

Open Letter to the editor at Rolling Stone Magazine

Hi Rolling Stone Magazine, and Daniel Kreps,
RE. your article Jack White, Pearl Jam, U2, Trent Reznor Sign DMCA Petition
I'm just another faceless, jobbing musician, who's written hit songs and composed orchestral pieces for famous Hollywood movies. No-one has ever heard of me, so I thoroughly applaud the big, famous names that have come out to protest against all those companies (e.g. Google/YouTube/Facebook etc.) who hide behind the DMCA's safe harbor laws.

But I worry.

Because when those big names complain the public thinks 'Oh boo hoo, you only earned \$10 Million instead of the \$100 Million you were owed'
Understandably the public loses sympathy but I urge you to print the whole story that is why, according to Nashville Songwriters Association International, the number of full-time songwriters in Nashville have dropped 80% since 2000 and yet songs are consumed more than ever before.

How could songs have lost their value? The answer is piracy from YouTube, Facebook and the like!

1) That \$100 Million that the public apparently begrudge songwriters is still being made from consumers wanting music, but it is going into the pockets of giant corporations who use music as bait to mine data from the consumer and sell advertising to them. So when you hear someone say musicians/artists are greedy spare a thought for **Apple, Microsoft, Google, Pfizer** and **Cisco**, which combined now hold \$439 billion in CASH just sitting in their bank accounts, according to *The Streets* publication of June 23rd 2015. That money is the profit from us all wanting music, entertainment and knowledge for 'free'!

2) Free is not really free. The consumer is not benefiting in the long run. (More on that later...)

3) Those big names are actually only the "0.01%!!! The rest of the 99.99% of musicians around the world earn much less because the mathematical equation

is proportionally the same - so someone who should be earning \$100,000 is now only making \$10,000. This is the difference between feeding their families via their career in music or having to get 'a proper job' or having no job!

"GET A PROPER JOB"

.. or the old chestnut "REAL ARTISTS DO IT FOR THE LOVE OF IT" is an argument that fails to understand the importance of art as a profession not a hobby. Which I won't debate because, come to think of it, why are we letting those people, (who don't value art as a profession,) dominate the conversation and decide that creators should not be paid? Who put them in charge when they don't understand WHY creators are not being paid, let alone whether they should?

When Sir Winston Churchill was in charge he was asked to cut arts funding in favour of the war effort, he replied: "Then what are we fighting for?"

Being paid to do a job you love is allowed and a good thing! Like the chef, the entrepreneur, the tattoo artist, the vet, the scientist, I even know a dentist who is working way past retirement, not because he needs the money but because he enjoys it!

Some say 'GREAT ART IS BORN OUT OF POVERTY' "YOU HAVE TO SUFFER FOR YOUR ART" "THE SECOND ALBUM WAS BAD BECAUSE, ONCE THEY FOUND FAME AND FORTUNE, THEY LOST THEIR EDGE"

This is false logic. Equating poverty to good music or success to bad music is simplistic and conveniently unrealistic, as it ignores the complexities of the creative process. I've only heard this hypothesis from the lips of those who want to exploit creators, not from creators themselves! Great art comes from all kinds of people in all kinds of ways. If we limit the routes we will limit our culture and our freedom of expression.

Most artists find fame hard to achieve on any level and even harder to sustain. Which is why 98% give up on the dream 'cos they have it beaten out of them through lack of funding! Who knows how many hidden treasures lay undiscovered? Masterpieces we are all denied by lack of funds to sustain artists.

I accept that quantity doesn't always equate to quality, but limiting funding, either directly to an artist or because an investor has no incentive to invest in the music business, mathematically will limit our cultural freedom because people have to earn money to live, therefore if they have to do art in their spare time it will limit the supply and therefore our choices and therefore the amount of really amazing art that can be created and the variety of people who are at liberty to create leaving us in a sea of mediocrity.

Success in the arts has always been much like winning the lottery. Songwriters now have to keep on 'winning the lottery' because the prize is less than minimum wage through the current streaming business models where each play is worth about 0.006 cents per play!

The streaming business model is flawed in 2 ways.

- 1) Once everyone is paying a subscription it can not grow anymore, without increasing the subscription yet music will continue to be added by the minute. No new revenue can be generated for new releases.
- 2) Streaming does not support songwriters at it's current royalty rate, so this business model will favour the already rich who can support themselves or the rich taste makers who will create a monopoly of just a few dozen 'superstars', according to their taste, who will dominate art. Not unlike what we have today and how it has always been... this is an opportunity to change things for the better not make things even worse than they have always been.

