

From:
To: FN-OMB-IntellectualProperty
Cc: info@copyrightalliance.org
Subject: Comments for Joint Strategic Plan
Date: Thursday, March 18, 2010 10:01:53 PM

The Copyright Alliance has informed me of this welcome invitation from the Obama Administration to share my thoughts on my rights as a creator.

I believe that the U.S government should assist independent artists in protecting their creative works by increasing penalties on large companies and organizations that use our material for their own financial gain and without fairly compensating the creator. My story is proof that there is a dire need for independent artists to have copyright protections enforced on our behalf in a manner that is equal to that of major record labels and publishers.

My name is Tye Banks, I'm an independent hip hop artist and label owner, and the National Hockey League franchise the Carolina Hurricanes has committed copyright infringement by using my song in a nationally-aired commercial and an online viral video without my permission. Once I contacted them about their actions they tried intimidation and bullying to keep me from pursuing legal action by filing a lawsuit against me for wearing a team jersey that I purchased and wore in a photo that I used to promote my song. They claim I have caused their organization "irreparable harm" by wearing it and yet they refuse to acknowledge that they never had permission to use my song outside of the agreed upon usage – only to be played at home games at their arena. I doubt that they would have tried this with a major record label or a major recording artist.

The U.S government should work in the direction of helping artists in situations like mine. It's extremely difficult to sustain a living as an independent artist, and then to have to fight with a large company such as a NHL franchise that has far greater financial resources just to protect your own creation is nearly unbearable. Large businesses like Hurricanes Hockey realize this and will continue to infringe upon independent artists' copyrights for their own benefit until someone levels the playing field for us and makes it undesirable for them to do so. I urge you, Ms. Espinel and the Obama Administration, to protect us from these situations by leveling bigger penalties on big businesses that take advantage of independent artists by using our music illegally and/or without credit and fair compensation given. Thank you for the opportunity to share my story and much success to you in preparation of the Joint Strategic Plan.

Sincerely,

Tye Banks, Independent Hip-Hop Artist & Label Owner
Tytanium Music, LLC
Raleigh, North Carolina