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Submitted via Online Public Comment System

Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, DC 20580

December 5, 2018

RE: Comments on Workshop Examining Online Event Ticket Sales, FTC Project No. P18450

Dear Federal Trade Commission staff:

Thank you for convening a workshop to examine online event ticket sales. We appreciate this opportunity to provide Eventbrite's comments on the state of this industry.

Eventbrite

Eventbrite is a global ticketing and event technology platform that provides creators of events of all shapes and sizes with tools and resources to plan, promote, and produce live experiences around the globe. Our mission is to bring the world together through live experiences. Founded in San Francisco in 2006, Eventbrite is a publicly-traded corporation with a global workforce of over 1,000 employees in 11 countries around the world. In 2017, more than 700,000 event creators used our platform to issue more than 71 million paid tickets, and 203 million tickets overall, across approximately three million events in over 170 countries.

We designed Eventbrite as a primary ticketing platform for event creators to enable live experiences ranging from music festivals, fundraisers, seminars, and wellness activities, to classes and cultural celebrations. Our business model is simple: we charge event creators on a per-ticket basis when an attendee uses our platform to purchase a paid ticket for an event. Our platform supports a broad range of events between those in which the venue dictates the ticketing relationship, like professional sports and blockbuster concerts, and those where there are often no formal venue or event management needs, like small, personal gatherings. This past November, we launched Eventbrite Music, designed to streamline and improve ticketing, marketing, and operations for independent promoters, venues and festivals through new tools tailored specifically to our music creators' needs. Eventbrite partners with hundreds of top independent music venues and promoters.

Online Event Ticket Availability

We appreciate recent policymaker attention on event ticket sales. In 2016, Congress passed and the President signed the BOTS Act, which criminalized the use of software to circumvent measures intended to enforce ticket purchasing limits. These “bots” can frustrate ticket-seekers and impact venues regardless of their size or the types of attendees they serve. As the GAO noted in its April 2018 report on event ticket sales, bots can purchase or reserve seats within the first minutes of an on-sale, making inventory appear artificially low and leading consumers to search for tickets in the secondary market, where the tickets may be resold at a substantial markup. And as noted in Ticketfly’s September 2016 testimony in support of the BOTS Act, with respect to independent music specifically, these practices can redirect funds out of the independent music ecosystem, where venues, promoters, and artists are incentivized to reinvest in creation, promotion, marketing, and distribution of more music and prosperity of the industry, to individuals and/or companies that do not share those incentives. (Examining the Better Online Ticket Sales Act of 2016, Hearing before the Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security of the Committee on Commerce, Science, and Transportation, S. Hrg. 114-614 (Sept. 13, 2016)).

But, as the GAO report also noted, these same issues arise in the context of coordinated buying activity performed by ticket resellers through less automated means, such as employing multiple staff and utilizing different names, addresses, credit card numbers, or IP addresses. As with bots, the effects of these more manual practices limit ticket availability during critical on-sale periods, which can discourage and disincentivize prospective ticket-buyers, harm the goodwill venues and artists enjoy with their fans, and complicate event creators’ efforts to plan amazing live experiences and engage and develop and loyal fans.

Limited ticket availability in the primary market can also lead to no-shows at events when tickets purchased by professional resellers are not ultimately resold. As the GAO report suggested, reduced attendance can deprive venues and promoters of substantial concession and merchandise revenue from attendees. Such ancillary revenues are particularly critical to small- and medium-sized venues that operate on narrow margins and depend on robust attendance for continued success. No-shows also lower the quality of the event-going experience for fans seeking meaningful live experiences that build community in the crowd. We work to partner with our event creators to pack the house and power unforgettable live experiences that forge connections and keep fans coming back for more. This is core to our mission and essential to our creators’ success, and we support policies in furtherance of these mutual goals.

Finally, because venues and promoters may not have visibility into where tickets initially purchased by bots or coordinated reseller networks end up in the resale market, event creators may receive less reliable information regarding how many people to expect at their events. These data points can inform critical budgetary and operational decisions relating to event staffing, food and drink ordering, spatial organization, ingress and egress, and event safety and security. We support policies that enable smooth and well-informed event planning by enhancing visibility for event creators into their expected attendees.

Industry-led Approaches

Eventbrite supports many of the approaches outlined in the GAO report to help ensure fans have the best possible access to tickets. For example, we introduced a refund policy tool that allows

creators to set and publicize their refund policies to attendees in advance, enable refunds directly through our platform, and return those tickets to sellable ticket inventory once refunded. We also offer options to manage ticket delivery at will call, which allows for ticket delivery closer to or on the date of an event. And we continue to explore ways to maximize ticket availability, enhance ticket transferability, and partner with event creators who are interested in exercising more control over their inventory and maximizing ticket availability for fans.

Conclusion

Thank you again for the opportunity to comment on the online event ticket marketplace. Our vision for Eventbrite is to harness technology to help event creators seamlessly plan, promote and produce live events, reach a wider audience, and drive ticket sales to amazing live experiences. Event creators – be they organizers, teachers, makers, or promoters – bring people together to share their passions, artistry, and causes through live experiences. We welcome the Commission’s focus on strengthening the online event ticket marketplace.

Sincerely,

Linsey S. Morrison
Associate General Counsel, Product and Policy