
CRACK THE CODE!

WRITING MUSIC FOR COMMERCIALS AND PROMOS INSTRUCTION COURSE

MANUAL #1

**KNOWLEDGE &
INFORMATION**

by JOHN MIYAGI AUTHOR

CRACK THE CODE!

WRITING MUSIC FOR COMMERCIALS AND PROMOS INSTRUCTION COURSE

MANUAL 1: KNOWLEDGE AND INFORMATION

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**Published by Ka-Ching Media, Inc. Los Angeles, CA
Printed in the U.S.A.**

Toll free 1-866-675-3800

www.crackthecodemusic.com

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ABOUT THE AUTHOR:

John Miyagi Author (yes, that's his real name) is a music producer, composer, and sound designer who has over 15 years in the business of music production. He has produced and/or composed music and sound design for clients such as Apple Computer, Inc., JCPenney, KBKids, Ford Motors, Mitsubishi, cooking.com, IBM, Wonder Bread, Mattel, Earthlink, Blue Cross, Cadillac, Bandai, Clorox, Philip Morris, Dodge Cars and Trucks, Visa, Sony Playstation, and many, many others.

In a previous life, he was also involved on the production side as an advertising agency producer for BBDO, as well as a freelance agency producer for a number of West Coast advertising agencies.

He has held staff positions at various well-known and established commercial music companies such as Ear to Ear, tomandandy, Decibel Architects, and Face the Music. He continues to work today making his living as a freelance composer and music producer for a number of music companies as well as working directly with advertising agencies.

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INTRODUCTION

I have been a musician all my life, playing the piano as a kid, picking up the saxophone, singing a little, writing songs, and playing in bands. I started my musical career as a wanna-be rock star (who doesn't wanna be a rock star? Isn't that what we musicians all dream of?). I did attend a university and majored in music, but it did not prepare me for the real world.

After graduating from college, I got a job at the university bookstore, while I played keyboards in rock/pop/techno bands at night and weekends. It was a lot of fun, but I never made any real money. In fact, I probably lost money, spending my meager earnings on all the gear, getting my gear fixed, transportation, beer, and eye-liner. Hey, it was the mid-to-late 80's. What can I say?

I quit my job at the bookstore and got a temp job answering phones at an advertising agency, looking for a different type of opportunity. I figured that advertising

would be more interesting than working in a bookstore, at the least. After a couple of months, they moved me up to account services, then they offered me a permanent job in broadcast production. I did have some experience with audio/visual equipment, so I became the in-house A/V guy and helped out with presentations, in-house videos, and some post (video editorial) work. I started working closely with agency producers, and I had a chance to go to music sessions for commercials, and got to meet the composers who worked on them. I had no idea about this side of the business – I guess I just never really thought about who actually does music for commercials. I also discovered that they were paying composers really good money to write music for these commercials. Really, really good money.

If you think about it, any time you sit down and watch an hour of TV, you may see up to 15 commercials. And these days, with all the different specialty channels on cable and satellite TV, there is so much more out there than ever. When you turn on the radio, there's commercial after commercial running all the time. People are making money writing music for all these commercials and promos, so I thought, why not me? I learned as much as I could. At my ad agency job, I eventually began working as an agency broadcast producer, and picked the brains of composers and music producers I worked with. It was a great way of learning the business from the production end of things, from the inside out. Eventually, I started doing my own music demos here and there, getting my chops together, and eventually left the agency and pursued a career as a composer, sound designer, and music producer. I've never looked back!

There are so many talented musicians out there looking for a way to make a living doing music. The chances of an individual musician "making it big" by getting a big record contract (then having to go on tour all their life) is pretty tough. Writing music for commercials is a great career, or can be a great part-time moneymaker if you're continuing to pursue the dream of becoming a rock icon.

And the thing is, you don't need to be a musical genius or have rock star attributes to write music for commercials. With the right tools and the right approach, you can be very successful at writing music for spots – there are many different types of people who are in this business. I personally know musicians who can't read a note of music, but compose and produce incredible music tracks. I know people whose primary instrument is percussion or bass and are great composers in all genres. There are DJ/mixer types who produce tracks for commercial music production houses all the time. So you see, you don't have to have a music degree from some prestigious music school to be a composer for commercials. There are many types of musicians and music producers who create tracks for commercials and promos, as there are many types of music that are needed for the commercial/promo world.

In this training series, I'll show you all the ins and outs of writing and producing music for commercials and promos. I'll help to de-mystify the world of advertising, and show you how advertising agencies work when it comes to producing commercials. I'll talk about and explain the language of the spot world ("spot" is the industry's term for commercials). We'll talk about commercial production flow, from concept to air date.

FACT

For John's first commercial gig, he was paid less than \$200! Now he makes a living at it, fulltime!

We'll also talk about what you need in terms of equipment and an environment in order for you to be able to write music. We'll cover union contracts and how payments work, including an explanation of how residuals work. We'll cover basic marketing skills and ideas, how to put together a demo reel, and how to help you find, get, and retain work. We'll give you a lot of tools to start developing your skills to make money writing music for commercials.

How the Course Works: The 3 Keys, or Codes to Success

The **Crack the Code!** training series is based on mastering three basic **Keys**, or **Codes**, to unlock the door to your composing career. These three keys are:

Section One: Knowledge

Section Two: Experience

Section Three: Contacts

If you master these three codes, you will have a rock-solid foundation to really jump-start your music career, and the skills you learn will take you into a brighter musical future. There is no reason whatsoever that you can't be a success at writing music for a living, if you really apply yourself and work hard. The business of music, like any other business, takes dedication, talent, hard work, and being resilient. You must really have a deep desire to do this and apply yourself a hundred percent. You have to continue your musical education as well, and always strive to broaden your musical horizons. Just reading this book won't bring you success; you have to continue to apply what you learn from this course, and be dedicated to your business and craft. The best way to get the most out of this training series is to be consistent and to finish what you've started - don't just do one or two lesson plans and put it on the shelf. You've got to follow through and strive to master all three keys. Let's talk about each of the sections.

The First Key: Knowledge

Section One will give you all the **Knowledge** to understand the business of writing music for commercials and promos, as a whole. You'll gain all the hard-earned knowledge that has taken me 15 years to amass, in a matter of weeks, even days! I'll explain how the business works, and who the decision-makers are. I will give you all the invaluable information that you need to make a living as a composer for commercials and promos. I'll give you resources to find more information beyond just the scope of this course. I'll also give you all the business tools you need to create a successful business at writing music. You'll learn all the basics on how commercials are produced, and how advertising agency production is done. We'll cover union contracts, residuals, legal matters, how to set up your studio, and how to set up your business. With knowledge comes power, the power to be successful in your endeavors.

We'll even cover some technical aspects of the studio, how it all works, and how to create an environment to writing music that's specialized to your needs.

The Second Key: Experience

Section Two is about gaining **Experience**. You need to develop your composing skills and work on various aspects of music and/or sound design that's specific for the commercial/promo format. I've formulated a lesson plan, complete with video samples of actual commercials and promos for you to expand your

writing skills.

After you finish each lesson, you will send it in for a review and critique. With each lesson, you will learn new techniques and expand your musical landscape to be able to tackle any kind of music job. You'll start to develop a style that's unique and your own. You will write music in real-world scenarios, complete with music direction given to you by the client, and outlining what they are looking for. You'll begin to understand the specialized needs for writing in a :15, :30 or :60 format. You'll learn how to write music against video, and how to formulate your music to work for various types of commercials and promos. You'll write a very large variety of styles, so you can expand on your skills in writing for different genres of music.

The Third Key: Contacts & Marketing

Section Three has to do with developing skills to create **Contacts** to get those paying jobs. I'll point you in the right direction – how to put together a great demonstration package to catch the ear and eye of your potential clients. I'll give you some great marketing ideas and tools. I'll give you resources and ideas on creating your own clientele, and where to look for and find work to further advance your career as a working composer. I'll also give you ideas on maintaining relationships with current clientele and how to keep them coming back to you with each job that comes up.

How to Approach the Course

Different people will gain different things from this training series. You may be a well-accomplished composer with a great studio that is looking to expand your business. You might be that weekend musician exploring the possibility of writing music for a living. You might be a music producer who wants to learn more about the commercial world.

No matter what level you are at, you will find that you'll learn something new and eye-opening. You will be able to utilize what you learn in this course to become more successful in your endeavors.

You don't necessarily need to go through this series in order. If you want, there's no reason why you can't go directly into the Experience section and start a writing lesson, or read the Contacts section first, or just skip around as you find things you want to do. You may already have some experience, so it's up to you how you'd like to proceed. If you are a novice, I do recommend you do it in sequence, so you build a solid foundation of understanding the business, then developing your craft and writing skills and your unique voice, then developing your marketing skills. If you apply yourself and work hard at these three sections, you're well on your way to making a living at writing music.

You'll also note that in the right hand column, little boxes will appear with nuggets of information. They are just fun little bits of info or suggestions for you to do or explore. I'm just trying to keep it interesting!

I can't stress enough about keeping motivated and dedicated to finish this training course. Don't just read a few pages and put it on the shelf for a week. Don't just

do one of the lesson plans and do another one in a month's time. If you want to get your career going, this is the place to start. Put aside time every day, even for an hour, and focus on what you need to do. You must be dedicated - after all, it's your future you're dealing with. You can develop all the skills you need to have for a successful career if you focus your energy and absorb all the information that's here, in the palm of your hand!

Let's get started!

CHAPTER 1

Types of Music for Commercials and Promos:

Jingles, Themes, Scoring, Mnemonics, Music Beds, and Sound Design

Understanding the different ways that writing music for commercials is done is your first job. You need to become well acquainted with how spots work musically and sonically. By paying attention specifically to the music in commercials and promos, you'll begin to become attuned to how they are structured, and the way they work with sound. In this chapter, we'll go over how music and sound is used in commercials and promos in a variety of approaches.

You have undoubtedly seen hundreds, even thousands of commercials, or **spots**, as we will now call them. Next time you watch one, listen carefully. What is going on, sound wise? What types of elements are being used? What kind of instruments? How does it work with the picture? To help you understand how and why certain approaches are taken, we'll discuss the categories of sound for commercials. Most likely, the sound in a spot will fall into the category of: **the jingle, the theme, the score, the mnemonic, the music bed, and sound design**; or perhaps a combination of any of the previously mentioned categories. Let's go over these terms.

Type 1: JINGLES

You know what a **jingle** is already. It's usually an annoying little song they make up for a spot that you can't get out of your head! Sometimes they are cool little dittys, though, which you may find yourself singing along with the spot when you see it. Here are a few examples. (extra points to you if you can actually sing all these!)

"Always Coca-Cola" for Coca-Cola

"I wish I were an Oscar Meyer Wiener" for Oscar Meyer

"The best part of waking up is Folger's in your cup" for Folger's Coffee

"Like a good neighbor" for State Farm

"By Mennen" for Mennen Men's Products (most likely the world's shortest jingle)

"Meow meow meow meow" for Meow Mix Cat Food

"Just for the Taste of it" for Diet Coke

FACT

Most people use the term "jingle" when referring to music for commercials in general.

"Pepsi, for those who think young" Pepsi, sung by Britney Spears

"This Bud's for You" for Budweiser Beer

"Bumble Bee Tuna" (an oldie but goodie) for Bumble Bee Tuna

"Like a Rock" for Chevy Trucks, sung by Bob Seger

"Raise your hand if you're Sure" Proctor & Gamble, for Sure Anti-perspirant

Try to think of a few more yourself. There are probably tons of "local" jingles you've heard on the radio as well -- for your local car dealership, your local furniture outlet, a local stereo store, or for your local supermarket. Check out spots during Saturday morning cartoons. There are so many toy commercials that have jingles written specifically for that particular toy, sometimes for each individual commercial. Mattel's Barbie® is notorious for all the jingles written for their immense line of products. Everyone's heard the "I don't wanna grow up, I'm a Toys 'R us Kid" jingle during cartoon time.

You'd be surprised at the volume of jingles, and how many you may remember. That's the popularity and effectiveness of the jingle. It stays with you, reminds you of the product, and creates a feeling about the product. For example, the Oscar Meyer Wiener jingle is a fun, child-like thing, and most little kids can even sing it. It gives a feeling of good times and happy childhood, a "family values" type of sentiment. That's what Oscar Meyer's advertising does for them, and the jingle is an incredibly powerful tool. "This Bud's for You" is a feeling of good times, and inclusiveness – it tries to make you feel like you are with the "in" crowd and part of the

Bud community. Another great example is the "Like a good neighbor, State Farm is there" jingle. It conveys a feeling of warmth and dependability, two good things to associate with your insurance company.

This shows the power of the song. Lyrics set to music are an incredible tool to connote a mood or feeling, a memory, and represents an image. The jingle has been a mainstay in advertising from the start of television advertising. Much of the advertising that was done during the Golden Age of live television were jingles – they would have live musical acts sing these jingles for the sponsors of these classic shows. It's from that tradition that jingles are still pertinent in advertising today. The "stickiness" of the jingle is the whole point of advertising - making people aware of a product.

FACT

Did you know
that there are
60 BILLION
hours of
commercials
running every
year in North
America? Yikes!

Type 2: THEMES

Themes have the same intent as that of the jingle; themes are usually music without lyrics that are a "signature piece" that you associate with a particular product in the commercial. Themes also try to convey a feeling and mood of the advertiser's product, and tries to create a instant recall of the product everytime you hear that particular theme. This can be quite effective to have a signature piece of music to tie in to the advertising campaign – the music can be used for all the advertiser's TV and radio spots to create continuity in their advertising, creating a powerful recognition factor. It's used over and over until it has saturated the airwaves and everyone associates the music with the product.

The theme can be music created originally and especially for the particular product, but in some cases, it

could be an already existing theme or song from the common collective of the popular or classical musical world. Such examples would be United Airlines, using the "An American in Paris" theme written by George Gershwin. Various arrangements have been created specifically for a number for the United Airlines advertising campaigns using this theme. Mitsubishi Cars used "My Favorite Things" which was written originally for the film "Mary Poppins", and the song has actually become an American jazz standard as well. These types of thematic arrangements are used to create continuity between the ads, so there's a familiarity that is built up. Another reason why popular songs and themes are used is because they are already established in the psyche of the general public; there's already a lot of "weight" behind the music – that is, familiarity, a high recognition factor, and an emotional connection.

This is very important: In a case when an advertiser wants to use an existing song, they will have to purchase rights to be able to use that song. They would have to strike a deal with the publishing company and the writer in order for them to use an existing theme or song. Otherwise, it is a breach of copyright law and legal issues will arise.

There is also popular music that is used as a direct lift from the original recording, and used as a theme. This is called **licensing**. A good example is the music that has been licensed from the popular artist Moby. Every single song on his "Play" album has been used many times by different advertisers as themes to their advertising campaigns, or used in licensing for film and television. Recently Cadillac has been using "Rock and Roll" by Led Zeppelin. Zeppelin! To sell Cadillacs! It's

something I would have never expected -- for Cadillac to be associated with Led Zeppelin. Caribbean Cruises has been using an old track by Iggy Pop - "Lust for Life". (What does Iggy Pop have to do with Caribbean Cruises?) Lincoln Mercury Cars have been using a track from DJ/remixer Mr. Scruff called "Get a Move on". Some of the tracks on spots you may think of as original music may actually be a track licensed from the original artist. Here's a list of some others:

FACT

The artist MOBY has licensed all the music from his "Play" album to the tune of over \$15 million!

J.C. Penny:

The Apples in Stereo ("Shine a Light"), Supreme Beings of Leisure ("Never the Same Girl Twice")

Mitsubishi:

Spacehog ("In the Meantime"), The Wiseguys ("Start the Commotion") Groove Armada ("I See You Baby")

American Express:

Moby ("Find My Baby")

Oldsmobile:

Fatboy Slim ("Right Here, Right Now")

Powerade:

The Monks ("Monk Time")

Volkswagen:

Nick Drake ("Pink Moon"), The Orb ("Little Fluffy Clouds"), Stereolab ("Parsec")

Licensing an existing track is a very powerful way to have a theme for a commercial campaign. It evokes a

mood and feeling - it's selling that mood and feeling rather than the actual product. There's already a lot of "weight" to the track because it already has a lot of the recognition factor. If people already associate the music as being hip, fun, or cool, then that connotation is transferred to the advertiser's product, giving the product more caché. Licensing these tracks by advertisers has been very popular, and we'll touch on the costs and implications of licensing a little further in this manual.

Type 3: SCORING

Music that is **scored** for a spot basically means it is a track written very specifically for that particular spot. Whereas a theme is a piece of music that can be used over and over again for several spots of the same campaign, when a spot is scored, it is made for that particular commercial only. Scoring for spots is in essence the same as scoring for film, but of course, on a much shorter and smaller scale. This can also be called **post score**, meaning, the music is written after the spot has been edited or cut. This is opposed to **pre-score**, which mean before the spot has been cut.

This category of music for spots is also referred to as **underscore**. The music is created to underscore the mood of the action going on in the spot. Looking at spots that use this method, the music could be underscoring a suspenseful scene, a romantic scene, an over-the-top comedic scene, and so on. In the case of scoring a spot, the music is secondary and supports the action and dialogue. Sometimes the music can be quite subtle – perhaps a single piano note, a string passage, a guitar strum – but it underscores the feeling or mood that is

required in the spot. “Subtle” is usually the key operating word in a quiet kind of spot – for example, in a spot for a financial service, the scene is a idyllic view of someone’s dream house next to a tranquil lake. The music would most likely be quiet, understated, serene, and heartwarming. Or in the case of a dramatic car chase sequence through downtown NYC, the music is most likely loud, bombastic and quite dramatic, with lots of twists and turns in the music, reflecting the action going on in the spot.

In the past, scoring used to be almost always orchestral in nature, but nowadays, anything goes. There are spots out there that are using electronica, hip-hop, rock, big beat, acid jazz, bossa nova groove, ambient, deep house -- all types of genres and cross-mixes of genres. The score must represent the mood of the action in the spot, and usually "cuts" along with the picture – there may be dramatic stops and starts to reflect the editing of the spot. There are, of course, many different degrees; it can be extremely precise – changing the music at every turn and cut, or it could be scored subtly to just reflect a mood. The important thing about scoring a spot is that the music is emphasizing the mood and the action the film is conveying. In simple terms, the music needs to match what’s going on in the picture.

