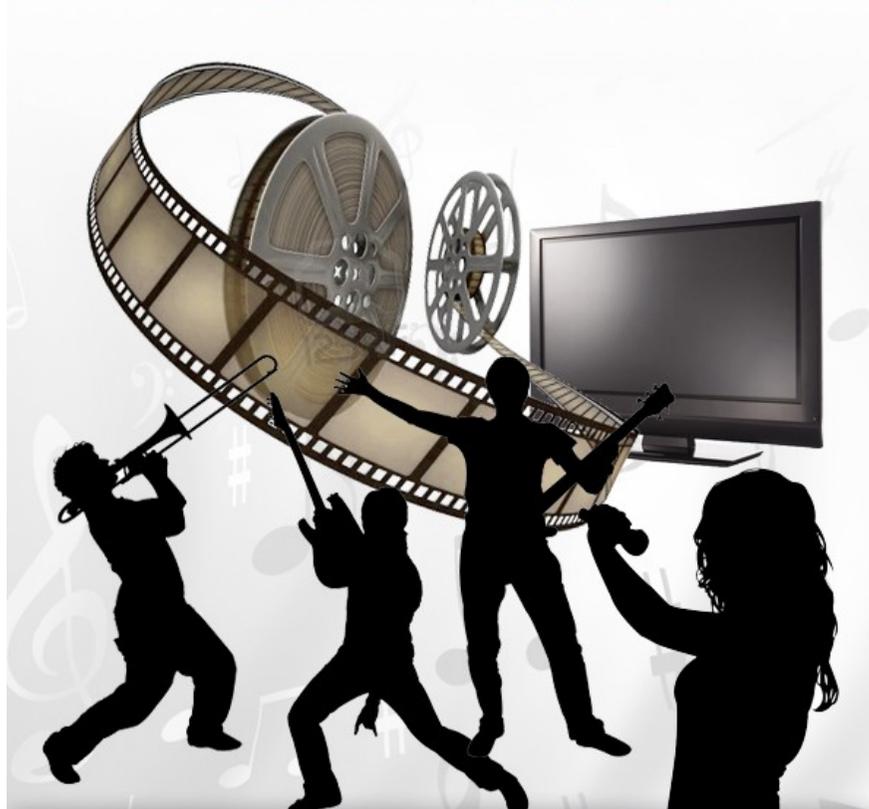

An Insider's Guide To **MUSIC LICENSING**



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Table Of Contents

Chapter 1 Getting Started	3
Chapter 2 Different Types Of Deals	50
Chapter 3 Mindset, Motivation And Strategy	59
Chapter 4 Technical Terms	85
Chapter 5 Essays On Music Licensing	94
Chapter 6 (Bonus Chapter) Music Licensing Interviews	179

Chapter 1: Getting Started

Introduction

Licensing music for use in TV and films, and other media outlets such as video games and advertising is an aspect of the music business that all musicians should be aware of. As record sales continue to decline and as the whole recording industry is scrambling to figure out where the future of the music business is headed, music licensing is increasingly becoming a more important source of revenue for both artists and labels.

Music licensing, worldwide, is currently a 20 billion dollar a year business. With the ever increasing expansion of cable TV channels as well as a variety of other new media outlets, there is a growing demand for music that can be affordably licensed. Popular songs come with hefty licensing fees, and since many productions can't afford to license every hit song they might want for their production, there are many opportunities for independent musicians to license their music and both make money and gain more exposure for themselves at the same time.

Music licensing, in addition to being a big business, is also great because, regardless of what stage of your career you're in, where you live, how old you are, etc. music licensing is always a great way to earn extra money with your music. There is no real barrier to entry for songwriters interested in licensing their music. It is about as level of a playing field as you're going to find in the music business.

You still, of course, need to know how the business operates and who the people are working in the business. These areas are precisely what this book will address.

How I Got Started

I've been writing songs for over twenty years. I attended Berklee College of Music in the mid 1990's where I majored in songwriting. It was during my time at Berklee that I was first introduced to the concept of writing songs for film and television as a career. Although at the time I was mildly intrigued by the possibility of this career path, it wasn't until eight years later that I decided to seriously entertain the idea.

At this point I had played in a variety of bands and had still yet to achieve my elusive goal of becoming a rock star. One day while surfing the Internet I came across an article about a Berklee alumnus who made a living, in part, writing songs for film and television. This article inspired me for the first time to make a serious effort to pursue the craft of writing music for film and television. I realized that during all the time I had spent chasing my dreams of rock and roll stardom, I had passed over many more attainable goals that could have helped me make a living doing what I love to do most - writing music. I also realized that accomplishing these goals would probably actually get me closer to where I wanted to be. Within six months of reading the article I had signed my first licensing deal with a publisher.

The first time I heard my music on television was truly one of the most exciting moments of my life! After years of writing songs, taking guitar lessons and playing in bands, my music had, in an instant, been heard all over the world. It's hard to explain just how thrilling it is to see something in which you've invested so much hard work and passion pay off. And, beside the emotional high of hearing my music on television, I was also thrilled when, a few months later, I received a check for over \$800.00 - for 55 seconds of airtime. This was in addition to \$400.00 I received up

front for the rights to use my song. Like I said, I didn't really start out with the goal of writing music for film and television, but I've always had the goal of getting my music heard and getting paid for it. Thanks to many different placements over the last few years, I've been able to accomplish both of these goals.

Why Music Licensing?

Whatever your goals are with respect to your music career, licensing your music for use in TV and film has the potential to help propel your career forward. Whether you're looking to ultimately land a major label record deal and play stadiums, or if you're just interested in making a little extra money from your music, licensing your music will benefit your music career, whatever your long-term goals are.

Music licensing is a lot easier to get into than the recording industry for a variety of reasons. There's a lot less at stake in the music licensing business for the professionals working behind the scenes than there is in the recording industry. When a major record label takes on a new artist, there is typically a lot of money invested in the promotion of the artist. There is a lot at stake and there is a lot to potentially lose if the record label loses money on the artist. Their A&R reps have to be very selective in signing artists. Their jobs and paychecks are at stake.

In the music licensing business there isn't the same sort of pressure to get it right every single time. If a music publisher likes your music and presents it to a music supervisor for a project and the music supervisor doesn't like your song, they simply move on to the next song and artist. No harm done. This means that music publishers and even supervisors can take a lot more chances when it comes to working with new and unproven artists. I'm not saying licensing your music is easy, but it's an attainable goal if you're writing and recording solid music.

So are you ready to learn how to start licensing your music? Great. Keep reading and I'll explain everything you need to know to get started.

Defining Your Goals

I'm constantly out and about meeting new people. A question that I get all the time and I'm sure you get as well, is, "What do you do?" Although I actually "do" a lot of things, I really consider myself a musician first and foremost. It's what I most strongly identify with, and so I simply tell people I'm a musician. Almost invariably I get a response that goes something like this: "That's really cool that you get to do what you love. But It must be really hard to make a living as a musician." Usually I respond by saying something like this: "It can be a challenge, but for me it would be a lot harder to make a living doing something I don't enjoy."

The fact is that I make a very respectable salary as a musician, and although I'm certainly not rich by any means (yet), I actually make well above the national average in the U.S. I've been able to do this by being very clear about my goals and creating a system of how to make money from my music that works for me. Music licensing and the revenue I'm able to generate from licensing my songs is an important component.

Making a living as a musician can be challenging. But if you love making music, the rewards that come from waking up and doing what you love every day will make it all worthwhile. I think income generated from music licensing should be a part of all musicians' income streams. Although it can be challenging to get started, licensing is a great revenue stream, because it's for the most part passive income. Once your songs are created and placed in projects, the income you generate will be passive and will be generated while you're busy doing other things.

If you're an independent musician, and if you're reading this I assume you are, one of the keys to creating a sustainable

income is diversification. For a number of years I taught guitar at a very successful retail music store. The store that I worked at was an independently owned store that does well over a million dollars in business annually.

One of the owner's keys to success was creating several different revenue streams that together created a very nice income that has made the owner very wealthy and his employees well compensated. The store has a great lesson program, multiple high-end guitar lines and a strong Internet presence. The beauty of this is that if one of the revenue streams slows, one of the other two streams tends to compensate and keep things running successfully.

You can utilize this same principle as a musician. I have done a variety of things to make a living which include: running my website and newsletter, teaching guitar, performing, writing music for local ad campaigns, selling CDs and writing songs for TV shows. It's been the combination of these endeavors that has allowed me to flourish. But of all the things I've accomplished, it has probably been hearing my music on TV that has been the most exciting. There's just something about knowing that music you created is being heard in millions of homes that's very rewarding.

There are tons of opportunities to have your music placed in TV shows. My cable package has over 700 channels, and all of them are using independent music in one way or another. The production quality of music for TV needs to be what is considered "broadcast quality". This means better than a demo but not necessarily as good as a record. Music supervisors are typically looking for music that they can place as is, without re-editing. All of the music I have had placed over the last few years

was recorded in home studios, usually using Pro Tools.

With respect to music licensing, I think it makes the most sense to look at music licensing as one revenue stream among several. It's certainly possible to make a full time living licensing music, but most musicians I know, myself included, make a part-time income stream from licensing music that, together with several other sources of income (performing, selling CDs, etc) helps generate a full-time income stream.

Getting Started In The Music Licensing Business

Okay. So you're aware that music licensing is a great way to earn income from your music. The question is, how do you get started? Although there is no one "right way", in general you need to be very proactive and start networking and building relationships. This isn't as hard as it might sound. Although music publishers and supervisors tend to be very busy and work in a fast-paced environment, I've found that many of them are very approachable and accessible.

Don't forget that publishers and supervisors need our music to do their jobs. Songwriters play what is obviously a very critical role in the business. We are the suppliers of the "product" that makes the whole business go around. Don't forget that when you're getting started, it's easy to be overwhelmed by the competitive nature of the music business. Getting started can seem like a daunting task, but if you create good music, there is a need for it!

With that said, this is definitely a business where you need to have a very self-motivated mindset. You are your own boss. And even when, as I do, you're working with a publisher who represents your music, you still need to be consistently proactive about seeking out opportunities that the publisher knows about. Sometimes my publisher approaches me with opportunities, and sometimes I check with her and she tells me about projects she is working on. It really works both ways, and you can't sit back and rest on your laurels. No one cares more about your career than you do.

Two Different Paths For Getting Started

There are literally thousands of different opportunities for places to submit your music for potential placement these days. When you realize how many opportunities there actually are to make money with your music, it's very exciting. Never before have there been so many different outlets for licensing music and generating revenue from the music you create. There are cable stations, films, websites, video games, ring- tones, YouTube videos and on and on. It truly is a great time to be an independent musician!

In terms of connecting your music with licensing opportunities, there are essentially two different approaches you can take. They are as follows:

1) The direct route (contacting music supervisors): One way to get started in this business is to directly contact music supervisors who place music in TV shows and films. Music supervisors make their living by selecting the music that is used in the productions they are involved in. They are ultimately the people who make the decisions as to what music is used. The upside of this approach is that when you operate this way, you are essentially acting as your own publisher. And you will receive both a writer's and publisher's royalty if your music gets used.

The downside is that you probably don't have any relationships established with music supervisors. Although it's certainly possible to establish relationships and "break in" this way, it's going to take a lot more leg work. Also, some supervisors will not accept unsolicited submissions from songwriters they don't know. I suggest that when songwriters are first starting out, they focus on making connections with music publishers and music

libraries. Established publishers and libraries will already have relationships with music supervisors, and by working with them it will be easier to get your music to into the right hands. This isn't to say that you should totally avoid music supervisors. If you have the time, by all means pitch to them as well. But it's generally faster and easier to work with someone who already knows about projects that are taking place and how to get your music into the right hands - in other words, publishers and libraries.

2) The indirect route (music publishers and music libraries):

This is the way I got started and, as I indicated above, I suggest that you try this approach first. The job of music publishers is to screen music and present to music supervisors for potential placement. These people typically have established relationships - if they really are established publishers and they make their living by "shopping" music to supervisors. They typically work hand-in-hand with supervisors and help them find the right type of music for their projects.

For example, let's say a music supervisor is working on a film, and they need a song that sounds something like the latest White Stripes song. Since they can't actually afford to license the latest White Stripes song, they will then contact a publisher, or several publishers, and put the word out that they are looking for songs in the vein of The White Stripes. These publishers will then scour their catalogs looking for songs that are a match and present these songs to the supervisor.

Publishers typically receive half of all money earned through licensing fees and royalties. The portion of the royalty a publisher receives is called a publisher's royalty, and it's how publishers make their living. The publisher's royalty is one-half of the total

performance royalty that a song generates when it airs on television. I think giving up this portion of your royalty is a fair trade off for working with someone who is in a position to help you earn money from your music.

Publishers who are established have usually spent many years developing relationships in order to be able to successfully license their catalogs. How many music supervisors do you personally know? If you're like me when I first started out, probably not that many. Publishers also help handle the administrative duties required to license music as well as the job of a salesperson. They play an important role in the music licensing industry. So partnering with a good publisher can be a huge asset to your career.

How Production Music Libraries Get Your Songs Into TV and Films

Production libraries are a specific type of music library that specialize in "production" music. Production music tends to be more generic than "artist" music. Production music tends to be instrumental. Think "80's rock riff", "70's funk guitar", "80's metal" and so on.

Production libraries work a little bit differently than music publishers do, although ultimately their goal is the same: to provide quality independent compositions and songs to television and film productions. They do this by screening music from independent writers, selecting music that meets their standards and then securing the rights to pitch the music in their library to various productions.

They then create library CDs that are indexed by genre, mood, tempo, subject matter, etc. and present those CDs to different production companies in the TV, film and even advertising markets. If a song ends up getting used, there is a "cue sheet" that gets filled out and submitted to whatever performing rights organization (PRO) the writer belongs to. This assures that the writer gets paid royalties for the song's use.

For an in-depth education on how to make money with stock and production music libraries specifically, check out my program, *How to Make Money With Stock Music Libraries*.

<http://www.howtolicenseyourmusic.com/supervisor-pitch-course.php>

How To Make Contact With Music Licensing Professionals

People are often, understandably, hesitant about making contact with professionals working in the music business. It can be intimidating. Should you call? Should you email? Should you send in a form letter? What do professionals working in the business prefer? Of course there is no blanket answer to how you should approach people working in the business, because there is no way of knowing the preferences of all the individuals that comprise the music licensing business.

So, what should you do? Well, unless you know specifically how the person to whom you're submitting music prefers to be contacted, I think you should do what you're most comfortable with. But, whatever you do, you have to make yourself heard. Are you good on the phone? Then pick up the phone and start making calls. Are you patient in terms of getting a response? Then try email. Most of the smaller companies will respond to emails, at least in my experience.

But whatever you do, don't forget that the music business is driven by music and the people who create it. So quit thinking of yourself as a pest, and start thinking of yourself as the reason this business exists in the first place. Will everyone like or need your music? Of course not. But don't let that deter you. If you are passionate about the music you are making, then keep making it and keep pitching it and things will happen.

Rejection is simply part of the process in everything you do! It never ceases to amaze me that the most successful emails for my business - in terms of sales generated - are oftentimes the ones that seem to offend the most people as well. I almost

invariably find one or two people who seem to be offended by the fact that I'm trying to help them and sell them my products and services at the same time. It doesn't hurt my feelings! I have bills to pay, and I love the fact that I can pay them while simultaneously helping people get started in a journey that, for me at least, has been one of the most rewarding - and frustrating - journeys of my life. If someone doesn't need my help, more power to them! This should be the same attitude you have as you approach people with your music. Not everyone is going to be interested. But if you're making good music, you will find people interested in helping you.

To Sum Up...

So to sum it up, although there is no one right way to approach professionals in the licensing business, there are some general guidelines you should follow.

1) If there is a website listed [in my directory](#) - assuming that you're using this resource - always check to see if there is a submission policy listed. Oftentimes companies will tell you how they prefer to have music submitted. Some companies prefer online submissions, and other still prefer you mail them a physical CD.

2) If there isn't a clear submission policy for submitting music, call or email them, whatever you feel most comfortable doing, and find out how you can submit your music. I used to prefer emailing since it's a bit less intrusive, but these days I tend to just pick up the phone and speak to someone in person. It's much quicker. And if they are open to hearing music they'll gladly tell you how to get it to them. Plus this method has the added benefit of putting a voice to your name which I think helps you

stand out a bit more.

3) Actually I don't think there is a number 3. It's really pretty simple. Find out if they need music, find out how they want it delivered and then deliver it. It's as simple as that!

Following Up

Once you do submit your music, make sure you follow up three or four weeks later. This is a really important step. People working in this business can often be very busy. It's perfectly appropriate and professional to follow up. Don't assume that if you don't get an immediate response this is an indication that there isn't any interest in your music. It might mean there's no interest, but it might not. It could just mean that whoever you've submitted your music to is busy and hasn't had a chance yet to respond.

It took me about six months to get the attention of the most recent publisher with whom I've been working. Several emails went unanswered until I finally made a connection. I made an appointment with this particular publisher and subsequently signed my first song. So if you don't get an answer right away, just be patient and follow up again a few weeks later. Patience is definitely a virtue in this business.

Finding The Right Library Or Music Publisher For You

When pursuing licensing and publishing opportunities, it pays to do a little research before you start blindly shopping your music around. There is a wide - and I mean extremely wide - variety of music that is used in TV, film and video game productions. Some libraries specialize in instrumental music. Others specialize in classical music. Some publishers prefer vocal music, some specialize in hip hop and so on. The better you can screen companies in advance and figure out what their needs are, the better your chances will be of connecting with someone who actually needs your music.

Make sure, when you are contacting and submitting your music to companies, that you first research the company's background and determine what kind of music they are consistently licensing to see if your music would be a good fit. Whenever possible, start by checking out a company's website, if available, and listen to and read about the artists they are working with.

Then, and only then, if you think your music might be a good match for theirs, email or call to find out how to best submit your music. Different companies prefer that you submit your music in different ways. Some companies want you to submit your music online, and others prefer that you mail in your submission. Some companies prefer full length CDs, and others prefer just two or three of your best tracks. Again, if there is no clear submission policy listed on a company's website, call or email to find out how they prefer having music submitted, if they're open to hearing new music.

I don't advise just blindly submitting your music to lots of places

without first finding out if they are currently open to listening to music and how they prefer having music submitted. Many companies will not listen to music if it's sent in the wrong format or via the wrong delivery method. Sometimes companies are not currently in the market for new music. It always pays to research things in advance and thereby save everybody wasted time.

Submission Policy

A sure way to not have your music listened to is to ignore the submission policy of whomever you're submitting your music to. I'm always amazed at how many people completely ignore my very simple submission policy for submitting music. I would say that, on average, close to 20% of the submissions I get don't follow my very simple three-step submission policy.

If you've taken the time and energy to create music you believe in and you want to make money from, then don't blow this critical step of the process of getting your music heard. I realize it can be a pain if you're submitting your music to a lot of different places, but take the time to submit your music properly so that it's actually listened to. This may seem like a minor detail, but I can assure you it's not. When you're receiving dozens of submissions a day or more, you're much more likely to listen first to the artists who make the process easy for you.

small Publishers vs. LARGE Libraries

Once you've researched and located companies that are open to hearing the kind of music you write, it helps to plant as many seeds as possible. I encourage writers I work with to get their music into as many catalogs as possible in order to maximize their results. There are many different, very large libraries that will accept your music non-exclusively, and it pays to be in as many of them as possible. Libraries such as Pump Audio, Rumblefish, MusicSupervisor.com and many others) are all great resources. I suggest uploading your music into their catalogs as part of your overall strategy to get your music licensed.

But with that said, I've personally had a lot more success working with a smaller, much more hands-on publishing company. The company I work with is small enough that I can call up the company directly and speak with my publisher for a half hour at a time and find out first hand what kind of projects she's working on and what kind of music she is in need of. My publisher will even listen to my submissions on the phone, in real time, and give me instant feedback. This kind of more personable relationship makes it much easier to stay in the loop and ultimately increases your chances of success.

So unless you're planning on being your own publisher and developing relationships yourself with music supervisors, try to find a publisher who likes your music and who is accessible so that you can work with them on an ongoing basis. In the beginning, you might have to cast a fairly wide net in order to locate one or several publishers with whom you can develop working relationships. The music business is a relationship-driven industry, and careers are formed as a result of these professional relationships.

The Two Ways To Get Your Music Licensed

There are primarily two ways music is currently being licensed into projects. These two ways can be defined as passive and active. Here's what I mean:

There are a lot of music libraries these days that have built up massive collections of music that is accessible online for anyone who needs music for their projects. I'm thinking of sites like Pump Audio and other lesser known sites that function similarly. The way one of these sites works is that music supervisors who need specific types of songs will log on and search their catalog based on keywords related to the type of track they're interested in licensing. So if they're looking for a song about a breakup in the vein of Lady Gaga, they'll search using these terms, and a selection of songs and artists matching this search criterion will come up.

There's nothing wrong with music that is licensed this way, and in fact many supervisors prefer it. They like the efficiency of being able to log onto a secure area of a website and in many cases very quickly and easily find what they're looking for with all of paperwork ready to go. It often makes their jobs much easier.

The only problem with passive music licensing is that it doesn't give you much power as a songwriter. What I mean is that once your music is added to a library like this, there usually isn't much you can do to increase your chances of your music being licensed. If someone happens to come across your music this way, you very well could license your music as a result.

The problem, though, is that in many cases supervisors are searching catalogs that have thousands, if not tens of thousands

of tracks. Maybe they'll find you and maybe they won't. But really there's not much more you can do once your music is added to a catalog like this than just sit back and wait and hope somebody discovers your music. This is not exactly an empowering feeling.

The other way music is licensed is by publishers, licensing agents, and in some cases, music libraries who actively pitch music to their contacts for very specific projects. Many supervisors still prefer to receive music this way as well. The benefit to you as a songwriter of this approach is that, if you are actively developing relationships with people who are pitching music this way, you have a greater chance of your music being pitched more frequently and ultimately being licensed.

In my opinion you're better off having two or three very well connected people who will actively go to bat and support you and your music than a dozen music libraries who just passively store their music on their site where someone may or may not find your music.

How do you know who is willing to actively pitch your music and who isn't? It's sometimes hard to know in advance. But make it a habit to get to know the people representing your music to the best of your ability. Ask lots of questions about what projects they're working on, where your music is being pitched, etc. You can pretty quickly figure out who is willing to work with you more actively and who isn't. Always let people know you're willing to do music on spec, if you are. Sometimes projects won't be presented right away, but if you're diligent in building up solid relationships, you're going to go a lot further a lot faster than by just sitting back and hoping someone finds your music.

Submitting To Supervisors Vs Publishers & Libraries

Like I've said, I started licensing my music initially with the aid of a music publisher that I signed with. In my case this proved to be a very useful relationship, because I didn't have the relationships and connections with music supervisors that my publisher has.

But the question remains, is it "better" to pursue publishing deals or to pitch your music directly to supervisors? The answer really depends on your situation. How much time do you have to devote to the business side of your career? How good are you on the phone? How determined are you?...etc. Like I said, submitting to supervisors directly takes more time, and I generally suggest pursuing publishers and libraries first. The reason is that, depending on what project a supervisor is working on at any give time, your music may or may not be a good fit. You can't just blindly submit your music to supervisors and expect that you'll magically have what they're looking for. You'll have to develop connections and relationships and get in the "loop" in order to know what projects supervisors are working on. This takes time.

A good publisher will already have established relationships with supervisors. Since the focus of a music publisher is on getting music placed and not creating music, they obviously have a lot more time to develop the relationships and connections necessary to get music licensed. Of course publishers work for all or a piece of the publishing royalties a song generates, so be prepared to give up this piece of your performance royalty if you sign with a publisher.

There are no rules, per se, against songwriters working directly with music supervisors and it certainly happens, but depending

on the supervisor in question, it can be much harder to get your music listened to this way. Supervisors tend to like to get music from sources they know and trust, and this is where music publishers come in.

So, to sum up, you can get your music licensed either through an established publisher or directly through music supervisors. Like I said, I would suggest that if you're new to licensing you start by focusing on music publishers. They are usually easier to get in touch with and are generally much more receptive to hearing music from unknown artists.

But with that said, if you have time, I would also make an effort to reach out to music supervisors. They most likely won't be as receptive, generally speaking. But if your music is a good fit stylistically, some supervisors will be open to hearing your music. And since you'll retain all of your publishing and sync fees when you license music this way, it's worth digging a little deeper to find out about opportunities that exist if you have the time to do so.

For more information on pitching directly to music supervisors check out my master class, *How to Pitch Directly to Music Supervisors*.

<http://www.howtolicenseyourmusic.com/supervisor-pitch-course.php>

A Proven Script For Calling Music Licensing Companies

I used to get really nervous when I made calls to music publishers, music libraries, etc. I'm not really sure why, but a lot of people I know seem to have this same reaction. It's sort of like cold calling. Well, actually it is a form of cold calling, which for a lot of people can be nerve wracking. There's a sense of trying to get something from the other person that can be daunting.

Over the years, after making a lot of calls regarding my own music and now making a lot of calls on behalf of my music marketing company, I've developed a strategy for making calls that works for me every single time. If you do decide to use the phone as a method for reaching out to different companies, you might want to try some variation of this method. Are you ready for it? It's pretty mind blowing in its simplicity, which is why I think it's so effective.

Here it is: When you call whatever company you're calling and someone answers the phone, this is all you have to say: "Hello. What is the best way to submit music to your company?" That's it! You don't have to launch into an entire spiel about who you are and all you've done, and you don't have to ask if they're open to submissions. You just simply ask what the best way to submit your music is. Period. Then, if they're interested in who you are, or if they're not open to submissions, etc., they'll tell you. Let them direct the conversation. You just get it started by asking how to do what you want to do - which is to submit your music.

I find this approach the best, because it's very simple, to the point, and really hard to screw up. In the licensing business it really is about the music. What you've done doesn't normally make a huge difference. Of course if you have licensing credits,

and it comes up in the conversation, by all means share that information. It can't hurt and it might help. But in the beginning, keep your conversations short and to the point. Very simple and very easy.

Publishing Royalties Explained

Whenever a song is aired in a television broadcast, the song, assuming it is properly registered with a performing rights organization, generates what is called a performance royalty. The performance royalty consists of two halves. One half is called the writer's share, and the other half is called the publisher's share. If you haven't assigned your publishing rights to a separate publisher and the song is aired on television, you'll receive both halves, or in other words 100% of the performance royalty. If, on the other hand, your song was placed through a separate publisher to whom you have given your publishing rights, you'll receive half of the total performance royalty and your publisher will receive the other half, the publisher's share.

It's important to point out that music publishers who work in the music licensing industry typically keep publishing only for songs within the context of TV, films, video games, advertising...in other words, within the niches they are pitching your songs to.

Additionally, when you assign your publishing rights to a music publisher working in the licensing business, you are usually assigning them the publishing rights only as they apply to the specific recording of the song for which you are entering into a publishing agreement. This is what's called a Master Sync License. If your song ended up being re-recorded and released on an album, or even if it was the exact same version of the song for that matter, your TV/film music publisher would not be entitled to publishing rights for this song for either radio airplay or CD sales under normal circumstances. Of course, if you signed a contract that stipulated that your publisher was entitled to these rights, then they would be, but this is not common practice for music publishers who specialize in TV and film placements.

Hopefully this helps clear up the publishing issue a bit. For some reason publishers seem to get a bad rap. I think this probably is related to horror stories we've all heard about famous musicians entering into bad deals where they unknowingly signed away huge portions of their income. In my experience though, I've actually had the most success working with publishers who already have the necessary relationships established within the industry. And at the end of the day, music publishers, just like you and I, want to get paid. Fair enough.

Self Publishing

Now let's look at an issue that comes up frequently for songwriters interested in getting involved in the field of music licensing. It's the question of self publishing vs. working with an outside publisher.

As I've mentioned, I've had more luck placing my music by utilizing the connections and relationships my publishers have established. But let's assume that you are able to license your music directly with a music supervisor. By placing your music yourself you're essentially functioning as your own publisher, and instead of sharing all the money that you would normally share with a publisher, you get to keep it.

The downside, as I've also mentioned, is that as an unknown songwriter you probably don't know or have connections with music supervisors like established publishers do. This means you're going to need to do a lot of cold calling, emailing, etc., to find out about projects and determine who is looking for what. This is certainly doable, but it takes a lot of hustling and persistence.

I would say on average, when I'm contacting supervisors for the first time, I have about a ten percent success rate, which means that about ten percent of the time I'll get the green light to move forward and submit music. This isn't bad in my opinion, if you consider how many variables are involved in the world of music supervision. But compared to publishers, with whom, I would say, I have a closer to fifty percent success rate, it pales in comparison.

The upside to dealing with publishers, as opposed to music

supervisors, is that if they are established, then they're going to have established relationships with music supervisors. This will help you get your music heard more easily. Of course you'll have to share the licensing fees and royalties they generate on your behalf. Usually publishers split revenue generated 50/50 with writers. Sometimes they take less and sometimes they take slightly more. But 50/50 is pretty standard.

I suggest taking a diverse approach to getting your music licensed. Develop a portfolio of songs like you would a portfolio of stocks. Try placing some of them with non-exclusive libraries and publishers. Place a few more with high quality and credible exclusive publishers. And then represent some yourself, pitching them directly to supervisors, ad agencies, etc. Since just like with the stock market, you have no way of knowing for sure how different companies you sign with are going to pan out, it's best not to put all your eggs in one basket and instead diversify and see who performs best. Then move forward with the companies and people who prove to be the best fit for you and your music.

Business Etiquette In The Music Licensing Business

It's important that when you start reaching out to people in the business you are both persistent and patient. Before I first signed on with my current publisher, I mailed several different songs over several months before I was finally offered a licensing deal.

After I mailed the first song which was eventually licensed to my publisher, I waited for close to six weeks and heard nothing back. On a whim I sent a follow up email. Almost immediately I received a response saying that she was interested in the song but didn't think she had an immediate need for it. She told me that she would consider accepting it into her catalog. I replied back that I completely understood the situation and that when she was ready I would be happy to work with her. She ended up sending me all the paperwork the very next day.

I'm telling you this story, because I think it's important to realize that people working in this business are often very busy. You can't assume that the fact that you're not getting an immediate response is an indication that they don't like your music. It might be, but you don't know. It's always best to be proactive and follow up. Don't be annoying, but follow up after a reasonable length of time if you don't hear back from someone.

Sometimes people just need to be reminded of who you are and what you have to offer. I personally prefer emailing first as opposed to calling. I find it less obtrusive, and I've found that many professionals in this business will gladly email you back and many will welcome your submissions. Use your discretion. If you're not getting a response, feel free to pick up the phone and make contact that way. Just make sure you use common sense and avoid harassing people.

How Your Music Will Be Used In TV Shows And Films

I think it's much easier to write for the TV/film niche when you have a clear idea of how music in these media are used. And of course the clearer you are about how your music will potentially be used, the better your chances of actually having your music used!

Subject Matter

Songs that are placed in TV shows and films are used to enhance plot lines. Typically the lyric of the song will have a correlation with what is happening in the story and the characters in the scene. Central to almost all stories are relationships. Whether someone is falling in love, falling out of love or longing for love, just like in our real lives, relationships play a big role in both TV shows and films. It goes without saying then that there are a lot of needs for songs about relationships. There are, of course, many exceptions, just as there are when it comes to the styles of music being placed. But there will always be a need for relationship songs.

When I first started working with my current publisher, she sent me a list of guidelines for writing in the TV/film idiom. One of her suggestions for writing songs that have a good overall chance of being used was to write relationship songs. Songs about relationships can be used in a variety of productions, since most stories are about relationships.

Of course other types of subject matter work well. Subjects like overcoming obstacles, loss, gain, friendships and so on also work well. Think about the types of themes that are generally repeated over and over in movies and TV shows, and you'll get a

good idea of what kinds of subjects work well.

Length Of Song

Rarely will all of a song be used in a scene. Although there are always exceptions, usually only part of a song will be used: an intro, a verse, a chorus or maybe a verse and chorus. It's best to submit songs that don't fade out at the end as it makes it easier for the supervisor to sync the end of your song with the transition into the next scene, if that's how they are using it. Avoid songs that have long guitar solos or long intros. Try to get to the point in your songs efficiently.

My publisher has a catch phrase that goes, "Don't bore us, get to the chorus." It's a little cheesy I know, but TV is not usually the right context for making grandiose musical statements. Remember your music will be used to strengthen the scene and the characters and not the other way around.

There is an extremely wide variety of music that is used in TV and film. If you adhere to these general parameters, you will greatly increase the odds that your music gets picked up.

One of those topics that makes some musicians cringe is the idea of changing or altering their music to sell it. I know, because I'm one of those musicians! In the past I've been very reluctant to alter my music at all. But over time I've learned that by loosening the grip on my creations and taking constructive criticism from others with more objective ears, I've been able to have more success in actually making money from my music. If that's not part of your goal with your music you can disregard this advice. But... if you're interested in learning how to make money from your songs, keep reading.

Okay, you're still with me. Let's put aside our egos for a second and consider the reality of why music gets licensed at all. In TV and films music is used to enhance the scene that the music is being used in. That's it. Music is used to create or evoke a certain mood that works within the context of the story being told.

So, to sum up, here are some general guidelines to consider when writing songs with the intention of licensing them:

1) **Don't bore us, get to the chorus.** Music that is written for TV and films needs to be concise. This isn't the best forum for grandiose statements or long intros. Write songs that get to the point and have strong hooks and you will get a lot more of your songs placed.

2) **Relationship songs are always in demand.** Since songs are used to support the story being told, and since most stories are about relationships, songs that are about relationships have a greater chance of being used. Pretty simple. This obviously applies only to vocal songs.

3) **The more mainstream the better.** For licensing your music that is. Mainstream music is mainstream for a reason. A lot of people connect with it. If your music sounds obscure, it won't appeal to as many possible supervisors, publishers, etc.

Study The Market

As I've said, there is a wide variety of music used in television broadcasts. Instrumental music and vocal music from multiple genres are used on a regular basis. There is a good chance that you're already making music that could be used in television broadcasts.

Here's an exercise I suggest to anyone looking to get into licensing their music for use in television. The next time you have a couple of hours do some channel surfing while actively listening for music used in the background. I think you'll be surprised at just how many different styles of music you'll hear. Keep in mind while you're listening that every single piece of music you hear was licensed from someone! Why not you?

Instrumental Versions Of Your Tracks

Make sure that when you submit songs with lyrics to either publishers or supervisors, you always have instrumental versions of the songs on hand and ready to go. Why? Because occasionally songs will get licensed and the vocal part will be re-recorded on top of the original instrumental track. This isn't necessarily common, but it does happen, and I'm almost always asked to supply instrumental versions of my tracks in addition to full vocal versions. Your job as a songwriter is to make it as easy as possible for people to work with you. The more prepared you are for possible situations like this that might arise, the better chance you'll have of being accepted.

Music Used In Video Games

The use of independent music in video games is continuing to increase and is becoming a bigger and bigger source of revenue for songwriters who are actively licensing their music.

In some cases, when an artist licenses a song for use in a video game, there is a one-time buy out regardless of how many units of the video game is sold.

In situations where a back-end royalty is paid, per game royalties range from 8 cents to 15 cents per composition, and buyouts range from \$2,500 to over \$20,000 with many in the \$5,000 range.

As in many other areas, royalties and fees depend upon the value of the composition, the previous history or anticipated sales of the game, bargaining power of the parties and the needs of the video game producer, music publisher, and songwriter.

How Much Money You Can Make By Licensing Your Music

When it comes to licensing your music for use in television, you can make as little several hundred dollars, or as much as several thousand per placement. I have received as little as about \$350.00 for one song that was used briefly in a daytime TV show and as much as \$3,000.00 for a song that was used in a different show and featured very prominently and in its entirety. Of course these figures are based on when the show initially airs. So if and when a TV show is rebroadcast, you receive another check! I know one writer who still receives checks for a song he wrote for an HBO movie thirteen years ago!

When it comes to films in theatrical release, independent writers usually receive at least three to four thousand dollars per song used. There are no performance royalties for films in theatrical release, but if your song is used in a soundtrack you will receive royalties for CD sales, and if and when the film is played on television you will receive performance royalties for your music at that time.

How You Get Paid By Licensing Your Music For Use In TV and Film

You generally get paid twice for any song used in a television broadcast. There is typically, although not always, a one-time up front "licensing fee" that the show pays to the writer in order to use the song. Then, once the song airs, the writer receives the performance royalty that I've talked about. The amount of the licensing fee varies, but for television shows this is usually in the range of \$500.00 to \$3,000.00. The amount of the performance royalty varies greatly depending on a number of different factors. These factors include the length of the segment in which your

song is used, how prominently your song is used, whether your song is aired during prime time or during the day and a variety of other factors. To give you an example, the first time one of my songs was used on TV, it was used in a daytime drama for 55 seconds. The royalty I received for this placement was \$800.00. In addition to this I received a \$500.00 licensing fee. So I made a total of \$1,300.00 for 55 seconds of air time.

For films in theatrical release in the USA, you don't receive performance royalties while the film is in theatrical release, but the licensing fee is larger. Licensing fees for feature films are generally in the range of \$2,000.00 to as much as \$25,000.00, or even larger for more established artists. The licensing fee varies depending on the film's budget and how badly they want a particular song. More established artists generally command larger licensing fee

Music Licensing Vs Music Publishing

When you "license" your music to a TV show, film, video game or other media outlet, you are granting that production the right to use your song. Generally there is a fee paid to the artist that is called a "licensing fee" for the right to use his or her music. Writers also receive what is called a performance royalty in addition to the up front licensing fees that they are paid for songs used in TV productions. This royalty is paid via your performing rights organization (ASCAP, BMI, etc.), and the amount of the royalty varies depending on the nature of the placement. There are many variables, but essentially the longer and more prominent the placement, the larger the amount of the royalty.

When a songwriter works with a publisher in the TV/film niche, the publisher works on behalf of writers to help them secure licensing deals. In exchange for the work that publishers do for writers, publishers typically take a 50% cut of both licensing fees and royalties. With regard to the latter, this is what is called a publisher's royalty, which is one half of the overall performance royalty. The remaining half is what's known as a writer's royalty.

Registering Your Titles

In order to get paid performance royalties when you license your songs for use in TV, you need to register your songs with whatever performing rights organization you belong to. TV shows submit what are called cue sheets listing the songs they have used to performing rights organizations . This assures that the creator of the song that was broadcast is compensated through what's known as a performance royalty. If you're working with a music publisher, your publisher will generally register your titles for you.

The three main performing rights organizations in the U.S are:

ASCAP – www.ascap.com

BMI - www.bmi.com

SESAC - www.sesac.com

The primary function of the performing rights organizations is to collect performance royalties from those who commercially use the music of their member writers and publishers. They distribute royalties to their members on a quarterly basis.

In the United States, performances of music on television generate performance royalties. Performances of music in movie theaters do not generate performance royalties. In almost every other country, performances of music in movie theaters are covered by the local performing rights organization which has a reciprocal agreement with the U.S. performing rights organizations.

If a performance is logged (i.e. identified by ASCAP/BMI/ SESAC as having been broadcast on television), a royalty will be generated based on the number of times the film or show is broadcast and a variety of other factors, such as the length of the segment, how prominently the music is used and whether the song is aired during "prime-time" or daytime. There are very specific weighting formulas used to calculate the royalty payments for each performance of a song or composition.

How Performance Royalties Are Calculated

The following is the formula ASCAP uses to determine how much to pay artists for a single broadcast. BMI and SESAC use very similar formulas.

Generally, royalties for a single musical work, in any surveyed medium are the product of this calculation:

USE LICENSEE "FOLLOW THE TIME OF GENERAL
 X X DOLLAR" X DAY X LICENSING
WEIGHT WEIGHT FACTOR WEIGHT ALLOCATION

USE WEIGHT

The factor, or value, attached to each type of performance, such as theme, underscoring, promotional.

LICENSEE WEIGHT

This factor reflects the license fee paid by a station (or group of stations) and the number of hours included in the appropriate survey. The licensee weight is also referred to as the "hook-up" weight with respect to network television, reflecting the number of stations carrying a broadcast. Other surveyed media - such as TOP 200, live concerts tours, symphonic and chamber concerts, websites, background music services, airlines, circuses, and ice shows - are also assigned 'weights' based on license fees paid to ASCAP.

"FOLLOW THE DOLLAR" FACTOR

This factor ensures that the license fees that ASCAP receives from any medium are paid to writers and publishers for performances on that medium. In other words, the money received from radio is paid out for radio performances, etc.

TIME OF DAY WEIGHT (if applicable) On television the value of a performance can vary depending on the time of day; for example, whether it takes place in prime time or in the middle of the night.

GENERAL LICENSING ALLOCATION

Fees collected from non-broadcast, non-surveyed licensees (bars, hotels, restaurants and the like) are applied to broadcast feature performances on radio and all performances on television, which serve as a proxy for distribution purposes.

RADIO FEATURE PREMIUM CREDITS (for radio performances only, where applicable) Songs that earn certain threshold numbers of radio feature credits in a quarter receive additional credits in that quarter.

TV PREMIUM CREDITS

for TV performances only, (where applicable) Theme, underscore and feature performances in highly rated network and local TV series earn additional credits as TV premium payments. So,

CREDITS X SHARE X CREDIT VALUE = \$ ROYALTY

Computing all these factors, they arrive at the number of total performance credits. After establishing the number of credits generated by a performance, these credits are allocated among all of the writers and publishers of the work based on the share each should receive. ASCAP is advised of the correct shares to be paid when members submit title registrations. So if two co-writers of a song share royalties equally, each will receive 50% of the total credits. The final step is to multiply credits by the appropriate credit value to arrive at the royalty payment.

Cue Sheets And Performance Royalties

Cue sheets are forms that are filled out by television shows and submitted to performing rights organizations. These forms indicate what music was used and how it was used and determine how each placement's royalty is calculated. The list of usage categories for music in a film or television show is:

- Visual Vocal -- On-camera vocal performance
- Visual Instrumental -- On-camera instrumental performance
- Visual Dance -- On-camera dance
- Opening Theme -- Opening title theme
- Closing Theme -- End title theme
- Featured Vocal -- Music with vocal as visual montage
- Featured Instrumental -- An instrumental cue featured in some specific way other than visual. (This is a rarely utilized usage category.)
- Background Instrumental -- Underscore and non-visual (off-camera) source
- Background Vocal -- Underscore with vocal or non-visual vocal source

The first seven categories, which are considered featured performances, generate much higher performance royalties than do background performances. In general, the more prominently your music is featured in a scene the larger the performance royalty it generates. Royalties for a feature performance of 45 seconds or more on network prime time can be as much as \$2,400. Background performance royalties are much less, approximately \$340.00 per minute for network prime time.

The Production Quality Of Songs Placed In TV and Film

Music supervisors and publishers are looking for songs that they can use as is, without re-editing. The quality of your songs, production wise, should be what is considered "broadcast quality". Broadcast quality songs are higher quality than demos, but not necessarily as good as a professional recording. Home studio recordings are fine, but they need to be really well produced. All of the songs I have had placed were done in home studios, and most of them were recorded in Pro Tools.

One of the publishers I've worked with has suggested that the quality of productions is as important, if not more important, than the actual song itself. The TV/film niche of the music business is certainly easier to break into than the recording industry, but it is still competitive. As in any competitive industry the highest quality product tends to rise to the top. So be sure that the songs you are submitting are well produced.

Is Your Music Ready To Be Placed?

Music production isn't an exact science, so how can you really know whether or not your music is good enough production wise? Although it's true that the production doesn't need to be "record quality", it does need to meet certain standards in terms of both production and songwriting.

If you're not sure whether or not your music is up to par in terms of production and writing, a great exercise is to simply listen to other artists whose music is getting used in TV and films and then, as objectively as possible, compare your music to see where it stands. If you have a hard time being objective about your own music, maybe get some friends to assist you. Just

listen and be as honest with yourself as possible.

A lot of people make the mistake of assuming that they're not making progress in the music business because of a lack of connections, and sometimes that may be true. But be honest with yourself about your music and whether or not it's where it needs to be. I always recommend working with someone who is skilled in production in engineering if this isn't your forte.

It doesn't matter how many people you send your music to or how much you learn about the business, if your music isn't ready to be placed. So don't skimp on this area. I frequently get music from people that is good in terms of the songs themselves, but just isn't good enough production wise to be licensed. I realize that it's not always easy to record songs well. It's expensive and time consuming, but it's an extremely critical part of the process. Don't cut corners on your productions.

For an in-depth education on how to produce music that meets the standards necessary for licensing in TV and films, check out my program:

How To Produce Music That Will Get Licensed And Make You Money.

<http://www.howtolicenseyourmusic.com/production-course.php>

Be Resourceful And Get Your Songs Recorded The Right Way

I get emails from subscribers of my newsletter quite frequently that go something like this, "Hey Aaron, I love the information you're presenting and I would probably even buy one of your programs... BUT... I just don't think my songs are ready. I don't have any quality recordings and I don't want to move forward quite yet." Does this sound familiar?

The reality is you do need good, crisp, quality recordings of your music in order to get them both licensed and ultimately placed in TV or film. But this doesn't need to be as daunting of a task as it sounds. From a strictly economic standpoint you do want to keep your costs down if you're pitching your music on a regular basis. If you already have your own recording equipment, that's great. You're halfway there. If you have your own recording equipment and you know how to use it, that's even better!

But what if you don't have your own recording gear or a huge recording budget? What can you do? Well, when I first got started in the business in 2002, I didn't have any recording gear to speak of. So what did I do? Based on my publisher's suggestion I located several producers who were willing to work for no up front money in exchange for a percentage of any back end royalties I earned. It was actually easier to negotiate deals like this than I thought it would be. I just ran a couple of ads in Craigslist, and within a week or two I was up and running with a great home based producer. And we ended up placing several songs together! It truly ended up being a win- win situation.

Negotiating deals like this is easier to do once you have a bit of a track record. For the first couple of songs I licensed I paid for the

production myself. But once I had a few credits under my belt I started reaching out to other people and had no problem finding other musicians and producers willing to collaborate for no up front money.

So be resourceful. There's always a way. Like they say about the lottery here in Illinois, "You have to be in it to win it".

Music Licensing As A Source Of Passive Income

I recently received a royalty check for a little over \$700.00 for one of my songs. I've received checks for much larger, and I've received checks for much smaller. But the beauty of this particular royalty payment is that it was for a song that I wrote close to ten years ago. This is the seventh time the song has been used on the same TV show.

The ability to create a passive income stream from your music is one of the coolest things about music licensing. In addition to the sheer thrill of hearing your music on TV or elsewhere, there is also the real possibility of creating a stream of income that will grow over time. A friend of mine that I went to Berklee with once had a song in a Chili's commercial that aired repeatedly, every day, for months. Ka-ching! My check yesterday was for a song that was used twice in spots that were around 30 seconds long, just to give you an idea.

