

GUIDE TO COPYRIGHT INFORMATION

(Updated 2019 Edition)

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DISCLAIMER: Neither this guide nor this presentation presumes to be a comprehensive summary of the Copyright Act. It does not attempt to deal with all the laws covered by the legislation, nor does it provide definite answers to all of the legal questions. It is intended to be a guide to understanding the nature of copyright for the users of any and all church music, and to help church musicians protect themselves and their churches from infringing the legal rights of copyright owners. A complete copy of the United States Copyright Law may be obtained online at <http://www4.law.cornell.edu/uscode/17/> or by writing: The Copyright Office, Library of Congress, Washington, DC 20559.

1. What does “Copyright” mean?

Our nation’s founders determined that it was in the public interest that the creative works of a person’s mind and spirit should belong, for a limited time, to the creator. The protection of these works is called “copyright.” The United States Copyright Law grants the copyright owner exclusive rights to their creative work for a specific period of time or term. The term of copyright protection for works published prior to 1978 is 95 years from the date of publication. For works published after 1977, the term is equal to the life of the author / creator plus 70 years. By law, the copyright owner is the only one who has the right to reproduce their work. If any other party wants to reproduce the material in any manner, permission must be obtained from the copyright owner. Copyrighted creative works such as musical compositions are often referred to as “intellectual property.” That is exactly how they should be treated—as the property of the copyright owner.

2. What are the Copyright Owner’s exclusive rights? (Citing elements of Christian Copyright Solutions [CCS]: “Copyrights 101”)

- **To reproduce the copyrighted work in any form**, including but not limited to: printed copies, digital files, recordings, tapes, CDs, videos, motion pictures, or any duplicating process which later comes into being. Only the owner of a copyrighted work is allowed to reproduce or copy that work. **Examples:** Photocopying lyrics, rehearsal CDs, creating a copy of a video.

- **To make arrangements and adaptations of the copyrighted work.** Only the owner of a copyrighted work is allowed to create new works that are “based” on a pre-existing work. U.S. copyright law describes this derivative work as: “...a work based upon one or more preexisting works, such as a translation, musical arrangement, dramatization, fictionalization, motion picture version, sound recording, are reproduction, abridgement, condensation, or any other form in which a work may be recast, transformed, or adapted.” **Examples:** Arrangements, of songs, adaptations of plays into movies.

- **To distribute and/or sell printed or recorded copies of the work.** Only the owner of that work can make that work available to the public by sale, rental, lease, lending or gifting. There is a “first sale” doctrine that limits the work’s owner’s control to the “first sale” of a copy. This means that if you buy a CD, you are allowed to then re-sell that CD without getting the permission of the work’s owner. **Examples:** Giving CDs of worship service, podcasts of worship services.

- **To synchronize the copyrighted work with visual images: slides (traditional or digital), video or film.**

- **Distribution: Only the owner of that work can make that work available to the public by sale, rental, lease, lending or gifting.** There is a “first sale” doctrine that limits the work’s owner’s control to the “first sale” of a copy. This means that if you but a CD, you are allowed to then re-sell that CD without getting the permission of the work’s owner. **Examples:** Giving CDs of worship service, podcasts of worship services.

- **To perform the copyrighted work.** The owner of a work controls if and when that work will be performed publicly. U.S. copyright law defines a public performance as an instance of music being performed “in a place open to the public or at any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered.” That is the legal definition and most church performances, with the exception of during a religious

service, fit the criteria. Public performances extend to more than just in-person performances. Playing music on TV, radio and the Internet also are under the control of the work's owner. **Examples:** Concerts, music played at church social events, on-hold music.

- **To display the copyrighted work.** The owner of a work controls if and when that work will be displayed publicly. This right is similar to the performance right but it is for visual works such as photos or videos. The criteria for a public display are the same as those for public performances detailed above. **Examples:** Hanging art in church lobby, displaying a photograph on screens during worship services.

- **Digital Recording Performance:** The owner of a sound recording controls if and when that work will be transmitted digitally. This is a relatively new right that was added in "The Digital Performance Right in Sound Recordings Act of 1995. **Examples:** Webcasting sound recording in a worship services, internet radio.

