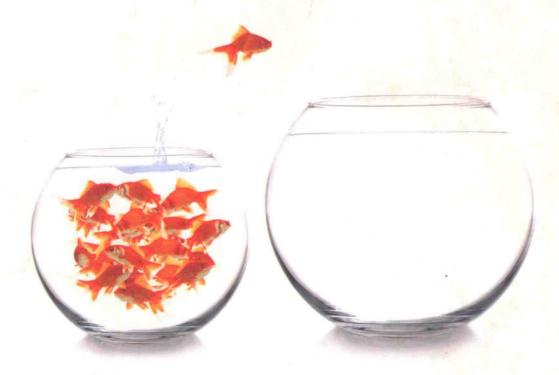
THE MOUSIC INDUSTRY



AN ENTREPRENEURIAL APPROACH

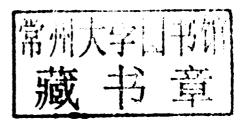
Catherine Fitterman Radbill



Introduction to the Music Industry

An Entrepreneurial Approach

Catherine Fitterman Radbill





Please visit the Companion Website at www.routledge.com/cw/radbill

First published 2013 by Routledge 711 Third Avenue, New York, NY 10017

Simultaneously published in the UK by Routledge 2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

Routledge is an imprint of the Taylor & Francis Group, an informa business

© 2013 Taylor & Francis

All rights reserved. No part of this book may be reprinted or reproduced or utilized in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

Trademark notice: Product or corporate names may be trademarks or registered trademarks, and are used only for identification and explanation without intent to infringe.

Library of Congress Cataloging in Publication Data Fitterman Radbill, Catherine, author.

Introduction to the music industry : an entrepreneurial approach / Catherine Fitterman Radbill.
pages cm
1. Music trade. 2. Music entrepreneurship. I. Title.
ML3790.F596 2013

780.68—dc23 2012009974

ISBN: 978-0-415-89638-2 (pbk) ISBN: 978-0-203-09669-7 (ebk)

Typeset in Stone Serif by Swales & Willis Ltd, Exeter, Devon

Senior Editor: Constance Ditzel Editorial Assistant: Elysse Preposi Production Manager: Sarah Hudson Marketing Manager: Joon Won Moon

Project Manager: Swales & Willis Ltd, Exeter, Devon, UK

Copy Editor: Janice Baiton

Proofreader: Swales & Willis Ltd, Exeter, Devon, UK

Cover Design: Salamander Hill

Introduction to the Music Industry

Introduction to the Music Industry: An Entrepreneurial Approach is a textbook that offers a fresh look at one of the fastest-changing businesses in the world today. Emphasizing the importance of entrepreneurial thinking for the music industry, this textbook engages college-level students in learning the fundamentals while discovering ways to shape the industry's future. Every chapter explores the inner workings of the music industry using creative problem-solving exercises, discussion questions, collaborative projects, case studies, hands-on activities, and inspiring stories of actual music entrepreneurs. The textbook's companion website provides multi-media content, study guides, and an instructor's manual with lesson plans and suggestions for assessing students' work.

This book will be beneficial to students who want to be involved in the music industry in some way: as a professional working in support of artists, as an artist trying to launch his or her performing career, or as an active fan.

Catherine Fitterman Radbill is the Director of the New York University Steinhardt School's Undergraduate Music Business Program.

PREFACE

I'd like to tell you a story. It's a tale based on the hopes, fears, successes, failures, and collective wisdom of the thousands of students and music professionals with whom I've had the distinct honor of working for more than 14 years as a music entrepreneurship evangelist.

I've met you in classrooms, meeting rooms, coffee shops, railroad stations, airports, and on line. You are 17, or 30, or 55. You are performers, educators, composers, technicians, administrators, inventors, venue managers, DJs, recording artists, bloggers, music retail store workers, record label owners, publicists, or a hundred other things—all working in the service of this thing we can't live without called music.

When I founded the Entrepreneurship Center for Music at the University of Colorado in 1998, I spoke the musical language of the faculty and students: non-profit classical music, jazz, and composition. Since moving to New York University in 2002, my vocabulary has expanded to include commercial music—pop, rock, hip-hop, country, electronic—and the variety of ways music is used to make money.

