

Jenner & Block Team Wins Important Victory for SoundExchange and the Recording Industry

News

June 25, 2021

A Jenner & Block team obtained an important victory in front of the US Copyright Royalty Board (CRB) for our client SoundExchange and several other music industry clients.

The CRB conducts proceedings to determine how much certain music services—such as satellite radio, internet webcasters, and other music platforms—pay in royalties to artists and copyright owners to play their recordings.

In 2019-2020, Jenner & Block represented SoundExchange in what's known as "*Web V*," or the fifth proceeding to determine how much the internet radio industry will pay in streaming royalties. In addition to representing SoundExchange, which collects and distributes digital performance royalties on behalf of recording artists and sound recording copyright owners, the firm represented major and indie record companies, artist unions, and the American Association of Independent Music. In effect, the team was advocating for the interests of every artist and copyright owner in the recording industry.

On Friday, June 11, the CRB issued its decision. Our team obtained a significant rate increase from webcasters such as Pandora, Sirius XM, and Google. Rates for ad-supported services increased by 17% and rates for subscription services increased by 8%. As a result, SoundExchange, the record companies, and music artists will earn many hundreds of millions of dollars more from streaming royalty revenues between 2021 and 2025. This step toward fairer compensation for music creators is particularly significant given the challenges that many musicians have faced due to a lack of touring revenue during the pandemic.

This is a notable victory not just for its value and the positive effects it will have for recording artists, but also in light of the unique circumstances facing the team in this proceeding. Due to the unexpected exigencies of the pandemic, we conducted the five-week trial via Zoom, making *Web V* the first CRB proceeding in history completed in a virtual format.

Partners Previn Warren, Emily Chapuis, Alex Trepp, and Steve Englund, and Of Counsel Dave Handzo led the team, with Associates Loreal Rock, Sarah Clark, and Andrew Cherry, and Paralegal Albert

Peterson providing crucial support. Former partner Devi Rao and former associates James Dawson and Jennifer Yun also made valuable contributions earlier in the case.

Related Attorneys

Andrew Cherry

Associate
acherry@jenner.com
+1 202 639 5357



Steve Englund

Partner
senglund@jenner.com
+1 202 639 6006

Alex S. Trepp

Partner
atrepp@jenner.com
+1 202 637 6385

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