- **To license others to do any of the above.**

3. Who owns and controls the legal right to make copies?

The copyright owner. This may be the original creator (author or composer), a publisher, or an agent who has been assigned the right to license use of the work by the copyright owner.

4. How do I find out who the copyright owner is?

The copyright owner's name is listed in the copyright notice. Copyright notices should appear on all reproductions of copyrighted works. On printed music the notice is generally found on the bottom of the first page of music. On recordings the notice can usually be found on the packaging. The copyright notice will contain the word "copyright" and/or the symbol © (musical compositions and printed material or (p)/® (for sound recordings), followed by the year of first publication, and the name of the copyright owner.

5. Must I get permission to...

- Make photocopies of copyrighted music?
- Print bulletins/Orders of Service, songbooks or songsheets containing copyrighted works for use in church services, related study groups, or related home groups as long as they are not sold?
- Make a transparency, a (traditional or digital) slide or an electronic file of a copyrighted work for projection?
- Make a photocopy of a copyrighted work for my accompanist in order to sing a solo?
- Make audio recordings of worship services?
- Make videos of worship services or special musical presentations, such as youth, children's, and holiday presentations?

...**YES**, you must request permission by securing licenses from the copyright owner prior to making any of the copies or duplications described above.

6. What if I am faced with a special situation?

If you want to:

- Include copyrighted lyrics in your bulletin/Order or Service;
 - Arrange a copyrighted song for four baritones and kazoo; or
 - Make any use of copyrighted music in any way,
- the magic word is...

ASK.

Copyright owners as a whole wish to see their music used by the widest possible audience. You may or may not receive permission, but when you use someone else's property you must have the property owner's consent.

7. What if there isn't enough time to write?

Call (e-mail may not be the swiftest way here), many publishers routinely grant permissions over the phone, but try to plan ahead.

8. What about existing photocopies or tapes in our church music library?

To protect yourself and your organization you should destroy all unauthorized photocopies, tapes, videos, etc., and replace them with legal editions. Possession of illegal copies puts you in a position of being a potential copyright infringer.

9. Is it permissible to perform copyrighted sacred/religious works in church services without first obtaining permission from the copyright owner?

Yes, the "religious services exemption" in the Copyright Law permits the performance of copyrighted sacred / religious works in the course of services at places of worship or at religious assemblies. However, performance licenses must be obtained from the copyright owner for any musical performance outside of a specific "worship service" including concerts and special musical programs.

10. Can I make an original recording of a copyrighted song?

Yes, but you must contact the copyright owner and obtain a "mechanical license." You will be charged a fee, the amount of which is determined by the "statutory rate" as set forth in the Copyright Law (The current **statutory mechanical** royalty **rate** for physical recordings [such as CDs] and permanent digital downloads is 9.1¢ for recordings of a song 5 minutes or less, and 1.75¢ per minute or fraction thereof for those over 5 minutes). This includes recordings of church services, concerts, musicals, or any programs that include copyrighted music.

11. Can I make a recording using a pre-recorded instrumental accompaniment track?

No, not without permission. Two separate licenses are necessary in this situation: The first is from the copyright owner of the work to be recorded; the second is from the publisher of the accompaniment track. Many times these will be one and the same. Fees are usually required for each permission.

12. What if I can't find the owner of a copyrighted work or song? Can I go ahead and use it without permission?

No. For assistance in locating copyright owners and publishers, visit the MPA Directory of Music Publishers (mpa.org). This website also very conveniently has links to Copyright Permission forms and Educational Materials (all in PDF file format), including:

- Creating Authorized Orchestral Pops Arrangements—A Guide for Orchestras, Venues, Conductors and Arrangers;
- Inquiry Form on Out-of-Print Copyrighted Music—Use this form to inquire about fees and legal authorization to photocopy out-of-print music;
- Request for Permission to Arrange—Use this form to request authorization to arrange a piece of copyrighted music; and
- Standard Music Notation Practice—This brochure outlines fundamentals of Standard Music Notation (A joint publication of the Music Publishers' Association and the Music Educators National Conference).

13. Is there one source I can contact to obtain permission to use many congregationally sung compositions (from Christian traditions)?

