

I'm often hard on the [RIAA](#). I don't like the amount of political power they have in DC and at the state level. That said, I do believe in their right to protect the intellectual property of their members.

There are laws in place that allow them to sue in civil court for damages. There are laws on the books that allow the government to pursue criminal charges. I don't agree with all the elements of these laws, and I am absolutely against the introduction of any new laws, but the laws in place are there and as such, the RIAA has the right to see them applied.

Music has value. Absolutely no question about it. Music sales are a source of income that its creators have every right to earn. It's because of this value and the income opportunity that the RIAA's members pay it what amounts to millions of dollars per year. It's that money that has allowed the RIAA to file about 10,300 lawsuits since September 2003.

I have no problem with that at all.

Unfortunately, the payments by the RIAA member labels don't pay for the entire expense of enforcing copyright law and processing

[RIAA lawsuits](#). For every law passed, there is a cost to get from concept to adoption. For every lawsuit filed, there is a cost to the municipality, state or federal district where the lawsuit is filed. Tax monies, whether they are local, state or federal pay for those costs. As they should.

The missing link here is the source of the tax money.

We pay property taxes. We pay use taxes. We pay sales tax. We pay income taxes. Beyond taxes, we pay fees. We pay a fee for our driver's license, our passport, and I don't know how many other fees that go from our bank accounts to every level of government. In exchange we get some level of service that enable our public servants to protect, honor and serve and to support our system.

I don't like the idea that my tax money goes to subsidize the [10,300 lawsuits the RIAA has filed since Sept of 2003](#). How much money does it take from taxpayers to pay for the courts side of the lawsuits? I'm guessing, but with all the administrative people and lawyers involved, judges, their clerks, overhead, and who knows what else is involved. Is 20,000 dollars per lawsuit too high or too low? Could it be 100k dollars each? I don't know.

At 20k per lawsuit in top to bottom court costs, that's more than 200 MILLION DOLLARS in taxpayer money paying for copyright enforcement.

Then there of course is all the cost associated with the [international efforts the RIAA has pushed the government](#) to support and fulfill. Who knows how many millions that adds up to.

Why are every day taxpayers having to foot this huge bill? It's not like our government is running at a surplus. In the big wish list of unfunded liabilities our lawmakers have undertaken, I can think of a whole lot of things that fall above protecting music copyrights.

Unless of course, music copyright holders pay for that unfunded liability.

Which is exactly what should happen.

If copyright holders, of which I am one, want our copyrights protected to the full extent that our government can offer, we should be taxed for each one of our copyrights. We should pay for those hundreds of millions of dollars in costs since we directly benefit from those services.

Somewhere there will hopefully be a smart politician who reads this and quickly introduces a copyright tax.

From where I sit there are two types of copyrights: Commercial and Non-Commercial. Those copyrights you as a creator think will make money, and those you think won't.

For non-commercial works, works the creator wants protected and wants to retain the right to use, the courts in case of an infringement, charge them \$100 per year. Because this could be a lot of money for many artists, the tax could be structured so that the song doesn't have to be registered and paid for 18 months. Remember, if you don't pay, the only thing you are giving up is the right to register the work in a national database and to sue in civil court. So you can own and exploit the copyright forever without paying anything.

For commercial copyrights, charge the copyright OWNER \$750 per year (RIAA President Sherman says direct copyright infringement carries a minimum penalty of \$750 per work infringed) to retain the right to use the courts in case of infringement and to fund the actions of the government in criminal charges and international actions for the various types of copyright infringement.

(A note here, I'm sure there are a ton of legal issues here, but I'm sure there are lawyers who will offer the solutions via comments)

Both could be registered in a database and tracked much like we do patents.

At any point in time, a copyright owner could switch from one status to the other.

The fee is annual.

In the event that the fee is not paid for a period of 1 year, the work can become part of the [creative commons license](#), you can offer it to the public domain, or you can just keep it and do with it as you see fit, but the work is not registered in the national database. As such, you relinquish the rights associated with being in the list, starting with the right to sue in civil courts for copyright infringement.

This works because it is based on a very simple concept. The RIAA thinks that \$750 is what their members' songs are worth for direct copyright infringement. If as a music copyright owner, you don't think it's worth \$750 bucks a year, then it's probably not really a commercial work.

A key reason why this has a chance of becoming reality, is not only because it raises the money necessary to fund protections against copyright infringement, but also because this could be the best thing that ever happened to musicians whose work is being buried inside a label's vaults.

More than a millions commercial works are not owned by individuals, they are owned by music labels and other corporate entities. Most RIAA members. Having a \$750 annual tax on a song could create a movement that would force the label to either monetize the song quickly, or return those it can't or won't monetize to its originator, or their designee. They can then choose how to define the work and which tax to pay.

After all, if a song isn't worth \$750 bucks a year, why should it benefit from the hundreds of millions of dollars in taxpayer money being spent to protect it?

With the 500mm dollars or more that could be raised annually, the RIAA, and every single taxpaying copyright owner would have every right to expect and demand that they receive the fullest protection of the law, but it wouldn't be at the expense of more important taxpayer funded services.

I understand that this could make music more expensive. I would rather have more expensive music than either higher taxes or tax money being spent on copyright protection rather than more essential services.

That's my story, and I'm sticking to it at least till someone comes up with a better idea.