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Machinima, Collective Digital Studio Fight ‘Copyright Troll’

By MELISSAH YANG

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Machinima and Collective Digital Studio have filed separate suits in federal court against online music library Freeplay, claiming the New York company engages in a “bait and switch” copyright scheme to extort money from multichannel networks and their talent.

The complaints, filed Monday in the U.S. District Court for the Central District of California, calls Freeplay a “Copyright Troll” that promises free music to video creators but then demands “outrageous” license fees from their multichannel networks for using the content. Machinima and Collective Digital Studio never subscribed to Freeplay’s service, downloaded its music or agreed to its terms and conditions, according to the suits.

Bryan J. Freedman, an attorney representing Machinima and Collective Digital Studio in their individual filings, said Freeplay’s “deceptive practices,” which includes what he calls a misleading name, demonstrated the music company did not care about preserving its copyrighted content.

“Freeplay purposely does not issue takedown demands and won’t tell you where the alleged infringing content is because they would rather try to leverage an extortionist settlement,” he said.

Freeplay is led by Scott Schreer, a successful TV song producer and composer whose credits include penning Fox’s NFL theme song. Schreer is also chief executive of VC-backed TuneSat, which monitors satellite TV and the Internet to help clients discover when their music is being played and whether it is being used without a license.

Freeplay’s website says personal use of its music on YouTube is free for a duration of 99 years. But those who use Freeplay’s music for business purposes – which could include branded and ad-supported videos – would be required to pay \$250 to use one track on one video for a year.

Freeplay’s terms of use, updated in October, says, in part, “a free personal YouTube use DOES NOT include Multi-Channel Network managed channel uses.”

That line did not appear in **Freeplay’s usage agreement as of July 22**, according to Internet digital archive Wayback Machine.

Requests for comment from Freeplay were not returned.

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