Yes, Christian Copyright Leasing, Inc. (CCLI) provides such a license. Contact CCLI at www.ccli.com or 1(800)234-2446 or 17201 NE Sacramento Street, Portland, OR 97230. The CMPA endorses CCLI and has cooperated in making this license available to churches.

Additionally, One License also provides such a license. Contact One License at onelicense.net or 1(800)ONE-1501 or 7343 S. Mason Ave., Chicago, IL 60638.

IMPORTANT: Neither the CCLI License nor the One License grant the right to photocopy or duplicate any choral music, cantatas, musicals, handbell music, keyboard arrangements, vocal solos, or instrumental works. Both Licenses grant duplicating rights for congregational music only.

(More about CCLI and One License later...)

14. Can I make copies of out-of-print items?

No, not without permission. Many publishers are agreeable, under special circumstances, to allow reprinting out-of-print items, but again, permission must be secured from the copyright owner prior to any duplication.

15. What is "Public Domain?"

"Public Domain" simply means that the term of the copyright protection has expired and anyone is free to use those works in any way. The absence of a copyright notice is one indication that a song may be in the Public Domain.

16. What is "Fair Use?"

"Fair Use" is generally not applicable to churches. Fair Use permits portions of copyrighted works to be legally reproduced for purposes of criticism, comment, news reporting, classroom teaching, scholarship, and research. Fair Use does not apply to a performance.

17. Can I make copies of accompaniment recordings for my choir members to take home and rehearse with?

No. You must obtain permission from the copyright owner and the recording publisher (if they are not one and the same) to duplicate a recording for any purpose.

18. What are the penalties for making unauthorized copies?

The law provides for the owner of a copyright to recover damages ranging from \$500 to \$100,000 per copyright infringed. If willful infringement for commercial advantage and private financial gain is proved, criminal fines of up to \$250,000 and /or five years' imprisonment may apply.

19. Can I make audio or video recordings of our church service?

Not without permission. If you have a CCLI License, you are allowed to make a limited number of recordings for your congregation. See your License for more details.

20. What about MIDI Files, Interactive Video, CD-ROMs, The Internet, and all the new technology used today?

Carefully read the labels and notices on all of these to see what you can and cannot do without permission from the copyright owner. When in doubt, **ASK the copyright owner.**

21. REGARDING ONE OF THE HOT BUTTON ISSUES REGARDING COPYRIGHT IN RECENT YEARS:

A couple years ago, on the UUMN Member Forum, an inquiry was made as to the paucity of Orders of Service and other documentation of former General Assemblies on the UUA Website. The member was checking out musical examples featured at GA services, with the additional possible benefit of finding material which could be used at their home church. Old Orders of Service are scarce, leaving one to sit or try to skip through hours of video to find a few musical selections. In the available online Orders of Service, the only information provided was titles of musical selections, without composer or arranger attribution, nor any further copyright information provided. In fact, no information is given as to the performance forces necessary for any music, nor any information for ordering.

It is routine at this person's church to list composer, arranger, and performers, even when projecting song lyrics, and in the case of hymns from StLT or StJ, adding hymn number text author, and copyright information.

Another UUMN member chimed into the thread to state that, at their church, they had begun projecting the Order(s) of Service, including hymns (using only hymn numbers). Although they had copies of both StJ and StLT, no hymnals are used at their church. They then expressed concern as to whether what they were doing was in fact a copyright infringement.

After a quick bit of research, I personally posted the following:

COPYRIGHT ISSUES RELATED TO WORSHIP (From the UUA Website)

This resource covers the basic legalities of using copyrighted materials (hymns, readings, etc.) during worship services. For information on reproducing Unitarian Universalist Association (UUA)-copyrighted materials please see [Copyright Permissions](#) in our Publications section.

Projecting lyrics: Many of our congregations and their musicians ask us about the legality of projecting the lyrics to hymns in their worship services. At the UUA, we understand that copyright law is subject to interpretation, rather than cut-and-dry (*sic*), so we've solicited legal counsel to help us provide appropriate and fair guidelines. (Please note that our advice may differ from what's reflected on the websites of other religious organizations.)

