

# Music business notes assignment



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Blanket license Considerations for determining rates Fairness in Music Licensing Act Status of educational institutions Payments How calculations are made Radio Sampling (know the methods used by each PRO) Television Census Digital Performance of Records “ Digital Performance Right in Sound Recording Act” (DEPART), 1995 “ Sound Exchange” Plot to avoid or by-pass societies Source licensing 7 additional types of performance licenses 1. Film Licenses Synchronization license Mechanical “ Performance license for exhibitions in the United States” Performance 2. Television licenses TV Movie Rights

Movie for TV different than movie for theatre Mechanical license only Because the Network already purchases the performance license Cable TV rebroadcast Secondary transmission of primary material Compulsory blanket license Public Broadcasting System (PBS) Same as cable TV rebroadcast Lobby for reduced rates 3. Evolved license No provisions in '76 copyright act Treat like movies Exception for Cable TV Exception for additional pay channels (MET, HOB0) Video manufacturers and mechanicals 4. Transcription license For syndicated music programs (Muzzy, In-flight, music library Services)

Require mechanical and performance licenses 5. Special Use Permits Broadcast commercials Buyout Video games 6. Jukebox licenses Amusement & Music Operators Assn. Blanket 7. Dramatic music rights Type of music that qualifies to be called “ dramatic music” Grand rights: when you license the whole thing Small rights: non-dramatic rights (such as mind. Song) As related to Broadway musicals Special firms that license grand rights (Rogers and Hammerings, Tams- Whitman Subsidiary rights for author of musical: if it is

made into a movie/TV show/Live Performance Chapter 8: Agents, Managers, and Attorneys

Agents How different from film agents In film they seem to be the power broker, but in real life it refers to something specific/ BOOK LIVE PERSONAL APPEARANCE “ talent agents,” “ booking agents” work for 2 clients: artist and buyer types of agencies regional : local agents, sign everyone national – know names of majors exclusive representation; full service agency General Rule: Not Known, broadly won’t slang. Hanging representation key man clause: if an artist/business rep put this in their contract it gives them the right to follow the agent/producer where ever they’re going fees [regulated by unions] 0-15% for national rep Locals will charge you about 25% union regulations terms of agreement with artist Personal Manager: kind of like a personal assistant Single most important person in the life of an established musical artist General manager and CUFF [functions like] Relationship to artist: involved in every aspect of artists career/very close relationship Basic Job functions Helps with major career decisions Deciding songs/who to produce Help promote artist career Assemble the professional team Compensation \*Typically 15-20% Gross (before taxes) Terms of contract with artist Typically 3-5 years; or with album cycles Attorneys Among most powerful groups in Music Industry Most = transactional (not in court), not litigators Intellectual property Music Publishing Value = “ clout” Fee structure Hourly rate: 125-450 dollars/hour Contingent fee: “ extended deal” a low monthly payment until income rises and then they negotiate a price based on gross income Monthly retainer: Pay a monthly flat fee Value billing: based

on size of deal Lawyer-as-manager problems... Conflict of interest Chapter 10: Unions and Guilds Purpose of unions Used to negotiate contracts

American Federation of Musicians (AFM) Oldest and largest Reasons why losing members Membership makeup 2 levels: national and local basics of what contract covers why ineffective at local level American Federation of Television and Radio Artists (AFTRA) Singers, actors, dancers, announcers, radio personalities Type of union Labor union; Job is to negotiate contracts Welfare and pension plans First union to provide pension and welfare plans when they retire American Guild of Musical Artists (AGMA) When created: organized in the 1880's Membership makeup: People who work in Classical music ( Singers and dancers working in opera, dance (ballet), concert, oratorio and recital fields (i. e. " Classical").

American Guild of Variety Artists (AGVA) Membership makeup: singers, dancers, jugglers, magicians, ice skaters, comedians Actor's Equity Association [on STAGE] Membership makeup: represents actors, directors, and stage managers Screen Actors Guild [Act ON-SCREEN) Chapter 1 1: Artists' Recording Contracts Advances " recordable" deficit Contents of contract between label and artist Recording commitment Creative control Commitment to Promote Greenbacks Ownership of masters and artwork Publishing rights controlled composition clause) Video Rights Foreign releases Assignment of contracts to another label Circumstances under which label can cancel contract Artist's royalty computation % of GROSS Artist royalty deductions " packaging charge" - effect on royalties " free goods" - potential effect on royalties Return privileges - effect on royalties 90% of net sales (breakage) - effect on royalties Artist royalty And new electronic Digital <https://assignbuster.com/music-business-notes-assignment/>

downloads Rhinestones MPH recordings made at live concerts " 360 Deal" –  
what is it and how does it affect the artist Chapter 12: Record Production