

# United States Senate

WASHINGTON, DC 20510

September 21, 2018

Mr. Michael Rapino  
President and Chief Executive Officer  
Live Nation Entertainment  
9348 Civic Center Drive  
Beverly Hills, California 90210

Dear Mr. Rapino:

*CBC News* reported on September 19<sup>th</sup> that Ticketmaster, the live-event ticket sales and distribution subsidiary of Live Nation Entertainment, recruits and employs professional ticket scalpers to circumvent the ticket purchasing limits on its own primary ticket sales platform in an effort to expand its ticket resale division.<sup>[1]</sup> According to the article, Ticketmaster utilizes a professional reseller program called TradeDesk, which provides a web-based inventory for scalpers to effectively purchase large quantities of tickets from Ticketmaster's primary ticket sales website and resell these tickets for higher prices on its own resale platform. Citing examples of TradeDesk users moving up to several million tickets per year, the allegations of the harms to consumers made in this piece are serious and deserve immediate attention.

Given our ongoing interest in protecting consumers from unfair and deceptive practices, we seek clarification on the use of this program. The enacted *Better Online Ticket Sales (BOTS) Act of 2016* prohibits the "circumvention of a security measure, access control system, or other technological control or measure on an Internet website or online service that is used by the ticket issuer to enforce posted event ticket purchasing limits or to maintain the integrity of posted online ticket purchasing order rule."<sup>[2]</sup> Please provide responses to the following questions:

1. Describe the event ticket purchasing limits that Ticketmaster currently employs for sales on its primary ticket sales platform. Additionally, how does the company identify computer programs used to circumvent these purchasing limits?
2. Do Ticketmaster's ticket purchasing limits and associated detection practices apply to users of its online program, TradeDesk? If not, please explain.
3. What are the specific rules and processes of compliance for participating TradeDesk users as it relates to ticket purchasing limits and other relevant consumer protection priorities? Please share any documents and guidance materials that are provided to TradeDesk users.
4. What role does Ticketmaster's *Professional Reseller Handbook* play in deterring its resellers from engaging in illegal ticket purchasing activities?


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<sup>[1]</sup> Dave Seglins, Rachel Houlihan, and Laura Clementson, 'A public relations nightmare: Ticketmaster recruits pros for secret scalper program', *CBC News*, September 19, 2018.

<sup>[2]</sup> Public Law No: 114-274.

Please provide your written response as soon as possible, but no later than 5 p.m. on October 5, 2018. Thank you for your prompt attention to this important matter.

Sincerely,

  
Jerry Moran  
United States Senator

  
Richard Blumenthal  
United States Senator