

# Index

- AARC** (Alliance of Artists and Recording Companies), 61, 63  
**A&R**, 29, 108, 144, 158, 160, 161  
adaptation, 33, 64  
advances  
  basic concepts of, 93  
  cap, 88  
  cross-collateralization, 94  
  direct, 88, 93  
  indirect, 88, 93  
  non-recoupable, 88  
  recoupment of, 87  
**AFM**, 61, 79  
**AFTRA**, 61, 79  
**AHRA** (Audio Home Recording Act), 60  
arranger, 20  
artist, 21  
  featured artist, 61, 74, 77, 79  
  independent, 140, 142, 151, 152, 153, 154, 156, 164  
  mid-level, 87, 88  
  newcomer, 83, 87, 88  
  non-featured artist, 61, 76, 77, 79  
  non-featured vocalists, 61, 79  
  performing artist, 18, 21, 23, 24, 27-29, 32, 35, 64, 73-76, 78, 158, 159  
  session artist, 74, 76, 93  
  *see also* royalty/royalties  
artwork, 20, 88, 94  
**ASCAP**, 34, 39, 50, 54, 55, 57, 70, 71, 173  
assign rights, 22, 26, 27, 53-54, 74, 94, 98, 168-169  
Associations, Record Industry, 142  
**AURA**, 76  
author, 20, 21, 24, 29, 34, 35, 52  
**Barcode**, 103, 121-124, 148-150  
Best of, 90, 102  
**BIEM** (Bureau International des Sociétés Gérant les Droits d'Enregistrement et de Reproduction Mécanique), 36, 48  
  standard contract, 49  
  minimum royalty rate, 49  
black box, 65  
blanket licensing, 51, 67, 69  
blank tape levies, 62  
Billboard, 40, 124, 141  
**BMI**, 34, 39, 50, 54, 57, 70, 71  
brand, 108-110, 163  
broadcast, 24, 28, 37, 42-43, 50-51, 53-54, 57, 60, 66, 69, 73-75  
broadcasting, 24, 37, 69, 125  
broadcasting of sound recording  
  *see* public performance of sound recording  
  basic concepts 73-75  
  broadcast collecting societies, 74-75, 77  
  master, 73  
  royalties, 73  
  transfer of rights, 74  
business bank account, 108, 114-115, 119-120  
business insurance, 116-117, 120-121  
**CARP** (Copyright Arbitration Royalty Panel), 45  
**CDPA** (Copyright, Designs and Patent Act), 23, 168  
**CISAC**, 36, 40, 166  
**CMRRA** (Canadian Mechanical Rights Reproduction Agency), 46  
**CRCA** (Canadian Record Company Association), 46  
commission rate, 36, 38, 43-45, 47, 51, 71, 74, 143, 157  
company formation  
  how to set up, 113-114  
  *see also* business bank account  
  *see also* business insurance  
company licenses, 115, 118  
company registration  
  Companies House, 110, 116, 118-119  
  DBA, 114-115, 119  
  LLC, 115-117, 121  
  Limited, 114, 117-119, 121  
  HM Revenue & Customs, 113, 117  
compilations, 102-105, 59, 89-90  
composers, 20, 23, 28, 35, 48, 54, 96, 166  
compulsory licenses, 41, 105-106  
container charge, 85  
controlled composition clause, 88-89, 46  
copyright  
  basic concepts, 20-25  
  basic rights of, 22, 23  
  claim rights, 22, 60, 65, 96-98  
  co-writer deals, 93, 35  
  circle c, 100  
  circle p, 101  
  definition, 20  
  derivative works, 22, 64-65, 100  
  duration of, 99  
  infringement, 96, 109  
  in the literary work, 21, 22, 25  
  in the musical work, 21, 22, 25  
  in the sound recording, 21, 22, 25, 72  
  notice of, 100  
  office of, 97  
  ownership of, 21, 22, 26, 96-97, 105  
  protection, 98  
  public domain, 99  
  registration, 96, 20

