This course is taught mostly by online videoconference with a few live classes. The dates of the live lectures will be announced.

I. Catalogue Description
   This course has a heavy focus on practical application of the underlying rights granted by copyright law, trademark law, and business contracts in the industry.

II. Required Background or Experience:
   A. Prerequisites:
      MUGN M110 Intro To Music Industry Studies
      MUIN M205 Legal Issues in the Music Industry 1
      LGST B205 Legal Environment of Business
      MUIN M310 Music Finance
   B. Prerequisites Justification:
      This senior level course builds on and extends topics surveyed in the prerequisite classes

III. Expected Outcomes:
   A. Students should know the rights granted under US copyright & trademark law
   B. Students should be familiar with entertainment industry terms & practices
   C. Students should be able to apply their knowledge of entertainment industry contracts to given fact situations
   D. Students should be able to analyze cash flow and recoupment in live performance, publishing, and recording contracts

IV. Text and References:
   This class will reference texts used in prior MUIN courses:

   This Business of Music (10th Edition)                       Krasilovsky & Shemel

   All You Need To Know About The Music Business                Passman, Donald

   US Copyright Law (Title 17 U.S. Code)
Applicable sections available as a download from
http://www.copyright.gov/title17/

V. Special or Unique Student Materials (Multi-media):
A. US Copyright Office  www.copyright.gov
B. The Blackboard system will be used extensively for posting of
announcements and grades, links to websites, & digital distribution of documents.
C. Sample contracts are used throughout the course.
D. Music industry web sites will be accessed and discussed.
E. Learning Modules are accessible at a password-protected site.
F. Students should have a computer with Internet access & webcam for videoconference
sessions, lesson modules, MP3 samples, and websites
G. Students should have PDF reader & Excel spreadsheet software

VI. Special or Unique University Facilities (Blackboard):
The classroom should have complete audio-visual equipment (VHS, CD, DVD, & audio in
plugs for mp3 player) with high quality speakers.
In addition, a computer projection system with laptop access and an Ethernet plug for on-line
access is required.

VII. Expanded Description of the Course and Instructional Methods:
A. Expanded Description of the Course:
This course will provide an overview of the operations of the music industry in detail.
Graduates will be equipped with the knowledge of the legal environment of the music industry, and
be able to understand the key contract points of copyright, music publishing, performing rights
organizations, licensing, artist management, trademark, concert promotion, record contracts, motion
pictures, radio, television, and royalties.

B. Instructional Methods
A series of videoconferences, online learning modules, and true-life examples will be
supplemented by occasional in-class lectures on the topics and chapters listed in the syllabus. Class
participation and discussion will be regularly featured.

C. Course Syllabus  (Subject to revision)

Passman = All You Need to Know About the Music Business
TBM = This Business of Music

CLASS 1: CONTRACT BASICS
Legal Entities
  Sole proprietorship
  Partnership
  C-Corporation
  Sub-S Corporation
  LLC
Contract Terms
   Parties
   Term (length)
   Renewal
   Territory
   Performance
   Warranties
   Default
   Boilerplate
Musical Groups
   Legal status
   Group Names: Selection and Protection
   Group Breakups

Passman
   22 Groups

TBM

CLASS 2: COPYRIGHT REVIEW

   What Copyright Protects
   Section 106
   Initial Ownership
   Works for Hire
   Transfer of Copyright
   Duration
   Notice
   Registration
   Infringement

Passman
   15 Copyright Basics
   20 Advanced Copyright Concepts

TBM
   10 Copyright Law in the US
   11 Duration
   12 Public Domain
   13 Arrangements & Adaptations
   17 Works-for-hire

CLASS 3: MUSIC PUBLISHING: WRITERS

   Single Song Agreement
   Joint Author Agreement
   Exclusive Term Songwriter Agreement
   Co-Publishing
   Foreign Sub-Publishing
   Cash Flow
Passman
  16 Publishing Companies & Major Income Sources
  18 Songwriter Deals

TBM
  16 Songwriter Contracts & Royalties
  18 Co-Ownership & Joint Administration
  488 Negotiation Checklist: Exclusive Songwriter Contract
  495 Negotiation Checklist: Single Song Contract

CLASS 4: MUSIC PUBLISHING: LICENSES
  ASCAP/BMI/SESAC registration
  Music Clearance
  Sync Licenses
  Termination & Reversion
  Most Favored Nation
  Publishing Royalty Accounting
  Evaluation of Catalogues for Sale

Passman
  17 Secondary Publishing Income
  19 Co-Publishing & Administration Deals

This Business of Music
  15 Mechanical Rights
  22 The Writer as Publisher
  493 Negotiation Checklist: Mechanical Reproduction License

CLASS 5: TRADEMARKS
  Merchandise
  Name and likeness
  Trademarks
  Service marks
  Endorsements & Sponsorships
  US Patent & Trademark Office

Passman
  24 Tour Merchandising
  25 Retail Merchandising
  328 What’s In a Name

TBM
  30 Privacy & Publicity Rights
  31 Protection of Ideas & Titles
  32 Names & Trademarks

