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Permission to Arrange

Each band must have permission from the copyright holder to arrange and perform a song. Lawsuits in the recent years are becoming more prevalent. WBA, your school district, school and the band director can be sued for using unauthorized music. This is the fist step in order to be able to attain permission to capture and sell video or audio recordings of your group.

WBA has made available the services of CopyCat Music Licensing, LLC. CopyCat Music Licensing offers a service where they will research the copyright owners, apply for permission and track the status of requests for all the songs in your show. The service does not include any fees charged by the copyright owners for the license. They will act as the "go-between" for your band and copyright owners. Through the Copyright Licensing Service, the company negotiates and requests license agreements directly with music publishers and copyright owners on your band's behalf. All licenses obtained are issued directly to the band and any fees payable will be owed to the copyright owner directly.

Each Band can also obtain licenses on its own. This year, WBA is asking for proof of permission to arrange whether you intend to do this on your own or use another service.

If you are doing original music we encourage you to have the composer sign a permission of use request. It will allow you to use the composition at WBA marching band competitions. It also will allow the selection to be recorded by WBA and sold at a future date, as well as place music on web page.

What **IS** proof of permission?

A signed license agreement from the copyright owner, or a letter of permission from the composer if you're working with the composer directly.

What is **NOT** proof of permission?

1. An *unsigned* MPA form. (see link here http://www.mpa.org/copyright_resource_center/forms for the form recommended by MPA) This form MUST be signed by the publisher in order for it to be acceptable proof of licensing. Most publishers have their own licensing agreement and do not use this form.

2. A letter of request sent to the publisher is not proof of permission. There needs to be a signed letter of agreement or contract between the band and copyright holder.

Licensing for Audio and Video sales.

WBA has made arrangements to possibly sell audio and video recordings of Championships. In order to have permission to sell those recordings, WBA must get either a mechanical or synchronization license. CopyCat Licensing will be working with us to acquire permission and handle all the documentation and reporting for WBA. There are fees attached to each license which will be paid by the vendor selling the products. NO cost to WBA for the license.

Mechanical Licensing

The license needed to record your performance of a copyrighted song and include it on a CD or tape is a mechanical license. These rights are governed by law and you are entitled to a mechanical license once a song has been recorded by the copyright owner for the first time. WBA will obtain these licenses.

Synchronization Licensing

The license needed to videotape the performance of a copyrighted song is a synchronization license. WBA will obtain these licenses.

Song Information for Audio/Video

To get the proper permission, WBA will need a list of each song title, composer and copyright holder. Mechanical licensing is governed by law and a license will be granted. Synchronization License might not be granted even if you have permission to arrange. If we cannot get license we will let you know immediately. If we are unable to get a synchronization license, and if you still choose to perform that song and/or you do not submit your song list, your band will not be recorded or distributed as part of the championship weekend of performances.

For your information, the following are songs, publishers and composers that may present complications with synchronization rights either due to cost or unavailability of licensing. All synchronization licenses are issued under a "most favored nations" clause which requires WBA to pay to all copyright owners the same fees. If one copyright owner requires a higher fee then all copyright owners get that higher fee. Below is a listing of songs, composers and publishers that we know pose potential cost or licensing difficulties. If you wish to play music from the list below, please contact CopyCat Music Licensing at Info@CopyCatLicensing.com so they can explain the nature of the complication. This will allow you to determine if you want to proceed with performing the song.

Composers

- Johan de Meij
- Jan Van der Roost
- Philip Sparke
- Stephen Melillo
- Prince
- John Lennon

Composers (specific works):

- Björk (Joga and The Anchor Song)
- Paul McCartney (songs performed by The Beatles)
- Bruce Springsteen (Born In The USA)
- "Imagine" by John Lennon

Publishers (collections, in their entirety):

- Arc Music Group, including
    - Goodman Music
    - Conrad Music
    - Sunflower Music
    - Jewel Music
    - Regent Music

Compositions or Works

- "Mission: Impossible Theme" & "Bare Island" from *Mission: Impossible 2*
- Music from Forrest Gump
- Music from The Godfather (entire series of movies)
- Music from the Japanese animé series *Cowboy Bebop*
- Music from any James Bond movie, regardless of publisher
- Any Beatles song written by John Lennon or Paul McCartney
- The song "Hotel California" (by The Eagles)
- The song "Break on Through" (and other songs by Jim Morrison)
- Music from the Disney *Pirates of the Caribbean: Dead Man's Chest* movie
- "Brazil (Main Title)" by Michael Kamen
- "Sweet Home Chicago" by Woody Payne

WE WANT to make this VERY Easy For You!

I know this may seem like a lot of information. But there are REALLY only **TWO STEPS.**

1. Permission to Arrange – This is something you have been doing and we are trying to make this easier for you by having you work with CopyCat Licensing. Just fill out the form and send the form directly to CopyCat Licensing. There is a fee that you will pay CopyCat Licensing for this service. Any fees payable for your licenses will still be due to the copyright owners. CopyCat Licensing just does all the legwork and research for you. If you are doing an original composition just have both parties fill out and sign Original Composition Form. Both forms attached or included.

2. Song List – All you have to is to fill out the form AND soon this will be an easy to use section on the WBA web site. WBA will take getting all licensing from here and NO PAYMENT is required!! Form is attached or included

That is all you need to do!!

Thank you