# **EXHIBIT P**

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# **Does The Long Tail Apply to Mobile Music?**

Mobile music hasn't yet been able to tame the long tail, according to details unveiled at the Popkomm conference in Berlin, but that could be due to cellphone providers' inability to embrace the openness and integration that have become second nature to web 2.0 developers. Chris Anderson's long tail theory posits that technology has enabled [...]





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<u>Chris Anderson's long tail theory</u> posits that technology has enabled companies to earn significant revenue by selling seemingly insignificant amounts of lots of lesser-known media, in addition to the tried and true method of selling millions of copies of a few hits. While there's plenty of evidence to support his theory in the music world, attendees of the conference heard one



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Frank Taubert, CEO of 24/7 Entertainment, which provides 4.5 million songs to a wide variety of digital music services including the <u>unlimited mobile music services Omnifone</u> we liked so much, <u>toldPopkomm attendees on Monday</u> that a full 66 percent of those songs had never been purchased or downloaded – not even once.

However, Taubert's assertion that the long tail does not apply to mobile music was challenged on Friday by Madeleine Milne, managing director of eMusic Europe. "Three quarters of eMusic's entire four million track catalog sells at least once every year – or, to put it another way, we sell more than 50 percent of our catalog at least once every quarter," she said.

Why would the long tail theory apply to eMusic's website but not 24/7 Entertainment's mobile-oriented business?

The real reason the long tail doesn't apply to 24/7's clients,

according to eMusic, is that mobile music has failed to offer musicfans the social, encyclopedic, grassroots-oriented services that encourage the discovery of new music.

Meanwhile, Milne said, sites likeeMusic have had great success selling long tail content because webusers — unlike their mobile counterparts — have a wealth of resourcesat their fingertips for finding new music. The site's web 2.0 features, which she said will soon be expanded, let the site's users access"relevant content from around the web and allowing music fans to share their finds with friends on major socialnetworks, bookmarking sites and blogs."

### Omnifone MusicStation Max, which uses 24/7's catalog,

actually does offer some fledgling social/web 2.0 features, likethe ability to recommend tracks to other users and to have news feedstailored automatically to the artists in your collection. Yet these recommendations have apparently not had the same longtail-enabling effect that their online counterparts have had — and there's a good reason for that.

If cellphone networks want people to delve into their entire musiccatalogs and make the long tail theory work for them, they need to make cellphones more like computers. MaybeOmnifone's recommendations shouldn't only come from friends within thenetwork, but also from friends on Facebook, imeem, MySpace and so on. The walled-garden approach taken by most cellphoneproviders is making the mobile music world resemble the pre-web musicworld, before people had so many music recommendations at theirfingertips.

As computer-like cellphones like the Apple iPhone and the GoogleAndroid-based devices that allow the installation of music discovery applications become more prevalent – especially if those can be linked to the device's music store features – music fans' mobile music behavior will start resembling their behavior online. Untilthen, mobile music will likely continue to be dominated by artists atthe top of the charts, causing mobile music providers to leave long tail money on the table.

### See Also:

- Hands-On With Omnifone's Unlimited Cellphone Music Service
- OurStage: Pushing Bands Up the Long Tail
- The Long Tail
- Major Labels Release Long Tail Music on Amazon
- UK Royalty Organization: 'The Long Tail Is Not Worth Calculating'
- MTV Gets Down with the Long Tail

Screenshot: The Long Tail

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