is providing for.

I think, from the perspective of third-party services, I think one thing to just note is being cautious around creating a situation where data is sort of moved back into the category of valuable as data, right? I think one of the things that has caused such a challenge in the industry for so long, we've talked about, you know, missing works information, and part of the problem is this perception that my information is valuable in and of itself and that it should be kept behind closed doors.

So I think whatever we do, it needs to incentivize people to move towards transparency, and if someone is going to build a third-party service off of this information, it should not be incentivizing that adverse effect, and they should be, you know, paying accordingly if they are just using it for a business purpose that's not running a publishing company or trying to collect their works, on their work.
MS. CHAUVET: Thank you. So, in the interest of time, I'm going to shift to, after having identified data inconsistencies, how to get corrected data to the MLC. In response to the notice of inquiry for this study, one commenter noted that when payees need to update their repertoire information with a collective, payees should be able to provide updates in the format that serves them best.

The MLC has stated that it will remain open and engaged as to emerging formats that may assist copyright owners in registering works in the future. So my question to the panelists is, what are the best methods for allowing rightsowners to update and correct their data with the MLC, and do multiple methods need to be available given the variety of sophistication of users? Ms. North?

MS. NORTH: So, absolutely, to Dae's point, Caroline has a much different requirement than I do and completely different from Sindee. So Caroline needs a way machine-to-machine communication. I might need that, but I also need to be able to deliver CWR files in a revised -- so a rev file. That rev would indicate, hey, there's a revision here.

There's discussion within the CISAC, the CWR working group, about actually sort of changing things
within CWR that clearly indicate the publisher's relinquishing -- and this is something Harry Fox is, you know, involved, knows about -- so we as publishers could be delivering within the CWR file updates, changes, and the society will know for sure that we are indicating these changes or updates.

But then you have Sindee's user or you have your average writer who they don't like data and they don't like spreadsheets. They might take five minutes out of a writing session and look at the portal and see, wait a minute, my IPI's missing there, I need to be able to enter that right now into the portal and be done, never think about it again.

Dae and I would say we've still got to think about it, maybe six months you've got to look again, but, right now, they want to fix it, like, right now. They don't want to deal with a spreadsheet, a CWR file, machine-to-machine, just right there in the portal. So multiple, actually, that's probably four different ways because many publishers still don't have CWR, so they need a way in a spreadsheet format because pretty much everyone has Excel, and if they don't, they have, let's say, Google Sheets, right? So some format has to fit these three types we've just seen here in this panel.
MS. CHAUVET: So, for more sophisticated users, is there general agreement that CWR is the preferred format for getting corrected information to the MLC for more -- I'm seeing you nod your head, Ms. North. Yes?

MS. NORTH: You're asking me? Okay. Because I saw that Caroline -- so, for me, absolutely, without a doubt. But, when I'm delivering my CWR files, I'm really delivering them to Harry Fox Agency, and my relationships are with Harry Fox. So, if I deliver my CWR file and I know right now that there is something in the CWR file that might not be completely clear, via email, I will email, follow up, with Harry Fox and say, oh, by the way, I don't represent that. I'm not the administrator of that publisher any longer.

But, when it comes down to that data which may be clearly conveyed in a CWR file, yes, CWR currently is the standard, and it, in my opinion, is the best and most efficient way for publishers like me to deliver data.

MS. CHAUVET: Ms. Champarnaud, did you have a perspective?

MS. CHAMPARNAUD: Yeah, for CMOs as well. From one CMO to another, CWR is good. API is even
better, and manual feeding may also be necessary again
if there is an urgency or something that can be fixed
very quickly.

MS. CHAUVET: Mr. Buchanan?

MR. BUCHANAN: Yeah, on high-priority works,
I've found things that need to be fixed urgently,
quickly, I've found that amending the works through
the MLC has worked great since it's been available.
I'm really happy with how that's set up.

One suggestion that I would like to just
throw out there is it's great in fixing the works,
but, as far as requesting adjustments or back period
payments, it kind of falls short in that sense. You
know that the work's fixed going forward, but you
don't have the opportunity to put in a back period
claim.

MS. CHAUVET: Would a best practice be a way
to, like, within, I guess, the portal or the public
database to be able to alert the MLC that a back
payment would be necessary?

MR. BUCHANAN: Right. Yeah, maybe to create
an inquiry with a certain inquiry number, which is how
other societies -- XUS would do that -- so that it can
then be tracked within the portal would be good. As I
understand it now, requests for adjustment should be
Heritage Reporting Corporation
(202) 628-4888

emailed to the MLC and then you end up in this chasing
emails situation, whereas, if it was available in the
portal, it would be a lot easier to manage.

MS. CHAUVET: Mr. Irwin?

MR. IRWIN: The work-for-hire people find
themselves sometimes in a very unique situation which
the MLC doesn't really account for because, if the
creators are not allowed to enter their own
information in some form or at least provide their
information to be added and they're referred back to
their publisher, in a lot of cases, the production
companies, while, in name only, they are the
publisher, they're being administered by larger
organizations, and in those situations, those larger
organizations won't necessarily talk to the creators.

They'll refer you back to the original
production company, who really doesn't care about it.
So you end up getting in this ping pong situation
where you can't get your information corrected. So I
really do believe that there must be a repository for
creators to enter their information that flags it in
some way that it is then addressed by whoever else is
claiming those royalties. And maybe it goes into
suspense, I don't know, but the creators really do
need to have a bigger voice as they're not allowed to
be members when they're published by someone else, a full member. So I think that needs to be addressed in some way.

MS. CHAUVET: So one commenter -- just a follow-up question to that, Mr. Irwin -- so one commenter suggested that it could be co-owners or a songwriter could in some way tag a co-songwriter or someone affiliated with the ownership of the work to be able to alert them to be able to go in and claim or in some way alerting the MLC that there might be a way or at least alert them to who might be able to have more information about the work. Is that a best practice, do you think?

MR. IRWIN: Yes, I think so. I think, you know, this is the issue, as someone mentioned earlier, I forget who it was, but a lot of these catalogues, particularly in the film and television world, are rolled into other catalogues and then renamed. The actual titles of the cues can often be renamed. The titles and, certainly, the publisher changes, you know -- there's no real chain of title for the creator to follow. So, if there is someone designated with that responsibility -- look, the creators, as someone else said earlier, the creators, they're the ones who really know who wrote what, and what the percentages
were and what the splits were.

And, certainly, in our area, you know, there are generally not more than one, maybe two, people writing on, you know, film and television cues and video games. And songs, you know, I think in the pop world obviously, you can get up to eight, nine writers, as I said before, in certain hip-hop and dance music.

But, you know, I really do think there needs to be a voice or a way for the people who are affiliated but not necessarily in control of those copyrights to identify, you know, misinformation and have it flagged, yes.

MS. CHAUVET: Thank you. So, just in the interest of time, I'm also going to ask Ms. Champarnaud if there are any considerations that need to be considered for foreign works in correcting data that would be unique that the MLC should consider?

MS. CHAMPARNAUD: One thing is that we do not control 100 percent of the works that have been assigned to SACEM for the U.S., right? There are works that are published. It's not meant, actually, from an obligation, at least in Europe, to have a publisher to take care of your mechanical rights.

So some works may not be published, and
those ones we represent are in the U.S. because we've been assigned those rights by the members. Some are published but not self-published in the U.S. So we do represent those rights. And some works are self-published in the U.S., and either the self-publisher has 100 percent or 50 percent or whatever percentage.

So this may lead to a situation where we do not see the copyright in the same way. They are 50 percent represented by SACEM, but the local self-publisher may think they have 100 percent, so it will lead to some disputes. So we need to be in a position to interact, and it comes back to my previous remark about dispute management or counterclaim or overclaim or whatever. So this functionality is really key to us and, again, in bulk and manually.

MS. CHAUVET: Thank you. Ms. North and then Ms. Levin, though, if we could please try to keep comments concise as I realize we only have a half-an-hour left.

MS. NORTH: I'm going to be super quick -- well, pretty quick. I think we have to look at an actual use case here to talk about what functionality needs to be there. So here's my case, "Unchained Melody." I go into the public portal. I --
(Technical interference.)

MS. NORTH: First issue, you need to correct the name. There's a problem for the MLC because they have to turn that into a dispute, right? So they have to go to another party to confirm that it's mine, and there's back pay and adjustments. So it's mine. I don't know how long that data's been in Harry Fox, but it's now the MLC's problem. I want my back pay and adjustment. I want the ability to a) make that request and b) receive an answer and, in fact, understand how I will see that, because the responses we're receiving right now are Harry Fox is no longer the vendor, go to the MLC or go to Spotify. This has the data in the MLC's portal.

These are common problems. There's a lot of data that has these aggregators as publishers. It's a big problem. It has to be corrected. The MLC has an opportunity to facilitate within its portal.

MS. CHAUVET: Thank you. Ms. Levin?

MS. LEVIN: I'll be quick. In reading some of the previous reports and panels or speakers, one of the things that I noticed was someone suggested that if you register, you know, say, with ASCAP or BMI or CISAC that, in turn, it will register for everybody, which is an interesting, you know, concept. I
register for the MLC and then that confirms against, you know, the PROs. I just think it's something to look into. I don't know -- I don't really know how all the technology works.

And the second thing you mentioned about or someone talked about having co-writers, you know, identify things. Maybe it's the lawyer in me, but talk about opening a hornet's nest. I mean, it all sounds good and that everybody is, you know, happy with each other, but you're going to find people who, for whatever reason, feel that they got, you know, screwed out of something, and they're going to, like, change the, you know, splits to them. So I think it's a big mistake and will create a lot of problems.

That's all.

MS. SCIORTINO: Thank you, Ms. Levin. So, in regard to support from the MLC, one commenter suggested the MLC offer hotlines for telephone calls and "office hours" so that musical work copyright owners can schedule specific times to work with MLC representatives to work through database issues. Would this be a best practice? Why or why not? And, also, is there anything else the MLC could do to support database users?

MS. CHAUVET: Mr. Bogan?
MR. BOGAN: Thank you for your comments. I would like to say we do have a pretty robust support team in place offering support 12 hours a day, Monday through Friday, and eight hours on Saturday. They're also accessible via chat and email and phone call and have supported many rightsholders so far, especially with sort of hand-holding, if you will, through work registrations or updating data. So it is a pretty robust support system.

I will say personally from my own background building and managing rights tech software working with the "long tail," I don't think it's a best practice for any society to provide an office hours on a one-on-one basis with the entire membership because you simply won't have enough support team members to do something like that.

I do think that providing an accessible support team as far as hours and the number of days per week and different routes or different channels of communication, I think chat support and email is a throw-away of providing support. I think some of the panelists have already engaged with our support team and could probably speak to their own experiences with that support.

We're already rating over 90 percent on a
100 percent scale in terms of satisfaction with MLC support, but, obviously, there's always improvements to be made, and as we scale as an organization and bring on more support personnel, we'll be able to support more rightsholders at a time.

But I kind of wanted to also go back to the notion that there should be multiple touchpoints in regards to the data. I didn't want to drive back too far, but I did want to speak back to David -- I'm sorry, Donny's point in regards to not necessarily allowing every third party to provide data. That comes with having standards in place and making sure that we vet.

We have the Data Quality Initiative with, right now, five partners that have launched in the marketplace, but we actually have a pipeline of over 50 partners who have been in the vetting process for months which I oversee with our technology team. So vetting the partners in order to be able to deploy these partnerships is a part of the process.

You know, Abby, you went through that vetting process, so you know going back and forth with different people to make sure that it's the right partners for any engagement that we have is a part of the process. So that will continue to be a part of
the process of making sure that we have industry-wide partnerships but not at the cost of quality or authority. There's certainly a vetting process in place.

MS. CHAUVET: Thank you. So the public database, as we've said, is available to anyone. There's no registration requirement. I'm talking about it separately from the portal because that is how it will be two different access points, is my understanding of how the MLC has initially set it up.

So, shifting to talk about the portal, as noted on the MLC's website, all music publishers, administrators, self-administered songwriters, composers, lyricists, and foreign CMOs will need to become members of the MLC in order to access their data via the portal and receive payments from the MLC.

So, about the registration process specifically, are there any best practices that could make registration more user-friendly? Ms. North?

MS. NORTH: Sorry, this comes back to the CISAC theme. What's happening is, if I am a self-administered songwriter and I do not have a publishing entity with a PRO, I have no publisher IPI. The best practice would be for a publisher to have a publisher IPI, but we have obstacles, okay.
So the practice currently is the writer is told -- and, by the way, I got different answers from the MLC than I did from HFA, but the HFA is the one who's actually doing the process, so I believe them. And what I heard was we want the writer to deliver his or her name, publishing designee, Abby North, publishing designee.

They do not want any IPI. So, even though the writer will have a writer IPI almost certainly, that is not to be entered because that confuses things. Even though, in Europe, a writer may collect publishing via that, it complicates things. So, currently, what happens is I'm Abby North, publishing designee, and then Harry Fox assigns a P-number, a publisher ID.

That publisher ID solely exists or is solely recognized within the HFA/MLC universe. So, all of a sudden, MLC is its own silo that is completely outside of CISAC and BIEM. The best practice would be for MLC to become a CISAC/BIEM player, for there to be publisher IPIs assigned to every party that's a copyright owner/publisher, and then that entity can exist in the world of rights collections.

MS. CHAUVE: Thank you. Ms. Levin?

MS. LEVIN: Sorry, I didn't really mean to
raise my hand that way. Sorry.

MS. CHAUVET: Okay. No, that's quite all right. Does anyone else have a comment on how to make registering for the portal more user-friendly?

(No response.)

MS. CHAUVET: Well, perhaps it might be helpful, Mr. Bogan, since the Office's understanding is that the claiming portal is not currently available, so I think it would be really helpful if maybe you could talk about how the claiming portal will work and who will be able to have access to it.

MR. BOGAN: Well, the claiming portal, as you know, is under development, and we're taking input and the feedback from conversations like this to be able to map out those feature sets. But, ultimately, the claiming portal will be accessible to members of MLC just as registering works is accessible to members of the U.S. MLC.

We must have authority in regards to the relationships of the data. So we can't simply just be open access for anyone who believes they have some kind of entitlement to a claim. That creates the problem that Sindee kind of referenced before, you know, the legal problem of someone being upset or simply not understanding their association to a
particular work.

I personally don't sit on the side of
building out the claiming portal, so I can't speak to
what's currently being built, but I will say that my
role in terms of third-party partnerships will be to
ensure that where we have opportunities, such as APIs,
that we have the right partners in the industry who
provide claiming.

I previously built a claiming platform that
engaged with HFA and MRI and other societies. I think
something like that will be helpful. Again, I kind of
go back to the idea that it's important for us to have
the right partnerships in place in addition to the
right proprietary feature sets because we have so many
constituent groups that have to be supported.