A Quick note: Pre -Score versus Post Score

I think it’s important to emphasize these terms as we discuss scoring. **Pre-Score** and **Post Score** are not "styles" of music, but represent when the music was or will be written. These terms basically mean "scoring before" (pre score) and "scoring after" (post score).

These are important terms because it will determine when you, as a composer, will be involved in the process of the commercial production.

For example, a music video that's being cut would be considered a **pre-score** situation. The music already exists, and the video is shot and edited to the track. They actually play the music during the shooting of the video so they can lip sync and dance to the track. You as a composer may be asked to provide a track for a dance sequence in the commercial, so you have to pre-score the music – writing the music before the shoot so they can use your music on the actual shoot to dance to, and then use the music to edit to. Or perhaps it's a jingle that people are going to lip-sync to on camera, so you have to pre-score the jingle. Basically, you write it first, and then they play it during the shoot, and the actors lip-sync to it. This is pre-score.

In a situation with **post score**, you will write the music after editorial. This means that the editor has taken all the film, selected the best scenes, and cut it into a sequence that works, and you have to write music to match what's going on in the picture. In most cases, it has been my experience that the majority of the work done by the composer is post score. This way, the agency is not locked into trying to make the picture fit the music, rather, gives the composer the responsibility of making the music fit the picture.

Type 4: The MNEMONIC

The **mnemonic** is an "aural device" that is used frequently to trigger a response of your memory. It is sometimes referred to as a **sting** as well. The mnemonic

usually coincides with the visual cue of the product logo. A very well known and prime example is the Intel mnemonic. It goes "Bong!(multi-layered percussive hit) Do Fa Do Sol" (for those of you who know solfege) or "Bong! Db – Gb - Db – Ab" in very quick succession. It's used in EVERY SINGLE spot that is sponsored by Intel or products using the Intel chip (in their computer). Sometimes Intel will pay for a part of the production of a computer retailer's commercials, so at the very end, you will hear the mnemonic. You'll see it on the end of Dell Computers spots, as well as Compaq spots, because they both use the Intel chip. If the TV is on in the other room and you hear it, you know what it is. Bong! Bing-bing-bing bing. Immediately, you say, "Oh yeah, that's the Intel thing."

A mnemonic is also used for every single Kraft food product, although it's not as obvious. It is somehow always incorporated, as part of the underscore, usually at the end of the spot within the music track. The notes are D –D – F# -F#- G. Listen for it on any Kraft food spot, and you will hear it. Earlier in the jingles section, I mentioned "By Mennen". This is also a mnemonic. Sometimes you hear the "By Mennen" in music only, without words. "Baaah – da dum!", or G – C – C 8va down. Another use of the mnemonic is the "pin drop" sound for Verizon Wireless. I believe it is actually just a single note on an electric guitar with lots of reverb and effects. Another example is the NBC mnemonic, you hear it when they show the NBC peacock logo. "Baa - dee - dum" - C – A - F. Another popular sting is the "Playstation" vocal at the end of Sony Playstation commercials. As an experiment, look for other spots on TV that use the mnemonic. When you see a logo of the

FACT

Doug Katsaros wrote "By Mennen", as well as the Diet Coke stuff with Elton John. He is also a music director on many Broadway productions.

product that comes up at the end of a spot, listen for a "sting" or mnemonic.

The effectiveness of a mnemonic is realized after it has been used so many times in the media that you start recognizing the "sound" of that product. It's an identifier. It's basically an aural trademark. It's the audio "brand image" of a product, to connote the quality of that product. You know when you hear the Intel mnemonic, you will have that speedy little Intel processor in a particular computer. When you hear that little Kraft sting, it connotes a food product of the Kraft quality. The mnemonic is a standard of the spot world, and will always be a popular way to create a "sound trademark" for products being advertised.

Type 5: MUSIC BEDS

The **Music Bed** is the simplest form of music for a spot. It's basically a "filler" track that is underneath the dialogue or announcer voice-over in the commercial. For a lot of low-budget work, many existing :30 and :60 music track libraries are available that can just be dropped into a commercial. Music beds are usually a simple theme, or based on a beat, with not a lot going on so it won't "fight" with the announcer voiceover. Music beds are primarily used in types of commercials where there is little going on visually - maybe a lot of titles (words on screen) with information about rate cuts or sales information, and a lot of voiceover talking all the way through a spot. A prime example would be a weekend sale commercial for a department store. The music is basically there to give the spot energy and excitement, but not so intrusive that you can't understand what the

sale is all about. The music bed is a useful tool for commercials that just need to add another dimension to the commercial, otherwise it's just some guy talking with nothing to support the words. Music beds are probably the most common type of music for spots just on the sole basis of the volume of small scale advertising that's on air. However, if the music bed is used well and correctly, it is a powerful tool to make a spot just a little better.

Type 6: SOUND DESIGN

Sound Design is the composition and arrangement of different sounds to enhance the visual elements. Now, there is a difference between **foley**, or **sound effects**, and **sound design**. When one talks about foley, or creating sound effects, it is a re-creation of realistic sound effects for the action – such as in a scene where an individual is walking on a gravel driveway. The Foley artist watches the action and creates the actual sound of someone walking on gravel, matching the actor's moves. In sound design, it is more of an artistic expression. A good example would be creating sounds for the action sequence in a spot for a video game. You would be creating swooshes, hits, explosions, monster growls or whatever is going on in the sequence. The sounds may come from sources that are not necessarily "realistic" to the visual elements. Maybe during a scene of a car racing by, the sound is a combination of a rocket ship and a tiger's roar. That's why it's called "design". The sound design could be creating a really creepy type of atmosphere, using a number of weird sounds for a tense scene in a horror movie.

Sound design can also be musical in nature, perhaps the intent is to use musical sounds to replace "real world" sounds. Some examples could be such as using a drumbeat for the sound of one's beating heart, or screechy violins to create tension, or a big distorted guitar chord to represent something big and noisy -- something of that nature. Sound design can be a very complex and creative process. You have to have a lot of "aural imagination" to be able to do sound design; you need to have a great sense of timing and awareness of how sound affects your perception of what's happening in the visual context. Just like anything else, it takes time and practice to develop these skills.

Wrap up

So what have we learned? There are several different approaches for music and sound for commercials: jingles, themes, scoring, mnemonics, music beds, and sound design. Now that we've gone over these terms, be aware that a spot may be a combination of all of these. Perhaps there's a bit of sound design at the top of the spot, some scoring, then a mnemonic at the end. Or there could be a music bed that goes all the way through the spot but there is sound design during some sections. The key is to be able to use any and all of these different approaches to create what is best for the spot. Do what works, approach your work from many different ways, and be creative!

IDEA

Next time you sit and watch some TV, try to determine what kind of music is being used for spots. You'll learn a lot just by listening.

CHAPTER 2

The Advertising Agency: TV Spot Production

To help you understand how to create music for commercials, you need to have a basic grasp of the actual production process of a commercial. Why? For starters, here's an ad agency producer calling you on the phone and letting you know what's going on for the job you're doing:

Agency producer:

"We're taking the rough cut to the client today, then we'll be doing the final color correction and conform next Wednesday. The Copywriter and Art Director also has some final notes for your mix. Sweetening

will take place Thursday. I'll get you a 3/4" dub later today and if you can provide me with splits with two-pop by Wednesday night we're good. DAT's fine, or you can give me AIFF files on ZIP or CD-ROM. We may do some additional titles or effects after that but that shouldn't affect your schedule."

What? HUH? This conversation could be quite confusing if you haven't heard any of this jargon before. Well, I'm sure many of you know what some of this jargon is, but it will be tremendously helpful if we go through the process of commercial production, and when and how you as a composer or sound designer will be involved in the timeline. We'll talk about the people involved, who you will be dealing with, and the various steps involved when creating a TV commercial.

Most medium and large-scale advertisers have **Advertising Agencies** who handle their **accounts**. For example, as of right now (I say this only because clients move from agency to agency at the drop of a hat!), Wieden + Kennedy in Portland, OR handles the Nike Account. TBWA Chiat Day handles the Sony Playstation Account. The Carl's Jr. Restaurants account is handled by Mendelsohn/Zien in Los Angeles. Most of the work for commercials will be done through the advertising agency. Advertising agencies specialize in market research, understanding the demographics that the advertiser is trying to reach, and have the resources to provide creative solutions to advertising and how to actualize those ideas into a cohesive advertising campaign. Advertising agencies also create media plans – how many times a radio spots will air, how many

FACT

Just in California alone, there are 160 advertising agencies listed by the AAAA as charter members.

times a TV commercial will run, how many newspaper ads will be bought - all to deliver a return on the advertising investment spent to create brand awareness.

To make this interesting, let's create a new product: **Gizmo**. Gizmo is a new toy, a hand-held video game, but made for the 6 – 10 year old market with bigger and easier buttons to push, and games that are more educationally oriented. Let's go through entire process of creating a new commercial for Gizmo, from concept to air date.

Step 1: Pre-production: Concepts, Scripts, Storyboards, The Bidding Process and Assignment of Work

Before anything is shot onto film (or DV - digital video - which may be the standard in the near future), there is a period of time known as **pre-production**, or **pre-pro**. This simply means "before production". When an advertiser and their advertising agency decide to start an advertising campaign, weeks and sometimes months are spent on what the campaign is all about. The ad agency that handles the Gizmo account assigns a **Creative Group** to the project. This consists of a **Creative Director**, and a few **creative teams**. The creative teams consist of a **copywriter** and an **art director**. Collectively, these individuals are sometimes referred to as **the creatives** (noun). For example, "Oh yeah, Joe Shmoe is a **creative** at so-and-so agency". These individuals are the people who are responsible for coming up with the ideas and concepts on a new

commercial for Gizmo. They ask questions like, "What is Gizmo? Who is it for? How do we reach those people? What would make it enticing for them to buy Gizmo?"

A **Creative Director** (or **CD**) is the individual who is "in charge" of the advertising concepts of the account. He/she assigns each of the creative teams objectives – whether it is to come up with a new campaign for newspaper ads, a radio commercial, a TV spot, or a big billboard. The Creative Director reviews all the concepts before any of those concepts are actually presented to the client. The Creative Director steers the creative teams in the direction that they need to go, and keeps them aligned to fulfill the objectives of the advertising campaign.

A **Copywriter** (or **CW**) is exactly what it sounds like, a "copy writer". This individual is responsible for writing – whether it's for a print ad, or radio or TV spot. They write scripts for the commercial. They manifest ideas and concepts into the spoken or written word, and find the best way to communicate those ideas or concepts. They need to put those ideas and concepts in a language accessible to the people they are trying to reach.

An **Art Director** (or **AD**), who is the copywriter's immediate partner, is exactly that: a person who directs art. He or she is responsible for what a concept looks like, such as a choice of color in an ad, or the choice of font (type style) used for a logo. An AD is primarily responsible for the way a certain ad should "look" and how to implement that concept. The AD is also trying to appeal to the taste of those people that they are trying to reach with the ad campaign.

FACT

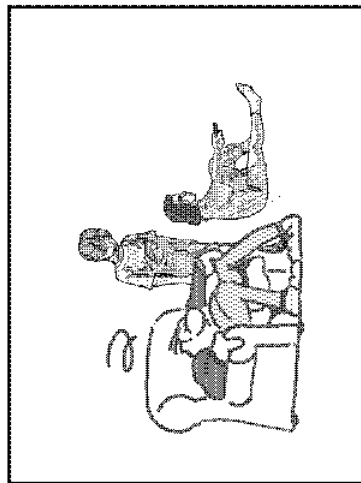
Advertising is a multi-BILLION dollar business, generating millions of dollars of work for composers like you!

Being part of the creative team of a copywriter and an art director doesn't necessarily mean that the two don't cover each other's areas of expertise as well. The art director may come up with a great line for a jingle. The copywriter may come up with some interesting visual ideas. It is a very collaborative relationship. They bounce ideas off each other. They explore different paths and try out many things before they present their ideas to the creative director.

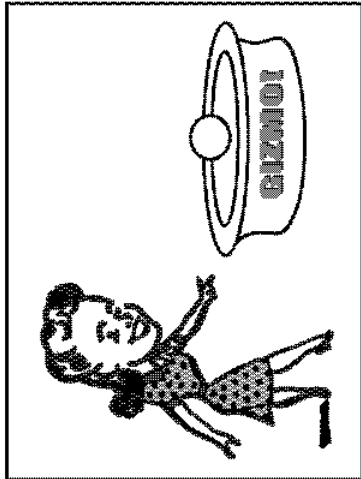
So after a few weeks of throwing around ideas on how to sell Gizmo, each of the creative teams present their concepts to the CD. She likes one concept from each of the creative teams, and they meet with the client (Gizmo WorldWide) to present their ideas on **storyboards**. Storyboards are drawings with scripts attached to give you an visual representation of the rough idea of the commercial.

On the next page, the storyboard is attached. It's the one that client likes the most:

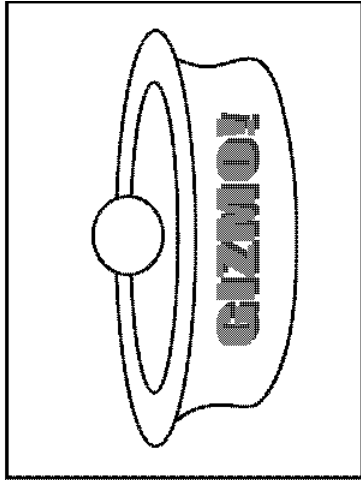
Gizmo "Look What I brought" :30 TV



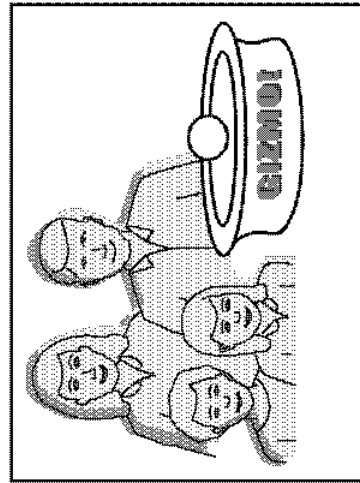
(Kids and Dad are sitting at home, channel surfing and bored out of their minds)
Lyric: You need a little something to brighten up your day



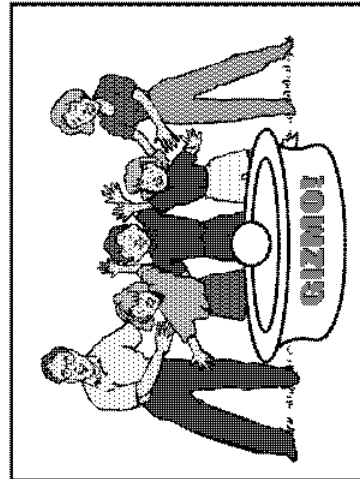
(Mom comes home, with a new toy)
Lyric: Just a little smile can help you on your way!



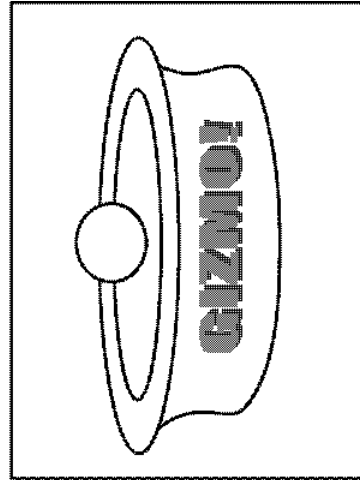
(Product Shot)
Lyric: What do you know, Gizmo!



(Everyone gathers around Gizmo and starts playing)
Lyric: Do you like Science? Or Maybe Math? Maybe Spelling or History is your speciality?



(The Kids win the final round, and cheer)
Lyric: What do you know, Gizmo! What do you know, Gizmo!



(Product Shot)
Announcer: Gizmo! The fun family electronic game that's educational, too.

It's a relatively simple concept: the kids and dad are bored, and their mom brings them home a new toy, but it's an educational toy. But the kids don't really think of it as "homework", because it's a lot of fun. And it makes mom happy because they're learning things at the same time that they're having fun.

Now, an **agency producer** is assigned to the Gizmo project while concepts are being developed. This agency producer handles the actual production of the commercial. The producer will find several directors that would be right for the project. The producer finds editorial companies that would be right for the particular project. The producer finds composers or music production companies that would be right for this particular project. All their demo reels are then shown to the creative team to pick out which ones will bid for the job. The producer is responsible for making the whole thing works from a money management standpoint, from a scheduling standpoint, and from a creative standpoint. Everything revolves around the producer on a commercial production. For the Gizmo commercial, the producer will most likely pick out directors, editors and music people that have some experience in the toy market - they're not going to hire a guy who only does car commercials and expect him to deliver a toy spot. This applies to everyone who gets to put a bid in for the job.

As you may have already figured out, the **agency producer** is your primary focus at the advertising agency in order for you to work on their commercials. This individual is very important. He or she can get your reel in front of the people who are the decision-makers in hiring people to work for them.

Many advertising agencies have large **broadcast production** staff, which may include an **Executive Producer**, a **Business Manager**, and several staff **agency producers**. The **Executive Producer** is similar to the Creative Director, because he/she is in charge of the production group. He/she assigns jobs to the producers and makes sure that the quality of work meets or exceeds the agency's standards. The **Business manager** oversees the management of contracts, legal issues, estimates, and helps the producers review bids and finalize any negotiations.

Many advertising agencies may also hire **freelance producers** when the work load is heavy and there are not enough staff producers to handle the workload. Freelance producers are great people to have a relationship with. They tend to work for a number of different agencies, so if they are well established, they have a lot of exposure to different agencies and clients.

Now let's get back to our Gizmo production. At this point, the agency producer is working with the creative team looking through reels, trying to find the right people for the job. Most agencies have to go through a **three bid process** – this means they have to get in three bids, or estimates, from three different companies. This is done to keep costs competitive so the advertiser is getting their money's worth. This doesn't mean they will go with the lowest bid, in fact, they may already have someone very specific in mind they want to work with, but must comply to the agency's standards on bidding. After this, there are lots of conversations, conference calls, and creative meetings, all done to finalize the concepts and pick out the director, editor, and the music house that will work on the Gizmo project.

