December 23, 2019

The Honorable Frank Pallone, Jr. Chairman Committee on Energy and Commerce 2125 Rayburn House Office Building Washington, DC 20515 555 Eleventh Street, N.W., Suite 1000 Washington, D.C. 20004-1304 Tel: +1.202.637.2200 Fax: +1.202.637.2201 www.lw.com

FIRM / AFFILIATE OFFICES Beijing Moscow Boston Munich Brussels New York Century City Orange County Paris Chicago Dubai Rivadh Düsseldorf San Diego Frankfurt San Francisco Hamburg Seoul Hong Kong Shanghai Silicon Valley Houston Singapore London Los Angeles Tokyo Washington, D.C. Madrid Milan

Dear Chairman Pallone:

We write on behalf of our client, Live Nation Entertainment. Thank you for your letter of November 21, 2019 to Live Nation Entertainment requesting information regarding the live event ticketing industry. As we have discussed with the Committee staff, Live Nation Entertainment and Ticketmaster share the Committee's concerns about the proliferation of unfair and deceptive ticketing practices.

We welcome the opportunity to provide this information and to collaborate with Congress to identify ways to improve the ticketing ecosystem. As a leading platform for venues and event organizers, we agree there are a myriad of changes that can be made to benefit consumers. In short, we believe:

- Consumers should be able to see the total cost of their tickets, including all fees, at the beginning of the purchase process, not at the end;
- Consumers should know if the ticket they are buying is a primary ticket being sold by the event organizer or a resale ticket being sold by another party, and if so, what the original face value of that ticket was;
- Consumers should not be deceived into buying "speculative" tickets the seller does not yet have and may not be able to provide;
- Consumers should not be fooled into buying tickets from deceptive web sites or have to guess whether a web site is actually an authorized ticket seller associated with a venue or event organizer;
- Consumers should be fully refunded the entire cost of their purchase, including fees, if an event is canceled or postponed or they do not receive the tickets that were advertised; and
- Event organizers should be able to employ new technologies to ensure consumers can access their tickets at face value, even if those tickets are worth more on the open market.

Over the past several years, we have continued to increase our commitment to, and investment in, new solutions and policies to level the playing field for consumers, including:

- Developing new technologies including our Verified Fan Program and Smart Queue, which are aimed at identifying and rewarding real fans, as opposed to bots and resellers, during the on-sale process;
- Prohibiting speculative ticketing on our marketplace;
- Working with Google and ISPs to remove deceptive white label URLs;
- Blocking more than 30 billion bot ticket purchase attempts in the last two years; and
- Lobbying successfully for the federal 2016 BOTS Act and for state legislation to ban the use of bots, require increased consumer warnings for speculative tickets and ban deceptive white label resale web sites.

Unfortunately, as the Committee's letter reflects, the imbalance between supply and demand for some of the highest profile live events continues to entice some players in the ecosystem to engage in what we believe are deceptive and unethical practices which harm consumers by constraining access to tickets and driving ticket prices higher.

While we remain committed to using technology to give consumers a fair chance at purchasing tickets in high demand, we recognize that innovation alone will not be enough. We strongly believe that consumers, and event organizers, deserve a level playing field that can only come from sensible legislation and a commitment to enforcing the laws banning abusive practices.

In this spirit, enclosed are our responses to the questions posed by the Committee. We respectfully reserve the right to supplement the responses to the extent necessary. In addition, as we have discussed with the Committee staff, some of the information requested by the Committee is highly proprietary and confidential, and subject to contractual obligations of confidentiality. We have been working with the Committee staff on a way forward regarding such requests, and will continue to do so. Further, consistent with our discussions with the staff, we understand that to the extent the Committee may intend to disclose any of the information provided in this response (some of which is proprietary and competitively sensitive), the Committee will provide reasonable advance notice to the Company, in order to allow the Company to discuss the matter with the Committee and to take appropriate steps to protect the Company's business interests.

We hope the Committee finds this information helpful, and we look forward to engaging with the Committee regarding this matter. Thank you for your attention to these important issues.

Sincerely,

L

Jonathan Su of LATHAM & WATKINS LLP

Before providing responses to the Committee's questions, we believe it would be helpful to share Ticketmaster's views on the five serious concerns raised in the Committee's letter. We invite the Committee to consult with event organizers and venues, who we believe share many of our views.

1. Consumers continue to be confronted by high, hidden fees.

Ticketmaster discloses the full amount to be paid by a consumer—including all fees before the consumer makes the final purchasing decision. We support moving to an all-in "upfront" fee display, but believe that for up-front pricing to effectively enable consumers to accurately compare prices, all members of the live event ticketing industry must be legally required to list all prices and fees up-front. Such up-front fee display is required in almost every other major market we operate in, including Canada, Australia, New Zealand, the European Union and others, and Ticketmaster complies with those laws.

Mandating consistent fee display would also prevent any marketplace from manipulating the list price of a ticket to make the price appear less expensive upfront. This practice involves reducing the up-front list price of a ticket, only to add the amount of the reduction into the mandatory fees charged later in a transaction. Examples of this price manipulation are attached as Exhibit 1.

According to a recent report by the Government Accountability Office ("GAO") (hereinafter the "GAO Report"), fees on the secondary market are 10% higher on average than fees on the primary market.¹ As the GAO observed,

[o]n the primary market, up-front fee disclosure helps decision making by informing consumers of the total ticket price early in the process. It also helps consumers decide whether to buy from the ticketer's web site or at the box office, where there typically are no fees. On the secondary market, upfront fee disclosure aids comparison shopping by helping consumers identify the resale exchange with the best total price. Sellers that do not provide enough or full information on prices through hidden fees could have a competitive advantage because they would be perceived as offering lower prices over their competitors who do provide full information showing the price.

Id. at 42.

Requiring all actors in the live event ticketing industry to list all required fees from the first purchase page would promote transparency and protect consumers.

¹ Government Accountability Office, *Event Ticket Sales*, at 17 (April 2018), *available at* https://www.gao.gov/assets/700/691247.pdf.

2. Consumers appear to be impacted by a lack of transparency related to limited ticket availability.

Some in the industry have attempted to argue that the biggest threat to fair access for consumers is not knowing how many tickets are made available for sale. This argument is entirely without merit and we know of no other industry in which the owners are required to disclose their inventory levels. Even the recent GAO Report noted it was "[u]nclear how useful [inventory disclosure] information is for consumers." *Id.* at 11, 36.

As a matter of fact, only 2.4% of the events sold on Ticketmaster in 2019 YTD sold out in the first 24 hours following a public on-sale. The vast majority of events have tickets available for consumers throughout the pre-sale and on-sale period and beyond.

Even for the highest demand events, it is highly unlikely that inventory disclosure would aid consumers in securing tickets at face value for two reasons. *First*, for select high demand events, demand far outstrips supply—by a factor of 10 or more. Knowing if there are 5,000 or 10,000 seats for sale will not help a consumer when there are 100,000 requests for those tickets. *Second*, inventory disclosure would not level the playing field for a consumer competing in real-time against automated computer bots, which make tens of thousands of requests to purchase tickets during a high demand on-sale for every single attempt made by an actual consumer.

In reality, this disclosure has the potential to make it even harder for consumers to access tickets as it would make it much easier for unethical brokers and bot users to determine the demand profile of an event, making it easier for them to target supply and manipulate the market.

We do believe, however, that there are real and effective ways to address fairness in ticket availability, including:

a. Providing transparency on ticket face value and ticket origin

Ticketmaster is the only marketplace that clearly differentiates between primary tickets listed at face value from the initial seller (the venue or event organizer) and tickets listed for resale. We do this both in name and by color-coding primary tickets and resale tickets distinctly. In this way, it is easy and straightforward for consumers to identify the initial face value of tickets and how resale tickets compare in terms of price.

We are not aware of any other marketplace that similarly discloses ticket types in this way or discloses the initial face value of resale tickets. Indeed, the GAO Report indicated that in almost 30% of the cases examined, GAO "observed instances in which tickets were listed on the resale market even when tickets were still available from primary sellers at a lower face-value price." *Id.* at 14. Requiring all marketplaces to clearly identify the source of a ticket and the initial face value could provide consumers with beneficial and actionable transparency.

b. Enhancing enforcement of the law to punish the use of automated computer programs used to circumvent ticketing systems (e.g., bots)

We believe that increasing enforcement of the law against the use of bots to unfairly purchase tickets is the most effective tool for improving consumers' ability to compete for tickets to the most in-demand events. Despite the 2016 BOTS Act, which made the use of computer automation for purchasing tickets illegal, the bot problem has grown exponentially. According to a report by Distil, a leading bot-mitigation software provider, 40% of activity on ticketing sites is computer automated, and up to 67% of bad bot traffic occurs in the United States. In 2018 alone, Ticketmaster blocked more than 10 billion bot purchase attempts, and this year we are on pace to prevent more than 20 billion attempts.