What's going to happen, as Sindee has
referred, from her perspective, she wants a
simplified portal to be able to do the things that she
needs to get done. From the perspective of a CMO, you
need a robust portal that enables you to set up
machine-to-machine functionality. And, again, we have
to be able to support all of that.

So, from my perspective, when I'm advising
my colleagues who are in the leadership of the MLC, as
we're taking feedback and direction from advisory
committees, is that we need to make sure we do this through partnerships as well, and there are many partnerships out there in the industry that are helping rightsholders with identifying disputes or overclaims and then to begin that process of claiming.

Again, whether it's a company like Blocker, for example, who's been working with CMOs to provide access to claiming or overclaims or other -- again, there's other rights tech -- I don't want to keep mentioning the same partners we already have -- but there's a lot of services out there.

And I just don't see any one society being the complete one-stop-shop for even their own relationship management between any given member. It has to be a comprehensive 21st Century strategy for being a rights organization, and that includes engaging in the type of rights technology that's being developed but also respecting the standards that are already propagated around the world, whether it's CRW, the various versions of DDEX that have been under development.

There's other, you know, roundtables or consortiums of APIs and interoperability that have been in discussion over the last several years. We look to explore all of that and to take what our
requirements are from the statute in terms of
providing access and data from a public standpoint,
sort of a minimum viable product in regards to our
legal responsibility, regulatory responsibility, but
also looking at innovation across the industry and
making sure that we can bridge the gaps between those
two things in a way that, you know, is supportive to
our membership.

So I can't speak specifically to the
claiming portal because it doesn't exist, but the
members will have access to it. There will be a
process to engage in claiming and engage in
resolutions. But, in addition to that, you know, my
internal kind of efficacy is to ensure that we have
partnerships in place to allow that same experience
through different types of user interfaces so that
Sindee's clients can use it just as well as Caroline's
members.

MS. CHAUVET: Thank you. So, for the other
panelists besides third-party partnerships, are there
specific features or functionality that you think
would be user-friendly or make it easier for
rightsowners to claim works? Yes, Ms. North?

MS. NORTH: I'm a big fan of Spotify
publisher analytics. Love their portal. Super easy
to use. They make suggestions related to recordings they believe, with a certain amount of accurate -- or belief that they're mine, and then they give me the opportunity to audition, meaning listen to the sound recording, and then confirm or deny that they're mine, and then, further, they send me, if I ask them, the ISRC that I just claimed as being a match to my ISWC. I love that. It's super easy to use. It's definitely a model.

There are other claiming portals. CMA has a good one. SoundExchange has a good one. They all have various functionalities. I agree 100 percent with Dae, though, that we do need to look, you know, past the curve. We need to look at how to be innovative with these claiming portals. You know, I'm not a lawyer, but I'm pretty sure the statute says that the MLC shall maintain a claiming portal, and until there is a claiming portal, that's a tremendous obstacle to making claims.

I think there needs to be a hard date imposed by the Copyright Office by which there must be some claiming portal. It doesn't have to be the final claiming portal. It doesn't have to be crazy innovative. It has to do a job that's the beginning of the job. That's my two cents.
MS. CHAUVET: Thank you. Mr. Kanner?

MR. KANNER: Sure. Thanks, Abby.

Appreciate your support of the Spotify publishing analytics tool. Yeah, I think the experience you just described, just to touch on it a little bit, I was listening to some of the earlier panels on matching and, you know, this big debate between, you know, when you're dealing with interface design, how do you strike the balance between the different users, the bulk users who have to do large-scale operations. How do you make things available to maybe other users within the same organization who have less technical sophistication? And it comes down to, like, what are those interaction models that they're used to but also, you know, are fit-for-purpose.

So I think, you know, to Abby, what she raised about the suggestions, right, Spotify is not doing the matching for U.S. mechanicals. It's the MLC's job, and it's why, you know, this collective was formed so that we had one place to use all the best practices available.

But I think what we can learn from that interaction is definitely trying to marry manual, you know, best practices and manual claiming with the algorithmic opportunities. So, to the extent that...
there's lower confidence in a match or in works information because maybe the metadata is suspect for whatever reason, maybe you have many sound recordings with different artists on the same work, and it's not very popular, why is that going on? You know, being able to suggest to rightsholders things. You are truly the experts all in your own catalogues, and the songwriters are experts, and they need to play that role in understanding, and it's to give them tools that are going to allow for that.

So prioritized lists of content for others to vet when they really know the material, and using best practices, whether it's machine learning or just basic algorithms for confidence matching. So I'll add that in there.

MS. CHAUVET: Thank you. My colleague, Mr. Riley, is going to ask some questions, but before we do that, Mr. Bogan, does the MLC have a target date for making the claiming portal available?

MR. BOGAN: To my knowledge, I don't have information at this moment, but I'll look at some information.

MS. CHAUVET: Okay, thank you. Mr. Riley, go ahead.

MR. RILEY: So we may be running out of time
here, so, please, if folks could make their answers as quick as possible, it would be appreciated. We wanted to talk a little bit about the prior music dispute settlement and claiming systems. I believe we asked about this in our NOI.

I'd like to ask, as we're talking about Spotify, Mr. Kanner, if you have any understanding about the Spotify claiming settlement portals, especially the Ferrick settlement portal, which was referred to as the "gold standard." I was wondering if you could talk us through kind of the best practices associated with that to your knowledge? If not, if anyone else would like to jump in on that topic?

MR. KANNER: Sure, John. Yeah, I think not kind of getting into too many specifics about the portal itself but just sort of general learnings from those types of portals, I think I can speak to the fact that prioritization is obviously really useful. I think that's one point we've all talked about.

There's so much data and so many sound recordings that are available for claiming, and that just isn't something that is benefitting from a large-scale investment from everybody if it's not going to be worth their time to get money out of it.
So that's obviously a critical component. I think another lesson learned is, you know, just being mindful of bad UX that could potentially lead to more problems in managing the claims and accuracy of those claims. So, you know, you want to avoid bad user experience patterns like to put a title into the system and claim, you know, a thousand works, right, and have that be validated.

Now, obviously, that's not the MLC's process, and I think we've understood that. But just as an extreme example, because you have lower sophistication in some cases, a bad user experience and a bad interaction design could result in just noise that makes the entire process more expensive. So it needs to sort of have checks and use the best technologies available to try to see.

And then, ultimately, once those claims come in, right, it's about the effective practices around conflict resolution and, you know, recommendations around making who are the other claiming parties visible so that folks can understand who they're claiming against, and even if they're claiming against themselves, which is a particularly challenging thing in some of these circumstances because they don't realize that they've submitted something on behalf of
the -- they're the writer, or they're submitting one share and then their publisher submitted as well. And now you've created noise and extra costs to everybody to fix a self-conflict. So, just making that as easy as possible with the presentation of who are the writers that the publishers are claiming on behalf of, to the extent that that's possible, so that the writers know that they already have their claims in the system or not.

MS. CHAUVET: Thank you. Mr. Buchanan, I saw you nodding your head, and you've had your hand raised for a little while. Would you like to offer a perspective?

MR. BUCHANAN: Sure. It's interesting to hear that the Ferrick settlement is considered the "gold standard" because I felt that way as I worked through that settlement claiming. It lends itself more to bulk claiming. It allowed to extract the data from the portal a lot better than the prior NMPA settlements portals did for both Spotify and Rhapsody in years prior.

And I think that was a step in the right direction. It allowed us to work more efficiently through the data and then to submit claims with all the information needed to where the conflicts as they
came back were a lot less. It was just a lot easier.
I do think that would be a good blueprint going forward.

When it comes to the MLC unmatched data, I did want to make one suggestion. If there was a way that works that were unmatched entirely could be kept separate from a claiming portal whereas shares are just missing, because that's also been an issue. If we could just see a list of the works where it's just not matched to a composition at all, that would be very helpful to see that separate from unmatched shares.

MS. CHAUVET: So would that be in, like, the public database, maybe, like, a drop-down option to be able to view those works in isolation? Is that maybe a best practice you're suggesting?

MR. BUCHANAN: I think so. Or a separate list altogether, unmatched shares versus unmatched works.

MS. CHAUVET: So I guess that's one question I had too, because the way that the MLC has set things up, the public database is a different access point than what the portal will be. And then, now, Mr. Buchanan, you're kind of saying, like, this should also be a separate list. So my question is, more
generally, is there an industry practice about
different datapoints? And maybe that would make it
easier or harder for users to be able to access
information? Ms. Champarnaud?

MS. CHAMPARNAUD: Yes, I think features that
allow you to sort out data per value, per -- again, I
agree with what Mr. Buchanan said. Are these truly
unidentified and therefore unmatched or partially
unmatched or partially claimed? Or sometimes also we
have some overclaimed that may happen. Everyone is
claiming 100 percent of the work, so the unrepresented
is too much.

And what would be super useful before the
claiming portal to be available to the MLC members
would be maybe to have a file that we could match
catalogues of our own copyrights. We may save time
and money for everyone in the chain rather than
waiting for the portal to be up and running and
getting used to playing with it if a file could be
shared among the rightsowners, that would be, yeah,
super useful. And there is an internal format for
that. Sorry.

MS. CHAUVET: Mr. Bogan?

MR. BOGAN: Okay. I want to follow up with
some dates, which is obviously very important here.
So there's two types of unmatched in terms of claiming, right? There's the historical unmatched data that we're familiar with, and then there's the new blanket unmatched that will begin -- obviously, that has begun as of January this year.

So there's two different types of unmatched that members will have to sort through and claim. We will begin in June making that available to members, and that will be the blanket unmatched, that process, from the end of January period will be available in June.

But then we're looking at the historical unmatched becoming available around September. Now what's going to affect that is obviously the remand of the formal three rates to determine what the actual amounts would be, but we're looking at June as a target for the blanket unmatched, which would be from the January 2021 period, and then around September for the historical unmatched.

MS. CHAUVET: Thank you. And, Mr. Bogan, one follow-up question I had. We're talking about the data, what Ms. Champarnaud was saying about wanting to be able to kind of get the data from the portal. So the Office's understanding is that the data in the public database and the data in the portal will be the
same. Like, whatever is viewable in the public
database will be the same that's in the portal. Is
that a correct understanding?

MR. BOGAN: In regards to the works or
simply the unmatched? When we're talking data, which
dataset are we talking about?

MS. CHAUVET: Well, the public database
requires information about both unmatched and matched
works. That's, like, a statutory requirement. So,
for whatever is publicly available in the public view,
that same data is what is in the claiming portal, is
that right?

MR. BOGAN: Generally speaking, yes, but I
do understand that there are comments and inquiries in
regards to what is visible on the public side versus
what is visible in the portal. So I do not have
specifically a list of what may or may not be visible.
I know that that's an ongoing conversation, especially
as we take input from rightsholders themselves in
regards to what of their works information will be
available.

So I know that there are a number of
rightsholders who are members of the MLC who have made
comments in regards to the visibility of their own
data in the public search. So that input, I believe,
the Office has been taking into account and I believe we've been taking into account as well.

MS. CHAUVET: Thank you. We have about five minutes remaining, so I wanted to ask about ways claiming could be made easier while also recognizing that the MLC has to balance that with making sure fraudulent claims are not made. Are there any best practices that can be suggested by any of the panelists today? Ms. North?

MS. NORTH: Sorry. We have to be able to audition the audio. We must be able to hear the audio with -- when we hear the audio, if we know the works, it's so quick for us -- three seconds, four seconds, we know it's ours.

The second thing, I was thinking, like, you know, in terms of making a claim, like, so I think, in an earlier panel, Rene brought up that PROs have data, and the obstacle is that it might be different rightsholders. But, if we know at ASCAP, for example, that a certain publisher is the publisher, and then somebody who's, you know, Joe Smith Publishing goes in and claims that work and it's very clearly not the same publisher as we see in most of the other datasets, that should raise a flag. So I think there needs to be rules about flagging where it's probably
not the right one.

And I think also, coming back to the infringing registrations that we're seeing from the aggregators, I think we've got to look at the most popular songs, the most covered songs, the American songbook songs whose writers are not collecting their royalties. If we see that it's Stevie Wonder's "Ribbon in The Sky" or Lennon and McCartney "Yesterday," and we see somebody who's not Lennon and not McCartney or we see somebody who's not EMI or Sony, that should be instant red flag. We know who the kind of known parties are for the really, really big-earning and important works.

MS. CHAUVET: Thank you. Mr. Irwin?

MR. IRWIN: Yes, I just want to agree with Abby that the audio is key to all this. So much can be expedited if the audio is there for identification and for claiming, and it's very easy for anyone who has that audio just to use it as evidence. If they have access to that audio and they hear a portion of it, they can provide the entire audio file very quickly to someone to validate the claim. So I think, until we get there, we're really only correcting typos and registration numbers and so on. We're not really expediting the identification and claiming process.
MS. CHAUVET: Thank you. Mr. Kanner?

MR. KANNER: Yeah, just to touch on those points really briefly, I think, to speak from Spotify's perspective, ultimately, you know, we're working with the MLC and the other DLC members to figure out what the best way to make audio available to members is. It's definitely recognized as a valuable datapoint, you know, from access to claims and, you know, for the time being, right, users can go onto Spotify for our sound recordings in particular and access them there using an advertising-supported account.

But, in the long run, I think some of the reducing the workload for someone sitting there and listening to music is really about -- you asked a question about fraud. I don't think it's necessarily bad actors, especially not coming through a claiming portal in most cases.

I think it's just the inefficiency that's inherent to large-scale data moving across the industry. And so using best practices around flagging, like Abby mentioned, you know, if it's a very popular song and you have someone who owns two copyrights putting a claim on it, like, there's heuristics and metrics that you can begin to develop.
that will show that something is suspect and likely
due to human error as a result, or some system error,
and beginning to surface those up to the people who
own them so that they can effectively resolve it, I
think, is important.

MS. CHAUVET: Thank you. I see we are one
minute left. Ms. Levin, you had your hand raised?

MS. LEVIN: Just quickly, two things. In
terms of listening to the audio, I mean, it might be
an option. I don't know how realistic it is for most
people. Again, I have legacy clients. I may know two
or three of their songs. I don't know 498, and even
if I did, the amount of time to listen to that is just
unwieldy.

And the second thing, talking about -- you
know, I agree with Donny. It's not that people are
usually, you know, doing it intentionally. You know,
shit happens. Many years ago, I was looking at what
Caroline talked about. I always heard them as "up
files," and one of the countries I got one were all
these Beatles songs, and I was wondering how did they
miss that stuff, and I saw it was Lennon/McCartney,
and Lennon was spelled L-E-N-I. This was a former
Soviet state and, you know, it was, like, oh, I guess
that's what somebody there felt Lennon -- how it was
spelled.

So I think sometimes it's just culturally, you know, inadvertent. I don't also ascribe to the fact that people are sitting at home claiming, you know, big songs.

