

Protect Intellectual Property – A Musician's Perspective

Throughout human history, despite differences in regions, and cultures, one thing remains undeniably certain: artistic expression is one of the most significant ways that we define our values. Of the myriad forms of artistic expression, I would argue that nothing reveals more clearly the essential qualities and nature of a society than its music. This is most clearly illustrated by the fact that music has deep meaning to us. For this reason, it is passed down through generations, from a mother singing to her child, to religious and social ceremonies, to the first rudimentary musical recordings, to modern-day digital music files. Human beings have been passing on their music from generation to generation since Adam first beat a drum for Eve.

During my time as a member then later president of the Chicago Federation of Musicians, I have had the privilege of working with and representing some of the most talented musicians in the world. The goal of CFM is to protect the rights of musicians by ensuring that they are paid fair wages, and that their artistic product recorded music, is protected. Of the nearly 3,000 musicians whose interests we represent, I have not encountered one who feels that his or her love of music is reason enough to create it then give it away for free. The sale of their product is the means by which musicians earn their living, pay their bills and provide for their families. Yet thousands of musicians have their work stolen by thousands of listeners on a daily basis.

Human ingenuity has given us more than beautiful music; the development of digital technology has allowed people worldwide to enjoy music of all types, at any time. As is the case with many technological advances, there is potential for misuse. This misuse occurs in the form of online theft. Over the past decade, largely due to online theft, the music industry has declined by nearly half and artist and musician rosters have been decimated. That means fewer jobs and benefits that allow musicians to continue to create the music listeners enjoy. According to U.S. Census Bureau data, the decline in revenue to the music industry directly translates into the decline in full-time jobs for musicians across the country. Too many musicians are forced to abandon their music careers, and cease to offer their musical gifts to the world. This is a loss that will ripple through the entire economy and culture for years to come.

A significant amount of this massive damage is due to foreign websites which exist for the sole purpose of robbing U.S. markets by promoting the theft of intellectual property, this means music, movies, videogames and the sale of counterfeit goods from phony drugs to fake watches. So, while the music industry certainly isn't the only sector of our nation's economy affected by this theft, it may be taking the worst beating. In fact, according to the Recording Industry Association of America, industry revenues have declined more than 50 percent since 1999 -- from \$14.6 billion to \$6.9 billion in 2010. And the number of families

who have been devastated by job losses due to IP theft is in the many thousands.

This past May, I was encouraged by the work of Senators Pat Leahy (D-VT) and Orrin Hatch (R-UT) when they introduced the PROTECT IP Act. This landmark legislation would give the U.S. government license to block foreign “rogue” sites from gaining access to U.S. markets, including our intellectual property. I know that my colleagues at CFM and I aren’t the only ones who are supporting this bill. The U.S. Chamber of Commerce’s IP branch, the Global Intellectual Property Center (GIPC), released a letter signed by a broad coalition of 359 companies, businesses, and professional organizations urging lawmakers to take swift action to enact this bill. The sooner members of Congress pass this legislation the more jobs we will be able to preserve.

To date, the PROTECT IP Act has 31 bipartisan cosponsors, one of which is our own Illinois Senator Dick Durbin. As Majority Whip of the Senate, Senator Durbin is uniquely positioned to help advance legislation. On behalf of the members of the Chicago Federation of Musicians, it is our hope that Senator Kirk will join Senator Durbin in support of this important legislation. Passage of this bill will benefit many of their musician constituents here in Chicago and across Illinois as well as musicians throughout the United States and around the world.

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