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**World IP Day – An Opportune Time to Modernize Music Copyright  
Protections**

**by**

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[The Hill](#)

April 26 is World Intellectual Property Day, and a timely reminder that music copyright protections need to be strengthened. The 115th Congress should demonstrate America's global leadership in securing IP rights by passing H.R. 5547 — the Music Modernization Act.

The U.S. Constitution's Copyright Clause entrusts Congress with responsibility "to promote the Progress of Science and useful Arts, by securing for limited Times to Authors" the exclusive right to their writings. As explained in our book, *The Constitutional Foundations of Intellectual Property*, the founders viewed copyrights as unique property rights that deserve to be protected like land and other physical property. Copyright law secures creative artists' rights to reap the "fruits of their labor."

The founders rightly recognized the role of copyright law in incentivizing creative artists to make their works commercially available for public use. The need to shore up copyright protections is amplified by the tremendous value of copyrighted works in today's economy. The International

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Intellectual Property Alliance reported that “core copyright industries” generated \$1.2 trillion in economic activity and employed 5.5 million workers in the U.S. in 2015. Musical compositions and sound recordings are particularly potent sources of value. A report by the Recording Industry Association of America cites \$8.7 billion in retail revenues from recorded music in 2017.

However, much of U.S. copyright law reflects assumptions from the 1970s, when Congress last overhauled the Copyright Act. Copyright provisions for musical compositions and sound recordings need to be updated to better secure the rights of creative artists and to facilitate royalty payments in the Digital Age economy.

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What makes the Music Modernization Act’s prospects bright is the bill’s broad support. The sound recording industry, songwriter organizations, digital music services, sound recording professionals, and collective rights organizations are all supporters of the Act. Solid bipartisan backing also exists. On April 11, the Act received a 32-0 vote of approval by the House Judiciary Committee.

On World IP Day 2018, Congress should commit itself to updating and streamlining copyright protections and royalty payments for musical compositions and sound recordings. By enacting the Music Modernization Act, the 115th Congress can solidify America’s position as the world’s leader in securing IP rights.

\* Randolph J. May is President of the Free State Foundation, an independent, nonpartisan free market-oriented think tank located in Rockville, Maryland. *World IP Day – An Opportune Time to Modernize Music Copyright Protections* was published in *The Hill* on April 21, 2018.

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