- reversion, 93
- sound recording, 21-24, 58, 61, 66, 72, 73, 77, 81, 82, 96, 97
- transfer of rights, 26
- cover songs, 105-107, 64
- creative control, 94
- cross-collateralization, 94
- cue-sheets, 54
- DART**, 33, 60-61
  - AHRA (Audio Home Recording Act), 60
- deductions
  - see royalty deduction
- delivery requirements
  - commercially satisfactory, 93
  - delivery commitment, 94
  - release commitment, 95
- derivative work, 22, 64-65, 100
- digital/online
  - licensing, 66-72
  - downloads, 67-68, 78, 106, 139-141, 144-145, 152, 156-157
  - media business models, 133-134, 140, 143, 149, 151
  - music distribution contracts, 144-147
  - music distributors, 145, 147-150
  - music retail channels, 133
  - music retailers, 138-139
  - music services, 152-157, 137-141
  - phonograph delivery, 67
  - social networking, 155
  - ringtones, 140, 67, 43-44, 68, 70, 133, 136
  - worldwide directory, 139
- digital rights management, 163
- DMCA (Digital Millennium Copyright Act), 72, 78, 163
- domain name, 109, 129
- ICANN, 132, 129
- registration, 130
- system, 129, 130
- types, 129
- whois, 130-131, 109
- downloads, 66-68, 133-134
- see also digital downloads
- selling online, 133, 142, 152, 157DPRA (Digital Performance Right in Sound Recordings Act), 72, 78
- dubbing rights, 77
- EAN/UCC**, 121-124, 153
- encryption, 163
- escalation, 94
- Film**, 42-43, 57, 62, 78, 100, 159-161, 38, 33
- see also motion-picture
- first owner, 22, 125
- first use, 23
- fixed form, 20
- foreign 34-35, 37-38, 50-51, 63-64, 69, 74-75, 79, 89
- see also royalties
- free goods, 86, 147
- GEMA** (Gesellschaft für musikalische Aufführungs- und Mechanische Vervielfältigungsrechte), 40-41, 50, 52, 55, 62
- grant rights, 26, 23
- Greatest Hits, 88-89, 102
- GS1, 122-124, 40
- GTIN, 122-123
- Headline rate**, 84, 89
- Hal Leonard Agency, 31
- Harry Fox Agency, 45, 55, 57, 67-68, 39, 41
- home videos, 43, 56-57
- IFPI** (International Federation of the Phonographic Industry), 166, 142, 48, 125
- ISRC, 124-125, 75, 40
- Insurance, 120-121, 116-118, 113
- Internet licensing, 66-72
- see also digital/online
- ISWC (International Standard Musical Work Code), 40, 39
- Jukebox**, 43, 74, 22
- Key man insurance**, 120
- Licensing**
  - see mechanical, performing, broadcasting, and Internet
  - limited liability company, 115, 117-119, 121
  - see also company registration
- Majors**, 136
- Master**
  - see also sound recording
  - definition, 73, 21
  - delivery, 93-94
  - duration of copyright, 99-100, 26
  - copyrights of, 21, 82, 97
  - public performance of, 73
  - licensing, 73
  - ownership of, 21
  - recording costs, 94, 88
  - royalty split, 74, 76, 79
  - societies, 74-76, 78-80
  - master use license, 58, 102
- MCPS (Mechanical Copyright Protection Society), 41, 47, 53-54, 68, 40
- Pan-European Licensing, 47
- mechanical rights
  - advances, 93-94, 87
  - at source, 34
  - black box, 65
  - collecting and distributing, 43
  - collecting societies, 41, 45-46, 48, 33
  - compulsory license, 44, 40
  - compilation, 102-105, 59
  - controlled composition clause, 88-89, 46
  - cover songs, 105-107
  - digital licensing, 66-69
  - definition, 41, 33, 30, 22
  - escalation, 94
  - foreign territories, 45-47
  - free goods, 86, 147

