



Louisiana Restaurant Association

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July 24, 2014

Chief, Litigation III Section
Antitrust Division
U. S. Department of Justice
450 5th Street NW, Suite 4000
Washington, DC 20001

via electronic mail

Subject : Comments to DOJ – Regarding Performance Rights Organizations Consent Decrees

Dear Sir:

On behalf of the Louisiana Restaurant Association and its member restaurants, caterers, hotels, contract feeders and supply community we appreciate the opportunity to provide comments on this important review. Our members range from single location independent operations, to franchises, multi-unit operators and large national companies. We encourage our members to work with the performance rights organizations to enter into agreements for the appropriate licenses for their use of copyrighted materials whether it is recorded music, through television or live performances.

In the years since the Consent Decree was last reviewed or modified, the available entertainment options, outlets and delivery methods have grown exponentially. As such we feel that it would be a good practice for the performance rights organizations to be granted the flexibility to work with its publishers to tailor specific channels or types of content that could be licensed directly by the publisher or licensed to the performance rights organizations to further offer for other channels of distribution and use. Taking an “all or nothing” approach with respects to what the publisher can provide to the performance rights organization seems to work to the detriment of the publishers, performance rights organization, and those who seek to license their products.

We would also ask that you continue to grant to Broadcast Music Inc. (BMI) the authority to license multiple rights to music users, including reproduction and distribution (i.e. mechanical) rights as well as synchronization rights. As the rights granted to ASCAP do not currently allow licensing these additional rights, we support providing BMI clarity and if needed, an amendment of the BMI decree to make clear that licensing of multiple rights is permitted. We support the role of BMI to provide this type of full service licensing for musical works rights in order to provide maximum value and efficiency to its affiliates and licensees.

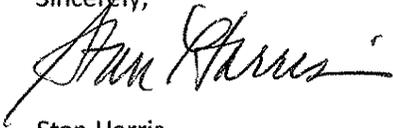
Finally, we are concerned that the present rate court process used for setting reasonable rates in the U.S. District Court in New York is expensive, time consuming and has failed to result in fair market value rates in recent years. We would strongly encourage the Department of Justice to consider other methods of alternative dispute resolution including mediation or arbitration which should provide more timely decisions and expedite the payments of license fees.

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The performance rights organizations serve a critical role in the licensing of the use of their publishers material. As technology continues to create and deliver new channels and methods for the use of this content, it seems only appropriate that the consent decree review process consider the impact of these changes as they attempt to better serve those who wish to license these materials.

Please feel free to contact me should require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Harris". The signature is written in a cursive style with a prominent initial "S" and a long, sweeping underline.

Stan Harris
President and Chief Executive Officer