No matter where I've met you or what you're doing for a job, your stories all revolve around a common underlying question: How can I make a living doing what I love? Or specifically: How can I work in the music industry in whatever area I'm passionate about right now, and sustain myself economically?

The answer is straightforward: You will need to learn how to think and act like an entrepreneur. Music is a business with its own distinct culture. If you want to find your place in it, you'll need to look under the hood to see how all the moving parts fit together. Learning to think like an entrepreneur as you explore the inner workings of the music industry will catapult you into a mindset that allows you to see opportunities where others see only problems. The world around you will look like one gigantic suggestion box, full of great ideas for you and other entrepreneurial thinkers to play with. You will be able to control your own destiny, whether you decide to work for yourself and create a new product or service, or choose to make meaning in the world by being an entrepreneurial thinker as an employee.

The market conditions are perfect for entrepreneurial activity in the music industry. Everything is in flux as it adapts to changing consumer habits and new technologies. There is no longer a fixed shape or direction to the landscape. How did we get here? Where are we going? It's messy and chaotic. It's a perfect *entrepreneurial opportunity*.

Creativity, innovation, opportunity, and a "why not...?" attitude are the hall-marks of entrepreneurship. These are the skills and tools you will acquire in the

chapters ahead. We'll apply some myth busting to conventional wisdom and reject a "that's just the way things are done" mentality so you can find your place in the music industry. In each chapter, I will urge you to ask questions, challenge my answers, look under every rock for opportunities, and make meaning in all that you do. I invite both teachers and students to add their own imagination, creativity, wisdom, and energy to this story.

As an entrepreneurial thinker, how will your passion and enthusiasm guide the music industry? What areas of the business will intrigue you? What creative ideas and insight will you bring to solving some of our industry's challenges? The opportunities for you to have a satisfying and sustainable career in the music industry are abundant if you learn how to develop an entrepreneurial mindset.

I want to hear *your* story. Please contact me through the book's website as you journey through the textbook with your class. I look forward to hearing from you.

GOALS OF THIS BOOK

Introduction to the Music Industry: An Entrepreneurial Approach is a textbook that offers a fresh look at one of the fastest-changing businesses in the world today. It is written for the first course—and in some schools the only course—in the fundamentals of the music industry, in the course called Introduction to the Music Business (or by a similar name). Emphasizing the importance of entrepreneurial thinking for the music industry, this textbook engages college-level students in learning the fundamentals while discovering ways to shape the industry's future. As entrepreneurial thinkers, students develop a creative mindset that allows them to recognize opportunities where others see only problems.

Introduction to the Music Industry: An Entrepreneurial Approach does not engage in the history of the music business as much as its present-day workings. It doesn't predict the future, but acknowledges a future that is likely to be more technologically driven than it is today. It acknowledges a future that requires entrepreneurial thinking from day one. For a history of the music business, there are other fine books. This book is more applied in its approach and is intended to help students "hit the ground running."

It will be beneficial to students who want to be involved in the music industry in some way: as a professional working in support of artists, as an artist trying to launch his or her performing career, or as an active fan.

In coursework, this textbook is designed to help create lively classrooms that enhance learning. Every chapter includes hands-on activities, discussion questions, collaborative projects, and inspiring stories of actual music entrepreneurs. The textbook's website provides multi-media content, study guides, and an instructor's manual.

HOW THIS BOOK IS ORGANIZED

Introduction to the Music Industry: An Entrepreneurial Approach is structured chronologically in four parts:

- 1 Thinking Like an Entrepreneur
- 2 Contacts and Contracts
- 3 Performing and Recording
- 4 You as Entrepreneur

In Part 1 we'll focus on the fundamentals of entrepreneurship and entrepreneurial thinking, tackle creative problem solving, and explore the concept of music and branding.

Part 2 will help students understand and master the basic building blocks of the music industry: copyright, publishing, licensing, and performing rights societies.

Part 3 allows students to see the music industry in action through live concerts and touring, recorded music, and a look at the newest and fastest-growing frontier, digital music services.

Part 4 consists of two long-form music industry case studies that put students in the driver's seat as entrepreneurs. In both of the cases, students will step into the role of a company's founder, using the skills they've acquired in this textbook to engage in thoughtful reflection and tough decision-making.

An Appendix introduces students to the world's largest music products trade show, NAMM.

LEARNING TOOLS INSIDE THIS BOOK

The music industry seems to change shape almost daily, so I've designed this book to be used alongside an open internet connection. The book's companion website, with links to each chapter, will keep students posted on changes and developments in the many areas that impact the global music industry, such as digital technology, copyright law, consumer behavior, communications, and music trends. The links also will provide context and background for each chapter, and give a jumping-off point for class discussion.

I've designed each chapter so that students will have different ways to learn the material and prepare for class. Here are some of the tools:

- Chapter Overviews—each chapter begins with an overview of topics to be presented, and key terminology that will be discussed in the chapter
- Entrepreneur's Stories—candid snapshots of working music entrepreneurs
- Industry Essentials—a thorough overview of the inner workings of the chapter's topic

- Opportunities Ahead—highlights entrepreneurial possibilities for students to explore
- Self-reflection—questions and activities for students to reflect upon as they read each chapter
- Talking Back—activities, discussions topics, and projects that help students prepare for lively class discussions
- Internet Resources—suggested resources that encourage deeper study of the chapter's topic
- Links in each chapter on the book's companion website to articles and blogs, video material, study guides
- Case Studies in Part 4 will help students learn how to make convincing arguments based on solid evidence, astute analysis, and good communication skills.

We learn well through stories, and there are many storylines flowing through the book to help illustrate key points. Students will find plenty of insight and humor in the short Entrepreneur Sound Bytes and more detailed Entrepreneur Profiles. All of the characters in the stories are real people, but in some cases I've given them new names or a slightly altered circumstance to protect their privacy.

As students read through this book, they will become advisors to the Third Rail, a fictional indie band trying to launch its music career. They'll help Third Rail master the key elements of entrepreneurial thinking, and find opportunities to build its fan base, launch a tour, license its music, and start a record label.

Using case studies is a very effective pedagogical tool for creating interactive classrooms. In addition, the case study method helps students acquire analytical and diagnostic thinking skills, which they will put to use in a free-flowing environment where circumstances are always changing. The classroom becomes the laboratory for comparative reflection on and lively discussion of the students' findings and conclusions

ONLINE RESOURCES

www.routledge.com/cw/radbill

The companion website for *Introduction to the Music Industry: An Entrepreneurial Approach* features:

- Flash cards—to help students master the key concepts of each chapter
- · Links to videos, interactive materials, and useful websites
- RSS Feeds for social media, blogs, and industry news updates
- PowerPoint presentations that reinforce chapter learning goals
- Instructor's Manual and test bank.

One of the challenges of teaching a course that tries to cover the sprawling music industry in one school term is that some students may want to delve more deeply into issues and topics than we have time to discuss in class. To help with that, the book's website includes suggested resources for deeper research and study.

INSTRUCTOR'S MATERIALS

The textbook's companion website includes an Instructor's Manual that is not accessible to students. In it, instructors will find a guide to creating a syllabus for the semester and weekly lesson plans. In addition, the manual will include helpful tips on how to:

- Incorporate interactive projects and media into traditional lectures
- Use a long-form case study
- Create homework assignments and projects for both small and large classes
- · Assess students' work
- Help students enjoy the class and become life-long learners.

ACKNOWLEDGMENTS

There are many people to thank for their inspiration and encouragement in writing this book. First, I would like to acknowledge the hundreds of students with whom I have had the pleasure of learning and teaching. Their passion for music has inspired me to find new ways to think about the music industry, resulting in this textbook. Gregory Allis, Pedro Avillez Costa, Katonah Coster, Jillian Ennis, Shrayans Jha, Chris Lane, Christine Mayer, and Yifan Qin are former students who contributed to researching and writing several sections of the book.

My academic colleagues Jim Anderson, Cathy Benedict, Judith Coe, Lawrence Ferrara, Catherine Moore, Rich Nesin, Robert Rowe, Peter Spellman, E. Michael Harrington, and Shirley Washington spent many hours reading and editing my drafts and encouraged me during those dark moments when I was tempted to walk away from this enormous undertaking. Chief among these wonderful colleagues is Angela Myles Beeching, whose weekly phone calls guided me with a patient yet firm hand to my deadline.

Special thanks to Ray Sylvester, whose presentation at a MEIEA conference was so impressive that I invited him to contribute Chapter 3 of this book.

