

November 1, 2017

An Open Letter to the Japanese Film Industry:

I write on behalf of the American Society of Composers, Authors and Publishers (“ASCAP”), the oldest and largest performing rights organization in the United States, concerning the licensing of music in films exhibited in Japan.

On behalf of its more than 639,000 songwriters, composers and music publishers, ASCAP licenses public performances in the U.S. of its members’ interests in millions of copyrighted musical compositions, thereby enabling its members to receive fair compensation for the use of their music. To ensure the proper licensing of ASCAP’s members’ musical compositions performed outside of the U.S., ASCAP relies on a network of representation agreements with other collective management organizations (“CMOs”) around the world, whereby the local CMO is provided the right to license performances of ASCAP’s music repertory in its respective territory. Years ago, ASCAP entered into such an agreement with the Japanese Society for Rights of Authors, Composers and Publishers (“JASRAC”), pursuant to which JASRAC has been provided the right to license public performances of the ASCAP repertory occurring in Japan.

This global licensing system ensures that fair remuneration is accorded to music creators for the use of their music around the world. Fair remuneration of rights is a vital element in sustaining the creative industries, providing a livelihood for songwriters and composers by rewarding their creative endeavors. Without this income, music creators would be deprived of the essential funding they require to continue to compose and create new music, which is a crucial and important element contributing to the global commercial success of cinematic films.

The film industry, both in Japan and globally, has enjoyed sustained growth over several years. According to MPAA data, Japan is now the third largest country in the world in cinema box office collections, which in 2016 totaled \$2.2 billion (U.S.). However, while internationally the value of copyright and compensation to creators have generally grown together with the growth of the film industry and box office receipts, in Japan this has not been the case. In fact, very little has changed over the last 50 years regarding the compensation to music creators for the use of their music in Japanese cinemas. We understand that the JASRAC tariff structure in place for most foreign film cinematic performances is a relatively low flat fee of ¥180,000 (\$1,600 U.S.) per film, regardless of film showing and success. Such a low fee cannot be considered fair compensation and significantly undervalues the rights of our members and their creativity.

Therefore, ASCAP fully supports JASRAC in its proposal to increase license fees for the use of music in cinematic exhibitions; this is long overdue and should be resolved as soon as possible. ASCAP very much hopes to have the understanding of the Japanese film industry, itself a part of the wider creative community, in properly valuing the rights of creators whose music forms such an integral part of the commercial success of films and, in turn, the film industry in Japan.

Sincerely,



Elizabeth Matthews