

S 256

Perform Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Jan 11, 2007

Current Status: Committee on the Judiciary. Hearings held.

Latest Action: Committee on the Judiciary. Hearings held. (Jul 29, 2008)

Official Text: https://www.congress.gov/bill/110th-congress/senate-bill/256

Sponsor

Name: Sen. Feinstein, Dianne [D-CA]

Party: Democratic • State: CA • Chamber: Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Alexander, Lamar [R-TN]	R · TN		Jan 11, 2007
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Jan 11, 2007
Sen. Graham, Lindsey [R-SC]	R · SC		Jan 11, 2007

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Hearings By (full committee)	Jul 29, 2008

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
110 HR 4056	Related bill	Jul 28, 2008: Placed on Senate Legislative Calendar under General Orders. Calendar No. 905.

Platform Equality and Remedies for Rights Holders in Music Act of 2007 or the Perform Act of 2007 - Requires Copyright Royalty Judges (CRJs) to establish rates for a statutory license for the transmission of sound recordings by organizations that most clearly represent the fair market value of the rights licensed.

Replaces the different processes for setting rates and terms of royalty payments for subscription transmissions by preexisting subscription services, satellite digital radio services, and eligible nonsubscription transmission services with one process for all such transmissions. Directs CRJs, when setting such rates and terms, to consider: (1) the fair market value of the rights licensed; and (2) the degree to which reasonable recording affects the potential market for sound recordings and the additional fees that are required to be paid by services for compensation.

Conditions statutory licensing of transmissions on the transmitting entity using technology that is reasonably available, technologically feasible, and economically reasonable to prevent the making of copies or phonorecords embodying the transmission in whole or in part, except for reasonable recording. (Current law provides for limits on phonorecords of the transmission directly in a digital format.)

Allows a performing rights society or a mechanical rights organization to monitor public performances or other uses of copyrighted works contained in transmissions.

Requires the Register of Copyrights to convene a meeting among affected parties to discuss whether to recommend creating a new category of limited interactive services within certain statutory licenses for subscription transmissions.

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### **Actions Timeline**

- **Jul 29, 2008:** Committee on the Judiciary. Hearings held.
- **Jan 11, 2007:** Introduced in Senate
- **Jan 11, 2007:** Sponsor introductory remarks on measure. (CR S446-447)
- **Jan 11, 2007:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S447-448)