We believe additional enforcement of existing laws is needed to prevent ticket marketplaces from willfully ignoring secondary ticket listings that have likely been secured using these illegal tools. We will continue to cooperate with State and Federal agencies to identify and pursue action against entities that use bots.

c. Developing new technologies that level the playing field for consumers

As a result of the dramatic proliferation of bot usage despite the 2016 BOTS Act, Ticketmaster has invested significantly in new tools aimed at giving consumers a fair chance at beating the bots. For instance, our "Verified Fan" program allows consumers to register in advance of a high demand ticket on-sale so as not to have to fight bots in real-time. Our "SmartQueue" technology places all prospective buyers in a waiting room where we leverage investments in advanced data science and machine learning to push real consumers to the front of the line, ahead of bots. Further, our new "SafeTix" digital tickets provide event organizers who want to sell tickets at lower prices the option to make tickets non-transferable in order to make it harder to purchase tickets for the sole purpose of reselling them at a profit. We will continue to make these tools available to event organizers to help them protect consumers.

3. Speculative tickets continue to harm unknowing consumers.

We share the Committee's view that speculative tickets made available by secondary marketplaces, without disclosure of their speculative nature, is deceptive and harms consumers. Ticketmaster has a stringent policy against posting tickets the seller does not actually possess and a thorough process by which we police the site and remove suspect listings. We believe speculative tickets should be prohibited.

Almost all other marketplaces allow ticket speculation with no disclosures to consumers. Instead, these marketplaces rely on hidden Terms of Service that state an order may be fulfilled with "comparable" seats. As a result, consumers may receive different tickets than the ones they believed they were buying, or worse, no tickets at all. Without proper disclosures, consumers are often "sold" tickets on a secondary marketplace before tickets have even gone on sale in the primary market.

Another egregious practice in ticket speculation is commonly known as "mirroring." In this scheme, secondary marketplaces search primary marketplaces using computer automation to determine what tickets are still available. With this information, these bad actors falsely represent all available primary seats as valid resale listings but at prices often well above face value. Only after an unwitting consumer purchases one of the speculative ticket listings does a seller buy the tickets in the primary market to fulfill the order.

We believe this mass speculation and arbitrage scheme is one of the most deceptive practices in the industry and have included some examples in this response at Exhibit 2.

4. "White label" web sites may employ practices that are designed to deceive consumers.

Ticketmaster does not operate any "white label" affiliate web sites as described in the GAO Report. This practice is not only deceptive and unfair to consumers, but it is also a clear violation of the intellectual property rights of venues, event organizers, and other rights holders.

In the past year alone, we have notified Google and various internet service providers of at least 33 of these deceptive web sites on behalf of our clients. We believe deceptive web sites should be prohibited and all sites affiliated with a resale marketplace should require clear and conspicuous disclosures. These disclosures should include the identification of the affiliated marketplace and make it clear there is no official relationship to a venue or event organizer. Further, these sites should be required to disclose the nature of the tickets listed for sale (e.g., that tickets offered are resale tickets that may exceed face value).

We provide examples of deceptive URLs in Exhibit 3.

5. Restrictions on the transferability of tickets limit consumer options.

We believe it is in the sole discretion of the event organizer to set the rules by which tickets are delivered or eligible to be transferred. Although the use of non-transferable tickets is rare (0.2% of the tickets sold via Ticketmaster in 2019), they are a very effective method to ensure that consumers are able to purchase tickets at face value.

The most common use case for non-transferable tickets is an artist who is aware that demand will far exceed supply for their event, but nevertheless wants to set tickets prices well below what the free market would bear. It may seem initially counterintuitive that an artist would price tickets below market value. However, many artists aim to build long-term relationships with their fans, and for some artists (especially those that appeal to young audiences), keeping ticket prices low is a core strategy for building and maintaining that connection. If an artist wants to make tickets more affordable for his/her fans by designating their tickets non-transferable, we see no reason they should not be able to do so.

However, we also recognize that consumers lose some flexibility when purchasing nontransferable tickets, which is why we have instituted a set of guidelines directing their use. These guidelines include: (1) anticipated demand should exceed expected supply, and ticket prices should be below anticipated free-market levels; (2) any tickets which will be non-

transferable should be clearly and conspicuously disclosed on the first page of the transaction process, again before checkout, and yet again in a confirmation email; and (3) third-party resale marketplaces should be notified in advance of the primary on-sale that tickets will be sold as non-transferable.

Attached as Exhibit 4 are Ticketmaster's current policies and the procedures for the sale of non-transferable tickets.

* * *

With that introduction, we turn to providing responses to the Committee's questions.

Question 1: Please provide a list of all primary market ticket platforms and secondary market ticket exchanges owned or operated by your company, and the total number of tickets sold on each platform or exchange in 2018.

In the United States, Live Nation owns and operates the Live Nation, Ticketmaster, FrontGate, TicketWeb and Universe ticketing platforms, all of which use the Ticketmaster marketplace available through ticketmaster.com, the Ticketmaster and Live Nation mobile apps and our call centers. Ticketmaster also operates ticket resale exchanges on behalf of the NFL, NHL and NBA.

The Ticketmaster ticketing marketplace sold approximately 482 million tickets in 2018. We do not break out this information by platform or exchange in our public filings as this information is proprietary and confidential to our clients.

Question 2. What fees does your company charge per ticket sale, and how are those fees calculated? Please provide a copy of any policies related to how your company sets and calculates fees.

Consumers using the Ticketmaster marketplace are charged ancillary fees, which may include facility fees added and wholly retained by a venue, as well as convenience (per ticket), order processing (per order) and delivery fees (per order).²

Our clients generally set and retain the majority of these fees. On our marketplace, fees follow market averages, typically calculated as a percentage of face value usually ranging between and and a set of the set of the

² These do not include taxes imposed by governments.

³ In the resale market, ticket sellers also pay fees to the secondary ticketing marketplace.

Question 3. How much revenue did your company generate from ticket fees in calendar years 2016, 2017, and 2018?

Below is Live Nation's publicly reported ticket sales and revenue information. The majority of our revenue is derived from the portion of ticketing fees that we retain, while the remainder encompasses other products and services not considered ticketing fees.

	2016	2017	2018
Total tickets sold	454,818,000	473,416,000	482,522,000
Ticketing revenue	\$1,166,029,000	\$1,346,510,000	\$1,529,566,000

Of the portion of fees that we keep, Ticketmaster is responsible for payment costs, fraud and abuse protection, and customer support as well as the technology and services we use to provide a safe and fair marketplace for buying and selling tickets.

a. Please provide this figure for each of your company's primary and secondary ticket sales platforms for each of the above years.

Live Nation reports this information on a combined basis for primary and secondary ticket sales.

- **b.** For each platform for each of the above years, please provide the following:
 - i. The total amount of fee-generated revenue collected for all artists and the total amount for artists affiliated with or in which your company has a financial interest, if any;
 - ii. The total amount of fee-generated revenue collected for all promoters and the total amount for promoters affiliated with or in which your company has a financial interest, if any;
 - iii. The total amount of fee-generated revenue collected for venues and the total amount for venues affiliated with or in which your company has a financial interest, if any; and

iv. The total amount of fee-generated revenue collected for any other reason or party. Please provide the party that receives the revenue.

As we have discussed with the Committee staff, these questions implicate information that is highly proprietary and confidential, and subject to contractual obligations of confidentiality. We have been working with the staff on a way forward and will continue to do so.

Question 4. At what point during the purchase process does your company make the consumer aware of the type and amount of ancillary fees charged?

Consumers see the type and amount of ancillary fees prior to purchase, specifically before being asked to login and enter payment information.

a. Where and how is this information communicated to consumers?

A consumer who chooses the date and location for an event can select an option to "see tickets," which allows them to see all available tickets and list prices. Upon selecting a specific ticket and clicking "next," the consumer sees a "total," which includes the list price and all fees. The consumer can also expand the view to see an itemized list of the components of the total price, including the list price, service fee, order processing fee and any applicable delivery fee.

b. Since January 1, 2016, has any federal, state, or local entity or individual taken legal action against your company regarding the lack of "all-in" pricing? If so, please provide a list of such actions, the claim alleged in each action, and, if applicable, the results of any such action.

No.

Question 5. Regarding ticket refunds, in what instances does your company provide consumers with a refund for the total cost of the ticket, including any ancillary fees?

Refunds are available to consumers if tickets were purchased via Ticketmaster and the event is postponed, rescheduled or canceled. In the event of canceled events, consumers receive an automatic refund. In the event of a postponed or rescheduled event, the consumer can receive a refund upon request. In all cases involving refunds, Ticketmaster refunds the full purchase price of the ticket, including per ticket and per order fees, as well as delivery fees (except UPS).

Two exceptions exist with respect to Major League Baseball ("MLB") and the US Open as consumers are made aware of the refund policies of those entities. MLB has a "past date" policy, meaning the ticket is good for life and MLB will work directly with the baseball team for tickets to another game the fan wants to attend (subject to availability). The US Open has a specific policy available at https://www.usopen.org/pdf/Inclement_Weather_Policy_2019_060719.pdf.

a. Does your company provide consumers with a refund for the total cost of a speculative ticket?

Ticketmaster does not sell speculative tickets.

b. Is your company's refund policy disclosed to the consumer during the transaction process? If yes, please explain what information is provided to consumers, how your company discloses this information to consumers, and at what point in the purchasing process this information is disclosed.