- licensing services, 44, 42-43
- minimum royalty rate, 49
- rights, 41
- reduced statutory rate, 46, 88
- royalties, 33, 41
- royalty computation, 45-48
- synchronization, 43-44, 56
- statutory rate, 45
- types of licenses, 43
- merchandise, 126
- motion picture films, 43, 52, 56-57, 96, 107
- see also film
- mp3, 164, 157, 90, 138-139, 141, 152-155
- music industry
  - global market numbers, 134
  - market share, 136
  - music markets, 135
- music online
  - see digital
- music retailers, 134, 137, 139, 140, 143
- MUZAK, 54
- Napster, 138-139, 147-150
- 90% of Net Sales, 85
- new media, 67, 70, 71, 74, 83
  - deduction, 85, 89
- Nielsen Soundscan, 141, 39, 124, 147
- notice of intention, 106
- Online
  - see digital
- PAMRA, 76
- packaging deduction, 85
- performing artist
  - see artist
- performing rights
  - basic concepts, 23-25, 30, 50, 61
  - basic rights of copyright, 22-23
  - copyright legislation, 55
  - licensing, 33, 51, 66
  - license schemes, 51
  - of artists, 24-25
  - royalties, 51-52, 54
  - societies, 51, 53, 54, 61, 65, 67
- phonorecords
  - definition, 100
  - basic rights of copyright, 22-23
  - circle p, 101
  - notice of, 101
- physical media, 20-21, 133
- piracy, 91, 164
- podcasting, 68, 70
- PPD, 47-48, 83, 85
- PPL, 75-77, 80
- print publishing, 31, 59, 33
  - basic rights of copyright, 22-23
  - definition, 59
  - licenses, 33, 59
  - rights, 59
  - royalties, 59
- private licensing companies, 38
- pro-rata/pro-ration, 104, 59
- PRS (Publishing Royalty Services), 50, 68-69, 72, 107
- public domain, 99, 66, 105
- public performance of sound recording, 73
- see also broadcasting of sound recording
- publisher, 28
  - and author, 29
  - and record label, 29
  - and print, 31
  - publisher's share, 34
- publishing
  - clearance forms, 52
  - deal, 53
  - definition, 28
  - international income, 34, 53
  - overview of rights, 30
  - rights, 32
  - royalties, 32-33, 36
  - societies, 36
- Record**
  - budget-level, 90
  - clubs, 90
  - definition, 83
  - delivery requirement, 94
  - discount, 90, 137, 86
  - mail order, 90, 145
  - mid-priced, 90
  - sticker price, 84
- record label
  - how to form, 108-128
  - how to select a name, 109
- recording artist
  - see artist
- rental and lending, 62-64
  - Record Rental Act, 62-63
  - Rental and Lending Directive, 63
- reserve, 87
- research companies, 141, 47
- retail channels, 133, 90
- return privilege, 87
- RIA (Record Industry Associations), 142
- RIAA (Record Industry Association of America), 91
- ringtones, 66-67, 140, 43, 135-137
- royalties, 32-33, 82
  - artists, 82
  - collecting and distributing foreign, 37
  - co-writers credits, 35
  - co-writer deal, 93
  - deductions, 84
  - foreign, 34, 37-38, 45-48, 50, 53-54, 56, 60, 62-64, 67-71, 75, 77
  - foreign territory sales deduction, 88
  - publishing royalties, 33
  - royalty base price, 85
- royalty collecting societies, 36, 41, 50, 61, 79-80
  - admission, 37, 45-47, 51-53

- commission, 36-37, 43, 45, 47, 51, 71, 74, 79, 143, 79, 143, 157  
 types of, 36, 74  
 royalty-free rate, 86  
 royalty  
 all-in rate, 93  
 calculation of artist rate, 83-84  
 minimum rate, 49  
 producer's, 93  
 pro-rata/pro-ration, 103, 59  
 rate, 48, 83  
 rate escalation, 94  
 split, 34-35, 59, 61, 64, 74, 76, 79, 93  
 see also BIEM  
**SACEM**, 39  
 sample  
 see sample clearance  
 satellite performance, 73, 78, 39, 51  
 SESAC, 50, 54, 71  
 simulcasting, 73  
 singles collection, 102  
 SOCAN (Society of Composers, Authors And Music Publishers of Canada), 54  
 songfile, 68, 45, 39-40  
 song research services, 39  
 songwriter, 20, 21, 24, 25  
 selling songs to performing artists, 158  
 SoundExchange, 77-79, 76, 39  
 sound recording  
 see also master  
 copyright of, 73  
 copyright registration, 97  
 costs of, 97  
 duration of, 99-100  
 notice of copyright in, 101  
 public performance of, 73  
 master recording, 73  
 see also public performance  
 SRLP (suggested retail list price), 83-84  
 statutory rate, 45  
 see also controlled composition clause  
 reduced statutory rate, 46, 88  
 streaming, 66-68, 71, 133-134, 156  
 subscription services, 67, 78, 134, 137, 140, 143  
 synchronization, 33-34, 43, 45, 56  
 master use licenses, 58  
 definition, 56  
 licensing, 57  
 rights, 56  
 royalties, 57  
 translation, 64-65  
**Territory**, 39, 48-49, 53, 57, 75, 79, 89, 95, 138, 151  
 term of contract, 95  
**TESS**, 110, 111  
 The Music Directory, 39, 40, 110, 114, 121, 138, 139, 151, 157, 162, 164, 167  
 translation, 64, 33  
 trademark, 108-112  
 CTM (Community Trade Mark), 128  
 design, 111-112  
 logo, 111-112  
 registration, 126-128  
 search, 110-112  
**TRIPS**, 48, 64  
**UCC/EAN**, 121-124, 153  
 UPC barcode, 123-124  
**VPL**, 77  
 Web casting, 68, 74  
 whois, 109, 130-131  
 wholesale price, 83-84  
 see royalty calculation of artist rate  
 work of authorship, 20  
 WTO (World Trade Organization), 64  
 WIPO, 167, 98, 23, 127-128, 112, 48  
 Yomuse, 39  
 see also The Music Directory