Once the job is awarded to the director/production house, the details of the shoot comes into play and it starts to get very specific – wardrobe, lighting, scenery, props, etc. There are usually extended **casting sessions** to find just the right actors to play all the roles in the spot. Much more specific **shoot storyboards** are also developed and each shot is carefully designed, and shots are scheduled in a way that is time and cost effective. These shoot storyboards sometimes are so intricate that every single shot throughout the shoot day is drawn out, including the exact angle of what the shot should look like.

Choosing a Music House or Composer

During pre-production, **music houses** and/or individual **composers** are contacted, and creative calls are made prior to the shoot. This helps to get the creative juices flowing, and maybe even some demos will be created to nail down a "sound" prior to the shoot. Unfortunately, more often than not, music seems to be a last-minute type of thing. Since there are so many details when it comes to a commercial shoot, a lot of times the music and sound design is left off until they get deep into post production. However, it would help you as a composer greatly if you get involved during the pre-production stage and start becoming a part of the team, helping the agency to narrow down the scope of music direction for their spot. It also helps the agency focus on what needs to be done from a music and sound standpoint instead of waiting until the last minute. With the Gizmo project, the advertising agency has asked you, as the composer, to take some of their lyric ideas and start developing some jingles to convey the mood of the spot.

You'll have to make adjustments during post production, so at this point you are just developing some ideas on styles of music. You'll be listening to music, and listening to singer's demos for the right types of voices.

Step 2: Shoot Date

After spending weeks and weeks in pre-production, the **shoot date** finally is around the corner. Since a shoot day can cost upwards into the hundreds of thousands of dollars, there is a lot of planning that takes place before they roll any film. You, as a composer, may or may not be involved in this – mostly based on whether or not you will be **pre-scoring** the spot, or **post scoring** the spot. If you recall from Chapter 1, when you pre-score, that means you write the music before they shoot or edit the commercial. Post score means you write the music after they edit the commercial and you have to work with how they cut (edited) the commercial. In this case of our story with Gizmo, it will be a post score, although you have done some homework, working from the lyric ideas the agency has provided you, and starting to formulate some different approaches to the jingle.

During the shoot, our creative team and the creative director, as well as the agency producer, will attend the shoot, and will be working closely with the director of the commercial to insure that all their objectives are met. If the pre-production process was as meticulous as it should be, the shoot could go quite well, but there may always be unexpected changes, surprises, technical difficulties, or even a complete change in direction on the fly!

The shoot can last as short as one day, or go on for several days if the concept is very grand or technically complicated. There can be dozens of people involved during the shoot dates -- you have the director, the assistant director, the director of photography, the cameraman, the line producer, the script supervisor, the make-up artists, electricians, grips, production assistants, runners -- all kinds of people running around the set, not including the agency personnel and their clients who will be milling around. The composer will most likely not be asked to the set. Sorry!

Step 3: Post Production

The **Post Production** process is where you get into the nitty gritty. This is the period of time after the film has been shot, and the commercial finally starts to take shape and form, and a lot of creative decisions are made to insure that the objective of the commercial is being met.

The **editor's** job is to go through all of the film that was shot by the director, picking out the best takes and incorporating all those scenes into a cohesive :30 or :60 statement. This is not necessarily an easy job. The best editors are usually quite busy, because it is definitely an art form. You need a great sense of timing, the gift of storytelling, and an incredibly amount of patience. An editor can be a composer's best friend as well, especially on those types of job where the agency does not necessarily know what to do musically. The editor can bring in pieces of music to cut the picture to, and the agency may start getting used to the track. In the case of Gizmo, the job is relatively easy for the editor because

the commercial was shot very closely to what was represented on the shoot storyboards.

The process of cutting together the film at this point is called the **off line**. This is the period of time when a **rough cut** is being developed before any final film transfers, color correction, or effects are being done. A rough cut is exactly that, a rough cut - not exactly what the final will be, but is pretty close, exclusive of final effects and final color. Most editors develop a rough cut on a system like the **Avid**, which is a MacIntosh based non-linear video editor. **Final Cut Pro** is also another Mac-based program for film editing which is getting very popular. All of the film has been digitized and can be called up immediately and scenes can be changed out very quickly. The rough cut may go through many stages and many different versions until it is approved internally by the agency, then approved by the client for the final **on-line**.

As a composer, you will most likely work with the rough cut; it is usually frame accurate, or close enough it should not make a difference in your music track. The rough cut used should be the **approved locked cut**, otherwise you may have some problems when finishing it to final picture. An approved locked cut means that no further changes will be done (as far as length of frames and cuts) on the commercial.

Side Note: Timecode

Now that we're in editorial, it's important to mention some information about **SMPTE timecode**. In commercials and promos, the standard **timecode** rate is **29.97 NDF** (non-drop frame). This means that there are

29.97 frames in one second of video. We will discuss SMPTE timecode in more detail in Chapter 4.

Timecode is used to align video tape decks, audio decks, computers, etc, so that everything syncs up frame accurately. The timecode is based on what is called **SMPTE** code (pronounced “simpty”), an audio signal usually put on the timecode track of a videotape or can be put on one channel of an audio track. We’ll talk more about timecode in Chapter 10. Now let’s get back to our production of the Gizmo commercial.

In the case of Gizmo, you, the composer, are given the approved locked cut, and you have to write a cute jingle. You write and produce your rough jingle demo, and send it to the agency. They give you some critiques, and you make some changes. Once approved, you book a music tracking session with a live rhythm section, and three female singers. You finish and mix your final track. The agency is there at the final music recording session and mix, so they can give you their stamp of approval. Your job is almost done; you just have to wait for the final mix/layback to happen. Before that, the agency has to do their **on-line**.

On-line is the final process of finishing the video part of the commercial. This consists of **color correction**, also called **tape transfer**, of the scenes of the approved cut. The scenes are transferred from the actual film to video tape while making all the final adjustments to the color, luminosity, and density of the picture. Then these color-corrected scenes are assembled or compiled into a frame accurate cut based on the approved rough cut. This is called the **final conform**.

After all the scenes have been assembled, there may be some additional **digital effects**, **title cards**, or **logos** layered onto the commercial. There may also be additional versions of the commercial; there could be :60, :45, :30, :25/:05, :27/:03, or :15 versions of the commercial. The :25/:05 and :27/:03 are called **taggable versions**, which means that at the last :05 or :03 a "tag" can be added – a dealer version with the name of a store in your area, or a space to put in a special for that week. For some reason, I've never seen :26/:04's! I'm sure there must be some out there, somewhere.

Audio Post

Audio Post is the final process of mixing and finishing the sound for a commercial. It is called either a **mix and layback** or a **sweetening** session. The term sweetening is used more on the East Coast and film world, and layback is used on the West Coast and the spot world, for some reason.

Either way, it means the same thing: the final mix and marrying of the sound and picture. This can include recording a voice-over announcer part, putting in sound effects, mixing the levels of on-camera dialogue, and adjusting the level of music. There may be some **ADR** (automated dialogue replacement) that needs to be done, if some spoken parts of the actors on-screen don't sound good. All the different sound elements are lined up to sync, and the final mix is created, and it is burned onto the final tape. Now we have a finished spot, waiting to be shipped out to all the TV stations for air. Most spots are finished to a digital video format, usually to a **Digibeta** tape.

The agency producer calls you to come to the Gizmo spots mix and layback at the audio post facility. You have provided the agency with a DAT or CD of a full mix, as well as **splits** – also called **stems**: a stereo drums pass, a stereo bass pass, a stereo keyboards pass, a stereo guitars pass, and a stereo vocal solo pass, a stereo background vocal pass, all with a **two-pop**. A **two-pop**, or **sync pop**, is a short percussive sound that is placed exactly two seconds before the start of the commercial, so the mixer has a reference on how to line up the audio track to sync to the picture. This way, the mixing engineer can line up all the different elements from your splits and everything is perfectly in sync. If they need to adjust the levels at certain points – maybe the guitars are overpowering the announcer voiceover – the mix engineer can pull back the level of the guitar at that particular point. Finally, your commercial is finished!

Now that the spot is done, it needs to be shipped out to all the TV networks, cable networks, or local stations in accordance to the **media buy**. The media buy is what the advertising agency's media department has purchased for airtime for the commercial – its air dates. For the Gizmo spot, they are trying to reach kids, so it's slated to run during particular kid shows on Saturday mornings and after-school time during the week. It's important to know where and when the commercial is running, because you will be earning **residuals** on the commercial – the more it airs, the more money you can make. (We'll talk more on residuals later in this manual.) Also, it is always fun to see your commercial on TV after all that hard work!

Let's go over the entire TV Spot production schedule in sequence to get an overall review.

Step 1: Pre-production

- **Develop concepts, scripts, and storyboards**
- **Approval on a concept**
- **Finding a Director**
- **Finding an Editor**
- **Finding a Music House/Composer**
- **Getting bids from all**
- **Awarding the job**
- **Pre-production meetings before shoot**

Step 2: Shoot Date

- **Actually shooting the commercial**

Step 3: Post Production

- **Editing the rough cut**
- **Getting approvals of the rough cut**

- **Getting the approved locked cut to the music house/composer**
- **Getting demos done and approved**
- **Doing your final music session**
- **Final Online**
 - Color Correction/Film Transfer**
 - Final Conform**
 - Titles, logos, tags, etc.**
- **Sweetening (final mix/layback)**
- **Dub and Ship final spot to stations for airing**

Let's also review who the "players" are in the production of a TV commercial through an ad agency.

Creative Director (CD)
Copywriter (CW)
Art Director (AD)
Agency Producer
Executive Producer
Business Affairs Manager
Director
Editor
and YOU! The Composer

There may be a little variation in the post production stage – the agency may want to finish the online before you do a music session to work with the final video, but for the most part, this schedule is pretty standard.

Now you have a general overview on how a TV commercial is produced. To reiterate, it's very important for you to have a grasp of the process of spot production; it helps you to understand what it involved and how you fit into the schedule and the timeline of how things are done.

It's also important to understand the language of spot production so you know what the agency people are talking about. The more knowledge you have about the process, the more professional you will come across.

In the next chapter, we'll go through how a radio spot is produced by an advertising agency.

CHAPTER 3

The Advertising Agency: Radio Spot Production

Although this series is really focused on writing for TV Commercials and Promos, it's important to cover radio. There's usually not a lot of money for music associated with radio commercials so there's not a lot of opportunities for original music. However, it does happen once in a while so it's important to go over this information.

Radio that is produced through an advertising agency is obviously not as complicated as that of a television production. Since radio is an audio media only, it's a bit more simplistic than have to deal with a TV shoot. However, the same kind of thought and research is given to producing a radio script. Since it is based on the spoken word, copywriters take great time and care

FACT

The first radio commercial was said to be broadcast on WEAJ in New York by AT&T in August of 1922!

creating scripts to say exactly what needs to be said and to fulfill the advertising campaign's objectives.

Radio can be simple or complicated. It may be as simple as a straight announcer type spot, for example – it's the voice of one individual talking about the great advantages and value of a specific product, and talking about a sale on the product that's going on this week. Or, the radio spot could be a little more involved - the radio script may be more dramatic in nature or a complicated comedic sketch – with different characters, ambiances, and music to highlight what the feelings should be. Radio is also referred to as "theater of the mind", and can be a very effective advertising tool. It can be a lot of fun for a composer/sound designer to work on an interesting radio spot.

The Radio Commercial Production Process

From a production standpoint, it's an all audio format, so after the scripts have been developed and approved, it's a pretty straightforward approach to producing the commercial. Just like there are directors for live-action TV spots, there are "radio directors" or radio production companies that specialize in producing radio commercials. For the simpler straight-ahead announcer type radio spot, the agency producer produces the spot in conjunction with the copywriter. Obviously, in most cases the Art Director may not be involved, because there is no visual aspect to a radio spot.

Just like in television, there will be a casting session for radio. This is usually handled directly by the advertising agency producer, contacting local talent agencies representing **VO talent**. (VoiceOver Actors).

The producer contacts these talent agencies and sends out scripts and specs on exactly what they are looking for. The talent agencies select people in their roster that fit the roles and do rough demo recording. There are even very specialized "Voice Casting" companies who know all the local VO talent and will do the casting for a fee. The casting tapes are reviewed by the agency producer and the creative staff, and then the actors are selected through this process. Sometimes they may have multiple actors come in for further auditions if time and money permits.

The Radio Recording Session

The radio session is usually pretty quick; if it's not a complicated spot, it can be produced in an hour. If the spot is very complicated with lots of actors, sound effects, and music, it could take a few hours to edit and mix something together. There are specialized audio post houses that have specially built rooms to record radio in Los Angeles and other metropolitan centers. A lot of voiceover actors who have a strong reputation and work a lot even have their own home recording booths and are just dialed in via an ISDN line, while the engineer and the agency people are at another remote location. Since a large volume of VO actors are here in Los Angeles, they can hook up via ISDN and work for advertising agencies in other parts of the country.

Music for Radio Commercials

As far as music for a radio spot is concerned, it could be a music bed that carries under the spot for support, or it could be very involved and a good

post-scoring job may be needed. Sound design could be a very dominant element in a radio spot; the medium of radio is definitively that of sound and how sound can create drama.

The only problem with radio is that it is a relatively cheap medium, and there's usually not a large budget when it comes to music or sound design for a radio spot. In most cases, the agency opts to license an existing track from inexpensive music libraries that a lot of audio post facilities will carry in-house. The spot may just call for a mellow little jazzy piano bed, and there may be hundreds of tracks described as that in several music libraries. However, if an agency is ready to shell out a couple of hundred bucks for a piece of canned music, perhaps they can find a few more hundred dollars to hire you as a composer to have a track that is original and written specifically for their spot. Another way to thinking about potential earnings is the back end money, such as AFM or AFTRA residuals, or BMI and ASCAP royalties in lieu of a lot of money up front. We'll talk more about residuals in Chapter 6.

The Jingle in Radio

The most obvious way music is used in radio, of course, is the ever-popular **jingle** as we talked about in Chapter 1. The agency may provide you, the composer, with a set of lyrics that need to be put to music. It could be a car dealership commercial, a soft drink commercial, or an insurance spot. They may have a very particular structure they want to incorporate into the spot, – "Let's see, we want the singer to sing this line, then give us 10 seconds for the announcer to read his lines, then give us 5

seconds of music, then another 12 seconds for the announcer, then sing out the rest of the commercial, then 5 seconds for the last legal line". This scenario is quite typical, and you have to be very inventive in structure and tempo for your music to work within that 30 or 60 second time frame. At the same time, you need to convey the mood and emotion that is required for the job, and make it all musically cohesive! It is a challenge, but that's what makes it fun, too.

Radio can be a very cost-effective and powerful tool for advertisers - think of all the millions of commuters that have their radios on while they are stuck in traffic. With the right kind of music - whether it's a basic music bed or a specialized jingle - the radio spot can be very entertaining and very effective.

CHAPTER 4

The Music Studio

So we've talked a bit about how commercials are produced. Now, do you have the tools to write music? Do you have the nuts and bolts you need to build a music track? Do you need a studio?

The answer is: Yes, and no. You can build a million-dollar studio with all the latest toys and gadgets, and really go to town and impress the hell out of everybody. But that being said, one of my very first commercials for a national advertiser was written and produced, basically, on one keyboard: My old Korg M1. I used the on-board sequencer to do the parts. The track was very simple and sparse – a bass line, some piano chords and patterns, and some percussion. The budget was pretty tight, and instead of renting out a studio for a day we ended up using the demo as the final because the client really liked the way it sounded. We did everything

in my partner's living room. (My partner at the time was Michael Benghiat, the author of the **Crack the Code! Writing Music for Film, Television, and Video** course) We ran a stereo mix out of the Korg into the DAT recorder, using the on-board effects and mixer, and it was done! We actually received a certificate of Merit at the Beldings, an advertising awards show in Southern California for the spot.

If you want to get into the composing business, you do need some basic studio essentials - at least have some type of writing environment that works for you. Most of you who are reading this manual will probably have some equipment or access to a studio. With the technology that's available today, you can create an incredibly versatile and nice sounding home studio for around \$10,000, even less. I know some guys that do everything in a computer and write incredible tracks. It's really what you do with what you've got, and how you like to work. It's a matter of developing your own personal thing and what you are comfortable with. There are people who can't do a thing in the recording environment and have to have two other people help them to get anything recorded. Then there are guys who are all inclusive – composer, programmer, engineer, and chief bottle washer. It really depends on your strengths and skills and how you can utilize them. I'm a keyboard player and pretty adept at programming and engineering in my home studio, but I definitely hire a recording engineer/mixer when I do tracking dates outside of the home studio environment. Rely on your strengths and find people to help you with your shortcomings. No man is an island, and you will need help in one area or another.

Create your Own Personal Environment

You need to create a space that works for you and your style. You may be a keyboard player like me. Or you may be a beat-oriented producer. Perhaps you are a great guitar player. Maybe you work only with loops and samples. Every project studio is geared toward these different types of musicians according to their style of work and types of skills. You have to develop your own environment. You first need a space - do you have an extra bedroom in the house, room in the garage, or an attic? With a little acoustic treatment, it's easy to set up a great little project studio.

To give you an idea of what you may need, I think it would be a good idea to describe what I have at my home studio. It's not incredibly expensive, but it's not bare bones, either. I have created many, many tracks there that have been on national TV. For sessions which require large groups for tracking (such as orchestra, or live drums) I book outside studios - there are tons of places in Los Angeles where you can get sync to video capabilities. My home studio is used for all kinds of stuff -- primarily for writing, but also for sound design, as well as for mixing. But I can track solo instruments, guitar, bass, singers, as long as it's not too large a group. I live in a townhouse and I use one of the extra bedrooms as the studio, and the smaller bedroom as an iso booth. It's pretty amazing what I can do at my project studio. I've done whole albums there. It's a matter of knowing your tools and what you can do with them, not about how much money you've spent on gear.

FACT

John's first multitrack recorder was a Fostex 250, a four track cassette recorder which he did band demos on in the early 80's!

John's Music Production Studio Components

Computer: MacIntosh G4, Glyph SCSI Drive, OWC 80G Firewire Drive, Glyph SCSI CD Burner, PCI-324 card for MOTU 2408MKII (Mark of the Unicorn DA/AD audio interface), Miro Video Card (input/output for digital video), two-17" computer monitors with a dual monitor card

Software: Digital Performer 3.11 (soon to upgrade to 4), ProTools, Reason 2 , Spectrasonics Stylus, Atmosphere and Trilogy, Adobe Premiere, Quicktime, Adaptec Toast and Jam, Peak, various effects plug-ins (such as Waves)

Mixing Board: Mackie 32/8
(Analog! Yeah!)

