



111 K St., NE ■ 9th Floor ■ Washington, DC 20002
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2012 ASCAP and BMI BENEFIT

Dear ABA Motorcoach Operator Member:

The American Bus Association negotiated a discount for association members with the American Society of Composers, Authors, and Publishers (ASCAP) and with Broadcast Music Incorporated (BMI) in 2002. These two organizations, ASCAP and BMI, protect **98 percent of the music industry** from copyright fraud or infringement.

Every business is required to obtain ASCAP and BMI licenses in order to **play music as part of a performance**, for customer entertainment, or as **part of the music rights on movies**. Bowling alleys, restaurants, department stores, hotels, and even funeral parlors have ASCAP and BMI licenses.

The rates are **\$25.67** per coach per year for ASCAP and **\$25.55** per coach per year for BMI for current ABA members. While we know this is an added cost to your company, we also know that these are the lowest possible fees available. If you choose not to play music or videos on your coaches, you do not need ASCAP or BMI licenses. For those who are currently part of the agreement or who wish to participate, **please remit payment by January 31, 2012 accompanied by BOTH the ASCAP and BMI forms.**

If you have any questions, please call ASCAP (800) 505-4052 or BMI (800) 925-8451 directly or call ABA's offices toll free at (800) 283-2877.

Sincerely,

A handwritten signature in black ink that reads "Peter J. Pantuso". The signature is written in a cursive style.

Peter J. Pantuso, CTIS
President & CEO

Background

In the 1990s, ASCAP invited ABA and UMA to negotiate a licensing agreement for the motorcoach industry that would assure fees are substantially less than what an individual company would pay, possibly exceeding \$200 per coach, per year. As a result of a stalemate in these negotiations, ASCAP began assessing a \$225 fee for each coach belonging to companies it knew were playing music and non-licensed videos on coaches. Coach companies had the option of paying the fees or fighting in court. It should be noted that in all the years they have existed, ASCAP and BMI have won virtually every case brought against a company that illegally used music without securing the proper licenses.

In 2000, ABA and UMA began the negotiation process with ASCAP again and included BMI. In 2002, we signed an agreement with both entities so that ABA and UMA members could pay significantly less than non-members. Companies that are not members of either association pay at least \$60 per coach per year.



Dear ABA Members:

The American Bus Association (ABA), American Society of Composers, Authors, and Publishers (ASCAP), and Broadcast Music Incorporated (BMI) remind you of a member benefit designed to reduce the business costs for member companies. ABA has negotiated a group license agreement with ASCAP and BMI that is designed to meet the music performance licensing needs of motorcoach operators. **This agreement offers greatly reduced licensing rates to UMA and ABA members only.** You should **return the enclosed authorization letters and your payment to both ASCAP and BMI by April 15, 2012,** to be entitled to the discounted rates. (You may remit one check for both but must send both forms).

Music can play a valuable role in creating a relaxed and entertaining atmosphere for your customers. Music is a vital part of movies, promotional videos, and other videos you show for the enjoyment of your passengers. It is also valuable to those who create and *own* it. You may not realize it, but the public performance, usage and playing of copyrighted music on your motorcoach requires permission.

Finding, negotiating, and obtaining permission from all the owners of all the music you might use would be burdensome and expensive. **That's why we are offering the ASCAP – BMI "blanket licenses," which, for one annual fee, will cover your repertoire of all the music ASCAP and BMI represent.** ASCAP and BMI give you the flexibility to change your music to match trends in music and meet your varying needs based on customers' desires. The ASCAP – BMI licenses authorize performances of many millions of copyrighted musical works in the ASCAP – BMI repertoire and in the repertoires of more than 60 affiliated foreign performing rights organizations. You can find much more information about ASCAP and BMI, the vast memberships, and the music titles covered on the ASCAP Web site, www.ascap.com, or the BMI Web site, www.bmi.com. **Hundreds of thousands of business owners in the United States have chosen the ASCAP and BMI licenses as a convenient and inexpensive method of complying with their responsibilities under the federal copyright law.** We hope that you will too.

ABA MEMBERS SAVE MORE THAN 60% ON LICENSE FEES!

Through the agreements that ABA negotiated with ASCAP and BMI, member companies will pay license fees that are at least 60 percent less than fees paid by non-members, and less than one-tenth the fees proposed and levied by ASCAP on motorcoach companies over the past decade.



2012 BMI LICENSING APPLICATION AND AUTHORIZATION

As a member in good standing of the American Bus Association, we hereby apply for music license from BMI as set forth in the individual agreements between BMI and ABA/UMA. We will pay the fees as stated to ABA/UMA by January 31, 2012.

We represent:

- 1.) We are a member in good standing of the ABA and
- 2.) That the person signing this Application/Authorization shall be the contact person with whom BMI and the ABA may deal as necessary regarding this Application/Authorization and the individual agreements between BMI and ABA. Our company name, address and phone number are noted below. We agree to notify BMI and the ABA in writing of any change in the contact person, the phone number or address. We agree that this Application/Authorization shall be a part of the above agreement between BMI and the ABA.

We further represent that:

- 1.) Signing one authorization for BMI is only for the mutual convenience of the ABA and us;
- 2.) We are not required by the agreement between BMI and the ABA to be a recipient of music licenses from BMI; and
- 3.) The license from BMI does not permit us to perform music of any other performing rights society, (for example ASCAP).

**The fees must accompany this authorization to be registered.
All information must be filled in.**

We have signed this by our duly authorized person on _____, 20____.

Name of Licensee Company _____

Address of Licensee (street, city, zip): _____

Phone: _____ Fax: _____ E-mail: _____

Contact Name: Signed By: _____ Title: _____

Signature: _____

Number of Buses to be Licensed (music or video-equipped buses): _____

Fees Due: _____ **(Number of buses X \$25.55 per bus)**

METHOD OF PAYMENT

Enclosed please find my check for \$_____ (make check payable to ABA) OR Please charge VISA or MASTERCARD or AmEx _____

Card Number _____ Expiration Date _____

Name of Card Holder _____

**Return form with payment to:
American Bus Association, 111 K St., NE, 9th Floor, Washington, DC 20002**



ASCAP

Ms. Bonnie King
Vice President and Director of General Licensing
American Society of Composers, Authors and Publishers

Re: American Bus Association Member Authorization

_____, a member in good standing of the American Bus Association and familiar with the terms of the License Agreement between ASCAP and the ABA, hereby consents and agrees to be licensed under the terms and conditions of the License Agreement.

The **2012** license fee is **\$25.67 per bus equipped for the performance of music.**

Number of Buses to be Licensed (music or video-equipped buses): _____

Fees Due: _____ **(Number of buses X \$25.67 per bus)**

METHOD OF PAYMENT

Enclosed please find my check for \$_____ (make check payable to ABA) OR Please charge VISA or MASTERCARD or AmEx

Card Number _____ Expiration Date _____

Name of Card Holder _____

Signature of Authorized Party _____

Please Print:

Name of Authorized Party _____ **Title:** _____

Company _____

Address _____

City, State, Zip _____

Phone: _____ **Fax:** _____ **E-mail:** _____

Date: _____

**Return form with payment to:
American Bus Association, 111 K St., NE, 9th Floor, Washington, DC 20002**