Our [legal counsel](#) is that congregations **may project the lyrics** to any hymn as long as the congregation owns a single copy of the hymnal. Furthermore, the projection does not have to be *from* the purchased copy; it's permissible to project a photocopy or scanned copy or retyped lyrics. However, those projected lyrics or music may not be included in a videostream.

The Caveat:

US Copyright Law, Religious Services Exception:

"Performance of a musical work of a religious nature in the course of services at a place of worship or other religious assembly does not require permission to be granted from the copyright holder."

This does not cover copying music or projecting the words of songs on a screen.

Infringement Penalties:

- Law allows for \$500 to \$100,000 civil penalty per copyright infringement.
- If the violation is willful and private financial gain is proved, criminal fines of up to \$250,000 and five years imprisonment.

Hence, these are problem areas for all churches:

- Copying sheet music.
- Projecting song lyrics on a screen.
- Showing videos to groups within the church.
- Recording church services for broadcast or for tape ministries.

Regarding projected song lyrics on a screen:

- Creating a PowerPoint slide or a transparency for an overhead projector is an infringement if the work is copyrighted.
- Projecting a lawfully purchased piece of sheet music using an opaque projector is not an infringement.

A possible solution?

Christian Copyright Licensing International (us.ccli.com)

- CCLI sells annual licenses to churches to give them legal authorization to use more than 150,000 songs for congregational use.
- Covers putting song lyrics in bulletins, on screens and recording worship services for shut-ins, missionaries, etc.
- Cost varies based on size of congregation, ranging from \$46 to \$940.

- For an average-size congregation (100-199), the annual license is \$156.

The hazards:

Many UU hymns, and songs, and almost certainly UU song lyrics, may not necessarily be covered under CCLI. Moreover, **this license does not cover music for choirs, ensembles, accompanists, or instrumentalists.**

Another possible solution?

One License (onelicense.net)

- Supports congregational singing
- "Through [...] Member Publishers, these licenses allow communities to reprint or project music for the congregation, to podcast or stream services containing this music, or to copy practice tracks for rehearsal purposes."
- "One License distributes royalties equitably to composers, authors, and publishers"
- **Available:** Reprint Licenses, Podcast/Streaming Licenses, and Practice Track Licenses
- Reprint Licenses can be Annual, Event (up to seven days), and Single-Use (one-time events)
- Podcast Licenses priced at 50% of Annual License cost, for unlimited podcasting/streaming
- Practice-Track Licenses allow: Duplication of Member Publisher-issued demo recordings; Duplication of commercial CDs or mp3s purchased from a Member Publisher or record company; Self-recorded versions of covered songs for your ensemble; burning of CDs and emailing of mp3s; and Storage of recordings on a secure intranet.
- Any titles used with the licenses need to be reported weekly online.
- Cost varies based on size of congregation, ranging from \$115 (+\$65 for Podcast/Streaming License) to between \$1,695 and \$2,330 for a megachurch.
- For an average-size congregation (101-200), the annual license is \$290 (+\$100 for Podcast/Streaming License).

The hazards:

Again, many UU hymns, songs, and almost certainly UU song lyrics, may not necessarily be covered under One License. And again, **this license does not cover music for choirs, ensembles, accompanists, or instrumentalists.**

Still a better solution?

Christian Copyright Solutions (CCS)

- CCS offers "simple licensing solutions for over 25 million songs."
- PERFORMmusic Facilities License (1-199 congregation, \$229; 200-499, \$329; 500-1,999, \$599)
- WORSHIPcast Streaming License (1-199 congregation, \$259; 200-499, \$399; 500-1,999, \$799)
- ONSITE + ONLINE Bundle License (1-199 congregation, \$464.20; 200-499, \$680.20; 500-1,999, \$1,283.20)
- Worth checking out to see if they can assist with aspects of your rights-based inquiries!
- Considerably more licensing song solutions than CCLI—not perfect, but better.

The advice:

Despite what the UUA may assert, in accordance with full and true US Copyright Law, it is still a violation, unless permission has been requested of and received from the owner of the Copyright to the hymn or song lyrics in question. **Be careful, and proceed at your own church's risk.** The UUA's posted legal counsel cannot and should not be taken as legal advice.