Monitors: Yamaha NS10s, Event 20/20s, Hafler Power Amp

Microphones: AKG414 (I rent microphones when I need more), ART mic preamp

Synths: Roland JV1080 with various sound cards, XV5080 with various sound cards, Alesis D4, Proteus+Orch., Vintage Keys, JP8080, 88-note Fatar keyboard controller

Samplers: Akai S5000, tons of sample & loop libraries (orchestral, beats, SFX)

Video: Sony VP5800 (3/4" video deck) with timecode channel reader, a Sony VP5000 and a Panasonic 1/2" VHS deck

Audio: Tascam DA88, Tascam DA30 Mark II DAT deck, CD player, CD burner

TV Monitor: Consumer level Panasonic 27"

I also have some outboard gear (reverbs, multi effects boxes, mic pre, Sansamp), patch bays, all the cords and connectors, headphones, back up power supply (UPS), studio furniture, soundproofing, etc. It's a pretty solid home studio set up. I would estimate the value of the studio and its peripherals in the \$75,000 range – but I didn't buy all of this at once, it was buying a piece here, upgrading there, getting a new CD-ROM here. It was built over a long period of time.

Yet, I have a couple of friends who don't even OWN a mixing board. They do everything through a AD/DA box (analog to digital) and mix everything in ProTools LE, through a Digi 001, and have it set up in the back bedroom/studio. Basically a computer and an audio interface and software. This seems to be the way of the future; no mixing board, with everything mixed on the computer. There are tons of music producers who just do everything in Reason or Ableton Live. There are keyboard workstations, such as the Korg Triton Studio or the Roland Fantom that are loaded with tons of great sounds, and have very sophisticated sequencing capabili-

FACT

Almost all working composers today writing for multi-media use a computer-based sequencing system

ties as well as sampling capabilities, and you can even get a CD reader/writer installed. It can be a start-to-finish writing studio all on one keyboard. There are many ways to approach the creation of a writing/producing environment, on different budgets and approaches. If you don't have a ton of gear, just start out small. A keyboard workstation or a portable digital recording unit is probably the best way to start.

My first experience with multi-track recording was a 4-track audio deck, the Fostex 250. I owned a Roland Juno-60, pre-MIDI! With those two things, I started songwriting, and recording multi-track. My dad had this old Kimball "Fun Organ" (get your mind out of the gutter, people!) which had basic drum beats like "rock", "swing", and "cha-cha", so I'd record that with a super cheapo Realistic mic. Then I'd do a keyboard part, and do a bass part. Then I'd "bounce" those three parts onto the fourth track. Then I'd record over the original tracks with more parts, etc. It was a good way to learn about multi-tracking. Later on, I got a drum machine. Then I moved on up into computer-based sequencers and got into MIDI. You just take one step at a time.

On a very basic level, you need these items:

1. A Sequencing/writing tool.

You need something to actually write with. You need to be able to create your ideas, edit and make changes to them, and be able to playback and record them. There are several computer based sequencers such as **Digital Performer**, **Logic**, **Cubase**, and even **ProTools**. There's the option of using a keyboard

workstation with an on-board sequencer.

2. A multi-track recording medium.

The above mentioned software has the ability to record digital audio. You need something to record your ideas on to. There are many relatively inexpensive multi-track digital recording units that are available.

3. A way to sync up video.

For TV commercial work, this is mandatory. Most computer based sequencing software packages can line up Quicktime movies in sync within the program. You will need a VCR to playback the video if a client gives you a VHS and you need to sync it up. This would involve running SMPTE timecode out from your VCR and slaving the sequencer to the timecode. This is discussed later in the course.

FACT

Quicktime movies are the way to go when scoring music to picture. Go to www.quicktime.com for a free version.

4. Resources for sounds.

These could be samplers, synths, guitars, basses, drums, sound libraries, drum machines, singers, musicians, loop libraries, whatever it takes to make the noise you need.

5. Being able to mix.

Whether through a mixing board or through a computer, you need to be able to mix your tracks. Compression, EQ, delay, reverb, and effects are all important to create a sonically solid product, and you need a

way to be able to use these effects in your music tracks.

6. Being able to deliver your music.

Whether it's a DAT, a CD, a file like an MP3 or AIFF on a CDRom, you need to be able to hand someone your creation so they can use it.

Building the Project Studio

If you have a writing studio already, you are way ahead of the game. For those of you who need to create an environment, I've come up with the following for a very solid, high-end, Mac based project studio for around \$10K to \$16K. (My apologies to you PC guys, but I am a total MacHead, but you can still follow this basic layout, just replace it with a PC platform for the computer portion of the studio) This configuration would give you the proper tools to be able to tackle any type of project in any style, whether it's a TV or radio spot.

Computer: The top of the line PowerMacs have dual 1GHZ or faster G4 processors and comes standard with 512 MB of RAM and an 80GB ATA hard drive. The G5 is available now, pretty amazing. The Macs also comes with a Superdrive so you can burn CDs and even DVD-Rs. I would suggest you upgrade the RAM to 1.5 GB and also have an additional hard drive installed, so you have one for your system software and applications, and the other drive can handle all the audio and video data. **Cost:** Around \$2,500- \$3,000.

Computer Monitor: I'd recommend getting a 19" monitor so you can really see everything, like a Viewsonic E-903 – not a bad price at around \$225. Some people have two computer monitors for more real estate to see all their different control panels better, but you will need a dual monitor card for that. If you went with a LCD or flat screen, of course the cost would be much higher.

Cost: Around \$225.

Software: Digital Performer 4.0. This software has a powerful sequencing architecture, a solid MIDI driver, plus great digital audio recording abilities. It also has tons of in-the-computer mixing plug-ins, like parametric 8 band EQ, a pre amp, reverbs, delays, and you can always upgrade with more third-party plug-ins, such as the Waves plug-ins. Plus, it has the ability to line up digital video in the form of Quicktime movies so you can sync up those TV spots. More info is available at www.motu.com regarding DP. **Cost:** Around \$795.

MIDI Interface: You need a MIDI in/out box to synchronize your MIDI units (keyboards, synths, samplers) with your sequencer software that's on your computer. The MOTU MTP AV is specifically designed for Digital Performer, and is very dependable and versatile. It has a SMPTE time code converter, 8 pairs of MIDI ins/outs, and you can expand this with other units if you need more channels as your studio grows. **Cost:** Around \$575.

Audio Interface: An Audio Interface allows you to run audio through your computer, converting analog signals to digital and vice versa (AD/DA). A reliable and

IDEA

Check out magazines like Keyboard, EQ, Home and Studio Recording, and Electronic Musician for great tips and tricks on equipment

inexpensive interface is the MOTU 828 firewire with 8 channels of ins/outs and 2 XLR Mic inputs.. It can record at 24 or 16 bit resolution at 44.1 and 48kHz sampling rates. There is S/PDIF I/O so you can hook up digitally to other devices, like a DAT deck. **Cost:** Around \$795.

Mixing Board: Most of your mixing will take place in the Digital Performer (DP) environment, but having an actual board really helps you – you can plug in your synths/samplers directly into it for monitoring instead of routing it through your AD converter, since latency is still an issue. The Mackie 1642 VLZ is a compact, 16 channel mixer that is very versatile and sounds great. **Cost:** A reasonably priced (cheap!) \$850.

Monitors (Speakers): I would suggest a pair of powered monitors, such as the Yorkvilles, the M-Audios, Yamahas, JBLs, the Events, or Mackie 824s – there are so many sizes and brands available. This is matter of budget and tastes. **Cost:** Between \$400 - \$2000.

MIDI keyboard, synths: This is also a matter of personal choice. It is nice to have a full 88-note keyboard as a controller, but it is not necessary. Korg, Yamaha, Roland, etc. have many keyboards with different sounds and functions to choose from. And when you want to expand your studio with other units, it's just plug and play. Or, you can go the virtual route – software synthesizers are getting more and more popular, and you just need a small keyboard controller like an Oxygen8 USB to play virtual synths. **Cost:** Between \$1200 - \$3500.

Samplers: This is a personal choice issue, too. You could get a hardware type sampler like an Akai S5000 or even a hybrid Synth/Sampler unit like a Kurzweil K2600RS, or perhaps a plug-in type sampler that works with through your software interface like Halion VST or the MOTU Mach 5. **Cost:** Between \$300 and \$2500+.

Video Interface: Having a PowerMac, this will come with Apple's iMovie software so all you need is a box to convert analog video into digital video. There are a few inexpensive boxes out there, like the Canopus ADV-100 which is basically a box with RCA connections and a USB port. You plug in your VCR outputs into it and it translates to info into digital video through the USB. Record it into iMovie and make a Quicktime.

Cost: About \$269.

VCR: You just need a basic 1/2" consumer deck, like a Panasonic or Sony. It would be nice to own a professional 3/4" deck but not absolutely necessary. You should buy a stereo VCR deck so you can layback stereo mixes to videotape if you need to. You will also need a stereo deck if you work with timecode - have the timecode put on the one channel and the voiceover/temp music on the other channel. Then you can route the timecode signal into your MOTU MTP/AV box for frame-accurate sync.

Cost: \$150.

TV for the VCR: Depends on what you can afford, get a 13" at the minimum. **Cost:** \$150.

Microphone/Pre-Amp: If you have one all-around decent microphone and a pre-amp, you can do wonders

with it. **Cost:** How about a AKGC3000 B large diaphragm microphone (\$500) and a ART Tube mic pre (\$200). Not bad for \$700.

Headphones: How about a couple of pairs of the AKG 240DFs, solid workhorse headphones with high quality monitoring. **Cost:** \$160 per pair.

Cables, wires, etc. It will probably cost you another \$300 - \$500 in 1/4", RCA, MIDI Cables, things of that sort.

Sound Management. It would be nice to have some sound management things like acoustic foam, bass traps, and an isolation room to record vocals and instruments, but this can become costly. On the cheap, you can convert an extra bedroom or even a closet into a recording booth with a few pieces of acoustic foam and bass traps. Even heavy carpet or draperies will knock down sound waves. People record vocals in the bathroom all the time! \$0 - \$1,000.

So here's the project studio in its entirety:

<u>Product</u>	<u>Cost</u>
PowerMac G4 dual, two internal 80GB hard drives, 1.5 GB RAM, Superdrive	\$ 3,000
Viewsonic E-903 computer monitor	\$ 225
MOTU Digital Performer 4.0 digital audio sequencing software	\$ 795
MOTU MTP AV MIDI interface	\$ 595
MOTU 828 Firewire AD/DA interface	\$ 795
Mackie 1642 VLZ Pro Mixer	\$ 850
Powered Monitors (Speakers)	\$ 400 - \$2,000
Synthesizer/ keyboard controller	\$1,200 - \$3,500
Sampler(virtual or hardware)	\$ 300 - \$2,500
Canopus ADV-100 AD video convertor	\$ 269
VCR (1/2" VHS deck)	\$ 150
TV Monitor	\$ 150

<u>Product</u>	<u>Cost</u>
AKG C3000 B large diaphragm microphone and ART Tube mic pre	\$ 700
AKG 240DF Headphones (2)	\$ 320
Misc. Cables	\$ 300
Sound Management	\$0 - \$1000

GRAND TOTAL: \$10,049 - \$17,149

Now, if this number seems out of reach, there are a lot of different ways to do things to make it a bit easier on the ol' wallet. You can get a lower end PowerMac for \$1,200 or get something used. You might already own a VHS player and a TV. Get a cheaper microphone. Maybe you already own a computer that you can integrate into a project studio. Or, you may opt for a non-computer based sequencer/recorder, such as a keyboard workstation. You might use your home stereo to monitor your workstation. It's just important to have an environment that you can do your work in. Perhaps you're in a band, and your band mates have different pieces of gear you can combine to create a nice environment. There are stand-alone portable digital studios, like the Korg D12, that costs around \$1,150 – and you can record in 16-bit, 44.1 kHz – CD quality. You need to be creative. Day by day, technology is advancing, and manufacturers are making things smaller, faster, and cheaper. I'm sure there will be many new products out there in the years to come that will be

tremendously helpful to the budding composer.

You don't need a big recording studio. When you get that big agency job that requires recording a lot of live players – you will be able to budget that into the cost of your production, so you can rent a recording studio for that particular session. You can rent an incredible studio for a day for a thousand bucks, and have those costs covered in your music budget. When you come to Chapter 7 regarding budgets and estimates, we'll cover this topic in great detail.

So do you really need a studio? I think the answer is “maybe”. It depends on your budget, your skills, and where you are in your composing career. If you're serious about composition, you really do need to use a sequencing program on a computer with audio recording capabilities. However, if you're just beginning, a keyboard workstation is just the low-end ticket to get you started. The important thing is to just get started with whatever tools you have or that you can get your hands on.

SMPTE Timecode

Timecode. It's not as difficult as you might suspect - especially when dealing with commercials, because **SMPTE timecode** used on most television commercials is **29.97 NDF** (non-drop frame). Just to be thorough, we'll talk a bit about timecode in this chapter so you have a general understanding of it.

The **SMPTE Time Code signal** is the industry standard method that's used to line up audio to video. There are six different kinds of timecode, all related to the different types of frame rates accorded to the type of

FACT

SMPTE stand for
the Society of
Motion Picture
and Television
Engineers

video/film elements that are involved. Frame rates are based on how many frames go by every second. On a video tape - a standard u-matic 3/4" tape - there are three stripes of audio information on the tape besides the video information. There are the left and right audio channels, and a timecode channel. Sometimes the timecode is burned onto one side or the other on an audio channel. On a VHS tape, there are only two audio channels, a left and right. So timecode will be striped on one of those channels. To make it easier for you to line things up, there is also a **matching window burn** that is representative of what the SMPTE timecode is relaying. This is a little black box with numbers whizzing by that you can actually see on the video as it plays. If you ever get a tape without the matching window burn, you need to ask the dub house or editor to make you one, it will make lining up sync points much, much easier and faster.

Timecode looks like this: **01:00:00:00**

That represents **hours, minutes, seconds** and **frames**.

So if time code looks like this on the screen:

01:02:23:29

That means 1 hour, 2 minutes, 23 seconds, and 29 frames. After frame 29, the next number on the frame number will be zero (in 29.97 NDF), and the seconds number will increase by one.

So,

01:02:23:29

is followed by

01:02:24:00

In another example,

01:02:59:29

is followed by

01:03:00:00

because there are 60 seconds in a minute. Remember, the LAST two numbers represent FRAMES.

When working in spots, editors usually start the spot right at hour 1. So you may have a videotape or a Quicktime movie with some pre-roll at 00:59:30:00 so that gives 30 seconds of pre-roll before the commercial actually starts. This gives you enough time to roll back your video and also space to put in a two-pop sync tone at 00:59:58:00, so the audio can easily be lined up when it needs to be laid back to video tape.

Types of SMPTE Timecodes (six types):

1. 29.97 NDF (non-drop frame) is the standard here in the U.S. for color video, particularly for short formats such as commercials and promos. This should be the only timecode you should ever deal with when working in the commercials/promos world.

2. 29.97 DF (drop frame) is used for most longer format video, such as half-hour TV programs or movies on video. The reason it's called "drop frame" is that is actually "drops" two frames every minute, except the 10th, 20th, 30th, etc. minutes. You will notice this if you scroll frame by frame through a video. After 1:00:59:29 the next frame is 1:01:00:02. Because NDF is inaccurate when measured in real time, the drop frame method makes up for the time gained. You can see why this is important in longer formats. If you do longer TV or film jobs, you will be working in this format.

3. 30 NDF (non drop frame) is for black and white video. You hardly ever run across this format. This is a little misleading, because sometimes 3/4" tapes that are labeled 30NDF may actually be 29.97 NDF. To be sure, check with the editor or dub house.

4. 30 DF (drop frame) is also used for black and white video. Rarely seen or heard of.

5. 24 FPS (frames per second) is the what is called 'film rate' - actual film (like 35mm, 70mm prints) rate, as when a film is running on a motion picture screen through a projector. You don't run into this in music production,

because you will mostly likely be dealing with video dubs of the film.

6. 25 FPS is used for European motion picture film and video. If you run into this, you're in some foreign country!

Timecode issues will arise in any studio environment dealing with locking sound to video (and vice versa) because you have to have it synced up properly. With digital video like Quicktime movies, you can slave the video against the sequencer in the computer so it's instantaneous sync! No worrying about using actual SMPTE timecode. However, if you are using a 3/4" video deck or a 1/2" VHS deck, the sequencer has to be slaved to timecode from the tape.

What is MIDI?

If you're not familiar with the term **MIDI**, it is an acronym for **Music Instrument Digital Interface**. There are three parts of MIDI, which are the Communications Protocol (language), the Connector (hardware interface) and a distribution format called Standard MIDI Files. MIDI was developed over twenty years ago by music instrument developers and is still the standard today.

The MIDI protocol is binary code language that is a "musical language". It is a way for musical devices to be able to "speak" to each other. There are specific binary codes that are assigned actions, such as a note turning on and off, which MIDI note is playing, level of sound, patch changes -- many different codes controlling a variety of different aspects. All software sequencers use

MIDI protocol. The standard MIDI connector is a 5-pin DIN configuration. There are MIDI connectors that use USB or other types of connectors, but the 5-pin DIN is standard on MIDI devices such as keyboards, samplers, drum boxes, synth boxes, etc. Even outboard effects such as reverbs and delays may have MIDI interconnectivity.

It's important to understand that MIDI does not send actual audio signal - it's not sound. It's code, telling a MIDI device to do something, like play a note. So when you press a key on your keyboard controller, it's sending a MIDI signal to the assigned MIDI device to trigger that particular note, and the actual sound is generated out of that particular MIDI device. For more on MIDI, you can visit www.midi.org.

FACT

MIDI does not send audio signal. It is binary code to instruct a musical device to do a specific task

Wrap up

So to create an environment to write music in, take stock of the equipment that you do have, and assess what you are lacking in order for you to create good, solid music tracks. To write for spots you need to be able to sync up video. You may need to upgrade some of your current equipment. Remember, it's not always about spending a ton of money; it's a matter of knowing how to use your tools. Look at various music magazines for the latest gear, check out your local music store, ask lots of questions, and get some advice. Get it going!