Consumers see and accept our Terms of Use (which include our refund policies) at the time of account creation and at each stage of the transaction process, including the event destination page (the page displaying event tickets), the delivery page and the payment page. Consumers can also see our refund policy in our customer service FAQ page, which also includes suggested articles, including <u>https://help.ticketmaster.com/s/article/How-do-I-get-a-refund?language=en_US</u>.

In the purchase path we also disclose "all sales final – no refunds" for all primary tickets and "all-sales final – no refunds or exchanges" on all resale tickets on our web site and mobile web site.

c. Please provide a copy of all policies related to ticket refunds.

See Exhibit 5.

Question 6. Does your company sell ticket insurance, or contract with or otherwise permit a third-party to sell ticket insurance on your platform or web site? If so, please explain the ticket insurance that your company offers, including whether the ticket insurance is a set price or calculated based on the cost of the ticket, and what the ticket insurance covers.

Ticketmaster has a contract with a leading third party insurance provider to sell ticket insurance on our marketplace. This is an optional purchase and consumers are not required to purchase ticket insurance when they purchase tickets. More information on the insurance offered can be found at <u>https://www.eventticketprotection.com/tm/home</u>. If a consumer purchases ticket insurance during checkout and cannot attend an event for any covered reason, the consumer will

be reimbursed up to 100% of the ticket price. The cost of the insurance is set by the insurer and is generally a percentage (approximately 10%) of the cost of the underlying ticket(s).

Question 7. How does your company determine the number of tickets that will be sold or distributed for any given event that are 1) presales; 2) holds; 3) general sales; and 4) other categories of sales to the extent not already covered?

Ticketmaster does not make any of these decisions. Decisions as to when and how many tickets are sold (including pre-sales to Verified Fans, credit card members and fan clubs) are made solely by our clients on a case by case basis. It is an industry standard practice for artists, venues and teams to hold a reasonable number of tickets to use for production or customer service issues, friends, family and sponsors. If unused for those purposes, they may, and often do, release unused tickets for sale to the general public at a later time.

Question 8. For each of the 15 highest grossing domestic events in 2016, 2017, and 2018, please provide the percentage of tickets sold or distributed that were 1) presales; 2) holds; 3) general sales; and 4) other categories of sales to the extent not already covered. Please identify event details, including artist and location.

This information is confidential to the artist, venue, promoter or other client. We have been working with the Committee staff on a way forward and will continue to do so.

Question 9. Does your company disclose the total number of tickets available to the general public? If yes, when and how is this information conveyed to consumers?

Ticketmaster does not specifically state the total number of tickets available to the general public. This number changes in real time, based on decisions made by clients that are subject to change. See response to Question 9.a. below.

a. Does your company disclose to the public the number of tickets sold in presale? If yes, when and how is this information conveyed to consumers?

Ticketmaster does not specifically state the total number of tickets available in a presale. By looking at the list of available tickets on our web site or mobile app, or viewing the interactive seat map, a consumer can see all tickets that are currently available at any phase of a presale or on-sale.

b. Does your company disclose to the public the number of tickets held back by an artist, venue, promoter, or other entity? If yes, when and how is this information conveyed to consumers?

No, as this information is confidential to the artist, venue, promoter or other client.

c. Do tickets put on "hold" for an artist, venue, promoter, or other entity ever get released to the general public for purchase? If yes, when and how are consumers informed of the availability of these tickets?

Frequently yes. It is common for tickets that are not being used for their hold purpose to be offered for public sale. The decision of when to release tickets and how to inform consumers varies and is made by the event organizer.

Question 10. Does your company sell tickets with limits on the transferability or resell limitations of tickets, including limits on the mechanisms or platforms by which a ticket may be transferred? If yes, please describe such limitations in detail and the reasons for such limitations.

As stated above, we believe it is in the event organizer's sole discretion to determine how tickets are distributed and the rules by which they can be transferred. If an artist wants to make tickets more affordable for his/her fans by designating their tickets non-transferable, we see no reason they should not be able to do so. However, we also believe that any limitations should be clearly disclosed prior to purchase so consumers have the information needed to make an informed purchasing decision. Our current policies and procedures for this situation are attached as Exhibit 4.

> a. For calendar years 2016, 2017, and 2018, please provide the percentage and number of tickets sold that included limits on transferability or resell limitations, including limits on the mechanism or platforms by which a ticket may be transferred. If transferability is limited for only a portion of tickets or certain kinds of tickets for any given event, please explain.

For calendar years 2016, 2017 and 2018, the percentage of tickets sold via Ticketmaster with transfer limitations was 1.8%, 0.8% and 0.2%, respectively.

b. At what point in the ticket purchasing process are consumers informed that tickets cannot be transferred or resold? Please explain where and how this information is communicated to the consumer.

In the Ticketmaster marketplace, consumers are informed of non-transferable tickets prior to purchase. We have enclosed detailed screen shots showing these disclosures. See Exhibit 6.

c. To the extent that a transfer or resale is done using technology used, owned, or operated by your company, what information about the consumer and the transfer is collected; for what purposes is such information used; is the information shared with third parties and, if so, for what purpose; and how is the consumer informed of such information practices?

Season ticket holder tickets are managed by our clients using software and systems we provide and operate on their behalf. To accept transfer of a season ticket, the recipient must create or login to a sports team account where our systems capture first and last name and an email address. Ticketmaster does not have access to this information unless the consumer has also created an account on Ticketmaster's ticketing marketplace and accepted our privacy policy and terms of use.

To accept transfer of a ticket on our ticketing marketplace for which Ticketmaster was the primary ticketer, a consumer must create or login to their Ticketmaster account. To create a new account, a consumer must provide their first and last name, email address, password, zip code, country and phone number (which is required to assist in verification efforts to prevent fraud and abuse).

We collect transfer events in Google Analytics accompanied with information about the means by which the user entered the site, the device the consumer is on, geography information derived from IP address, date and time of the transfer activity. This data is only used to: (i) troubleshoot errors; (ii) segment buyers in a marketing audience; (iii) personalize content (e.g. shows you may be interested in); and (iv) send transaction/event related emails (transfer acceptance, event reminder email, etc.). This data is received by our clients as part of their transaction feeds and is retained indefinitely.

d. Please provide all policies related to the transferability or resell limitations of tickets.

See our current policies and procedures, attached as Exhibit 4.

Question 11. Does your company permit the sale of speculative tickets on your company's platform?

Ticketmaster completely opposes speculative ticket listings and our Seller Handbook (for brokers who list resale tickets on our platform) prohibits the listing of speculative tickets.

Where we are the primary ticketer, we are able to verify any resale ticket posted for sale on our marketplace, thereby ensuring the tickets are fully legitimate and not speculative. 94% of the resale tickets on our marketplace are verified in this way.

a. What disclosure does your company make to alert consumers of the speculative nature of the ticket and how and when in the purchase process is this disclosure made?

We prohibit speculative ticket listings and continually monitor seller listings to remove tickets that appear to us to be speculative.

b. What actions has your company taken to address speculative tickets sold on your company's platform, including legal or other actions taken to enforce your company's speculative tickets policy?

Where we were not the primary ticketer for resale tickets posted by a seller, our terms of use prohibit a seller from listing speculative tickets. In addition, we actively and rigorously review our listings and remove any that appear to us to be speculative.

c. In the past year, have any speculative tickets been sold on your company's platform(s)?

While we believe that our ban on speculative ticket postings and our rigorous reviews hold the instances of speculation to an absolute minimum, in the rare instance that our customer service team does receive a complaint from a consumer who did not receive their resale tickets, we contact the seller to ensure the consumer receives replacement tickets at equivalent or better location and value or receives a refund.

c. Please provide all policies related to the sale of speculative tickets on your company's platform.

See Exhibit 7.

Question 12. Does your company work with, own, or operate any platform and/or web site that make any representation of affiliation or endorsement to a venue, team, or artist, when in fact no formal affiliation or representation exists (also known as white-label web sites)? If yes, please provide a list of these web sites and explain:

No. Live Nation and Ticketmaster do not use or work with any entities that use deceptive URLs. As discussed above, we consider the practice of other marketplaces that promote and reward deceptive "white label" web sites through affiliate programs to be deceptive and unfair to consumers. This practice also violates the intellectual property rights of event organizers and other rights holders. We regularly file "take down" notices of these deceptive URLs with Google and others, as well as send cease and desist letters to those engaged in such practices.

Questions 13 and 14. What protocols are in place to ensure that tickets resold on your company's platform(s) were not originally purchased using bots or fictitious accounts? What analysis has your company completed to determine the effectiveness of these

protocols? What mechanisms does your company have in place to ensure that consumers are afforded a reasonable opportunity to obtain face-value tickets? What analysis has your company completed to determine the effectiveness of these mechanisms?

We employ extensive protocols and mechanisms to block bots, fictitious accounts and other forms of fraud and abuse. While we continually measure and improve the effectiveness of these efforts, the fact is this is an "arms race" with bad actors who use bots. For every action we take, fraudsters and cheaters take a counter action. Lack of enforcement of the BOTS Act and rampant proliferation of vendors and tools that are marketed to brokers to allow for establishment of fictitious accounts continue to plague the entire industry. However, we believe we have invested more money and effort in trying to combat the fraudsters and cheaters than anyone else in the industry.

