

NORTH MUSIC GROUP LLC

630 Resolano Drive
Pacific Palisades, CA 90272
Tel: 310-459-4707 Fax: 310-454-3814

March 18, 2020

Via Email

Regan Smith
General Counsel and Associate Register of Copyrights
Anna Chauvet
Associate General Counsel
Jason Sloan
Assistant General Counsel

Re: Docket No. 2019-0005

Summary of ex parte meeting regarding Music Modernization Act Implementing Regulations for the Blanket License for Digital Uses and Mechanical Licensing Collective

Dear Ms. Smith, Ms. Chauvet and Mr. Sloan,

Following is a summary of topics we discussed during our February 6, 2020 in-person meeting, attended by Abby North, Angela Rose White and members of the Copyright Office, regarding Mechanical Licensing Collective Rule-Making.

As a music rights manager and an advocate on behalf of composers and songwriters, it is extremely important to me that all rightsholders have access to education regarding how to register musical works, and to tools that allow them to create globally accepted works registration files.

Self-published songwriters must be familiar with identifiers including IPI Name Number, ISWC and ISRC.

Currently, to register works at most CMOs, rightsholders have the option of registering one song at a time using single song registration tools within CMO portals.

Realistically, rightsholders with more than just a few works must have access to batch works registration tools: an excel spreadsheet template must be created and made available, and a method for that spreadsheet to be validated and then imported into the works database must be made available.

For the MLC database to have truly comprehensive, standardized and accurate works data and be compatible with global Collective Management Organizations (CMOs), the MLC must accept CWR as a works registration format. The MLC must also provide or support an affordable tool for creation of CWR files.

Common Works Registration (CWR) is the works registration standard utilized by most collection management organizations around the world.

There are multiple concerns related to the use of Common Works Registration (CWR) by the MLC.

The first concern is pricing and availability of CWR software.

CWR is currently available as part of very expensive rights management software used by many mid-sized and large publishers. For rightsholders who do not have the budget or need for such rights management tools, there must be reasonably priced CWR availability to all rightsholders that need to register many musical works.

The second issue relates to whether a publisher IPI will be required by the MLC for a rightsholder to be allowed to submit a CWR file.

Currently, only publishers (as opposed to writers) may receive CWR Submitter IDs and be recognized as submitting parties. To affiliate as a publisher with ASCAP costs \$50. To affiliate as a publisher with BMI costs \$250. It is not reasonable to require a rightsholder to pay to get a publisher IPI, just so that rightsholder may submit CWR files to register its works.

The CWR specifications indicate a writer may be a CWR submitter. However, according to my research querying many of the world's largest CMOs, those CMOs do not accept CWR files directly from writers, unless the writer is also a publisher with a CWR Submitter ID.

One reason for this is that the file-naming requirements within the CWR spec require a CWR Submitter ID. Another reason is simply that Writers thus far have not attempted to submit CWR files.

It would be advisable for the MLC to accept works registration files in the CWR data standard, but modify the CWR specified file-naming convention such that a submitter could be a rightsholder with no CWR Submitter ID.

A separate concern we discussed relates to the songwriter name being required data in royalty statements delivered by the MLC to publishers.

Major publisher deals often include language that allows the publisher to not pay the writer if the data within the royalty statement delivered to the publisher does not include the writer's name. The MLC must deliver the writer's name in statements in order to provide the writer the best chance of receiving his/her royalties from the publisher.

Writer name as a data point assists in disambiguation. When there are multiple songs with the same title, several of them may be published by the same publishing entity. When globally unique identifiers are not available and/or not utilized, the writer's name is the crucial piece of data in terms of identifying entitled parties.

In conclusion, the MLC must be completely compatible with the mechanical societies and CMOs around the world. Data points must be normalized, works registration formats must be standard and

rightsholders around the world must be able to deliver their data so they can collect their mechanical royalties.

Thank you for your time and consideration regarding the topics we discussed.

Best,

A handwritten signature in black ink that reads "Abby North". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Abby North