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## Jackson Browne, Republicans Settle Copyright Case

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Jackson Browne is hopeful that the protection of music copyrights will be bolstered by the settlement of his lawsuit against U.S. Sen. John McCain and the Republican Party over unauthorized use of one of his songs in the 2008 U.S. presidential campaign.

Last August Browne sued McCain, the Ohio Republican Party and the Republican National Committee for copyright infringement, false endorsement and violating his right of publicity after his 1977 hit "Running On Empty" was used without permission in a McCain campaign ad that aired on TV and the Internet. After several defendant motions to have the case dismissed were denied by U.S. District Court Judge R. Gary Klausner in Los Angeles, the parties settled out of court for an undisclosed amount of money and a public apology from the Republican camp, along with a pledge "to respect and uphold the rights of artists and to obtain permissions and/or licenses for copyrighted works where appropriate."

"I'm really happy that we got this statement from them," Browne told Billboard.com. "It's great to have it affirmed that these (copyright and usage) laws stand. I've had an idea of how my songs are protected and how money is collected and how making a living as a musician works for my whole career, and it's great to have it affirmed and to know that we're absolutely right in standing up to them."

Browne's attorney, Lawrence Y. Iser, said that for the McCain campaign to use "Running on Empty" in the 2008 spot -- which was aired in Ohio and Pennsylvania -- it would have had to obtain two licenses, one from Browne for the song and another for the recording from the Warner Music Group, whose Asylum Records released "Running On Empty." "They sought neither," said Iser, "nor did they even seek permission."

In a statement announcing the settlement, McCain, the RNC and ORP apologized for using "Running On Empty" in the ad and said that McCain himself "had no knowledge of, or involvement in, the creation or distribution of the video" and "does not support or condone any actions taken by anyone involved in his 2008 presidential election campaign that were inconsistent with the protection of intellectual property."

Iser acknowledged that McCain "has had an excellent record in terms of copyright legislation in the Senate" and felt the situation was clearly "a mistake that was made during his campaign, and it's entirely appropriate that he be apologizing for it, as well as the Republican National Committee." And while the settlement is not necessarily a binding ruling that sets direct legal precedent, the attorney said he's hopeful the music industry will be able to use the case "as an educational effort" to generate greater awareness of copyright laws.

"I certainly hope that the fact that these issues were raised and that the judgment was in our favor will give people who are intending to (use music without permission) pause and caution," said Browne, who's previously sued others for using his songs, particularly "Running On Empty," in advertisements. "I hope that it will be a cautionary case where people will say, 'We better not. They'll sue you...'"

"But in a very broad sense I really hope that people begin to understand what goes into making music. It's not just that one gets paid; it's that one's entire enterprise is fed, whether it's recording studios or the amount of money you can pay our band...It is a huge industry."

Browne added that he would "absolutely" take legal action against anyone using his music without proper permission, including political candidates and parties or organizations he supports. Browne -- whose last album, "Time The Conqueror," came out last year -- is on touring through August.