



# Soundcheck

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## The Year in Review

*A few words from Gary Churgin,  
HFA President & CEO*

This year feels like it has gone by in a blink – 2005 has been an incredibly busy and productive year for HFA on so many fronts. This was the year that several of our initiatives to transform HFA began to bear fruit, and from the feedback we’ve received from our publishers and licensees, as well as the general public and the media, it appears the message of the “new” HFA is getting out there.

We rolled out many new online tools for our publishers and licensees, including POLI+ through HFA Online, online Authorizations, eSignature, and the new version of Songfile. We’re really pleased by the adoption of these online services. We started the year with less than 700 publisher and licensee user accounts, and ended with over 3,400. We’re looking forward to delivering more enhancements to these online services in 2006.

The unanimous verdict in the Grokster case seems to have inaugurated a push in licensing for online music services. While we are still without an industry-wide rate for streaming and limited downloads, HFA is committed to delivering to its publishers, for their individual approval, rate agreements for new subscription services entering the marketplace. Record companies have been paid for the past four years; publishers and songwriters deserve the same.

On a different legal front, HFA interceded on behalf of its publishers in the Ory class action suit regarding the record clubs to ensure a reasonable rate and licensing process. The settlement continues to be negotiated, and we

will keep you updated.

We’re still reviewing HFA’s fourth quarter collections, but it appears we will be down only 1-2% on core mechanical collections from last year’s numbers, as compared to overall industry numbers that are indicating a 10% drop in record sales. In this climate, holding steady is a huge achievement.

We did have one item of sad news in the extended HFA family: the loss of Ms. Beebe Bourne, owner of Bourne Music Publishing and a member of the NMPA and an affiliate of HFA. There is more information about this wonderful lady on page 5. She was a pioneer for female leadership in the publishing industry, and we have truly lost one of our greats.

A handwritten signature in blue ink, appearing to be 'G. Churgin', is positioned above the Mechanical Rate Increase box.

### Mechanical Rate Increase

As of January 1, 2006, the statutory mechanical rate will increase to 9.1¢ for songs five minutes or less, and 1.75¢ per minute (or fraction thereof) for songs over five minutes.

This rate will remain in effect until a new schedule of rates is determined under the Copyright Royalty and Distribution Reform Act. We expect those hearings to begin in 2006.

## **POLI+ Tips: Working Effectively With Publisher Queues**

By Art Daudelin, HFA Technical Writer

HFA's POLI+ (Publisher Online Inquiry System) tool enables publishers to access their current HFA song catalogs, approve license requests, respond to returned licenses, and request additions and modification to songs. Used effectively, POLI+ can help expedite the licensing process while saving publishers both time and money.

To work with POLI+, you must first access the HFA public site ([www.harryfox.com](http://www.harryfox.com)) and click the "Registered User Login" button. After entering your *HFA Online* user name and password and clicking the *Submit* button, you can then click the *Access POLI+* link from the *Quick Links* list. (Or, click the *License Management* tab to arrive at the *License Management* page, where you can click the *Access Poli+* button.) After clicking the *Launch POLI* button on the POLI+ page, several security screens requiring a "Yes" click may appear next before the *Poliplus Client Connect* window loads and the POLI+ application window opens on your screen.

Once logged-in and working with POLI+, it's important for publishers to familiarize themselves with helpful POLI+ features aimed at increasing their productivity and reducing their workloads. For example, it is not uncommon to find lengthy lists, or queues, throughout the POLI+ application. These queues can be the result of a POLI+ search you have run, such as a *License Request Inquiry*, or may be a work queue for license requests or returned licenses requiring your company's attention. To manage these various queues, POLI+ has a number of sorting capabilities that, properly applied, can bring the required information, front and center.

### **Sorting**

Getting the most out of these sorting capabilities is key in getting the most benefit from POLI's electronic platform, and where POLI+ represents such a big improvement over working with paper. Generally present at the top of the screen, sort fields—such as the *Date Range*, *License Type*, and *Publisher Response* fields present in the (5). *Online License Request*, and (12). *Online License Return Approval* queues—are easy to use. If you know the sort code, simply enter it in the field and press the <ENTER> key to see your queue sorted by the code you selected. For example, within the *License Type* field, you can enter a "G" and press the <ENTER> key to see only *Digital* licenses within your queue.