MS. CHAUVET: All right. Thank you. I see we are at 3:00. Thank you very much to all of the panelists for participating. Ms. Sciortino, do you have one last announcement before we take a short break?

MS. SCIORTINO: Yes, thank you, Ms. Chauvet. Just as a reminder, the last session today is an audience participation session in which members of the public can provide oral testimony for the record. Those who are interested in participating can use the SurveyMonkey link which is in the chat, and no later than 3 p.m. Eastern Time.

At 5:15 p.m. Eastern Time, Copyright Office staff will call on those who signed up, time permitting. And approximately keep your comments to three minutes, and make sure to keep your topics limited to the topics of this study. Those who do not adhere to the rules will be muted. Thank you.

MS. CHAUVET: All right. So thank you all very much. We're going to take a short break, and
then we'll have our next panel that resumes at 3:15.

Thank you.

(Whereupon, a brief recess was taken.)

MR. RILEY: Good afternoon, everyone. My name is John Riley. I'm an Assistant General Counsel with the United States Copyright Office. I'd like to welcome everyone to our next panel, which will address best practices for educating copyright owners, especially self-administered songwriters, and we're going to educate them about the MLC's existence and the procedures to identify themselves and provide correct information.

For the Copyright Office, I will be joined by my colleague. I'd like her to introduce herself now.

MS. SCIORTINO: Thank you, Mr. Riley. My name is Cassie Sciortino. I am the Barbara Ringer Fellow at the Copyright Office.

MR. RILEY: This panel will be moderated by myself and Ms. Sciortino. We will pose questions and call on panelists to respond. A reminder, we will do our best to give everyone the opportunity to respond to questions, but you may use the "Raise Hand" function on Zoom to indicate that you would like to do so. Please try to limit your responses to two minutes
or so, so that all panelists have the chance to chime in. And if you're not speaking, please mute your audio to minimize any noise, which helps both the audience and the court reporter.

Broadly, we plan on addressing best practices associated with the MLC's education and outreach efforts as they relate to the various messages, mediums, and messengers that the MLC might employ in its efforts. We may also touch on some structural questions with respect to how the MLC can evaluate and improve on its outreach efforts.

Although we're not making opening statements, I'm going to ask the panelists to please introduce themselves and your affiliation, including if you are affiliated with the MLC, and we'll go in alphabetical order. So, Mr. Berg, would you please introduce yourself?

MR. BERG: Hi, I'm Seth Berg. I run South Bay Music Group, which is a rights management organization that manages the rights for Frank Sinatra, Nat King Cole, Dean Martin, Peggy Lee, and licensing for Bing Crosby Enterprises. Some of my clients in that pile are writers, Peggy Lee the most prolific. Nat King Cole was certainly in there too. And we are affiliated with the MLC to try to match our
smaller publishing catalogue with Nat King Cole and
some of our biggest stuff with Peggy Lee. It's very
important.

MR. RILEY: Thank you. Ms. Bloss-Baum?

MS. BLOSS-BAUM: Hi, my name is Linda
Bloss-Baum, and I work for SoundExchange. We are
based in Washington, D.C. For over 20 years, we have
been collecting and distributing the royalties that
are collected from the § 114 and 112 parts of the
Copyright Act. So, basically, we collect and
distribute royalties from non-interactive radio-like
products, such as Sirius XM and Pandora and
iHeartRadio, and we distribute them to artists and
copyrights owners across the board on the sound
recording side.

MR. RILEY: Thank you. Mr. Coles?

MR. COLES: Good afternoon, everyone. My
name is Kevin Coles. I'm the CEO of 1020 Music, which
is an artist management firm, independent, here in
Atlanta, Georgia. I have no affiliation with the MLC,
but I do support their practices. And I'm just here
to educate.

MR. RILEY: We appreciate you being here.

MR. COLES: Thank you.

MR. RILEY: Ms. Corton?
MS. CORTON: Hi, I'm Monica Corton from Go
to Eleven Entertainment. We're a new equity-funded
music publishing company, and I've been in publishing
for over 30 years. We will be affiliated with the MLC
once we fully launch, but happy to be here.

MR. RILEY: Thank you. Mr. Donnelly?

MR. DONNELLY: Hi, I'm Bob Donnelly. I've
been a music lawyer for over 45 years. I also helped
to start a music publishing admin company called
Modern Works, and I'm thrilled to be here.

MR. RILEY: We are thrilled to have you.

Ms. Elton?

MS. ELTON: Hi, my name is Serona Elton.
I'm the Head of Educational Partnerships for the MLC,
and what that primarily entails is working with
academic institutions and music business programs,
songwriting programs, and composition programs.

MR. RILEY: Mr. Galdston?

MR. GALDSTON: Good afternoon, everybody,
and thanks for the invitation. Happy to be here. I'm
an independent songwriter and record producer, and
like most music creators nowadays, I wear many other
hats, which include being the Director of Songwriting
at New York University. My company, Kazzoom Music, is
affiliated with the MLC.
MR. RILEY: And, Mr. Galdston, you're here representing Music Answers, is that correct?

MR. GALDSTON: I most definitely am. Thank you.

MR. RILEY: Thank you. Mr. Schwartz?

MR. SCHWARTZ: Eddie Schwartz. I'm a songwriter, have been for a long time. I'm here representing the International Council of Music Creators. I'm the first President of that organization elected outside of Europe. We're based in Paris, France. And I have no affiliation with the MLC, but I am delighted to be here today. Thank you.

MR. RILEY: Thank you. Last but not least, Ms. Jai Yoko.

MS. YOKO: Good afternoon, everybody. Pleasure to meet you all. My name is Jai Yoko. I am the CEO of Jai Yoko Entertainment. We are a music consultation and artist development company. We are independent. We are self-taught and educated consultants. I don't have affiliation with the MLC yet, but I hope to build a rapport with the MLC. That way, we can continue to advocate for independent artists who learn the business aspect for themselves.

MR. RILEY: Thank you all for joining us today. To start off, Ms. Elton, would you tell us a
little bit about the MLC's approach to education and outreach and some of the challenges the MLC has experienced in these efforts to this point?

MS. ELTON: Sure, happy to. So I think, as you can imagine, we've, of course, been impacted by COVID, as everybody has, and so, certainly, you can imagine there's a number of in-person sort of activities we would have otherwise engaged in that we look forward to doing in the future.

So, up to this point, our focus has been very much on virtual events and digital ways of getting the word out, and so I'll give you an overview of some of the things that that has involved.

We've been very active with webinars, and we put some of these on on our own, and many of them have been done in conjunction with other organizations. So, in 2020, we put on 100 of these, and so far in 2021, we've done 36 of these, and we've partnered with over 41 different organizations when it's come to producing these, including songwriter organizations, music publisher organizations, entertainment lawyers, and music managers just to name some.

We've been very active in social media. We have over 10,000 followers to date across the platforms, and we're beginning to ramp up social media
campaigns that involve languages other than English, beginning with Spanish.

We've also certainly handled lots of one-on-one calls between our leadership team and different influencers in the industry, as well as fielding calls from people who just want to know who we are, what we're doing, and if they need to sign up with us. Our Customer Experience Team is there to help anybody that has a question whether they are a member or not.

We've also leaned into education, an area that I'm involved in in terms of academic institutions. So we have an educator toolkit that has been downloaded by more than 80 professors, and, certainly, in their classrooms, they are connecting with the future music industry professionals and many songwriters and composers who certainly, at this stage of their careers, are often self-administered.

We have just begun getting into advertising. Early days on that, but a lot more to come with respect to that. Some examples of recent advertising would be in Music Row Magazine and Music Connection. And, of course, our website has lots of materials on there, frequently asked questions, and links to recorded webinars and informational videos as well.
And so those are all the activities we've been doing. I think, certainly, the challenges that we have are trying to reach people who just aren't connected with all the music industry activities happening, those who may not even have ever heard of a PRO or ever heard of a publisher.

So, certainly, we're eager to hear the input of our fellow panelists and others who might join your public comment section later today about ways that we can reach groups of individuals who, up to this point, are just not connected to all of the things that many of us who have been doing this a long time are really familiar with.

MR. RILEY: We are also eager to get into it, so let's do it. So I mentioned two statutory tasks that the MLC has to do in terms of education and outreach: notify the public about the existence of the MLC and the importance of how to claim your works.

Let me ask broadly the panel, what information, in total, should be included in the MLC's educational content? And if you want to address the different messages the MLC should be giving us -- yes, thank you. Just please raise your hand. Mr. Galdston?

MR. GALDSTON: Well, I think, first of all,
it's very important to acknowledge that the people that, if I may call you Serona, mentioned, who, if we drew a Venn diagram of the intersection of the writers the MLC is trying to reach and their engagement in other parts of the institution of music business, I think we'd have a very, very narrow triangle there.

And so we have to acknowledge that education at a fundamental level of the kind she referred to is really essential. Thanks for mentioning Music Answers, John. Music Answers is a campaign of 4,000 music creators and fans. We're actually one of the largest in the country. And we recently performed a survey, which maybe we'll get into later, but, certainly, we found in that survey and we have found in all of our outreach -- and we're very much a grassroots organization -- that the vast majority of, I'll call them "younger," but it's probably more important to call them inexperienced or less experienced music creators just don't know about these fundamentals.

And, John, you referred to -- if I may, just one point of clarification -- you referred to the two statutory responsibilities. I think there's a third one, although maybe you'd put it under one of the two you mentioned, which is subparagraph 7, invest in
relevant resources and arrange for services of outside
vendors and others to support the activities of the
MLC. So I think that comes into play right away in
all of our thinking. But, to be precise to your
question, I think it's a fundamental level of
education about how music rights work.

MR. RILEY: Oh, I'm muted. Ms. Corton?

MS. CORTON: I think we're not doing a very
good job, especially with DIY writers, of explaining
to them how urgent and important it is for them to
sign up with the MLC, and I think we need a lot more
direct country messaging like you will not get paid
your royalties unless you join the MLC.

I'm not really seeing that kind of alarm,
and I don't mean to say alarm like shocking, but,
like, how are we going to shake them, because my
experience with creators is they hate doing
administration, they know it's necessary, but it's
sort of like this thing they don't want to think
about. And if we make it more connected to the money
directly, I think they might react better.

I also think that we need to be employing
every organization that's involved with the MLC.
Like, the DiMA companies need to help us promote to
the songwriters that are on their platforms, and some
MR. RILEY: I think we're going to talk about that when we talk about the messengers at the end, but I appreciate that.

MS. CORTON: And also, the songwriting organizations. Like, if you go to the home pages of SONA and NSAI and Songwriters' Guild, there's nothing on the home page saying "Make sure you join the MLC" or "Be aware that you have to join the MLC or you won't get paid" or something to that effect. That's the place where we have a chance to maybe get people that don't know as much about publishing or how important it is.

MR. RILEY: So I think I'm hearing so far that there are at least a couple messages that would be considered a best practice. One is the intensity of not getting paid, and the second that Mr. Galdston mentioned, which is a little bit of basics about kind of the music world, copyright law as it applies to musicians.

Ms. Jai Yoko, can you respond to what we've been talking about so far?

MS. YOKO: Yes, sir. I think I just wanted to add onto the fact that I think that if we emphasize how much that artists are entitled to royalties
because a lot of artists, they confuse the fact that they think that they need to be with a label, they need to be signed to a publishing company.

I think, if we stressed the fact that as a creator, you know, overall, if you own the copyright, you are entitled to this, it will make them understand more that regardless of who I'm with or who I'm affiliated with, even if I'm DIY, I can still get these.

So, if we stress to these creators that, regardless of what level or what caliber you are when it comes to your artistry, you're entitled to these because, if we get into them and, you know, try to scare them and say, hey, if you don't sign up, you don't get your money, they don't even know that they are entitled to the money. They don't even know that, you know, they're allowed to get it.

So it is going back to down to, like Mr. Phil said, the straight fundamentals of making them understand, like, you as an artist, even though this is a hobby, you are part of a business. This is a music business, and when you're in this business, these are the royalties that you get for being involved in this business.

Once we kind of make them understand that
they can get money on different avenues, I think then
you know, wanting to
register and figure out how the money is made. But,
right now, they still don't even understand that, as
creators, they are entitled to getting these
royalties. They're always thinking I need to sign
with somebody or, if I don't have my own publishing
deal, then I can't collect publishing. These artists
don't understand that you can create your own
publishing companies.

So it definitely goes back to the
fundamental aspects of how do we even get them to
understand that even if you are DIY, you still have
these money that are allocated for you.

MR. RILEY: Thank you. Mr. Schwartz?

MR. SCHWARTZ: Thanks, John. I think where
this is going, and from my perspective, one of the key
points is the enormity of the job. This is a massive
job, and it's not just a domestic issue. It's an
international issue because much of the unmatched
royalties, the works that are unidentified, that could
be to creators in many different countries around the
world.

We certainly know the importance of Latin
music. Think about the importance of Korean music in
the last few years globally. So it's not just a huge
domestic issue, it's a huge international one, and
it's going to take significant resources.

I think that's the key point I want to make,
is as much -- and I really do very much appreciate
what Serona said and the efforts of the MLC -- but
this is going to take all hands on deck. I think
we're going to have to, you know, look to resources,
financial resources, expertise, and communication, I
mean, everything we can think of.

We're going to have to sort of throw
everything and the kitchen sink included at this in
order to actually make a significant dent and properly
identify those individuals, those rightsholders and
composer/songwriters around the world, not just the
United States, as I said, who are deserving of the
unidentified funds.

So I think we have an enormous job ahead of
us, and I think one of the things we have to start
working on and thinking about is how specifically are
we going to marshal those resources and who we're
going to, you know, call on to help, the societies,
not just regular organizations. Why aren't, you know,
music publisher organizations also involved both for
large and small publishing concerns?
I mean, I think literally everyone who has an interest in generating good will in the music industry, in fulfilling what they profess to want all the time, which is to work on behalf of creators, I think we're going to have to marshal all of those different people and resources in order to get the word out to as many people as possible.

MR. RILEY: So, Mr. Schwartz, can I ask how in the MLC's messaging... Would you consider it to be the same messaging, or do you think it needs to tweak its messaging for foreign musical work copyright owners or international collection societies?

MR. SCHWARTZ: Yeah, I don't know that I'm an actual expert in communication, although I do write songs for a living, so I guess I've communicated a little bit along the way. But, you know, like I said, I very much appreciate the MLC and the efforts they are making, and, of course, I've spoken to them a number of times and will continue to do so to spread the word as best as CIAM can and the other organizations I'm involved in.

But I think we really need to bring experts in, John, people who really specialize in this kind of work and know how to reach people. I think, to some extent, the people who have been involved in the
conversation are the people kind of like me and Phil and others on this call who, you know, kind of have some knowledge of what's going on. But I think we're a very, very small, as I think Phil also mentioned, a very small percentage of the overall folks that could benefit from a really comprehensive communication plan.

MR. RILEY: Ms. Bloss-Baum?