CHAPTER 5:

Setting Up Your Music Production Business

*(Author's Note: This chapter was written by Michael Benghiat, the author of our **Crack the Code! Writing Music for Film, Television and Video** course. - JA)*

NOTE: The following information is an overview of the different requirements that go into setting up a business. No specific legal advice is given or represented. Please contact your CPA or tax advisor in regards to the pros and cons of corporations, partnerships, sole proprietorships, LLCs, and their tax ramifications.

Different states may have different laws regarding setting up a dba, and laws sometimes change. Please check with your city's County Clerk's office for current information.

IT'S A BUSINESS

It is said that many businesses fail not due to lack of talent or effort, but due to a lack of a system for success. Successful businesses in all areas always have some kind of system they use. McDonald's, for example, has such a powerful training system that they call it Hamburger University. They have reduced their multi-billion dollar franchise business success down into a systemized procedure for doing everything. All employees must follow the system religiously. Everything from cooking to employee relations is set up in a reliable system, one where teenagers basically do all the work. Nothing is left to chance. It gives them complete quality control over their products.

I'm going to present some simple systems in this chapter to help make your business run smoothly and efficiently. Setting up a system for your business from the beginning will enable you to focus mostly on what you love to do - write and produce music. I know, being a creative type you probably find all this business discussion boring. But you are starting a business, and it is necessary. Just like exercising, you may hate following a system at first, but if you continue to do it week after week it just becomes part of your scheduled activities. You may never like it, but it is getting done with a minimum of procrastination and upset.

We're now going to move on to the nuts and bolts of starting a business. If you are new to the business world, then the following discussions on partnerships, corporations, and tax issues will undoubtedly go right over your head. But remember, with time you will understand these issues, and they are very important to

understand. Let's illustrate this with two examples.

Tom Tempo just loves writing music. He hates doing anything involving money. He hasn't balanced his checkbook in months. He is the frequent recipient of bank overdrafts, late fees, and other service charges from his bank, with the occasional bounced check for insufficient funds. Tom isn't being dishonest - he just doesn't think about money. He has not had any desire to get a financial education. Tom doesn't care - it's all about the music.

Tom lands some scoring jobs and has a good first year, making \$50,000. He is thrilled. He has never made more than \$30,000 a year before. His composing jobs were done as an independent contractor, meaning that no taxes were taken out of his income. He deposits the checks into his bank, and spends what he needs. He buys some more gear, a nice big screen TV, and some new clothes. At the end of the year, Tom has spent basically all he has made. He manages not to spend \$3,000, which is still in his bank account.

Tom always does his taxes himself, to save money. On April 14, Tom does his taxes, and is horrified to discover that he owes \$7,000 to the IRS, and \$2,000 to the state. He had thought it would be around \$2,000 total. He has saved about \$3,000, and he is forced to empty his bank account and charge the \$6,000 to his credit card. He slowly pays off the \$6,000 on his credit card over the next year. Over the next 4 years Tom makes about \$50,000 each year, and repeats the scenario each year. He doesn't know any better, and does not seek any advice. He feels he is doing fine - making a living doing music. He may not be rich, but he is getting by.

TIP

Need a CPA?
Check out
[http://www.
accountantsworld
.com](http://www.accountantsworld.com) to find CPAs
in your area

Tom lives in a cramped apartment. He has thought about buying a house, but is unsure how he would get the money or how to go about it. He doesn't think he could save the down payment. He continues renting.

At the end of 5 years, Tom has made \$250,000 gross. He has some nice equipment, but really hasn't managed to save any money. His bank balance is about \$6,000, with a small credit card balance of \$2,000.

Chris Crescendo also loves writing music. But Chris has also taken the time to learn a bit about business and taxes. A lot of it he does not understand at first, but he is not afraid to seek out others to help him learn and understand. He knows that the time he spends now and the knowledge he acquires now will pay huge dividends in the future.

Early on, Chris knew that tax planning was essential for business. He bought a few books, and learned some tax strategies he could employ. Though it was more expensive, he decided to find a CPA to do his taxes and give him tax advice.

With the CPA's help Chris sets up his music production business as a corporation. Chris is able to deduct all his business expenses, and put aside pretax dollars into a retirement account. They set up a quarterly tax payment schedule.

Chris also buys some new gear, which he writes off completely in the current year. Chris makes quarterly payments of \$1,500, for a total of \$6,000. At tax time, the CPA is able to get back about \$1000, so Chris's total tax is \$5,000 for the year. After year three Chris decides to buy a condo for \$100,000, using some of the money he has saved. Now he has new deductible expenses for

TIP

Need tax forms?
Go to
www.irs.gov/
for lots of free info
and downloadable
tax forms

interest and taxes. Chris also makes \$250,000 over the 5 years but the end result is vastly different:

Both composers have made \$250,000 over 5 years

Both composers have studios valued at \$50,000.

Let's see the end result:

Chris has paid a total of \$22,000 in taxes over 5 years. Chris took advantage of all the tax savings he legally could, and his condo's interest, taxes, and depreciation deductions also helped him save a few thousand dollars once he owned it.

Tom has paid \$45,000 in taxes over 5 years. He still has no idea how the tax system works, and how he can use it to his advantage.

Chris has been able to open a Roth retirement account and add \$3,000 a year to it. He originally put \$15,000 in this retirement account. It has increased to \$20,000 now through interest income compounding and capital gains.

Tom has no retirement account.

Chris has about \$22,000 in equity in his condo. It gained about 6% a year since he bought it 2 years earlier.

Tom owns nothing.

FACT

You can write off some of your home/rental expenses if you run a business out of your home. Talk to your CPA about this.

Chris's manages to save 10% of his money a year. He has about \$15,000 in the bank (he would have had \$25,000 but \$10,000 of this went for the condo down payment).

All in all, Chris now has assets of \$57,000, not counting equipment.

Tom has about \$4,000, not counting equipment.

Tom's net worth is approximately \$54,000, including the studio gear. Tom has \$4,000, no retirement fund, and no property.

Chris's net worth is about \$107,000. And he has a tax deferred retirement account, and real estate that is appreciating in value each year.

Chris was basically able to keep one full years income after 5 years. For Tom, that \$50,000 went down the drain.

The numbers would get much more extreme if their incomes both rose to say \$100,000 a year. Tom would have few deductions to offset his income. Chris can deduct all the interest and property taxes he pays. Tom, as a renter, is penalized tax-wise because he cannot deduct much of his rent. Tom's tax bracket could rise to 35% or more, which could mean a tax bill of \$35,000+

without some tax planning. Ouch!

Chris's tax structure and planning could well get him down to the lowest tax bracket, maybe 15%, where he would pay \$15,000. That's already a \$20,000 difference. Plus, he would still be able to add to his retirement account, which compounds tax free. And his condo, in today's fast rising market, could well be worth \$150,000, and he is slowly paying off the mortgage. He could also start accelerating the mortgage to pay it off in 15 years, instead of 30.

Though this is all made up, I know people just like Tom, and just like Chris. Their results are real.

See what difference a little knowledge can make?

The Appendix will list some great sources of books, Websites, and information on taxes, business, success, and money.

OK, let's get started learning about setting up your business.

NAMING YOUR BUSINESS

One of your first steps is deciding on a name for your music production business.

DBA or Not?

Many composers choose to make up a company name, while others use their own name. If "John Smith" wanted to use "John Smith Music", he would not have to file a **dba** (a doing business as) registration. If he wanted to use a name like "GreatTracks Music", he

FACT

DBA stands for "doing business as" so you can create a cool company name! How about "Hot Chinese Mustard Music"?
No?

would have to file a dba with his local city clerk. A dba registration consists of a public notice that the person, persons, corporation, partnership, etc. filing the dba intend to do business. The public notice consists of a series of notices that are published in a newspaper, usually for four consecutive weeks.

Shop around for a newspaper - usually smaller ones charge less than a paper like The Los Angeles Times. The fees can range from \$55 to \$130. This includes the \$10 filing fee to the City Clerk. In Los Angeles, the Valley Vantage in Woodland Hills or the Daily Journal offer some of the lowest rates around. You can do a search online or in your Yellow Pages under Newspapers.

Before you fill out your dba form, you must do a **name search** to determine if someone has already chosen that name to do business under in your locale. The County Clerk's office can help with info on how you conduct the search. In Los Angeles county, you can perform this search online. The site is <http://regrec.co.la.ca.us/main.htm>. Go to the Forms menu on the left side. You can also follow the link from the home page under County Clerk Operations (click on Naming Your Business) to do an Internet name search to find out if your proposed name has already been taken. You can also download the necessary form and instructions. You can reserve 3 names per dba filing. There is an additional \$2.00 fee each for the second and third names.

You can also take the form in to the County Courthouse yourself to do a search and pay for the filing. The newspapers include the filing fee, so if you can, do the search online, and let the newspaper handle the rest.

Why do I Need a dba?

Like many other counties, Los Angeles County requires one by law if you want to transact business under a name not your own. Secondly, many banks require the dba filing and publication notice in order to open a checking account or other account in the business name.

In some counties you will also be required to have a business license. All cities in Los Angeles County require one, but some parts of LA, such as Santa Monica, Calabasas, or Burbank, have their own city government offices. Please check with your local offices in your city to find out your local rules.

CHOOSING HOW TO SET UP YOUR BUSINESS

A business can be set up under four main legal structures: the **sole proprietorship**, the **partnership**, the **LLC (limited liability company)**, or the **corporation**. It is beyond the scope of this book to go into the intricacies of each structure, but I will give a brief outline of the structure, pros, and cons of each. Again, please contact a knowledgeable CPA tax attorney, or financial planner regarding what will be right for your individual situation.

IDEA

Here's a great website on information for setting up a small business:

<http://www.businesslaw.gov/>

SOLE PROPRIETORSHIP

A sole proprietorship is a business set up and run by one person. It is the simplest structure to set up and initiate. There is no special legal work or contracts that need to be completed, as is involved with a partnership or corporation. A business license generally will be required. The bookkeeping involved is minimal.

FACT

A sole proprietorship is a business set up and run by one person.

There are some careful considerations to be made if you decide to go this route. The government basically treats you and your sole proprietorship as one. All income would flow to you as ordinary income, under your social security number. You would report all business income and losses on your personal tax return, using Schedule C. If your business has a loss, you can deduct this loss against any other income you have earned during the year. This is very common the first year of a new business, where the expenses are building up while you are trying to get your first jobs. If you are working a regular day job and starting your music business on the side, this could be beneficial in that you would probably generate some tax savings.

The main disadvantage is that you have unlimited personal liability in your business; you and your business are legally one and the same. If someone sued your business for some activity of your business, and you lose, you would be personally responsible for payment. If your business did not have enough assets to cover the claim, then your personal property could be taken to cover the debt. If your business failed and you owed money to creditors, then they could come after your personal assets for payment.

Another drawback to the sole proprietorship is that most of the work to be done must be done through your own skills and knowledge; if you become sick or unable to work, how will the business survive? Also, it is difficult to raise money to expand the business because investors have to rely on you and only you to make good on the debt, making this a more risky proposition than loaning money to a corporation or partnership.

NOTE

A sole proprietor has unlimited personal liability for the business.

Tax-wise, any profits above expenses and deductions will be taxed at your personal tax rate, which can be quite high. And you have to pay all of the self employment tax. (If you are an employee of a corporation, your employer pays one half of the Social Security and Medicare tax, and the other half comes out of your paycheck. The total tax amount is 15.3% As self-employed you must pay this 15.3% yourself on any net income from your business.) Out of the four business structures, the sole proprietorship gives you the least number of avenues to reduce your overall tax liability.

PARTNERSHIPS

A partnership is a business structure of two or more parties. The partners agree to establish and run the business, share in the profits, assume responsibility for all losses and liabilities, and pay all taxes. It is also easy to set up, sometimes with a simple partnership agreement. A business license will also be required, which is inexpensive.

There are two types of partnerships - **limited and general**. Limited partners are generally investors, and do not participate in the day to day actions of the company, and are not liable for any debts or actions beyond their original investment. General partners are full partners and do the day to day work, and have the liability. You would be a general partner in your new business if you decided to go this route.

Some of the main advantages of a partnership are the sharing of work, decisions, responsibilities, and the sharing of expenses. Many partnerships are formed by people who each have skills the other does not have. A

FACT

A partnership is a business structure of two or more parties.

common approach is one person creates the products - the creative or technical one - and the other sells the products - the “people” person. Other advantages are that one person can go on vacation or on a business trip, and the work still gets done. A partner can also be a great source of capital for the business. Also, never overlook the old maxim of “Two heads are better than one”.

There are also some serious disadvantages to a partnership. Each partner is liable for the actions of the others. If one person decides to spend all the partnership’s cash to buy something, all the partners are now liable for this debt. If each partner’s duties and role in the company are not clear, then making decisions can become battles. Going into a partnership with someone you don’t know well should raise a warning flag. All duties and responsibilities should be delegated beforehand, in writing.

LLC (Limited Liability Company)

The LLC is not a corporate structure. It is basically a partnership structure that gives the parties limited liability. The LLC must have a least two partners (called members). The members get all the legal protection that a corporation offers, but an LLC may elect how it is to be taxed - whether as a corporation or a partnership. Sole business owners cannot use this structure; they usually elect to set up an S corporation, as explained below.

Because LLCs are relatively new, their rules and regulations vary greatly from state to state. Some states allow them, others do not, and there may be specific regulations regarding this type of business setup. Always

FACT

A LLC is basically a partnership structure that gives the parties limited liability.

consult a knowledgeable CPA or tax person for additional advice regarding if this structure is right for you.

CORPORATIONS

A corporation is a legal entity, separate from the individuals (shareholders) who own and control it. It is the most sophisticated and protective form of business organization. Corporations were created by the rich, and are a primary tool the rich use to protect assets, create new assets, and get richer! Proper use of a corporation can help you reduce taxes, protect your assets, and ultimately allow you to keep more of what you make.

There are two types of corporations: the S corp and the C corp. The C corporation is the basic corporate structure. It offers specific tax advantages as well as liability protection from creditors and others. It is taxed as a separate entity, at the corporate rate. Generally, income tax rates for corporations are lower than for individuals. C corps also take deductions for certain benefits like life and health insurance deductibles that the employee does not receive as taxable income.

The S corporation (called Subchapter S) is treated like a corporation for legal purposes, but like a partnership for income tax purposes. The S corp can avoid double taxation that can occur in a C corp. Certain deduction and benefits also are lost electing S corp status. However, having an S corp for a startup business may be advantageous in that you can deduct your S corp operating loss against income being earned from other sources. This can result in a significant tax savings.

FACT

A corporation is a legal entity separate from the individuals who own and control it.

This discussion is of course simplified, and may not apply in all circumstances. Competent financial and tax advice is definitely required in deciding which structure to use. By the way, every state in the U.S. allows an individual to incorporate. This person becomes the president, secretary and treasurer of the corporation.

One of the main advantages of a corporation is that shareholders are no longer personally liable for the business. It offers its shareholders limited liability; they can only lose their original investment, and are not liable for debts of the corporation. No one can come after your personal assets if the corporation is sued.

Another advantage is that you can deduct 100% of all worker's compensation insurance, medical insurance, life insurance, and disability insurance expenses as an employee of a corporation, which are not available to a self-employed person working under a sole proprietorship. (As mentioned before, some of these deductions may not apply for a S corp). Because the corporation can issue stock, it is also easier to attract investors.

On the tax side, a C corporation allows you to break down your income into two portions, your salary and your retained corporate earnings, which can each be taxed at a lower rate than if you combined them, as would be the case in a sole proprietorship. There are many other tax advantages in addition. You can, for example, choose the fiscal year end for your C corporation - it does not have to be December 31st. This can help greatly for tax matters. Also, proper use of corporations can help change some types of income, such as earned income, into passive income, which can reduce your taxes.

The main disadvantage of having a corporation is it is much more complicated and expensive to set up. Also,

FACT

One person can hold all the important positions in a corporation: president, secretary, and treasurer.

there is a lot more paperwork to do. But this should not deter you if this is the right avenue for your business.

TAXES, TAXES, AND MORE TAXES

Like it or not, taxes are the biggest expense in our lifetimes. For individuals, federal and state income tax rates can top 50%. A graphic way to look at it is like this: you work for the government from 9AM to 1PM, and you get to keep what you make from 1PM to 5PM. The poor and middle class generally pay the most in taxes, relative to their income. Employees at all income levels have it the worst - they do not have the deductions available to business owners or self-employed individuals. The last big tax deduction left for most people is the interest paid on a mortgage. The poor, unfortunately, cannot afford to buy a house and thus cannot take advantage of this valuable tax savings. Thus, they pay the most relative to income.

The rich pay the least, mainly because they understand the tax laws, and take appropriate action to set up the best tax structures that benefit them. There is a reason for the saying that the rich only get richer. As mentioned earlier, businesses and wealthy individuals use corporations to increase their wealth by protecting their assets, limiting their liabilities, and reducing their taxes. If you want to be rich you have to do what the rich do!!!

FACT

Knowledge of the tax laws and the use of tools like corporations lets you pay a minimum of taxes.

TAX ID Number

Everyone that is doing business under any business structure other than their own name needs to apply for a **EIN (Employer ID Number)** from the IRS. If you are

working under your own name, your Social Security number is your tax ID number.

To apply for a number, you need form SS-4 - Application for Employer Identification Number (EIN). We have included a PDF version on the forms CD-ROM you received with this course. You can also download the form or check for updates at the IRS website address: **<http://www.irs.gov/pub/irs-pdf/fss4.pdf>**.

Instructions are included. You can also contact any accountant or CPA to do this for you, usually for a fee.

BANK ACCOUNTS

Once your business is set up with a EIN , you should open a checking account in the new business name. Even if you are going to operate under your own name, you should still have a separate banking account. Your business dealings should be separate from your personal dealings. Especially in a corporation or LLC, you do not want what is called “co-mingling of funds”. In the event of an IRS audit, your business intentions could be called into question because you did not run your business properly. You want to avoid this at all cost.

You should not mix your personal and business income and expenses. Deposit all income checks into your business account only. Pay for musicians, business expenses, and other invoices out of your business account. Your tax advisor or CPA can advise you specifically how to set up this side of your business.