It is time to change all that

We have an opportunity to level the playing field. YouTube propaganda is bragging that they have already 'leveled the playing field', when really all they have done is encourage us all to work for them for free: to 'GET EXPOSURE"! They admitted, back in 2014, that you'd be competing with 300 hours of video being uploaded to youTube every minute - we are all dying of exposure, while Google laughs at us (and our cat videos, 'mash ups' and illegal uploads) all the way to the bank.

YouTube(Google) are making the rules.

They decided not to pay anyone unless they achieve 700,000 uploads in 3 months. They decide that if someone else uploads our song we can not combine the views we can only get paid on that illegal upload if it is over the 700,000 threshold. So not surprisingly people are not prevented from uploading but rather encouraged by making it very easy to upload copyright infringing material, because there are no consequences, other than being issued with a take down notice! So if 1000s of people around the world upload popular songs that attract billions of views the makers of those video or song could earn nothing from YouTube. The take down notices are a joke, Music trade associations have sent more than 280 million infringement notices to Google since 2012 alone. What a waste of precious music industry resources. Meanwhile YouTube's content ID is playing whack a mole instead of actually being deployed BEFORE we are allowed to upload. Even then, they only service large corporate clients, the indies are NOT protected at all.

How can this be allowed to happen?

Most people are completely unaware that YouTube (Google), and the like, hide behind safe harbour provisions contained in the DMCA. Many don't even know what safe harbour is. They assume that everything they can get access to on the Internet must be legal and protected by the government, who are safe guarding our rights. (Don't even get me started on how USA, China, Iran and North Korea are the ONLY countries in the entire world who's broadcaster successfully argued that they 'can not afford' to pay artists a performance royalty on radio... It's quite shameful that these 4 countries haven't learned, from all the other countries, how to be profitable enough to pay artists!) 😊

Creators have always been abused

...but that doesn't mean it should always be that way. But if we do not object and force governments to rethink their strategies about how better to protect creators, it will always be that way.

YouTube and Facebook act like a broadcaster and a distributor

...but they are not bound by the same rules. YouTube only paid a GRAND total of \$3 Billion to musicians since YouTube began nearly **10** years ago. The public see

WOW \$3Billion but do not put that in context with Google's massive earnings of \$85 Billion in **just 1 year** alone in 2014! 96% of which was advertising revenue, from distributing digital goods, either illegally or legally, or from selling your data using those copyrighted digital goods as 'digital bait' when it is pirated the creators get paid absolutely NOTHING, NADA, ZIP, ZILCH!!!

'Don't Be Evil', or even Google's new motto "Do The Right Thing" is hypocritical and avoiding taking responsible at best (by blaming those who upload illegally rather than preventing them) and at worst deliberately misleading and downright evil!

Free is NOT free, it comes at a price and soon we will all be paying that price. The public wrongly believes that creators are the ones being greedy. Not realising that these greedy, selfish "tech titan" companies are building vast profits on the backs of EVERYONE not just musicians!

They are using our copyrights as bait.

"Freemium is a con, as nothing is actually 'free'! We pay for it in so many ways - access to the Internet via our phones and ISPs, and through surrendering our precious data, which is so valuable to advertisers AND to Google for making Artificial Intelligence. Before you dismiss me as a crack pot, tin foil hat wearing conspiracy theorist I urge you to look at the evidence before you, don't wait to wise up when 3D printers and Artificial Intelligence have taken away your jobs too leaving you with no income and no ownership of this new currency - i.e. your own DATA!!!

Artificial Intelligence

These massive tech titan companies, called the GAFAs (including Google, Apple, Facebook, Amazon) are using everyone's data to create algorithms, not just to sell to advertisers but also to inform Artificial Intelligence. It's coming! It is not a conspiracy theory it's a mathematical certainty, because with the exponential curve of growth of technology, you can predict, look how much has changed in the last 500 years, 50 years, 5 years. Sooner or later everyone's jobs can be replaced...made redundant by Artificial Intelligence that will be far superior to our human brains just as we are to the apes' brains. It can already

translate into different languages and drive better than **some** humans (Those who get drunk or fall asleep at the wheel!) OK sadly 1 person died in a Tesla, but how many died in the same period of time in other makes of cars due to human error?

