



# Transparency in Music Licensing and Ownership Act

## What is it?

This bill would create a single, free, transparent digital music database.

If a winery has licenses\* from certain PRO's\*\* and not others, they can use the database to ensure that they are not infringing on copyright law.

## Why would I need it?

## How would I use it?

The database will be accessible, free, and easy to use. Once the bill becomes law, a committee will be established to advise on how it will function.

If the database is used by the winery in good faith and infringement occurs due to a PRO's failure to represent their repertory, the PRO can no longer sue for "statutory" damages only for "actual" damages.

If I use this database, does that mean the PROs can't sue me?

## What is the difference between "statutory" and "actual" damages?

Statutory damages are set by courts and range from \$30,000 to \$150,000 *per infringement*. With actual damages, a winery is liable for the actual cost of licensing that song according to a PRO's licensing agreement.

We need your help to get the Transparency in Music Licensing and Ownership Act passed. Learn more on the next page

## How do I get involved?

\*Licensing: Under copywrite law, a business owner must purchase a license to public perform copywritten music

\*\*PRO: Performance Rights Organization. Including ASCAP, BMI, and SESAC

# GET INVOLVED

## CONTACT YOUR MEMBER OF CONGRESS

- Has your member signed on?
  - Yes? Send a thank you letter
  - No? Send a letter requesting support
- Need a template? Contact Tara Good at WineAmerica, [tgood@wineamerica.org](mailto:tgood@wineamerica.org).
- Sending by email? Bcc Tara Good. She will follow up with the office to provide any additional information the staff may need.
- Hold an event for your Member of Congress. Getting members to wineries is the best way to educate them about your business' concerns.
- Join WineAmerica

## JOIN WINEAMERICA

*What happens in Washington D.C. affects your business*

Please fill out and return this application *or* visit our website [www.wineamerica.org](http://www.wineamerica.org)

Name of Winery:		
Representative's Full Name:		
Position:		
Address:		
City:	State:	Zip:
Telephone:	Fax:	
Email Address(es):		
Website Address:		

- 1) Rates are based on gallons sold:
- Less than 10,000 gallons = \$500 Minimum Dues
- More than 10,000 gallons: Gallons Sold      X .05 (5¢ per gallon) = \$
- More than 70,000 gallons: Gallons Sold (over 70,000) + (Base Dues)
- X .01 (1¢ per gallon) + \$3,500 =

- 2) Payment options:

Full Amount     Two Installments

- 3) Please make check payable to: WineAmerica, 1020 16th St. NW, Suite 300, Washington, DC 20036  
To pay by credit card, visit [www.wineamerica.org/membership](http://www.wineamerica.org/membership)

Questions? Tara Good, Vice President, [tgood@wineamerica.org](mailto:tgood@wineamerica.org), 202.223.5175