



**MUSIC. INNOVATION.
CONSUMERS.**

The Transparency in Music Licensing and Ownership Act Fills a Void Left by Performance Rights Organization

For the last hundred years, businesses — including millions of restaurants, bars, hotels, wineries, retailers, local broadcasters, and digital music services — have purchased performance rights for songs through Performance Rights Organizations (PROs). Each of the four PROs offers different blanket licenses that cover thousands of writers and publishers as well as millions of musical works in each of their respective catalogs. But even after purchasing these licenses, businesses are left asking themselves, “What music is covered and what can I play?”

Despite the explosive growth in access to information online, there is not a single comprehensive and actionable database of music copyright ownership and licensing that exists today. This leaves businesses unable to make rational decisions about which licenses best fit their music needs and facing the risk of crippling damages under the copyright laws.

Sure, all four PROs claim their proprietary online databases are available to everyone. But, all four explicitly state in their terms and conditions* that users cannot rely on or make licensing decisions based on the information. Simply put, users cannot count on the information in any of the databases to be accurate, actionable, or up-to-date.

BMI [makes it clear](#) that they take no responsibility over the information contained within their database. Simply searching their database clears them of liability.

“BMI makes no warranties or representations whatsoever with respect to its accuracy or completeness of the information other than to determine what musical compositions are licensed by BMI through the last update. BMI specifically disclaims any and all liability for any loss or damages which may be incurred, directly or indirectly, as a result of the use of the information in this database for any other purpose, or for any omissions or errors contained in the database and all use of the BMI Site is solely at the risk of the user.”

“By starting a query against BMI’s searchable song title database, you are indicating that you understand these limitations and you waive any and all claims of any kind and nature against BMI.”

The [same is true](#) for ASCAP.

“Although ASCAP uses reasonable efforts to update ACE and improve the accuracy of the information contained therein, ASCAP makes no guarantees, warranties or representations of any kind with regard to and cannot ensure the accuracy, completeness, timeliness, quality or reliability of any information made available on and through ACE. ASCAP specifically disclaims any and all liability for any loss or damage of any kind that you may incur, directly or indirectly, in connection with or arising from, your access to, use of or reliance upon ACE, including any errors or omissions in the information contained therein. Your use of and reliance upon any information contained in ACE is solely at your own risk.”

And [SESAC](#).

“SESAC makes no representations and/or warranties with respect to the accuracy or completeness of the information found within the search results” followed by explaining how “SESAC makes no representations and/or warranties as to any information contained in the search results, and SESAC specifically disclaims any direct or indirect liability for any losses or risks of any kind including, but not limited to, any incidental, special, exemplary, punitive or consequential damages arising or which may arise out of the use, application or omission of any of the information contained in search results.”

And, finally, for [GMR](#).

“The information contained in the GMR Database changes on a continual basis, and as with any information database, there may be inaccuracies or delays in updating the information. Although GMR uses reasonable efforts to update the GMR Database and improve the accuracy of the information contained therein, GMR makes no guarantees, warranties or representations of any kind with regard to and cannot ensure the accuracy, completeness, timeliness, quality or reliability of any information made available on and through the GMR Database. GMR specifically disclaims any and all liability for any loss or damage of any kind that you may incur, directly or indirectly, in connection with or arising from, your access to, use of or reliance upon the GMR Database, including any errors or omissions in the information contained therein. Your use of and reliance upon any information contained in the GMR Database is solely at your own risk.”

All stakeholders in the music marketplace benefit when current and accurate information about copyright ownership and licensing is easily accessible, reliable and usable. The MIC Coalition, which represents millions of entities across the nation that support artists and songwriters through their promotion and licensed use of music, believes that transparency is a necessary baseline in creating a more sustainable and equitable system. The Transparency in Music Licensing and Ownership Act is an essential step to promoting a vibrant economy for music and greater fairness in the music marketplace overall.

MIC Coalition Members Include:

