

COPYRIGHT TIPS

www.journeyinsound.com

- Copyright Act 1976 USA... U.S. Copyright Office
- Commonwealth Copyright Act - Australia
- Canadian Copyright ACT
- P.R.O.
- Sound Recording Vs Literary Work.
- Works For Hire.
- Exclusive Rights.
- The Right to Reproduce.
- The Right To Create a Derivative Work.
- Parody Example...
- Right to Distribute My Music.
- Right To Perform The Work Publicly.
- Right To Publicly Display A Work.
- Right To Perform The Work Digitally - Youtube etc



www.journeyinsound.com

COPYRIGHT TIPS

www.journeyinsound.com

U.S. Copyright Office

A: Copyright Register (USA).

When registering a works you will be charged for a filing fee (\$55 USD).

You can register as a single song or group of works up to 10 songs under a single filing Fee. It is the same Filing fee for 1 song as it is as 10 song group Filing.

Statutory Damages:

Actual Royalty Damages \$1000.000 USD

PLUS Infringement Fines (Intentional) up to \$150k USD

PLUS Legal Fees

PLUS Emotional Duress.

B: Poor Man Copyright.

Postal Copyright.

Maximum Penalty (If Successful) \$1000.00 USD Actual Penalty.

Note: When filing more than 1 song in a single filing application all songs need to be the same author.

EXCEPT: If you file a body of different work (eg: Catalogue) assigned to a single owner - Claimant.

NOTE: You Can transfer Ownership Via A Will.

COPYRIGHT TIPS

www.journeyinsound.com

Australian Copyright

APRAAmcos.com.au & PPCA.com.au

Copyright.org.au & Artslaw.com.au

In Australia, copyright law is contained in the Commonwealth Copyright Act 1968 (Copyright Act).

In Australia, copyright protection is automatic.

There is no need for copyright registration in Australia, nor is there a legal requirement to publish the work or to put a copyright notice on it.

A work will be protected as soon as it is put into material form, such as being written down or recorded in some way (filmed or recorded on an audio tape).

Your copyright exists in Australia during your lifetime and for 70 years following your death.

COPYRIGHT TIPS

www.journeyinsound.com

Canadian Copyright Act - CIPO

Copyright protects your creation...

When you own the copyright in a work, you control how it is used in order to protect its value. Others who want to use the work have to buy or otherwise get your permission. Generally, an original work is automatically protected by copyright the moment you create it.

By registering your copyright, you receive a certificate issued by the Canadian Intellectual Property Office that can be used in court as evidence that you own it. Registering filing fee \$50 - \$65 CAD.

Your copyright exists in Canada during your lifetime and for 50 years following your death. After that, the work is in the public domain, and anyone can use it. This is true for most works, but there are exceptions.

COPYRIGHT TIPS

www.journeyinsound.com

PRO: Performing Rights Organisation

PRO - Performing Rights Organisation prefers Artists with Copyright.

ASCAP / BMI / APRA Amcos / SOCAN

To ensure payment for your creative work:

- 1: Record & Master your Music to Industry Standards
- 2: Register your Music with your PRO.
- 3: Make Sure Your Creative Work is *Registered for Copyright.

COPYRIGHT TIPS

www.journeyinsound.com

Author + Claimant + Creator

Creator Makes the work.

|

Author

|

Claimant.

Songwriter

|

Publisher (Copyright Owner)

|

Publishing Admin (signing Power)

COPYRIGHT TIPS

www.journeyinsound.com

Author + Claimant + Creator
Lyric 50% Melody 50%

1: Creator (NOT) Work for Hire - is the Author with NO Copyright transfer Is Also Claimant.

Note: If Author transfers part of Copyright Ownerships they can remain part as Claimant. inc Others.

2: Creator (YES) Work For Hire - No Ownership, Not the Author of the Work. The Person who Commissioned the Work for Hire is the AUTHOR. They can also be a Claimant.

Note: You Must have ALL RIGHTS transferred to you to be a CLAIMANT.