Ticketmaster has invested millions of dollars in technologies, analysis, data science efforts and legal enforcement aimed at ensuring consumers have the first opportunity to obtain face-value tickets. As we have discussed with Committee staff, Ticketmaster's efforts in this area include our own and third-party systems that are highly proprietary and confidential, and subject to contractual obligations of confidentiality. We have been working with Committee staff on a way forward and will continue to do so.

Question 15. According to a recent *Variety* news report, "[r]epresentatives for Live Nation, the world's largest live-entertainment company and owner of Ticketmaster, confirmed that it bypassed conventional channels and directly placed thousands of concert tickets on the secondary market upon artists' requests."

a. In what circumstances does your company bypass the primary market and directly place tickets on the secondary market?

Ticketmaster does not have any program to bypass the primary market, although there are a select number of instances where we allow tickets to be sold on multiple ticket marketplaces. As an example, in professional sports, there is a long history of professional resellers purchasing season tickets and selling individual games on various resale marketplaces. Over time, some of Ticketmaster's sports clients have asked Ticketmaster to offer an alternative that would enable them to reduce their reliance on resellers without losing the ability to reach fans who buy on the secondary market. Accordingly, in 2018, through integrations with Stubhub and Seatgeek, as part of an arrangement with the NFL, Ticketmaster began enabling NFL clubs to list a select number of tickets for sale directly on those marketplaces. In addition, in 2019, we began offering a Sports Distribution Program allowing sports clients who need broader distribution to establish an official agreement with professional resellers to distribute a portion of their tickets to which we would otherwise have an exclusive distribution right. Participation in the program and the specific strategies utilized are at the sole discretion of the client.

Live Nation does not have a practice of placing tickets on the secondary market. In spite of our routine solicitation by professional resellers and secondary marketplaces themselves, our standard practice is to use Ticketmaster's Platinum, VIP and other tools to help artists price

tickets closer to true market value. In a limited number of instances, and only at the request of an artist or their representative, Live Nation has used the secondary market as a sales distribution channel in order to allow an artist to capture value that would otherwise go to brokers profiting from the imbalance between supply and demand for high demand tickets. As referenced in the *Variety* article, in 2016 a consultant for the band Metallica opted to use this strategy after the band performed a single show in Minneapolis at which more than 10,000 tickets were transacted on the secondary market without the band's participation. Between 2017 and 2018, Live Nation piloted some tests where, at the request and direction of an artist's representative, artists would be permitted to allocate a small number of tickets to professional resellers who would distribute the tickets on multiple marketplaces. Over that time, approximately for the tickets were sold on third party marketplaces, representing of total tickets distributed by Ticketmaster during the same time period. These tests were discontinued in December 2018.

b. How does your company determine the number of tickets placed directly on the secondary market? For any given event, is there a maximum amount of tickets your company directly places on the secondary market?

As noted above, Live Nation does not have a practice of placing tickets on the secondary market.

c. Does your company have any internal policies, protocols, or procedures that govern the practice of bypassing the primary market to place tickets directly onto secondary market platforms? If yes, please provide a copy of any such policies, protocols, or procedures.

See response to Question 15.a.

d. Do your company's policies, protocols, or procedures designate which secondary market platforms must be used when tickets are directly placed in the secondary market? If not, how does your company determine which secondary market platform to use?

Not applicable for the reasons stated in our response to Question 15 and its subparts.

e. Did the entities or individuals requesting that tickets be placed on the secondary market request a minimum price for the resale of the tickets? Did Live Nation or Ticketmaster receive any revenue from such sales, and if so, what was the total amount annually since January 1, 2016?

With respect to the first question, no they did not. With respect to the second question, Live Nation and Ticketmaster will provide a supplementary response in a subsequent submission.

Exhibit 1 Deceptive Pricing: Markdowns Paired with High Fees

Markdown: StubHub pricing initially appears 7% cheaper than TM but, after 32% buyer fee, is actually 3% more expensive



• Screenshots taken on December 4, 2019 at the same time

• Each marketplace had only one listing of eight tickets in that section and row, so no chance comparison is between different listings

Markdown: SeatGeek pricing initially appears 9% cheaper than TM, but, after 36% buyer fee, is actually 4% more expensive



• Screenshots taken on December 4, 2019 at the same time

Each marketplace had only one listing of eight tickets in that section and row, so no chance comparison is between different listings

Markdown: Vivid Seats pricing initially appears 10% cheaper than TM, but after 30% buyer fee, is actually more expensive



• Screenshots taken on 4/15/19 at the same time to avoid confusing pricing adjustments by seller with marketplace markdowns

· Each marketplace had only one listing of three tickets in that section and row, so no chance comparison is between different listings

4

Exhibit 2 Speculative Ticketing

Ticket listings without actual row information are a telltale sign of speculative ticketing. At the time these Vivid Seats listings for a Hamilton performance in Ohio were posted, the tickets had not even gone on sale.



Speculative ticketing



7

Speculative ticketing



Speculative ticketing at 2015 Super Bowl

Chicago-Based Vivid Seats Unable to Fulfill Super Bowl Ticket Orders and Is Refunding Money

"The Chicago-based ticket website is giving 200% refunds on Super Bowl tickets to some customers as a result of apparent short selling, a technique where ticket sites sell seats before having the actual ticket, with the plan to buy them closer to game time at a lower cost."

Available at www.americaninno.com/chicago/super-bowl-ticket-refund-vivid-seats-and-other-sites-refund-tickets-after-short-sale/.

Forget 'Ballghazi': Ticket site Vivid Seats deals with its own Super Bowl snafu

"Vivid Seats is working to make amends with a number of customers who bought tickets through the secondary ticket marketplace but were left empty-handed at the Super Bowl over the weekend.

Available at www.chicagobusiness.com/article/20150203/BLOGS04/150209935/vivid-seats-super-bowl-refunds-making-up-for-unprecedented-market-snafu.

Heartbroken Seahawks fan cries on live TV because he can't get into the Super Bowl after broker sells him tickets 'it never had'

"Chicago-based reseller Vivid Seats was forced to admit to customers before this year's game that it wouldn't be able to fulfill ticket orders, despite already taking hefty deposits."

Available at https://www.dailymail.co.uk/news/article-2936521/At-didn-t-team-lose-Heartbroken-Seahawks-fan-cries-live-TV-t-Super-Bowl-broker-sells-tickets-never-had.html.

Exhibit 3 Deceptive URLs

	sap center san jose	<u>م</u>
	All Images Videos Maps News My saves	
	74,200 Results 🛛 🔍 Near Central Hollywood, Los Angeles, CA - Change	
The official web site of the SAP Center (San Jose, California) is	Sap Center San Jose - SAP.CenterSanJose.com Ad · sAP.CenterSanJose.com → SAP Center Resaie Tickets San Jose, CA. Instant Download. Find Deals & Save. Find Deals - eTickets - Secure Checkout - Authentic Tickets	College Park
<www.sapcenter.com>.</www.sapcenter.com>	Sam Smith Tickets Jingle Ball Tickets Live On Stage Performance 2017 Winter Festival Tour SAP Center San Jose, CA Concerts Purchase Tickets Online And Save	e zorr refigribank w Sin Callos Si
The deceptive URLs shown here include:	San Jose Sharks Katy Perry Ticket NHL Hockey Games, San Jose Sharks November 14, 2017 Performance Fast - Easy To Use - Guaranteed. Buy From a Trusted Online Source	SAP Center San Jose is an indoor arena located in San Jose, California. Its primary tenant is the San
include.	Sap Center San Jose - vividseats.com	Jose Sharks of the National Hockey League, for which the arena has earned the nickname "The Shark
<www.sap.centersanjose.com></www.sap.centersanjose.com>	Ad www.vividseats.com/SAPCenter + Ratings: Ease of Ordering 4.57 - Outcomer Service 4.5/5 Buy SAPCenter Event Tickets - View Seating Chart + Order Today Amenities: WividSeats® Guarantee, 100% Authentic Tickets, Easy Checkout About Us 100% Buyer Guarantee Expenence Vivid Seats Contact Us	Wikipedia Instagram Facebook
<www.sapcentertickets.com></www.sapcentertickets.com>	SAP Center Tickets at San Jose - sapcentertickets.com	Address: 525 W Santa Clara St, San Jose, CA 95113 Phone: (408) 287-7070
	Ad www.sapcentertickets.com + Mayday Concert Tickets, Disney on Ice, Rieu, Styles. All Shows Exclusive Resale.	Opened: Sep 07, 1993 Capacity: 17,496
<www.boxofficecenter.com sa<="" sapcenter="" td=""><td>Live Concert Performances · Sell Your Extra Seats · Downloadable E-Tickets Amenities: Seating Charts, Directions, Interactive Maps, eTickets, Presale Tickets</td><td>Teams: San Jose Sharks</td></www.boxofficecenter.com>	Live Concert Performances · Sell Your Extra Seats · Downloadable E-Tickets Amenities: Seating Charts, Directions, Interactive Maps, eTickets, Presale Tickets	Teams: San Jose Sharks
njoseca>	Theatre Tickets On Sale Terms & Policies Money Back Guaranteed Concert Tickets On Sale	People also search for See all (20+)
njosecaz	SAP Center San Jose San Jose CA - BoxOfficeCenter.com	
to a postar a price tick at office a posta	Ad - www.BoxOfficeCenter.com/SAPCenter/SanJoseCA + SAP Center San Jose CA Tickets Resale SAP Center SAP Center SAP Center	Scottrade
<sapcenter.sanjose.ticketoffices.com></sapcenter.sanjose.ticketoffices.com>	boxofficecenter com has been visited by 10K+ users in the past month Interactive Seating Maps Schedules & Seating Info Order Tickets Online 24/7 SAP Center	Scottrade Staples Honda Oracle TD Garden Center Center Center Arena
<sapcenter.eventicketscenter.com></sapcenter.eventicketscenter.com>	SAP Center - Official Site	Jata nom Vivipeola - lioketmäster - Freebase Suggest an edit
1	www.sapcenter.com - SAP Center. Home. Search Go. San Jose Sharks, San Jose Barracuda; Twitter, Facebook, Insta Home. http://www.sapcenter.com/home/parking16-17; Events. View All	SAP Center lickets
		Ad - SAPCenterSanJose.ticketoffices.com + (On Sale) 525 W Santa Clara St CA SAP Center Resale Tickets Amentities: Instant Ticket Downloads, 2016 Event Schedules, Last Minute Tickets
	Disney On Ice presents Dream Big Disney On Ice presents Dream Big Disney On Ice Figure Skating Disney On Ice Figure Skating Circue du Soleil Crystal	SAP Center Tickets - San Jose CA - Tickets On Sale
11	and a control to	Ad - SAPCenter.EventTicketsCenter.com + Buy Tickets For SAD Contor Comes And Events to San, Jobe CA, Sofe &