Even the UUA issues its own disclaimer:

“The answers here are for informational purposes, and do not substitute for legal advice. Copyright law is quite complicated and tremendously nuanced. Change one seemingly minor element in a given scenario and the law may be applied differently.

Further, the UUA staff are not copyright experts. We encourage you to consult specific copyright holders and attorneys for information that applies to your precise situation. Those things said, we hope you find these general guidelines helpful.”

I hope the above can be of some guidance to you and your church, as well as any others wondering the same. We will again be discussing many of the complicated and confusing nuances of this above issues and all other Copyright-associated subjects, at UUMN in August.

Sincerest regards,

John Ector
Director, Alegría Singers
First Unitarian Church of San Jose (CA)
Director, Mission College Chorus
Santa Clara, CA

Jed Levine has since posted to UUMN leadership that we need something like the above on the UUMN website, maintained at as contemporary and up-to-date status as possible, within the complexities and changing nature of copyright law. To this date (now over two years down the road), it does not appear as if any significant changes have been made.

And if none of the above has any bearing, regard and listen to the words of our own Steve Finner (posted 12/29/17):

John: Thanks much for this most comprehensive summary of the situation. As the retired copyright guru of UUMN, I would only add that our own UUMN website has copyright resources which include the websites of the Church Music Publishers Association and the United Church of Christ, both of which are unequivocally clear that projecting copyrighted lyrics, and/or music without the permission of the copyright holder is a violation of copyright. The issue for our congregations is do they want to run the small risk of a lawsuit by following the advice of the UUA or take a more conservative view and not project and therefore run that risk. I recommend the latter. More than one lawyer has opined that a suit could join the UUA as well as the congregation on the theory that the congregation was relying on the advice of the UUA (which also has deeper pockets), and/or the congregation could move to join the UUA on the ground of "detrimental reliance".

Steve Finner
Minister of Music Emeritus, St. Johnsbury UU Congregation

Here is our official AUUMM website posting on the subject:

Copyright Tips and Resources

The composition, arranging and recording of music is considered intellectual property. This property is protected by copyright law. We respect this by:

- Using purchased music for choirs and instrumentalists. Purchasing music provides income for the composers and arrangers, without whom we would have no music to perform.
- Obtaining permission from performers prior to video taping or recording.
- Obtaining license from copyright holder before distributing or broadcasting videos or audio recordings and abiding by general practices of the music industry regarding performance royalties

Copyright practices are subject to change. Further information is available at the following:

- UUA Worship Web “Copyright Issues Related to Worship” - <http://www.uua.org/worship/143066.shtml>
- “Guide to Copyright Information” published by the Church Music Publishers Association - <http://cmpamusic.org/copyrights/>
- “Copyright and The Church”, published by the United Church of Christ - <http://www.ucc.org/music-arts/copyright-and-the-church.html>

As a congregational musician, you may also be interested in music as a “producer.” This includes activities such as posting audio or video recordings of your choir on a website, or making arrangements of copyrighted music. For copyright information about making arrangements and recordings, four helpful websites are:

- The Harry Fox Agency pages on licensing and copyright - <https://www.harryfox.com/#/faq>
- Broadcast Music Incorporated - <http://www.bmi.com/licensing/>
- The American Society of Composers, Authors and Publishers - <http://www.ascap.com/licensing/>
- Church Copyright License (CCLI) - <https://us.ccli.com/>
- One License - onelicense.net
- Christian Copyright Solutions (CCS) - christiancopyrightsolutions.com

The last three (particularly the last) can possibly be very helpful if you plan on streaming, pod casting, or posting music to a website. Generally speaking, issues around production are more complex than those regarding the use of music in worship services.