Chapter Two: Different Types Of Deals

During this section, I'm going to discuss the different types of deals you'll encounter when licensing your music.

Exclusive Vs Non-Exclusive Contracts

First of all, it's important to understand that any given song can have only one publisher representing it at any given time. It's either going to be you, or it's going to be a third party in the event that you sign away your publishing rights to someone else.

Many writers are understandably reluctant to sign exclusive contracts with publishers. I can understand and relate to this reluctance, but to fully appreciate the issue it's important to consider the point of view and the role of the music publisher in the context of music licensing.

Music publishers make their living by developing relationships with music supervisors, ad agencies and the like, as well as the songwriters whose music they represent. Based on my own recent personal experiences with my new music marketing company I can assure you that this is very hard and competitive work. In order for successful music publishing companies to make a name for themselves, they like to have a unique catalog to present to the licensing community. If all catalogs were the same, there would be no incentive for someone to do business with one publisher vs another.

The analogy I often make is that it's similar to the way music retailers operate with the manufacturers they represent. There are geographic restrictions that allow music retailers to carry instruments and equipment that can't be found within a certain

proximity to a retailer's location. It's the same principle at work. If you could simply walk into any one of a dozen stores in the same town and find the exact same type of gear, there would be little incentive to do business with one store over another, and retailers would have much less leverage in the marketplace.

So the question remains: should you or shouldn't you sign exclusive contracts? I always advise writers to assess several factors when making a decision. First of all, what other offers do you have on the table? And secondly, if you are offered an exclusive contract, what is the track record of the company that is offering you the deal? Are they a fairly new company with few credits or are they an established company with a verifiable track record of placing music in TV, film, etc.? If the latter is the case, it would probably make sense to take a chance and sign a couple of your songs. You can always negotiate for a contract that releases the publishing rights back to you after a finite period of time, such as one to two years. Also, keep in mind that if you are a prolific writer, and you should be if you're pursuing licensing opportunities, you will always be writing new material that you can place with other companies as well.

Non Exclusive "Re-Titling" Deals

This is where a publisher or a music library takes a song that is already affiliated with another publisher and gives the exact same track a different name in order to register the track separately with the writer's PRO, essentially bypassing the song's original publisher as well as the database of whatever PRO the writer belongs to.

I've read different things about this practice, and there are different opinions in the industry in terms of how ethical this practice is. So I decided to do a little detective work yesterday to find out some more information for both myself and the subscribers of my newsletter.

I decided to start by calling ASCAP, my PRO. I got through to the member services department and questioned the rep that answered about the practice of re-titling the exact same recording. The rep I spoke with informed me that this happened all the time. I was a little surprised, to be honest. So I questioned him further, asking whether or not this presented any sort of conflict of interest or could possibly be a form of copyright infringement. He replied that he was "pretty sure" that it didn't present any sort of conflict. But the more I questioned him the more unsure he seemed. He just kept saying he was "pretty sure" that it was completely fine. After a few more questions he offered to transfer me to a different department. I agreed, but then I ended up just getting someone's voice mail.

Next I decided to call BMI, which is the other main PRO in the U.S. I got through to their member services department in their New York office. I questioned the lady who answered the phone about this practice, and she immediately informed me that this

was not acceptable. "Any single song can only be registered once in our system," she said. "Simply calling the exact same song something else doesn't make it a new song." This response actually made a little more sense to me, and it's really what I had expected to hear from ASCAP.

So I questioned further and asked whether or not they had a way of determining when this happens. She instantly assured me that, yes, their screeners would catch this sort of thing. This didn't really make sense to me though, because when you register a title with either ASCAP or BMI you simply enter a title into their database. They don't actually listen to the actual song you are registering, nor do you send them the actual recording. So how would they be able to determine if the same song has been re-titled? So I asked her, "Well, how would your screeners actually catch this?" At this point she became really defensive, and all of a sudden I felt like Michael Moore in one of his documentaries when he's questioning someone and has obviously hit a nerve! She then immediately offered to transfer me to the title registration department if I had more questions. I agreed but ended up just being sent to someone's voice mail again.

In Conclusion

I know a lot of publishers who engage in this practice, and despite the conflicting responses from the two main U.S. based PRO's, I don't think there is much they can realistically do to prevent this practice from happening. There is clearly a loophole in their registration systems, and publishers are exploiting this by simply re-titling tracks and calling the exact same song something different.

But the question is really: is this a good thing or a bad thing? And the answer to that question really depends on whose shoes you are in. If you are a publisher that has signed an artist to an exclusive agreement and they go behind your back and sign the exact same song to a different publisher under a different title, you'll probably think it's a bad thing.

On the other hand, if you're an artist and you're trying to make a living from your music and have your songs tied up with a publisher who isn't placing your music or making you money, then I can certainly understand the temptation to go down this route.

So what's a writer to do? Well I'll leave that up to you. But my opinion is that you should always be ethical and honest if you want to cultivate successful long-term relationships. It's easy to be cynical in this business. There certainly are some shady characters out there. But in the long run re-titling tracks diminishes any given publisher's uniqueness and cheapens and dilutes the music supply for all involved. If you can get the same track, albeit called something different, from ten different publishers, why do business with one over the other?

On the other hand, if you are signing multiple deals, and they are all non-exclusive, this is a little different. If all the publishers and libraries you work with are aware of what's going on, and you're all on the same page, there really isn't an ethical conflict in this situation at all. And it does seem like more and more publishers are offering these types of deals in order to sign more artists who may be reluctant about exclusivity. Just be aware of the pros and cons of this seemingly growing trend in the music licensing business.

Co-Publishing Deals Explained

Typically when a song is licensed into a TV or film project, there is only one publisher. If the writer of the song hasn't assigned his or her publishing rights to a third party, (s)he is by default the publisher of the song. In other words, if you write a song, you are the song's publisher and are entitled to all publishing rights unless you give them to someone else.

Having a good publisher on your side can be a valuable asset if this person has solid relationships with music supervisors. In fact, I suggest that songwriters seek out publishers and/or licensing agents and the like when they are first starting out. In most cases it's easier to get music placed this way than functioning as your own publisher by trying to cultivate relationships with music supervisors yourself. There are always exceptions, and every case is different. But as a general rule I suggest that songwriters seek out third parties to help them pitch their music, even though this almost always entails giving up some or all of your publishing royalties for songs successfully placed on your behalf.

Another variation on the typical songwriter/publisher relationship is something known as "co-publishing". The way this type of deal works is really simple. Under a co-publishing arrangement, a third party will shop your music, but instead of taking all of the songs' publishing for music they successfully license, they only take a percentage, usually 50%. This leaves the remaining 50% of the publishing as well as 100% of the writer's royalty. The remaining 50% of the publishing would go directly to you, if you as the writer initiated this type of deal. Or it would go to someone else, if they've initiated this type of deal on your behalf.

This is the route I suggest new publishers and licensing agents take at the beginning of their ventures. New publishers probably don't have the necessary relationships in place to start licensing music. Co-publishing deals offer an alternative to traditional licensing deals. The benefit to the established publisher is that someone else is bringing them music they probably wouldn't have known about otherwise, and the benefit to the lesser established publisher is that they are able to benefit from the connections of those with whom they enter into co-publishing arrangements.

As a writer, in order to co-publish your tracks and receive royalties for publishing, you'll need to establish yourself as a publisher and form your own publishing company. This is very easy to do. It's just a matter of filling out an application and paying an application fee.

Check with your PRO's website for information on how to do this.

Buyout Library Deals Explained

"Buyout" deals are somewhat similar to signing exclusive contracts with music publishers. However, in the case of the "buyout" deal, you are paid an up-front fee per track for exclusive rights to represent your music within the context of the music licensing industry. You will also receive the same performance royalties for songs that are broadcast on television. These royalties can be small for obscure uses or well into the hundreds or thousands of dollars per use for prime time network TV.

Buyout fees range from \$150 to \$1000, and they typically reside in the \$300-500 range per track. Many libraries will ask that you make edited versions of each track they buy the rights to, such as a version without a lead instrument, and some libraries ask for 30 and 60 second cues. Work that the library has to do editing the track for you may result in a reduced fee. \$300-500 might not sound like a lot for a song that took months to write and produce, but consider that production music does not necessarily have to be your "bohemian rhapsody". Often the feel of the track is what's really important in background production music.

Buyout deals are ideal if you can pitch a collection of songs that are similar stylistically - for example: a collection of songs that are all instrumental metal or a collection of songs that are instrumental acoustic guitar and so on.

Chapter 3: Mindset And Motivation

Staying Motivated And Developing A Game Plan

During this section, I'm going to talk about how to stay motivated and develop the proper mindset as you're pursuing music licensing opportunities as well as how to create a plan for moving forward. The music licensing business, and the music business in general, is very competitive. It's important that you stay positive and optimistic as you move forward. It's easy to get discouraged in the music business. In this section I'll share my thoughts on how to stay positive and how to be strategic in what at times can be a very frustrating business.

How To License Your Music And Make Money

Are you doing everything you can to make money with your music? Are you really ready to take your music and career to the next level? If you're not, then I would suggest you stop reading this section right now and delete it, because you aren't going to be interested in what I have to say. On the other hand, if you are ready to move forward, then keep reading, because I want to tell you how I can help you achieve your goals.

Over the last few years of figuring out how to make money with my music through music licensing I've made some important realizations about why most musicians I know don't seem to make that much money with their music. I think there are three primary reasons most musicians seem to struggle so much when it comes to doing this (the typical "struggling artist" stereotype). These three reasons are:

- 1) They don't have access to the right people or right information.

2) They do have the right information, but they fail to implement what they learn.

3) They implement what they learn in the short term, but they fail to follow through in the long term and simply quit before they get their desired results.

My goal with this book is to help you address all three of these areas as they relate to music licensing. I really do want you to succeed! My business is not about "tricking" you into paying money for something you don't want or need. I want to help you get the information you need to make money with your music. I plan to be around in this business for a long time. The more successful my clients are the more successful my whole organization becomes! So it's very important that I provide a tremendous amount of value with my products.

The music licensing business is not exactly the easiest business to break into. I've often said that getting into music licensing is a lot easier than getting a record deal. This is true. But there still is an incredible amount of competition when it comes to getting licensing deals. As record labels continue to flounder and fall by the wayside, more and more musicians and industry executives are turning to licensing and publishing as an alternative revenue stream. They do this for the simple reason, that it's a great source of revenue for music. There is a lot of money to be made, and those who understand how the business works are making a lot of money.

Songwriting is an art and a craft. It's a craft for which I have a tremendous amount of love and appreciation. Licensing music is a business. It's the business of taking your art and turning it into

something that can potentially sustain you so that you can continue to make music and pursue your passion. If you're focusing only on the songwriting part of your career, you're going to be missing out on some huge opportunities!

On my path to where I am now I've discovered a lot of things about the music business that many musicians simply never learn from playing in bars and clubs. It was during my time at Berklee College of Music that I first learned about music licensing from a couple of my teachers who were actively licensing their own songs. It took me a few years before I really appreciated the information I learned there. My goal is to impart what I've learned so that other musicians can take this information and apply it in their own lives.

Small Steps To Success

When I first started pursuing my dream of playing and writing music, I had my eyes set on huge goals. When I was a kid taking guitar lessons and living in Florida, I dreamed of one day playing arenas and stadiums. I was a fan of bands like Bon Jovi, Poison and Whitesnake. Well, since then my taste in music has evolved as well as my goals with respect to my music career. Don't get me wrong. There's still a part of me that dreams of one day headlining a huge amphitheater while twenty thousand fans sing along to my songs. But I now have the experience to realize that until that happens there are plenty of steps I can take each day to move my career forward.

Are you doing everything in your power to move your music career forward? When I was in my early twenties I had no interest in writing songs for film and TV. In my mind that wasn't what being a rock star was all about. But now I realize that every

bit of exposure you get for your music can move you forward. The business has changed and the name of the game now is being proactive. It's not about sitting around and waiting for your elusive "big break" that will probably never come. It's about taking small steps, every day, that will gradually lead to more and more success in the industry.

You need to be proactive and get your music heard yourself. I had a great conversation with a very prominent music supervisor a couple days ago who has worked on over 100 major films. When I first got him on the phone, he seemed reluctant to talk to with me but after I calmly explained a little bit about myself and what I've been up to, he seemed really receptive and invited me to send some of my material to him.

Why I am telling you this? I'm not telling you this to brag about my great conversation skills! My point is that everything you do with your music can be seen as a stepping stone to get to another level. You have to be in the business and promoting yourself for anything to happen, and when you have success with your music - any success - people will pay attention, and it will be easier to move forward. It's that simple.

It's Who You Know!

I'm sure you've heard the expression before that in the music business, "It's who you know." There is a lot of truth to this idea, but that doesn't mean that if you don't already know someone working in the business, you can't get to know them. Everyone starts at the beginning.

The music business is a business that consists of a vast network of relationships. The more people you have in your network of business relationships the more opportunities you will find coming your way. But everyone starts at the beginning so to speak. So don't worry if you don't already know the right people. Get to know them! You can very easily start introducing yourself and building relationships by being proactive and promoting yourself. It worked for me and I know it can work for you too.

The New Music Business

Have you ever wondered why fame and stardom are such a big goal for so many aspiring musicians? The music industry, like the acting industry, seems to be one of those professions where those who enter into it often do so with at least the partial goal of becoming well known. This seems to go hand in hand with the idea of "making it" in the music business for many people. Why is this? Well, if you think about it, until recently becoming a truly successful musician usually did entail acquiring a certain level of fame in the process of succeeding in the music industry.

A few years ago, when people were still buying CDs in brick and mortar stores, there was limited shelf space in those stores. These stores could carry only a few thousand titles at most, and of course to stay in business these stores had to stock titles that would sell, and keep selling. The end result: there was little room at the top, and the ones who got there became well known. FM radio functioned, and still does, essentially the same way. Only so many tracks can be played in a day, and if stations all over the country are playing basically the same songs, the result is a certain level of fame and notoriety for the artists who are being played.

It's All Changing!

What are your goals as a musician? Do you want to be famous? If you do that's great, although personally I think being famous would kind of suck. But I guess there would be a few upsides too! Do you want to make a living as a musician? Do you want to wake up every day and do what you truly love? To me this has always been the real dream, and it's a dream that has gradually become more and more of a reality for me. And never before has

this dream become more realistic for musicians everywhere. Independent artists now represent a very big piece of the music industry pie. This is something that author Chris Anderson refers to as the "long tail" of the music industry. And it is all thanks to the Internet. If you learn how to truly leverage this technology, you can claim your own sustainable piece of the music industry pie.

How To Do It

What's exciting about the the period of time we're in right now is that everything is changing rapidly. Independent artists who are learning how to take their careers into their own hands are creating history as we speak. There are definitely new skills to be learned in order to be successful in today's music industry. In the near future I will be profiling a different artist each month who makes his or her living as an independent musician. In this interview series we'll be discussing strategies and techniques that are working for other musicians and sharing them with you.

Two Ways To Get Your Music Licensed In TV, Film And More

Are you doing everything you can to further your music career? Would you like to earn more money from your music? Well, you can. There are many ways these days to profit from your music. Today I want to share with you a quick story about how I recently got several thousand dollars of work from a very small seed that I planted about a year ago. Hopefully this story will inspire you to think of creative ways to market your music.

About a year ago I submitted my music to several different websites that I felt were aligned with what my music represents.

For the most part I write pretty positive, upbeat music. So I contacted different websites that I thought would appreciate the type of feel good music I write. Several people got back to me expressing interest in my tunes. So I offered to let them use my music for free in their podcasts and such as long as they clearly indicated the source of the music (me). Well, one site in particular really liked my stuff. About a month ago the person who runs the site contacted me about writing a theme song for his blog. He gave me a pretty nice budget to write the song and license it to him for use on his site. I was allowed to keep full rights and ownership. It was a really good deal. About a week later he contacted me with not one but three other similar projects for other products he's working on and wants music for! So essentially a couple of emails back and forth has turned into several thousand dollars worth of work!

If you're not making money from licensing your music already, there has never been a better time to get started. You can capitalize on the myriad of different outlets that need your music! From TV to film and video games and even websites, there are a lot of different places in need of great independent music. Don't let your great music go to waste!

Creating A Game Plan That Will Lead To Success

When working towards a goal like licensing music, I like to create steps I can systematically follow. I know this action will eventually lead to my desired outcome or, at the very least, move me much closer to my intended goal. This approach is particularly valuable in the context of music licensing, and the music business in general, where a certain amount of rejection is inevitable. Success tends to build on itself. Let's take a look at how you can start to achieve initial success that will lead to greater and greater degrees of success as you move forward.

I don't talk a lot about the subjective nature of music and songwriting, because, well, it's subjective and sort of hard to write about. But let's assume for the sake of this discussion that your songwriting skills are fairly developed and you're writing and producing material that's on par with what is considered mainstream and marketable. And between you and me, this shouldn't be that hard. But that's a whole other discussion.

Anyway, let's say that you've written some songs that you feel really good about and you're continuing to evolve as an artist. Now what? Well, this is where developing a solid game plan comes in. It's incredibly easy to get sidetracked in this business for a couple of reasons. Number one: you need to be really self motivated to pursue music as a profession. A lot of musicians I know seem to lack this trait, which is ironic considering how challenging the profession can be.

Number two: because of the nature of the business you will most likely face some rejection along the way. This can be hard for a lot of musicians who tend to be a little overly sensitive to begin with. Again it's easy to let a couple of rejections slow you down

or even cause you to throw in the towel entirely. Don't be one of those artists! I know this business can be challenging, but overcoming the obstacles that present themselves is very rewarding and can actually be sort of fun, depending on how you look at things.

But let's get back to coming up with a solid game plan. I like developing strategies that are big picture oriented and that compensate for my own emotional reactivity. What do I mean by that? Well, for example, in the past I would sometimes get very discouraged by every little perceived rejection that would occur. I would send some of my music to one person, for example, and if they didn't immediately like it I would get discouraged and really question whether or not I was "good enough" to pursue music professionally. Now I feel sort of silly even typing that last sentence, because it's so clear now that that attitude was probably my biggest obstacle at that point in my career.

I often have people who write me wanting me to give them feedback on whether or not their music is good enough to pursue music licensing before they buy my materials. I understand their logic, but I think it's flawed. Here's why. If you want someone else to validate your decision to pursue writing songs professionally, you're probably in the wrong business. Why? Because you have to decide that you're on the right path. Not me! I understand someone wanting feedback, but I tend to not respond to these inquiries. I hate the idea of someone not pursuing their dream just because I didn't happen to like their music!

Okay. Let's get back to that game plan I was talking about. So you have decided that music licensing or some other related goal is something you're going to pursue, and you're also able to keep

your emotions in check as you move forward. Next you need to develop a strategy that you can implement and towards which you can take action every day. One of the ideas I discuss in my program, *The A-Z Of Music Licensing*, is something I call the "90-day Challenge". The idea is simple. You submit your music to one new company in the music licensing industry every day for 90 days. By submitting to that many places, chances are you're going to get at least some positive feedback, at least if your music is strong. This sort of feedback tends to motivate writers to keep going. If your music isn't ready to be placed and you don't get great feedback, that's valuable information too. Either way, you're going to learn about your music and what you need to do to move forward.

Record Sales Down - Music Licensing Sales Up!

I read about the music industry a lot. I work in the music industry, and I like to stay on top of where the music industry is headed. I think it's very important for musicians to really understand what's happening with respect to the music business in order to be successful working in the business. Makes sense, right? Knowledge is power as they say. I think there are some pretty big misconceptions about the music business currently. It seems that some people mistakenly assume that the music business is "in trouble".

The music business is changing, and it is true that record sales are declining, but the music business overall is actually seeing an increase in revenue when all revenue streams are taken into account. I just read an article a couple of days ago stating that music sales rose from 2011 to 2012, not CD sales, but the overall purchase of all music, including, of course, digital music and music licenses.

So the music industry as a whole is doing fine, and I'm confident that both music and musicians will be around for a long time. But the business is changing, and musicians and music industry executives are starting to focus on alternate sources of revenue in order to maintain profit and growth.

One of the most important revenue streams for musicians is revenue created by the licensing of their music for use in media broadcasts. This is more and more becoming the case. I've read many different studies and articles that suggest this. Here is a summary of a report on the future of the music industry from the blog "hear2.0", which focuses on where the music industry is headed. Note the emphasis on music licensing:

"The bottom line: - "Between now and 2011, the music industry will grow worldwide at an average annual rate of just over 2 percent. - "Sales of CDs, which currently account for 55% of the industry's total revenues, will continue to decline sharply, falling to 29% of the overall business by 2011. - "Will the exponentially booming digital segment compensate for the losses in physical sales? The answer is a qualified "no." But growth in other sectors will make up for the shortfall, resulting in modest net growth overall. That growth will come predominantly from online and mobile music, the live concert industry and the licensing of music for public performances, commercials, TV shows, films and video games. (underlining is mine)

"Note that reference to the licensing of music. That's at the heart of the streaming rate hike controversy currently on every Internet radio station's front burner. And that also explains why, I believe, the music industry will soon be knocking on traditional radio's door looking for a much bigger slice of the pie.

"When it's content you own, distribution is key. And distribution is acquired via licensing (unless, of course, you own the distribution, too). "The future of the music industry is, in part, to sell its wares to licensees who value that content more than the folks who steal it via P2P."

Massive Action Yields Massive Results.

Over the last several years I've worked with hundreds of songwriters helping them get their music placed in TV and films. I've learned a lot about what both seems to be working for songwriters as well as what holds some songwriters back. The most common thing that seems to hold most songwriters back who are struggling in getting their music placed, assuming they're writing and recording quality music, is simply failing to take enough consistent action while working towards their goals.

As I mentioned, one of the things I recommend songwriters who are interested in licensing their music do in my program, *The A-Z Of Music Licensing*, is to submit their music to at least one new place every day, for 90 days. It's a simple formula that will greatly increase the odds of getting your music into the right hands at the right time. It will also be an immensely educational process. You'll learn a great deal about the industry and how your music fits into the grand scheme of things. You may find that certain styles of music you write fare a better chance of being used than others and you can then apply the information you learn as you move forward.

Learn more about *The A To Z Of Music Licensing* here:

<http://www.howtolicenseyourmusic.com/the-a-to-z-of-music-licensing.php>

Take Action!

After helping people get involved in the music licensing business for several years now, I've discovered some very clear patterns both in terms of what allows people to succeed in this business and conversely what holds people back. Some of what I have to say may seem obvious, or at least it should seem obvious. But after working with dozens of people one on one, I marvel at how often I see the same things working against people.

The biggest thing that seems to be holding back most people I've worked with is simply failing to take action. This should be painfully obvious, but if you want to accomplish something like licensing your music, you have to take action. There are some very simple steps you need to take in order to get your music licensed. And you have to take them. It's not optional. I never cease to be amazed at how many people just seem so reluctant to get their feet wet when it comes to something new. I guess that's good news for the rest of us who are a little more daring!

The second biggest obstacle that seems to prevent people from getting what they want is the actual feedback they get when they do take action. If you're really lucky, you might sign the first song you submit to the first publisher you contact. But more than likely you're going to face a few obstacles. This is perfectly fine and it's perfectly normal. But it's how people react to these obstacles that really makes all the difference. The feedback that you receive when you start going for your goals and trying to get your music licensed is critical. If you actually take it in and consider it, especially if it's something you're hearing over and over, it will literally guide you to success. Don't take rejection personally, instead learn from it and move forward. This is the path to success I see over and over again in people I know who are

doing well in both the music licensing industry and in general.

I hear from people all the time who have used my materials and had their songs licensed, placed, published, etc. They've studied the material that I present, they've implemented what they've learned and they keep taking action until they accomplish their goals. It sounds simple, and it really is, but it does take a little time to unfold. But, of course, it's well worth the wait.

Success Breeds Success.

Let's face it. The music business can be a tough nut to crack. It can be discouraging at times. If you don't have really thick skin, it can be very easy to second guess yourself. I'm sure you've all heard stories about how bands like the Beatles were turned down by a gazillion record labels before they signed their first deal. Basically every artist who has succeeded in the music industry has a story that is a variation of this one. You are inevitably going to be facing lots of obstacles on your path to success.

Why is this and what can you do about it? Well, first let's look at the obvious. There are, simply put, a lot of musicians trying to "make it" in the music business. There are several million bands on Facebook alone. Of course many of those bands aren't very good, but I'm digressing. There is a lot of competition. But if you love making music and you're passionate about it, I don't think you should let that slow you down one bit. Music is personal. Although there are a lot of artists making music, no one is making the music that you make. And the more you cultivate your craft the more true this becomes. And much of the competition will simply quit and resign themselves to working in a cubicle for the rest of their lives. It's sad but true.

Okay. So you accept that there is a lot of competition and you're not going to let that stop you. Now what? Well, there are two actions that, if you keep doing them consistently, will take you as far as you can conceivably go, in time of course. Are you ready? The first thing you should do, on a regular basis, is to educate yourself about the music business. This should seem pretty obvious. If you want to succeed in the music business, you need to know how the music business works - how things happen. The

path to success in this industry has a lot of variables, but there are overlapping elements that exist in almost all success stories.

What are those elements? Well you should think about this and come up with your own list. But obviously exposure is a big one. If no one is exposed to your music, no one is going to know that you exist in the first place!

So start thinking about how you can generate more exposure. There are lots of ways. I focus on music licensing as an avenue to generate more exposure. This is a great path to pursue, because you can pursue licensing deals from anywhere, regardless of your age or image, and it also happens to pay well too! You need money to stay in the game. But there are certainly other avenues for generating exposure. I've shared several success stories of artists who marketed themselves creatively and generated a lot of press and CD sales as a result of their marketing strategies. Hopefully these stories have provided some inspiration. Be as creative with your marketing as you are with your music!

Next, you need to take the education and strategies that you've armed yourself with and implement what you've learned. Then - and this is key - celebrate every success you have along the way. Success breeds more success. At the risk of sounding all new-agey and woo woo I can't emphasize this enough. When you start having success, you will find ways to create more success, and when you shift your focus to your victories, as opposed to your obstacles, you'll feel much more empowered and create the momentum you need to keep going.

So if you want to start licensing your music, get started by taking action every day. Make a new contact, pick up the phone, work

on a new track, read my newsletter, network with other songwriters, submit your music to different places, etc. If you take consistent action every day, things will start to happen. It worked this way for me when I first started licensing my own music, and I'm currently going through the same process with my new music marketing company. If you build it they really will come. Well.... if you build it well...

The Power Of Building A Network

When I first started recording songs with the specific goal of licensing them for use in TV and film, I was broke. I was in my late twenties, and I definitely fit the stereotype of the struggling artist. I was making enough to get by, but I had very little extra money to spend on gear, recording equipment or studio time. My perceived lack of resources held me back for quite a while. But it was actually the person became my publisher, and a mentor of sorts, who helped me think about my situation differently. She encouraged me to develop relationships with other people who had what I lacked in order to help each other move forward.

For example, I met several people who were willing to help me record and produce my songs for free in exchange for a percentage of money I earned from the songs. This helped the producers earn extra money. One of them ended up getting his own publishing deal through the connection he ended up making with my publisher. Through our relationship and working together I got free studio time, he earned extra money, he got a deal with my publisher and my publisher found an extra songwriter to work with. Stephen Covey, the author of *The Seven Habits Of Highly Effective People*, describes this as a win-win relationship.

I've also worked out similar deals with background vocalists and lead vocalists who were willing to sing on my recordings in exchange for building their resumé and a very nominal back end percentage. There are many different ways to be resourceful to get things done. I've met many of the people I've worked with and have become friends with over the years by simply posting or responding to ads on Craigslist. If you live in or near any decent size city, you'll find that there is no shortage of people who are also looking to make connections and collaborate.

Persistence Pays.

If there's one piece of advice I would give first and foremost to anyone interested in licensing their music, it's that this is a business where it truly pays to be persistent. It's a cliché, and I'm sure you've heard it before, but it's a cliché for a reason. It's true! Of course you don't want to be persistent moving in the wrong direction, but assuming you're educated about the industry and you have the proper tools to get started, it's important that you keep moving forward with an attitude of both patience and persistence.

I was reminded of this fact twice recently. The first reminder came via a client who purchased my program on the licensing business close to a year ago and emailed me not long ago about a recent deal he was offered through one of the contacts he made using my directory. I'm always really excited to hear about this kind of success! It's truly a confirmation that with the right education and the proper execution this is a business that is open to all musicians. Congratulations to Jade for his success.

The second reminder came by way of my own new music marketing service, Renegade Music Marketing. I've been promoting the roster of artists I work with for several months now, and more and more seeds are starting to grow. I recently was contacted by a company I contacted close to three months ago that is interested in working with a number of the artists I represent. Both of these events are reminders of the need to be both patient and persistent. Three months is really no time at all in the music business. Companies in this business get busy, and it can take time to hear back from people working in this business. But if you plant enough seeds and you water them consistently, (i.e., follow up) you will start to see results!

Balancing Art And Commerce

When you start pursuing music as a profession, sooner or later you are confronted with reconciling the need to maintain a sense of artistic integrity with the need to pay your bills and make money. This can be tricky, because on one hand I think most musicians are drawn to writing songs and playing music because of the sense of inspiration and purity that comes with writing music. There's something very pure and genuine about tapping into that part of yourself where music comes from. It feels great, and I think most people who write songs want to share that feeling with as many people as possible.

But on the other hand, anyone who has been a part of the music business for more than like 60 seconds knows that this business is about much more than... well... music. For better or worse everyone involved in the business side of the music industry needs to make money in order to make the whole thing sustainable. This reality doesn't really make me cynical anymore (it used to), because I understand it for what it is. When you book a show at a club, the club owner needs to make money to stay in business. No matter how great your band or act is, if no one shows up, it's hard to stay in business. The same principle is true for every aspect of the music business.

The music licensing industry is certainly no exception to this rule. Your music needs to be "marketable" in order to be licensed. If you already write music that fits into this sometimes elusive category, great. But sometimes the rest of us have to be flexible and make short term compromises in order to achieve our long term goals. On my path I've made some compromises here and there with my music and my vision. I've written songs that sound like bands I didn't really like that were used on TV shows (soap

operas!) I didn't really, BUT... I don't have an ounce of regret, and I'm extremely grateful for the placements I've had - all of them! Why? Well, besides the obvious fact that it's helped me financially, I also think that any endeavor in life is a process. By writing music for money and having my songs aired on TV shows, it has not only kept me connected to the music industry but also to my love of songwriting. And, believe it or not, by exploring styles that I'm not normally drawn to, it has also really improved my overall songwriting chops and helped me to solidify and appreciate my own sound.

The other upside of successfully licensing your music is that it creates a very positive feedback loop. It feels great to know that your music is appreciated, and this inspires you to keep going! It sure has for me at least. I love writing music so much that I would probably keep doing it no matter what. But when you start generating income from your music, it really inspires you to keep going and honing your craft. It's a great impetus for moving forward and continually improving. And, of course, the more money you're making from your music the more time you'll have to write music and stay true to your overall vision!

I think it's important that we as musicians and songwriters not lose sight of what really inspired us to write music in the first place. We also have to eat though. :)

Are You Ready To License Your Music?

Whenever possible I like to break things down into simple manageable steps. This strategy is very effective when going after long term goals that at first glance can seem quite daunting. If you're new to licensing your music, it can seem a little overwhelming at first. But like any other goal, the act of licensing your music and making money through music licensing really consists of a few pretty simple steps. Here are the basic ones:

1) Write and record well written and well produced tracks. This is really the most important step! It all starts with the music. I've written previous posts about the production value needed for TV/film licensing, so I won't go into too much detail here. But basically it needs to be a clean, well produced version of your song. It doesn't have to sound like an ELO album, but it should be better than a Tascam 4-track cassette tape demo! Think somewhere in between these two extremes.

2) Get your music to the right people. If you think about it, this is actually pretty simple. You need to deliver your music to people who are in a position to license your music.

3) License your songs and make money. This is the final step. If you've written and recorded great tracks and you get them to the right people, eventually you're going to start licensing them and generating money with them. This part of the process is out of your hands. Your songs have to connect with the right opportunities. But trust me, if you're proactive and you have great songs, this will start to happen more and more! That's about it. It seems pretty simple and of course it is! But as you know the first step is the biggest one. What are you waiting for?

The Times They Are A Changin'

As Bob Dylan first sang several decades ago, "The times they are a changin'." With record labels dropping like flies and gas prices continuing to soar, making it increasingly difficult for indie bands to tour and promote themselves and earn a living playing music, musicians more than ever need to be adaptable and creative with respect to their careers. As I've stated before, the good news is that perhaps more than ever the power to either sink or swim actually lies in the hands of musicians themselves. The question is whether or not you as a musician are going to take advantage of the power you do have and make things happen for yourself.

At this point you probably realize that I think licensing your music is one of the most potentially lucrative ways you can take your career into your own hands and supplement your income as a musician. Since there are no barriers to entry in terms of age, image or geographic location, it really is the aspect of the music industry with the most level playing field. I know people who make anywhere from a few thousand dollars a year licensing their music to as much as six figures a year. And of course you can continue to tour, make CDs, etc. if that is a part of your overall game plan. Why not create as many revenue streams as possible with your music and expose your music to a bigger audience at the same time?

Chapter 4: Technical Terms

Synchronization License Explained

When a producer or music supervisor want to use a song in a television show, permission must be secured from the song's publisher. The songwriter of the song is by default the song's publisher unless the songwriter signs away his publishing rights to a third party. When a producer decides to use a particular song in a broadcast, the producer will then contact the publisher of the song, describe how the song will be used, request a specified period of time to use the song in the program (usually from three years to life of copyright), define the territory in which the program may be broadcast (usually the world but in some cases limited to only specified countries), negotiate a fee, and then sign what is known as a synchronization license. This is an agreement that is signed by the producer of the television show and the publisher of the song which outlines the above details. There is also a "licensing fee" that is paid to the songwriter and publisher. This is a one-time fee for the rights associated with the synchronization license.

Synchronization fees for major series vary, but typically range from \$1,500 to more than \$3,000 for a five-year worldwide free television license for the use of one song in a series and from \$6,000 to \$10,000 and up for life-of-copyright licenses and "all television" licenses.

Music Clearance Defined

One of the reasons there are lots of opportunities for independent musicians to get their music licensed is that it is easier to get legal permission from the writer/copyright holder of an independent song than it is to get the rights to use a "hit" song. This is something that in the music licensing industry is known as "music clearance".

What is music clearance? It's simply getting permission from whomever owns the rights to the song to use the song in a production. With more established songs and artists there is typically much more legal hoopla to jump through, and, of course, the song itself will be much more expensive to license as well. This is why many productions actually prefer to work with indie artists in this domain. It's less expensive, easier and more efficient to license music from unestablished artists. Ahhh....there is justice in the world after all!

Music Publishing Explained

If there's one question I get asked perhaps more than any other question, it's regarding what exactly a music publisher does. Technically, the moment you write a song you are the song's publisher, unless you assign the right to market your song to someone else. Think of the actual writing of the song as an art form, which of course it is, and the act of publishing and marketing the song as the business of turning your art into something that makes money.

As most songwriters have probably learned by now, there is no guarantee that simply writing a great song will generate money. The song needs to be properly exploited in order to bring the songwriter any income. Established publishers have established relationships with many different music supervisors, and they are able to successfully connect songwriters with music supervisors and get their songs placed in order to generate revenue for both the songwriter and themselves.

"Royalty Free" Music

There seems to be a lot of confusion surrounding the term "royalty free" music as it applies to the music licensing industry. Some believe that this means there is no cost at all associated with the music in question, which is not the case. Others believe that the music being licensed under this arrangement is "copyright free", which is also not true. Different libraries will offer different types of deals, and the agreements will vary to a certain degree. However, as a general rule of thumb, "royalty free" music simply means that the end user has purchased a "lifetime synchronization license" for a given song or group of songs. In other words, they have the right to synchronize your music with your audio and/or video productions an unlimited number of times without incurring any additional expense.

There are other types of production music licenses. These include "Needle Drop" licensing, where the user pays a fee each time they synchronize a piece of music, and "Blanket Licensing," where the user essentially leases a collection of music or CDs and is able to use the music for a specified set of uses during the duration of the lease - typically a one, two, or three year commitment. Each of these licenses is actually more like renting the music than buying. While the end users don't actually own the music with a buyout (royalty-free library), they do own a lifetime license to synchronize your music with their productions.

The other big misconception about royalty free music is that the creators of the music don't receive performance royalties. Television broadcasters pay annual royalties to the Performing Rights Societies for the right to broadcast music on their shows. When music is broadcast on television or cable TV, it is tracked by something called a cue sheet. This is precisely where the

term "royalty free" does not apply and can be easily misconstrued. Cue sheets determine where the royalties previously paid by the broadcaster get distributed. There are no costs associated with cue sheets, and most royalty-free music libraries require that cue sheets be properly filled out when the music is for broadcast use. A cue sheet is a paper trail that ensures that writers get paid what is due to them out of the money that has been previously paid by the television stations and broadcasting entities.

In conclusion, a "royalty free" license means that the end user does not continually pay a "synchronization royalty" each time they use a given piece of music and instead only pays a one-time fee up front. It does not mean that the writer will not receive the performance royalty, or broadcast royalty, due him or her when his music is aired. This royalty has already been paid in advance by the broadcaster and should be distributed appropriately through the filling out and submission of cue sheets.

Performing Rights Payments

Each year worldwide over four billion dollars are paid out in royalties to songwriters and publishers by performing rights organizations. Over one billion dollars are distributed annually from the three U.S. based performing rights organizations (PROs) - ASCAP, BMI and SESAC. These organizations negotiate license-fee agreements with the users of music, such as radio and TV stations, cable stations, concert halls, wired music services, airlines, websites, etc. These give the user the right to perform the music and lyrics of any member of these organizations. The money collected from this use is then distributed to the writers and publishers whose works are used in these licensed areas.

This performing right is one of the most important rights granted by a country's copyright laws. The rights granted to the composers and authors of musical compositions is based on the concept that a writer's work is a form of intellectual property and that a license must be acquired in order to use a song or composition publicly.

It's encouraging to know that there are laws in place that ensure that songwriters and composers get paid when their work is used. These laws have been passed to protect songwriters and allow us to make a living from our body of work. I think that all songwriters should pursue licensing opportunities as a means to create extra income from their music. There are many opportunities for independent music, from TV shows to films, to video games and commercials. Licensed music is everywhere!

Cue Sheets Explained

If your music is used in film or television, it's imperative that a cue sheet is submitted to whatever performing rights organization you belong to in order to get paid. This section explains everything you need to know about cue sheets and how they work.

Performing rights organizations collect licensing fees from networks, cable, PBS and local stations and distributes royalties to composers and publishers based on these performances. In order to determine what music has been used and who to compensate, "cue sheets" are used to track all performances. Cue sheets are then matched to broadcast schedules, and performances are processed so that members can receive royalties from the use of their music.

If your music is used in a film or television program, it is crucial that a cue sheet is filed with whatever PRO you belong to if you want to get paid for your work! Typically, the production company is responsible for doing this. If your music is placed in an established television show or in a feature film, you have nothing to worry about as this will happen automatically. However, there is a growing number of new independent production companies that may or may not be aware of the process of filing cue sheets with PROs. If you're placing your music in an indie production, make sure they are aware of cue sheets and how they work to make sure you receive royalties for your work. You want to get paid, right?!

Vocal Release Forms

If you're like me and your vocals leave a bit to be desired, you might consider using a different vocalist for your vocal tracks. Finding vocalists who are willing to work with you for some sort of future percentage should be easy to find - much easier than producers in my experience. Most young vocalists are looking for new experiences and opportunities to build their resume. Or, if you prefer, you can, of course, pay for the vocalist's performance up front in lieu of offering a percentage of earnings.

If you do end up using a different vocalist for your tracks, make sure that you have the vocalist sign what's called a vocalist release form. This is simply a form that states that the vocalist you're using has given you permission to use his/her performance and that you have full rights to the track. Many publishers require this paperwork in order to prevent any future lawsuits. So be sure that you have all your ducks in a row so you don't miss out on any opportunities!

Chapter 5: Essays On Music Licensing

How Licensing Your Music Can Advance Your Music Career

I recently read an article about a singer named Yael Naim. Yael has a song called "New Soul" that was featured in an Apple commercial for the MacBook Air. So many people liked Yael's song that she made the iTunes top-100 downloaded songs list! People saw the commercial, they heard the song and they went and researched who the artist was. This is a great example of how licensing your music can potentially do great things for your career. I think we're going to see more and more of these discoveries. People are simply discovering artists in much different ways than they used to.

Now, of course, getting your music placed in a background spot on a TV show is no guarantee that people are going to seek out and discover your music. The higher profile the placement the greater likelihood that it will lead to people actually finding you and buying your music. But every spot you secure will help you move your career forward, earn more money and gain exposure for your music.

How To License More of Your Songs

I'm so excited about the future of music licensing! The power independent musicians have to take their careers into their own hands and move forward and make things happen for themselves is truly amazing. I decided to write this book as a means to share knowledge about the music licensing industry that I've acquired during the last few years of working as a songwriter in the music licensing business. I've had so many exhilarating and rewarding moments over the last few years that it's truly a pleasure to share what I've learned and, hopefully, inspire some of you as well.

I want to share a few valuable insights I've gained during the last couple of years. These will help you maximize your success by learning from some of the experiences I've encountered while working in the music business.

First of all, I really think it's important that you don't hesitate when trying to get into the licensing business. I think a common tendency that many musicians have is to over analyze and over critique their own work. If you're making music that you're excited about, and you want to make a living from your music, then, like anything else, you should move forward and go for it.

If you're not excited about the music you're making, then you might want to reconsider why you're creating it. Your music is never going to be "perfect", so once you've reached a level of competency, my suggestion is to just go for it and get it out there. You'll learn as you go what works and what doesn't, based on the reaction you get. Making music is a lifelong process, and you will always be improving, but your career needs to have some sort of an entry point, and you need to decide that now is

that time! I started my licensing career with just one song that I mailed to my publisher, and I gradually built up my catalog from there.

Secondly, you need to also be prepared for opportunities that arise. Looking back, this is one of the biggest lessons I've learned about the industry. Once you start making connections and getting songs placed, more opportunities will come your way. But it's critical that you be ready for them if you're looking to make this a career. If someone is able to successfully license your music - a publisher, for example - then they are going to most likely want to continue to work with you. Why wouldn't they? Be prepared to work to meet the needs of who you're working with, and you will get more and more opportunities presented to you. One of the best ways to do this is to be able to create things on demand within a short amount of time.

When I first got involved in the music licensing business, I was eager to take whatever work I could get, and so I was pretty persistent in asking my publisher about what projects she was working on at the time. I would email her, per her request, once a week, and she would tell me what she was working on. After a couple of weeks without much going on, she called me and said she was in need of a rock song in the vein of The Strokes for an upcoming film called "Freaky Friday" starring Jamie Lee Curtis. I excitedly got to work, lined up some studio time with a few friends, and within about 48 hours had written, produced and delivered a complete song. To make a long story short, the song didn't end up in the movie, but my publisher was so impressed with my work that this led to many more opportunities since then that have worked out, most notably, a variety of daytime television spots over the last few years. So always be prepared to follow up on leads and take advantage of every opportunity that comes your way.

Identify Your Objectives.

When you're first getting started in the business of music licensing, it's important to identify what your objectives are. Do you just want the thrill of gathering around the television with friends and family to hear your music on national television? Are you attempting to make a part-time or even full-time income from your music through licensing? All of the above answers are perfectly fine, but depending on what your goals are, your approach and mindset will be a little different.

I personally believe, based on my own experience, that if you really want to license your music it's not that difficult. It does take time and effort, of course, but it's attainable for most musicians who are making quality music. On the other hand, if you want to earn a living through your licensing deals, it's a bit trickier. It's still attainable, but it requires a much more diligent approach and more long-term oriented thinking.

The publisher I work with has suggested that most writers who are earning six figure salaries through music licensing deals typically have dozens, and even hundreds of songs in their catalogs. This is a generalization, and there are exceptions, as some single song deals can generate substantial amounts of money. But in general, writers who consistently earn six figure salaries have a very large catalog of music that generates income passively.

So think about what it is you're trying to accomplish as you set out on the path to license your music. Even if you're already licensing your songs, it's important to assess where you're headed. It makes getting there much

Using Spreadsheets

Once you start submitting your music to companies working in the licensing industry, I suggest that you keep a spreadsheet of when and to whom you've submitted your music. Then, about three to four weeks later follow up with a phone call or email to make sure your music has been received and to see whether or not they've listened to your music and their reaction. Make notes of their suggestions for any actions you need to take in the future.

Don't just sit back and forget about your submissions, assuming that the ball is in their court. Now some companies actually do have a "don't call us; we'll call you" policy, and, of course, if that's the case, you should respect that. But that is not generally the case in my experience, and you should always err on the side of being over persistent.

Why follow up? Well, it communicates all the right things. It demonstrates that you're serious about your music career and that you're determined to make things happen. It also helps to simply remind the recipient of your music of who you are. In the fast-paced world that is the music industry this sometimes makes all the difference. I took the ball and followed up on the song that ended up being my first placement and signed a contract within a week! So don't be afraid to be persistent.

Does Your Music Suck?

Over the last year or so I've worked with dozens of songwriters one-on-one via my coaching services. During this time I've noticed some interesting patterns that hold writers back when it comes to successfully licensing their music. I'd like to address one of the biggest obstacles I see when it comes to writers not having the success they desire today. The problem is that writers simply don't take enough action in getting their music licensed. They try one service like Broadjam or Taxi, and they make a handful of submissions via these services throughout the year. And then they're surprised when nothing happens.

Well, I'm not surprised at all! You need to take steps toward your goal every single day. This is not a business to be approached casually or lackadaisically. Sorry. If that's what you're looking for, maybe you can get a job delivering pizzas or something. I know I might be coming across a little harsh here, but let's be realistic. A lot of people are out there making music and trying to get it heard. That's the bad news. The good news - and I apologize in advance for my tone - is that most of it really sucks! Believe me, I listen to music every day for a living now, and the vast majority of what I listen to is just plain bad. The other good news is that most musicians I know are really lazy. So, most of your so-called competition is making "sucky" music, and they're probably too lazy to take the steps to do anything with it anyway. By my very unscientific estimates, about 90% of your competition falls into these two categories.

The other 10%? Well, there's your competition. So, the question is: what can you do to set yourself apart and get your music out there? Well, there's a lot you can do, but I can really simplify it for you. Do two things, and do them every day, and your success

will be inevitable. It won't be a question of if but of when. Here are the two things:

1) Improve your music every day.

2) Take steps to promote your music every day.

If you do these two things every day, success will find you. I guarantee it.

