

**From:** [REDACTED]  
**To:** [FN-OMB-IntellectualProperty](#)  
**Subject:** Intellectual property and me  
**Date:** Tuesday, March 23, 2010 12:40:09 PM

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Dear Ms. Espinel:

Thanks for the opportunity to express in a few words my opinion on enforcing intellectual property rights.

I am a career lyricist who began getting songs recorded in 1978, first by Lou Rawls and in following years by such artists as Frank Sinatra, Whitney Houston, Aretha Franklin, and many others. My full discography is on my website [www.pamoland.com](http://www.pamoland.com)

I earn a living in pennies. A few pennies here and a few pennies there. It adds up to a living income. Any random ASCAP statement (which lists whichever of the hundreds of songs I've written have earned anything in that quarter), shows I've had a song played in France for instance, and I've earned perhaps a nickel. A song played in Japan, and I've earned \$124.12, and so forth. I had a number one song in Lebanon with Engelbert Humperdinck, and I earned \$Zero. Why? Because they don't recognize intellectual property rights there, and so they just use our material but don't pay us royalties. That's why I'm so glad to live in America where we do recognize intellectual property rights.

As career songwriters, people like me need to receive every one of those pennies we earn to pay the rent and keep going as creative entities. Some others of us can earn more as producers, singers, musicians, and such. But someone like myself has earned my living full time since 1984 as a lyricist only. The songwriter's income has dwindled frighteningly with the advent of downloading and stealing music. For instance: When I co-wrote the theme to Disney's 102 Dalmatians, "Digga Digga Dog" I went to check for it on to a peer-to-peer sharing site, I forget which one of them it was. The site displayed 100 titles per page waiting to be "stolen" by downloading. I typed in "Digga Digga Dog" and on the first page saw 100 stolen versions ready to be downloaded by all comers. This was the week the movie came out! I was counting on earning some decent income from that song. But my total royalty income on it to-date was perhaps \$500 dollars after all of these years!

Please do whatever you can to

- (1) Increase and be vigilant about enforcing the statutory rate of royalties;
- (2) protect the songwriter's income;
- (3) protect intellectual property rights of creators;
- (4) Let the statutory rate be a floor and not a ceiling for royalty income. i.e.: Eliminate the rights of record labels to diminish a songwriter's income by asking for them to accept the 3/4 or 1/2 statutory rate which has become common practice.
- (5) Be vigilant about seeking out and penalizing those who steal our creations for their own personal use, or reproduce them illegally for sale.

Songwriters write for the love of it, no doubt about it. But royalties help us keep going. Please preserve our right to keep music fresh and

new and innovative.

Thanks for your time,  
Pamela Phillips Oland  
Los Angeles, CA