CLASS 6: CONCERTS & TOURS
  Contracts
  Engagement
Equipment Rider
Personal Rider
Insurance
Sound & Lighting
Performing Rights Organizations
Promotion
Budgets
Tickets: Pricing, Distribution, and Collecting
Staff
Breakeven
Just for Fun: The Smoking Gun

Passman
23 Personal Appearances & Touring

TBM
491 Negotiation Checklist: Live Concert Appearances

CLASS 7: AGENTS & MANAGERS

Teams & duties
Management
Analysis of a Personal Management Agreement
Commissions
Sunset clauses
Powers & duties
Talent Agencies
Business Managers
Unions & Guilds
AFM, AFTRA, AGMA,
AGVA, SAG, IATSE

Passman
3 Personal Managers
4 Business Managers
5 Attorneys
6 Agents

TBM
6 Labor Agreements
33 Agents & Managers
494 Negotiation Checklist: Personal Manager

MID-TERM PAPER

CLASS 8: RECORDING CONTRACTS

Overview of contract
Parties
Artist Inducement
Work for Hire
Form SR copyright
Definition of Terms,
Delivery, Release Commitment,
Advances, Recoupable Expenses,
Free Goods, SRLP, Options,
Controlled Compositions,
Royalties, Packaging deductions
Producers
Passman
  7 Broad Strokes Overview
  8 Advances & Recoupment
  10 Other Major Deal Points
TBM
  2 Recording Artist Contracts
  4 Independent Record Producers
  37 Demo Records in the Electronic Age
  482 Negotiation Checklist: Demo Shopping Agreement
  483 Negotiation Checklist: Demo Subsidy Deal

CLASS 9: RECORD LABELS
  Record Producer Agreements
  Demo Shopping Deals
  Royalty Accounting
  Pressing & Distribution Contracts
  Retail
  Digital Downloads
  Cash Flow
Passman
  11 Producer & Mixer Deals
  12 Advanced Record Deal Points
TBM
  7 Sound Recordings: Rights, Restrictions
  9 Record Covers
  486 Negotiation Checklist: Exclusive Artist Agreement

CLASS 10: ADVERTISING & RADIO
  The Electromagnetic Spectrum
  Advertising Agencies
    Campaign Spots
    Storyboards
    Jingles
  Radio
    Format
    Organization of station
CLASS 11: STAGE & TELEVISION

Stage
- Contractual relationships
- Investment

Television
- Organization
- Networks
- Cable
- Local
- Syndication
- Production
- Music Videos

Passman

TBM
- 24 Licensing Recordings for Films, TV
- 25 Music for the Theater
- 36 Music Videos
- 492 Negotiation Checklist: Master Use License for Film or TV Show

CLASS 12: MOTION PICTURES

Above-the-Line:
- Producer
- Writer
- Talent
- Director

Below-the-Line:
- Boom Operator
  - Mics, cables, placement
- Production Sound Mixer
  - room tone, wild, dialogue
- ADR & Foley
- Composer & Scoring
- Music Director
- Sound Supervisor
Music Supervisor
Music Editor
Re-Recording Mixer
Passman
27 Overview of Motion Picture Music
32 Music Supervisors
TBM

CLASS 13: MOTION PICTURES: MUSIC

Scoring
Synchronization Licenses
Master Use Licenses
Soundtrack Album
Home Video/DVD
Passman
29 Film Songwriter Deals
30 Composer Agreements
31 Licensing Existing Recordings
33 Soundtrack Album Deals
TBM
23 Music for Motion Pictures
24 Licensing Recordings for Films, TV
490 Negotiation Checklist: Home Video/DVD Reproduction of Song

CLASS 14: LAST CLASS

Review of entire course
All questions answered

FINAL EXAM – OPEN BOOK TEST

Comprehensive Final Examination

VIII. Methods of Evaluating Outcomes:

A. Evaluation Tools:
Grading points will be earned from the following:
Mid Term Paper 100 (this is the LORA mid-term grade)
Final Exam 200

Total 300

Grade Scale:
A  90-100
B+  87-89
B   80-86
C+  77-79
C   70-76
D   60-69
F   59 or below
Incomplete I

IX. General Notes

Course Requirements
Textbook and sample contract reading assignments are REQUIRED as they provide the necessary background information for class discussions.
• Students are expected to attend all class meetings & participate in discussions.
• All learning modules have sample contracts which are discussed in class.
• A mid-term paper is required.
• A comprehensive final examination will be given.

Special Accommodations
Students with disabilities who believe that they need accommodations in this class are encouraged to contact the office of Academic Enrichment and Disability Services so that accommodations can be implemented in a timely fashion.

Academic Integrity
All work you do for this class is expected to be your own, and academic dishonesty will be punished. A summary of the University's definitions and procedures concerning academic integrity can be found in the Undergraduate Bulletin.

Attendance
• Students are expected to have read the text material & sample contracts before class.
• Live classes will start and end on time.
• Students must sign an attendance sheet at the beginning of class.
• Students are responsible for all information missed during absence.
• Prior notice given to the instructor indicating illness etc. will be the only excused absence.
• Grades will be posted on Blackboard & LORA.

Office Hours
I do not have an office on campus; so I cannot schedule office hours. However, feel free to contact me at the address below:

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