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Beating the Bots

In December 2021 I attended a concert with my father at a 10,000-person arena in New Orleans. After my dad ran into his friend, who said that he saw acts such as Pearl Jam and Soundgarden perform in that same arena in the 90s, I wanted to gain an understanding as to why artists of that notoriety during the height of the grunge movement were performing at a small arena and not at the arena that can hold almost double the capacity a few miles away. I have attended many concerts at the bigger arena, but the acts that I have seen perform and even sell out that arena do not have the same household recognition status as Pearl Jam, so I was still left with my original question. I realized that even though Pearl Jam may be a more recognizable name than other bands that I have seen, Pearl Jam did not have the help of the internet in order to sell tickets and promote their concerts so fewer people would know about the concert resulting in them performing in smaller venues than artists today. After this realization, I decided to further research online ticket buying to see if the internet ticket buying process has had an overall effect on the music industry, but specifically Ticketmaster’s effect on the music industry.

As stated previously, I have attended many concerts at large arenas, which are all clients of Ticketmaster, which was founded in 1976. At that time, Ticketmaster was solely using a computer program to sell tickets to be purchased from the venue. The internet ticket buying would not be set in place until 1996. After this occurrence, however, the world of live events would be changed completely. With the rise of online ticket purchasing came the rise of ticket bots and the secondary market. Ticket bots are computer programs that essentially buy out tickets for events so that the person who implemented the bots can sell the tickets for a more expensive price on a secondary website, such as SeatGeek, StubHub, and Vivid Seats. These bots were started by Ken Lowson and his company Wiseguy in 1999, but after a thorough FBI investigation, Lowson was indicted for defrauding Ticketmaster for more than twenty-five million dollars. Although Lowson was indicted, other people and companies still sell and code ticket bots. As a result of the increasing number of ticket bots, Ticketmaster has attempted to battle the bots by introducing anti-bot programs such as CAPTCHA, reCAPTCHA, and Verified Fan Presales. These services, however, are not fully anti-bot so companies were able to find ways around these programs. Since bots can still find ways around the obstacles that are placed before them, Ticketmaster is mainly hurting the fans that are trying to buy the tickets for themselves.

Because of their faulty programs, Ticketmaster is failing to take into consideration the professional, legal, ethical, and societal considerations of the ticket buying process. Professionally, Ticketmaster must consider the fans that are trying to buy the tickets from them, not the bots that will buy the tickets. Although the bots may buy the tickets from Ticketmaster, just as a fan would, bots will not fill the arenas and add to a venue’s revenue from concessions, merchandise, and parking. If Ticketmaster does not work to eliminate the bots, venues may stop using their services. Legally, they must fight against the bots, while also providing a fair but profitable ticket buying so that lawsuits and legislation may be avoided. Many people have filed lawsuits against Ticketmaster in the past for their unnecessary fees and oddly timed changes of the refund policy due to the ongoing event changes as a result of COVID-19, so why would someone not sue Ticketmaster for encouraging the secondary market led by ticket bots. The United States Congress has even attempted to take down ticket bots with 2016’s BOTS Act. Ethically, they must approach the secondary markets and attempt to shut them down or buy them out. When the secondary market exists, ticket prices are increased, and promote future ticket scalping and increased bot usage. Socially, Ticketmaster must consider the outrage and the potential riots that may happen if an event is completely bought out by bots and no one can afford to attend due to the high-ticket prices on the secondary market. The high-ticket prices make not only the fans unhappy but also the music artists. Some artists have tried to work around Ticketmaster and attempt to use their own services, and others have used Ticketmaster’s Verified Fan Presales, which allow Ticketmaster users to sign up for the shows that they want to attend and enter for a chance to purchase tickets. Both programs, however, were still overrun with bots.

The professional, ethical, legal, and societal considerations are all problems that pertain to combating the ticket bots. If fans are not able to buy tickets at a fair price due to bot usage, not only will they stop buying tickets, but artists and venues will stop partnering with Ticketmaster and will return to the self-operating venue box office or online ticket proctoring, which will use the purchaser’s webcam and screen in order to confirm that a person is buying the tickets and not a bot. Although some users may view this program as a privacy issue, users should understand that ticket proctoring is for the benefit of the fans and the artists. Proctoring would also allow for a personal connection that Ticketmaster lacks as well as creating more jobs so that the increasing demand of event tickets may be met.

In 2016 Congress enacted the BOTS (Better Online Ticket Sales) Act that “ prohibits the circumvention of a security measure, access control system, or other technological measure on an Internet website or online service of a ticket issuer that is used to enforce posted event ticket purchasing limits or to maintain the integrity of posted online ticket purchasing order rules for a public event with an attendance capacity exceeding 200 persons” ("S.3183 - 114Th Congress (2015-2016): BOTS Act Of 2016"). Since the BOTS Act became law, however, bots have found loopholes and have increased because of the lack of enforcement.

Although people have tried to take down the bots, there is no way to stop them because even if the BOTS Act was enforced, the bots will always find loopholes and ways around the “complex” ticketing systems that Ken Lowson was able to make a living off manipulating. If Ticketmaster desired to eliminate bots and allow fans to have full access to every ticket that they release, they would return to in-person or by phone ticket offices or move to online ticket proctoring. Personally, I would prefer the in-person ticket offices over the proctoring, but that is because I believe that locals should have access to tickets for events in their city, but I also think that these box offices need to make money as well and should be able to sell the rest of the tickets over the phone or through video proctoring. Although video proctoring is not included in the BOTS Act, video proctoring should be included because when a person needs to be present in order for a purchase to take place, a bot is eliminated, and with that strategy, we can beat the bots.

Works Cited

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