The entrepreneurs who generously shared their stories and inspiration are the bedrock of this book. With deep gratitude I thank Aaron Bisman, Andrew Cyr, Peter English, Tony Falco, John Janick, Kimberley Locke, Brian McTear, Chris Stanchak, Marni Wandner, and Alex White.

My music industry colleagues shared their wisdom and insight with me throughout the years that I researched and wrote this book. I would particularly like to thank Gary Bongiovanni, Keith Fitzgerald, Savannah Haspel, Neeta Ragoowansi, Craig Rosen, James Thompson, and Heather Trussell.

I owe a debt of gratitude to my editor, Constance Ditzel, who wisely rejected my first book proposal, and who performed wonders with the second. I am grateful to the anonymous reviewers who read my drafts and give me valuable insight into how to make this a better book.

Finally, to my family—whom I am amazed and delighted to say are still speaking to me after the burdens I placed on them while writing this book—I give my deepest thanks. My daughter, Ariel Fitterman, shared her artistic talents by giving life to the Third Rail. My son, Ben Fitterman, and my sisters, Caren Leach and Caral Markwood, reviewed many chapters and kept up my spirits with frequent text messages, cards, and phone calls of encouragement. My mother, Cass Maccubbin, served as head cheerleader, celebrating my successes and pulling me up from my failures. And lastly, to my patient and devoted husband, Michael Radbill: you may now read my book!

Taylor & Francis

eBooks

ORDER YOUR
FREE 30 DAY
INSTITUTIONAL
TRIAL TODAY

FOR LIBRARIES

Over 23,000 eBook titles in the Humanities, Social Sciences, STM and Law from some of the world's leading imprints.

Choose from a range of subject packages or create your own!



- ► Free MARC records
- ► COUNTER-compliant usage statistics
- Flexible purchase and pricing options



- ▶ Off-site, anytime access via Athens or referring URL
- Print or copy pages or chapters
- Full content search
- Bookmark, highlight and annotate text
- ▶ Access to thousands of pages of quality research at the click of a button

For more information, pricing enquiries or to order a free trial, contact your local online sales team.

UK and Rest of World: online.sales@tandf.co.uk
US. Canada and Latin America:

e-reference@taylorandfrancis.com

www.ebooksubscriptions.com





A flexible and dynamic resource for teaching, learning and research.

BRIEF CONTENTS

Preface xiii Acknowledgments xviii

PART 1 Thinking Like an Entrepreneur Fundamentals of Entrepreneurial Thinking 3 CHAPTER 1 Creative Problem Solving 23 **CHAPTER 2** Brand You 37 CHAPTER 3 PART 2 Contacts and Contracts 53 **CHAPTER 4** Copyright Law and the Music Industry 55 International Copyright and Trade Agreements 73 **CHAPTER 5** The Role of the Music Publisher 87 **CHAPTER 6** Songwriters and Music Publishers 111 **CHAPTER 7** Performing Rights Societies 129 **CHAPTER 8** Performing and Recording PART 3 Concerts and Touring 147 **CHAPTER 9**

CHAPTER 10 Recorded Music 167

CHAPTER 11 Digital Music Services 190

PART 4 You as Entrepreneur 213

CHAPTER 12 Case Study: Falcon Music & Art—A Jazz Haven on the Hudson 215

vi BRIEF CONTENTS

CHAPTER 13 Case Study: TicketLeap—Social Media Integration in the Cloud 232

APPENDIX A Visit to 2012 Winter NAMM 247

Notes 252

Index 265

DETAILED CONTENTS

PART 1

CHAPTER 1

CHAPTER 2

Preface xiii

Acknowledgments xviii

Thinking Like on Entrangenous 1
Thinking Like an Entrepreneur 1 Fundamentals of Entrepreneurial Thinking 3
Chapter Overview 3
Key Terms 3
An Entrepreneur's Story: Brian McTear and Weathervane Music 4
Industry Essentials: The Fundamentals of Entrepreneurial Thinking 8
Defining Entrepreneurship 8
Characteristics of Entrepreneurial Thinking 9
Why You Need to Think Like an Entrepreneur 12
A Venerable Industry in Transition 13
Meet Third Rail 18
Opportunities Ahead: Thinking Like an Entrepreneur 20 Conclusion 20
Talking Back: Reflect and Prepare for Class Discussions 21
Creative Problem Solving 23
Chapter Overview 23
Key Terms 23
An Entrepreneur's Story: Alex White, Next Big Sound 23
Industry Essentials: Creative Problem Solving 24
Strap on Your Growth Mindset 24
Identifying Problems and Recognizing Opportunity 25
Generating Great Ideas for Solving Problems 26
Crowdsourcing: Revolution in Problem Solving 32
Grownsontenig. Revolution in Frontin Solving 32

