

NEWSLETTER

An Entertainment Industry Organization



Electronic Musician's interview with Anne Cecere,
BMI's Associate Director of Film/TV Relations.

ADVICE FROM A BMI EXPERT ON MUSIC FOR FILM AND TV

The President's Corner Cheryl Hodgson

I Believe in Music"

The winners of the Golden Globe awards for music in film on January 12, 2009 serve as an inspiration for aspiring composers, not just in America, but world wide. Two films made this year's awards the night of the underdogs. The win by *The Wrestler* brought Mickey Rourke back after years in hiding. *Slumdog Millionaire*, the little film that lost its U.S. distribution, won "Best Picture-Drama." Not to be left out, composers for both films were winners as well. AR Rahman bagged the prestigious Golden Globe Award for "Best Original Score" for his work in *Slumdog*, while Bruce Springsteen garnered Best Original Song for *The Wrestler*.

We are here this evening because we all "Believe in Music." Mac Davis' 1972 lyrics from "I Believe in Music" are as relevant now as they were 37 years ago:

Music is the universal language, and love is the key
To peace hope and understanding, and living in harmony
So take your brother by the hand and come along with me
Lift your voices to the sky, tell me what you see.

Despite the pundits, I believe in music. I also believe that together we can remake the future to a bigger and brighter future. I wish all of you a successful and happy 2009.

"Film and TV is the new radio" is a mantra often chanted in industry circles today. Getting your music onto a hot TV show or composing for a film is the epitome of promotion, and it can be quite lucrative as well. Anne Cecere, BMI's associate director of film/TV relations, knows full well the important role that film and television can play in launching new artists and composers. She is charged with bringing writers into the BMI fold, working with music supervisors, and educating the industry and its newcomers on how to obtain these coveted placements. Cecere reveals here what every musician needs to know to pursue the "new radio."

What's the first thing songwriters should do to get their music into film and television?

Do a little research and be strategic when it comes to sending your music out. Don't do a mass mailing to music supervisors. You can research from your home. Sit down and watch television. Start with the networks — ABC, NBC, and CBS — since they tend to pay the most when it comes to royalties. Cable pays great, too, but when you're starting out, try looking at the networks first. See what new shows NBC has. Then go to your cable stations. If your music sounds like it would be perfect for *Nip/Tuck*, then find the music supervisor for that show and send your stuff to him or her.

How do you find and contact music supervisors?

With Google and Internet Movie Database [imdb.com], it's very easy to find out whom to get your CD to. Every music supervisor has a different preference: some accept CDs, and some do not take unsolicited music. Others prefer MP3s. But most of them I deal with are surfing the Net and using MySpace and looking at certain music [sites] to see what's out there. Send a CD with a few specific songs targeted to the show, plus a letter of introduction referencing the TV series or film, and ask if they could give it a listen — no long backstories. And don't expect a call back. *Music Connection* magazine has a listing of all of the music supervisors that are in town [L.A.], and it will say if they take CDs. Another helpful tool is the *Film & Television Music Guide* by the Music

Business Registry [musicregistry.com]. It's like the Bible. We use it here at BMI. If you want to get into putting your music into film and TV or scoring, that is a great guide to have.

Should you call music supervisors?

No. A lot of times it's better to mail in your CDs. Research the music supervisor. A lot of them give interviews or have been on industry panels. Often you can get the Podcasts of panels, so you can literally hear it from their mouths as to what their preference is.

What makes an artist more attractive to a music supervisor?

Your situation should be what a music supervisor calls a “one-stop situation.” This means it takes only one phone call to license a song. So if I'm a music supervisor and I'm working on an episodic TV show and I literally have a day or two to license music for a scene, and I pull from my library three bands I think will all equally fit in the scene, the one that's a one-stop situation is most likely the one that will get my phone call. When you have no time, that one phone call to license 100 percent of the song can make all the difference in the world. When a music supervisor starts seeing multiple publishers they have to deal with, that can deter him from using that song. One-stop licensing is key, especially for episodic TV. Put [“one-stop licensing”] on your CD and jewel case and in your introduction letter.

