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# 18 U.S. Code § 2319A

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## Unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances

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(a) **Offense.**—Whoever, without the consent of the performer or performers involved, knowingly and for purposes of commercial advantage or private financial gain—

- (1) fixes the sounds or sounds and images of a live musical performance in a copy or phonorecord, or reproduces copies or phonorecords of such a performance from an unauthorized fixation;
- (2) transmits or otherwise communicates to the public the sounds or sounds and images of a live musical performance; or
- (3) distributes or offers to distribute, sells or offers to sell, rents or offers to rent, or traffics in any copy or phonorecord fixed as described in paragraph (1), regardless of whether the fixations occurred in the United States;

shall be imprisoned for not more than 5 years or fined in the amount set forth in this title, or both, or if the offense is a second or subsequent offense, shall be imprisoned for not more than 10 years or fined in the amount set forth in this title, or both.

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