If you don't know the code, you can obtain it by placing your cursor in the desired field and pressing the <F4> key. A *Response Code* window will appear, containing a list of sort codes available for your selected field. Choose one by entering an "X" in the space before the code, and press the <ENTER> key. The window will close and your queue will then be sorted by your *Response Code* choice.

(For more information on where the <F4> sort code key can be applied, refer to *Appendix A: Filter Codes Via the <F4>=Prompt Key* within the POLI+ manual.)

You can also sort using the *Dates* fields, when present, by entering a date range into the fields and pressing the <ENTER> key. This will sort your results to those that fall within the date range you specify.

Another efficient way of reducing the size of several POLI+ queues is by using the sort fields available to you when setting-up a search, such as when you are working in (2). *License Inquiry* and (3). *License Request Inquiry*. You can also use the sort codes here, or anywhere else they are available within POLI+, in combination to obtain highly specific results.

### **eSong**

The *eSong Request Queue's Song Request by Publisher* screen similarly offers <F4> key sorting opportunities in the *Request Status* and *Publisher Response Status* fields. For example, if you want to view every song that has been added by your company to the HFA database using *eSong*, you can enter (either directly or via the <F4> key) the *SA* (Songs Added) *Request Status Code* in the *Req Status* field. A *Publisher Song Code*, as well as a pair of *Dates From* fields for entering a date range, and two *Song* fields (consisting of an *HFA Song Code* and *Song Title* fields) can also be utilized here, by entering full or partial information for the entry, and pressing the <ENTER> key.

It's also a good idea to check your *eSong* queue (the *Song Request by Publisher* screen) every few days regardless of your own song request activity, since other publishers may have listed your company as having an ownership share on a song. Such songs will appear highlighted in red for easy identification.

### **Workflow**

The queues found in (5). *Online License Request Approval* and (12). *Online License Return Approval* contain two helpful sort fields that really help you manage your workflow, especially in a larger organization. The *Que* field, located towards the beginning of each record, can be used to assign work to specific individuals within your organization. First, enter the initials of the individual (or other identifying code used by your company) into the space provided. (This can be done by typing over the default entry of "A"). Then press the <F12>=Save key to save the entry.

After doing this, you can then use the *Queue* sort field in the upper right corner of the screen, above the *Publisher Response* field, for locating work that has been assigned to those individuals. To do this, place your cursor in the *Queue* field, and enter the proper initials (or other company code) and press the <ENTER> key. As with other such sort fields, simply re-enter the default asterisk(s) in the field to return to the default view.

Maximizing the potential of POLI's queues is a cost-effective practice for publishers. The better they can manage the requests in their queues, the sooner they can respond to them, and the greater is the likelihood of getting their licenses signed and their payments distributed.

## **Profile: Don Rose, Acting President**

### **American Association of Independent Music (A2IM)**

The American Association of Independent Music (A2IM) is a new trade organization for independent record labels that was formed in June of 2005, after the dissolution of the American Federation of Independent Music last year.

Loosely based on the UK's AIM, the A2IM already has over 100 members, and has been

already been successful in achieving fair treatment of independent label material from Apple and Microsoft.



Don Rose, a founder of Ryko Corporation and the current acting president of A2IM, says that the organization differs from its predecessor in that it is focused on the needs of independent labels, rather than the whole sector. However, other kinds of companies and organizations can join as non-voting associate members, such as publishers, distributors and manufacturers, and non-indie labels. A2IM's board members include Lesley Bleakley of the Beggars Group, Peter Gordon of Thirsty Ear, Steve Gottlieb of TVT Records, Doug Keogh of Roadrunner, Glen Morrow of Bar/None, Molly Neuman of Lookout Records, and Thomas Silverman of Tommy Boy Records.