This technology will improve and will become faster

...at analysing roads, speaking multiple languages and everything, than we are! Even those who think they are safe because they have ideas are only safe the longest! Ideas people will be the last to be replaced but they will be, because soon AI will stop answering the question but it will soon start asking questions too, like "Why do we need humans?"

Hopefully when that day comes AI will be superior but it will indulge our existence and not destroy us all for being too needy (after all we are animals who need a variety of foods, drinks, warmth, comfort, clothing, cleaning, medication, emotional relationships, entertainment etc. etc.). We hope AI will find us worth preserving... find us amusing at least, much like we do the apes and other animals. Hopefully AI is less like *Terminator* and more like *WALL-E*. Robots could be taught to respect us and service all our luxurious needs in the human zoo that we call earth, or even new habitats in outer space for those more adventurous amongst us.

But we have to teach AI

...to respect humans and all life on earth.

How does this affects YOU?

We need to consider how do we navigate this transition to AI in a way that prevents an apocalyptic annihilation of humans and instead creates an abundant utopian playground?

Concentrating wealth will only benefit humanity if it serves all of humanity not just the 0.01%. For as long as we live in an economy built on a system of money it has to be sustainable for all or we will continue into a downward spiral, racing

to the bottom (which only benefits the 0.01%), returning us to another feudal system. A regime where we all work on the '*Internet real estate*' feeding our data into the algorithms for free, while the Gafas (the digital land owners) make huge profits.

Or we say STOP!!!! ENOUGH IS ENOUGH!

I didn't vote Mark Zuckerberg to be a king. He's the guy who stole an idea and then became a multi-billionaire and the courts made him pay \$16 million to the people he stole the idea from for Facebook! Now he is one of the most power people in the world! Because that is how we reward thieves nowadays, with a take down notice or billions of dollars!

But what can we do?

Stop being cynical, skeptical and lazy. You are right we have a huge uphill struggle facing us and the GAFAs are putting the breaks on change because they benefit. Kings have been overthrown, so too have Emperors! The Gafas are no different. Only our acceptance of their power keeps them in power! What is man made can be changed by mankind!

CREATE A BETTER BALANCE, with more middle class wealth

We need a large, thriving middle class. Sharing more of the wealth.

Don't panic! I don't mean the C word!

SHARING DOES NOT MEAN COMMUNISM!

Sharing does NOT mean everyone has the same, or that mass corruption where some are more equal than others.

Sharing doesn't mean that everyone is entitled to a living no matter what they do, even if we don't want want they do.

What is sharing?

Sharing is when money is being made from people's data (whether it be music,

photography, journalism, entertainment or just our personal data etc.) i.e. all the wealth derived from that exploitation, and from all revenue sources, should profit ALL the individuals and stakeholders equitably.

Sharing can mean smaller income inequality, as some people may choose to work harder and are capable of more skilled jobs enabling them to earn more, which will produce income inequality but NOT the ENORMOUS OBSCENE ONES that we witness today. Also it means no people will work hard producing useful products and yet earn very little or nothing.

It's about getting a **better balance**. The music industry is suffering because, like the whole economy, the income inequality gap is widening to where there is a tiny 0.01% of the wealthy and the rest is a long tail of varying degrees of poverty.

The public has to stop accepting the unacceptable.

They accept that the GAFAs make massive fortunes yet they begrudge creative industries making small fortunes. (Like the old joke says 'how do you make a small fortune in the music business? Start off with a large one!')

Of course we all love free, especially as now we can't afford to pay, but freemium is why a lot of us have less money! It's a vicious cycle that profits the present system by keeping everyone struggling while syphoning off vast amounts of money to the wealthy.

Churchill said, "**Never was so much owed by so many to so few**" but today he might say "**Never was so much owed by so few to so many**"

The economy is choking and we are being brainwashed into thinking we are happy to exchange our data for stolen goods, and we'd rather get advertising that is geared to us than waste our time hearing about products that we have no interest in.

But this is not the point! The point is :

If you want targeted advertising we can arrange that for you, but STOP stealing our stuff!

I don't mean now, because that is hard to avoid. I mean help to create a proper digital economy because you understand that all we are doing is feeding the big corporations by allowing them to build on all our backs.

HOW do we build a new system?

