

Radio Music Royalty News – November 2011

Copyright

The Independent UK, 25th October 2011

[Ed Vaizey calls for single digital market across the EU](#)

Culture Minister Ed Vaizey has called for new rules to be drawn up, breaking down the barriers to online trade in the European Union. The proposal would mean that nation-specific business deals, such as those governing music copyright, would be thrown out, allowing online companies to launch continent-wide services more easily.

Speaking today, Mr Vaizey said: “We have a single market across Europe’s national borders. The internet does not stop and start at countries’ boundaries yet national borders have been thrown-up for on-line trading. A Department for Culture Media and Sport source indicated today that the proposal would be specifically aimed at helping companies offering music streaming services like music Spotify and Deezer, as well as companies offering other media, to negotiate Europe-wide deals with rights holders, rather than individual deals for each territory. The source admitted, however, that any proposals would need to go to the European Commission before they could be adopted and added: “we are talking about years, rather than months”.

The Music Network US, 3 November 2011

[Chuck D sues Universal](#)

Public Enemy’s Chuck D has filed a lawsuit against Universal Music Group for underpayment of digital royalties. Chuck D (Carlton Douglas Ridenhour) filed the suit on Wednesday alleging UMG treated royalties owed to him on MP3s and ringtones as sales of physical record as opposed to licensed works, and have been paying him roughly 25% of the royalties they should be paying him.

The US rapper joins fellow UMG artists Rob Zombie and the estate of Rick James, who have also filed similar suits that were given the green light by a federal judge in California on Tuesday. Last year’s victory between Eminem and UMG may have set a new legal precedent for the UMG artists. In September 2010, the 9th Circuit Court of Appeals ruled that Eminem’s earliest recordings, which were put online, are now eligible for higher digital royalties based on rates for masters that were licensed to third parties. Circuit judge Barry Silverman said in September of the decision: “It is well settled that where a copyright owner transfers a copy of copyrighted material, retains title, limits the uses to which the material may be put, and is compensated periodically.”

NME, November 20, 2011

[Universal to sue online music site Grooveshark for copyright infringement](#)

Record company claims site have uploaded over 100,000 songs illicitly

The record company - which is home to the likes of Klaxons and Jessie J - are claiming that Grooveshark, which allows users to search, stream and upload music, have uploaded more than 100,000 songs illicitly to their site.

According to CNET, Universal have obtained e-mails and other records proving that Grooveshark employees posted pirated songs on their service and are seeking maximum statutory damages of up to \$150,000 (£95,000) per infringement.

Previously, Grooveshark has claimed that they are not liable for copyright violations committed by their users due to the protection provided by the Digital Millennium Copyright Act, but the same protocols do not apply to service providers for acts of infringement.

Music Industry

The Guardian (Blog) UK, 23rd October 2011

[Piracy isn't the reason some media groups are all at sea](#)

Copyright infringement may mean the difference between success and failure for online businesses

One can only wonder how they do it: researchers at GlaxoSmithKline think they might have come up with drugs to cure malaria, it emerged last week. Glaxo, turnover last year £28bn, is able to survive in an industry where patent protection lasts only 20 years – whereas some media and media-related businesses seem to struggle with the notion of copyrights that last longer than several people's lifetimes. It may help that drug companies can charge hospitals ridiculous sums, but what media companies may lack in price they can make up for in volume, as not all of us have the same serious ailment.

Part of the problem for the music business is that once an album is made digital it is easy to listen to the individual songs wanted; it is remarkable that the album still exists as a concept 10 years after music first went digital.

Music Week UK, 17 November 2011

[Mercury nominee says 'f*ck Spotify'; UK industry voices opinion](#)

Forget EMI and Google: the news item that has most hit the UK industry's nerve this week appears to be the removal of music from Spotify - which has gone nuclear since Mercury-nominated artist Jon Hopkins claimed this afternoon that he was paid under £10 for almost 100,000 streams on the service. The debate went up a gear yesterday, when independent distributor ST Holdings pulled its music catalogue from streaming sites.

Hopkins turned the air blue on Twitter today, reporting: "Got paid £8 for 90,000 plays. Fuck spotify." He later added: "Radio 1 pay about £50 for each play."

That set in motion a stream of opinion from industry execs to Music Week's @MusicWeekNews account. Radio presenter Stuart Miller wrote: "This Spotify thing is a total joke. I make dance music. If Radio 1 plays like 6 mins I get £120 or around that from PRS."

