

Copyright Info & Sources

(This info is from an email message from the ACM listserv)

First a caveat – I am NOT (I repeat NOT) a lawyer. Just a voice from the trenches of “been there, done that” – hope this information helps.

1. I am assuming the music is background music and more than about 10 seconds of a cut is used. Unless the producer has a signed release from the copyright owner of the music, this is copyright infringement. Fair Use and Sampling codes are a consideration but that’s a BIG ballgame to get into. It’s not that difficult to get permission – I do it all the time – even big names. The thing is to ASK, not assume it’s ok. Besides, there are hundreds of public domain CDs of freely available music out there which is more than suitable for any program. If the person is taping a live performance of a musical group – that’s a different story altogether.
2. Absolutely copyright infringement if the producer doesn’t have a signed release.
3. I’d ask the underwriter what THEY want to have happen – it’s their money.

Some useful sites are listed below in (hopefully) user-friendly order. This should keep folks busy for a while:

Fair Use Copyright Information – great site and with a bit of humor
<http://www.utsystem.edu/OGC/IntellectualProperty/copypol2.htm>

Michael McCready-Music Law Page – he’s a lawyer
<http://www.music-law.com/home.htm>

Resources for Public Domain Music – very useful site
<http://www.pdinfo.com/resource.htm>

Music Copyright
<http://home1gte.net/rvcr/music/copyright/index.htm>

US Copyright Homepage – the horse’s mouth
<http://lcweb.loc.gov/copyright/>

Hollywood Law CyberCenter – glitzy and very sales oriented but fairly good
<http://www.hollywoodnetwork.com/Law/>

ASCAP (American Society, Authors & Publishers)
<http://www.ascap.com>

BMI (British Music Industry)
<http://www.bmi.com/>

Regards,
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