

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty](#)  
**Subject:** intellectual property rights and songwriters  
**Date:** Tuesday, March 23, 2010 8:20:42 PM

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Dear Ms Espinel, et al,

As a songwriter in Nashville, Tn, i rely on the protection and proper exploitation of my intellectual property rights in order to make a living.

I am not a super rich recording artist, I'm not even a super rich songwriter, just the smallest of all small businesses: a "lunch pail" songwriter.

I go to work everyday, much like yourselves, and work until quitting time (usually around 5:30 or 6:00 pm, although it is often later). My work consists of writing songs, arranging to write songs, and presenting these songs to recording artists, their managers, producers, or record labels and praying that they record or "cut" my music.

The internet has made it possible for the public to "share" my songs without anybody compensating me for my work. While I certainly understand why an individual could reason that during these tough economic times he/she can't afford to pay for my music, and it's only a few pennies in royalties that are being stolen, when this happens millions of times daily it makes it very difficult for me to provide my family in a manner which keeps them from needing some form of gov't assistance (whether that be medical care or college grants).

I have been to Washington many times to lobby on behalf of copyright interests and have been told on numerous occasions that government is waiting for the private sector to "figure this out". I understand that thinking, and in most cases would agree, but with respect to illegal downloading the vicious circle that has been created will not be fixed by the recording industry and digital media companies sitting in a big circle and hashing it out. Allow me to demonstrate the situation:

ABC Records signs Joe Blow artist and spends 2 million dollars to make a cd and market it. As soon as Joe Blow has a hit, he has created a demand for his product which is available for free on any number of web sites. John Q Public obtains an illegal download instead of buying the product. ABC records makes no money to risk on a new artist who may or may not make it. The music business gets smaller. Eventually, in an age where international opinion of America is more important than ever, America has very little media influence left, which is our most valuable and effective influence over the rest of the world.

Go to St Marks square in Venice, Italy. Chances are you'll hear a radio playing american music, or a saxophone player playing an old jazz standard. If current trends continue, there'll be no more music to export. And, as a reminder, intellectual property is America's biggest export.

Holding internet service providers accountable for illegal activity occurring through their service would be a great deterrent to this activity. So would more aggressive governmental policing and prosecuting of offenders. PSA's would be helpful as well. And I'm sure there are a hundred more good ideas that you will receive through your reaching out to us.

Thank you for asking our opinions, and please, help us protect our livelihoods and the music that entertains and shapes the entire planet, created by your constituents.

yours truly,

Rivers Rutherford  
Nashville, Tn  
Songwriter