Create A Substantial Revenue Stream By Licensing Your Songs.

When you start licensing your music, it's important that you build up a sizable catalog of songs in order to create a significant stream of revenue. Depending on what your financial goals are, music licensing can be either a fun, part-time hobby that you pursue and make a little money from on the side. Or, it can turn into a very substantial form of revenue in either tens of thousands or even hundreds of thousands of dollars per year.

The key to reaching the latter goal is to build up your catalog of songs as large as you can make it in order to plant as many seeds as possible. For example, I work with a publisher, and each year I add new songs to my catalog of music that my publisher represents. The old songs continue to get marketed and placed, and the new songs simply go into the pipeline and eventually end up generating revenue as well. It grows exponentially over time. In the beginning maybe you'll license only one or a handful of songs per year. But if you continue this process each year, eventually you'll create a major source of money from your music.

And, of course, one of the coolest things about the music licensing business is there really is no barrier of entry in terms of your age, image, etc. If you write well-produced, catchy and stylistically relevant songs, you're in! Or at least you can get in.

Music Licensing And The Future Of The Music Business

In case you haven't noticed, the music business is changing. CD sales have been declining for years now, and the whole industry has been scrambling to figure out what to do in order to successfully adapt to the way the music industry is changing. Seth Godin, one of the most knowledgeable authors on business and marketing, recently wrote a great blog about the music industry in which he really hit the nail on the head regarding the future of the music business. I'm paraphrasing, but he basically indicated that the music business as we know it is over. The record labels have had a great run, but the party is over, so to speak, at least in terms of traditional CD sales being the main source of revenue for artists and labels. Here's a quote from the article. "Hey, guys, I'm not in the music business and even I've been writing about this for years. I even started a record label five years ago to make the point. Industries don't die by surprise. It's not like you didn't know it was coming."

It's pretty obvious things are changing, and both labels and artists need to stay abreast of where current opportunities are and where the industry is headed in order to succeed. In the wake of the death of traditional record labels there are many opportunities for musicians to succeed. And now, perhaps more than ever before, the power really does lie with you, the musician. It's clear to me that the goal of getting a record deal really has become a false idol. There is a myriad of ways to make money and keep moving forward with your music career. So it really makes no sense to fail to pursue other avenues for both getting exposure and making money from your music. The great news is that you don't have to rely on other people or companies to move your career forward. If you have the drive and will, you can take steps every day that will improve your

career. And for me at least, I'm happy as long as I'm progressing a little bit every day. Conversely, I start to feel pretty crummy if I'm not moving towards my goals.

Here are the three main sources of revenue and exposure that all musicians can pursue, regardless of where they live or what stage of their career they're in.

- 1) Revenue from CD sales, digital downloads and merchandise,
- 2) Revenue from performing live,
- 3) Revenue from music licensing deals.

If you want to make a full-time living from your music, you need to be pursuing all three of these avenues and taking steps every day to grow each area of your career. The third category, music licensing, is a form of revenue that is growing and becoming a much bigger piece of the revenue pie for both artists and labels. There are many more opportunities, in terms of places to license music, than ever before. And it's a great industry, because there are absolutely no barriers to entry in terms of age, location, image, etc. If you write and record good music, you can find a place where it is needed.

Licensing Your Music And Gaining Momentum

If you've been writing and playing music as long as I have, then I'm sure you're aware that it can be tough at times to move forward. The music business can be daunting for a variety of reasons. For one, there isn't really a clear path to follow. Unlike other professions, where the steps you need to take are more clearly laid out, in the music business there seems to be a lot of uncertainty about what steps you need to take. It can seem like a lot of success that happens is a result of luck. If you want to be a doctor, you go to medical school; and at the end of the road, if you pass your exams, you will be a doctor. If you want to become successful writing and playing music, it works a little differently.

Although I think there is some luck involved in terms of musicians who become extraordinarily successful playing music, I think most of the success that happens for musicians is a result of talent and information. I can't help you with the talent aspect of your music. But if you're interested in learning how the music licensing business works and learning what the exact steps you need to take are, I can help you. My program, *The A-Z Of Music Licensing*, provides a very clear path on how to get started in the music licensing business and is based on my actual real world experiences of licensing my own music for the last six years.

Why Music Licensing?

Whatever your goals are as a musician, whether you want to become the next U2 or Bruce Springsteen, or if you want to simply be able to wake up every day and make a living playing music, it's important that you have success. Success, even small success, breeds more success. When I first heard my music on

national television, it was thrilling beyond words. I was literally jumping up and down I was so excited. And I can remember thinking that it was only a matter of time before I became as famous as Coldplay. I've always been just a little delusional at times! Although I've yet to become a household name, that single step forward gave me the confidence and inspiration to keep going, and over the years I've accumulated a variety of accomplishments that I'm very proud of. The success that I had came at just the right time. Without it, I sometimes wonder if I would have kept going forward.

Diversify Your Musical Portfolio

I get a lot of questions regarding how much money can be made from music licensing. There are many variables, so there really isn't a one-size-fits all answer. I know several musicians who make very good full-time, six-figure incomes from music licensing, and I know quite a few more who make substantial part-time incomes that they use to supplement their total income. The latter is the strategy that I have implemented in my career, and it has served me very well over the years.

As record labels continue to flounder and as the Internet continues to make it easier to reach new music fans, it has become apparent that musicians are in a new and unique position. Creating a viable and sustainable music career without the assistance of a behemoth record label has never been easier. Not that it's a piece of cake. But it's doable, and more and more musicians I know are taking matters into their own hands and creating their own fate. It's really inspiring to watch!

Licensing your music should be a part of your overall career strategy. I can't think of a reason any musician, regardless of what stage you're at, wouldn't want to take advantage of licensing their music in TV and films. If you're managing yourself and you're also concentrating on developing a performing career, then you'll need to manage your time accordingly. But I would suggest spending some time, maybe an hour or so a day, also pursuing licensing opportunities. Keep in mind that although, like anything else, you'll need to continue working on the licensing aspect of your career, it will be easier to maintain over time, as you become more established. Working with a publisher, if that's the route you go, is sort of like working with a manager in the context of the music licensing niche. So,

although it might take you some time to find someone to represent you when you are getting started, once you do you'll have someone that you'll be working in partnership with who will be helping you get your music into the right hands on an ongoing basis.

Shivers Up And Down My Spine

I spend a lot of time talking about the technical side of the music licensing business: how the business works, how deals are structured, how you get paid, who you need to contact, etc.

I hope you will follow my advice and take some of the steps I've been suggesting. I frequently get emails from people who are on my list or have bought one of my products who have successfully licensed their music or have successfully placed their music with a production library and are on their way to success. I love reading those emails, so please keep them coming!

I want to talk about the sheer thrill of succeeding and actually hearing your music on TV or in a film. For me, it's not really about the money at all. Making money from music is nice, no doubt about it. But to be honest, I can think of many easier ways to make money than from music licensing, or from the music business in general.

I've done a lot of interesting things in my life. I've jumped out of airplanes. I've traveled extensively. I've fallen in love more than once. I've performed for thousands of people. And I've heard my songs on national television multiple times. The first time I heard my music on TV still ranks up there as one of my proudest accomplishments. It's very exhilarating to hear your music being broadcast into millions of people's homes live, in real time. I get shivers up and down my spine just thinking about it.

If you have been attempting to license your music and you've yet to succeed, I encourage you to keep going. Many people give up in life right before they could have achieved success. The author Seth Godin describes this as the dip. It's the point when most

people give up. The last thing you want to do is to invest a ton of time and energy into something and then give up when success is right around the corner. It's a waste of time and energy. So don't let that happen to you. I know how frustrating this business can be at times, but every step forward and bit of accomplishment makes all the frustration worthwhile.

Writing Advertising Jingles

When an ad agency is hired to create a commercial for radio or television, one of its jobs is to decide what kind of music will be used in the commercial. The ad agency will determine whether or not its client wants and needs to use an existing song or whether a new song is needed for its client's campaign. This will depend on the client's budget as well as the nature of the advertising campaign.

If the ad agency doesn't have an in-house music department, it will then usually hire an existing jingle production company, which specializes in advertising music, to write a song and produce a demo for the advertising campaign the ad agency is working on. Jingle production companies usually have a staff of writers and engineers who are prepared to make custom music that is tailored to the needs of ad campaigns.

How you can get involved

As an independent writer, if you are interested in writing music for ad campaigns, you have two different methods of pursuing this type of work. You can either contact existing jingle production companies regarding your talents as a songwriter or you can alternatively contact ad agencies directly and offer your services. Ad agencies typically prefer to work with existing jingle production companies but do sometimes make exceptions and hire independent songwriters to work on ad campaigns.

Some writers with their own recording studios who are interested in this type of work choose to form their own jingle production companies. This typically involves starting by working with companies on a local and regional level and then expanding to bigger campaigns as the company grows.

Production companies typically command much larger fees for the music they create based on their experience and wide range of services they offer. For example, a 30-second commercial a production company creates can command anywhere from \$5,000 to well over \$50,000, depending on whether the commercial is to be aired locally, or is to be used as a part of a national campaign.

While licensing fees for songs used in television shows are in the range of five hundred to several thousand dollars, songs licensed for use in television commercials can generate very substantial sums of money. For example, Washington based band Trans Am was once offered \$180,000.00 for the use of their song "Total Information Awareness" to be used in a Hummer commercial! And these spots typically start at about \$50,000.00. Have you ever heard of Trans Am? Me neither, until I read about them in a recent article about the music licensing business.

"Lance Jensen, president of the advertising agency Modernista, is the creative mind behind the Hummer campaign, and has seen first hand what prime time, 30-second spots can do for unheard artists. Six years ago he used cult-folk hero Nick Drake's Pink Moon in a Volkswagen commercial, which triggered a Drake renaissance and probably led to what we now call yup-rock" (polite indie rock for the upwardly mobile).

"Jensen insisted that he and the rest of the marketing brains at Modernista have no strict M.O. when it comes to the music they pursue. 'We just pick music that we like as people,' said Jensen, a former DJ at Boston College's WZBC radio station. Being a music lover, there's so much interesting work out there, I wonder -- why not let people hear it? ... I guess I just want artists

to make money. I don't want them to be poor.'

"Jensen's Modernista has produced some of the most innovative car commercials ever. They avoid pitch men and focus on visual spectacle. And a big part of attracting eyeballs is giving people a sound that will turn their heads."

How To License Music Internationally

I get a lot of emails from foreign based writers wanting to know if they can license their music in the US and still get paid. The answer is yes, you absolutely can. Here's how it works:

The three main performing rights organizations in the U.S., ASCAP, BMI and SESAC, all have reciprocal relationships with performing rights organizations around the world. Practically all developed countries have their own PROs that track and distribute payments for the work of songwriters they represent. When a songwriter from another country has one of his songs used in a television show in the U.S., this information is relayed to whatever PRO that writer is a member of, and the writer's PRO will distribute money to the writer for that performance.

Conversely, writers who are based in the U.S. and have their works broadcast in foreign countries will receive payments for these performances as well. This is often the case for syndicated American-based shows that are broadcast around the world.

So whether you are a writer outside the US looking to license music here within the U.S., or you are a U.S.-based writer looking to explore foreign markets, there is a system in place to assure that you get paid.

How To Stay Motivated As A Songwriter

Let's face it. The music business can really suck sometimes! It's not nearly as glamorous as I thought it was when I was younger and dreamed of one day playing music in stadiums filled with adoring fans. The reality of pursuing a music career is that there are times when it's really, really hard. It can be a struggle to stay motivated when things don't seem to be going the way you want them to be.

One of the most common responses I get from people who leave my newsletter is that they appreciate the information and think it's great, but they've simply decided to quit music altogether. They're throwing in the towel! They're just giving up. In some ways I'm saddened when I hear this, but in other ways I think this is perfectly normal and makes it easier for those of us who want to keep going and keep getting our music out there.

You have to be in it to win it, as they say. But even if you're in it, and you know you're in it for good, it can be discouraging when you're not getting the instant gratification you're looking for. So how do you stay motivated along the way when you face the inevitable rejection and setbacks that come with pursuing a music career?

For starters, it helps to be as objective as possible about what you're trying to do. I once read that the typical songwriter who moves to Nashville to work as a songwriter spends about five years on average in Nashville before landing his or her first publishing contract. Some things just take time, and if you're aware of that fact, you can stay calm as you confidently move towards your goals.

Secondly, something that has helped me tremendously in staying motivated is setting smaller goals that will ultimately lead to my bigger goals. I realize this sounds like Self Help 101, but it's really true and can be easy to forget. If the only thing you're thinking about is wanting to be a rock star, you're going to be missing out on a lot of other opportunities along the way that will propel your career forward.

Licensing your music is one of those areas in which you can achieve success along the way as you pursue other music career related goals. Or it can be an entire career in and of itself. For me licensing my own music, primarily in TV shows, has given me a huge boost of confidence and inspired me to keep going. And, to be honest, somewhere along the way I've fallen out of love with the idea of being a rock star and have fallen in love with simply writing songs. Isn't that really what it's all about anyway?

The lead singer of Coldplay, Chris Martin, was once asked why he wrote songs, and I loved his reply. He said that his motivation is to one day write the "perfect" song, although he knows the "perfect" song doesn't exist. That sums up how I feel about writing songs perfectly. Every time I write a new song I want this one to be the "perfect" one, and although I doubt I'll ever get there, hopefully with enough practice I can get close!

Cultivating Relationships That Will Lead To Success

In this section I want to discuss a topic that I've touched on in my newsletters and dig a little deeper into the topic. The topic is how you can develop and cultivate professional relationships in the music business that will lead to more success. But before I begin discussing this topic in the context of the music licensing business and the music business in general, I want you to think about how important networking and friendships are in all areas of life. I've consistently read that 75 to 80 percent of all jobs are found through either friends, colleagues or recommendations.

This percentage definitely has been true in my experience. I've landed a few odd jobs over the years by just walking in off the street or answering an ad in the paper, but the vast majority of really good jobs I've landed have been through people I've already known. It's human nature. People are simply more comfortable working with or relating to people in whom they have a level of trust and comfort. They're more likely to take a chance on someone referred by a person with whom they have a certain amount of trust.

In the context of the music licensing business, it's crucial that you develop and form relationships with people working in the business. This may seem rather obvious, but it can't be overlooked if you're aspiring to license your music as a career. If you're making good music, it's fairly easy to get it placed in a couple of different libraries and then sit back and hope that something happens. Maybe it will and maybe it won't. But if you want to increase your chances of learning about new projects and getting work on a regular basis, you need to take a more active approach.

To understand why this is true, imagine yourself in the shoes of a busy music supervisor or music publisher. It's not uncommon for many publishers to receive hundreds of submissions on a weekly basis. There simply aren't enough hours in the day to listen to this much music. This is why some companies don't accept any submissions from artists that aren't referred by someone they know. Fortunately though, many companies in the licensing industry do accept unsolicited submissions, but you still need to rise above the barrage of submissions that are being received.

How? Well admittedly, in the beginning it requires walking a fine line between patience and persistence. You need to be persistently pursuing the art of making new connections while simultaneously being patient enough to avoid rubbing people the wrong way. Allow a few weeks to pass before contacting someone again, for example, if you don't get a response right away. But always follow up and be persistent enough to demonstrate that you're serious about your music and your career. And while you're waiting to hear back from one lead, start pursuing another! This kind of approach will go a very long way, and if you're approaching your life and career this way, success will come and will simply be a question of when and not if.

Why You Should Be Actively Licensing Your Music

As I assume we all know by now, the music industry is rapidly changing. Record sales have been steadily declining, thanks in large part to the Internet and the shifting tastes of consumers who are refusing to pay exorbitant prices for full length CDs and instead are opting to purchase songs one at a time, if they purchase them at all.

These changes have made it harder than ever before for artists to get signed to major recording deals. Recording and distributing music, at least the old school way, has become less and less profitable. I for one think there is a major silver lining in all of this, at least for the artists who are making music and seeking to make a living from it. Getting signed to a major recording contract and hoping to "make it" has always been somewhat analogous to winning the lottery. The odds are simply stacked completely against the artist. The game was designed so that a very few lucky artists would win, most wouldn't, and the recording labels that succeeded in pushing a few artists to the top would become extremely wealthy.

This music business game, the way it has been traditionally played, is becoming a harder and harder game to play for both artists and labels. Record sales, even for artists who have recording contracts, are becoming a smaller and smaller source of revenue for both artists and labels.

What does all this mean for you the artist? I'm a firm believer in being as self empowered as possible. I think musicians should always take their careers into their own hands and proactively design their careers to be as profitable as possible. Doing this successfully in large part is a result of simply having the

necessary knowledge to make good decisions in terms of where to focus your time and what avenues to pursue. None of us have crystal balls, and I certainly can't predict the future of the music business. But what I can say with certainty is that CD sales have been increasingly declining and that revenue earned from licensing music has been increasing. This is a trend that has been pointed out in numerous studies of the music industry.

Peter Rojas, founder of Engadget and co-founder of RCRD LBL, a free, online-only music label launched by Downtown Records, had this to say as to why the recording industry is collapsing. Note the emphasis on music licensing as one of the three pillars of revenue:

"The short answer is that the Internet happened. I never thought studying Adorno and Horkheimer in college would come in handy (much as I loved them), but they did a good job of identifying how the rise of mechanical reproduction went hand-in-hand with the birth of mass culture. Whether it was television, radio, newspapers, or records, huge media companies were able to take advantage of a curious sweet spot in history -- mechanical reproduction made it possible to churn out cheap, identical copies of a book, newspaper, record, etc., but creating and distributing those cheap, identical copies required the sort of capital to which very few individuals had access. In the case of music, a handful of major labels could more or less monopolize the creation and distribution of music."

"The Internet changed all that. We'd already been slowly shifting from analog to digital reproduction, but it was digital reproduction combined with a ridiculously cheap distribution channel (the Internet) that really mucked it up for the major labels. The emergence of Napster (the original one) was the

wake-up call, but the record industry would be in trouble now even if no one had invented peer-to-peer file sharing."

The fact of the matter is that the majors thrived in an era of inefficiency, when there was value in physically producing and distributing music. There isn't any value in that anymore - or at least it's very quickly declining - and there's no good way for labels to compete given that the cost structure of the business was designed around physical releases. Major labels need blockbusters, because the costs inherent with producing, distributing, and marketing each physical release means that it's easier to make money from one mega-hit that sells 10 million records than 100 small hits that each sell 100,000 records. In a digital world you could make money from those 100 small hits almost as easily as you could from that one mega-hit. (See Chris Anderson's theory of the Long Tail.)

If this was merely the extent of the problem, the record industry might be doing okay right now. The majors could have adjusted and reinvented themselves for the digital era. Instead, they took too long to start selling music online. And even when they did agree to start selling digital downloads, they screwed it up by insisting on digital rights management.

The lack of legal, paid-for downloads created a vacuum in the pre-iTunes era, one that numerous peer-to-peer file-sharing networks were happy to fill. A generation of kids got used to the idea that music was free, and given the infinite amount of freely - if illegally obtained - available music out there, it was hard to argue with the facts on the ground. Music seemed free, so it was free. It didn't help that the industry had been gouging consumers for years with high CD prices. Prices rose even as the cost of producing CDs plummeted. Digital downloads should have made

it possible to slash prices for recorded music, but the majors have done their best to keep prices at around a dollar a track - an artificially high-price point that makes piracy more attractive than it should be.

I don't pretend to know what the industry will look like in ten years, but the funny thing about all of this is that music itself is healthier than ever. The Internet, combined with low-cost (or even no-cost) digital tools, has led to an explosion of creativity, with millions of amateurs making music for every conceivable genre, sub-genre, and micro-genre, and then sharing their creations online.

Andrew Keen might look down on these results, and no doubt 99.9 percent of the music being created today is terrible; but that's beside the point. Even that one-tenth of one percent means that there is more great music being created than any of us will have time to listen to - and that's not even taking into account all of the "professional" music that still manages to get made.

Many professional artists are discovering that, regardless of how well their music sells, they're still able to make a healthy living from live appearances, merchandise, and licensing, and the Internet only makes it easier for them to build a fan base. It's the Britney Spearses of the world who are hit hardest by all of this change. Manufactured pop doesn't do quite so well when consumers have better options to choose from.

The majors thrived in an era of artificial scarcity when they were able to control the production and distribution of music. Today we have an infinite number of choices available to us, and when content is infinitely abundant, the only scarce commodities are

convenience, taste and trust. The music companies that are successfully shaping the Internet era are recognizing that the real value is in making it easier to buy music than to steal it, helping consumers find other people who share their music tastes, and serving as a trusted source for discovering new music.

Music Licensing And The New Music Business

I recently heard an interview with John Mellencamp (aka John Cougar) on NPR's Fresh Air podcast. Interesting interview. John talked at length about how the music industry has changed and how artists, even established artists like Mellencamp, have been forced to approach marketing their music in different ways. He discussed his song "This Is Our Country" and how this song became known through its being licensed in a Chevrolet Silverado commercial.

For many years artists have resisted the idea of licensing their music to large corporations for fear of "selling out" to the mainstream. But in recent years many artists have changed their views in light of the changing landscape of the recording industry. And is licensing a song to Chevrolet any more or less an act of selling out than signing to a major record label and all that contractually entails? In many ways I think it's actually a much purer transaction. You're selling your music for a specific use and you're paid accordingly. End of story.

The bottom line: Music licensing is important for musicians of all levels, both in terms of earning revenue and getting more exposure.

The Importance Of Success

If you've been writing and playing music as long as I have, then I'm sure you're aware that it can be tough at times to move forward. The music business can be daunting for a variety of reasons. For one, there isn't really a clear path to follow. Unlike other professions where the steps you need to take are more clearly laid out, in the music business there seems to be a lot of uncertainty about what steps you need to take, and it can seem like a lot of success that happens is a result of luck. If you want to be a doctor, you go to medical school and at the end of the road, if you pass your exams, you will be a doctor. If you want to become successful writing and playing music, it works a little differently.

Although I think there is some luck involved in terms of musicians who become extraordinarily successful playing music, I think most of the success that happens for musicians is a result of talent and information. I can't help you with the talent aspect of your music. But if you're interested in learning how the music licensing business works and learning what the exact steps you need to take are, I can help you. My program, *The A-Z Of Music Licensing*, provides a very clear path on how to get started in the music licensing business and is based on my actual real world experiences of licensing my own music for the last six years.

You Have To Be In It To Win It

A few years ago one of my friends and the former lead singer of my band URB, Joshua Jones, along with his girlfriend and duet partner Meghan Lindsey, won the country duo contest "Can You Duet" on CMT. Josh and Meghan together perform as the duet Steel Magnolia and as a result of their winning "Can You Duet" they are now signed to Big Machine Records, the same label that Taylor Swift is signed to. It's a pretty big deal, and their experience has reminded me of a couple principles that are critical to keep in mind when pursuing a career in the music industry.

#1 - You have to be in it to win it. - As I always say, you have to be in it to win it. I didn't coin the phrase, and I'm sure you've heard it before, but this phrase really rings true when thinking of Josh's experience. There are no guarantees in the music business, just like there aren't guarantees in most businesses, but if you do nothing then you're almost guaranteed that nothing will happen. Those who succeed in the music industry are playing shows, making CDs, entering contests, etc.

#2 - Luck is what happens when preparation and opportunity collide. - I first heard this phrase when I attended Berklee College of Music, and Josh and Meghan's story is a perfect example of this principle. There are a lot of things leading up to their winning "Can You Duet" that never could have been planned or predicted. They didn't plan to meet and become a couple three years ago, form a duet and then eventually go on a show called "Can You Duet" which didn't exist three years ago.

