

From: [REDACTED]
To: [FN-OMB-IntellectualProperty](#)
Subject: My Intellectual Property Story
Date: Tuesday, March 23, 2010 3:41:50 AM

Dear Ms. Espinel,

I started writing music with my co-writer, co-producer, Anders Rydholm, in Sweden over the internet in 2005

for a CD of melodic rock. We got signed to a record deal out of England to release the music in Scandinavia, Europe and Japan. The band was called, "CODE". Meaning a code of honor, as opposed to computer language.

Our website is still up and samples of the music can be heard at the website:

www.codeband.net

I worked for roughly two years sweating over writing and rewriting the lyrics to create a marriage with the music.

Finally, we completed the CD, with only a few thousand dollars of advance money, which we spend on recording a real live drummer for the CD. We worked very hard to create a CD that raised the bar for that particular genre' of music, in the melodies, arrangements, production, vocal performances and lyrics that were intelligent, not just the old cliches of sex, drugs, and rock n' roll.

The record company, Escape Music Ltd. released the CD in January 2007.

In February 2007, I did a search on Bit Torrent and CODE.

What I found was a log of illegal downloading of our CD, "CODE - The Enemy Within" that stated over 400,000 illegal downloads in just one month's time.

The result of this was:

The record company probably didn't recoup their advance money.

We made about \$1500 each from Japanese publishing PERIOD.

Two years work for \$1500?

My wife said, "No one works for \$65 a month."

I've spent 40 years at my craft of playing guitar, becoming a competitive singer in the marketplace and a songwriter/producer that can compete with the rest of the professional world.

Now, the thought of picking up a guitar or working (sweating bullets) to write an incredible lyric just leaves me deflated.

If an artist can't make a living at their craft, the lesser talented, lesser experienced, hobbyist takes over. The marketplace becomes filled with the lowest common denominator.

With downloading, the only way for an artist to make any money is to travel touring.

That's it. Since I'd rather make money in other ways and stay home and raise our daughter, I'm pretty much an artist in hiding.

In the old days in the Soviet Union we heard how the government sponsored artists and athletes.

We have relied on the royalties from our music and some corporate sponsorship to support our tours and production.

Until the technology comes along that can block the copying of intellectual property, we'll all have to find new ways of making a living.

Thank you for your time and attention.

Best regards,

Sherwood E. Ball