Rose added that A2IM welcomes publisher involvement, and the organization wants to expand on its good relationships with publishing community, and he noted that Chrysalis Music Publishing was one of the first associate members.

One of the key points for A2IM is that its members are the keepers of musical diversity in the U.S. Rose stated, "Cultural diversity resides in the hands of independent labels. The majors have abdicated that role in so many genres, even classical and jazz. Independent releases may garner 27% of sales, but they make up 80% of the total releases in the US market."

Digital distribution is one of the areas of focus for A2IM, and Rose promises that there will be more news in this area in the future. "It's an enormous opportunity for indies once the distribution platform is horizontal and broader – greater amounts of different kinds of music will be accessible, much more so than in traditional retail. We want to make sure indies have a voice as the rule book is re-written. There has been a precedent that indie music is valued less than that from major labels, and we hope that this coalition of independent labels will shed sunlight on these issues."

Other important topics for A2IM include access to TV and radio, representing the sector's interest to legislators and in the international arena, and raising the overall awareness of indie labels as a brand.

In the immediate future, A2IM is joining with its U.K. counterpart AIM to exhibit at Midem in January 2006. Rose had been involved with AIM after Ryko merged with Palm Pictures; he describes A2IM and AIM as “friendly cousins,” with no formal tie, but A2IM is modeled on AIM’s structure.

Rose sums up the organization with the mantra, “No indie label left behind.” While only six months old, A2IM has already become a robust organization and a powerful voice for its members’ interests. For more information about A2IM, see their website at [www.A2IM.org](http://www.A2IM.org).

## **NMPA & HFA Mourn Passing of Beebe Bourne on November 1,**

Publishers Association (NMPA) and The Harry Fox Agency (HFA) are greatly saddened to announce the passing of Board member Beebe Bourne on November 1 after a battle with

Bourne  
shadow,” “When You Wish Upon A Star,” “Swinging On A Star” and “Black Magic Woman,” in

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## Exclusive registration discount to the ASCAP "I Create Music" EXPO

April 20 –22, 2006 in Los Angeles

HFA and the NMPA invite you to take advantage of an exclusive registration discount to the ASCAP "I Create Music" EXPO, the first and only major entertainment industry conference 100% dedicated to songwriting and composing, which will take place April 20 –22, 2006 in Los Angeles at the Hollywood Renaissance Hotel. HFA affiliates and NMPA members can register for the conference at the low price of \$250 (\$145 off the regular cost of registration!). The ASCAP "I Create Music" EXPO is open to all music creators and industry professionals, regardless of affiliation.

Plus, as a special limited time bonus, early registrants will be given the opportunity to schedule a one-on-one mentoring session with a hit songwriter, a composer, a music publisher, a record company executive, a Film/TV music executive or a music attorney.

To learn more about the event and to register, visit the event website at [www.ascap.com/expo](http://www.ascap.com/expo).

**Best Wishes for a  
Wonderful 2006  
from  
Everyone at HFA**



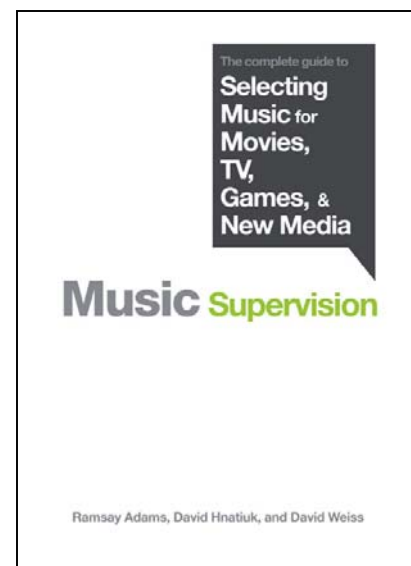
### Book Review:

#### ***Music Supervision: The Complete Guide To Selecting Music For Movies, TV, Games & New Media***

Schirmer Trade Books recently released *Music Supervision: The Complete Guide To Selecting Music For Movies, TV, Games & New Media*, written by Ramsay Adams, David Hnatiuk, and David Weiss. The book serves as a guide for those that are interested in music supervision as a career, with extensive coverage on music selection and licensing. It focuses on real-world scenarios, and also provides project form templates that will save time for seasoned music supervisors.