CHAPTER 3

PART 2

CHAPTER 4

Another Entrepreneur's Story: Kimberley Locke and I Am Entertainment 33
Opportunities Ahead: Thinking Like an Entrepreneur 36
Conclusion 36
Talking Back: Reflect and Prepare for Class Discussions 36
Brand You 37
Chapter Overview 37
Key Terms 37
An Entrepreneur's Story: John Janick and Fueled By Ramen 37
Industry Essentials: Brand You 39
Popular Music and the Birth of the Music Artist 39
The Artist and the Business of Selling Music 41
Understanding the Commercial Translation of the Artist as a Music Product 42
Understanding the Artist as a Brand 45
Conclusion 50
Opportunities Ahead: Thinking Like an Entrepreneur 51
Talking Back: Reflect and Prepare for Class Discussions 51
Contacts and Contracts 53
Copyright Law and the Music Industry 55
Chapter Overview 55
Key Terms 55
An Entrepreneur's Story: Patrick Sullivan and RightsFlow 56
Industry Essentials: Development of U.S. Copyright Law 57
Introduction: Intellectual Property—Creations of the Mind 57
Opportunities Ahead: Thinking Like an Entrepreneur 71
Conclusion 71
Talking Back: Reflect and Prepare for Class Discussions 72

CHAPTER 5 International Copyright and Trade Agreements 73

Chapter Overview 73

Key Terms 73

Industry Essentials: International Conventions and Intellectual Property

Protection 73

Introduction 73

What Is "Property" and Why Are There Laws to Protect It? 74

Historical Background 76

Moving into the Digital Era 79

World Intellectual Property Organization 80

The World Trade Organization and the TRIPS Agreement 82

Copyright Reform in the U.K. 84

Opportunities Ahead: Thinking Like an Entrepreneur 85

Conclusion 85

Talking Back: Reflect and Prepare for Class Discussions 85

CHAPTER 6 The Role of the Music Publisher 87

Chapter Overview 87

Key Terms 87

An Entrepreneur's Story: Aaron Bisman and JDub Records 88

Industry Essentials : The Role of the Music Publisher 90

Quick Review of Music Copyright 91

Introduction to Music Publishing 91

Inside a Music Publishing Company 92

The Major Functions of a Music Publisher 94

Do-It-Yourself (DIY) Music Publishing: A Third Rail Story 98

How Songwriters and Publishers Earn Money 99

Opportunities Ahead: Thinking Like an Entrepreneur 109

Conclusion 109

Talking Back: Reflect and Prepare for Class Discussions 110

X

CHAPTER 7 Songwriters and Music Publishers 111 Chapter Overview 111 Key Terms 111 Industry Essentials: Songwriters and Music Publishers 111 The Relationship 111 Main Points to Be Considered in a Publishing Negotiation 114 Six Different Types of Publishing Contracts 117 Opportunities Ahead: Thinking Like an Entrepreneur 127 Conclusion 128 Talking Back: Reflect and Prepare for Class Discussions 128 **CHAPTER 8** Performing Rights Societies 129 Chapter Overview 129 Key Terms 129 An Entrepreneur's Story: Marni Wandner and Sneak Attack Media 129 Industry Essentials: Performing Rights Societies 132 Introduction 132 U.S. Rights Societies 133 Global Performing Rights Societies 134 How Does the Money Flow? 136 Changes for Performance Rights in Sound Recordings 137 Opportunities Ahead: Thinking Like an Entrepreneur 142 Conclusion 142 Talking Back: Reflect and Prepare for Class Discussions 143 PART 3 Performing and Recording 145 **CHAPTER 9** Concerts and Touring 147 Chapter Overview 147 Key Terms 147

An Entrepreneur's Story: Andrew Cyr and the Metropolis Ensemble 147