Can a one-stop situation be formed when multiple writers are involved?

Sure. If there is more than one publisher on your song — let's say you are a songwriting duo or you're in a band and all of you decide to split the song's [rights] up evenly — you can create a one-stop by giving one person in the band the right to license the song [and, if possible, the recordings] on behalf of the other members. As long as you have an administration contract between the bandmates [or cowriters], you can consider yourself a one-stop.

A music supervisor is interested in using my song. What should I expect next?

When it comes to [licensing music for film and television], there are two licenses involved. The first is a sync license, which gives permission for your composition to be synced to a visual [a film or a TV show]. If you're an indie artist without a publisher, then the sync license will go to you from the film or TV producer. The other part of the equation is a master license, which is for use of the actual master recording. If you're an indie band and you're not with a record label or publisher, then you are the owner of the whole entire thing — composition and recording — so music supervisors are going to have to go through you for everything, making you a one-stop situation.

What if I don't have a lawyer to review these contracts?

There are organizations like California Lawyers for the Arts [calawyersforthearts.org] and Volunteer Lawyers for the Arts in New York [vlany.org] that provide legal consultations to artists at a reduced cost. Either one would be a great help. *The Musician's Business and Legal Guide* [Prentice Hall, 2007] also has samples of sync and master licenses.

What can an artist expect to make from a music placement for television and film?

There's no black-and-white. There are certain productions that don't give any money up front. Then there are others who have a really nice music budget, and they have money to pay you up front. Some productions have “most-favored nations” clauses in their contracts — meaning that whether you're Dylan or a garage band they just found online, everyone gets the same amount of money. In that case, there is no negotiation. For those that will negotiate with you, don't be a diva. If you've never had a film or TV placement, being on a hit show — whether they pay you up front or not — is probably going to be good for you for many reasons. Plus, even if you get no up-front money, you are still going to be paid performance royalties. For shows or movies aired on television in the U.S., you get paid per airing on each TV station. For theatrical showings of films, you are paid royalties for showings outside the U.S. only. [In the U.S., theaters are not required to pay performance royalties.] The royalty rates for both vary.

How does an artist collect performance royalties on film and TV music?

First, you must join a performing-rights organization [in the United States, BMI, ASCAP, or SESAC]. A cue sheet should be given to the artist's PRO by the film-production company so we know what music was used in a film or TV show. That's how we know who to pay. We only accept cue sheets from production companies for legal reasons. If we don't have a cue sheet on file, the writer doesn't get paid. It's the writer's responsibility to make sure the cue sheet is on file with their PRO. Call us a few weeks after an airing to check that we have it. It takes about nine months from the airing to get paid your royalties. So don't wait until nine months pass before checking in. When you make a deal with a production company, ask them about the cue sheets. Say, “I know the PROs require a cue sheet in order for me to get paid. Who is in charge of that?” Then be sure to get contact information for that person. You, the writer, can ask for a copy of the cue sheet, but they aren't required to give you one.

What can a composer expect when asked to score a film?

It's a totally separate situation from licensed music placements. Ninety-nine percent of the time, the studio will own the publishing on the score. It will be a work-for-hire situation. To a novice, this seems unacceptable. I have to remind them that even the biggest film composers don't always get to keep their publishing. One exception is a production company who can't afford to pay an up-front fee. They may allow a composer to keep all or part of the publishing in lieu of money up front. But remember, you still get your performance royalties every time it airs on television or [is shown] internationally in theaters.

Any last words of wisdom for artists new to film and TV?

As a composer, don't underestimate student and indie films. And remember, no cue sheet means no performance money.

*Fran Vincent is the author of *MySpace for Musicians* (Thomson Course Technology, 2007) and president of Retro Island Productions, Inc., a music-marketing and consulting firm. Visit her at myspace.com/retroisland.*