
Global Certificate in Music Publishing: Next-Gen

Global Music Rights and Licensing

****Acquisition of Rights:**** The process of obtaining legal ownership or control of copyrighted musical works, usually through a written agreement between the copyright owner and the music publisher. This allows the publisher to license and administer the use of the works, collect royalties, and ensure proper protection of the copyright.

****AMRA (American Music Rights Association):**** A global digital rights agency focused on the administration of musical works, specifically for the digital publishing space. AMRA licenses and collects royalties for digital uses on behalf of music publishers and songwriters, offering a streamlined and efficient solution for the complex digital landscape.

****ASCAP (American Society of Composers, Authors, and Publishers):**** A performing rights organization (PRO) in the United States that collects and distributes royalties to songwriters, composers, and publishers for the public performance of their musical works. ASCAP operates on a non-profit basis and is owned and run by its members.

****BIEM (Bureau International des Sociétés Gérant les Droits d'Enregistrement et de Reproduction Mécanique):**** An international organization that represents mechanical rights societies around the world. BIEM facilitates communication and cooperation between these societies, helping them to collect and distribute royalties for the reproduction and distribution of musical works in various formats, such as CDs, digital downloads, and streaming.

****Catalog Administration:**** The management of a music publisher's collection of musical works, including registering the works with relevant collection societies, monitoring and collecting royalties, and ensuring proper copyright protection. This process helps to maximize revenue for the publisher and the songwriters they represent.

****Collective Management Organization (CMO):**** An organization that represents the rights of copyright owners, such as music publishers and songwriters, and licenses the use of their works to users, such as broadcasters, streaming platforms, and businesses. CMOs collect royalties on behalf of their members and distribute them according to the terms of their agreements.

****Compositions and Recordings:**** A composition refers to the underlying musical work, including the melody, lyrics, and arrangement, while a recording refers to a specific performance of that composition, usually in the form of an audio or audiovisual file. Compositions and recordings are separate and distinct copyrights, and each has its own set of rights and revenue streams.

****Copyright:**** A legal right that grants creators of original works, such as music, exclusive control over the use and distribution of their work for a limited period. Copyright protection encourages creativity and innovation by providing financial incentives for creators to develop and share their works.

****Digital Performance Royalties:**** Royalties generated from the public performance of musical works in digital formats, such as streaming, satellite radio, and internet radio. These royalties are collected by PROs, like ASCAP and BMI, and are distributed to songwriters, composers, and publishers according to their usage and agreements.

****DOU (Digital 2.0 Online User):**** A licensing agreement between music publishers and digital service providers (DSPs) that allows for the use of musical works in streaming and download services. The DOU agreement, facilitated by the National Music Publishers' Association (NMPA), aims to simplify and streamline the licensing process for digital uses.

****HFA (Harry Fox Agency):**** A leading provider of mechanical licensing, royalty administration, and related services for music publishers and digital service providers in the United States. HFA represents a vast catalog of musical works and facilitates the licensing and royalty collection process for various digital and physical uses.

****Mechanical Licenses:**** A legal agreement that allows a user, such as a record label or digital service provider, to reproduce and distribute a musical work in various formats, such as CDs, digital downloads, and streaming. Mechanical licenses are typically obtained through a licensing agency, like HFA, or directly from the music publisher.

****MMA (Music Modernization Act):**** A United States law enacted in 2018 that aims to update and modernize music copyright and licensing laws for the digital age. The MMA creates a new licensing collective, known as the Mechanical Licensing Collective (MLC), to oversee the licensing and administration of mechanical royalties for digital uses.

****MLC (Mechanical Licensing Collective):**** A non-profit organization established under the Music Modernization Act to oversee the licensing and administration of mechanical royalties for digital uses in the United States. The MLC is responsible for identifying and locating the rightsholders of musical works, collecting and distributing royalties, and maintaining a comprehensive database of musical works and their owners.

****Neighboring Rights:**** A category of performance rights related to the sound recordings, as opposed to the compositions. Neighboring rights royalties are generated when a sound recording is publicly performed, broadcast, or streamed, and are collected and distributed to the performers and record labels involved in the recording.

****Performance Rights:**** The exclusive rights granted to copyright owners, such as music publishers and songwriters, to publicly perform their musical works. Performance rights can be licensed to users, such as broadcasters, streaming platforms, and businesses, who wish to use the works in their operations.

****Performing Rights Organizations (PROs):**** Organizations that represent the performance rights of songwriters, composers, and publishers and license the use of their musical works to users. PROs, such as ASCAP, BMI, and SESAC in the United States, collect royalties on behalf of their members and distribute them according to the terms of their agreements.

****PRO Splits:**** The division of performance royalties between the various parties involved in the creation and publishing of a musical work. PRO splits typically allocate a percentage of the royalties to the songwriter, publisher, and any other relevant parties, based on their agreement and the specific usage of the work.

****Publishing Administration:**** The process of managing and administering a music publisher's catalog of musical works, including registering the works with relevant collection societies, monitoring and collecting royalties, and ensuring proper copyright protection. This process helps to maximize revenue for the publisher and the songwriters they represent.

****SESAC (Society of European Stage Authors and Composers):**** A performing rights organization in the United States that collects and distributes royalties to songwriters, composers, and publishers for the public performance of their musical works. SESAC operates on a for-profit basis and is known for its personalized service and efficient royalty distribution system.

****Songwriter Splits:**** The division of royalties between the various songwriters involved in the creation of a musical work. Songwriter splits are typically based on the contribution of each writer to the composition, such as melody, lyrics, or arrangement, and are agreed upon by the writers in a co-writing agreement.

****Streaming Mechanical Licenses:**** A license that allows a digital service provider, such as Spotify or Apple Music, to reproduce and distribute a musical work as part of a streaming service. Streaming mechanical licenses are typically obtained through a licensing agency, like HFA, or directly from the music publisher.

****Sync Licenses:**** A license that allows a user, such as a film or television producer, to synchronize a musical work with visual media. Sync licenses are obtained directly from the music publisher or through a sync licensing agency, and the terms of the license are based on the specific usage and the agreement between the parties involved.

****Territorial Rights:**** The exclusive rights granted to copyright owners, such as music publishers and songwriters, to control the use and distribution of their musical works within a specific geographical region. Territorial rights can be licensed to users, such as broadcasters, streaming platforms, and businesses, who wish to use the works in their operations within that region.

****UNISON:**** A joint venture between the National Music Publishers' Association (NMPA) and the Music Publishers Association (MPA) that aims to simplify and streamline the licensing and administration of musical works in the United States. UNISON provides a centralized platform for users to obtain licenses for various uses, such as mechanical, synchronization, and print.

****Value Gap:**** A term used to describe the perceived disparity between the value that digital platforms derive from the use of musical works and the revenue that is returned to the creators and rights holders of those works. The value gap is a point of contention in the ongoing debate over music copyright and licensing reform.

By providing a comprehensive and detailed glossary of terms related to global music rights and licensing, this resource aims to support learners in the Global Certificate in Music Publishing: Next-Gen course, as well

as industry professionals, in navigating the complex landscape of music copyright and licensing. By understanding these key terms and concepts, learners can enhance their knowledge and skills in music publishing and better serve the needs of songwriters, composers