Their big break, as it were, was not planned. In fact they had to

be talked into even auditioning. But thanks to the many years that both of them have put into performing, practicing, writing songs, etc., they became one of the ten finalists, out of over 5,000 duos that auditioned, and went on to win the whole show. They were ready for the opportunity that presented itself and hit the proverbial ball way out of the park!

I have been drawn to the music licensing industry, because it's a little less crazy than the recording industry. But the same principles apply. Obviously those who succeed in the music licensing industry are working hard writing songs and pursuing licensing opportunities. Most likely deals aren't going to come find you. You have to be in it to win it!

And although, in my opinion, getting involved in the music licensing business is much easier than breaking into the recording industry, there is still an element of timing involved. Sometimes you have to wait for the right opportunity to line up with the right song. But in the meantime, if you're not honing your material and working on your craft, you're not going to be ready to seize the opportunities that will eventually come along.

Rise Above The Rest.

Getting your songs licensed is, oftentimes, the result of getting your song to the right person at the right time. Music publishers and libraries make it their job to find out about different projects that are happening and deliver the appropriate styles of music for the appropriate project. As I have often stated, aligning with the right publisher or library is easier, because much of the leg work that is involved in licensing your music will be done for you. But unfortunately, simply placing your songs with a library or publisher doesn't guarantee that your songs will be placed. Your songs will still be competing against many other songs in your publisher's catalog, as well as all the other songs that are submitted to the supervisor who ultimately will be deciding on what music to use.

What's the alternative? The alternative is to self publish your music and research what projects are in development and what type of music is needed. This is, of course, a more time consuming process, but that is the alternative. Either someone is going to connect you with the right people, or you are going to have to connect yourself.

How? If you want to go the route of self publishing your own music, then you'll need to get in touch with music supervisors and find out what they're working on and what kind of music they are in need of. This requires doing research, staying on top of projects in development and pitching your music at the right time.

Teamwork Is Key

Like the English poet John Donne once said, "No man is an island." When you're pursuing licensing opportunities, it's key that you partner up with other like-minded people. It's very hard to be successful in a vacuum. Actually it's impossible. All success is a result of people working together.

Next month I'll be interviewing a producer who is a good friend of mine. He has just recently had a lot of success licensing tracks produced with his new songwriting partner. My friend, Matt, is a great producer, and his songwriting partner, Kip, is a great writer. Together they've collaborated on several tracks which have found their way onto several different shows, including MTV's "America's Best Dance Crew". They've done this in just several months, and they've accomplished it by focusing on their strengths and building momentum with the success they've found.

It's really important that you know your strengths and your weaknesses and partner with people who compliment you. I've never been much of a producer, but over the years I've collaborated with several great producers/engineers who have helped me get the production quality of my tracks to the level they need to be in order to license them. What are your strengths? What are your weaknesses? If you haven't had the success that you'd like to have, think about what's holding you back. Once you get past the excuses, you'll usually find very concrete things you need to work on that will improve your chances of moving forward.

Do you need to make more connections?

Pick up the phone and start making connections! Do your songs need to be better produced? Find someone who can help you with your production! Do you need to work on your songwriting? Work on your songwriting. I'm not trying to be condescending...not at all. I know how frustrating it can be. But it's not empowering to make excuses and feel defeated. It gets you nowhere. It's much more empowering to determine what areas you need to work on and start working on them.

Success In Music And Your Mindset

I really think that to be successful in the music industry you need to have both talent and very thick skin. You need to be extremely determined, ambitious and motivated. I know I'm not telling you something you don't already know, but let's think about what this really means. Let's break it down, step by step.

The music industry is a business a lot of people are drawn to because, let's face it, writing and playing music is just freaking fun! And, of course, it also has a perception of being cool. If you're a guy, playing music can help you meet girls, and if you're a girl, I guess it can't hurt to meet guys. Music is awesome, and if you have a knack for it, why wouldn't you want to share it with others?

Because of this coolness and fun factor a lot of people pursue music, both as a hobby and as a profession. This creates a lot of competition on all levels. Everything from getting a good slot at a nightclub, or getting your song onto a TV show or film or landing a record deal, involves, in one way or another, you competing with somebody else.

Now I don't think competition in its modern day form is insidious or bad. For the most part, here in the western world, we are not beating each other with clubs to get what we want. Competition has a tendency to make us work harder, and if embraced in a healthy way, it can make us better musicians and better people. When we know something isn't easy, we tend to work harder for it and are forced to expand and grow.

It's when the inevitable rejections and setbacks we face get the best of us that the competitive nature of the music industry turns into an ugly and insidious thing. But if we cultivate the right mindset, we can take these events in stride and move forward unfazed.

How? A couple of years ago I ended what was nearly a six-year relationship with my girlfriend at the time. After about six months or so of being single and not dating very much at all, I asked a girl out who was drop dead gorgeous, and to my surprise, she said, "Yes." We went out, and I was a complete nervous wreck. I placed so much pressure on myself and on her to make this night a success that I came across as stilted and weird, and I never heard from her again.

I was disappointed for the next few days, but I immediately realized what had happened. I then decided to cast a much wider net, so to speak. I started meeting girls online, in clubs, on the street, in trains. When I really opened my eyes, there were opportunities to meet girls literally everywhere. Over the next few months I started actively dating many different women, and what happened was really amazing. I was meeting so many different women that I stopped looking at each date and interaction as such a big deal. This allowed me to be myself and just meet women, being very present and in the moment. I've now been happily involved with one woman for close to a year now.

Why am I telling you this story? I think this same sort of strategy can be applied to anything and works particularly well when applied to your music career. When you're pursuing one or two opportunities, it's easy to get discouraged when they don't work out. But if you're pursuing many different opportunities, not only are you exponentially increasing your odds that one of them will

come through for you, but you will relax when you realize that there are many different ways to achieve success with your music. If you don't get your music on one show, pursue another. If you don't get booked into Club X, pursue Club Z. This is the mindset you need. Don't worry about any one particular goal. Pursue them all with equal fervor and enthusiasm, and success will become a matter of when and not if.

How To Be Lucky In The Music Business

I have observed two basic paths that musicians who become "successful" in the music industry go down. Of course one can define success in different ways, but for the purpose of this article I'm simply referring to musicians who have been able to make sustainable careers out of writing and performing music in a variety of ways.

The first path is what I call "slow and steady". I know several musicians who have carved out very successful performing careers by very slowly and steadily building up their fan base over a number of years. For example, I'm from Chicago, and there is a local jam band "Umphreys McGee" who I used to go see six or seven years ago in really small venues that held just a few hundred people. Now, after years of consistent touring, they headline mid-size theaters all over the U.S. Their ascent has been very gradual but very consistent.

The second path is what I like to call "slow and then really, really fast". The other way I've observed musicians become successful in the music industry is by working hard for many years (usually!) and then having some sort of big break or "lucky" incident that propels them into a whole new stratosphere.

The moral of the story is that the only thing you can really control is you, the preparation side of the equation. Maybe you'll get your big "lucky break" and maybe you won't. But in the meantime, why don't you keep taking the steps you need to take to create a viable, sustainable career? Then, when luck comes knocking on your door, you'll be ready to answer.

Quick Tip: Submitting Music Digitally

Keep in mind that when you're submitting music to publishers and supervisors that they all have different policies and preferences for how you submit music. Some will prefer that you submit music digitally, and others will prefer that you mail hard copy CDs.

With respect to submitting your music digitally, some companies prefer different formats. Some are fine with low quality mp3s and others will only accept wav or aif files. It's a good idea to have several different versions of all your tracks available so that you are prepared to meet the different needs of people you're working with.

I did a submission recently to a supervisor who only accepts 320 kbps mp3s. This particular supervisor won't listen to anything other than this format. So be prepared and make sure you have a few different versions of all your tracks on hand, ready to go.

Getting Past The Gatekeepers

If you're using an industry directory to market your music to the TV and film markets, you'll notice that often there is no clear information listed on publishers and supervisor's websites for how to submit your music for consideration. This doesn't necessarily mean that they're not interested in hearing your music. In fact, in my experience probably around 75% of the time, if you call a publisher or music library and just ask politely, they'll tell you exactly how to go about submitting your music. Sometimes they simply have no need for new music, and if that's the case they'll tell you that too.

So don't be shy. Pick up the phone and start networking! One of my coaching clients just got their first placement after close to a year of pursuing various leads, publishers, etc. It can take time, but if you're persistent you will make the connections and develop the relationships you need to succeed. Really, you will.

For a comprehensive directory of music publishers, music libraries, music supervisors and more visit:

<http://www.howtolicenseyourmusic.com/2016-music-licensing-directory.php>

Music Licensing Vs Major Label Record Deals

Whatever your goals are with respect to your music career, licensing your music for use in TV and film will help propel your career forward. Whether you're looking to ultimately land a major label record deal and play stadiums, or if you're just interested in making a little extra money from your music, licensing your music will benefit your music career, whatever your long-term goals are.

Music licensing is a lot easier to get into than the recording industry for a variety of reasons. One of the main reasons is that there is a lot less at stake in the music licensing business than there is in the recording industry for the professionals working behind the scenes. When a major record label takes on a new artist there is typically a *lot* of money invested in the promotion of the artist. There is a lot at stake and there is a lot to potentially lose if the record label loses money on the artist. This means that A&R reps have to be extremely selective in signing artists - their jobs and paychecks are at stake.

In the music licensing business there isn't the same sort of pressure to get it right every single time. If a music publisher likes your music and they present it to a music supervisor for a project and the music supervisor doesn't like your song - they simply move on to the next song and artist. No harm done. This means that music publishers and even supervisors can take a lot more chances when it comes to working with new and unestablished artists. Of course you still have to make high quality music and present it to the right people, but this is a much easier industry to break into than the recording industry.

So if you haven't already started licensing your music - what are you waiting for? You have to be in it to win it as they say. Chances are no one is going to come knocking on your door, so why don't you start knocking on some doors instead!

Making Money With Your Music In "New Media"

When it comes to licensing music, people generally think of TV and films, but did you know you can actually license your music for use in other people's YouTube videos and get paid for it?

That's right. I have been licensing a number of my songs recently through one of the libraries I work with for use in YouTube videos. At first the checks I received for these placements were very small, but they have been gradually getting bigger and bigger. And now I am making several thousand dollars a year just from YouTube placements alone. Nice!

Would you like to license your own music in YouTube videos and make extra money from your music? I run a small licensing company that places music in a variety of "new media", including YouTube through a partnership with one of the companies I work with.

To submit your music for consideration visit:

<http://www.musicpitchers.com/submit-music.html>

Setting Goals

I am not a big fan of New Year's resolutions per se, but there is something about starting a new year that allows you to reflect on the year that has passed and look ahead with a new sense of clarity. I personally don't write out a list of resolutions, but I do write out a list of areas I want to focus on, which generally inspires some very specific actions I can take. There's something about writing your goals down that inspires both ideas and actions. I still have my list of goals for 2002 where I wrote down "license my music in television". I don't think just writing your goals down and thinking about them really hard will magically make them manifest. But it will start a process that if acted upon and followed through is very powerful.

In 2011 my focus was on improving my vocals and writing better lyrics, both areas I feel like I haven't worked on hard enough in the past. I took vocal lessons and spent a lot more time writing lyrics and re-writing them until I felt like each song had lyrics that could stand on their own.

In 2012 my main musical goal was to develop more of a web presence online that will result in both more exposure and more sales of my music. This was in addition to continuing to pursue licensing deals for both the exposure and revenue those bring. I have been consistently getting revenue from iTunes for music sales that I have been making as a result of a podcast that I formerly hosted for one of my side projects. So I plan to do more of this sort of web 2.0 type promoting to bring in extra revenue as exposure for my music. I will be writing about these endeavors in future newsletters and look forward to sharing what I learn with you.

What about you? What are your music-related goals for the the rest of this year? Now is as good a time as ever to reassess your goals and start making a plan towards realizing them. I recommend starting with a general focus and then getting more specific regarding steps you can take. So, for example, if your goal is to license more of your music, you could write that as a goal and then list the steps you need to take to get started, which might look something like this:

Goal: License my music

Steps: Have songs mastered
Copyright Songs
Buy Industry Directory
Submit to five new libraries a week
Record New Tracks, etc.....

Some of this may sound obvious, but putting your goals on paper will organize your thoughts and help you develop a clear plan for going forward.

So, resolve to make this year and every year a great year, and keep moving closer towards realizing your goals and dreams! That's my plan.

How To Stay Inspired

Do you sometimes find yourself low on inspiration? Do you struggle with periods where you just aren't "feeling it" with respect to music and your music career? I think it's normal to have periods where your level of inspiration and motivation waxes and wanes. But in my experience there are things you can do that will prolong periods of inspiration and also make them more frequent. I'd like to share a few of these ideas which have helped me with you.

1) **Write music consistently.** When I was younger I made the mistake of only writing music when I was feeling inspired. Now I tend to write music all the time. Sometimes I feel more excited about it than other times, but I've learned that by being consistent and continually working on the craft of songwriting I'm much more poised and prepared to harness inspiring ideas when they do come.

I've also discovered that by writing music continually I have moments of inspiration much more frequently. I sometimes even dream songs, or parts of songs and will occasionally wake up, run to my guitar and capture part of what I've dreamed. These moments are always preceded by long periods of songwriting that take place every day for a couple weeks or more. There is something about consistency in songwriting that trains the brain or subconscious part of the brain to think musically.

In the book, *Flow*, Mihaly Csikszentmihalyi (good luck pronouncing that name!) discusses this phenomenon. Mihaly documents periods of flow or being in the zone that many different artists have had and it's generally preceded by many, many hours of perfecting one's craft. Being disciplined lays the

foundation for having moments of inspiration.

2) **Build momentum and fans.** In my experience you need to generate interest in your music from other people at some point in order to stay inspired. It's great to write music that you enjoy, but I think music is meant to be shared. By building a fan base you create a positive feedback loop that inspires you to keep moving forward and cultivating your craft. And if you can build enough of a fan base that allows you to earn an income or even a part-time income, you'll be inspired even more to keep progressing.

What works for me is pursuing attainable goals and then continuing to raise the bar slightly higher. If you're constantly focused on just the idea of playing stadiums, it's going to be hard to stay focused on more attainable goals that you need to accomplish first anyway to get to your ultimate goal. I've been guilty of this sort of starry eyed dreaming myself, but I actually have more success when I am able to stay grounded and focused on moving ahead one step at a time. How far I'll ultimately get only time will tell, but I'm sure that by choosing to focus more on goals and tasks right in front of me, I've already come much further than I otherwise would have.

If music licensing is one of your goals, and I think it should be, focus first on producing a phenomenal batch of tunes, and then focus on getting them to the right people. Keep taking one step at a time, and you'll get to where you want to go. Focus too much on a faraway destination, and you're going to trip and fall. To reference another author, Eckhart Tolle describes this sort of thinking brilliantly in his book *The Power of Now*. By staying focused in the present moment and on the goals and tasks right in front of us, we're actually much more effective and will reach

our long term goals more quickly.

3) Take breaks every once in a while. Consistency is important, but every once in a while it's helpful to take a break and recharge. It's easy to get burned out as a musician. It's a hard and competitive industry, and it's easy to lose focus on why you wanted to create music in the first place. I've found that by sometimes taking a break for a few days or even a few weeks, I am able to reconnect with just why I am a musician. I've done this several times, and I always come back to music feeling more rejuvenated and inspired than ever before.

I recently started writing and playing guitar again after almost six weeks of not playing and writing, which is the longest I think I've gone without playing or writing in about twenty years. I've written seven songs in the last five days and I feel more inspired than I have in years! Sometimes, just as in relationships, giving yourself a little distance and perspective allows you to regain clarity and gives you a fresh perspective on music and why you create it.

How To Create Success

Do you sometimes feel a little lost as you're pursuing a career in music? Do you get confused as to what steps to take to move forward in your career? Do you wish there was some sort of a map or a formula that you could follow that would guarantee success?

The music industry is much different than more traditional career paths in that there really isn't a clear path to take that will guarantee success. It's not like becoming a doctor or a lawyer where you go to medical or law school, study hard, rack up debt in student loans and at the end become a doctor or lawyer. The music industry is much different in that you have to find your own path. What works for others that have come before you might not work for you. You have to find your own way.

However, just because there aren't guarantees, that doesn't mean there aren't things you can do that will greatly increase your chances of finding success. One way you can gain massive leverage is by simply taking action consistently every day. So, for example, in the context of music licensing it's rare to just pick up the phone, ask a supervisor what kind of music they need, send it to them and then... voila... your music is instantly licensed and a check is on the way.

It doesn't usually work that way unless you're really lucky. Here's a more likely scenario: You submit your music to several different places. You wait and don't hear anything right away. You submit your music to a couple more places. A few weeks later you learn that you've been accepted into one of the libraries that you submitted to originally. You get excited, so you submit to several more publishers, libraries, etc. One of the publishers to whom you submitted music likes your stuff, so you submit more tracks to this publisher. A couple of months later the publisher is working on a project. This publisher remembers your music and thinks you would be a great fit. Your music ends up being considered but passed on. A few weeks later the same publisher is working on a different project for which he thinks your music would be great. The publisher submits your music, and this time the supervisor agrees and your music gets used.

The point I'm making is that success in the music industry doesn't typically have a straight, direct path. You'll probably need to zigzag a little before you get to where you want to go. There are simply too many different elements at play for it to work any other way. You are competing against other songs, you're waiting for the right project to line up at the right time, etc...

So how, knowing this, can you expedite your success? By taking action. Think about it. Your action is the one element you can control. It's easy to see how taking more action will potentially lead to more positive results. It's also easy to see that there are many "unknowns" and factors that lie outside the realm of what you can control. So doesn't it make more sense to focus on the part of the equation that you do control? Therein lies your true power and leverage. Focus on the actions you are able to take, and forget about the rest.

Recently I heard the idea nicely summed up somewhere: you can either wait for opportunities or you can create them. So what are you waiting for?

Why Are You A Musician?

If you've been in the music business half as long as I have then you probably have a little bit of cynicism in you. It's hard not to be cynical when pursuing a career in the music business. Unless you're really lucky or you happen to know just the right people, chances are that you're going to have to pay some serious dues if you want to make it very far. If you're reading this, then chances are you're probably still paying your dues. As AC/DC put it, "It's a long way to the top if you want to rock and roll."

Sometimes it can be really frustrating working so hard for something, wanting it so badly, waiting patiently for things to progress and not getting to where you want to go as fast as you want to get there. It has been very frustrating for me at times. I sometimes wondered why I even chose the path of being a musician in the first place. As much as I am very proud about the things I've been able to accomplish, I have had moments of frustration where I feel like I am banging my head against a wall. It doesn't feel good to bang your head against a wall! It hurts. :)

But then I stop and consider my alternatives. I could go and get a "real job", not that there is really much security in that path these days! Or I could try and manufacture passion for something else that is more secure. Have you ever tried to manufacture passion? That doesn't really work either! Or I can pick myself up, dust myself off and continue living a life of integrity. This to me simply means being true to myself and my vision, the best I know how. That's hard sometimes, but it would be much harder for me to live somebody else's life or follow somebody else's vision. I've tried that at times and it feels.... well... fake.

The Benefits Of Establishing Your Own Publishing Company

Whether you're a lone songwriter seeking out your own licensing opportunities or you're working with a variety of artists in a managerial role, there are very clear benefits to forming your own publishing entity.

Typically publishers working in the licensing industry take 100% of the publisher's royalty and leave the remaining portion of the performance royalty, the "writer's royalty" for the songwriter. But this isn't always the case. I work with some companies that only take 50% of the publisher's royalty and leave the remaining 50% for either the writer or a co-publisher.

By forming your own publishing company you'll be in a position to take advantage of these types of situations. You'll also be positioned to license your music directly to supervisors and collect 100% of your publishing royalties in the event there is no other publishing company involved in the deal.

My Current Perspective On The Music Licensing Business

I want to share with you my perspective of the current state of the music licensing business, as I see it: the good, the bad and the ugly. I've been submitting and pitching music on an essentially daily basis for several years now to music libraries, music publishers and music supervisors. Some of this is my own music, but mostly it is music from the artists I represent at Renegade Music Marketing, the marketing company I run. I've learned a lot about the business as a result of running Renegade Music Marketing, and I'll share a few of the insights I've gained in the hopes that it will help you in your career.

Let's start with the good news first. Music licensing is a huge business. Both ASCAP and BMI reported record payouts to their members last year, and a big chunk of that revenue is generated from music licenses. Since we all know that CD sales have taken a big hit in recent years, it's encouraging to know that there is an aspect of the music industry that is very much alive and vital, at least in terms of money being exchanged. Businesses like TV and film production companies need music. Since they have a budget for music and it's illegal to just steal music, they pay for it. That's good news for people like you and me, since much of the music they buy comes from independent musicians.

Here's the bad news. Actually let's not call it bad news. Let's reframe it and call it "what you need to know". And since I'm telling you, it's actually good news. The music licensing business is competitive. There, I said it! I got an email recently from someone asking if the music licensing business had become "oversaturated". My response was that the music business has always been oversaturated, at least in terms of there being a surplus of people wanting to create music and get paid for it,

relative to consumer demand.

Music licensing is similar, in that there are a lot of musicians interested in licensing their music, and there are only so many opportunities. Don't misunderstand me, there are a lot of opportunities. But at any one time they are limited, and it's safe to say that there are more musicians trying to get their music licensed than there are opportunities.

So... that's the semi bad news. Now for some more good news. Music licensing is a big and potentially lucrative business. There is and will continue to be many licensing opportunities that come up on a daily basis, and they will be awarded to someone. The question is... will it be you?

How To Research The Needs Of Publishers And Supervisors

If you want to greatly increase your chances of licensing your music, make sure you are researching the needs of those you are submitting music to. Keep in mind that the projects that are going on at any given moment are constantly changing, and as a result the needs for specific styles and types of songs are also constantly changing.

I used to work as a sales representative for a major guitar manufacturer selling guitars to instrument dealers throughout the Midwest and east coast. It didn't take me long to realize that although everyone who was in the business of selling guitars needed guitars to sell, the types of guitars each individual dealer needed was very different, based on their current inventory, location, taste in guitars, what sold the most and other variables. The more aware I was of each dealer's needs the more successful I was in terms of matching specific types of guitars with dealers who wanted and needed them. This of course resulted in more sales, and since I was paid based on commission, it resulted in making more money.

The exact same principle applies in the music licensing industry. Although publishers, libraries and supervisors all need songs to work with, the types of songs they need are different. The more perceptive you can become of the needs of each company to which you are submitting music the greater your chances will be of successfully placing it. Think about building long term relationships with people in the industry as opposed to just throwing your music out randomly to a bunch of different places.

How do you go about finding out what people need? A great way is just to ask. What I typically do when contacting companies for

the first time is first to make an introduction and find out if they are currently accepting new music. If they are I follow up to find out specifically what kind of music they are in need of the most at that point in time. Some companies will offer this information up front, but I have found that more often than not that you need to dig a little to get a really clear picture of what they're in need of. Take the extra time to do this, and you'll go a long way in setting yourself apart from the masses!

How To Get People To Work On Spec

One of the most challenging aspects of entering into the music licensing business, for many people, is the challenge of how to pay for recording time. Unless you already have adequate recording gear, which even though more affordable than in the past, is still fairly expensive, you'll need to pay someone else to record your music. I've said time and time again that production quality is as important as the music itself, when it comes to getting your music licensed. If your music isn't well produced, it's not even going to be listened to, let alone licensed. So the question then, is how do you finance your recordings while you're pursuing licensing opportunities? Here are a few options.

