

ANNEX 4

A2IM's Recognized Standing: Independent Music Community Claim 50% of Grammys

The 56th Grammy Awards were held on January 26, 2014. A Grammy Award is a globally-recognized accolade by the National Academy of Recording Arts and Sciences to recognize outstanding achievement in the global music industry. The annual presentation ceremony is presented in a globally-televised ceremony. It is the music equivalent to the Emmy Awards for television, the Tony Awards for stage performances, and the Academy Awards (Oscars) for motion pictures or film.

According to Billboard, the music industry trade publication (“Independents Claim 50% of Grammy Wins, Largest Share in A2IM History,” <http://billboard.com/biz/articles/news/indies/5885460/independents-claim-50-of-grammy-wins-largest-share-in-a2im-history>, January 27th, 2014), the independent music community received 50% of awards, the largest share in A2IM's (American Association of Independent Music) history. As recognized by Billboard, **the independent music community is strongly represented by A2IM (the Objector) and its global-recognition provides compelling evidence of indisputable, substantial standing in an ICANN Community Objection for music-themed gTLDs.**

“Independent” work is defined as one whose master recording rights are owned by an independent label or artist. In turn, independent music community is composed of those with works that are not majority-owned, or under contract with, any of the three major labels, namely Universal Music Group, Sony Music and Warner Music Group. As such, the independent music community represented is substantial in size and globally-recognized by established, highly-credible trade magazine Billboard to have critical music significance and a strong association with music.

The aforementioned facts further supports Objector's Reconsideration Request and exemplifies why the panel's lack of qualifications caused material harm and belies the Panelist's statement that the independent music community is not strongly associated with the “term” music.