The official web site of Madison Square Garden (New York, New York) is <www.msg.com/Madison-squaregarden>.

The deceptive URLs shown here include:

<www.boxofficecenter.com/madisonsqu are/garden>

<www.madison-square-garden.boxofficeticket.center>

<www.madisonsquaregarden.eventticket scenter.com>

<madisonsquare.garden-ny.com>

Madison Square Garden Tix Ad vividseats.com/MadisonSquare - Buy Event Tickets Online! View Seating Charts - L Easy checkout - 100% buyer guarantee - Unmatche	ower Prices	
Contact Us Phone, Live Chat and location info available on our website.	Experience Vivid Seats Great selection, great prices and reliability is what you'll get.	
About Us We were created out of a love of attending live events Learn More	100% Buyer Guarantee All of our tickets are guaranteed to be safe, secure & 100% authentic	
MADISON Square Garden New Y Ad www.BoxOfficeCenter.com/MadisonSquare Modison Square Garden Tickets Resale Modisos boxofficecentre: om has been wisled by 10K- user Large Network Of Tickets - Authentic Tickets - COA Amentities: Downloadable Tickets, Order By Phone Schedules & Seating Info Order Tickets Online 24/7 Madison Square Garden NY	e/Garden ◆ Website Website Website ts in the past month VCERTS At The Garden NY	
Madison Square Garden Tickets Ad madison-square-garden.boxofficeticket.cer Order Madison Square Garden Tickets - Secure I Outstanding Service - Friendly Support Staff - Verifi Madison Square Garden Schedule & Seating Chart	nter + MSG New York Online Ticket Resale	
Madison Square Garden Tickets Ad Madison Square Garden. EventTicketsCenter Buy Tickets For Madison Square Garden Events Trusted Exchange - New events daily: Last minute Amenities: Downloadable Tickels, Order by Phone	r.com - Buy Now In New York NY, Safe & Secure! Buy Now deals - Secure checkout	
Madison Square Garden Official https://www.msg.com/madison-square-garden - Madison Square Garden is "The World's Most Far Garden, where history happens.		
Madison Square Garden - New Yo www.ticketmaster.com/Madison-Square-Garden Buy Madison Square Garden tickets at Ticketma concert and event schedules, venue information, di	-tickets-New-York/venue ster.com. Find Madison Square Garden venue	
Madison Square Garden tickets ai https://www.cheaptickets.com//venues/madisor Here is a list of all events happening at Madison S Cheaptickets.com.		
and the second		

Madison Square Garden Tickets | TicketOffices.com



Madison Square Garden - ticketmaster.com Ad www.ticketmaster.com/Madison Square/Garden + Buy Authentic Tickets to Events at Madison Square Garden

The official web site of the Barclays Center (New York, New York) is <www.barclayscenter.com>.

The deceptive URLs shown here include:

<www.barclays.centerbrooklyn.com>

<www.brooklyncenter.eventticketscenter. com/barclayscenter>



The official web site of the Oracle Arena (Oakland, California) is </www.oraclearena.com>.

The deceptive URLs shown here include:

<www.oracle.arenaoakland.com>

<www.oraclearenaoaklandtickets.com>

Google	oracle	arena t	ickets					Ų	Q	
	All	News	Maps	Images	Shopping	More	Se	ttings	Tools	
	About 75	59,000 re	sults (0.52	seconds)						
	Ad ww 4.1 ** Buy ORA Great cu	w.vivids	eats.com/ ating for viv na Tickets ervice - Hu	ORACLEAre idseats.com - Choose You ge selection	na 🔻	out	e Now			
	Ad WW 4.2 ** Where D Largest 1 Ratings:	w.stubh	ub.com/ ating for stu ant to Sit? ection · 100 ding tickets	bhub.com % FanProtec 10/10 - Web	ct Guarantee · E osite 10/10 - Ea	ting Chart - S Easy-to-use mobil Ise getting tickets ts Ticket · Concer	e app · Best val : 10/10 - Service	ue on tick e 9.5/10		
	Ad ora Oracle A	cle.aren Arena Res	aoakland.o ale Tickets	com/ 🔹 Oakland, C/	A. Instant Down	Tickets Onlin	& Save.	% Today		
	Ad WW	w.oracle	arenaoakl	andtickets.d	com/ 🔻	ors, Pink, Th			٦	
	www.or	aclearen		kets/box-off Oakland Ala		Coliseum events c	can be purchase	ed at the v	venue's	

The official web site of The Forum (Inglewood, California) is </www.fabulousforum.com>.

The deceptive URLs shown here include:

<www.theforumtickets.com>

<www.theforum.arenainglewood.com>

Google	the forum	
	All Maps Images News Videos More Settings Tools	
	About 211,000,000 results (1.01 seconds)	
	The Forum Tickets Los Angeles - KROQ Xmas Tickets, Bruno Mars. A www.theforumtickets.com/ Pink Concert Tickets, Enrique, Queens Stone Age, GnR. All Shows Exclusive Resale Sell Your Extra Seats - Interactive Seating Chart - Last Minute Ticketing - Money Back Guarantee Amenities: Seating Charts, Directions, Interactive Maps, eTickets, Presale Tickets, Last Minute Pickup, Concert Tickets On Sale Pink Tour Tickets 2018 Bruno Mars Tour Tickets Lady Gaga Concert Tickets	See photos
	The Forum - On Sale Now Buy Tickets Online - arenainglewood.com (a) theforum.arenainglewood.com/ ▼ 4.5 ★ ★ ★ ★ 4.5 ★ ★ ★ ★ # ting for arenainglewood.com The Forum Resale Tickets inglewood.com The Forum Resale Tickets inglewood, CA. Instant Download. Find Deals & Save. Find Deals - Authentic Tickets - Great Service & Selection - Save 20% Today - eTickets - A+ Rated Highlights: Leading Provider Of Resale Tickets, Privately Owned And Operated Company Bruno Mars - Enrique & Pitbull - Fall Out Boy - Joel Osteen - Halsey	The Forum * Website Directions
	The Forum Tickets - StubHub.com (a) www.stubhub.com/ ▼ The Forum Tickets. Seating Chart, Tickets & More. Ratings: Ease finding tickets 10/10 - Website 10/10 - Ease getting tickets 10/10 - Service 9.5/10 Book Concert Tickets - Purchase Theatre Tickets - Sports Ticket - Concert Tickets - Sell Tickets	across Pingets Locar Stringets Control of the Stringet Stringets Control of the Stringet Str
	The Forum - Inglewood Tickets, Schedule, Seating Chart www.ticketmaster.com/The-Forum-tickets-Inglewood/venue/73750 ▼ 3900 W Manchester Blvd., Inglewood, CA 90305. The Forum Tickets and Event Dates Disabled parking is located on all sides of the main Forum lot.	Phone: (310) 330-7300 Did you know: The relocation of both the Los Angeles Lakers and Kings to Staples Center in 1999 rendered the Forum severely underused. laconservancy.org
	The Forum - The Madison Square Garden Company www.themadisonsquaregardencompany.com/our-brands/the-forum.html Following a comprehensive reinvention, the 'Fabulous' Forum re-opened on January 15, 2014 with the first of six historic performances by the legendary Eagles.	Suggest an edit Events Fri, Oct 27 Enrique Iglesias & Pitbull 7:30 PM

The official web site of the United Center (Chicago, Illinois) is </

The deceptive URLs shown here include:

