MUSIC LICENSING & BROADCASTERS

TWO COPYRIGHTED WORKS, TWO SETS OF RULES MUSICAL WORKS VS. SOUND RECORDINGS

- A musical work is the written notes and lyrics of a song
 - Copyright is owned by the songwriter and music publisher
 - Has had federal copyright protection for over 100 years
- A sound recording is the recorded version of the song
 - Copyright is owned by the record label
 - Has had limited federal copyright protection since 1972

MUSICAL WORKS LICENSING

- Radio and TV stations need license to publicly perform musical works on all platforms
- Licensing done through PROs
 - Songwriters choose their PRO and publishers must abide by that decision
 - BMI & ASCAP largest and oldest PROs; subject to consent decrees for antitrust violation
 - SESAC & GMR newer entrants; no explicit oversight from Department of Justice
 - SESAC reached settlements with RMLC & TMLC
 - GMR has been sued by RMLC
- RMLC & TMLC act as nonexclusive licensing agent for radio and TV stations respectively





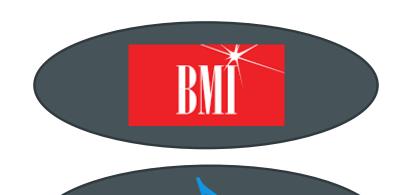








TELEVISION MUSIC LICENSE COMMITTEE, LLC



Subject to DOJ consent decrees
Rates negotiated by the RMLC/TMLC
Federal rate courts as backstop



ascap

Rates negotiated by the RMLC/TMLC

Antitrust suits led to arbitration as backstop

WXYZ-FM WZYX Ch. I2



Rates offered unilaterally by GMR RMLC has sued; GMR countersued.
Interim license in effect

SOUND RECORDING LICENSING

- Radio stations need sound recording public performance license <u>only</u> for streaming
- Statutory license that allows non-interactive streaming subject to:
 - Rates set by Copyright Royalty Board
 - Performance complement rules
- Royalties collected by SoundExchange
 - Money split evenly between record labels and artists
- No sound recording public performance license needed for:
 - OTA radio broadcasts
 - All TV broadcasts







Streaming rates set by CRB
NAB represents radio stations
Payments and reporting to SoundExchange



MAJOR ISSUES

- PROs & Fractional licensing
- Music licensing legislation
- Small broadcaster streaming
- Performance complement
- Podcasting

QUESTIONS FROM MEMBERS...



this straight, the "Someone "I'm just coming across this called r - was I "My station is tiny and yet SoundExchange wants me to pay as much as those stations in New York when I'm streaming music. Isn't there a rate for us little guys?"

FURTHER QUESTIONS?

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