

MUSIC RIGHTS

Pre-task : Registering and collecting on your copyrights

At the heart of the music business is a great song or that piece of music that goes deeper, to a point that connects. It takes one song to change your life.

There are about 50 000 new songs written every day around the world. If you don't have one recording of one song that is a hit you can't go eat the big pie in the music game. Each song is Intellectual Property. It is like "land" and develops rental income for its owners every time it is performed or reproduced.

All authorship and ownership claims, the splits and other metadata are stored on a CIS-net database, controlled by the International confederation of Societies of Authors and Composers (CISAC). CISAC has 239 member CMOs (collective management organisations) across 123 countries. The global industry collects approximately 10 billion Euros per year.

Each country has their own industry to accommodate the registering, monitoring and collection on these rights.

You assign an ISRC (International Standard Recording Code) and ISWC (International Standard Musical Work Code), a global reference standard for identifying musical works, to your copyrights.

There are 4 main Collecting Management Organisations (CMOs) in South Africa collecting on 4 main music rights.

A performance rights CMO issues licences to users of public performance, broadcast and transmission through diffusion services rights. In South Africa, it is South African Music Rights Organisation (SAMRO).

The reproduction right, also known as the mechanical right, includes the printing of a CD for usage and or resale and the copying of music into a database for the purpose of streaming. In South Africa it is Composers Authors & Publishers Association (CAPASSO) that administers this right.

The sound recording communication to the public rights are also known as needle-time rights and include licenses to radio and TV broadcasters, retailers, banks, shopping malls, sport stadiums, restaurants and venues of various descriptions, when they communicate a sound recording to the public. In South Africa, it is a South African Music Performance Association (SAMPRA) that administers this right.

Public performance rights in cinematographic films are the rights to licence music videos. In South Africa, it is RiSA Audio Visual (RAV) that does the licencing of these rights.

Now answer these questions

1. ISRC and ISWC are both unique identifiers for music. Can you state the difference in name?

Do you know what this difference means?

2. Copyright owners (authors and entrepreneurs) are entitled to five copyrights: reproduction; adaptation; broadcast; performance; and communication. There are different intermediaries for obtaining licences to these rights. Intermediaries are called CMOs standing for Central Management Organisations.

Every time a song is played, the songwriter is due a royalty. Every time a song is played, the owner of the sound recording as well as the performers are due a royalty. Every time a song is reproduced for resale, the authors and publishers are due a royalty. Every time a music video is played or licenced to film, the authors and publishers are due a royalty.

Do you know which of the CMOs you should register with, to collect each of the above rights?

3. Some CMOs represent the rights of composers and authors, while other CMOs represent the rights of the sound recording and therefore the labels and performers.

Of the four CMOs mentioned above, can you indicate which represent composers and authors and which represent labels and performers?

4. There are benefits to registering your copyrights. You have copyright from the moment of registration and the term of copyright lasts for the life of the author plus 70 years after your death. In your opinion, what are the benefits of registering your copyright and what are the pitfalls for those who don't?

Can you find any examples of musicians or composers who have had to take the legal route in order to get their rightful copyright dues?