The Following is courtesy of (and reproduced with the permission of) the Church Music Publishers Association (cmpamusic.org):

Copyright Check List

ACTIVITY	Owner/ Publisher	CCLI	Harry Fox Agency	CMPA	PRS
Using Transparencies/Slides	✓	✓			
Copying Words	✓	✓			
Duplicating audio/video tapes of worship service	✓	✓			
Using other electronically manufactured and distributed recordings (audio/video)	✓		✓		
Photocopying choral product (octavo, etc.)	✓				
Copying hymnal songs	✓	✓			
Using trax for choir practice or recording	✓				
Using public domain songs		✓		✓	
Copyright research		✓			
Obtaining list of owners/publishers		✓		✓	
Performing live music	✓				✓
Broadcasting on TV/radio	✓		✓		✓

2019 Updates Regarding Copyright:

(<https://fairuse.stanford.edu/overview/faqs/law-changes/>. Accessed 29 April, 2019)

The Public Domain Opens for Business

On January 1, 2019 — for the first time since 1998 — expiring copyrighted works entered the public domain. The Sonny Bono Copyright Act, effective in 1998 extended copyright for twenty years, and at the same time, prevented any works from expiring for twenty years. That ended in 2019 when works first published in the U.S. in 1923 entered the public domain. In 2020, works first published in 1924 will enter the public domain, and so forth.

Good news: Works from 1923 entering the public domain in January in the United States include Kahlil Gibran's *The Prophet*, [potentially great news for UU composers...], Robert Frost's *Stopping by Woods on a Snowy Evening*, Winston Churchill's *The World Crisis*, *The Great American Novel* by William Carlos Williams, Harold Lloyd's *Safety Last!*, *The Murder on the Links* by Agatha Christie, Aldous Huxley's *Antic Hay*, a Tarzan story by Edgar Rice Burroughs, several stories by comedic writer P.G. Wodehouse, and a Sherlock Holmes story by Sir Arthur Conan Doyle. A Rin Tin Tin film, Cecil B. DeMille's black-and-white *Ten Commandments*, films featuring Oliver Hardy and Stan Laurel, and D.W. Griffith's "The White Rose" are also among 2019's public domain class.

Other authors included in this year's class of public domain works include: Joseph Conrad, F. Scott Fitzgerald, E.M. Forster, Carl Sandburg, Virginia Woolf, William Butler Yeats, Hugh Walpole, Nikolay Gogol, Maxim Gorky, Zane Grey, H. Rider Haggard, Aldous Huxley, Rudyard Kipling, Ring Lardner, D.H. Lawrence, Sinclair Lewis, Willa Cather, G.K. Chesterton, Anton Chekhov, Jean Cocteau, Sherwood Anderson, and H.L. Mencken.

Filing an Application Does Not Equal Registration

In 2019, the Supreme Court held that registration of a copyright is required as a condition of filing an infringement action. The copyright owner had filed a suit after it had applied for but not received a registration. The Supreme Court also held that once copyright is registered, the owner can recover retroactively for infringement.

Music Modernization Act (MMA) Signed Into Law

This Act was signed into law on October 11, 2018 and it incorporated three pieces of legislation that alter copyright law as follows:

- **New music licensing collective.** The Act simplifies the licensing rules for digital music providers and creates a new music licensing collective (MLC) which should take effect in 2021. Once in place, the MLC will act as a toll booth for Spotify, Pandora, Soundcloud and other digital music providers. These providers will pay the MLC for each use of a song and the MLC will compensate the owners accordingly. The MLC will also identify copyrighted material embodied

in sound recordings, locate the copyright owners of such material, administer copyright owners ownership claims, and assist with setting of royalty rates and terms.

- **Pre-1972 recordings covered by copyright.** Prior to the MMA, pre-1972 sound recordings were protected under state law, making them ineligible to collect the digital performance right granted to sound recordings in 1995. The MMA extends the public performance right to pre-1972 recordings, thereby requiring digital music providers to compensate those recording artists and song owners.

- **Music producers collect royalties directly.** Individuals who create sound recordings (producers, engineers, mixers) can now seek royalties directly from SoundExchange, rather than pursuing the sound recording artists and performers for the payment.

(<https://www.cnn.com/2019/03/26/tech/eu-copyright-article-13/index.html>. Accessed 29 April, 2019)

Europe just passed sweeping new copyright rules that Big Tech hates

By Ivana Kottasová, CNN Business

Europe is changing the internet again.

Lawmakers have approved a sweeping overhaul of copyright rules, dealing a blow to major tech companies that argued the changes will be costly and limit free expression.