<www.unitedcenter.eventticketscen ter.com>

<www.unitedcenter.boxofficeticket.center>





	Ь	staples center		Q	
		All Images Videos Maps New	vs My saves		
The official web site of the Staples Center		220,000 Results			
(Los Angeles, California) is <a>		Staples Center Tickets LA - Sam Sm Ad www.staplestickets.com • Katy Perry Concert Tickets, Kings, Clippers, GnR All Staples Center Los Angeles, CA tickets for concerts Apple Pay Now Accepted Money Back Guarantee - 5	Shows Exclusive Resale. sports and all events secure PayPal Transaction		STAPLES CENTER
The deceptive URLs shown here include:		Amenities: Seating Charts, Directions, Interactive Ma Concert Tickets On Sale Theatre Tickets On Sale	os, eTickets, Presale Tickets Pink Tour Tickets 2018 Terms and Policies		TAPES Content of the second seco
<www.staplestickets.com></www.staplestickets.com>		Staples Center - Staples.CenterLos, Ad Staples.CenterLosAngeles.com + Staples Center Resale Tickets Los Angeles, CA. Inst. A+ Rated : 100% Guarantee Great Service & Select center/osangeles.com is rated ***** (1451 revie	ant Download. Find Deals. on - Instant Download		
<www.staples.centerlosangeles.center></www.staples.centerlosangeles.center>		Staples Center Pink Contact Us	Pink Tickets Sam Smith Tickets Shania Twain Tickets		e 2017 HERE W Adams Bou
		Staples Center - Official Site https://www.staplescenter.com + Sports and entertainment center of the world. Home to Angeles Clippers and Los Angeles Sparks.	o the Los Angeles Kings, Los Angele	es Lakers, Los	Staples Center Staples Center, officially stylized as STAPLES Center, is a multi-purpose sports arena in Downtown Los Angeles. Adjacent to the LA. Live development, it is located next to the Los Angeles Convention Center complex along Figueroa Street. Opening on October 17, 1999, it is one of
		Events Suites for individual events and customized packages. Hyde Lounge at STAPLES	About Staples Center About Staples Center STAPLE	S Center	the major sporting facilities in the Greater Los Angeles Area.
		Premium Seating Services Premium Seating Services STAPLES Center	Concerts Premier Seats More » VIP acces privileges to every game. Private		Wikipedia Facebook Directions Website
		La Kings vs Toronto Maple L 2017-18 LA Kings Tickets. For Season Ticket Information or to join the LA Kings Ticket	Parking Lot Map STAPLES Center Parking Lot m STAPLES Center, Microsoft The		Address: 1111 S Figueroa St, Los Angeles, CA 90015 Phone: (213) 742-7100 Opened: Oct 17, 1999
		Search results from staplescenter.com		Search	Capacity: 18,118 Architect: Dan Meis
		EVENTS			Teams: Los Angeles Lakers - Los Angeles Clippers - Los Angeles Kings Los Angeles Snarks - Los Angeles D.Fenders

The official web site of the Richard Rodgers Theatre (New York, New York) is <www.richardrodgerstheatre.com>.

The deceptive URL shown here is:

<www.richardrodgerstheatre.boxofficetickets.com/rodgers/newyork>

Google	richard rodgers theater hamilton	
	All Images Maps News Shopping More Settings Tools	
	About 811,000 results (0.97 seconds)	
	Hamilton Tickets On Sale Now - Richard Rodgers Theatre, NY (a) richardrodgerstheatre.box-officetickets.com/Rodgers/NewYork (800) 840-9227 Richard Rodgers Theatre, Broadway resale. All Dates On Sale Now. Instant Download - Secure Site - 100% Buyer Guarantee Amenities: Instant Ticket Downloads, Interactive Seating Maps, Secure Checkout	Hajestic Theatre O
	Finishies, materie ferter bermiessel, mersenre sessing merse, sesse sheerest	
	Richard Rodgers Theatre - The Official Website - Ticketmaster is the richardrodgerstheatre.com/ Hamilton playing at the Richard Rodgers Theatre The Richard Rodgers Theatre opened in 1924 and, originally called the 46th Street Theatre, it was renamed	Richard Rodgers Theatre
	Richard Rodgers Theatre - The Official Website - Ticketmaster is the richardrodgerstheatre.com/ • Hamilton playing at the Richard Rodgers Theatre The Richard Rodgers Theatre opened in 1924 and, originally called the 46th Street Theatre, it was renamed Patron Services - Richard Rodgers Theatre - The Official Website richardrodgerstheatre.com/patron_services.php •	
	Richard Rodgers Theatre - The Official Website - Ticketmaster is the richardrodgerstheatre.com/ Hamilton playing at the Richard Rodgers Theatre The Richard Rodgers Theatre opened in 1924 and, originally called the 46th Street Theatre, it was renamed Patron Services - Richard Rodgers Theatre - The Official Website	Richard Rodgers Theatre
	Richard Rodgers Theatre - The Official Website - Ticketmaster is the richardrodgerstheatre.com/ * Hamilton playing at the Richard Rodgers Theatre The Richard Rodgers Theatre opened in 1924 and, originally called the 46th Street Theatre, it was renamed Patron Services - Richard Rodgers Theatre - The Official Website richardrodgerstheatre.com/patron_services.php * Please note: The Richard Rodgers Theatre box office will be closed on July 4, 2017, Cash is the only	A.5 ****** 595 Google reviews Theater in New York City, New York Website The Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With the Richard Rodgers Theatre is a Broadway theater located at 226 With theat the Richard Rodgers Theatre is a Broadway theater located at 226 With theat


The official web site of the Eugene O'Neill Theatre (New York, New York) is <www.theoneill.org>.

The deceptive URL shown here is:

<eugeneoneilltheatre.boxofficetickets.com>





The official web site of the Orpheum Theatre (San Francisco, California) is <www.orpheumtheatersanfrancisco.org>.

The deceptive URL shown here is:

<www.boxofficecenter.com/orpheumtheat re/sanfrancisco>



The official web site of the Orpheum Theatre (Los Angeles, California) is <www.laorpheum.com>.

The deceptive URL shown here is:

<orpheumtheatrela.ticketoffices.com>



- The official web site of the Pantages Theatre (Los Angeles, California) is <www.hollywoodpantages.com>.
- The deceptive URLs shown here include:
- <pantagestheatre.boxofficetickets.com/Hamilton>
- <pantages.theatrelosangeles.com>
- <pantages-theatre.tickets-center.com>