MS. BLOSS-BAUM: It's obviously, even from this conversation, so difficult to separate the message from the messenger, as is often the case. As soon as your question about the message came up, we all started talking about ways to get that message out there, and that's just a natural inclination.

But stepping back to the basics of the message, and I think some folks have said this already, it's that the stakeholders really need to understand that they are entitled to be paid. And while SoundExchange, in our experience, has been on the sound recording side, which isn't necessarily lined up one to one with what the MLC challenges are, it's safe to say that, you know, 20 years ago we were faced with a similar challenge. We were statutorily mandated to go out and inform all of these rightsholders that they were entitled to these
royalties, which is a pretty tall order. And what makes it even increasingly difficult for the MLC is you can't see the writers. At least on the sound recording side, you can identify the artist that is standing at the microphone and singing songs, so we have a little bit of an advantage there.

But that being said, the message is actually pretty simple. You're entitled to these royalties. Your work has value. And that, you know, is something that most people want to hear and can pretty easily understand, particularly now, as some other revenue streams have dried up in the music industry. If you can't tour, then these streaming revenue streams become even more important than ever.

So, you know, sometimes when I would go to large rooms of stakeholders and get their attention, I'd say, do you like money? If you like money, listen to what we have to say. You know, it is very complicated and, absolutely, comprehensive communication strategies are going to be necessary, but for the message itself, it's pretty simple. This is what you're entitled to. There are different rights out there. So there's definitely an education to explain to people.

And that happens at SoundExchange all the
time. We'll get all kinds of people calling in and saying, you know, but I wrote this song, I'm part of ASCAP, but if you sing the song, you're also entitled to SoundExchange royalties. And even the folks that are most directly impacted by that don't always understand it. Music professionals sometimes are busy making music, which is what they're good at doing, but they're not the best businesspeople. So we really need to help inform them of the business message, which is pretty simple when you think about it.

MR. RILEY: I'm going to move on to Mr. Donnelly and Mr. Berg in a second, but as long as I have you, you had mentioned some things that had worked for SoundExchange. Have there been any lessons learned of least-effective methods? I open that up to everyone in terms of other organizations as well.

MS. BLOSS-BAUM: Well, yes, and I think this came up on an earlier panel this morning. I mean, sometimes, you know, people have gotten very sophisticated when it comes to electronic email, and we've all gotten those scams that show up in our inbox. So there is a little bit of a laser focus. You can't look like a scam. You can't look too good to be true. So I would say kind of, you know, blast emails to lots of people that may end up in spam
folders or at least be ignored probably are not that effective.

It's the personalized, trusted outreach that really goes the furthest way. So, in that answer to your question, John, I actually think that goes more to the messenger than the message. Like I said, the message is simple. It's who's delivering it. One thing that's been super successful for us is, for example, at SXSW, when it used to be in person, we would hang up banners around Austin with names of bands on them and say, "If your name is on this banner, SoundExchange has money for you." And so friends and trusted peers would see those names on the banners and call their buddies and say, dude, I think we got money for you at SoundExchange. That is trusted.

So, again, that does get a little bit more to the messenger than the message, but the more specific the message, the better. And to the extent you can, you know, mention a track or a title or something, you know, that really will show the recipient that you're paying attention to their royalties, that is a message that really will be listened to.

MR. RILEY: Thank you. Mr. Donnelly?
MR. DONELLEY: Hi. I think Phil and Serano spoke to the education of the new songwriters very well, and I think that, you know, that's something they'll hopefully be able to accomplish. And I think Linda spoke very well to the existing songwriter base.

As the oldest person on the panel, I'd like to speak to the group that you're going to have the hardest time, and that is the older songwriters, the ones who are not even, you know, using social media, not using a computer, the ones whose songs have passed to the estates with seven kids, none of whom are talking to one another.

And the surest sign, you know, of how difficult this is is the number of songs, I mean, really good, income-producing songs that are not going claimed by copyright termination 56 years later. And so, clearly, if the estates are not paying attention to those rights, they're not paying attention to MLC as a source of income. So I think this is going to be one of the most difficult areas for outreach.

MS. SCIORTINO: Mr. Riley, you're muted.

MR. RILEY: Oh, I'm the one muted. Forgive me. Mr. Berg?

MR. BERG: Yeah, I just wanted to stress that, you know, this is a real long game that you're
going to be playing because, as Bob said, you've got the older artists. You know, I'm still learning. I've been doing this 25 years. I still find out things that I should have done for my clients in certain countries.

I just recently registered Nat King Cole on the site and didn't realize that he had unclaimed royalties there. And it was relatively easy, and I think you've got to make it easy. I agree with the other panelists that you also have to make sure you don't put hurdles up, number one, and stress that there's money there.

It is very difficult, for example, in some of the performing rights societies around the world to collect money if you're not an artist from that particular country. I think you have to make this stuff easy.

I love the idea about the banners and, you know, hanging up signs that say we owe you money. I've certainly gotten most of my information from lawyers. I think that's got to be a huge area, to educate the attorneys in this business about what's out there. And, you know, there's a ton of attorneys with expertise all over the place, but, certainly, the best attorneys are the ones that find you money.
They're my favorites.

MR. RILEY: So let me ask you this question because I think that that this is something we will get into a little bit later as well, but in terms of messaging, I think, you know, what I'd like to ask is I would assume that there would be different messages that would go to attorneys versus DIY songwriters.

In terms of the DIY songwriters, we had heard that maybe some of the basics of music law might be helpful. What about other things do you think the DIYs need to know about unique identifiers and how they're used, broad understanding of the MMA, not just the blanket license terminology being used or the fact that maybe some money isn't flowing through the MMA because it's flowing through private agreements. What of the messages that are in addition to kind of the existence of the claiming portal and the MLC would go to those DIY folks?

MR. BERG: Are you asking me that question? I'll let someone else answer that.

MR. RILEY: All right. I think Ms. Elton had her hand up first.

MS. ELTON: Thank you. So I just wanted to add one or two things and invite the other panelists to please share some thoughts on this as you proceed.
through your questions.

Certainly, one of our challenges with our messaging is that, unlike with a PRO where every single writer should affiliate with a PRO, or with SoundExchange where every single artist should sign up with SoundExchange, it is not the case that every single songwriter will become a member of the MLC. Some will if they administer their works. Others will not if they don't administer their works, and it is certainly a challenge in explaining if you are or are not self-administered. There's a number of services out there that songwriters look to nowadays to consider signing up with them and having them administer their works, and it's not always clear to songwriters that now they are administered. That's what they just did when they signed up with that company.

And so, certainly, I think we definitely have a challenge in not confusing songwriters but helping them understand the different ways they can engage with us, which ones should become members and which ones should not become members, but it's definitely in their best interest to take a look at songs they've written in our database and then engage with the parties who do administer their works to make
sure the data is correct.

So I just wanted to add that particular nuanced challenge that we have and certainly invite input on that. One or two other things, and I want to answer your last question you just posed -- sorry, John, I had my hand up before you threw that out.

Certainly, reaching international groups, we have been working with over 150 international organizations, and I think partnering with organizations in the other countries is really going to be critical both for language issues and for understanding the best way to reach the people that we need to reach in their country. It's very difficult for any one organization in the world to know how that works best in every country around the world. So working with companies and organizations based in other countries is really going to be key, I think.

And then lastly, just to get to your question you asked about identifiers, for example, and things like that and other aspects to the MMA, you know, recently we started also trying to provide more information about identifiers in some of our webinars and on our website.

It is certainly also a challenge that we would love input on in terms of making sure that we
are educating people about what they need to know to engage with us and get paid but also not sort of overstepping our bounds and trying to become the one organization that's educating everybody about every single aspect of the music business, because we may not be the right authoritative voice to talk about some particular topic in the industry.

For example, you know, the ramification of Title 3 of the MMA and the impact. You know, we get questions here and there in webinars about other aspects of the MMA, and so we definitely try to be helpful in our answer, but we also want to make sure that we're not sort of trying to fill an outsized role in some of the educational aspects of other parts of the industry. So we're so glad for the input that other panelists here can have on those points.

MR. RILEY: Thank you. Ms. Corton?

MS. CORTON: There's a whole bunch of stuff. I had to write it down. So, for the lawyer group situation, has the MLC -- and this is to Serona -- has the MLC reached out to, like, the copyright society and the state ABA entertainment sports sections? Yes.

So, honestly, I think the problem is people that don't have lawyers and don't have representation. I'm having that as we source songwriters that we're
finding that are really talented on streaming services and they have significant streams, and I say, you know, are you registered at a PRO, all these things, and they're not, and they're very engaged in the music industry, but they have no understanding of publishing whatsoever.

And that piece, for me at least, I have written a music primer on what is music publishing, and I provide that with every person that we talk to. I don't know if the MLC could also have some kind of a primer that really just gets to the basics.

And also, they can't really fill out their ISWC unless they do become a member of a PRO. So is ASCAP, BMI, SESAC, and GMR working with you? Because this is a way for them to get new business if they sign these writers to a PRO. It's in their vested interest to be doing that, and you can't get an ISWC unless you are a member of a PRO.

And that linkage, I'm not really -- I haven't seen that happening. And I have watched some of the webinars, and, you know, I think at least the beginning ones for the DIY writers were talking so much about what you're not instead of what you are, and I know you're doing that in the name of being thorough, but I think it just confuses them.
I think we have to get to the message of, like, what is the MLC, how do you sign up, and when are you going to get your money because, if we don't, you just lose them. If you can't engage them in, like, 10 minutes, it's over.

MR. RILEY: Thank you. Mr. Galdston?

MR. GALDSTON: So I hate to sound like a broken record. You all remember records, don't you? I hate to sound like a broken record here, but, look, I think we've identified already some really important elements. I think Serona has explained some of the MLC's efforts and some of the challenges. I think they're significant. I think Bob pointed to what I know is a very important area, the estate side of this stuff.

But, for the purposes I believe we're discussing today, Linda really nailed it for me. The point is, if you could have a banner running on streaming services or a kairon at the bottom that always said, "We have money for you. We have money for you. Songwriters, we have money for you."

And then you get people to come to the MLC. Sure, I understand the fear of overeducating or not overstepping your bounds or et cetera, et cetera. But, if the worse that happened is that people who
didn't belong registering with the MLC learned the basics we were talking about before, this would be very much like when somebody goes to look at Social Security, and you go to the website, and there's several key questions, and you know, well, I don't have to do this for five years, 10 years, et cetera, et cetera, and you go away. But, if you do need to enter this portal in one form or another, you do.

So I really think it's there, and the worst that happens is you provide not only a public service but a service that may help those writers later, because the writer who is affiliated today with a major publisher and doesn't need the MLC is tomorrow's MLC member.

MR. RILEY: So I think, Mr. Coles, were you trying to raise your hand before? Did you have something to add? I think you'll have to unmute first.

MR. COLES: Okay. Can you hear me?

MR. RILEY: I can.

MR. COLES: Yeah, I was trying to raise my hand. But just to back up what Mr. Galdston had to say, I find it very difficult that I have less and less time to explain publishing to new songwriters or artists. They just don't want to hear it. They don't
know about it. And even though you're getting them money, essentially, and sometimes I'll come right out and tell them this is what this is for, they're just not interested.

And even for me, I stay abreast of these types of things like the MLC, I almost stumbled across this information. I knew that this was happening. But for someone who's not engaged or know anything about publishing, I think it'd be very difficult. I guess I know the full marketing push hasn't been there yet social media-wise. It's just the visibility and clarity, maybe bullets, just keep it simple to explain the importance to the newer generation.

MR. RILEY: I think Ms. Bloss-Baum made a comment earlier that, as we go through this panel, and forgive me because I am well-aware that time is very short, but in your comments as folks reply, I'd like to add an additional question in: what are the best ways that the MLC can actually build trust with its songwriter constituents in respect through its messaging? First, I want to call on -- there we go -- Ms. Jai Yoko.

MS. YOKO: I'm glad you said this because this is actually what I was going to add too. But I think the biggest way to build trust in an industry
where people don't understand it is to teach them it. Though we were speaking earlier about, you know, for instance, not sending out, you know, blasts from the MLC saying "Sign up", but instead, what if you sent out an email, you know, bi-weekly that was just even, for example, hey, do you know what metadata is? This is what metadata is. This is why it's important. This is why you should know. If you want to know how you can make money off what we're trying to teach you, come to this website.

If we continue to educate people, and, again, I don't want to be like Mr. Galdston and sound like a broken record, but that's what it all goes back to, is the education aspect. So, in order to build trust with somebody, anybody who you want to have good business with, it's like, what value are you bringing to them? So, if we continue to bring small tidbits of education -- not so much give them too much because we all know the younger creators are 120 characters or, you know, 60 to 30 seconds type thing. So, if you give small tidbits to be able to say, you know, little pieces of what they need to build stuff together, one, it's going to engage them. Two, it's going to make them figure out, are there more of these small pieces, and where can I find them?
So, if the MLC was to do something like create, I don't know, a TikTok account, just like all these TikToks where it's 15 seconds, it's literally like, hey, are you a writer? You should sign up for this. You can get this royalty, da, da, da, da. Tune in for more. Now they're going to follow that TikTok. Now they're going to try to figure out where the information is coming from. How can they continue to get more? After this, you know what? I trust this company. This company has been educating me. They are teaching me, you know, things that I don't know in the industry, and they're also offering me money; this is somebody who I'm willing to build a rapport with.

So I think the trust factor has to come from what are they missing? They're missing how to understand this. So, if we can bridge that gap, I would trust somebody who's telling me the things that I don't know and offer me an opportunity to make money off of.

MR. RILEY: Thank you. Ms. Bloss-Baum?

MS. BLOSS-BAUM: One thing we've found about the trust factor, and I do think that SoundExchange does a pretty good job of having so much trust that we get so many phone calls a day. They want to talk to the person that they met at this conference or at this
show. But, really, there's not a one-size-fits-all.  

Like you were saying, like, having a TikTok, you know, to educate folks is interesting, but it sometimes, I think, gets more at this level to the messenger than the message itself. The message is going to be what the message is, but, again, if it's an organization that you trust -- maybe you're a local SONA member or Grammy member or whatever organization that you might already be a part of, you're going to trust that organization to give you information and the right context.

And I think that, as Serona was saying, the MLC's done an amazing job of this. I think Chris said this morning, you know, they've been to hundreds and hundreds of webinars and getting to where the people are and really helping them get these messages. And getting to where they are, they're there because they trust the reason that they're there. It's an organization; it's a genre. There's different ways to do that.

So I think, with the trust factor, giving them something they need, absolutely. That's a given. But having it come from someone that they trust and that they've heard from several times really makes a difference. And as you were saying, Mr. Donnelly,
like, right, a TikTok is probably not going to work for some of these estates, you know, where the music was made 100 years ago. So we have to think of something else that might work to get those organizations to trust you and to maybe have estate specialists that do this for a living and they know, you know, who these players are and that they can go in and explain it in a very individual way.