Reuters US, 17th November 2011

[Google launches music service](#)

Google Inc has turned on the music at its new online store, aiming to wrest the lead from Apple Inc and Amazon.com Inc in audio entertainment distribution despite the absence of a major record label.

Google Music, with more 13 million songs, will be integrated with Android Market, the company's online store for smartphone apps and videos as it plays catch-up with its rivals. Apple, Amazon and Facebook have to varying degrees integrated music into their core online and mobile products.

Google Music will allow the Web search leader to do the same by letting consumers access music from various Internet-connected devices and easily share tracks with friends.

The Guardian UK, 11th November 2011

[Universal and Sony reach deal to buy EMI for £2.5bn](#)

Famous British music business could be split into two in agreement that hands control to biggest rivals
EMI, arguably the most famous corporate name in British music history, fell into the hands of its two largest rivals in two deals worth £2.5bn – a finale to a disastrous four-year period that saw the company loaded with debt by financier Guy Hands and rejected by bands like the Rolling Stones.

Universal Music, the world's biggest recorded music company, triumphed in an auction for EMI's recorded music business, with a £1.2bn bid for the label behind Coldplay, Tinie Tempah, and above all, the Beatles. Its offer was about £250m more than rival Warner Music.

It was the first part of a two-stage break-up of EMI, with the music publishing division, the home of the Motown catalogue, going to a consortium led by Sony – the world's second-largest music group. Sony reached agreement in principle to buy the division for £1.3bn, seeing off a bid from BMG Rights Management, a joint venture by Germany's Bertelsmann and the private equity group KKR.

Guardian UK, 31st October 2011

[Apple is a 'digital vampire', says Pete Townshend](#)

The Who star says tech giant should do more to support musicians, and also criticises illegal downloaders

Pete Townshend has called on iTunes owner Apple to do more to support musicians "whose work it bleeds like a digital vampire Northern Rock". The Who star used a radio industry lecture on Monday evening to call for Apple, now run by Tim Cook, should employ A&R executives to spot new talent and provide financial and creative support to emerging artists. Townshend also hit out at illegal downloading, saying: "If someone pretends that something I have created should be available to them free ... I wonder what has gone wrong with human morality and social justice."

The guitarist made the comments delivering the inaugural John Peel lecture at the 2011 Radio Festival in Salford, broadcast live on the BBC's digital radio station, 6 Music.

Music Week UK, 4th November 2011

[Creative Industries ask BT to block The Pirate Bay](#)

BT has been asked to block access to the world's largest illegal BitTorrent website The Pirate Bay, it was announced today. Building on the Newzbin2 precedent, music industry trade body the BPI, supported by the UK creative industries, has written to BT to ask it to block The Pirate Bay voluntarily. If BT will not agree to block voluntarily, then it has been asked to consent to a court order.

The Pirate Bay is the world's largest BitTorrent site, enabling and encouraging the mass illegal distribution of copyrighted content including music, movies, TV programmes, games and publications. It

is run on a commercial scale, paying no royalties to any of the creators or companies whose content it exploits without permission. The operators of the website have been sentenced to prison terms in Sweden for their criminal activities.

The move follows the landmark High Court order on October 14 2011 requiring BT to block access to the pirate website Newzbin2. The Newzbin2 ruling was the first case in the UK to use section 97A of the Copyright, Designs and Patents Act 1988 to require ISPs to block access to infringing websites.

Huffington Post US, 21st November 2011

[iTunes Match Is A Music Pirate's Dream Service](#)

If this newfangled iTunes Match thing really will play any song you have in your library, no matter where you downloaded that song from, then Apple's newest release could do more to encourage rampant, reckless, illegal music downloading than the invention of the high-speed T1 line.

If you love listening to a lot of music, and you also love mindlessly and illegally downloading gigabyte upon gigabyte of music all at once, grabbing at songs and albums like 20 dollar bills raining fast from an exploding ATM, then iTunes Match is a solid investment at \$25 per year. iTunes Match allows you to listen to any song in your music library on up to 10 different devices at very high quality. One of the great advantages and selling points of iTunes Match -- and even now, no one is quite sure how Apple convinced the labels that this was a good idea for them -- is source forgiveness; that is, it doesn't matter to iTunes Match where you got your music.