By building a mechanism of micro-payments to create a sustainable economy for all, so that there is more money being shared with everyone so we can then afford to buy more things from each other, i.e. a proper digital economy with tax payers not tax avoiding big corporations with off shore bank accounts.

TAKE ACTION

Speak up! Add your voice to change hearts and minds. Don't be skeptical and cynical that change will never happen, because change HAS to happen.

STOP accepting the unacceptable, digital content and physical content should only be available via authorised distributors; otherwise it undermines the value of the item. Legitimate businesses can not compete with free, only pirates (Like youTube and Facebook) can afford to deliver goods and services for free as they have NOT paid for the item itself because they steal the goods and the DMCA safe harbour laws open the doors for them.

Use your skills to work for companies that are trying to do the right thing. DO NOT WORK FOR GOOGLE, FACEBOOK etc. until they are 'doing the right thing'. Too many people have the attitude 'if you can't beat them join them'. I understand they pay well, better than most. But if you HAVE to work for them, try to change them! When in the board meetings ask if there is any way artists could be paid more, ask them "why artists HAVE to rely only on advertising dollars, and why youTube has to undermine the value of music & video?" If the answer is because their business model doesn't support paying for the goods or we are competing with other pirates, which surely begs the question "Is this really a business model?"

Donate your skills to open source technologies that can solve this problem. Join organizations that represent your interests to make them more powerful. (Professional bodies like SCL, PROs around the world, Guilds, etc.)

The DMCA MUST be tightened up to prevent the gateways (ISPs, YouTube, Facebook etc.) from giving us all access to this treasure chest of stolen goods. (It's not just digital goods, there are dangerous counterfeit goods from pharmaceuticals to car seats that endanger lives too.) This treasure is stolen from vast sectors of legitimate workers who would otherwise pay tax on their earnings, which would benefit society. These big corporations suck out \$BILLIONS from society in unpaid tax, they are expert at avoiding paying tax, using off shore bank accounts, and loopholes which is why there is not enough money for our schools etc. etc.!

STOP letting the GAFAs control everything! Take part, do everything you can, make more suggestions... Have your say!

The Internet is a wonderful thing but it could be a so much more AMAZING!

It doesn't have to be this way!

It's not "just the way it is". It's just the way it has become! It is not the way the Internet inventors intended it to be! It was man made so mankind can change it! We can create a better Internet that allows us to do everything we want to do. We can still have access to everything at the touch of a button. There are many better ways to make things appear free than the sneaky ways these companies navigate around the laws that are there to protect all of us from such abuse.

The DMCA is WRONG for 2016.

Back in 1998 it seemed right to provide safe harbor to protect the Internet Service Providers from having to infringe on our civil liberties to monitor what it carries along its pipelines. Because the technology didn't exist back then to prevent copyright infringement easily and they didn't anticipate the problems it has caused for creative industries. But now the technology DOES exist to protect copyrights without infringing our civil liberties or spoiling our fun.

The technology can prevent uploads rather than have to chase and issue take downs. The technology can enable people to be curators and distributors of

content legitimately and share in that wealth. The technology exists for people to control and monetise their data. The technology exists for people to be in control, to decide what is created by supporting those creators that THEY have found, by buying their content easily using secure micro-payments added to their phone bills or Internet bills or their smart wallets etc. etc. ... a fair market economy could exist!

HOW DO WE COMPETE?

It is true that the GAFAs lobby governments around the world to prevent this from happening because they don't want to share. They like being the gateways and controlling distribution and taking more than their fair share of the money for giving us access to goods and services without sharing it with the product makers themselves. They like to be in control and appear to be benevolent, like Mark Zuckerberg and Bill Gates and Google all deciding what project to invest their vast fortunes into! Will it be 3rd world health with Bill or 'Connecting people" with Mark? Or Google Earth? They want all the credit and the money. It's the unsung heroes from the organisations at the heart of those worthy causes who we could be celebrating with grants from people's purchasing power! But instead they are working their butts off for the glory of the GAFAs!

Gafas who want to decide what to spend YOUR money on! They don't trust you to "do the right thing"!

I'm not being paid by one to say any of this, I'm not sponsored by Apple or any big money organisation. I'm spending my valuable time just observing what I see as a consumer, a wife, a mother, a daughter, a sister, a friend, a composer/songwriter/creator. Too many people I know or see are suffering in the current system or lack there of.