1) You pay for either recording gear or recording time out of pocket. If you can afford this option, this is clearly the easiest. You just look at the expense of recording your music as a business expense that you then try to recoup through future licensing deals. This is obviously risky, because you don't know in advance whether or not your songs will actually be licensed. You might make a profit and you might not. You might spend a lot of money and never get it back. This option is the riskiest from a financial standpoint.

2) Use credit cards or borrow money. This is essentially the same as Option 1, although you end up borrowing money from either a credit card company, a bank or friends and family. If you're comfortable with risk, you have a very strong marketing plan in place and you feel relatively comfortable, you can make a profit or at least recoup your expenses, this isn't a bad route to go. I'm not a big fan of debt, but I'm much more comfortable using debt for business reasons than for personal consumption. It does take money to make money. Use this method wisely and

only if you're feeling really strong about your music and your ability to market it.

3) **Get producers to work on spec.** In my experience this is actually easier than it sounds. This method entails you finding outside producers with recording gear who are willing to record you for free or for a reduced rate, in exchange for a percentage of future earnings. This is easier to negotiate if you already have a bit of a track record, so you might want to consider using one of the above options to get the ball rolling. Once you start making contacts and/or getting a few licenses, then you can contact potential producers interested in spec deals. You can also get vocalists and musicians to work on spec, and in my experience this is even easier than getting producers to work on spec. Most musicians are eager to work and get their names out there and are very open and flexible to creative agreements for compensation.

I personally financed my first few really good recordings, was able to get one of those songs licensed and then started doing spec deals after that and have paid for very little studio time up front since then.

Ralph Waldo Emerson On Music Licensing

There's a quote by Ralph Waldo Emerson that I love, which is, "That which we persist in doing becomes easy to do; not that the nature of the thing has changed, but that our power to do has increased." Emerson really hit the nail on the head with that one. As I think about virtually everything that I've accomplished in my life that I'm really proud of, it's always something that I've accomplished by being persistent and refusing to quit. Whether it's learning to play guitar, licensing my music, building my businesses or having great relationships, it has all required persistence and determination despite the inevitable obstacles that I've faced along the way.

What about you? Think about the things that you're the most proud of. Did they come easy? Or did they require persistence and dedication? Unless you're really lucky, most successful endeavors require a lot of "stick to-it ness" and the ability to persist and keep moving forward even when the times get tough. Life has this way of testing us and throwing obstacles in our way.

Now sure, some things come easier to some than others. I think it's really important to know your strengths and weaknesses so that you can pick and choose endeavors you're best suited for. But everybody has to pay their dues. We all start at the beginning.

Succeeding in the music business, as I'm sure you know, requires a lot of persistence. It's known for being a really tough industry. But that doesn't mean you shouldn't try to succeed in it. It does mean that you need a really solid, well thought out game plan. That, of course, doesn't guarantee your success, but it will give you a huge edge. Think about Emerson's quote and how it

applies to getting your music licensed. "That which we persist in doing becomes easy to do; not that the nature of the thing has changed, but that our power to do has increased." By persisting in something, we increase our power. We're not changing the nature of what we're trying to accomplish, but through persistence we are growing in power. This totally rings true to me. One of the things I have long taught as it relates to music licensing is the need to regularly seek out music licensing opportunities. This is really half the battle. Once you have great songs and a great "product" so to speak, the next step is to connect with the right opportunities. Unless you're really lucky, this is where being really persistent comes in.

You shouldn't just occasionally pursue licensing opportunities any more than you should just occasionally try to cultivate relationships that are important to you, for example. We can rest when we're dead! Now is the time to for us to do the things that are really important to us. So, if making music and making money from your music is important to you, what are you waiting for?

How To Self Publish Your Music

When you license your music for use in TV, film, video games, etc., someone needs to administer the publishing. A question people often ask me is whether it's better to self publish or to assign your publishing rights to a separate publisher. You do give up your publishing rights when you assign them to an outside publisher, as well as half of all the royalties each song that is assigned to a separate publisher earns. This is what's known as the publishing share of performance royalties, and it's how publishers earn their money.

But the question remains, is it better to self publish or to work with an outside publisher? The answer really depends on how established you are as an artist and how many contacts in the business you already have. Chances are that if you're reading this book, you are an independent artist who is still trying to break into the business of music licensing. In this case working with an established publisher who already has industry contacts makes perfect sense. You give a portion of your royalties away in exchange for the relationships the publisher you are working with has. It's a perfectly fair trade off if you align with an established publisher.

However, if you are actively pursuing licensing opportunities, I would still recommend establishing your own publishing company through either ASCAP (who I belong to) or BMI. It's very easy to do, and anyone can register his/her own publishing company for a nominal fee. The fee through ASCAP is only \$50.00. Someone has to function as the publisher if and when your music is licensed in order to get paid a publisher's royalty.

More and more there are music libraries that will pitch your

music directly to supervisors without touching your publishing at all. So if you're lucky enough to have your music licensed through one of these companies, you'll want to make sure you have a publishing company in place.

How To License More Music

There are essentially two areas you need to work on in order to improve your chances of getting your music licensed. The more you understand these two areas, as they relate to the music licensing industry, the easier licensing your music will become.

The two areas you need to be aware of can broadly be defined as:

- 1) Your Music
- 2) Marketing

Your Music

"Your Music" includes everything from the way your songs are arranged, the lyrics of your songs, the production of your music and so on - essentially everything about your music. If you're just getting started in the music licensing business, you probably aren't writing music for very specific projects. So it's impossible to anticipate exactly how and where your music will be used. However, by understanding some generalities about how and why music is licensed, you can greatly increase the chances of the music you write being licensed.

Why Music Is Licensed

Music that is licensed from independent artists is generally used in lieu of more well known songs that would be more expensive to license. This is really the reason licensing is such a great opportunity for unknown artists. Since licensing well known songs can be quite expensive, many music supervisors turn to indie music as a cost effective alternative to licensing well known songs.

What this means is that often supervisors will have a well known song or artist in mind for a scene but then look for music that has a similar "vibe" to replace it. I'm not suggesting that you go out and try to write music that intentionally sounds like somebody else, but be aware of who and what you sound like so that you can accurately represent yourself. A lot of musicians seem to have a really hard time defining what kind of music they make. Make sure you can accurately describe your music, what genre you fit into, who you sound like, who your influences are, etc. I often get pitched music for projects from artists who think they sound like somebody they don't sound anything like. Ask your friends who your music reminds them of, if you have a hard time being objective on your own.

Licensing Public Domain Works

Public domain works are compositions or songs that are not under copyright or whose copyright term has expired. While a song may have fallen into the public domain, a different arrangement of that composition or song that possesses sufficient originality, may in fact be considered a new work and would then be protected by copyright law.

If you decide to record or license your own version of a public domain work, you wouldn't need to secure a mechanical license or pay royalties, unless you were using a copyrighted arrangement of that song. Holiday music is often an area where many questions arise. Many classic Christmas songs that are presumed to be in the public domain are actually copyrighted, so make sure to double check your sources before just assuming that a track is in the public domain.

A good starting point is the website PD Info (www.pdinfo.com) if the liner notes and copyright information are not available. You can also search The ASCAP repertory (www.ascap.com/ace). This repertory lists valuable contact details that will help you determine whether a work is protected by copyright or not.

What Kind Of Music Is Best To Submit To Publishers And Libraries?

What kind of music get licensed? In short, all kinds. Virtually every conceivable style of music gets licensed, and regardless of what kind of music you create, there are probably opportunities to license your music in TV shows, films and other media right now. But with that said, there are some styles of music that get licensed much more than others, and different places have different needs for different styles of music that change on an ongoing basis.

A question I'm often asked is what the best kind of music to submit to libraries and publishers is when first making contact with them. There's no one-size-fits-all answer to this question. It depends on both the kind of music you make and the kind of music needed by the places to which you're submitting music. If you're an artist and you write original music that is all essentially in one style, then unless you're submitting for a specific project, simply start by submitting three or four of your favorite and best produced tracks. If whoever you're submitting your music to likes the initial tracks you send him, then almost invariably they'll request that you send more.

If you write in a variety of styles and you're not submitting your music for a specific project, then send three or four tracks in three or four different styles, and when you submit your music, include an email or cover letter indicating that you write in a variety of styles and have more music if they're interested. If the tracks you submitted aren't needed specifically for anything, but the recipient of your music likes the overall quality and sound of your tracks and gets the impression you have additional music in styles they need, they'll most likely invite you to follow up and

submit additional music at that point.

The goal is to try and put your best foot forward to the best of your ability and also to be as relevant as possible musically to the places to which you are submitting your tracks. If your music is strong and is something the library or publisher you're submitting to has a need for, you'll be invited to move forward by first submitting additional tracks and then most likely signing some or all of your songs.

When you're at the point of sending additional tracks, I suggest inquiring as to whether or not there are specific projects they need music for and, if so, what styles of music they're looking for. That way it's clear you don't want to just be a passive artist in their catalog, but that you want to be an active participant in your own career.

The Pros And Cons Of Non Exclusive Deals

A question I get asked a lot is whether or not musicians should sign exclusively with publishers interested in pitching their material. Conversely, I'm also asked whether or not there is any sort of downside to signing with non exclusive publishers, libraries and the like. Should you as a musician just simply pursue as many "non exclusive" companies as possible and sign your songs to as many of these companies as possible? Planting more seeds is better than few right? Well, maybe or maybe not. There are a few factors to consider...

The Upside:

First, let's start with the positive aspects of signing with someone non exclusively. The obvious upside is that when you sign non exclusively with someone, you're still free to pursue other leads. You're not "locked in". If another opportunity comes along for one of your songs and you haven't signed that song exclusively to someone, you're still free to use your songs for whatever projects you see fit. This is clearly a good position to be in. There's nothing more frustrating than knowing one of your songs would be a perfect fit for another project but not being able to act on it because you've already committed to working with someone else exclusively.

Secondly, there is something to the idea of the more seeds being planted the better. By working with multiple companies, you'll - at least in theory - have your music presented to a wider array of opportunities. Since music licensing is a bit of a numbers game, this is usually a good thing, at least in terms of exposing yourself to more potential opportunities.

The Downside:

The downside to non-exclusive publishing/library deals isn't immediately apparent. But there is a downside, and it's an issue that more and more is important to consider as you go out and pursue licensing opportunities. The problem with non exclusive deals is that it has created an environment where there are now many companies with access to essentially the same music supply. Why is this a problem? For a few reasons.

1) The fact that so many places have similar or at least overlapping catalogs of music has greatly diminished the leverage that these companies have in the marketplace. If a music supervisor can get the same track from a dozen different libraries, why do business with one versus another? If you can't compete on quality then the only thing left to compete on is price. As any good student of economics will know, when supply is greater than demand, the price goes down.

This is exactly what's happened when it comes to licensing fees. Many shows that used to pay a thousand dollars or more several years ago now pay as little as several hundred dollars or in some cases don't pay anything at all up front! They don't have to, because there are so many songs and companies chasing the same opportunity. It could be argued that shrinking music budgets have caused the amount of licensing fees to decrease, but I don't buy that. I think this is a simple case of supply and demand.

2) The only way to do a "non exclusive" deal is to retitle the original track and re-register it with your PRO and attach a different publisher to the new, retitled version. There is a little controversy about this practice, and I've read many mixed

opinions about companies that do this. To the best of my knowledge there is nothing illegal per se about doing this, and in fact it's quite common.

The problem arrives when there are multiple publishers pitching the same song to the same project with multiple titles. It creates confusion and wastes time and again diminishes the value of the music being pitched.

In Conclusion There are no one-size-fits-all answers to this issue. I don't think it's prudent to simply avoid non-exclusive companies; nor do I think it's wise to sign only exclusive deals. I always tell clients that they're better off having two or three companies on their side that are actively pitching their music, working with them and helping them move their careers forward than to sign with dozens of places non-exclusively that may or may not pitch their music. Focus on building strategic relationships with the right people. How? Feel people out, find out what projects they've worked on and where they plan on pitching your music. Get to know the people that are a part of your team. Focus more on finding the right people to help you license your music, and don't worry as much about whether they are exclusive or non exclusive.

Licensing Quick Tip: Properly Encoding Your Tracks

Something I hear frequently from supervisors to whom I submit music is that they want music that is properly encoded for play in iTunes. Many supervisors and publishers use iTunes as a way to organize tracks by song title, album name, genre and artist name for quick and easy access to find the type of music they're looking for. I hear this so often that I thought I'd share with you how to properly encode your music. I suggest that you encode all of your tracks before you pitch them to anyone in the industry. Some supervisors will tell you to do this before you submit to them, but many won't and will just assume that you are aware of this requirement. This is sort of like the digital age equivalent of providing contact information when submitting hard copies of your music.

Here's how to encode your songs properly for play in iTunes:

- 1) Open your track in iTunes.
- 2) Right click on your track and go to "get info".
- 3) Go to the "info" page and fill out all relevant information. Make sure to include, at minimum, the track name, artist name, album name and genre of the song.

That's it! This is very easy to do. You'll make the jobs of supervisors and publishers much easier, and they'll love you for it! It will also be much easier for them to find your music and use it.

Licensing Cover Songs In TV Shows And Films

Although licensing cover songs is a little more complex than licensing original songs, there are plenty of examples of high profile placements of indie artists covering more well known songs in TV, films and ads. Here are a few:

- During the final season of The O.C., Music Supervisor, Alexis Patsavas, asked several groups to record cover songs, including Nada Surf, Matt Pond P.A., and The Youth Group.
- Weeds used cover versions of "Little Boxes" in seasons 2 and 3 for the opening credits.
- 50 First Dates featured several reggae and ska renditions of 80's cover songs.
- I Am Sam and Across the Universe both put a new spin on The Beatles' repertoire.
- Michael Andrews and Gary Jules' "Mad World" (originally by Tears for Fears) in Donnie Darko.
- Scala's "Creep" (originally by Radiohead) in The Social Network trailer.
- "I Melt With You" (originally by Modern English) has seen the original and covers alike used in ads for Hershey, Burger King, Ritz, M&Ms, and Taco Bell.
- Indie sensations Pomplamoose's covers have been used in Toyota and Hyundai commercials.

Usually the rights to use cover songs are cleared by the production team or agency licensing the song, so this isn't something you as an artist needs to deal with. With that said, a lot of publishers and libraries aren't interested in taking on cover songs since you as the writer don't own the copyright. It's better in this case to go straight to the source and find supervisors who are specifically looking for covers of specific songs. If your song gets picked up, they'll deal with clearing the rights to use your version of the song.

How do you find out about opportunities for licensing cover songs? Well as I've said many times before, it's all about networking, making connections and keeping yourself in the loop. A few supervisors have websites where they list specifically what they are seeking, but most don't. So in most cases, you'll have to make contact, introduce yourself and find out what they're looking for.

How To Increase Your Music Placements By 50 Percent

I want to share a tip with you that will easily increase your placements by as much as 50 percent over time. The tip is to always follow up with people you've submitted your music to. Always! I can't tell you how many times in this business I've sent music to someone and didn't get a response back until I first followed up. It happens all the time. It even happens with people I have established relationships with. My first licensing deal probably wouldn't have happened had I not followed up, and to this day I make sure that I always follow up with people I'm working with.

Don't assume that because you've submitted your music to someone, the ball is in their court. In this business, the ball is always in your court. Consider it your responsibility to remind the person you've submitted your music to to listen to your music. Most people will actually thank you for this! Don't take it personally if you don't get a response right away. Trust me when I say that it's just the nature of the licensing business.

Here's an actual email correspondence between me and a supervisor I work with to give you an idea of a real life situation. In this example, the music supervisor actually is following up with me, but this serves as a great example of how busy people get in this business:

Music Supervisor: Aaron, this link expired and I never got to hear him I don't think...or did we discuss?so sorry; when it gets busy here things sometimes slip

Me: No worries. I am resending it right now, along with one other band I work with. The latter is an indie rock band that reminds

me a little of “Death Cab For Cutie”.

Music Supervisor: Sounds great! Just stay after me, okay? I get so busy at times that I can't keep up! Thanks Aaron

Me: Okay, works for me. I'll follow up next week if I don't hear from you.

This is a pretty typical example of how things happen in my experience. The bottom line is, if you don't hear back from someone in a reasonable time frame, be sure to follow up and get to the bottom of things. Don't assume that no response means no interest.

Momentum

In order to be successful in any endeavor, you need to be either really lucky, or you need to build momentum as you move towards your goals. Just like it's easier to get to 80 mph when you're already going 50, it's easier to achieve success when you've already achieved success. As I've always said, success breeds success.

Before I address how this concept of building momentum applies to licensing your music, I'm going to give you some examples of how building momentum has helped me achieve success in several areas of my life. See if you can relate to these examples:

Back when I was single and interested in meeting women, I discovered a strange and at first perplexing pattern. Whenever I had someone in my life, relationship wise, it always seemed to be much easier to meet other women. It was as if women could somehow intuitively sense that I had already been "preselected" and wasn't desperate to meet them and that made meeting them much, much easier. Conversely, there were times when I had no one in my life and it seemed at times impossible to meet anyone new. I'm sure most of you can relate to this in one way or another. It's simply much easier to meet new partners, when you aren't desperate to meet new partners, when you've already had or are having a little "success".

I've noticed this same principle at work when it comes to money. During most of my twenties I struggled with debt and could never seem to get ahead. It took me several years, but once I finally figured out how to "make" a little money, things gradually starting becoming much easier.

It's the same principle at work. Once you've had a little success when it comes to earning money, you start building the confidence you need to keep earning more. It's also a lot easier to think clearly about money and make good decisions, when you're not desperate to make more. The more success you have, the more you're able to simply relax, enjoy life and make decisions from a powerful and empowered place as opposed to coming from a scared and desperate place.

And finally there's licensing music. In my own case, it became much easier to license my music once I had actually licensed my music. I've noticed this same principle at work with many of the musicians I've worked with. I think this is true for a couple of reasons, primarily. One is that generally you're much more motivated to keep going and do what's necessary to achieve more success once you've had some success. You're more motivated and inspired, because you know what's possible. You've experienced it. You've done it.

The other reason is more tangible, and that's simply that it's easier to get people's attention in the business once you start experiencing success in the business. Many supervisors prefer working with artists who are already somewhat established both in terms of their performing and licensing career.

So the question is, how? How do you attain success in the music licensing business if you haven't already attained success? It seems like a sort of catch 22. Well, there is a way and in my next video segment I send out next week I'm going to go into more detail about how you can build the momentum you need to be successful in the licensing business. But I'll sum up what's required in just one word: action.

Licensing Songs In Films

Songs used in films, especially major motion pictures, typically generate much more substantial licensing fees than songs used in television. There are a lot of variables involved in determining how much a publisher or writer charges for the use of a song in a film. These variables include:

- How the song is used, ie background use, instrumental, vocal, etc.
- The status of the song being licensed (well known songs command higher license fees)
- The nature of the film: major motion picture, indie film, etc. The bigger the budget, the greater the license fee will be.
- The duration of the placement,
- The terms of the license,
- Whether or not the song is included on the film's soundtrack.

Sync fees for songs used in major motion pictures are typically in the range of \$15,000 to \$60,000. This figure can be lower if the film is a low budget film, or it can be higher if the song is used multiple times in the film or if it's considered a theme song. There are no hard and fast rules when it comes to arriving at a figure for a sync fee, and in fact the same song can be licensed for varying amounts for different film projects. Basically, the bigger the budget of the film and the more prominently the song is used, the larger the sync fee will be.

Another factor is whether or not the song is used in the trailer made to promote the film. These placements generate even greater fees, since the trailer is played repeatedly leading up to the release of the film.

How to Pitch Your Music to Film Projects

Just like when pitching your music to television projects, there are basically two paths. Either you submit your music directly to the supervisor or the project or you submit through someone who has an existing working relationship with the supervisor of the project: a publisher, library or licensing agent.

I suggest the latter approach if you're new to licensing and don't already have a lot of connections in the business. It's much easier to get your music heard this way. Look for publishers or agents with a track record of placing music in films. There is a wide variety of publishers, and some are much more established and credible than others. The more success they've had in the past the greater the likelihood that they'll be able to successfully place your tracks.

Is Your Music Great?

Earlier in this section I talked about the things that hold musicians back from success in the music licensing business: bad music and lack of promotion.

On the flip side, writing great music and promoting it regularly is a powerful combination that all but guarantees success.

As an example, I work with a small group of artists whom I help promote to the TV and film markets. I recently started working with a new band, who are by all accounts truly spectacular. I think they're great, and everyone I work with seems to agree. I've had probably six requests from both publishers and supervisors wanting to work with and license their tracks in the last two weeks. This is more than anyone else I work with.

And it's really simple. They're f\$%\$king phenomenal, and as a result doors are opening left and right. They also recently signed a record deal. Big things are happening.

Even though "great" music is subjective and certainly open for debate, there are bands and artists I work with where there seems to be a definite consensus in the industry as to their greatness. There is a collective agreement on what makes something great. Different people in different places that draw the same conclusion, over and over again. Great music rises to the top.... if it's heard.

So if you're not achieving the success you'd like in the industry I can virtually guarantee that the reason has to do with either the music itself you're making, or your promotional efforts.

One of my readers commented on my last article that she didn't want to be a "telemarketer" for her music and would prefer to spend her time writing music. Fair enough. But someone needs to be promoting your music, if not you then a manager or agent, etc.

Great music can only be acknowledged as being great if it's heard.

In the context of the music licensing business, publishers essentially function as agents for music licensing opportunities. If you don't have a lot of extra time to devote to pursuing licensing opportunities, then it makes sense to find a good publisher (or several) who will pitch your music for you.

**Chapter 6:
Interviews with Music
Licensing Professionals**

An Interview With Music Supervisor Jeremy Von Hollen

I recently interviewed music supervisor and coordinator Jeremy Von Hollen from the Canadian-based Instinct Entertainment. Jeremy is the assistant music supervisor for the television show "DeGrassi" and also works on a variety of other projects. Check out the interview below:

Aaron: Hi Jeremy. Can you tell me a little bit about yourself and your role at Instinct Entertainment?

Jeremy: I've been working with Instinct for three years now, with a general "all-purpose" role. With only two people in the company, that means I've been helping with everything, from company administration to researching and administering music, to licensing and placing the music to picture. In my time with Instinct, I've also worked in music editing, web design, social media, art design and the dozen other facets that face music supervisors.

My roles vary per project. Sometimes I am involved strictly in the administration and other times I act as Music Coordinator and/or Assistant Music Supervisor, all the while working the other tasks essential to any business, from answering phone calls to ensuring there is enough stationary around the office.

I am the Assistant Music Supervisor on Degrassi, now in it's 11th season, meaning I hunt for music and place it to picture, secure licenses, work with budgets and with all manner of artists, managers, labels, publishers and brokers, as well as the editors, producers, composers and mixers on the show.

Aaron: What kind of music does Instinct primarily place and

where? Are there certain styles of music you tend to place more than others?

Jeremy: We place literally all kinds of music. I've been approached by a professional whistler, too, but haven't had a chance to place that yet.

The cool thing about my job is we get to work on a variety of projects, from a hip-hop film to a documentary about Winston Churchill, and the genres of music vary just as much. We've placed everything from reggae and dance-hall to old blues tracks and everything in between. As a result, our tastes are always expanding, and there's no such thing as "I listen to everything except..."