So it's both the message and the messenger when it comes to trust.

MR. RILEY: And in terms of messaging, I'm wondering, would you consider it a best practice if the MLC went out and surveyed songwriters for demographic data, for example, so they can tune to maybe underrepresented groups in terms of their messaging? Is that something that SoundExchange does or others in the industry?

MS. BLOSS-BAUM: Sure. I mean, we definitely try to take the pulse of underserved communities as much as we can.

And getting to an earlier point, we are set up such that, you know, anybody can register for SoundExchange. So, if you're about to write your next great song and have it recorded and receive those royalties, we can actually get you in our system
before we've even collected that money.

So, on my team, I actually have folks that affirmatively will look at the charts and see songs that are new or, like, they're rising on the charts or lots of breakout artists, and we will go to them before they even know that they have money waiting and explain what SoundExchange is and the importance of having SoundExchange as part of their business thinking process and to get in before that first dime is even out there.

So, yes, we really do try to find those that need to hear the message the most, and in many cases, they don't even know that they have these royalties waiting for them.

MR. RILEY: Thank you. Mr. Berg?

MR. BERG: I would say that the trust is going to come when the checks start flowing. You know, one of the things that I, you know, solve real quick when synchronization -- I was one of the early guys in the synchronization world, and, you know, for a moment in my career, I had some young songwriters and some young artists with me, and believe me, when they got on "Dawson's Creek," they signed up with ASCAP because it was established.

All of their friends told them you're going
to get checks when this plays in reruns. This is mailbox money for you. And that's where it's going to come from. So ease of use -- as I said before, your site's relatively easy to use -- and cutting checks. There are plenty of organizations out there, whether they're unions or performing rights organizations, that don't want to pay you. You sign up, they demand information that's virtually impossible to get. Mr. Donnelly and I are probably closer into the same business. You know, I have artists that died before they were issued Social Security numbers. So, you know, you can't provide that information.

So just make sure that it's easy to use and that you're cutting checks. But, when those checks flow, you will see people will come.

MR. RILEY: I want to go to Ms. Corton.

MS. CORTON: I think songwriters trust other songwriters in their genre, and if we could engage sort of some celebrity songwriters that people really respect to do videos. We actually were talking about this quite extensively in the December 2019 meeting in Washington, D.C., that I think was the beginning of the unclaimed royalties study.

And there were lots of people, especially publishing people, in the room who were interested in
doing that and possibly engaging them to maybe write a
song. So some of the videos could be about why you
need to join the MLC, and the other one is how you
need to join the MLC, that are in two minutes, you
know? And I'm not saying that's going to be an easy
thing to construct, but let's rely on the creativity
of our songwriters to bring in the community of
songwriters.

MR. RILEY: Thank you. Mr. Schwartz?

MR. SCHWARTZ: Yeah, I agree. I think
songwriters and songwriter organizations have a very
important role to play, and hopefully we're already
doing that. And I also agree that when you get a
check from somebody, it does an awful lot to increase
trust.

But there is a wrinkle here, I think, that
we all have to make note of. For most of the creators
who receive checks, they won't come from the MLC.
They will come from their music publisher. So it's
going to be much harder, it's going to be a much more
complicated narrative to draw a line between any
individual creator and the MLC when there's, you know,
probably their publisher in between.

Now, when it comes to DIY, you know, the
smaller guys who don't have deals, I agree there will
be more of a direct line there for sure.

The other thing to keep in mind is that if you leave the United States and look at the rest of the world, which I spend a lot of time doing these days, in most other countries, it's societies like ASCAP that collect both performance royalties and mechanical royalties.

So, again, I'd love to keep it simple, but it's not that simple. It's a little more complicated when it comes to the MLC, and I think that that makes Serona's job and the MLC's job harder. So, again, I think you're going to have to enlist the publishers and other rightsholders and administrators. They're all going to have to be part of the messaging so they understand where the money is coming from, because the check is probably not going to have the MLC at the top of it.

MR. RILEY: Ms. Elton?

MS. ELTON: Yes, the timing of this roundtable has really worked out perfectly for us in that, up until this point, we have not been able to or wanted to lead with the statement "We have money for you," particularly in the time of the pandemic when so many people are hurting and, you know, the last thing we wanted to do in November, in December, in January
was lead people to think that if they just did a
couple steps we could literally pay them right away.
That would really not have been an appropriate thing
to do in today's times.

But now, with our upcoming royalty
distribution in April, we're very excited to pivot
that messaging not just about membership but to the
fact that we will have money for many of you. And so
the timing of this roundtable and all of the input on
how to best get that message out is very well-timed.

But I just wanted to chime in about why you
may not have seen the messaging up to this point focus
on the money yet. But we are at that pivot-point.

MR. RILEY: I did want to let anybody else
who had any comments about how to address the
underrepresented make that comment now. If not, we'll
turn to Mr. Galdston. Mr. Donnelly?

MR. DONNELLY: I'd just like to chime in on
that. I have some of the only experience in this
category having, in 2005, been part of a lawsuit
brought by the State of New York, Attorney General
then Spitzer, against the major labels and publishing
companies which brought in a tranche of $50 million of
unclaimed royalties.

And to your question about what were some of
the effective ways of locating the royaltors, we were grateful to have the services of people who we didn't call "influencers" in those days, we just called them "celebrities" or "superstars", but people like Sheryl Crow and Don Henley, who stepped up and got the word out, and the press loved to cover these folks, and it was a very effective way for us to get our message across of how much money we were holding for people.

MR. RILEY: Thank you. And we're going to turn to Mr. Galdston, and then I'm going to ask my colleague to ask some questions about the different mediums. So, Mr. Galdston?

MR. GALDSTON: Well, this may be going in a direction you don't want to go, John, but I think that Serona's comments and even some of the comments I've made actually touch upon some key issues that I believe we need to acknowledge.

For example, is Serona -- if now is the appropriate time for the MLC to begin to announce that money exists, money will be available, one question is, how much money and not only how much money to be distributed, but more important and pertinent to this conversation, how much money do you have in your budget to handle the messaging we're all talking about?
Now, in the music creator organization world, of which Eddie and I are a part, and so is Monica, we have a lot of discussion, well, if there's $425 million that are sitting in this first pot, certainly, it's reasonable to suggest that 5 percent, or 21.25 million, or $20 million could be set aside to start really promoting this in earnest to really educate.

Certainly, the royaltors, as Bob calls them, the people whose work generated this money, are not going to miss it pro rata when you start doing that. So that's one issue. There are many issues like this.

I'll mention one other.

The idea that influencers could play an important role here, I think, is a really great point. But who are the influencers who are going to be receiving money from the unclaimed royalties? Almost any prominent person worth their salt has an administrator, has a deal with a major publisher. That money may have already been received in the pre-MLC settlement and all that. You know, we get into all that. But these are core issues that I don't think we should walk past.

MR. RILEY: Appreciate that. I understand what you're saying because, you know, the MLC is set
up by statute a little bit differently. But I think Ms. Elton wants to respond, and then we will be moving on to Ms. Sciortino.

MS. ELTON: I just want to clarify that all the royalties we receive, both historical unmatched and going forward under the blanket license, we are not allowed to use that money to fund our operations in any way. It must be paid out to rightsholders.

So I just wanted just to clarify that. Even though that might sound like a great idea, that is not an option that we have to use any of the royalty money that we collect for any of our operations. It has to all be paid out to rightsholders.

MS. SCIORTINO: Thank you, Ms. Elton. While we appreciate that a lot of these topics of discussion bleed into each other, in regard to the best medium for the MLC to deliver messages, the first question I want to ask is, have there been any cost-effectiveness studies as to what types of educational or outreach efforts for music creators have been most efficient, for example, digital outreach versus in-person, and if there haven't been such studies, what's your personal experience? And I can see Ms. Elton has her hand raised still, but I'm not sure if that's on purpose.

MS. ELTON: I'm sorry. I forgot to take it
down after the last time, which I should know better
as a professor that teaches on Zoom all the time. So
I don't have an answer here, and I'm eager to hear the
answers from my fellow panelists.

MS. SCIORTINO: Great, thank you. Ms. Corton?

MS. CORTON: I think, as far as platforms
where I see sort of everyone, definitely Instagram for
music people seems to be, like, the must-have go-to
kind of platform. And as far as in-person, I don't
think the MLC's had any opportunity to do anything in
person because of COVID, and so we don't know. But
because there are so many songwriters, I mean, you
know, I guess the festival circuit would happen. You
know, maybe that would be a way.

But it seems to me that digital is the way
to go because everybody's using it in some way,
whether they're doing livestreaming shows. You know,
I would search out the livestreaming platforms. Maybe
you could create some kind of commercial that goes on
in between shows on those platforms. I think you have
to go where the writers are, and, right now, they're
all making money on digital.

MS. SCIORTINO: Thank you. Ms. Jai Yoko?

MS. YOKO: I was pretty much going to say
what Ms. Monica said, is, like, we have to follow where the creators are. So, whether the creators are on, you know, Instagram, Twitter, Facebook, or whether it's a situation where, you know, they have so many text messaging apps where you can send stuff directly to people's phones.

You've just got to follow where the writers are going. I even think that, you know, engaging with different major labels because you've got to think artists always aspire to be somebody else or somebody bigger. So, even though these major labels are responsible for some of the people who we may admire, you know, to administer their self, what if we get these labels to speak out and say, hey, us as Atlantic, we, you know, partnered with the MLC to do this X.

You know what I'm saying? Like, go where the people -- where their goal is to be. Most people's goal is, I want to be signed with this person, I want to be the next Lady Gaga. So let's figure out, who does the admin for Lady Gaga? Let's talk to them and say, hey, would you be willing to speak out on behalf of all the Lady Gaga fans?

Like, we just have to follow where the creators are at, and that should be across the board.
regardless of what age it is. We should have, you know, Russ speaking out for the young independents. We should have Dolly Parton speaking out for some of the older writers and stuff so that way we cover all spectrums. That way, regardless of, you know, what age or what category the creator is, we cover some of everybody and we're getting the word out to them based on how they create and what creator they are.

MS. SCIORTINO: Thank you. Mr. Galdston?

MR. GALDSTON: You know, one idea that has come up in discussion among music creator organizations, and I'm wondering, Serona, if you can tell us if this has been pursued, is to make sure that those with a related vested interest in serving and profiting from music creators are involved in this.

So we've spoken, all of us, about the PROs. Okay, that's logical. I totally agree with that, and Monica made a great point before that all music creator organizations should pay more attention to. I made a note that we have to make sure Music Answers has this on our front page. We have it within, but we need to put it up front.

But how about ideas like -- and, by the way, I have it on good authority from members of the ASCAP board whose names I can't cite, that they are going to
announce this in their future royalty distributions -
but, beyond that, how about, like, Guitar Center? How
about Sweetwater? Guitar Center, although it's in
some economic trouble, they have a foundation, and
Sweetwater has a charitable efficacy arm. I believe
Sam Ash probably has the same. Have we thought about
that? These are the places beyond the places that Jai
Yoko cited that I think, really, these are where music
creators live.

MS. SCIORTINO: Thank you. I saw Ms.

Bloss-Baum?

MS. BLOSS-BAUM: That's exactly right. I
would just echo what people are saying. But I will
say, in our experience at SoundExchange, one size does
not fit all. I mean, absolutely, you know, you can
reach, you know, a certain group of people in a
certain way based on age or demographics or even
language barriers. I mean, if you're reaching
somebody who speaks a different language, it sounds
like the MLC is starting to realize that you really
need to tailor that message to each person
individually.

Digital works for some. Some younger
artists in particular are going to be answering
Instagram direct messaging all the time because that's
where they live. But that's not going to be the case for some older writers. Genre plays a big part in understanding kind of how people like to communicate. Sometimes it's just going to take a human being going up and shaking a hand and saying, "Did you write that song here at," you know, "the folk alliance or the blues foundation" or wherever that personal contact can be made.

Or having people, you know, in those organizations help to spread that word because, again, they're trusted messengers. So there really is not one-size-fits-all that works for us. I mean, we certainly have found that methods will work, some better than others, but it's thinking creatively as to which people you're speaking to to really get that message in a way that it's going to be heard and understood.

MS. SCIORTINO: Thank you. Mr. Schwartz?

MR. SCHWARTZ: Yeah, I wanted to reinforce and echo some of the things that Mr. Galdston said about -- I mean, I think he has the right idea, and I understand that the MMA doesn't allow for any part of the revenues associated with the, you know, unmatched works to be dedicated to this.

And, you know, I'm very grateful for the
MMA. I'm very grateful for the MLC and the work of
the Copyright Office on this because you have brought
to light, you know, kind of an underground river of
revenue that most of us who spent our lives in the
music business were only very dimly aware of, if aware
at all, until the work of the groups that I've
mentioned.

So the thing is, you know, now it's kind of
made a detour, you know, into the full light of day
here. And so we're at a critical moment in terms of
figuring out how do we shed as much sunshine on this
as possible. So, you know, the challenge here is that
most creators weren't even aware that there's this
enormous amount of money that was unmatched. I mean,
we're talking about something approaching half a
billion dollars. That's a lot of money.

So the MMA, as much as I am grateful for it
and appreciate it, I don't know that it's the perfect
piece of legislation, and I don't know, you know,
exactly what the political process would be to reform
it. But I think, you know, everybody who might
benefit from a small part of that money, if some small
percentage, as Phil mentioned, 5 percent, 10 percent,
whatever the right number is, was to go to help
identify people in this country and around the world,
I don't think that's a bad idea.

So, again, whether that's practical that the MMA -- that some of these provisions be reformed over the next couple of years, I mean, the clock is ticking on this, right? There's, what, two, roughly two years to identify the proper recipients of this money? And it's a significant amount of money. So I think that is an interesting idea.

But, failing that, again, I want to just echo what Phil said. I mean, in my mind, anybody who's in the chain, whether it's the PROs, no matter what -- and even if they don't collect mechanical rights, the music publisher associations, the creator associations, we're all going to need -- whatever the answer is, it's going to take all of us to reach as many people as possible so that they understand that there is money there for them.

Creators are notoriously hard to get to, and we're also challenged by the fact we have this thing called, you know, the pandemic, global pandemic. It's a little hard to press the flesh when, you know, we're not meeting in person. So, obviously, we're just going to have to use every digital means we can, and everyone's going to have to be proactive. And the message is going to have to go out not once or twice
but, you know, on a regular basis. And it's going to be slow-going, but I think that's the kind of effort that's going to be necessary.

MS. CORTON: Can I just jump in for a second? I want to allay Eddie and Phil's fear here about the money. Like, they have a budget for education at the MLC. It's being paid for by the digital companies. That's not the problem. The problem is, how are we going to reach people, what are we going to say, and how do we get them to sign up?

MS. SCIORTINO: Thank you. So, going off of the current context and the pandemic, how do best practices change for the MLC's message delivery post-pandemic? What in-person activities should the MLC engage in? Where are the best forums to do so?