Note: Session Musician at a Studio - The Employer will be classed as the Author of the work and the Claimant.

COPYRIGHT TIPS

www.journeyinsound.com

Sound Recording Vs Literary Work

Option 1: Literary Works.

Register Lyrics 1st (before recording or choice). This will be the 1st registration filing application - Rego / Ref No: is supplied.

Option 2: Sound Recording

The Recording will be classed as a new application and a New Rego / Ref No: is supplied.

Option 3: Joint Work.

1 application is registered at the same time once the lyrics and the sound recording is completed. (Most Common).

COPYRIGHT TIPS

www.journeyinsound.com

Works for Hire.

The Creator is only the Author if it is registered in a copyright filing.

Authors can be a Claimant.

You may require a Split Sheet if Using Session Musicians.

If you are hired to Write lyrics work out WHO will be classed as the Author.

Use Session Release Forms... to be signed prior to performance

COPYRIGHT TIPS

www.journeyinsound.com

Exclusive Rights

The Rights to Reproduce:

* Require Written Permission.

*If You are made a Claimant to the Work.

Early Streaming Days: Napster Vs Metallica.

Napster broke these rules so Metallica pursued illegal listeners.

COPYRIGHT TIPS

www.journeyinsound.com

The Right of Reproduction - Mechanical Royalties.

1: The Right of Synchronisation - a Lic to sync a composition and the sound recording to a moving image.

2: Mechanical Royalty - Eg: Vinyl or CD - A Mechanical Royalty is Owed.

Note: Compulsory Lic. - Compelled to say YES - allow anyone to record / cover my Song.

COPYRIGHT TIPS

www.journeyinsound.com

The Right of Reproduction - Mechanical Royalties.

A: fixed payment - statutory rate = 9.1 cents if song under 5 minutes.

B: Notice of Intent - NOI - to cover your song.

If the artist makes 1000 vinyl covers you get PAID 1000 x 9.1 cents whether they sell or not!

C: Downloads - Digital.

D: Streams = Public Performance & Reproduction.
(Royalties are complex)

Non interactive - PAID for Right of Public Performance
- Sound Recording (Label USA) NOT Composition (PRO) *See Sound Exchange for possible Sound recording payments.

Interactive - PAID Mechanical Royalties & Public Performance.

COPYRIGHT TIPS

www.journeyinsound.com

The Right to Create a Derivative Work: Permission to **SAMPLE** the Music.

*Publisher - PRO Lyrics & Melody.

*Copyright Owner - Sound Recording.

Examples of Use:

- New Arrangements of my song.
- Translation of my song to a new language.
- Using lyrics from my own music.
- Remixing my song.
- Sample a Piece to add to my Song EG: Bittersweet Symphony.

COPYRIGHT TIPS

www.journeyinsound.com

PARODY

*PARODY: Exempt from Permission Process.

If you record other people's Music as a Parody,
you do not require Permission.

COPYRIGHT TIPS

www.journeyinsound.com

Right to Distribute my Music...

Selling my Music requires me to distribute my music.

*Sell

*Lease

*Rent

*3rd Party Lic. Deals EG: Labels to Retailers / Online services / Itunes.

I Grant the 3rd Party Rights to Distribute my Music on behalf of Me to the Listeners.

COPYRIGHT TIPS

www.journeyinsound.com

Right to Perform the Work Publicly

Royalties & Permission to Perform.

Is anyone performs my music in a social setting or public setting... television or radio royalties for my music may be due!

COPYRIGHT TIPS

www.journeyinsound.com

Right to Publicly Display a Work

Permission has to be obtained from the Copyright Owner.

Modern clubs, cafes, restaurants and retail sales outlets pay a blanket fee to be allowed to play music "COVERS" to entertain the public on their property.

COPYRIGHT TIPS

www.journeyinsound.com

Right to Perform the Work Digitally

Right to Perform the Work Digitally: Youtube / Live Streams / Satelite Radio.

EG: Use AUDIAM or Gyrostream to help Collect royalties due on Youtube.



www.journeyinsound.com