

Contents

Introduction

xiii

CHAPTER 1 The Business of Music Licensing 1

What Is Music Licensing? 1

Benefits of Getting Music Licensed 3

Licensing Songs versus Composing Scores 4

Soundtrack Albums 8

Music Libraries and Production Music 9

Demand for Independent Music 10

CHAPTER 2 Music Licensing Players 13

Music Supervisors 13

Music Editors 17

Music Production Houses 17

Getting Representation versus Self-Representation 18

Music Publishers 22

Lawyers 28

One-Stop Licensing Services 30

CHAPTER 3 Music Licensing Agreements 33

Master License 35

Synchronization License 37

Master License versus Synch License 38

Broad Rights/All-In Licensing Agreements 42

Soundtrack Album License 43

Festival Use License 46

<i>Licensing Rights in Disguise</i>	47
<i>Request Letters</i>	47
<i>Performing Rights Organizations (PROs)</i>	50
CHAPTER 4 Licensing-Related Agreements and Terms	54
<i>Nonexclusive Song Marketing Agreements</i>	55
<i>Nonexclusive Copublishing Agreements</i>	58
<i>Exclusive Music Publishing Agreements</i>	61
<i>Blanket Licenses</i>	66
<i>Options Clauses</i>	66
CHAPTER 5 Protecting Your Music	68
<i>Band Agreements</i>	68
<i>The Protection of Copyright</i>	71
<i>Copyright Infringement</i>	73
<i>Unauthorized Use</i>	74
<i>Sampled Content</i>	75
<i>Work for Hire</i>	77
<i>Employee or Collaborator?</i>	79
<i>Common Contractual Terms and Provisions</i>	80
CHAPTER 6 Show Me the Money!	88
<i>Valuing Your Talent and Skills</i>	88
<i>Cash Advances from Publishers</i>	90
<i>Mechanical Licenses and Royalties</i>	91
<i>Front-End Fees</i>	92
<i>Back-End Royalties</i>	93
<i>Step-Up Agreements</i>	96
CHAPTER 7 What Music Works Best for Licensing?	98
<i>Understanding the Emotion of Music</i>	98
<i>Getting Acquainted with Musical Content</i>	100
<i>Where Different Genres Fit</i>	101
<i>Music Clearance and Racing Clocks</i>	103

<i>Music Requests</i>	105
<i>Cover Songs</i>	108
<i>Cleared Music</i>	110
CHAPTER 8 Making a Game Plan	113
<i>Mental Preparation</i>	113
<i>How Songs Get Chosen</i>	115
<i>Honing Your Sales Pitch</i>	118
<i>Budgets</i>	120
<i>Is Free Worth the Price?</i>	120
<i>Preparation Exercises</i>	124
CHAPTER 9 Cultivating Contacts and Relationships	126
<i>Starting Out</i>	126
<i>Initiating Relationships</i>	128
<i>Chance Encounters</i>	130
<i>Creating a Network</i>	131
<i>Following Up</i>	133
<i>Being Someone They Want to Work With</i>	133
<i>Resources</i>	136
<i>Events and Support</i>	140
CHAPTER 10 Presentation Tools	142
<i>Packaging Your Music Effectively</i>	142
<i>Presentation Styles</i>	145
<i>Submitting Music</i>	146
<i>Following Up</i>	149
<i>Marketing Songs Online</i>	151
CHAPTER 11 Getting Music Licensed in Television Shows	155
<i>The Licensing Trend</i>	156
<i>Multiple Revenue Streams</i>	158
<i>Deadlines and Clearance Requirements</i>	159
<i>Getting in the Door</i>	160

<i>Peer to Peer Music Networks</i>	227
<i>Buying and Selling Songs Online</i>	230
<i>Key Points to Remember</i>	232
CHAPTER 16 Getting Music Licensed in Less Obvious Markets	233
<i>The World Outside of TV, Film, and the Internet</i>	233
<i>Getting to the Right Person</i>	235
<i>Licensing Music in Colleges and Universities</i>	237
<i>Licensing Music for Live Performances</i>	238
<i>Licensing Music for Corporate Training Videos</i>	241
<i>Licensing Music for Music Compilations</i>	243
<i>Licensing Music for Restaurants</i>	245
<i>Licensing Music for Massage Therapy Centers</i>	246
<i>Licensing Music for Resorts and Hotels</i>	246
<i>Licensing Music for Educational Purposes</i>	247
<i>Licensing Music for DJ Remixes</i>	248
<i>Licensing an Idea</i>	249
<i>Capitalizing on the Unexplored</i>	250
CHAPTER 17 Making Money Internationally	252
<i>Foreign Royalties</i>	252
<i>International Performing Rights Organization Affiliates</i>	253
<i>How Royalties Get Collected</i>	255
<i>International Royalties for Performing Artists</i>	259
<i>Tapping into Foreign Licensing Opportunities</i>	260
<i>MIDEM and Popkomm</i>	262
CHAPTER 18 Frequently Asked Questions	265
CHAPTER 19 Advice from the Pros	272
<i>Acknowledgments</i>	279
<i>Index</i>	283
<i>About the Authors</i>	289