HOME OFFICE CONSIDERATIONS

You will need letterhead, envelopes, business cards, mailing labels, and CD labels. Many people design these pieces themselves and print them out with a high quality ink jet or laser printer. Nowadays, you don't have to incur expensive printing costs unless you really want to. Ink jet printers are less than \$100 today; I've seen some for \$50. Manufacturers basically give the printers away, because they make their money charging a lot for ink-jet cartridges and toner. (*Author's note: Buy ink-jet cartridges through the internet, it's much cheaper than at a store like Office Depot or Staples- JA*)

A telephone and answering machine exclusively for your business is a must. Always answer the phone in a businesslike manner - usually with the name of your company or "Studio".

Depending on your budget, a fax machine, an office computer, and DSL or cable modem connection are very handy. A fast Internet connection is a must these days, especially for sending and receiving audio files, video files, or mp3s. You can deduct this as a business expense.

Set up an account with FedEx, or Airborne. Also set up an account with a local messenger service, or at least have one send their rate sheet to you. These can be invaluable for delivering tracks when time is tight.

KEEPING RECORDS

Make sure to set up a separate system of filing invoices and expense receipts separate from your personal bills. I keep all invoices and receipts in separate

TIP

Keeping good records will help manage your money, time expenses, and help you at tax time. Make it a habit.

envelopes by month. I use QuickBooks to record all my income and expenses, which I later give to my accountant at tax time.

If you have a corporation, the bookkeeping and accounting statements need to be done properly. In addition, certain corporate records like minutes and resolutions must be done on a regular basis and kept up to date. A financial statement is part of a corporate tax return. If you have no accounting background, or are bad with numbers, it is usually necessary to hire a bookkeeper to do the work. Speak with your accountant or CPA to find a solution for you.

FILING SYSTEMS

The next part of an effective system for running your music production business is keeping track of all jobs and related paperwork.

Here's how I have set up my filing system. It's simple but effective. You will need a small filing cabinet from your local office supply store. I use the top cabinet drawer for jobs, past and current.

As soon as a job comes in, I assign it a number in my **jobs book** (see next page), and create a manila file with the job # and name on it. All paperwork associated with the job are placed in the folder, and filed in the filing cabinet, filed by number.

All jobs are logged in the jobs book. If I did a demo and didn't get the job, I still log it, and enter \$0.00 under Amount. And early on in my career, there were quite a lot of \$0.00 amounts entered. Happily, things improved with time.

Jobs Book							
Job #	Job Title	Client	Invoice #	P.O. #	Amount	Date Completed	Date Paid
1001	Bad Eye Joe (Movie)	Bad Eye Films producer: Ginger Snaps	1001A 1001B	verbal	\$12,000	5/27/02	4/30/02 - 50% 6/10/02 - 50%
1002	Workout With Ishmail	Nebulous Entertainment producer: Hank R. Chief	1002A 1002B	5650	\$5,000	7/20/02	7/8/02 - 50% 8/28/02 - 50%
1003	Spunky's Cookies (demo)	Funky Advertising Producer: Richard Small	none	verbal	\$0	6/4/02	
1004	Turkey Talk!	Real Food Network Producer: Frank N. Berry	1003	verbal	\$2,500	6/28/02	7/15/02 - 100%
1005	Space Alien Episode #1	TM Entertainment Producer: E.T. Gonhome	1004A 1004B	verbal	\$3,500	8/8/02	8/1/02 - 50% 9/8/02 - 50%

As you can see, I have columns for Job Number, Job Title, Client, Invoice #, P.O. (purchase order) #, Amount, Date Completed, and Date Paid column. Many companies do not use purchase orders, but ask and get the number if they do, and have them fax or mail the actual document to you. This gives you a bit of protection if they decide to cancel the job.

Notice that the date paid column sometimes has two dates. This reflects being paid in two installments. You should always request half the amount of the job upfront, with the other half paid after completion. For large amounts, clients sometimes break it up into a number of payments. Make sure you get something when you start - this will help your cash flow immensely, and also protect you in case of default.

I have been keeping my jobs book since I started my music production company in 1991. It's all in one place, and it makes it easy to refer back to a job if I need to. This is especially helpful if you are looking for a track you did 5 or 6 years ago, and you have 300 DATs and CD's to look through. I just look for the job in the book, which gives me the date, and I go back to my DATs or CDs from that time.

DAT AND CD ORGANIZATION

Having an effective system for filing your DATs and CDs over the years is crucial. Up until a few years ago, I printed all music track mixes to DAT. Now I just print all mixes within Digital Performer, and backup onto CD. I always labelled my DATs on the spine as **Master DAT, (month/year)**, entering the month and date. If one DAT consisted of only cues from one specific job, I

would label it with the job name, and the date. All DATS are stored in DAT racks chronologically, making it easy to find cues I did even 10 years ago. I have a similar setup where I store my master CDs on spindles in chronological order.

However you set it up, make it an easy system to use. Some composers keep a cue log on their computer of every cue they've done, sorted by style and length. By using special software, they can locate any cue they need. Some composers use a similar software to catalog all the loops and sounds in their sound libraries, all organized by type, BPM, style, etc. These can all be great systems, but they will only work if you want to spend the time inputting all the data for the cues on a regular basis.

BUSINESS CHECKLIST

In summary, here are the steps you need to do to set up your new business, in rough chronological order:

- Choose a name and perform the necessary name search
- Choose a particular business structure
- File a dba (if applicable)
- Complete any necessary paperwork for the business (obtain a business licenses, corporate papers, legal papers, tax ID number, etc.)
- Open a bank account

- Order or print stationary/ business cards, mailing labels, etc.
- Set up office with a separate phone, fax, filing system and accounting system

Wrap Up

With a little research and focus, you too can become a “business person” as well as being a creative person. It may be difficult at first, but the tax implications you have seen here can make a huge difference when it comes to how your money is being made and spent. Always get professional advice from a licensed CPA or tax attorney on tax matters. In the long run, learning as much as you can about business tax structures and how they affect you as a composer is very much worth the effort.

CHAPTER 6

Unions, Unions, Unions: Contracts, Session Fees, and Residuals

In this chapter, we'll talk about the different type of labor unions you'll be dealing with when working on commercials. We'll also cover the basics of session payments and the residual structures of each of the three unions.

When you start doing work directly for advertising agencies, most mid-to-large agencies will have signed assumption agreements with the three major unions that have to do with broadcast production: the **AFM** (American Federation of Musicians), **SAG** (The Screen Actors Guild), and **AFTRA** (The American Federation of Television and Radio Artists). These three unions cover

different aspects of actors, singers, and musicians who are involved in the production of commercials.

AFM: The American Federation of Musicians

The **AFM** (The American Federation of Musicians) represents musicians (instrumentalists) who play on both TV and Radio commercials, as well as on records, TV shows, theatrical shows, and film scores. The AFM has a **Commercials Contract Agreement** that governs working conditions, rates, and residuals for all members of AFM specifically for commercial work. There are also separate contract agreements covering music for motion picture/film, live performance, and phonograph (CD) recording. All these different types of contract agreements have different rates, different schedules and residual structures. In this manual, we will only focus on the commercial agreement.

FACT

The AFM was founded in 1896 with around 3000 members. Today, there are about 45,000 members in North America.

SAG: The Screen Actors' Guild

SAG (The Screen Actors Guild) represents actors, actresses, voiceover talent, and singers who work on TELEVISION commercials. In a television spot, an actor on screen, a voice-over person off screen, and singers are usually members of SAG, and the production company and/or advertising agency must abide by SAG union regulations. SAG has a **Commercials Contract Agreement** that governs working conditions, rates, and residuals for people who are members of SAG. SAG also governs film making – anyone who is an actor in a feature

FACT

The Screen Actor's Guild was created in 1933 to protect the rights of working actors and to monitor their working conditions

film made here in the United States is most likely a member of SAG. SAG also has contracts covering industrial films, multimedia and other areas. For the purposes of this manual, we will only talk about SAG rules and rates for commercial productions.

AFTRA (The American Federation of Television and Radio Artists)

AFTRA (The American Federation of Television and Radio Artists) is the union that represents actors, actresses, voiceover talent, singers who work on RADIO commercials. AFTRA has a Commercials Contract Agreement that governs working conditions, rates, and residuals for people who are members of the union. AFTRA also covers production of television shows, news programming, radio broadcasters, sitcoms, game shows, and talk shows. For purposes for this manual, we will only talk about the commercial contract agreement.

Yes, it's a lot of information to hit your over the head with. Don't worry. There are people at payroll services companies that can help you with these issues, and it's not too tough if you narrow things down just to commercials. When dealing with spots, think of it in these terms:

AFM is for a musician who plays an instrument or takes part in a recording on a commercial track (both TV and Radio)

SAG is for a vocalist who performs on a TELEVISION commercial

AFTRA is for a vocalist who performs on a RADIO commercial

Those three statements should keep you in pretty good shape. One of the obvious questions you may ask is "Why do I have to deal with this union stuff?" The answer has many parts:

1. It protects your interests in earning a fair wage. Like most unions, there is a minimum wage scale that is required payment for any work you do as a musician or singer. This way, you're always earning (as a player) what is rightly due to you.

2. Health care and pension and welfare programs are available to you. Once you start earning a certain amount, you can get health care through the union at very inexpensive rates. Yes, you can be a musician that actually has health insurance! You also start to contribute to a pension plan and can collect retirement money when you become of age and have contributed enough to the fund. There are emergency programs available to members of the union as well.

3. Other union benefits are available to you. Some of the services the unions can provide are: credit and loan programs,

mortgage and real estate programs, as well as legal advisors and representation, contacts for payroll companies, insurance services, and discounted services of all types, like travel and rental car specials.

4. Quality of talent. If you hire union players and singers through referral, you will most likely have a quality performer since they've had to "prove" their abilities by joining via audition or by past jobs. At least most of the time. (hey, there's always going to be a few scrubs out there, right?)

5. Most mid-to-large size ad agencies will only produce commercials on a union basis. So if you want to make the big bucks, you're going to have to run your jobs as union gigs. I would estimate about 80% of the work I've done on commercials has been union jobs. In the case of smaller budgets, I have run across a few times when ad agencies can't afford to do things on a union basis because they can't afford the residuals. Although this is not technically legal if the agencies are signatory to the union(s), it does happen once in a while. It's a judgment call if you decide to do a non-union job for an agency that is signatory.

6. Residuals. This is a HUGE plus when it comes to playing or singing on spots. If your commercial runs over and over again for

long periods of time, you'll be getting checks in the mail while you're doing absolutely nothing. Free mailbox money. Not a bad thing. If you play parts on a TV track as well as sing on the track, you're earning both AFM and SAG residuals. You can earn tens, even hundreds of thousands of dollars.

FACT

As a union member, residuals can be a great revenue stream for you. It's like magical money that appears in your mailbox.

We'll now go over some basic payment info on session fees and residuals, and how contracts are filled out so you have an understanding of how everything works. You can always get help through the many payroll services that take care of session payments on union contracts; many will even provide contracts for you.

The AFM Commercials Contract

You, as a composer, will most likely deal primarily with the **AFM** contract. **The American Federation of Musicians** is a nationwide union, with local unions in the major metropolitan centers of the United States. Here in Los Angeles, it's the local 47. If you go to the AFM website at <http://www.afm.org> you can find your local union, as well as get some really useful information. The AFM was created to represent the professional musician – whether you're playing in an orchestra, a band, or you're a recording musician - and there are different agreements that cover the variety of music that is being performed and recorded by AFM members. For example, session players that work on a film score are covered under the **Television and Motion Picture Agreement**. For musicians working on commercials, AFM members are covered under the **Agreement for Television and Radio Commercials**. There's a separate agreement for AFM members who play on records/CDs/tapes, the **Phonograph Record Labor Agreement**.

Joining the AFM

It's actually quite easy to join the AFM. Just check in with your local union and find out what the requirements are. When I joined, it involved attending an orientation meeting, providing some background on what you do, and an audition. Now, at least here in Los Angeles, all you do is fill out an application form and mail in a check! You don't even need to play anything. Membership fees are not that much - a one-time initiation

fee for \$90, and it's around \$162 for yearly membership, plus you pay work dues on actual earnings (4%) once the checks start rolling in. (In 2004 the annual dues are set to go up to \$190).

The following page is an AFM contract for a fictitious national spot, so you can see what one looks like. We will go into detail on the structure of all the session rates and various types of residuals and see how it all works.

Union Rates for AFM

These are the scale rates reflecting the Commercial Agreements Contract. All scale rates are based on a one-hour recording session.

Basic Scale:	\$106
Leader:	\$212
Contractor:	\$212
Arranger:	\$212
Copyist:	\$106
Conductor:	\$212

FACT

You can be more than one person on the AFM contract. You can be a leader as well as a side musician, or contractor, or arranger.

As you can see the base scale rate is \$106. **Basic scale** is what a musician playing one part is paid, this musician is also called a **sideman** or **side musician**. Leader, contractor, arranger, and conductor are paid double scale.

Overtime is paid out in 20 minutes increments at \$35.34 per every twenty minutes. Why is it divided up in 20 minutes increments? According to the AFM Commercials Contract, you can record up to three commercials in one hour, or 20 minutes per commercial. So if you have a recording session set up, you supposedly can record up to three different pieces in that one hour. However, this rarely happens.

Basic scale means one part, representing one line on the actual contract. The number of scale parts is also referred to as **units**. Let say you do a commercial track, a Latin piece of music, with these parts:

Guitar 1	1 unit, (or 1 scale)
Guitar 2	1 unit
Bass	1 unit
Drums (kit)	1 unit
Percussion 1 (congas)	1 unit
Percussion 2 (cowbell)	1 unit
Keyboard 1 (piano)	1 unit
Keyboard 2 (organ)	1 unit
Keyboard 3 (synth pad)	1 unit

So all told, you have 9 units on this track. Hold on, there's more stuff to add:

Leader	2 units (double scale)
Contractor	2 units
Arranger	2 units
Copyist	1 unit

So if you add all these parts plus the actual players, there are 16 units, or 16 lines. Here's an explanation of these other categories of people on the contract, besides actual players:

The **Leader** is the person who's leading the band -
- this person can be the composer or music producer, or maybe you've hired someone to be the music director. He or she is the person running the music session. Leaders are always paid a minimum of double scale.

The **Contractor** is the individual who actually "contracts" all the musicians – books the players and gives them the call time for the session. This individual traditionally also creates and files the actual paperwork on the AFM contract. It's defined on the AFM contract that on sessions involving ten or more musicians, a contractor must be used. Contractors are always paid double scale.

The **Arranger** is the individual who arranges the track, determines how the parts are played, and who does what. Arrangers are paid double scale.

The **Copyist** is the individual who provides the actual music parts, or the charts. The Arranger could be the copyist as well, if he writes out all the individual parts. A copyist is usually paid single scale.

A **Conductor** (who is not on this example) is the individual who conducts the orchestra. A Conductor is paid double scale.

An **Orchestrator**, (who is not on this example) is similar to the arranger, but works on orchestral arrangements. There are special rates for Orchestrators based on the number of parts, pages, and time spent, but for spots, they usually work for double scale.

A **Sideman or Side musician** is the session musician playing a single part. This musician is paid scale.

TIP

Payroll Service companies that specialize in doing AFM and other union contracts are available. You can find them through your local union chapter.

There can also be **double scale session players**, session musicians who are the "first call" guys – who are known as the best guys to get. They will get double-scale rates for one part. A lot of rhythm section players (drums, bass, guitar) who are in popular demand are double scale players. So are well-accomplished soloists, or sometimes section leaders of orchestras such as the primary chair in the string section or the primary chair on trumpet.

Double scale also applies when a solo instrument is being used with no other musicians. For example, a solo piano piece. That individual playing the piano must be paid double scale.

Now, we just talked about double-scale players. This is different from **doubling**. **Doubling** occurs, for example, when a woodwind player who plays saxophone at the beginning of the spot changes instruments and plays clarinet at the end. You can also have a second double. (We don't call it a triple, I guess.) Naturally, that would mean that individual plays yet another third instrument, perhaps a flute. Doubling rarely occurs in the spot music world, because frankly, the music is so short. If you do run into this situation, the cost is 30% of session for the first double (\$31.80) and 15% of any subsequent doubles (\$15.90). But, again, this rarely occurs in the spot world.

Another cost that could be reflected in the contract is **cartage**, which is instrument moving and delivery charges. **Cartage** is charged when a larger instrument is used like a double bass, or a cello, or percussion (like tympani, marimbas, concert bass drum, etc). Harp, keyboard, string bass and timpani, marimba, chimes, vibraphone is \$30, and tuba, all drums, all amplifiers, baritone sax, bass sax, cello, accordion, cordovox and

contra-bass clarinet is \$12. (No, I don't know what a cordovox is. Actually, a cordovox is an electric accordion, I've been told, but I've never seen one).

The cartage fee only applies on the AFM contract if the instrument is being transported personally by the musician. If it is transported by a professional service, such as a cartage company, cartage is usually more expensive. For example, if you get a drum kit to the studio, the cartage company can bill you into the hundreds of dollars. Another example is a guitar player that needs to have his big Marshall stack rig and ten guitars brought in. That can be a huge cost. These cartage payments will be outside of the AFM contract, and will be a directly invoiced to you (as the music producer) from the cartage companies. Always remember to factor in cartage costs; they can add up!

Let's do the math to give you an idea of how these contracts work and the costs. In this example, let's say that the contract has 16 total units, or scales. That comes out to $16 \times \$106 = \$1,696$. You also have pension, health & welfare, and payroll taxes in addition to the actual wages. Pension is an additional 10%. Health and Welfare is $\$13 + 2\%$ per each line of the contract. Payroll taxes depend on region, I usually use an estimate of 22% - which is 17.5% payroll tax and a 4.5% handling fee.

FACT

On the average, you may have 8 - 18 units total on an AFM contract for a commercial outside of orchestral arrangements.