Of course, pop and alt rock is placed a lot these days, to satisfy the North American market for the genres. They dominate the charts and are popular amongst the general population, but if we can deliver a soulful jazz piece or a classic rock track amongst them, so much the better.

Aaron: What advice do you have to musicians interested in licensing their music beyond the obvious tips like "write great music" and "produce great music"? Any specific tips based on your experience that musicians who want to license more of their music should know about?

Jeremy: Well, "produce great music" is actually a really good start. A song cannot be placed for broadcast if its quality is too poor. Then again, it's a double-edged sword, as an over-produced song can easily be too "busy" to be placed against picture, especially if there is dialogue (which there often is). Memorable hooks and solid melodies are always a good idea.

A good balance of lyrics, production, vocals, musicianship and instrumentation is key, not too much, but not too little either. The trick is to really be comfortable with what you put out there, as an artist.

That being said, you shouldn't write music specifically for TV unless you've been hired to do so. I cannot stress enough that the best songs, the best placements, come from truly genuine moments in an artist's life, where he or she felt something that they translated into a song. The TV drama is only enhanced when coupled with real-life drama, real-life stories and real-life emotions.

Aaron: How much can musicians make from licensing their music? Obviously there are a lot of variables, but can you give us an idea of possibilities in terms of how much musicians can potentially make?

Jeremy: As cool as a paycheck from a production is, in 90% of cases, the money isn't as glorious as generally led to believe. That's not to say the money isn't appreciated. Most artists revel in the fact that they are receiving a check, as they would have made the music anyhow, and it's basically "found" money.

There are many variables, from the music budget to the usage of the song. Generally a "background" song will garner less of a fee than a "feature" song. It can also depend on many other factors: if you've been licensed before, if your masters or publishing are held by a label or publisher, if you've got someone negotiating for you, etc.

The up front fees can range from as low as \$50 to upwards of \$100,000, depending of course on your status as an artist and

the team you have supporting you. A good thing to keep in mind is the constant revenue source generated by royalties, in many cases those royalties will outlast the up-front placement fee.

Aaron: What makes the most sense from your perspective, musicians writing music in anticipation of potential licensing needs or musicians simply writing what they write naturally and then pursuing licensing opportunities after the fact?

Jeremy: As noted above, it's always best for an artist to create their music from a true place, rather than creating it with a paycheck in mind. The best songs we've placed come from an unrestrained place, whereas sitting down and writing with TV placements in mind can be very restricting.

It isn't unusual to be hired to write for a specific project, for a commercial, for example. These composers are usually experts in that field and have a natural adaptation to it, and it's generally considered a different profession than touring artists.

Aaron: Any final thoughts you can leave us with in terms of how musicians can successfully license their music?

Jeremy: Be kind. Be yourself! As cool as it is for a band to get a call from a music supervisor, it's just as cool for a music supervisor to get a call from a band he or she really likes. At the end of the day, we are music fans and we appreciate the talent and hard work that goes into creating our favourite tunes. We generally place what we love - so we generally love the artists we place! Flexibility and knowledge of your material and the sync world really helps to bridge the business gap between creativity and administration. Know who your PRO is. Know your writer's shares. Put us in touch with co-writers or co-publishers, if

applicable. Help us to help you, as much as possible! The sync world is fast-paced, so knowing all the answers before the questions are asked creates trust, and a solid working relationship with music supervisors is key - even before your tunes are placed.

Aaron: Thanks for your time, if musicians want to learn more about your company and how they can submit music for your consideration, where can they go to learn more?

Jeremy: I absolutely recommend getting to know a music supervisor before sending them your music. You can find us on the web, on social media, and you can check out the numerous bands we've placed already, to get a vibe of what we love to listen to!

Thank you for reading!

For More About Instinct:

www.instinctentertainment.ca

www.myspace.com/instinctentertainment

www.facebook.com/instinctent

www.twitter.com/jvonhollen

An Interview With Music Supervisor Sarah Gavigan

I recently interviewed music supervisor Sarah Gavigan about how to license music in commercials. Sarah is a music supervisor who places music in commercials. She's worked on thousands of projects and knows all about the world of licensing music in advertising. Read and learn!

Aaron: Hi Sarah, I know you're currently working as a music supervisor for commercials as well as an educator about the music licensing industry. Can you tell us a little bit about your background and what led you to this line of work?

Sarah: My background is not a traditional one, I can tell you that, but I wonder if there is a traditional route? Anyway. I started out as a talent agent for cinematographers and production designer in the commercials and music video world. I owned my own agency and sold it in 2000. That was when I saw the need for indie artists and labels to have someone representing them to advertisers and pitching their tracks for potential licensing placements. At our height, my company, Ten Music, represented over 45 record labels worldwide.

So I guess you could say my background is in sales, with a major passion in music and connecting people to opportunities.

Aaron: What are some of the projects you've worked on?

Sarah: Literally thousands of TV commercials. The best way to see my work is on my YouTube channel at www.youtube.com/sarahgavigan. So many brands and ad agencies, but every job is different.

Aaron: In my newsletter and programs I write mainly about

licensing music in the context of TV shows and films. Can you tell us a little bit about the world of licensing music in commercials and how that differs from TV and film licensing?

Sarah: It differs in two very distinctive ways. First is the content itself. We are telling a story in 30 seconds, not an hour or two hours, so the song is the story. We never use negative or polarizing music, as brands only want to be associated with positive and motivating images and sounds.

The second way in which it differs are the types of people involved and who the decision makers are. In film and TV this is very clear. Every TV show and film has a music supervisor. This is not necessarily so on every commercial that is made, so learning the landscape and the best marketing practices takes a deep inside look at the business to understand the rules of the road and where to find what I call "the music influencers."

Aaron: How much can artists make licensing their music in commercials? I'm sure it's a wide range, but can you give us an idea of possibilities in terms of licensing fees and royalties for placements in commercials?

Sarah: You are right. It does range quite a bit and it ranges based on the amount of usage they are asking for. Let's say, for an unsigned, unknown artist, for one year...here are some basic numbers: Internet only license (say for a web film) - \$2500-\$10,000 All Cable and Paid TV - \$10,000-\$80,000 You can see it is much higher than film and TV and ranges quite greatly. We do much more negotiating than music sups do in film and TV. Our budgets are a little more loose dependent on the desire level for the track.

Aaron: What are some of the biggest mistakes you see writers who are trying to enter the world of commercial music licensing making?

Sarah: Making music for commercials is very specific. We are looking for songs that have distinct movement in 30 seconds, The formula is steadfastly; a build till around 20 seconds, a break, a pause and a pay off. Genres can vary. Tempos and instrumentation can vary as well. The best way to learn what we are looking for is to watch commercials for the music!

Aaron: Should writers trying to enter the world of licensing write music specifically for the medium of commercials? Are there parameters unique to the world of commercial licensing in terms of styles of music that tend to get placed frequently?

Sarah: Some people have music that is naturally licensable for ads. For others their music will simply never work for the medium, and they have chosen in their down time to create a catalog of tracks that do work for ads. I think this is a great way to run your business as a musician. The more you write, the better you get. And a catalog with licensing history is worth money. The end game here would be to have a catalog that ends up being purchased by a publisher! It happens. Three things to keep in mind when writing for ads: lyrics must have a general theme that can apply to a myriad of emotions. Long intricate stories are a no, no. Positive and inspirational is great. But if you are emotional in your music, it must not be sad. Then lastly, follow the formula I mentioned above. Build, Break, Pay off.

Aaron: How do artists get started licensing their songs in commercials? What's the best approach and who should they

contact first? Ad agencies? Music supervisors? Someone else?

Sarah: First you need to evaluate if your music is appropriate for the medium. You want to have 10 tracks plus to market and you want to reach out to the advertising community based on very good research. There are distinct influencers all over the business, but they do not all hold the same title. This is specifically what I teach in my course. I show you the business from the inside and I teach you how to hunt for information that will help you find the influencers and how to connect with them.

Aaron: What other advice can you share for writers who want to break into licensing their music in commercials? **Sarah:** Watch TV. The more you watch the more you will begin to understand how an ad guy thinks; and that is over half the battle.

An Interview With Singer/Songwriter Susan Hyatt

The following is an interview with songwriter Susan Hyatt via email about how she got started in the music licensing business. Susan has been working quite successfully, albeit somewhat under the radar, in the music business for many years now.

The interview follows:

AD: Hi Susan, tell me a little more about yourself, your background and how you got involved in licensing your music.

SH: I have been professionally playing and writing music since I was 10 years old. My first single was actually in 1984, with Bruce Gary from the Knack playing the drums. It was co-produced by one of the producers of Scandal. It was a cross between The Cars and the Psychedelic Furs. The single got a lot of local airplay, and I was interviewed for the first time by Rodney on KROQ. Radio was very different back then. You could actually get your record played without having millions of dollars for advertising on the station. This led me to form my high school band, Glitter Symphony, that played the first 70's glam revival show in LA opening up for Nina Hagen and playing with Red Cross, and the other band I ended up joining called the Pandoras. I played various instruments: guitar in the Pandoras, keys in Darling Cruel and bass in Feline with Debi Diamond from the Januaries. I was approached by George Tobin to songwrite for Tiffany. Remember her? But the music just didn't cut it for me, and I wasn't savvy enough to smell the dollars. At the time there was no mention of licensing songwriting for someone who wasn't even 21 years old. Everyone kept telling me I was too young. The opposite holds true today.

This all happened to me because I met the amazing Julie D'Angelo from Music for the Masses. She kick-started my licensing career and made it possible to live off of writing music without being a household name. Pillbox is still being licensed to this day.

I then became a VJ on London's live music chat show MP3TV where I got to interview and find out more of the business. I started my own record label called NYC Records in London and learned all about every aspect of running a label and trying to make money in the biz. In 2002, I met Geoff Tyson while vacationing in my hometown of LA, and we started the band Stimulator. Stimulator's music got placed in the film *Ella Enchanted*, MTV's *the Real World, Las Vegas*, E. Entertainment. We won the John Lennon Songwriting Contest, played the WARPED Tour, opened Duran Duran's Astronaut Tour in 2005, played CMJ, SXSW, opened the Go-Go's reunion tour in 2006, made a debut album completely independently and licensed it to the LAB Records/Universal, where the record was held and never officially released. Stimulator is now working on record number two with funding coming completely from our fans pre-ordering our album. I also work with the amazing writer/director Evan Richards and write music for his films <http://www.inadaymovie.com/>. Without licensing we would not have been able to financially exist. We gave 100% of our time and hustled 24 hours a day to make all this happen.

AD: What tips do you have for musicians who are interested in licensing their music?

SH: Get an amazing agent who believes in you. If they don't believe in you, don't push them cuz they won't push you. I've had other reputable agents who got me nothing, cuz I wasn't priority.

Also don't ignore the small fee licenses. You have to start somewhere. Don't give away music for free! Even if you get \$100, that's okay, but your art and time are worth money. Make friends with filmmakers/producers. Work together on making your music work.

AD: How important do you think production is when it comes to successfully placing songs?

SH: It's huge. These days production and songwriting are equals. No one is going to give you a massive budget these days unless you are a Disney child star or an American Idol. You have to have enough skill on your own to do everything.

AD: How much money can you make by licensing your songs?

SH: From \$1,000 to hundreds of thousands depending on the budget of the TV show/film/commercial, the artist/band profile. For indie films with no budget ask for \$1000 at least.

AD: How competitive is the TV/film aspect of the music business?

SH: Very competitive, but you have a bigger shot if you have what people need than with anything else in music.

AD: Do you see TV/film licensing as an opportunity for artists to gain more exposure that could possibly lead to other doors opening? Like interest from record labels, for example.

SH: Sure, but record labels are a thing of the past. You gotta think outside of the box. Get money and get distribution and direct access to fans and tour, tour, tour!

AD: What projects are you currently working on?

SH: We are recording Stimulator 2, and we are recording the entire album through fan funds. So if you would like to be part of the creative process and be a patron of the arts please go to www.stimulatorband.com and pre-order the album or pledge some money. Even \$25 will help. We have incentives for every kind of donation.

AD: If someone listening wanted to learn more about you and your music, how can they learn more about you?

SH: I have two websites:
www.stimulatorband.com,

www.susanhyatt.net

or go to either of our MySpace pages.

An Interview With Brooke Ferri Of Black Toast Music

The following is an interview with Brooke Ferri of Black Toast Music. Black Toast Music has placed a *ton* of music in a variety of TV shows and films including *Six Feet Under*, *The Shield*, *CSI*, *The Nanny*, *Smallville*, *Party of Five*, *Prison Break*, *Las Vegas*, *Barbershop*, *My Name Is Earl*, *The Unit* and many, many more.

You can read the interview below:

Aaron: Hi Brooke. Can you tell me a little bit about yourself and your role at Black Toast?

Brooke: I just graduated from Southwestern Law School here in LA and passed the bar this past November. I have been working for BTM since November, 2010. Since BTM is a boutique publishing company and music library, my role at BTM is very multi-faceted. I am the manager of business and creative affairs, which means that I help implement and expedite projects that involve both the business and creative side of the industry.

My chief task since I have been here has been to help launch Black Toast records. This has involved signing new indie bands, registering copyrights, dealing with business entities, registering songs with the PROs, putting together albums from the new bands as well as our established artists and creating compilation albums.

Since I have been here I have compiled and put together 11 albums which are currently available on iTunes and other major digital distributors including albums by the hip hop acts G-\$tack and St. John, the blues artist Sonny Ellis, the indie artists Kelly Pardekooper and Paul Otten and "TV Songs Vol. 1" and "Vol. 2",

which feature our most requested BTM songs as heard on popular TV shows. Our third compilation album including the song from the Vampire Diaries Promo, "I Will Always Be Your Baby," by Jenny and the Fentones should be hitting iTunes this summer.

Along with launching BTR and putting together these albums, I listen to a lot of music artists have submitted and make suggestions to our president, Bob Mair, about which artists and composers I believe would make a nice contribution to our catalog. I then meet with the artists and explain the business of how we operate. I explain the contract that they would sign with us and help them understand the terms and what it means to them. If they decide to work with us, I then conference with Bob Mair and discuss what songs we'd like from this artist and or if we want the artist to write something specific for us. Composers often write pieces specifically for our needs. I then draw up the contracts for signing.

Another aspect of my job is pitching music to supervisors and producers. BTM has such a great reputation in the industry that we have many film and TV clients that come to us for specific music needs. When we get a request, I go through our catalog of about 4,000 songs and pull out the tracks that I think will best suit the client's needs and send those songs to the client.

There are plenty of other aspects to my job including lots of data and lots of paper!

Aaron: What kind of music does Black Toast primarily place? Are there certain styles of music you tend to place more than others?

Brooke: We really place all genres of music. Lately, we have been placing more vocal songs than instrumental only tracks. We have also been placing a lot of blues and blues-rock, and we are well known for our hip-hop and place a lot of hip-hop and rap. My suggestion really would be for artists to see what kinds of music are showing up on film and TV, and that is going to be the type of music we are placing.

We are also getting more involved in trailer music, which is typically big orchestral music sometimes with ethereal chanting or hybrid orchestral rock music. We are also doing more advertising music, which is almost always instrumental and often upbeat.

Aaron: What advice do you have to musicians interested in licensing their music beyond the obvious tips like "write great music" and "produce great music"? Any specific tips based on your experience that musicians who want to license more of their music should know about?

Brooke: As I mentioned above, see what types of music are popular in film and TV and try and write in that style. Also, what is very important is to pay attention to the mixes. Right now mixes tend to be very large and full, so when mixing don't do something small unless, of course, you are trying to replicate a certain sound, say, something from the 70's. Either way however, the mix needs to be record quality as to that genre of music.

What is record quality for 2010 arena rock is different from 1970's folk. But "record quality" in the mixes is really key. My other suggestion is to be prolific and collaborate with other

artists. The more you write the better your chances and the more comfortable you will be letting a piece go to a publisher who will typically want an exclusive deal with that piece of music, and collaborating helps you have a variety of different sounds.

Aaron: How much can musicians make from licensing their music? Obviously there are a lot of variables, but can you give us an idea of possibilities in terms of how much musicians can potentially make?

Brooke: I'm afraid I can't answer this question with actual dollar amounts. It depends on how many songs that writer has placed and if those songs are popular. We have artists whose sole source of income is from licensing, and there are others who have to have other sources of income. The longer an artist stays in the game the more money he or she will make. The artist should be aware that along with the sync fees they will get from the publisher for the use of their song in a media project, as long as the project airs on TV they will also get performance royalties from their PRO. These royalties can add up and continue for years if the spot continues to air.

Aaron: What makes the most sense from your perspective, musicians writing music in anticipation of potential licensing needs or musicians simply writing what they write naturally and then pursuing licensing opportunities after the fact?

Brooke: If a writer wants to use licensing as a way to promote their band then they should write what they write and not try to change. Licensing can be a great way to promote a new indie act. If the artist is trying to turn this into a full time gig, then they have to write all types of music in all styles and pay attention to what is hot. That being said, however, if an artist writes great

rock, pop, indie and singer songwriter music that's probably a good enough mixture. If they can write rap and electronic too, great, but they shouldn't write what is too far out of their comfort zone.

Aaron: Any final thoughts you can leave us with in terms of how musicians can successfully license their music?

Brooke: First and foremost they need to understand the business so that when a publisher explains how everything works they don't get turned off. I suggest reading *All You Need To Know About The Music Business*, by Donald Passman. And for those who are really ambitious check out *Music Money and Success*, by Jeffrey and Todd Brabec.

Aaron: Thanks for your time. If musicians want to learn more about your company and how they can submit music for your consideration, where can they go to learn more?

Brooke: www.blacktoastmusic.com Our new website including Black Toast Records will be launching in June!

An Interview With David Levy Of Levy Music Publishing

I recently had a chance to interview, via email, David Levy of Levy Music Publishing. In this interview David shares some great insights about the licensing industry from the perspective of a publisher. Some of Levy Music Publishing's recent credits include:

- A Perfect Getaway Directed by David Twohy Starring Mila Jovovich & Steve Zahn
- Triple Dog Starring Scout Taylor-Compton (Currently in Post-Production)-"Tech Deck Live" The Video Game

Aaron: When and why did you start Levy Publishing? Levy Music Publishing became incorporated on July 2, 2008, along with our sister company Levy Entertainment Group.

David: It all began for me many years ago. I have always had a deep-rooted love for music. I had tried the band thing, been a session guitarist, written songs, composed for films, produced films & TV, and opened up my own recording studio. At the time it seemed like the only thing that I had yet to explore was music publishing.

I knew I was in for a ride, but I also saw the potential in working with music publishing. There will always be music in multimedia, and there will always be a need for the licenses to use it legally. I see music publishing as being one aspect of the entertainment industry that will be around for a very long time to come.

I have always aspired to bring a fresh new perspective to today's entertainment industry and create personal, long-lasting relationships with my clients, artists and colleagues. I

have seen it all in this business. And I have learned the importance of running a respectable operation.

There were three main goals that I had placed in front of me when starting Levy Music Publishing. The first was to create a one-stop shop for music. This meant being able to issue both a master and sync license, and being the exclusive publisher on all of our songs. The second was to make a comfortable, safe and secure agreement for our artists to sign. This was a huge challenge. I had to acquire the rights needed in order to issue licenses, yet keep our artists comfortable when coming on board. The third was to create long-lasting personal relationships with all of our clients, and to maintain them. I believe that the above has been key to the success we have had. I truly believe in the value of the "personal touch".

Aaron: What is your background? What did you do prior to forming Levy Music Publishing?

David: My background is definitely in music. However, I have worked as a producer in film, TV and Broadway, including many independent documentaries and short films as well as the hit TV show, *American Idol*. In August of 2006, I was a producer & music coordinator for the all time Broadway hit Jesus Christ Superstar [featuring Jack Black & the Original Cast from the motion picture live in concert at the Ricardo Montalban Theater in Hollywood.]

I have done work as a recording engineer and producer with artists such as, Yvonne Elliman & Matchbox 20 as well as numerous independent artists from around the globe. I have also worked as a music supervisor in Movie Trailer Industry with Paul Wintner (CEO, Wintner Artist) on many of the most recognizable

trailers of today. I still maintain an extremely close relationship with Paul, and currently Levy Music Publishing handles all of his company's music needs exclusively.

Aaron: When you sign new artists/songs what are you looking for in general?

David: When we take a new song or cue into our catalog, first and foremost comes quality of production. If production quality is low, it's almost a guaranteed no go. Second thing we look for is talent; a vocalist that can sing, and a band that can play. There are many times where the music is great but the vocals are horrid. That is almost always a deal breaker.

Aaron: How much money can an artist expect to get paid from a typical feature film? An indie film?

David: Before the recession this question would have been much easier to answer. The #1 rule is that there are no rules. Since the recession, film budgets have dropped drastically; and many productions have left California all together because of rising production costs. It seems not as many films are actually in production as were this time last year. Where a film would have paid \$10,000 for a license they are now trying to get it for 3 or 5 K. I have seen a bit of a bounce back over the past couple months, but its still not anywhere near back to normal.

Typically, studio-funded feature film placements range from around \$1,500 to \$5,000 for an unknown indie artist. The rates go up very quickly depending on several factors. The two main ones are the usage of the song and the popularity of the artist. I have had to license songs for several hundred thousand dollars before. Hence why it can be a very lucrative industry for those

involved. As for the indie/low-budget feature film: Don't expect anything worthwhile as an up-front fee. Many publishers won't work with low budgets. I have not adopted this policy. I believe that indie films offer great exposure for artists; it helps them gain popularity with film makers. I have always been willing to work with any good quality production regardless of the budget. The same way we believe in the artists we work with, we believe in the films and film makers.

Aaron: You typically sign exclusive agreements with the songwriters you work with. Can you talk about why you choose this arrangement?

David: Non-exclusive agreements are a newer practice of publishers; it lies in a huge grey area. The way most of them work is by registering a new and separate title with a performance rights organization and collecting and administering profits based on the earnings of that "re-titled song". For obvious reasons, this can really complicate things legally. (And in most cases, performance rights organizations despise the practice.) In my experience it has led to nothing but a can of worms. I choose to be very straightforward with the way I work. Levy Music Publishing works on a song-by-song basis and will only sign material that we feel confident we can derive profits from. We are a boutique style company working with quality rather than quantity. That way, we stay true to artists, our clients, and ourselves. Most of our artists can get a hold of me personally very easily, if need be. Like I said before I strongly value personal relationships.

Aaron: How important is production when it comes to artists licensing their songs?

David: Production quality is by far one of the top factors of importance when it comes to licensing songs. As a music supervisor with a trusted publishing company, I would never risk my reputation and present anyone material that wasn't of the absolute highest quality. Like I said before, for me, it's quality over quantity.

Aaron: What advice do you have for artists who want to start licensing their music?

David: Try not to let yourself fall through the cracks. Find someone who you can work with hand-in-hand. There are many different types of people and businesses out there. Most importantly you need to trust the people you work with. You may find yourself working better non-exclusively with many different companies, or, you may find yourself more comfortable in a smaller company with an exclusive arrangement. There are no rules, and you should probably try everything. Remember, a song is a song, and hopefully you will write many more even better ones in the days coming. Don't be too afraid to pass on good opportunities.

Aaron: Any projects that you're working on that you can tell us about?

David: Currently there are several major motion pictures in the works, I would love to tell you more, but it is confidential. We are also always working on independent films gaining more exposure for our artists. And on the home front, we just updated our website with some really great features such as a 24/7 Live music supervisor chat for film makers looking to license music. Check back after the New Year. Hopefully we can fill you in on some new films at that time.