MR. RILEY: We heard the Folk Alliance before, SXSW. Anything else?

MS. SCIORTINO: I see Mr. Berg has his hand raised, if you want to answer?

MR. BERG: Yeah, you know, I don't think there's one-size-fits-all, sort of echoing what everybody else says here. I think this is, like I said before, the long game. You know, I certainly found out about information in different ways. You know, Monica's social media posts inform me about a
lot of different things that I then, you know, tell my lawyers, and they look into stuff or the lawyers call us.

To echo what Bob had talked about earlier about the 2005 settlement with the record labels where they were forced to pay out unclaimed royalties, they were really obligated to pay those out, and they not only put the word out that, hey, you should reach out to the royalties department or reach out to your contact at a record label or even call the main line and ask for the royalty department, but they also had people internally that had to go out and find those people.

And that was, of course, the beginning of the internet, so it was a little easier than flipping through phonebooks, you know, asking where somebody was, the last place they were in Chicago. Is there something in place, I guess, Serona for you, that -- are you going to have internal people trying to reach out?

I mean, like I said, when I got on for my clients, I've got pretty big-name clients who were unregistered who didn't have publishing deals because they either, for some reason, retained 20 or 30 songs and they're not big enough for a major to take on or
to administer. Is there somebody that's going to internally reach out to even the low-hanging fruit?

MS. ELTON: I'm not sure if you guys wanted me to jump in, but, yes, absolutely. Our Rights Management Team will be doing that for missing shares and trying to find people and reaching out to them proactively to get them into our ecosystem so we can pay them. Absolutely.

MS. SCIORTINO: Thank you. And just going back to any specific in-person activities that can be used for the MLC's message delivery, I think I saw Jai Yoko. I'm not sure if that's what you wanted to address.

MS. YOKO: Sure. I think that, you know, once we're past the pandemic, everybody's going to want to be outside some type of way. So I feel like, once again, it's just following the flow. So just imagine being able to, you know, be at Coachella and there's a banner that's saying, you know, we are creative like you, or something, you know what I'm saying? We have something to collect.

What about if, you know, you think about even though we're in a pandemic right now, but the Grammys still actually are going to happen. So what if we got the Grammy Academy and the Grammy U to be
affiliated, you know? Billboard, I'm looking at Mr. Bob's background alone and I'm just thinking, like, what if Billboard itself, you know, had an article on their website about the MLC?

So, when it comes out, you know, once post-pandemic, I'm just thinking -- just think everybody's going to want to be outside. Festivals are going to be full, Rolling Loud is going to be full. Every concert you can think of that, you know, Ticketmaster has on there is going to be full.

So, again, these are where the creators are going to be. How do we get to where they are? So how do we get banners on Ticketmaster's website? How do we get, you know, when we have certain types of concerts, can we have a rep go out and say, hey, look, I know, you know, this is a festival for creators with a bunch of independents. I'm from the MLC just letting you all know that, you know, we represent you all as well.

Like, we have to go where the creatives are going to be, whether, you know, again, it doesn't matter large or young. We can go to Rolling Loud for the younger people. We can go to, you know, the Soul Fest for some of the older people. We just need to be where they are. So, at the end of the day, when
COVID's over, we know everybody's going to be some
type of way outside. Let's just plan to also be
there, whether it's, you know, present, whether it's
digitally, or whether it's advertising. But we just
need to be where the people are.

MR. RILEY: I think that we all appreciate
that sentiment, and it's not wrong, and I hear you. I
think maybe a spin on that question is, if the MLC is
going to engage in outreach, it does not have an
infinite budget. And so, in terms of where people get
their answers, maybe considering how much bang for the
buck they would get in different types of mediums.

For example, advertising, you made mention
of Coachella, which could be great for people who go
to Coachella but might not reach, you know, certain
disenfranchised songwriters, right? They're not a
major. It's a poor example. And, you know, I don't
actually know who goes to Coachella myself, but I have
a feeling that there's a huge swath of people or
songwriters that don't.

So I'm wondering, for the folks who we're
talking about -- not the message and not the partners
but kind of the context of what medium we're going to
be talking about, what would be the most efficient in
terms of reaching the right people who need to connect
with the MLC in the context of best practices? I don't know who goes next. Ms. Bloss-Baum?

MS. BLOSS-BAUM: I don't want to jump the line. Okay. One thing that might make sense, and you asked specifically about in-person post-COVID, is this is not going to be everybody gets their vaccine and creators are suddenly made whole from the last year plus that they haven't been able to tour or even play at their corner bar. So this is going to be going on for a while.

One thing that SoundExchange has realized and I think has done a pretty good job of over the past few years but will become even more important here post-COVID when we can get out there again, many local governments and municipalities have nonprofits or sometimes even part of their city or state government that focus on the arts, on creatives, on culture, and they oftentimes will put together toolkits for those creators in those cities or communities that they want to help across the board.

One example that comes to mind specifically is, in Texas, they have a wonderful music office that works with their Governor's Office, but there's also nonprofits in Austin. TALA, which is the Texas Accountants and Lawyers for the Arts, they do lots of...
workshops and seminars for folks that maybe can't go out and hire some of those fancy lawyers we were talking about before, but they still need some legal representation. They do workshops for their clients, and they open them up. They're free.

And SoundExchange has worked with folks like that in the past, specifically with TALA in the past, where we've taken a bunch of computers and people down, and we will sit at the TALA workshop and actually help people see, you know, do they have money waiting for them? Can we help you register?

You know, really kind of getting out there through these services that may be more fulsome than just the MLC or just SoundExchange, but it's all things that creators can take advantage of and putting your organization in those toolkits because they're getting to the folks that will need the help.

And, sadly, post-COVID, more and more of those people will need that help. Yes, people will still go to Coachella, and they also need to receive their royalties. But every last royalty that is deserved, that was earned in the streaming time that COVID has been taking place, people are going to be looking for that, and that might be one way to latch your coattails on those efforts and get some of that
post-COVID relief with some of these royalties maybe.

MS. SCIORTINO: Thank you. I think, in the interest of time, we're going to go ahead and move on to the messenger portion of the session. So I'm going to go ahead and turn it back to my colleague, Mr. Riley.

MR. RILEY: Thank you. Ms. Corton, did you have a last word, or is that hand --

MS. CORTON: Yeah. I think that festivals are a great way to get to people, and there are many festivals that have a certain size factor that you could tell they have more participants than other, which I'm sure there's festival books for this.

But the first big festival I know that's happening this year is JazzFest, and I think that's a particularly good festival because it crosses all genres there, and, literally, there are over 200,000 people there a day usually. And they also have a radio station. I think that would be a great festival.

But also, you know, you need to do it by genre. So, like, the Americana organization and, you know, the country festivals or maybe state fairs or places -- because even if the songwriters might not be performing, they're probably there listening to music.
So I think you'll find them there because that's what they do. They live and breathe music.

And also, I would say community colleges that have music programs, I think that might be an interesting way. You know, they might only have one music teacher, but that music teacher could have a huge influence on getting the word out.

MR. RILEY: Thank you. So I did want to touch on something we have been touching on in pieces throughout this panel, and that is, what are the best practices associated with the MLC as it engages others in outreach? Certainly, we've heard a lot of that happening already, but I'm wondering, does anybody want to expand on those thoughts or comments, especially with respect to maybe the different roles that, for example, songwriter organizations or PROs or others can fill? Anybody want to jump in on that?

Mr. Schwartz?

MR. SCHWARTZ: Yeah, I mean, I really, you know, think that a lot of great points have been made about social media and using, you know, all different kinds of platforms to try to get the message out, you know, and I really agree with that.

You know, at CM, we have written, you know, a number of articles about this, tried to separate the
wheat from the chaff and, you know, get to the important stuff about there's money for you, you know. In fact, the headline was something like, you know, there's millions of dollars waiting for you or something, or your share of that, something along those lines.

So we've really been trying to put the message out there. We represent something like 500,000 music creators around the world, and we've sent it out to the creators who are the boards of societies around the world who are influencers in their own countries. So we've been proactive.

And I just thought maybe this was the moment to share the fact that the echo chamber has not kicked into operation, you know, and Kris Ahrend saw the article. You know, Serona, I don't know if he shared it with you, but before it went out, I shared it with Kris and, you know, he thought it accurately reflected the MLC and the situation we have with the unidentified.

But I guess what I'm getting at is there seems to be reluctance on a lot of parties to really help get the word out, and I think it's worth mentioning, and, you know, you scratch your head, why would that be, you know, and it's no particular
society, but some societies I don't think have been as proactive as I would have hoped. And other rightsholders and stakeholders have not been as proactive in this area.

So I'm not quite sure what it is. I think, you know, there are some built-in conflicts of interest in the music industry. There are people who, you know, they have their particular area of concern, and they're very insistent that they're not going to look at any other areas. You know, some people only collect certain rights and not other rights.

So I think this is another problem. I think we have to really try to get this echo system working so that the message that the MLC puts out there about this, you know, gets repeated and sent out by as many other people as possible, and I think that right now that's a challenge.

Now maybe it's because, you know, when it comes to the unidentified, the main event, I guess, will come in June when that data is available. So maybe it's premature. Maybe we're just ahead of the curve here and things will kick in. I wonder what Serona would say about that or others on this panel. But it really seems difficult to get people to echo the message so it spreads to as large an audience as
possible.

MR. RILEY: I'm interested to see if other people on the panel have that same understanding or experience that, but also, remembering that this is in the context of best practices for the MLC, so, of course, we can't advise other organizations on whether they should participate or not. So, in terms of what the MLC should do, I'm seeing Mr. Galdston's hand up. I'll call on him next.

MR. GALDSTON: Well, it's clear, and a few people have made -- I think Linda and Monica in particular have made really good points, as did Bob and Seth about we might describe them as either underserved music creator populations or potential royalty recipients or those who are almost by definition or by tradition, by practice, independent.

So, you know, I'm thinking about Americana. NYU is about to announce a big partnership with the Americana Music Association. I'm going to be talking to them about this now that I'm inspired by this conversation. I think we all, as professionals, could cite a number of areas where independents live.

When it comes to best practices beyond that, I would just pick up on Eddie's point to this degree, John. I'd say, if I were in Serona's shoes and her
colleagues, I wouldn't waste time asking major music corporations or their publisher affiliates to promote this. It's just an inherent conflict of interest. Every dollar that's unclaimed is a dollar they're claiming somewhere between 80, 90 percent of. So we can get into an argument or a disagreement or a discussion or whatever you want about that.

But, where it comes to best practice, I would say don't go there. Go to these more independent groups that serve greater numbers of independents and find the best medium for that.


MS. YOKO:  There we go. I guess this is a possible question for Ms. Serona, but when it comes to based off what Mr. Phil said, you guys are kind of going a lot for major and larger people. Is there, I guess, a process or some type of vouching for more independent companies like myself who would love to speak on behalf of MLC where, you know, we don't want to be compensated, there is no type of, you know, conflict of interest. We're just independent people who want to teach, you know, independents how to continue to move. So we're not established with bigger people yet. We're not quite affiliated with
labels, but we're willing to, you know, spread the
gospel, if you would.

So how do we get more people who, you know,
like myself or have smaller businesses that may be
more boutique to be able to either, you know, learn
the verbiage that you want us all to say, right?
Like, we want to give the words. We want to teach
them. How do we get underneath of you all to be able
to say, hey, you're vouched by the MLC to continue to
spread the gospel?

Because I'm not with a major label, but I've
been talking about the MLC since January 1 when it
came out. And I don't know how many people, myself
alone, that I've enrolled people with just by telling
them, like, this is what you need to do. So how do we
get not necessarily notoriety but just to be able to
evolve in that situation so we can continue doing what
we do without, you know, having the majors behind us?

MS. ELTON: We would love to work with you.
We definitely are not just focused on the big ones at
all. In fact, they probably have a lot of it covered.
We've done panels with A2IM, and anybody listening who
would like to work with us to help get the word out,
please, please, please work with us.

If you go to our website, under "Contact
Information" there, you'll find there's a marketinginfo@themlc email address. You can find it themlc.com. We would love to do something with you: share materials with you, a webinar with you. Come one, come all, please. Thank you very much. You've got it. Absolutely.

MR. DONNELLY: Can I address a point that I don't think we've talked about at all today, and that's what are we going to do a year from now when we've only identified 40 percent or 50 or 60 percent of the unmatched sources? Are we going to allow finder companies, third-party finder companies, for a percentage to participate? Because, as abhorrent as that thought is to me, even worse is the fact that, you know, this money in two years will end up black-boxed and get distributed pro rata to the majors. So I'm curious if anybody's talked about that so far?

MR. RILEY: I appreciate that. I'm going to take that opportunity as a lead-in because I'd like to ask Ms. Elton to talk a little bit about any promotional partner work that the MLC has done to set the stage.

MS. ELTON: Promotional partner work?

MR. RILEY: Yes.
MS. ELTON: So, as I mentioned, we've already worked with more than 41 organizations to do webinars and over 150 organizations outside the United States. We're also connecting with digital aggregators and other parties at different points along this sort of supply chain, if you want to think about it like that, as well as started working on a number of the great ideas that other panelists have suggested, like instrument companies, you know, Guitar Center, Sweetwater.

We are actually also talking to companies that create plugins for use in digital audio workstations to try and hit creators when they're there creating the songs. So we are very much leaning into partner relationships. My colleague, Dae, was on a panel before this one. He's the head of Third-Party Partnerships, and between him and our marketing team and all of us, actually, in the organization, we have a very open organization in that anybody through their own contacts can bring somebody into our ecosystem so that we can begin engaging with them in a way that's going to help get the word out.

So that's just some examples. I mean, there's a long list. I didn't quite necessarily have the notes handy to run off all the companies. But
those are some examples. And if you also take a look at our socials, for example, you might see a lot of Webinars we've been involved with with organizations. Production Music Association comes to mind. Lots of things with SONA, lots of different organizations.

But we're always looking to grow that. I don't think we will ever get to a point that we say we've got them all covered. That's not going to happen. We're going to keep leaning into that. I don't know if that answers the question you had?

MR. RILEY: I think it was the part about aggregators or distributors is what I was understanding Mr. Donnelly to be suggesting. Is that correct, Mr. Donnelly? Yes? Okay. Does anybody else have any comments on that or anything else? As we think about that, I'm going to call on Ms. Corton and then Mr. Schwartz.

MS. CORTON: I was just wondering, I mean, all the digital platforms know their unidentified -- you know, places they couldn't identify songwriters or publishers, because I think we know from the Spotify settlement that a majority of the money that was unidentified are people that are not published because, when they sent the list of unidentified repertoire around to the publishers who were part of
that settlement, some of whom were not NMPA members but just participated, they couldn't match a majority of that. I mean, I think they only matched, like, 10 percent of the unidentified. So we know that that's really where it is.