Here's how this example contract works out with all the costs:

Part	Wages	Pension	Health/welfare
Leader	\$212	\$21.20	\$17.24
Arranger	\$212	\$21.20	\$17.24
Contractor	\$212	\$21.20	\$17.24
Copyist	\$106	\$10.60	\$15.12
Guitar 1	\$106	\$10.60	\$15.12
Guitar 2	\$106	\$10.60	\$15.12
Bass	\$106	\$10.60	\$15.12
Drums (kit)	\$106	\$10.60	\$15.12
Perc 1	\$106	\$10.60	\$15.12
Perc 2	\$106	\$10.60	\$15.12
Keyboard 1	\$106	\$10.60	\$15.12
Keyboard 2	\$106	\$10.60	\$15.12
Keyboard 3	\$106	\$10.60	\$15.12
Total:	\$1,696.00	\$159.00	\$187.80

Add an additional 22% for payroll tax and handling fees
(on \$1,696) = \$373.12

Grand total (estimate): \$2,415.92

It's important to understand how these contracts work so when you put **budget estimates** together you are well covered on the job. You need to account for what you think you'll need for the job, so you're on top of costs. Once you get into doing larger orchestral arrangements, the contracts can run 40 to 60 units, so it can add up to quite a lot. The actual blank contracts are

available through the AFM for all AFM current members. There are also forms available through payroll service companies who specialize in doing union contracts.

Multiple Lines on the AFM contract

In these technology-laden times of MIDI sequencing and using samples and loops, it's more prevalent that composers are putting multiple parts for themselves down on the contract. This is entirely legit if you play multiple parts on a piece of music. Those multiple parts are defined as different lines on the AFM contract, as if different people played them. Now, if the client expects you to have live players for each and every part, obviously, you should please your client and do what you need to do. However, in a lot of cases, multiple parts are done by synthesizers, samples, or loops – especially if it's a contemporary or trendy track. It's more cost effective from a production perspective – no money spent on cartage for drums, no extra studio time, and no microphone rentals.

For example, let's say you do a music track that is created in a project studio/MIDI setting, plus maybe a couple of live guitar parts played by a friend. You have an agreement with the ad agency that you will not have any more than 15 units on the contract. Here are the lines on the contract:

Leader (you)	2 units
Contractor (you)	2 units
Arranger (you)	2 units
Copyist (you)	1 unit
Guitar 1 (your friend)	1 unit

Guitar 2 (your friend)	1 unit
Synth Bass (you)	1 unit
Drums 1 (loop A, you)	1 unit
Drums 2 (loop B, you)	1 unit
Keyboard 1 (piano)	1 unit
Keyboard 2 (synth solo)	1 unit
Keyboard 3 (synth pad)	1 unit

(NOTE: When a leader (you) plays a part, that first part is inclusive in the scale wage of the Leader line (which is double scale, \$212). In this example, four keyboard parts were played but the fourth part is left out of the contract, because it is included in the scale wage of the Leader's line.)

Although there are multiple parts, there are actually only two names on the contract – yours, and your guitar playing friend. So the commercial AFM contract ends up with 13 units, or lines, for you, and 2 for the guitar player. As you have surmised, this is quite advantageous to you since residuals on this particular track will be quite lucrative.

It's important that you have an agreement with the ad agency producer as to how the contract will be laid out. Most agencies have restrictions on the number of parts that can be put on a contract and how those lines are distributed. They have to estimate residuals and have money put aside to pay those residuals for the life of the commercial. And by all means, if they expect you to have live musicians on all the parts, make sure you do so, as long as the budget can afford it. In some cases of orchestral sessions, I have used entire string/brass/woodwinds sections, but did all the percussion via MIDI/sampler because the parts were not terribly

TIP

Having multiple lines on an AFM contract will result in larger residual payments.

complicated, and I saved hundreds of dollars on cartage – those multiple tympani drums can be very expensive to move.

Also keep in mind to try to make the contract advantageous to you on the residuals end – the more lines you get yourself, the more money you will be making on residuals. You have to find that fine line of balancing out the contract so that it fulfills the agency's needs as well as trying to meet your financial goals. In some cases, you may only be able to get two or three lines on a contract because you had to do a big session with a lot of players, and you are restricted to a certain number of units on the contract. In other cases, as in the previous example, you may be able to get ten or more lines which is obviously an advantage to you for the back end residuals.

Timely payment. One quick note on timely payments. There is a stipulation in the AFM commercials contract that after the session date, the check must be cut to the individuals on that contract within a span of 15 days. Some agencies actually pay AFM contracts themselves directly, so a money flow problem is a non-issue in this scenario. However, if you have to pay the session out of your production budget, you will need to have that cash available to cover those session fees. Some agencies will pay music companies 50% up front so cash is available for expenses such as AFM session costs.

Initial use, Reuse, and Dub Fees on AFM contracts

These fees (discussed below) are normally paid by the advertising agency, or the client's payroll service company, so it's nothing that you as the composer has to

handle. This information is for your knowledge so you know what is rightly due to you.

Now that an AFM contract has been established, what happens next are **First Use**, or **Initial Use** fees.

The **First Use fee** or **Initial Use fee** is \$30 per unit, reflecting on the units of the contract. If you're a leader on the track, you'd get \$60. If you have additional parts, that's \$30 per line. This Initial Use fee determines the actual first time the commercial airs. This initial use date, or first air date, determines the use period. From this initial use date, the standard 13-week use cycle is determined. You can also think of 13 weeks as three months ($13 \times 4 = 52$ weeks, 52 weeks in a year, right?) if that's easier to gauge. There is also an 8-week use cycle that is optional for radio spots.

After the first 13 weeks, if the client wishes to keep airing the spot, they must pay residuals, or make what's called a **Reuse Payment**. (re – use, meaning using over again). This reuse payment is 75% of the session fee – so if the session fee was \$106, the reuse payment is \$79.50. For the Radio 8-week Reuse payment, it's 80% of the 13-week Reuse payment, or \$63.60 per unit.

That's free money, you don't have to do anything! I call it mailbox money. So you can see why it is advantageous to try to get as many units down on each and every AFM contract you are on. If you start acquiring a number of different spots that are on the air, your reuse dollars can escalate very, very quickly. So, in the previous example where we had the composer down for 13 units, that's \$1,033.50 that comes to you during that second use cycle! And the next, and the next. If you get to a point where you have five or six spots

running on a continuous basis for a year, your gross income just on residuals alone can be \$8,000 - \$15,000. Ka-ching. I know composers who earn \$25,000 annually on AFM residuals alone.

Dub Fees: A **dub fee** occurs when a music track you created for one commercial gets used on another commercial. This happens routinely on **themes**, a category of music we discussed at the beginning of the book. The theme music is used over and over on a series of spots to maintain a particular sound and feel. The Dub Fee is the same as a Reuse fee - 75% of the initial session cost, or \$79.50 a unit.

Earlier, we had talked about the 20 minutes per commercial rule when it comes to the AFM contract. During a one-hour recording contract, (and by the way, you can't book AFM musicians for less than one hour, one hour is the minimum) you are allowed to record up to three commercials. Or, the one track you recorded during that hour can be used on three separate commercials. I believe initially this rule was created so that it restricted music producers from "cramming in" a bunch of commercials within a one-hour recording session. There's a similar rule in the AFM Motion Picture and Television Agreement; every hour of the recording session can only supply 5 minutes of actual recorded music.

Now, when it comes to a dub fee, there is a relationship here with the 3 commercials per hour rule. The dub fee is paid out when three commercials are used up from that initial one-hour recording session. What? For example, let's say you did your one hour recording session for your client, for one commercial. On the contract, it is noted that item "A" is "Commercial #1" (It's

on the upper left side of the AFM commercial contract). Now, you can actually assign two more commercials to the same music track, so it adds up to three commercials for that one hour contract. Now, if the client decides to do a fourth commercial and wants to use that same piece of music on it, then the dub fee must be paid.

In other words, three commercials are allowed for one hour of recording. If you want a fourth commercial, using the same music, a dub fee must be paid.

There is also something called a **conversion fee**, which is exactly the same cost as a dub fee. If a piece of music recording for one format (for example, a TV spot) is used in another (the same music is picked up for a radio spot), a conversion fee must be paid. It works the other way around as well, if you record for Radio and it is converted to TV use.

Internet Use: If a commercial is initially recorded for a TV or Radio spot, the payment to use the commercial on the Internet is equivalent of a dub fee for a 52 week use period (one year). If a commercial is recorded initially for the Internet only, then the payment is an Initial Use fee (just like on-air commercials, \$30 per unit) that covers use 26 weeks, or six months. For the following six months, it's equivalent to a dub fee. For the following year after that, it's equivalent to a dub fee for 12 months use.

Foreign Use: When a commercial is used outside of the U.S., there is a Foreign Use fee as well. For use in Europe for 52 weeks (12 months, or a year) it costs \$66.25 per unit. Outside of Europe (Asia, Australia, Canada, Mexico, etc.) it is also \$66.25 per unit. If the

spot is being used world-wide, a payment equivalent to a session fee (\$106) can be paid at the beginning of the use cycle for 52 weeks.

All this stuff about AFM session, use fees, and contractual language can be a bit overwhelming. You can always get assistance through payroll services that you can find through the union. They can generate contracts, and help you go through all the different types of residuals to help you further understand how all of this works.

Let's go on and cover a bit regarding the SAG Commercials Agreement and how payments and residuals work for singers on TV commercials.

The Screen Actor's Guild (SAG) Commercials Agreement

As stated earlier, the **Screen Actor's Guild (SAG) Commercials Agreement** covers actors, voiceovers, and singers for television commercials. You will have to deal with the SAG commercials contract for TV spots only.

Similar to the AFM, SAG is a union that represents the interests of the working actor, making sure that working conditions, wages, and timely payment are kept in check. Most working actors are members of SAG, and the talent pool of SAG members is where most actors are found for the bulk of television commercials that are produced. Most mid-sized to larger advertising agencies have signatory agreements with SAG stating that they will only use union actors in their commercials. This impacts you as the composer/music producer, because if you work for these agencies, you must use SAG members for any vocal work for television commercials. Vocal work includes vocal sounds, whistling, singing, rapping, and speaking.

On the following page is a typical SAG contract with one singer on it, so you can see what it looks like. We'll go through all the different types of session payments and residual structures as well.

FACT

If you do a JINGLE for a TV spot, you will have to pay the singers under SAG requirements.

[illegible]

Under the Screen Actor's Guild contract you'll primarily be dealing with what's called **off-camera** performances. Off-camera literally means "off camera" – not seen, just heard. Obviously, on-camera would mean that you are visually in the shot of the commercial. There are different session rates for the different types of off-camera performances, as well as on-camera performances. For clarity's sake, we'll just discuss off-camera costs since you will most likely not have to worry about on-camera unless you are actually filmed for the commercial.

Basic session rates for SAG off-camera performers
(based on the existing year 2003 commercials agreement)

These rates are for a session of two hours, the minimum call for a SAG recording session. Even if the performer is at the session for only an hour, they still get paid this minimum. Any increment of time over two hours is paid another session fee.

Solo/Duo:	\$ 402.25
3 – 5 group:	\$ 226.90
6 – 8 group:	\$ 196.90
9 or more:	\$ 160.55
Contractor:	3 – 8 singers, \$85.75
Contractor:	9 or more, \$160.30

(a SAG contractor must be used when there are 3 or more singers on the session)

Multi-tracking: additional 50% of session fee
Sweetening: additional 100% of session fee per track

FACT

You have to have a contractor on a SAG commercial if you have 3 or more singers

For groups of 3 or more, multi-tracking and sweetening is an additional 50% of original session fee for an unlimited number of tracks.

Don't worry, we'll go over this stuff in detail, it can get sticky when you start doing multiple parts, people doing a solo then joining in the group, etc. You can always get help from payroll services companies on matters of session fees and residuals.

Multi-tracking means that a singer either doubles a vocal part, note for note, or that vocal part is doubled electronically. This would happen when you have a soloist "fatten up" the vocal line by singing it again, note for note – NOT harmonizing. This costs an additional 50% per multi-tracked part.

Sweetening basically means harmonizing, or singing a different harmonic part or a different rhythmic part from the original. It's in addition to the original melody. This costs an additional 100% per part. So if you hire one individual to be the soloist, and he or she sings two additional harmonies, that's 3 session fees (\$402.25 x 3 = \$1,206.75) so it can get quite expensive. Don't forget, perhaps you want to multi-track the parts, to fatten them up as well, so you have to pay multi-tracking on top of that!

Let's illustrate this by example, it will help clarify these payment structures. The session is a jingle for TV, with three female singers, Kim, Jane, and Michelle. Here is the way they sang the parts:

Kim: soloist, doubled (sang the exact same part twice to fatten it up)

Kim, Jane, and Michelle: background harmonies, doubled

Jane: vocal "licks" over whole track

That's a pretty real-world example of how a track could be done. Let's see how it translates to session fees under the SAG commercials agreement:

Kim: As a soloist, she gets the solo/duo rate of \$402.25. She doubled that solo melody part, so she gets an additional 50%, or \$201.12. She is also on the background harmonies along with the other two girls, so she gets \$226.90. (the 3-5 group rate) The harmonies were doubled, so that's an additional 50% on top of that, another \$ 113.45 That's a total of \$ 943.72.

Jane: Initially hired to do just backgrounds, she gets the 3- 5 rate of \$226.90. Plus the doubling on the harmonies for an additional \$ 113.45. Then during the session, she did a few vocal licks flying in and out of the track, so she receives a solo/duo rate of \$402.25. She gets \$ 742.60

Michelle: Michelle does harmonies as part of the three girls (3-5 group), for \$226.90. That part is doubled so she gets the additional \$113.45. She gets paid the least, at \$340.35. Better luck next time, Michelle.

When you want to do some dense vocal harmonies, it can get quite expensive. It's actually cheaper to hire MORE people to come in rather than hire one singer to come in to sing multiple parts. Why? The solo/duo rate is expensive at \$402.25. If that soloist does another part (sweetening, or harmonizing), it's another 100%. And then, it's another 100% for the next part. So, one soloist doing three parts total gets paid \$1,206.75. If you brought in two other singers, and did the same thing, you would pay the soloist the \$402.25; then all three women can sing one harmony part for an additional \$680.70 (\$226.90, the 3 - 5 group rate, times three singers), which comes out to \$1,082.95. It's less costly than having one singer coming in to do multiple parts. Plus, if you pay group singers for an additional sweetening cost, you can track as many tracks as you want for no additional fees. You can double, triple, quadruple those harmonies for an additional 50% of the original session fee on the group rate.

It can get a little complicated but it's important to understand, especially when you start creating budgets. You need to be sure you are covering expenses on that music budget for that big jingle. A payroll service that specialized in talent payments can be a great help to you as well.

There's also a lot of room for interpretation, I'm afraid, as to how singers are paid out sometimes. Advertising agencies will usually have a limit to the number of parts that are allowed, because of residual issues. Unlike AFM, SAG residuals are based not only on a time basis, but frequency, geographic location, and type of broadcast, and can quite expensive. Good for you if you're a singer. When I say there's room for interpre-

tation – for example – when a singer "speaks" a line during a vocal session, it could be construed as an additional off-camera part as a voice-over. Some agencies will limit the number of parts a solo performer can put down on the contract because of the high cost (remember, it's an additional session fee for each and every single harmony when you just have one singer do them all) but still ask for dense harmonies. You have to work all this out with the agency before the session and talk through it with your singer(s) so they are in agreement as to what will go on the SAG contract. You don't want to have a misunderstanding either with the singer(s) or the advertising agency as to how the parts are put on the contract.

Residuals for SAG

Residuals for SAG is where the big money is when it comes to backend earnings. Unlike the AFM where a blanket fee is paid for use, the SAG residual structure is based upon not only time and geographic regions, but also the type of television use (Network, Wildspot, Cable, Internet, and Foreign) and also frequency (number of times) on Network stations. It's quite a bit more than AFM residuals because of the multiple layers that a commercial can run on. A spot can be running on a network station, as well as local stations, and cable stations, so these residuals can add up very quickly.

Since we are talking about vocals/singing on commercials, we will just talk about **off-camera** rates. (On-camera rates are quite a bit higher than off-camera rates – 20 - 25% more than off-camera, depending on type of use. If you ever get a chance to be on camera, that

TIP

Check out
www.sag.org for
more information
on residuals and
rates.

would be great from a residual standpoint). Again, off-camera means you do not appear in the commercial, only your voice is heard – either as a voiceover, a solo/duo singer, or a group singer. Whistling and humming is also considered a "voice", as well as vocal sounds like yelling, grunting, etc. Body sounds (like clapping) are not considered as vocal sounds.

Class A or Network Use

Class A or Network Use is paid when a commercial airs on one of the big three (ABC, CBS, NBC) on a nation-wide basis. Just to clarify, the 1st use is covered by the session fee. (If you are a soloist, you would receive \$402.25 for the session, so you won't get another \$402.25 when the commercial airs on Network TV the first time.) In other words, the first time the commercial airs, it's "free" - no additional use fee. However, you will be paid for the second use and onward. As you can see by these rates, it can get quite lucrative. If the commercial you sang on airs on Network TV 10 times, this is how the math works:

First use:	\$402.25 (which is your session fee)
Second:	\$ 96.00
Third	\$ 76.35
4th thru 10th:	\$458.10 (rate for 4-13 is \$76.35, 6 x \$76.35 = \$458.10)

Grand total for 10 times on Network : \$1,032.70
(including session fee)

Most likely, if a commercial is airing on Network TV, it is running a lot more than just ten times. And, it's probably running on more than just one Network, maybe on several shows on different Networks. I hired a singer on one of my tracks for a car commercial a couple of years ago, and within six months of the session, she had earned over \$8,500 from that one commercial. Another friend earned over \$20,000 in one year from one toy commercial. Voiceover people can make up to hundreds of thousands of dollars, if they are "the voice" for a particular product on multiple commercials.

FACT

Being a singer on a commercial can be quite lucrative because of the higher residuals rates system as opposed to AFM residual rates system.

Here is a chart of rates for off-camera SAG class A (Network) commercial residual rates.

CLASS A USE FEES (Network)

	<u>Solo/Duo</u>	<u>3-5 group</u>	<u>6-8 group</u>	<u>9+</u>
1st	\$402.25	\$226.90	\$196.00	\$160.55
2nd	\$ 96.00	\$ 61.70	\$ 53.65	\$44.00
3rd	\$ 76.35	\$ 57.65	\$ 49.35	\$40.30
4-13	\$ 76.35	\$ 52.65	\$ 45.95	\$37.65
14+	\$ 34.65	\$ 21.00	\$ 19.70	\$16.35

As so you can see, the use fees get smaller as the frequency rises. However, the rates start over at the top again every thirteen weeks. Every use cycle is based on this 13-week cycle, or you can think of it as 3 months

minus one day.