931,000 Results Any time + 9	Near Central Hollywood, Los Angeles, CA - Change		
Ad - pantagestheatre.box-officetickets.c Hamilton Tickets Now On Sale! All Dates A	wailable. Pantages Theatre LA resale ickets at Box-officetickets.com Pantages		A HILL
Hamilton All Dates Thru 12/30/17 Pantages Theatre CA	Aladdin All Dates Thru 3/31/18 Pantages Theatre CA		DA See all
Love Never Dies All Dates Thru 4/22/18 Pantages Theatre CA	The Color Purple All Dates Thru 6/17/18 Pantages Theatre CA	N Country	II O C
Last Minute Tickets · Great Service & Sele		P P P P P	
theatrelosangeles.com is rated **** Hamilton Play Aladdin Pantages Theater	(1,004 reviews) Hamilton Contact Us Find The Best Deals Today	Pantages Theatre Hollywood The Hollywood Pantages Theatre, formerly k	
Hamilton Play Aladdin Pantages Theater Pantages Theater Events – V Ad www.vividseats.com/PantagesThea Buy Pantages Theatre tickets. Choose YG Buy Pantages Theatre tickets at Vivid Sea	Hamilton Contact Us Find The Best Deals Today ividseats.Com tre - Jur Seats & Order Online. Is: Browse the Hollywood Pantages theatre	Hollywood	nown as RKO Pantages Hollywood. Designed by eater built by the vaudev Art Deco theater opened
Hamilton Play Aladdin Pantages Theater Pantages Theater Events - V Ad www.vividseats.com/PantagesThea Buy Pantages Theater Ticks. Choose Y	Hamilton Contact Us Find The Best Deals Today /ividseats.com tre + our Seats & Order Online. Its. Browse the Hollywood Pantages theatre fimatched service	Hollywood The Hollywood Pantages Theatre, formerly k Theatre, is located at Hollywood and Vine, in architect B. Marcus Priteca, it was the last th impresario Alexander Pantages. The palatial June 4, 1930, as part of the Pantages Theat	nown as RKO Pantages Hollywood. Designed by eater built by the vaudev Art Deco theater opened
Hamilton Play Aladdin Pantages Theater Pantages Theater Pantages Theater Events – V Ad www.vividseats.com/PantagesThea Buy Pantages Theater tickets.choose Y Buy Pantages Theater tickets at Vivid Sea 100% buyer guarantee - Easy checkout - L Contact Us - Experience Vivid Seats - Abo	Hamilton Contact Us Find The Best Deals Today ividseats.com tre - ur Seats & Order Online. Its: Browse the Hollywood Pantages theatre Immatched service ut Us - 100% Buyer Guarantee	Hollywood The Hollywood Pantages Theatre, formerly k Theatre, is located at Hollywood and Vine, in architect B. Marcus Priteca, it was the last th impresario Alexander Pantages. The patalial June 4, 1930, as part of the Pantages Theatr	nown as RKO Pantages Hollywood. Designed by eater built by the vaudev Art Deco theater opened
Hamilton Play Aladdin Pantages Theater Pantages Theater Pantages Theater Events – V Ad www.vividseats.com/PantagesTheat Buy Pantages Theater tickets.choose Y Buy Pantages Theater tickets.choose Y U0% buyer guarante – Easy checkout / Contact Us Experience Vivid Seats - Abo Pantages Theatre 12017 – Lo Ad pantages theatre.tickets.center.com	Hamilton Contact Us Find The Best Deals Today Vividseats.com Itre - ur Seats & Order Online. Its. Browse the Hollywood Pantages theatre Its. Browse the Hollywood Pantages theatre Unwalched service ut Us - 100% Buyer Guarantee s Angeles Schedule & Tickets	Hollywood The Hollywood Pantages Theatre, formerly k Theatre, is located at Hollywood and Vine, in architect B. Marcus Priteca, it was the last th impresario Jexander Pantages. The palatial June 4, Joya, as part of the pantages. The palatial June 4, Joya, as part of the pantages. The palatial June 4, Joya, as part of the pantages. The part of the	nown as RKO Pantages Hollywood, Designed by Baler built by the vaudev Art Deco theater opened e Circuit.
Hamilton Play Aladdin Pantages Theater Pantages Theater Events - v Ad vow vividseats.comPantages Thea Buy Pantages Theatre Tickets.choose Y Buy Pantages Theatre Tickets.choose Y Buy Pantages Theatre tickets at Vivid Sea 100% buyer guarantee - Easy checkout - U Contact Us - Experience Vivid Seats - Abo Pantages Theatre 2017 - Lo	Hamilton Contact Us Find The Best Deals Today /ividseats.com tre - Jur Seats & Order Online. Is Browse the Hollywood Pantages theatre Jurmatched service ut Us 100% Buyer Guarantee s Angeles Schedule & Tickets I - fiew Pantages Theatre Schedule.	Hollywood The Hollywood Pantages Theatre, formery k theatre, is located at Hollywood and Vine. in architect B. Marcus Priteca, it was the last the ingrean Aexender Pantages. The patallal June 4, 1930, as part of the Pantages Theatr Wikipedia Facebook Directions Website Address: 6233 Hollywood Blvd, Los Angeles Phone: (323) 468-1770	nown as RKO Pantages Hollywood, Designed by Baler built by the vaudev Art Deco theater opened e Circuit.
Hamilton Play Aladin Pantages Theater Pantages Theater Pantages Theater Events – V Ad www.vividseats.com/PantagesTheat Buy Pantages Theater tickets. Choose Y Buy Pantages Theater tickets. Choose Y Buy Pantages Theatre tickets. Abo On% buyer guarante – Easy checkout / Contact Us Experience Vivid Seats - Abo Pantages Theatre. 2017 – Lo Ad pantages Theatre. tickets.center.com Independent Resale Marketplace Tickets. Y tickets-center.com has been visited by 100	Hamilton Contact Us Find The Best Deals Today Vividseats.com Itre - us Seats & Order Online. Its. Browse the Hollywood Pantages theatre Immatched service ut Us - 100% Buyer Guarantee s Angeles Schedule & Tickets It - View Pantages Theatre Schedule. K+ users in the past month	Hollywood The Hollywood Pantages Theatre, formery k the Hollywood Pantages Theatre, formery k more state at Hollywood and Vine. in architect B. Marcus Priteca, it was the last the June 4, 1930, as part of the Pantages The palatilal June 4	nown as RKO Pantages Hollywood, Designed by Baler built by the vaudev Art Deco theater opened e Circuit.
Hamilton Play Aladdin Pantages Theatre Pantages Theatre Buy Pantages Theatre Events - v Ad www.vividseats.com/PantagesTheat Buy Pantages Theatre Tickets. Choose Y Buy Pantages Theatre Tickets. Choose Y Buy Pantages Theatre Tickets. Choose Y Buy Pantages Theatre tickets at Vivid Sea 100% buyer guarante - East choose - U Contact Us - Experience Vivid Seats - Abo Pantages Theatre tickets center.com Independent Resale Marketplace Tickets. Tickets-center.com has been visited by 100 Broadway Center for the Pere www.broadwaycenter.org +	Hamilton Contact Us Find The Best Deals Today Vividseats.com Itre - us Seats & Order Online. Its. Browse the Hollywood Pantages theatre Immatched service ut Us - 100% Buyer Guarantee s Angeles Schedule & Tickets It - View Pantages Theatre Schedule. K+ users in the past month	Hollywood The Hollywood Pantages Theatre, formery k theatre, is located at Hollywood and Vine. in architect B. Marcus Priteca, it was the last the ingrean Aexender Pantages. The patallal June 4, 1930, as part of the Pantages Theatr Wikipedia Facebook Directions Website Address: 6233 Hollywood Blvd, Los Angeles Phone: (323) 468-1770	nown as RKO Pantages Hollywood, Designed by Baler built by the vaudev Art Deco theater opened e Circuit.
Hamilton Play Aladdin Pantages Theatre Pantages Theatre Buy Pantages Theatre Events - v Ad www.vividseats.com/PantagesTheat Buy Pantages Theatre Tickets. Choose Y Buy Pantages Theatre Tickets. Choose Y Buy Pantages Theatre Tickets. Choose Y Buy Pantages Theatre tickets at Vivid Sea 100% buyer guarante - East choose - U Contact Us - Experience Vivid Seats - Abo Pantages Theatre tickets center.com Independent Resale Marketplace Tickets. Tickets-center.com has been visited by 100 Broadway Center for the Pere www.broadwaycenter.org +	Hamilton Contact Us Find The Best Deals Today ividseats.com tre - ur Seats & Order Online. Its. Browse the Hollywood Pantages theatre Its. Browse the Hollywood Pantages theatre Its. Browse the Hollywood Pantages theatre Its. Browse the Hollywood Pantages theatre Sanatages Charles & Tickets Sanatages Schedule & Tickets A + View Pantages Theatre Schedule. K-Fruesris In the past month Informing Arts - Official Site	Hollywood The Hollywood Pantages Theatre, former k the Hollywood Pantages Theatre, former k increase is located at Hollywood and Vine in architect B. Marcus Priteca, it was the last bill June 4, 1930, as part of the Pantages. The palatilal June 4, 1930, as part of the Pantages The palatilal June 4, 1930, as part of the Pantages The palatilal June 4, 1930, as part of the Pantages The palatilal June 4, 1930, as part of the Pantages The palatilal June 4, 1930, as part of the Pantages The palatilal Mikipedia Address: 6233 Hollywood Blvd, Los Angeles Phone: (323), 468-1770 Opened: Jun D4, 1930 Capacity: 2,703	nown as RKO Pantages Hollywood, Designed by Baler built by the vaudev Art Deco theater opened e Circuit.

REDACTED

REDACTED

Exhibit 5

1

Refund Language from Ticketmaster Purchase Policy

If we issue you a refund for a ticket due to a canceled or postponed event, we will issue a refund of the ticket's face value paid (or, for a discounted ticket, then instead the discounted ticket price paid) and all service fees. If a ticket was purchased through Fan-to-Fan, the event was canceled and/or a refund is issued, we will issue a refund of the ticket price you paid through Fan-to-Fan and the service fee (if any) you paid. No service fees refunded for certain Major League Baseball purchases. In no event will UPS charges or any other amounts be refunded. For ticket insurance refunds, please contact the insurance provider. If a refund is issued, it will be issued using the same method of payment that was used to purchase the tickets. We will not be liable for travel or any other expenses that you or anyone else incurs in connection with a canceled or postponed event.

Refund Related FAQs

https://help.ticketmaster.com/s/article/What-happens-if-my-event-ispostponed-or-rescheduled?language=en_US

https://help.ticketmaster.com/s/article/What-happens-if-my-event-iscanceled?language=en_US

https://help.ticketmaster.com/s/article/Purchase-Policy?language=en_US

Sample Customer Refund Email – Rescheduled Event

Hi live event fan,

Your event is still on, but it's been rescheduled.

Penn & Teller Global Event Center at WinStar World Casino and Resort Friday, December 6th 2019 at 9PM **New Date: Friday, April 24th 2020 at 9PM with Doors at 7:30PM**

Your tickets are still good — see you there! If you're selling tickets to this event, the listing with the old date will come down — then just list the new tickets with the new date from <u>My Account</u>.

Can I get a refund? Yes unless you have transferred tickets. For transferred tickets the refund goes to the fan who originally bought them, but you have to transfer the tickets back to them first!

For all other tickets, just click the Refund link on your order in <u>My Account</u> on your computer or your mobile device (you won't see the link in your app). If you purchased resale tickets, an upsell (i.e. parking), or paid a delivery fee for your tickets, please reply to this email and we will refund your entire order, including fees (except UPS if applicable) — it should post to your account in 7–10 business days.

Questions? Please reply to this email, or get answers right now.

Thanks for being a fan!

Ticketmaster Fan Support

Sample Customer Refund Email – Cancelled Event

Hi live event fan,

We regret to confirm that, due to doctors orders, Madonna's Madame X concert has been cancelled.

The good news is we already refunded your money including fees (except UPS if applicable). It should post to your account within 7-10 business days.

