



# Society of Composers, Inc.

*...dedicated to the  
promotion, composition,  
performance, understanding  
and dissemination of  
new and contemporary  
music...*

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*SCI is an  
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## Mechanical Rights and Royalties

Edited by Gerald Warfield

In a recent email exchange, Richard Brooks, former producer of the ASUC Record Series and the SCI CD Series, gave some helpful information about mechanical rights and royalties. Richard emphasized that the landscape with respect to rights and royalties is changing with new media, and that what follows is not legal advice but his understanding as a result of his long involvement with Capstone Records.

Richard: *Here's my understanding of things gained from my experience with SCI and Capstone.*



*A mechanical license is a one-time agreement to allow a recording to be made of a copyrighted work. The license*

*can be granted by whoever controls the copyright (composer or publisher). This is not the same as syndication which is an allowance to synchronize music to films, etc. Both of these allowances can generate royalties unless waived by the licensor. Many or most publishers use Harry Fox agency to issue*

*mechanical licenses and to collect royalties on sales of CDs, etc.*

*"Royalty" is used to describe income generated from live performance, broadcasts (both collected by BMI or ASCAP) and record sales. Publishers pay royalties on printed music sold.*



*With regard to fees for performers making recordings, it's usual for them to receive a "fee for service" which is a one-time up-front payment after which they do not receive royalties. However, an agreement can be made wherein both the performers and the composer can receive royalties from the sale of the recording. Usually any royalties would be collected and distributed by the record label that produces and distributes the recording.*

*You are free to waive the receipt of royalties and many labels and performers find that easier to manage in terms of book-keeping.*

*And in another email, Richard said: There's another aspect of this I neglected to mention. The copyright holder has the right to*



## About the Newsletter

**Editor:** Michael Rene Torres  
**Assistant Editors:** Carter John Rice & Brad Decker

**Access:** available on the SCI website at <http://www.societyofcomposers.org/publications/newsletter/>

**Newsletter Contact Information:**  
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The SCI Newsletter is a bi-monthly publication which serves the SCI membership by publishing materials pertaining to the field of composition and contemporary music culture including: history, pedagogy, philosophy, opinion, current events, interdisciplinary connections, etc. Specifically, the types of articles published are blog or academic style articles, interviews, album reviews, concert/conference reviews, etc. The views and opinions expressed in articles published by the SCI Newsletter are those of the authors and do not necessarily reflect the official policy or position of the Society of Composers, Inc.

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## Upcoming SCI Events

**2016 SCI Student National Conference**  
**November 17-19, 2016**  
 Ball State University  
 Carter Rice, Co-host  
 Chad Powers, Co-host

**2017 Region IV Student Conference**  
**January, 26-27, 2017**  
 University of North Carolina Greensboro  
 Elise Seifert, Host

**2017 Region VI Conference**  
**February 2-4, 2017**  
 The University of Texas at Arlington  
 Dan Cavanagh, Host

**2017 SCI Region VIII Conference**  
**March 1-14, 2017**  
 Washington State University  
 Ryan M. Hare, Host

**2017 SCI National Conference**  
**March 30-April 1, 2017**  
 Western Michigan University  
 Christopher Biggs, Co-host  
 Lisa Coons, Co-host  
 Richard Johnson, Co-host

**2017 Region VII Conference**  
**September 29-30, 2017**  
 Arizona State University  
 Jody Rockmaker, Host



## Internet & Email

[www.societyofcomposers.org](http://www.societyofcomposers.org)

- Conference dates and submission guidelines
- Contact information and links to member web-pages
- Student chapters and opportunities
- CDs and journals produced by SCI
- Details on SCI such as membership, contacts for officers, regional structure, by-laws, newsletter archives and more...

## SCION

SCION is a listing of opportunities on our website exclusively for members. It is updated on a continual basis so that it may be checked at any time for the most current notices. In addition, members are emailed on the first Monday of each month to remind them to visit the site for new or recent postings. The large number of listings is easily managed by a table of contents with links to the individual notices. In-depth coverage; contest listings in full; all items listed until expiration; this is a valuable resource that you may print in its entirety or in part at any time.

**John Bilotta, SCION Editor**  
[scion@societyofcomposers.org](mailto:scion@societyofcomposers.org)

## scimembers

**scimembers** is a member-driven e-mail mailing list that is intended to facilitate communication between members of the Society on topics of concern to composers of contemporary concert music. It conveys whatever notices or messages are sent by its members, including announcements of performances and professional opportunities, as well as discussions on a wide variety of topics. For more information, including how to join and participate in the listserv:

<http://www.societyofcomposers.org/publications/listserv.html>

## National Council

### President

James Paul Sain  
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### Region 1

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### Region 7

Jody Rockmaker  
Arizona State University  
Glenn Hackbarth  
Arizona State University

### Region 8

Rob Hutchinson  
University of Puget Sound  
Patrick Williams  
University of Montana

### President Emeritus

Greg Steinke

## Membership Information

*For complete details, please visit*  
<http://www.societyofcomposers.org/join/membership.html>

**Full Membership** (\$75/year): Eligible to submit scores to the National Conferences, regional conferences, SCI Recording Series, SCI Journal of Music Scores. Access to the SCI Newsletter in electronic form. Optional subscription to [scimembers], the SCI listserv and all other SCI publications. Eligible to vote on Society Matters and in elections for the National Council.