A host of profiles of industry experts are contained in the book, including HFA's own Senior Vice President of Licensing Michael Simon, as well Adam Schlesinger, singer/songwriter for Fountains of Wayne; Jason Bentley, music supervisor for the film *The Matrix*; Budd Carr, music supervisor for Oliver Stone's films; Murray Allen, VP of Post Production at Electronic Arts; and many more.

The authors have also launched a unique web site in conjunction with the book's release, [www.musicsupervisioncentral.com](http://www.musicsupervisioncentral.com). The site is packed with industry resources, audio and video samples, and an active discussion forum.



## Word on the Street . . . HFA Affiliate Publisher News



*Elton John and Bernie Taupin*

**Universal Music Publishing Group** (UMPG) has signed two new long-term exclusive, worldwide agreements to administer the post-1974 publishing interests of world-renowned, multiple Grammy-winning singer/songwriter/ composer, **Elton John**, and renowned songwriting collaborator, **Bernie Taupin**. Each songwriter controls his own interest in the songs they've written, and separate arrangements were entered into with each. As UMPG already owns the copyrights in Elton's and Bernie's songs written up to 1974, these new agreements will put the entire Elton John catalog under one roof, making this a landmark publishing agreement.



*L-to-R: Ira Jaffe, President and COO of Famous Music Publishing Companies, Shakira, and Irwin Robinson, Chairman and CEO of Famous Music Publishing*

**Famous Music**, the worldwide music publishing division of Viacom's Paramount Pictures, has signed a major worldwide long-term publishing agreement with international superstar **Shakira** which covers her entire current and back catalogue. These albums to date have collectively sold more than 30 million copies worldwide.

*In Other News . . .*

At the CMA Awards, two times was the charm for "Whiskey Lullaby." Writers **Bill Anderson** and **Jon Williams** with publishers **Sony/ATV/Mr. Bubba Music** and **Reynsong/Wha Ya Say Music** took home the 2005 award, after also being nominated in 2004.

**NSAI's** 14th Annual Tin Pan South Songwriters Festival will be Monday, March 27 - Saturday, April 1, 2006 in Nashville. Tin Pan South is the world's largest songwriters festival, with over 250 songwriters performing at over 100 shows throughout the week. See [www.nashvillesongwriters.com](http://www.nashvillesongwriters.com) for more information.

On November 2, 2005, members of the artistic community got together with **The Artists Forum** (AF) to help emerging artists demystify basic legal questions surrounding copyrighting and intellectual property issues. Produced and moderated by AF's President & Founder, Amos White V, and hosted at ASCAP, In New York, this special symposium included HFA VP & Sr. Counsel **Christos Badavas**, along with panelists Adrienne Fields, Associate Counsel at Artists Rights Society; Margaret Spodding, Director of Membership at ASCAP; and author/artist and former advisor to the Clinton Administration Dr. Ben Goldman, President of United Visual Arts, Inc. For more details on this and upcoming AF symposia and events, log on to [www.theartistsforum.org](http://www.theartistsforum.org).

*"Word on the Street" is taken from press release material.*

***“Return to Sender, Address Unknown”  
Publishers MIA: Can You Help Us Find Them?***

If you are a music publisher (or the assign, successor in interest, heir or beneficiary of a music publisher) that has been affiliated with HFA, and you’re not sure whether HFA has your current contact information, it is possible that HFA is holding royalties due to the lack of a valid mailing address.

To find out if HFA is looking for you and to provide current information so we can pay you any royalties we may be holding, visit “Help Us Find Publishers” at [www.HarryFox.com](http://www.HarryFox.com), or call HFA’s Client Relations Department at 212-834-0100. And please remember to update your contact information with HFA if it should change in the future.

If you have any comments regarding HFA Soundcheck, please contact Laurie Jakobsen, Senior Director, Communications, at 212-834-0133 or [ljakobsen@harryfox.com](mailto:ljakobsen@harryfox.com).

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