The European Parliament voted [on March 26] to approve fiercely contested changes that make platforms such as YouTube responsible for copyright infringements committed by their users.

Sites like Google News could also be required to pay publishers for using snippets of their content.

The proposal was opposed by tech companies, which warned they would need to build expensive content filters and stop linking to publications. Internet activists argued that the changes would lead to censorship.

On the other side of the two-year battle were record labels, artists and media companies. They said reforms were needed to update copyright protections for the internet age and to ensure they're fairly paid for content.

This is the latest flashpoint between tech giants and European officials, who have taken a much more robust approach than the United States over competition issues, data protection (think GDPR [General Data Protection Regulation, Europe's new data law]) and tax.

Antonio Tajani, the president of the European Parliament, said the vote would "put an end to the existing digital Wild West by establishing modern rules."

Critics say provisions included in the bill are far too broad and could hit material that is not protected by copyright, such as quotations or parody. They warn the law could even kill off internet memes.

Creating work for lawyers

Proponents of the bill said those claims are exaggerated, reflecting the high degree of uncertainty about how the law will be applied.

Google (GOOGL) said the measure will “lead to legal uncertainty and will hurt Europe's creative and digital economies.”

“The details matter, and we look forward to working with policy makers, publishers, creators and rights holders as EU member states move to implement these new rules,” the company said in a statement.

Eleonora Rosati, a lawyer and copyright expert at the University of Southampton, said that courts will play a key role in interpreting the law.

“Some of the concepts are meant to be flexible, so that they will give room for flexible interpretation ... but of course that also leaves room for significant uncertainty,” she said.

Critics of the law have argued that its vague wording will encourage tech companies to preemptively block content, and avoid linking to news websites, in order to stay out of trouble.

Julia Reda, a member of European Parliament from Germany, said the vote marked a “dark day for internet freedom.”

The vote paved the way for the bill to become law (In the final version, it became Article 17) once it had been endorsed by the European Council, which represents the bloc's member states. The European Council approved the measure, but implementation will take two years.

Helpful links within the Music Industry – for your convenience

Music Publishing

Association of Independent Music Publishers
<http://www.aimp.org>

Music Publishers Association
<http://www.mpa.org>

International Confederation of Music Publishers
<http://www.icmp-ciem.org>

National Music Publishers' Association
<https://www.nmpa.org>

Performing Rights Organizations

ASCAP
<http://www.ascap.com>

BMI
<http://www.bmi.com>

<http://www.sesac.com>

SESAC

Music Licensing

Christian Copyright Solutions
christiancopyrightsolutions.com

Harry Fox Agency
<http://www.harryfox.com>

Christian Copyright Licensing International Music Services
<http://www.ccli.com> <http://musicservices.org>

OneLicense.net
<https://www.onelicense.net>

US Government

Latest Enforced Edition of Compendium of U.S. Copyright Office Practices (Third Edition)
<https://www.copyright.gov/comp3/docs/compendium.pdf>

US Copyright Office
<http://www.copyright.gov>

US House of Representatives
<http://www.house.gov>

Federal Legislative Information
<http://thomas.loc.gov>

US Senate
<http://www.senate.gov>

Office of the US Trade Representative
<http://www.ustr.gov>

Strategy Targeting Organized Piracy (STOP!)
<http://www.stopfakes.gov>

International

International Confederation of Music Publishers
<http://www.icmp-ciem.org>

Mechanical-Copyright Protection Society
<http://mcps.co.uk>

International Intellectual Property Alliance
<http://www.IIPA.com>

Songwriting

Nashville Songwriters Association
International
<http://www.nashvillesongwriters.com>

Songwriters Guild
<http://www.songwritersguild.com/>
Songwriters Hall of Fame
<http://www.songwritershalloffame.org>

General Copyright

Copyright Alliance
<http://www.copyrightalliance.org>

The Copyright Society
<http://www.csusa.org>

Industry Resources

Music United
<http://www.musicunited.org>

Pro Music
<http://pro-music.org>

National Academy of Recording Arts &
Sciences
<http://www.grammy.com>

Recording Industry Association of
America
<http://www/riaa.com>