**Joint Membership** (\$100/year): Same benefits as full members

**Senior Membership** (\$35/year): Open to those 65 years of age or older, or retired. Same benefits as full members.

**Associate Membership** (\$40/year): Open to performers and other interested professionals. Receives the SCI Newsletter in electronic form and can participate in national and regional conferences.

**Student Membership** (\$35/year): Eligible to submit to national and regional conferences and to vote in society matters. Access to all SCI publications.

**Student Chapter Membership** (\$25/year): Same benefits as student members, but only available on campuses having Student Chapters.

**Institutional Membership** (\$40/year): Organizations receive hard copy of the SCI Newsletter and other mailings.

**Lifetime Membership** (\$1400 or \$150/year for 10 years): Benefits the same as full members, for life.

## Executive Committee

### Chairman

Mike McFerron  
Lewis University

**Newsletter Editor**  
Michael Rene Torres  
Ohio State University

**SCION Editor**  
John G. Bilotta

**Journal of Music Scores Editor**  
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**CD Series Editor**  
Travis Garrison  
University of Nebraska at Omaha

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**Student Representative**  
Carter John Rice

**Member Statistics Coordinator**  
Jessica Rudman  
Hartt School Community Devision  
SCI National Office General Manager  
Gerald Warfield



determine who can make the first recording. However, once an initial mechanical license is granted anyone can choose to make a recording (but the licensing fee still applies). Also, if memory serves, there's a formula Harry Fox uses to determine a fair mechanical license fee; it has to do with how long the piece is and how many copies are pressed. It's a little complicated and I'm not sure if it's mandated by the law or if it is just a generally agreed-upon formula in the record industry (RIAA is an umbrella group for record companies which may be in charge of this).

For more details about licensing, the FAQ page on the Harry Fox website is an excellent source of information. See [http://www.harryfox.com/find\\_out/faq.php](http://www.harryfox.com/find_out/faq.php). See also the ASCAP website ([www.ascap.com](http://www.ascap.com)) and the BMI website ([www.bmi.com](http://www.bmi.com)).



Richard Brooks was chairman of the executive committee of SCI (then ASUC), president of the American Composers Alliance, and later chairman of the ACA board of governors. He served as a member of the Junior/Community College Commission on Accreditation of the National Association of Schools of Music for ten years. From 1975-2004 he was on the music faculty of Nassau Community College where he was Professor and Department Chair for 22 years.

## SCI Digital Archives Project – Call for Past Programs

### By Dan Cavanagh, Co-Chair, Region VI

Building upon the SCI history display General Manager, Gerald Warfield put together for the 50<sup>th</sup> National Conference at the University of Florida, SCI has decided to further pursue a more complete and accessible documentation of our history. Our final goal is to have a complete record of SCI's history stored online as a digital archive. The executive committee charged Gerald and me with working on this project to get it off the ground. We have met with the library folks at the University of Texas at Arlington, who are interested in collaborating on this project with us. They have expertise in creating digital archives and are eager to work on this project.

Our first stage is to digitize all of our past programs for both the regional and national conferences. A link to the programs we currently have, as well as which ones we're missing, can be found here: <https://goo.gl/L4Y3YB>. **Please review this list** and email Dan Cavanagh ([cavanagh@uta.edu](mailto:cavanagh@uta.edu)) or Gerald Warfield ([geraldwarfield@suddenlink.net](mailto:geraldwarfield@suddenlink.net)) if you think you have access to any of the programs we're missing.

Once we have the complete list of programs (or as many as we can possibly find), the library staff will work on creating a searchable archive that will permanently reside online, managed by their special collections department. It is a win-win for both SCI and the UT Arlington library, as they will be hosting an important historical archive related to art music over the past fifty years. We anticipate it being useful as a resource for researchers and composers alike.

Future steps in this project involve a more substantive archive, possibly including other historical documents from SCI, a complete SCI Newsletter archive, recordings from conferences, etc. Please do not hesitate to contact Dan Cavanagh at [cavanagh@uta.edu](mailto:cavanagh@uta.edu) if you have any suggestions or questions. Thanks for all you do for SCI, and especially to those of you who have hosted conferences in the past!