And after this past year of sourcing songwriters, I know that's where it is too because I'm seeing them. You know, they're very knowledgeable about a lot of aspects of the business except publishing. And so I don't know if that also means going to, you know, like, all the different instrument places or effects boxes/pedals or, you know, other places that are part of production, if there's a way to sort of utilize those companies and the access, you know, while they're buying equipment to write or to produce, if that's another resource that, you know, is sort of a little outside the box?

MR. RILEY: Mr. Schwartz?

MR. SCHWARTZ: Yeah, I'd just like to maybe enlarge a little on Mr. Donnelly's comments and fear that a relatively minor portion of the huge unidentified pool will actually get distributed to the people who should receive it. I mean, you know, I think there's already a lot of cynicism, and I'm not sure how that's impacting the whole communication, you
know, issue that we're discussing, outreach issue.  

I mean, a lot of people are so cynical. You know, I think, you know, maybe to paraphrase some things that I've heard from creators, they just think, well, you know, the majors are going to get all this money anyway, so why bother? And, you know, I appreciate that's not a happy thing to share, but it is out there. It does exist. And I think, you know, there is some justification for that concern, as Mr. Donnelly just suggested.

But, to come back maybe to what the solution is and best practices and a positive place to go to counter that or to move beyond that is that, you know, there are a lot of people who are maybe trying to get the message out, and Ms. Elton just, you know, listed some of them. But maybe we need to all get together on something like this on a Zoom call and figure out and work with somebody who's really good, you know, really understands, you know, how you communicate these kinds of things, hammer out a very simple message that we can all work on communicating together at the same time or over the course of the next six months or year, whatever we think it's going to take.

So I think, you know, I don't know if that's best practices or not, but I'd like to throw it out as
a suggestion that the creator groups that you mentioned -- I know my group and I'm sure Phil's folks would love to take part in that -- get everybody involved. And I think, again, for the majors, it's a real opportunity to show the world and to show the community that there's good will there, that they don't want to walk down the road that Mr. Donnelly suggested, that they want to be part of the solution, not part of the problem, because, if most of that money does go out the door through market-based distribution a couple of years down the road, it's really going to be kind of a sad moment. This is an opportunity for us to all do the right thing together.

And I don't know that we're ever going to get to 90 percent distribution to the right people, but we have to try. We have to do everything we can to try to get as much of this money as possible to people whose music was used, much of it maybe here in the United States, but much of it also maybe in other parts of the world. And I think that good will will do all of us good going forward as an industry.

So I think, you know, let's come up with a plan together. We've got time to do it now because that, as I said, from my understanding is the data won't be in the MLC's hands until sometime in June.
So let's start working on that together and get the message out to as many people as possible.

MR. RILEY: Thank you for that. I actually have a follow-up on that. When you said "we" or "us," who are these groups? We had mentioned maybe songwriter groups, PROs. Let's see, would it also include things like -- we had mentioned earlier on this panel education, so schools. Would it also include things like A&R representatives, music managers, the Copyright Office? Who on that list are we missing?

MR. SCHWARTZ: Well, you know, if you're asking me, John, you know, major labels, major publishers, the societies, collection societies, remember, keeping in mind that even on this continent we have, you know, PROs that collect mechanical royalties.

So, I mean, the short answer because I know time is of the essence is just that we cast the widest net we possibly could and include anybody and everybody who, you know, makes a living from the work of songwriters and composers, and that's a very, very broad group, obviously, all the people you mentioned and as some mentioned. And, you know, again, CM alone, like I said, we have partner alliances in
Africa, Asia, Latin America, Europe. I would bring all of them in as well.

MR. RILEY: I appreciate that. I appreciate the mention that we are slowly running out of time, but I'd like to get to Mr. Galdston and then Mr. Donnelly.

MR. GALDSTON: I'll make it simple. Just going from the macro on down, I think Bob raised a point I had not heard addressed before. I'm not sure, Serona, you had the time to address it, but the fear, not always seen as a fear, of aggregators stepping in, and I think that should be, as Eddie said, a motivating force here. That's one, and I would love to know the MLC's position, or we could talk about that offline.

Two, I think that it may sound like the most obvious point in the world, but like you, Serona, I'm a college professor among other things, and talking to students about how they get their information -- we've all read articles about this -- but how they get their music information is an entirely different world than the way the rest of us have done it and do do it.

We at Music Answers have really rejuvenated some of our activities just in the past three months by hiring four NYU students, who have really changed
the way we're doing things. I'd be happy to bring
them to the discussion, but, of course, there are many
other people like that.

Finally, you know, when I work with
songwriting students and production students, the
first question I ask them is, which DAW do you use?
And almost all of them use a DAW. Well, almost all of
them buy Apple Computers. So the first DAW almost all
of them use is GarageBand, and then it's just a very
simple leap from GarageBand to logic.

Yes, some of them use Ableton, et cetera, et
cetera, but almost all of them use the Apple product.
And since Apple is putting some money into the MLC's
pockets, why don't we approach them? Maybe you have
already, but that, to me, would be the totally logical
connection that bypasses almost everything else we're
talking about or at least complements it.

MR. RILEY: Mr. Donnelly, I think you have
your hand up?

MR. DONNELLY: Thank you. Just to follow up
on a couple of different points, one, I don't know if
Serona's been doing this, but I hope you approach
unions as well, the AFM, SAG-AFTRA.

With regard to outreach, I'm not sure how
long Linda has been at SoundExchange. She looks too
young to have been there when my partner, John Simson, ran it for the first 10 years. But one of the things that John did very early on was to hire a series of people who had a phonebook-sized group of contacts within the industry and had those people hunting down people who were owed SoundExchange monies and I think he would tell you with great success.

And then the final point is following up on what Seth was saying, just so you know that the record companies weren't doing those things based on their good instincts and their better angels. That was part of the settlement, was that they had to do that advertising, do that outreach, have those websites, you know, have new accounting procedures in place. So I just wanted to make sure that was clear.

MR. RILEY: Thank you. Ms. Corton?

MS. CORTON: So I just made a list. I don't know if you've reached out to the music supervisors of the Guild of Music Supervisors. They're using a lot of DIY people in film and television. I would say all colleges, four- and two-year, there are lots of hobbyists at colleges.

Online music stores, not just physical music stores, and the music tech world. You know, I don't know if you've been to Music Tectonics or SF Music
Tech. A lot of these music tech people are trying to circumvent licensing by engaging DIY writers to be on their platforms. So they have all these ways that they're reaching them and pitching to them and using them to launch their platforms, and they want a wide variety, so they actually have more contacts in this than the industry does.

MR. RILEY: Thank you. Ms. Bloss-Baum?

MS. BLOSS-BAUM: Well, Bob, I've got to confess, actually, I was around when John Simson started SoundExchange, and very different -- and I have to just personally -- I know -- I think he's speaking on another panel of the roundtable, but he's done an incredible job.

And I use that as a caveat to a program that he started at American University in the business of arts and entertainment and is very involved in music educators, and I'm proud to say I've been teaching with him at my alma mater, American University, for eight years.

So very dear friend of mine too. I know there's been a bit of a fan club going on today. But I will say absolutely it's those folks with the rolodexes. But I make the educational point because, Serona, you know this, and Phil, I mean, if you're an
educator, these students, they're hungry, and they
just know -- they know where the fan clubs are. They
know what, you know, the social media followings are,
and they can go out and really, really help be a
finger on the pulse of bands, frankly, folks that are
as old as me and John and others might not have ever
heard of.

But students are such an incredible
resource, and they're so hungry and they want that
experience and they want to add it to their resumes,
and, I mean, certainly, they're not, you know, select
to American University. They're select in all these
universities.

So I really can't stress enough kind of, you
know, how kind of creative. And no small is too small
because, as somebody said earlier, I mean, today's DIY
is going to be on some movie. They're just trying to,
you know, get some cheap music, and then they're the
next big hit. So use those students, and they're
hungry, and they're smart.

MR. RILEY: All right. I have Mr. Berg, and
then I have another question for the panel.

MR. BERG: Yeah, I just wanted to say there
are programs at a lot of universities primarily used
with the CDC, believe it or not, where they try to
identify social cliques in communities that can help spread correct information. The CDC has used them a lot. I know there's a great program over at USC and I think it might be in the Psychology Department where they help identify, in certain areas, you know, in this community, this is a clique.

It might be a mommy group in this community. It might be a bunch of young hipsters in San Francisco. But that might be something to think about reaching out to. It's sort of what we're doing today, but they can really help identify and pinpoint, and, you know, there's so many groups in music that you could end up spinning your wheels trying to figure out, you know, 300 places to go when it really could be more effective to go to five or six where you're hitting, you know, more people. Maybe it is the festival circuit. So it's just something to consider.

MR. RILEY: So there's been a lot of suggestions today, and, in fact, on the first panel, the earlier panel, Mr. Castle suggested that a best practice would be to employ robust analytics with respect to customer service. Whether you would like to answer that question or kind of the broader question, how does the MLC improve its efforts over time? What would be a best practice for that? What's
the best way to get songwriter feedback? If anybody has a perspective on that, please raise your hand.

MR. BERG: Yeah, I'd just like to jump in on that. I mean, I love taking those surveys after I filled out information that says, you know, simply, how did you hear about us? And you might be surprised. You know, for years, it was Facebook. It might change, and who knows what it's going to be five years from now. I mean, did we know about TikTok a few years ago? Now people are talking about it like it's the most ubiquitous platform. So I think you need to focus on something like that. And if you did ask that, it's a reasonable thing to add. I don't think it's too expensive. And that's, you know, I think one of the most effective ways. Just ask.

MR. RILEY: Mr. Galdston?

MR. GALDSTON: I was just going to say -- I was going to say it before in relation to another question. It may be obvious, and, Serona, you may tell us you're all the way down the track with this one. But there are several organizations that we've touched on today that pretty regularly conduct data analytic surveys of their own. ASCAP has. I'm a lifetime ASCAP member. I'm assuming BMI has. Certainly, the recording academy has.
I noticed that Evan Bogart, who's the new Chair of the Academy's new songwriters' composer wing, was supposed to be with us today, is not here, but, you know, that's what they're going to be about. I was very involved in setting up the producers and engineers wing, and the first thing we did there was set up a survey. And last year the academy set up a big survey, NYU helped prepare it with music creators. So not that I'm suggesting that a lot of academy members are the people we want to reach, but, certainly, they're a fair number, certainly, in the categories that touch on the independent music creator community. So, to me, it would be totally logical. I love Seth's idea of going to universities and finding out, in non-music areas, where survey work is being done. But the same thing can be done with larger organizations that regularly do this to improve their outreach.

MR. RILEY: Ms. Corton?

MS. CORTON: I don't know if you're using data analytics companies like Chartmetric or Nielsen to find these DIY fans. I mean, you can see who streams the highest, and you can see if they're in your system or not, and, you know, most of them aren't.
So, you know, you could find them from -- you know, this would involve, actually, the digital companies helping us find them and reach out to them by comparing the digital analytics with, also, you know, where we could get the information of how to contact them.

MR. RILEY: Thank you. I wanted to take a step back in the couple minutes we have left here and just ask one broad question and hope to get as many perspectives from the audience as possible. And the broad question is, what should self-administered songwriters expect when they're getting information from the MLC? Ms. Corton?

MS. CORTON: They should be expecting to get help signing up if they don't know how to do that and just if they have questions about their statement to be responded to. I mean, service. You know, they're going to need help. It's not natural for them to be doing anything administrative.

So, you know, just a friendly voice and a place to call, or if you can do an automated bot that can answer those questions online, you know, that might free up some staffing. I'm sure they're all going to have very similar questions, and you'll know what those questions are within a very short amount of
time if you don't already if they've started to call you. So, you know, an interesting FAQ just to clear up things so that you can move them along and help them be, you know, self-registered.

MR. RILEY: Thank you. Mr. Berg?

MR. BERG: Yeah, I would say information. I don't know what your royalty statements are going to look like, but, certainly, my experience is that the royalty statements don't always match up to the social media. You know, a lot of the social media people might follow you, but they're listening to you for maybe free or -- but I would say information. It certainly gives the songwriter, you know, information on where they might be popular, what country they might be popular, what format might be working for them, what medium, anything like that. I think that's always important. And then timely payments.

MR. RILEY: Mr. Galdston?

MR. GALDSTON: I think, going back to the beginning of this conversation but now refining it a little bit hopefully, I think it's a clear path to first knowing if you are eligible. And, of course, the only way to do that is to know the basics of the music business, whether it's an FAQ, as Monica suggested, or some other way of doing it.
So knowing early on am I really eligible, from there, it's a clear path to signing up. It's a pretty clear path right now to signing up. By the way, I compliment you on that. But I also think that even some organizations, at the risk of sounding like I'm stroking, I think the Copyright Office has done a really good job of explaining some of these panels, some of these complex situations in which civilians, in effect, are given the opportunity to provide information. It's really clear how to do it, whether you may do it, et cetera.

So there are great examples out there, but I think it's a clear path to whether you're eligible. Along there is a sidecar for what does that mean and then, if you are, it's how do I register, then what can I expect.

MR. RILEY: Jai Yoko?

MS. YOKO: I think continuing with great tutorials is great. MLC has done a really great job to, you know, create guidelines for people who need to learn and understand how this works. But I feel as though, especially with self-administered creators, they get in these different niches where it's like, you know, I'm a writer and I'm a this or I'm a this or I'm a that.
And as we continue to learn in different, you know, situations that these writers get in, like we were saying before, it's kind of hard to, you know, reach out to each individual and say, well, let me learn about your specific, you know, scenario.

So, as we continue to realize like, okay, this is a scenario that's come up 10 times. Maybe let's make a video specifically for them. So, as we keep, you know, learning the needs that these creators have, let's continue to evolve the education that we're giving to them, because just a regular, basic, you know, MLC video that you watch, it'll give you great, you know, information, but it's also, like, well, I'm in this situation. What do I do?

So, as we continue to get different scenarios, creating literature or creating videos for these specific people will, one, eliminate, you know, so many people having to do so much one-on-one stuff, but then it's going to make them feel like, wow, the MLC included me as well, you feel me?

I'm a songwriter who self-administers some stuff, but I'm signed to a publisher deal on some stuff, and they have a video just for me. So just as we continue to learn, you know, the creators that we have, contouring the literature and the verbiage for
them, that way they can understand it directly in
their language, is probably going to be something that
helps in the long run.

MR. RILEY: Thank you. Ms. Bloss-Baum?

MS. BLOSS-BAUM: Jai Yoko said it perfectly.
You can't have singular messages for every individual
out there. But I will say and echo what Monica
mentioned, is having, you know, a human being at the
ready that will be there to pick up the phone.

And one thing, you know, we really have to
remember as an industry is these are songwriters or
creators, and they're not, you know, calling their
water company to have their water turned on or, you
know, a utility. This is their work that they've
thrown their heart into. I can't imagine something
more personal that you'd be calling a customer service
representative for.