I even hypothesize that the general unrest in the world is born of the present economic inequalities caused by the GAFAs and the 0.01% owning too much wealth. History shows us that wars and hateful racism grows from economic hardship and the need to blame someone... but we blame the WRONG people. We blame the Jews or the Mexicans or ISIS or the politicians... but it's the 0.01% who own most of the wealth who compromise our good politicians. It's the

system!

Start at the top!

Laws, like the DMCA, need revising immediately to achieve its original aim of nurturing innovation. The American Constitution still holds true with its definition of copyright "To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

(US Constitution. Article I Section 8. Clause 8 – Patent and **Copyright** Clause of the Constitution.)

IMAGINE

Imagine how much better the world would be if millions more people could be profitable by creating rather than making guns, weapons, technology that destroys other peoples lives or livelihoods.

Imagine sharing rather than stealing from others.

Imagine a new Internet that people can work in that is built on a moral foundation and pays more people much more. Imagine an Internet where your purchases shape what is made.

Imagine if what you buy says so much about YOU and the way you want the world to be. Purchasing power could help fuel the new democracy.... and instead of the public wanting what the public gets, the public could mould by being curators rather than blindly consuming everything for free.

Hackers and Criminals

We will NEVER stop hackers and criminals and the new "SUPERNET" we could create will never be totally secure or totally fair, but what we have now is totally insecure and totally unfair and we should not allow apathy, cynicism and skepticism to resign ourselves to accepting this unacceptable situation any longer for fear of it not being perfect.

No system can ever be invented that is perfect and "unhackable" because a criminal mind thrives on the challenge. Most of us have locks and alarms on our doors but if someone wants to rob us they will get in!

It's morality and a clearly defined system that is missing.

No system will please all the people all of the time, but apathy, cynicism and skepticism is what the 0.01% rely on to keep those lucky 0.01% happy 100% of the time!

THE SYSTEM

The system must be built and owned by the people for the people. Not owned by any multi national conglomerate but instead paid for by grants from governments with tax payers money, in collaboration with universities, benevolent private investors and open architecture designs by 'white hat' developers to create a system that we can all use to build our businesses on.

We need the Internet to be built in a better way that brings more people more wealth and a better, balanced economy.

Where there is political will there is a political way. The more voices the louder the noise, the louder the noise the harder it is to ignore and the more public money can, and will, be spent on fixing this.

It's a David and Goliath struggle because the Gafas have executed the perfect 'scorched earth policy', which is a war tactic where you deprive the opposition of all means to survive by burning their crops and their homes, then they have nothing to fight back with!

UNITY

The Gafas are so unified that the rest of the world are just tiny small businesses with very little means and various nuanced agendas that make it very hard for us all to agree. We are all human too and we like to be clique and we suffer from "Not Invented Here" syndrome that makes us prone to separate into rivalling factions all wanting credit rather than results ...So we look like little people next to the giant as we argue whether to fire pins, or sticks or pieces of grit at him. He is swatting us like flies if we dare to speak out, spending \$50 Million a year lobbying congress to skew the agenda in it's favour.

But we can move mountains with the passion of the people, the creativity of the people, the determination of the people. We can change anything we put our minds to, we just have to decide to each be the change and to work together. We don't need to convince everyone... just enough to rock the boat.

DO NOTHING IS NOT AN OPTION

While you do nothing some are doing many things to erode your rights and therefore your standard of living. You have the power, use it!

1) Join every organization that represents your interests, give them the power to speak on your behalf. Join ASCAP, SCL, SONA, BASCA, or any of the others; email me if you need the full list!

2) I know you're busy, but soon...you won't be! At least not busy earning a living from being creative! Unless you wake up and link arms with creators around the world now, it will be too late! Don't imagine that it's not your job, or that we are not busy too, that is pure arrogance born of ignorance - no-one else has your back! If you care about doing creative things for a living please, take an interest and whenever called upon by your organisation to lend a signature or support to initiatives just read and sign. They've done all the hard work for you so you don't have to, the least we can do is read it and take a second to sign it or donate! We need to reach a tipping point for change and only your weight can rebalance the scales and force that change.

Starting with the DMCA campaign for No More Safe Harbor!

sign here <http://www.takedownstaydown.org>

For more information contact me at <http://protechu.org> via the contact page.

Yours sincerely
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