

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty](#)  
**Subject:** Part II: Specific Recommendations for Improving Copyright Enforcement  
**Date:** Tuesday, March 23, 2010 12:11:41 PM

---

Dear Ms. Espinel,

To improve copyright enforcement, **The United States needs new Compulsory Synchronization laws for video and Compulsory Streaming laws for the web.**

Compulsory laws help the little guys easily distribute their new recordings of songs they did not write. The United States already has a Compulsory Mechanical law that makes it simple for anyone to legally distribute a new audio recording of an old song. However, there are no compulsory laws for for video or web streaming.

**The process is the same to license a church talent show on 100 DVDs as it is to license a blockbuster movie on 500,000 DVDs. In the 1960's that worked because video production was limited to large studios. But now people have video cameras/studios on their phones!** The distinction between music use in video and only-in-audio is dated and impractical.

Right now, the only way to legally record a song with video is to contact the copyright holder directly for permission. That's a problem because the copyright holder can request any fee, or reject the license altogether. Even if they offer a fair deal, they are so bogged down with requests that they cannot service the needs of the music user. The result is that **small-timers, such as churches, schools, community groups, and independent artists have tremendous difficulty obeying the law. In turn, many decide it is not worth the trouble and they never get permission.** Manufacturers turn a blind eye because they don't want to lose business over licensing.

We have built a business around Compulsory Mechanical licensing. Every day we help people get mechanical licenses to legally distribute new recordings of songs that other people wrote. But when it comes to video we cannot help them because the process is slow and unpredictable.

New Compulsory Synchronization and Web Streaming laws will not affect major distribution deals, which will be custom-negotiated below statutory rates anyway. They will not affect Master Rights; Original sound recordings will still be wholly controlled by the owner.

The new laws *will* allow small-time music users to easily distribute their new recordings legally. Because licensing will be easy and affordable in small quantities, it will actually happen. Small-time music users who would otherwise skip licensing and go unnoticed will pay the small royalty to do things legally. They will also have more respect for all aspects of the Copyright Law because it will practically address their needs. Copyright holders will receive the royalties they have been missing from these small licensees, which in total will amount to a lot of money.

Independent musicians love the Compulsory Mechanical law because it empowers the little guys. Let's add a Compulsory Synchronization law for video and a Compulsory Streaming law for the web to modernize the Copyright Law to match

today's music use, and to empower budding musicians just like we do with the Compulsory Mechanical law.

Sincerely,

Mark Meikle

--

Mark Meikle  
President  
Legacy Productions  
2600 N 2nd Street  
Minneapolis, MN 55411

Office: 612-522-0751  
Mobile: 612-384-0843  
Toll free: 1-800-360-5192 x700

[www.easySongLicensing.com](http://www.easySongLicensing.com)  
[www.legacyfundraiser.com](http://www.legacyfundraiser.com)