

**Docket No. 20-CRB-0007-RM Regulation Concerning Proxy Distributions for Unmatched Royalties Deposited During 2010-2018**

eCRB  
Copyright Royalty Board

Proposed Rule

Copyright Royalty Judges Propose Amended Regulations Concerning Proxy Distributions for Unmatched Royalties Deposited Pursuant to Statutory License for The Period 2010 through 2018.

June 19, 2020

SUN-GLO RECORDS, INC.  
P. O. Box 32632  
Palm Beach Gardens, Florida 33420-2632  
Account No: Back 14E5312/1000029508 - SoundExchange, Inc.

Comments are due no later than June 29, 2020

I believe users have an obligation under current copyright regulation to identify copyright owner (s) who earned these statutory royalties.

SUN-GLO Records, Inc., have been Registered with SoundExchange Inc., since May 31, 2010. SUN-GLO Records, Inc., have not received one (1) cent of sound recording royalties from SoundExchange Inc., year-to-date **not ever.**

SUN-GLO Records, Inc., have been associated with the music industry for Five (5) decades, there are some good things going on in the music industry and some really bad things going on in the music industry. I have evidence that music streaming entities such as **Amazon Digital Services, Apple/I-Tune, Apple Verizon, Facebook, Google Play, Napster, Pandora Media Inc. Slacker Inc., Spotify, Youtube Music, etc. etc.**, to name a few, are streaming SUN-GLO Records, Inc., sound recordings, because these streaming services are accessing SUN-GLO Records, Inc. sound recordings by using Upward Bound Music Company, Inc., the Publishing arm for SUN-GLO Records, Inc., with a **Notice of Intention to Obtain a Compulsory License** which allows these streaming

services to circumvent the copyright regulation of **obtaining a sound recording license** before the use of SUN-GLO Records, Inc., **sound recording property. Broadcast Music Incorporated a.k.a (BMI)** collects and pays performance royalties to Publisher Upward Bound Music Company, Inc., on a quarterly basis from those same entities listed above who continue to commit unauthorized use of SUN-GLO Records, Inc., sound recordings.

SUN-GLO Records, Inc., have undisputed evidence of numerous entities who have refused to obtain sound recording license from SUN-GLO Records, Inc., because SUN-GLO Records, Inc., is considered a small independent company and the major sound recording record labels the **conglomerates** have more legal and political clout and have been easily getting away with these types of acts for decades.

SoundExchange needs to obtain **CRB Judges order, compelling** users depositing royalty payments, to identify who's copyright properties these entities have used and users must commence better record keeping of copyright properties.

SUN-GLO Records, Inc., received zero (0) cent of royalties from SoundExchange since my company received registration confirmation on May 31, 2010.

SUN-GLO Records, Inc., has identified more than two (2) dozens entities exploiting SUN-GLO Records, Inc., copyrighted properties without obtaining any kind of usage license from the copyright owner.

Could some of these unmatched millions of dollars royalties belong to SUN-GLO Records, Inc.? **I am open for dialogue.**

SUN-GLO Records, Inc., can not release any new product because my label has been unable to recoup its investment from previous product releases. I do not know exactly what SoundExchange means about proxy distributions for unmatched royalties deposited at its discretion on an ongoing basis.

As a small sound recording label owner, I am on the **fence** when it comes to this proxy methodology because the major sound recording labels the **conglomerates** will be the primary recipients of these millions of unmatched royalties dollars.

If I was a betting person, which I am not, I would be willing to wager a tiny sum, that One Hundred (100%) percent of the major sound recording record labels have been paid their fair share of statutory royalties over the past ten (10) years.

## **Proposal: Recoupable Advance Option Or Non recoupable Advance Option**

If the Copyright Royalty Board Judges are proposing to amend their regulations concerning distributions for unmatched royalties deposited pursuant to statutory license for the period 2010 through 2018. It should be to **smaller record labels/artists** who make up the bulk of the created sounds for the music industry.

Because of the **COVID-19 Pandemic** that had a disproportionate effect on many smaller record labels, some of those unmatched royalties dollars should be **ordered by the CRB Judges exclusively for smaller sound recording labels**, to create a fair and just distribution of unmatched royalties, since distribution of these royalties will be **distributed** at the **sole discretion of SoundExchange**. I believe smaller sound recording label owners with annual revenue of **One Hundred Thousand (100,000.) USD** or less than **One Hundred Thousand (100,000.) USD** per year, should receive no less than **Seventy-Five (75%) Percent** of those deposited unmatched royalties as a **recoupable advance option** or as a **non recoupable advance option**.

The Copyright Royalty Board Judges (CRB) should treat some of these unmatched deposited royalties as **Stimulus Economic Impact Loans to smaller independent sound recording labels** I know SUN-GLO Records, Inc., can meet the qualification for a Recoupable Advance Option.

**No hand outs needed, a helping hand is welcome.**

SoundExchange advance can be recoupable after a fixed period of time rather than a fixed repayment amount. Advance can only be **recouped** from **product usage**.

Advance can not be recouped from **Artist (s) Agent (s) Producer (s) Record Label (s) Affiliate (s)** or any other sources.

SUN-GLO Records, Inc., has another important proposal, with all due respect, I think SoundExchange online registration application form can use some updating. I will reference **Broadcast Music Incorporated a.k.a. (BMI) online registration application as an example**. A registration form should account for **samples, cover versions, rearranging and re-mixing of copyright owner (s) original sound recording and exploiting them without licensing**. I discovered **these issues**, from The Whosampled App uploaded by Discogs to my Youtube account. I would love to see an online electronic filing Submit button to finalized the submitted application for SoundExchange, Inc., online registration for sound recordings.

If most small sound recording record labels are like mines, I know we would be willing to accept some of these unmatched deposited royalties as a repayable loan.

Best regards,  
SUN-GLO Records, Inc./Catalog Administrator/SoundExchange Affiliate  
Registered Copyright Owner/Sound Recording/Master Rights

Samuel Solomon  
President/CEO/Executive Producer