Not everybody's going to call. Not
everybody's going to want that. But a lot of people
do. My desk at SoundExchange used to be right outside
our call center, and I heard those calls coming in all
day. First of all, they come in all day. People pick
up the phone, they want to talk to a human being.

This is their love, their work, you know,
their life story, their love story, you know, and they
want to talk to a human being about it. They just
don't want to punch some numbers with an automatic bot
on the computer.

Some do, and they can have that, but a lot
don't. They really want to tell you about their lives
and their story. And so just having, you know, that
understanding, and I'm sure that you will, but just
having kind of the right person on the phone too to
kind of be patient and help people through. This is
new. It's not easy, and just having somebody there to
kind of hold their hand, particularly at the outset, I
think would be what folks would hopefully expect to
get when they call the MLC.

MR. RILEY: And I'm going to go to Mr. Schwartz next.

MR. SCHWARTZ: Thanks, John. I just want to
reinforce everything that's been said. I couldn't
agree more. I mean, you know, I've been very loyal to
collective management for many years now, and it's
because, as a young writer who had no success, the
first people who opened the door to me were at the
PRO. They said you're welcome, come in, we want to
help you, we want to work with you. And I have never
forgotten that, and that was a long time ago now.

So the fact that the MLC is welcoming to
everyone who's a creator to come in and to search the
database, to register if it's appropriate, et cetera,
I think it's a huge thing and very, very welcomed by
the creative community because it is a hostile world
for most young creators, and it makes a big difference
when someone welcomes them into the fold. So I think
that's very important.

MR. RILEY: All right. Ms. Elton, we'll
give you the last word, and then we will end this
panel.

MS. ELTON: Oh, no, the pressure of the last
word. I was just -- I got so excited because I just
wanted to make sure everybody knew about how important
it is to get a human on the phone who can actually
help you. We're already on top of that. We have a
team that our MLC employs specifically over 20 people
who work more than 69 hours a week of availability to
answer the phone.

And so you can literally just call and say,
what the heck is the MLC? And we'll take it from
there, all the way up to, you know, how do I structure
my data? So, you know, we're one of the only
organizations that also has a bunch of Saturday call
hours. So it's something so many -- you may not have
known that. I see some faces. You're like, what?
Yeah, 12 hours a day, Monday through Friday, plus, like, another nine hours on Saturday.

So there's a lot of amazing ideas that have come out of this session, and I know the Copyright Office is going to be compiling them, and they're going to put different things in their report, and I think we're so excited and so open to that feedback.

My last word would simply be that outreach begins with all of you. We need all of your help, all these great ideas, all of your connections to organizations. We invite all of you to please engage with us. And sometimes there'll be these large public forums where you can share ideas, but they can also be shared with us on an individual basis.

So please don't hold back to share your ideas with us. It really takes all of us, this whole music industry and every segment of it, to help get the word out. And so we invite all of you to work with us to help make that happen.

MR. RILEY: So I'd like to thank my colleague and all of our panelists for taking some time to talk to us today. We really do appreciate that. We're going to take a short break, and then, at 5:15 Eastern, we are going to have a period of audience participation. So, for this panel, if you
would all turn your video off, and we thank you one last time. Take care.

(Whereupon, a brief recess was taken.)

MS. SMITH: Welcome, everybody, to the last panel of the day, it has been a long day, in the Copyright Office's roundtables for our unclaimed royalties study. We are studying best practices that the Mechanical Licensing Collective may consider in order to ultimately reduce the incidence of unclaimed royalties held by the collective.

This session is called our audience participation session. So we have circulated a sign-up list, and we have members of the public who we're going to invite to share some brief statements related to best practices for the MLC. We're going to ask that you try to limit your contribution to around three minutes.

If we run out of time today or if someone wants to sign up and has not yet signed up, we will also have a session tomorrow, which will be at 1:00. I think we will be able, right now, to accommodate everyone who has signed up so far, although I'm not sure if everyone is here. So bear with us for a second.

I think first I'll say a couple of names,
and if someone is maybe not listed by their name, if you could just message us in the chat or the Q&A so that we will know how to find you. But the first person who signed up is Michele Vice-Maslin, so, if you are here, let us know.

(No response.)

MS. SMITH: Okay. Pierre Schwab? Did we bring Pierre? Okay, Pierre, could you unmute and turn on your video, please?

(No response.)

MS. SMITH: All right. We will wait just a second. If you decide you would like to contribute, we'll be able to accommodate you. So two more names I'll just call out in case you're here and we're missing you, is Ashley Irwin. I know Ashley was on an earlier panel. If you would like to add on a topic that was not in your panel, let us know.

Shiva Estelle Miriam, which I may not be pronouncing quite right, so I apologize if not. And then Mark DiPaula. Do we have him? We may not. I think Gwendolyn Seale is the next person who I do see. So, Gwendolyn, we are going to promote you to a panelist and ask you to unmute yourself if you can. And then I think I do see Mr. Irwin, so he will be next. Go ahead, Ms. Seale. Thank you.
MS. SEALE: Hi there. I'm Gwen Seale, a music lawyer in Austin, Texas, and I work primarily with independent songwriters and artists. Last November, I realized that there was a significant visibility issue with respect to the MLC. My partner, who is a songwriter and a director of a music nonprofit here in Austin, was asked to do some of the marketing work for one of the December MLC webinars. Before he shared the information for the webinar for other Austin songwriters, he actually asked me what the MLC was. That question, understandably, shook me, forcing me to realize that there were probably lots of other Texas songwriters who did not know the existence of the MLC.

I think it's really difficult for industry professionals in Los Angeles, Nashville, and New York to truly understand what everyone else is facing with respect to the MLC. The songwriters don't know about the MLC. They won't be visiting the MLC's website or social media pages. And above all, they won't realize that they are likely owed some of this $424 million in unclaimed royalties. I'm doing my best to play my part to educate Texas songwriters about the MLC. I have co-presented panels with two panelists from earlier today, and I educate songwriters during our
firm's free legal clinic each week.

This lack of visibility disproportionately affects songwriters of color. Extensive efforts must be made to reach Spanish-speaking songwriters because, unfortunately, I've found that they have the worst song data issues.

For example, I have been working with an older Latin songwriter who did not understand why he hadn't received any royalties outside of his PRO for a considerable period of time. I first checked HFA's song file and noticed that his most popular song had five different HFA song codes. Three codes reflected copyright control. The other two reflected different publishers.

Thereafter, I went to the MLC database, and that same bad data was replicated at the MLC database. Mind you, this is one song, a Spanish song, one writer with a Spanish name. I had to work with HFA to fix this issue so that the content would get merged into one and so the proper data would be reflected at the MLC and at HFA.

I assure you that this is not an isolated incident. Skimming over the last roundtable transcript last night, I stumbled upon a great quote from Linda Bloss-Baum as she discussed SoundExchange's
outreach strategies. She said, "That's where we really had the most success, is going to where the artists are."

I understand that COVID has restricted travel, but the MLC needs to understand that songwriters spend a considerable amount of time on social media. So maybe instead of just posting links to webinars on MLC social media pages, the MLC could hire some songwriters to make posts on their own respective social media pages to get more engagement.

Also, I suggest that the MLC work with VLAs around the country, Voluntary Lawyers Associations for the Arts, just because those organizations are in the space to educate. Ultimately, songwriters cannot collect if they don't know that they're supposed to connect.

I have plenty of other ideas, and I've even come up with a list of potential marketing strategies which I'm also happy to share with the MLC. So thank you for your time.

MS. SMITH: Thank you. Thank you very much, Ms. Seale. Mr. Irwin, can you turn on your video? You can go ahead.

MR. IRWIN: Hi, thanks, Regan. The fundamental problem that I see as an ongoing situation
that needs to be resolved is the imbalance of the board. I'm not sure if there's going to be any panels that are addressing that because we're talking about unclaimed royalties.

But I think, without the correct oversight from creators, I don't think there's ever going to really be the transparency that everybody certainly hoped for when the legislation was passed. There are a couple of ways to address this with, you know, a selective group of representatives from creator organizations as an oversight committee, as an outside ombudsman could look at this.

But I think the real fundamental problem is that even with an imbalance in the board, the way that future directors are elected means that only creators that meet the standards set down by the publisher members are ever going to be admitted, and I think that really will continue the imbalance, you know, unless the numbers are balanced.

Just the mere fact that anyone who does not toe the company line, for want of a better policy or want of a better description, rather, the company policy in line with what the publishers think, the creators will never have a voice, a real voice on that board because the real creators who have some input
that would best represent the creators will never be
elected to that board.

So I think whether that's something that the
Copyright Office can address, or whether it's
something the creators really do need to go back to
Congress to address, remains to be seen. But I just
wanted to get that on the record because I don't think
there's going to be an opportunity to do that anywhere
in any of the panels the way they've been laid out.

So thank you for that.

MS. SMITH: Thank you, Mr. Irwin. I think
the next person we have located, Michele Vice-Maslin,
we're going to try that again. So if you could turn
your video on?

MS. VICE-MASLIN: I'm not anywhere I can
turn the video on right now.

MS. SMITH: Okay.

MS. VICE-MASLIN: But I'll just be really
brief because really everything's been discussed. But
I would just say that I noticed today you really had a
lack of self-administrated songwriters. In fact, you
had none, and that would be really nice, to address
people who are self-administrated.

You had Eddie and Phil, but they're not
self-administrated. They both have administrators.
So I think as furthering this conversation that we need those people, the self-administrated songwriters who are in the know and are savvy and can help others in that same position navigate, could be very useful. So I just wanted to mention that. But, other than that, everything's been wonderful.

MS. SMITH: Okay, thank you. Thank you for sharing. So I don't want to cut you off if you did have more to say, though.

MS. VICE-MASLIN: No, I just wanted also to say that everybody's talking about registrations, and in terms of registrations and transparency, the entire world is a mess, and I know that personally because I have a catalogue of over 1600 works that at every PRO, every CMO, including the MLC, each one differently, there's no continuity. They're different in different ways everywhere.

And you had on someone from SACEM today, which was of great interest to me because SACEM has a situation where not only don't they have a public repertoire search, but my sub-publisher, who lives in France, is French, is a member of SACEM, can't even see all the works of all his affiliates. He can only see the works that make money. So he can't even fix the registrations and reconcile them. So perhaps some
other works would be making money, but he, at his own society, cannot even see the catalogues of all of his writers. This stuff is insane, and this doesn't help the MLC at all because all of the information that gets transferred from the HFA is correct, and the songwriters can't fix their information.

And just like was mentioned, the songwriters who are administrated cannot get on the MLC to check their catalogues. So, even though we have Phil and we have Eddie, they cannot even go look at their own catalogues and try to reconcile the works because they're not allowed to because they can't be members.

So I think there is a lot of things that still need to be worked out in this wonderful organization that has so much potential. So that's what I have to say. Thank you so much.

MS. SMITH: Thank you. And thank you. We appreciate it. So I think the next person will be Michelle Shocked, and, Michelle, if you could wait for a second, I'm going to read the names of the other people we had sign up because we may not be seeing you as attendees. But, if you are here, maybe let us know in the Q&A so that we can find you and promote you.

So the others that we had were Ahmed Ishra, Kayda Mezay -- I may be saying this not quite right,
in which case I apologize -- Chris Sarnek, Scott
Gunter, Mary Steenbergen, and George Johnson. So, if
any of you are here, send us a note in the Q&A and we
will find you. And with that, Ms. Shocked, we are
happy to hear from you. Thank you.

MS. SHOCKED: Thank you for taking the time
to hear my issue. I have been trying to raise this
red flag from inception of conversations about the
MLC. Obviously, the NOI process was a big part of
what led us to this, and in anticipation of not having
the ability to screenshare, I prepared a visual aid.
I'm going to hold it up to the screen very briefly,
and then I'm going to explain what I'm demonstrating.

So there's glare on the screen, but what you
see me holding is a stack of NOIs for one song, "Come
A Long Way," my composition, issued by Harry Fox in
the name of an artist from Jamaica called George
Nooks. And the rest of this feedback panel I'm going
to be posting in the chat links to articles about Joe
Lubin and the MLC vendor chosen, Consensus, and the
article that links Joe Lubin to this reggae artist,
George Nooks.

So I'm basically implying and directly
stating fraud, and all the conversations that I've
listened to today talking about transparency and
getting writers paid, no, that's not what's going on. When the MLC chooses a vendor like Consensus to help launder money and you've got this unclaimed royalties issue, I'll just leave it as a hanging participle there, but thank you. That's the point that I wanted to make in this issue.

MS. SMITH: Okay, thank you. Thank you for participating and for sharing. I think now we've found Mr. Schwab, if you would like to speak?

MR. SCHWAB: Thank you, Regan. I put my question in the Q&A. I don't know if you can see it.

MS. SMITH: I see it, but since we have a transcriber, you've got to state it because that is how it will get into the study. So I know it's a little lengthy.

MR. SCHWAB: So I am involved with Classical Archives, and most of the work that we offer are in the public domain. In fact, more than 80 percent of the streams that we offer every month are for public domain works. And we find it strange that we have to contribute so much to the pool of mechanical royalties when most of the work that we stream are in the public domain. And I hope that something can be done about this because we operate on very thin margins. Every cent counts, and we want to make sure that this is
being considered. Thank you.

MS. SMITH: Thank you. And so Classical Archives is a DSP, right? Just to confirm for the record.

MR. SCHWAB: That's correct.

MS. SMITH: Okay, thank you. I think this may be everyone who had signed up to speak. Anyone from the Copyright Office, if I'm missing someone, this is, I think, maybe the last chance. I see one clarification in the chat from Mr. Galdston, who says that he has been self-administered since January of this year and has previously had experience. So I will state that for completeness.

All right. Well, thank you. Thanks, everyone, who has participated today. We are going to have a half-day wrapping up tomorrow which will start at 10 a.m. Eastern Time. There's a different link which is available on the Copyright Office website, and maybe someone could throw that in the chat right now. And we will start at 10 a.m., and we will close at 2:00. So thank you very much.

(Whereupon, at 5:35 p.m., the roundtable in the above-entitled matter adjourned, to reconvene at 10:00 a.m. the following day, Friday, March 26, 2021.) //
CERTIFICATE

CASE TITLE: Unclaimed Royalties Study Roundtable
DATE: March 25, 2021
LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the digital recording and notes reported by me at the meeting in the above case before the Library of Congress.

Date: March 25, 2021

David Jones
Official Reporter
Heritage Reporting Corporation
Suite 206
1220 L Street, N.W.
Washington, D.C. 20005-4018
Unclaimed Royalties Study Roundtable

March 25, 2021

Heritage Reporting Corporation (202) 628-4888

Sheet 22

records - roundtable
Unclaimed Royalties Study Roundtable

March 25, 2021

Heritage Reporting Corporation

(202) 682-4888
...