A note from Madonna: "Please forgive this unexpected turn of events. Doing my show every night brings me so much joy and to cancel is a kind of punishment for me but the pain I'm in right now is overwhelming and I must rest and follow doctor's orders so I can come back stronger and better and continue the Madame :x: journey with all of you."

Cancelled:

Madonna - Madame X Tour Boch Center Wang Theatre Saturday, November 30th at 10:30PM **NOTE:** Ignore the stuff about the refund if the tickets were transferred to you - the refund goes to the fan who originally bought the tickets from Ticketmaster. Questions? Please reply to this email, or get answers right now.

Thanks for being a fan! Ticketmaster Fan Support

Exhibit 6

Artist Promotion + Social Posts

Example of non-transferability notice on social media (highlights herein added for emphasis).



Little Mermaid thelittlemermaid

Follow

Attention LA, #CitiSoundVault is back at @thepalladium! Tickets are available exclusively to Citi cardmembers and cannot be transferred or resold. Register now thru 1/12 @ 10pm PT. verifiedfan.livenation.com/csv2020





Event Page

Example of non-transferability notice on event page.



Checkout

When a fan selects a ticket, they are notified that their tickets are non-transferable.

Before completing their purchase, fans are also required to acknowledge and accept the nontransferability of tickets via a pop-up box before they can complete the purchase.



Email Confirmation

Prior to their event, fans are sent an email with explicit mobile entry instructions for their show, again highlighting that tickets are nontransferable.



Hi Live Event Fan,

Your event is just a few days away! Here's a quick guide to using your SafeTix Mobile Tickets.

Citi Sound Vault Presents: Little Mermaid Hollywood Palladium Tuesday, January 21st at 8:00 PM 6215 Sunset Blvd, Los Angeles, CA 90028

Your SafeTix mobile lickets provide the safest and easiest way to enter your event and manage your tickets on the go - and they're always with you. Here's how they work:

3 Simple Steps to Use Your SafeTix Mobile Tickets on Event Day:

Download the Tickemorale App and log in
 Find your mobile tickets in "My Events" and add them to your phone's wallet
 Display your mobile tickets at entry and you're in!

Pro tip: All SafeTix mobile barcodes are equipped with protective technology, so screenshots or print outs will not be accepted at entry. View your tickets before you arrive so they're loaded in your app, just in case service is slower at the venue. Learn more about SafeTix Tures.

Bought Tickets for Others? Remember, tickets for this event are non-transferable. All members of your party will need to arrive together at the venue so you can scan them in.

Phone troubles? Visit the box office on event day for assistance. Be prepared to show your ID.

Other questions? We're here to help. Visit our ling Contento discover more ways to connect with us.

Thanks, Ticketmaster

*Please note that some VIP tickets may include additional ticket entry options.

Event Reminder Email Notification

The day before their event, Ticketmaster sends fans a final email notification with instructions about arrival and entry for their show. This notification again contains a reminder about the non-transferability of the ticket.

cíti Sound Vault*

Hi Live Event Fan,

Your event is tomorrow night! We can't wait to see you there.

Citi Sound Vault Presents: Little Mermaid Hollywood Palladium Tuesday, January 21st at 8:00 PM 6215 Sunset Blvd, Los Angeles, CA 90028

Remember, all tickets for this event are non-transferable and will be delivered as Ticketxmaster SafeTix mobile tickets. Learn more about SafeTix here. Please be sure to arrive at the venue with all members of your party.

How to Display SafeTix Mobile Tickets on Your Phone:

- 1. Download the Ticketmaster App and log in
- 2. Find your mobile tickets in "My Events" and add them to your phone's wallet
- 3. Display your mobile tickets at entry and you're in!

Phone troubles? Visit the box office on event day for assistance. Be prepared to show your ID.

*Please note that some VIP tickets may include additional ticket entry options.

Non-Transferable Ticket Notification: Will Call Delivery Requirement

• Presented on the delivery page during the checkout flow

Language:

"All tickets held at Will Call can only be retrieved by the cardholder with original credit card of purchase and a valid photo ID with signature such as a state ID, driver's license or passport."



Non-Transferable Ticket Notification: VIP tickets promo page

Language:

"All VIP packages are NON-TRANSFERABLE; NO WILL CALL NAME CHANGES WILL BE PERMITTED UNDER ANY CIRCUMSTANCES. "

The Monkees VIP Package Available Now!

VIP Soundcheck with Mike & Micky

-One premium reserved ticket -Access to a soundcheck with Mike & Micky

- -One signed hard cover copy of the tour book
- -One commemorative VIP laminate
- -Priority entry into the venue
- -First access merch shopping

Purchasers will receive an email from Warner Music Group approximately 3-5 days before the performance date with instructions regarding the fulfillment of the VIP package items and additional details regarding day of show information. All VIP-remember include USERALE, NO-VIP CALL ALACE CHANGES WILL BE PERMITTED UNDER ANY CIRCUMSTANCES. Non-VIP Package purchasers will not be allowed into any VIP activities or into the venue early. VIP package purchasers may be required to arrive at least 1-2 hours before show time. All pre-show programs and times may vary date-to-date and are subject to modification at any time for any reason. At Warner Music Group's discretion, VIP package merchandise will either be shipped directly to the address provided at purchase (alternate shipping addresses are not permitted) or available for pick-up the night of the show. If shipped, delivery of such merchandise may occur after the event date. Merchandise is not needed for entry to the show. By purchasing a VIP package, you will not gain or be authorized access into any venue specific VIP or backstage area. No parental escorts without their own package purchased will be permitted. Purchasers also agree to receive artist-related email updates and marketing messages from Warner Music Group's discretion label, which shall be governed by Warner Music Group's

privacy policy located at http://www.wma.com/privacy/wma. This offer is not valid if this ticket was purchased via Fan

Non-Transferable Ticket Notification: Paperless tickets (Credit Card Entry)

 Information presented to fans on the event detail page when selecting a paperless ticket

Language:

"Please note: Credit Card used for purchase and valid ID required upon entry; ticket is non-transferable. Entire party must enter venue at the same time".

FLR	E	5
Standard Adult		\$30.00
Click seat for m	ore options.	
	card used for purcha ticket is non-transfer the same time.	

Non-Transferable Ticket Notification: Paperless tickets (Credit Card Entry)

• Information presented to fans on the artist detail page

Language:

"There will be Paperless Tickets on select seats for this tour. You will not receive a physical ticket for entry, and are required to bring the credit card used to purchase your tickets and a government-issued ID to the venue, where your credit card will be swiped to gain you/and or your party access to the event".



Non-Transferable Ticket Notification: Paperless tickets (Credit Card Entry) FAQ page

 Presented to fans on a custom FAQ page at
 https://www.ticketmaster.com/cr editcardentry



Non-Transferable Ticket Notification: Paperless tickets (Credit Card Entry) Confirmation Email

 Presented to fans via email post purchase

• Language:

"Your credit card is your ticket. Bring the card used for purchase, your photo ID and everyone in your group must enter together. These tickets are non-transferable."



Non-Transferable Ticket Notification: Paperless tickets (Credit Card Entry) TM My Account

- Presented to fans in their Ticketmaster Account
- Language:

"Your credit card is your ticket. Bring the card used for purchase, your photo ID and everyone in your group must enter together. These tickets are non-transferable."

Welcome,	0.00	Order #29-46214/LA2		Print Receipt	
howard Edit Profile Sign Out Account Settings Edit Email & Mobile Preferences Update Your Favorites Update Your Event Categories		U2: THE JOSHUA TREE TOUR 20 Rose Bowl, Pasadena, <u>CA</u> Sal, May 20, 2017 06:30 PM Details: U2	17		
Payment Options Gift Card Balance	Your Tickets				
Orders View All Orders Get Your Tickets Transfer Tickets	Credit Card Entry Your credit card is your ticket. Bring the card used for purchase, your photo ID and everyone in your group must enter together. These lickets are non-transferable. Here's how it works.				
Print Receipt Auctions Current Auction Bids Vouchers Active Vouchers	U2: THE JOSHUA TREE TOUR 2017 Rose Bowl, Pasadena, CA Sat. May 20, 2017 06:30 PM	V2.com Wires Group Presale Section 18-L Row 62 Seat 1,2	US \$180.32 x 2 Price Details	2 US \$360.64	
Questions About Your Order? We're here for you. Heip Chat Chat	Order Date Jan 12, 2017 Billing Info. HOWARD OGAWA S807 WEST 78TH PLACE, LOS ANGELES,	CA 90045	Tickets/Items Subtotal Order Processing Fee Credit Card Entry Total	US \$360.64 US \$5.50 No Charge US \$366.14	
	Payment Info. VISA **********7478 PID ************************************	Amount US \$366.14 US \$0.00			
	Ticket Insurance				

Exhibit 7 Speculative Listing Policy and Process

1

3rd Party Event Listings Today

DETAIL REQUIREMENTS AT TIME OF LISTING

- Section / Row required for listing
- Seat Number not required for listing

RETAIL VISIBILITY

- **TicketsNow.com** seat number displayed, if available
- Ticketmaster.com seat number not displayed
- Functionality to display seat number not built





REDACTED

REDACTED