The 13-week Cycle

For SAG, similar to AFM, commercials are on a 13-week cycle. So after this commercial airs for 13-weeks, the cycle starts all over again for the rate structure. So if the commercial aired for the first time on January 1st, on April 1st you would go back to the initial \$402.25 for first use, \$96 for the second, and so on. The first \$402.25 is actually what's called a "holding fee", equivalent to the session fee, which must be paid at the beginning of every 13-week cycle to "hold" the commercial, to keep it active. Then that holding fee can be applied to the first use fee, just like how the original session fee was applied to the very first 13-week cycle first use fee.

FACT

For Network use as a SAG singer, you will make money each and every time it airs. Mailbox money!

SAG Wildspot TV Use Fees

Wildspot TV use fees are paid when a commercial airs on local TV stations and are paid on a 13-week cycle (just like the AFM use fees) based upon geographic location. The geographic locations, called "units", are added up based on the media buy schedule created by the advertising agency in the different cities. For example, Cincinnati is 2 units, Miami is 4, San Francisco is 6, and Pittsburgh is 3 units. The unit size is determined by the number of television households as determined by the Nielsen Media Research Company (you've heard of the Nielsen TV ratings, right?). The big three cities of Los Angeles, New York City, and Chicago, are "weighed" quite heavy and wildspot fees are calculated based upon

if any or all these cities are included in the media buy. It's a bit complicated (and boring) to figure out all this stuff, but here's a general idea of a case in point:

Let's say you are a solo singer on that same commercial, that's airing Network, and the spot is running Wildspot in these cities for one 13-week cycle:

LA, NY and Chicago (the big three)
 Cincinnati (2 units)
 Miami (4 units)
 San Francisco (6 units)
 Pittsburgh (3 units)

This equates to LA, NY, Chicago plus 15 units.

The Wildspot Use rate for NY, LA and Chicago is \$1,239.55 plus \$5.45 per unit. ($\$5.45 \times 15 = \81.75)
 This works out to a total of \$1,321.30.

Most likely, the commercial will be airing in more than just the 7 cities listed above for this example, it's probably more like 20 - 30 cities. So it starts to add up very quickly. If you add up the Network use fees we calculated earlier (\$1,032.70 for 10 network uses) plus the Wildspot use fees, this one commercial has paid you \$2,354.00. And remember, for wildspot, it's just like the AFM use fees cycle of 13 weeks.

Wildspot Fees are very complicated because there can be so many ways that media buys are done. There are different rates for one Major (LA, NY or CH) plus units, or two majors plus units, all three plus units, units with-

out the three majors, and the rates change after so many uses. If you really wanted to find out down to the cent on how this works, you can go to www.sag.org and download a PDF with all the specific rates.

SAG Cable TV use fees

Cable TV use fees are paid for those "stations" which are not on regular broadcast TV, such as cable channels like CNN, ESPN, TNT, The Food Network, MTV, WTBS, The Knitting Channel (just kidding, but you get the gist) and the like. It's also based on a 13-week use cycle, and similar to wildspot, it's on a weight-based unit system according to the number of subscribers. Now, Cable TV is different from Premium Cable like HBO or Showtime, since the premium movie type channels don't sell advertising space for commercials (other than their own promos). Basically it covers channels that are not broadcast, but are available through cable/satellite and sell advertising space.

Here are the first year rates based on a 13-week cycle for Cable Use Fees. Units are based upon the number of cable networks in the media buy, plus additional units based on 350,000 television households. Cable Networks weight units are determined by the Cable Vision Magazine.

CABLE USE FEES

(all off-camera rates, 13 week cycles for the first year)

	Solo/Duo	3-5 group	6-8	9+
Minimum	\$402.25	\$226.90	\$196.90	\$160.55
Units 1-50	\$5.84	\$3.74	\$3.23	\$2.65
Units 51-100	\$5.10	\$3.23	\$2.81	\$2.29
Units 101-150	\$4.32	\$2.76	\$2.39	\$1.94
Units 151-200	\$3.56	\$2.28	\$1.96	\$1.60
Units 201-1000	\$ 0.44	\$0.29	\$0.25	\$0.12
Units 1001-1999	\$0.10	\$0.06	\$0.06	\$0.19
2000 +(max)	\$1,723.00	\$1102.50	\$949.50	\$766.00

The costs, as stated earlier, are based on 13-week cycles, so every three months you will receive yet another payment. Let's say you receive the maximum payment of \$1,723.00 as a solo singer for the same spot. So for the same spot, you've made a total of \$4,077.00 -- for the first three months of the year. If the commercial runs all year, multiple that amount by four. That comes out to \$16,308.00. Wow.

Internet use for SAG

In today's internet savvy world, its highly possible that the same commercial may run on the internet. If so, the use fees to run that very same commercial is another 300% of the initial session fee. So as a solo singer on the commercial, that's $\$402.25 \times 3 = \$1,206.75$.

If you add this amount to the other payments, it comes to a total of \$17,514.75. Seventeen-thousand five hundred fourteen dollars and seventy-five cents. That's a whole mess of enchiladas. So you can understand why

you should try to sing on the tracks you do, if at all possible.

Foreign Use for SAG commercials

Hey, what about use outside of the U.S.? Here's how it breaks down:

1. For use in the United Kingdom (England, Scotland, Wales, and Northern Ireland) it is 300% of the initial session fee.
2. For use in Europe outside of the U.K., 200% of the session fee.
3. For use in the Asian-Pacific zone (Australia, China, Hong Kong, India, Indonesia, Korea, Malaysia, New Zealand, Pakistan, the Philippines, Singapore, Taiwan, Thailand, excluding Japan) 100% of the session fee.
4. For use in Japan, an additional 100% of session fee.
5. For use outside of the U.K, Asian-Pacific zone, or Europe, and additional 100% of session fee.

These costs are for the life of a commercial, which is a period of 21 months. The payment is made upon airing the commercial, within a 15-day period.

With all these different type of uses, you can see how being a SAG singer on a commercial can be extremely beneficial and quite lucrative. With the different network, wildspot, cable, internet and foreign

use fees, one commercial can generate thousands and thousands of dollars. Imagine if you land a jingle or a vocal mnemonic that's used on dozens of commercials by a big department store or a restaurant chain. You can make, very easily, \$50K plus in a period of a year – money just pouring into your mailbox.

Joining SAG

To become a member of SAG, it's a little more involved and more costly to do so than joining the AFM. There are two conditions that must be met. First, you must actually get on a SAG job as a principal performer, whether on-camera or off-camera. When you hear of actors trying to "get their SAG card", this is what they are talking about – they have to get a speaking part on a SAG project (it can be either a film or a commercial) so they become eligible to join. Another way is to book at least three days as an extra, but this most likely will not apply to people like you or I, who are musicians/composers. Secondly, after you do an actual SAG job, you have to pay the hefty initiation fee.

I got my eligibility by singing on a TV commercial. A SAG session contract was provided and a **Taft Hartley** form was filled out. The Taft Hartley form has to do with hiring a non-union person to do a union job because of special circumstances – and these special circumstances need to be explained. In my case, I sang on a track and they liked the unique quality of my voice, which is a valid reason for hiring me on this union job. So I met my first condition for eligibility. The next was paying the one-time initiation fee. As of this writing, the initiation fee is \$1,310.00, plus another \$180 for the basic

yearly dues. Ouch. It's a big bullet to bite, but once we talk about what session fees are and how residuals work, you can absolutely justify this cost. And every year, you will have to pay annual basic dues fees of \$216, as well as percentage dues of about 1.85% on money earned. It does seem to be a lot of money (because it is!) but once you see the earnings potential, this money is quickly recouped on the very first job you do as a SAG singer on a commercial.

The AFTRA Radio Recorded Commercial Contract

AFTRA (The American Federation of Television and Radio Artists) governs actors/announcers/singers for radio produced commercials. There has been discussions over a a period of time that AFTRA and SAG may combine to become one union, but at this point, they are two different entities with different rate structures.

There is a Television Commercial contract under AFTRA, but it is rarely used– most TV commercials are governed under SAG jurisdiction – so we will only concern ourselves with the AFTRA agreement governing radio commercials. To join AFTRA, there is an one-time initiation fee of \$1200, and the subsequent membership dues are \$58 annually, plus dues based on earnings on AFTRA residuals. Joining AFTRA is basically a "buy-in" – you don't need to audition or do any work, if you have the cash, you can go ahead and join.

The following page shows an example of an AFTRA radio commercial session contract with one singer on it. We'll go over different session rates and residuals in detail.

FACT

AFTRA governs
RADIO
commercials for
singers and
voice-overs.

AFTRA SESSION FEES

The Session Fees for AFTRA radio commercials are as follows: (All rates are based on the October 2003 AFTRA contract.)

AFTRA Radio Session Fees

Actors/Announcers/Solos/Duos:	\$235.40
Group Singers/Speakers 3-5	\$173.40
Group Singers/Speakers 6-8	\$153.45
Group Singers/Speakers 9+	\$136.15
Contractor:	
When 3-8 singers are employed	\$80.81
When 9 or more singers are employed	\$129.25
(a contractor must be used when there are 3 or more singers on the session)	

FACT

You'll eventually have to deal with union issues once you start working with national level advertisers. There's plenty of help available from the union's websites.

As you can see, the rates are not as high as SAG (TV) session rates, but it is very good money, nonetheless.

We did discuss in length about the categorizing of singers in the SAG section. The same rules apply when determining what a singer should be paid – the number of parts, the number of people involved, whether it's a multiple of parts, etc. You need to determine with your client as to how you need to structure the pay scale so they can cover the Use Fees. However, unlike SAG, there is no "multi-track" rate. Under the auspices of AFTRA, every different track done by a singer is designated as a separate performance; however, you need to exercise your good judgement and agreement with your singers to come up with a session fee that is equitable for all parties

involved.

Use Fees for AFTRA radio commercials

Use fees for AFTRA radio commercials, like SAG TV commercials, are also broken down into categories depending on the type of media time bought, as well as time, frequency and/or markets. We will go over the most often used types of AFTRA radio use payments.

FACT

Similar to SAG, AFTRA use rates are based on different types of use and how the spots are broadcast

AFTRA Radio Wildspot Use Fees

Most likely, radio usage is bought on a wildspot basis in 13-week cycles. There are specific targets (cities) that media buyers are trying to hit when radio time is bought. They want to reach the audience that is specifically targeted for particular products, and hit the cities where these products are available. If you have a commercial for a grocery store that's located in Sacramento, California, you're not going to run that spot in Las Vegas, Nevada. Even "national" commercials, let's say for a radio spot for Apple Computer, Inc., may only run in major metropolitan centers and in cities of large population. Here are the rates when a radio spot is broadcast on a wildspot basis.

AFTRA Radio Wildspot Use, 13-weeks use rate
Actors, Announcers, Solos, Duos

1 Unit	\$235.40
2-25 Units, each unit add	\$ 3.46
26 and each unit thereafter add	\$ 2.60

2. Lineup of Cities including one or more "Major City"

New York City Alone	\$352.40
Chicago or Los Angeles Alone	\$319.60
Any 2 of the above alone	\$429.80
All 3 of the above alone	\$543.10
Additional units, Add	\$ 2.60

Group Singers

1. Lineup of Cities not including NY, Los Angeles, or
Chicago

	3-5	6-8	9+
1 Unit	\$173.40	\$153.45	\$136.15
2-25 Units, each unit add	\$1.80	\$1.54	\$1.36
26-60 Units, each unit add	\$1.54	\$1.18	\$1.18
61 and thereafter add	\$.87	\$.75	\$.75

2. Lineup of Cities including one or more "Major City"

	3-5	6-8	9+
Any 1 Major Alone	\$191.65	\$170.15	\$151.05
1-35 Units, each unit add	\$1.54	\$1.29	\$1.24
36 and each unit thereafter add	\$.87	\$.75	\$.75
Any 2 Majors Alone	\$228.85	\$175.60	\$156.25
1-60 Units, each unit add	\$1.29	\$1.29	\$1.24
61 and each unit thereafter add	\$.87	\$.75	\$.75
Any 3 Majors Alone	\$255.00	\$197.30	\$175.60
1-60 Units, each unit add	\$1.29	\$1.29	\$1.24
61 and each unit thereafter add	\$.87	\$.75	\$.75

As you can see, wildspot rates can be a little complicated, but it's up to the advertising agency to cover these costs. You don't need to worry about figuring out all these rates. This information is for your benefit just to find out what kind of money you can expect to make on the back end by being a singer on a radio spot.

There is also a shorter 8-week wildspot cycle that can be used for radio commercials. The 8-week rate is 80% of 13-week rates for actors, solo/duo, and 95% for all group singers.

AFTRA Radio Dealer Commercials

Another type of AFTRA radio residuals, or radio use fees, are for **dealer commercials**. Dealer commercials are commercials that are, in most cases, spots for car dealerships, chain stores (like supermarkets, drugstores, department stores) that have a dealer "tag" at the end of the commercial. The body of the commercial might be some funny story or an announcer talking about the virtues of shopping at their store. Then the last 10, 15, or 20 seconds of the commercial, they tell you the nearby location, the weekly special at that store in your neighborhood, or some special going on at your local dealership. Dealer rates are paid out in six-month use cycles, up front.

AFTRA Radio Dealer Commercials, Six months use:

Actors/Announcers:	\$636.50
Solos/Duos:	\$504.90
Group Singers/Speakers 3-5	\$329.20
Group Singers/Speakers 6-8	\$263.40
Group Singers/Speakers 9+	\$164.60

AFTRA Radio Network Program Commercials

Another type of radio usage are the Network Program rates. **Network Program Commercials** are

commercials that are broadcast as part of a syndicated radio show, like the good 'ol "Weekly Top 40" or "The Howard Stern Show" and many other syndicated talk shows. These radio shows are broadcast nationwide and advertisers can buy media time on a nationwide basis. This is typically done to blanket the widest audience for national-type spots. The Network Use rates are broken down by these categories:

AFTRA Radio Network Use Fees

One (1) Week's Use:

Actor/Announcer/Solo/Duo	\$398.25
Group Singers	\$298.85

Four (4) Week's Use:

Actor/Announcer/Solo/Duo	\$646.15
Group Singers 3-5	\$496.90
GS (Group Singers) 6-8	\$444.35
GS 9+	\$405.95

Eight (8) Week's Use:

Actor/Announcer/Solo/Duo	\$1029.30
GS 3-5	\$791.95
GS 6-8	\$707.75
GS 9+	\$634.00

Thirteen (13) Week's Use:

Actor/Announcer/Solo/Duo	\$1277.20
GS 3-5	\$982.40
GS 6-8	\$878.40
GS 9+	\$804.70

Thirteen (13) Week's Limited Use: 26 Uses

Actor/Announcer/Solo/Duo	\$638.70
GS 3-5	\$491.10
GS 6-8	\$439.15
GS 9+	\$401.25

Thirteen (13) Week's Limited Use:39 Uses

Actor/Announcer/Solo/Duo	\$961.80
GS 3-5	\$673.45
GS 6-8	\$601.15
GS 9	\$546.15

Thirteen (13) Weeks' Use on Across-the-Board Programs

Actor/Announcer/Solo/Duo	\$1337.45
GS 3-5	\$1028.50
GS 6-8	\$919.75
GS 9+	\$842.65

AFTRA radio Single Market Use Fees

Here are rates for a radio commercial that is being used in one market only, for those very local commercials. Under singers only, you will see that the use is for "5 commercials". This means that the jingle can be used for 5 different commercials at this rate. As an example, let's say you sing on a car dealership jingle and they have 5 different specials that week, and they make 5 different spots but use the same jingle on each spot.

Single Market AFTRA radio use fees

Actor/Announcer Only	\$162.20
One (1) year's pre-paid use	\$486.70

Singers Only (5 Commercials)

Solo/Duo	\$648.90
GS 3-5	\$504.45
GS 6-8	\$430.35
9+	\$371.20

Additional 26 weeks' use beyond the first year

Solo/Duo	\$268.25
GS 3-5	\$207.85
GS 6-8	\$174.40
GS 9+	\$147.50

Foreign Use fees for AFTRA radio commercials

These rates Foreign use are for use outside of the United States on a one-year use basis.

Actors/Announcers/Solos/Duos	\$466.95
Group Singers/Speakers 3-5	\$270.85
GS 6-8	\$186.80
GS 9+	\$149.40

Conclusion on AFM, SAG and AFTRA information

I realize this chapter on union residual payments was a lot of stuff to digest. It's just so very helpful to have a general understanding of this important information in pursuit of your career as a composer for commercials. You can get a lot of help by contacting the unions directly and visiting their websites. Payroll service companies can also help generate and explain to you the how the different contracts work.

To wrap things up:

AFM: instrumentalists on TV or Radio spots

SAG: singers on TV spots

AFTRA: singers on Radio spots

On a **radio** spot, you will have BOTH an AFM contract and an AFTRA contract (if there are singers).

On a **TV** spot, you will have BOTH an AFM contract and a SAG contract (if there are singers).

For more details and membership information for the three unions, please visit their respective websites.

American Federation of Musicians:

<http://www.afm.org>

The Screen Actors' Guild: <http://www.sag.org>

The American Federation of Radio and Television

Artists: <http://www.aftra.org>

CHAPTER 7

Creating a Budget Estimate for Commercial Music Production

In this chapter you will discover you'll have to be a bit of a "number cruncher" to run a business as a commercial music composer or producer. But with some guidelines and the right tools, this part of the process can be quite easy. We've already gone over in the last chapter the session rates for AFM, SAG, and AFTRA performers. Now we just have to fill in the other numbers and come up with budget estimates that will work for your particular project.

Most advertising agencies will have a requirement from the composer or music production company to present a formal **estimate**. Estimates are also provided by the film production companies, and the editorial

FACT

A scientific study found support for a relationship between math achievement and participation in instrumental music instruction. So you should be good at estimates!

companies as well. The advertising agency needs to be able to account to their client on how their money is spent, so these estimates usually are quite specific – with line items laying out the costs for materials, labor, creative fees, etc. In the case of music estimates, there are two likely scenarios: they have X amount of dollars to do the job and you need to create an estimate to reflect that amount; or, they will ask you for an estimate to reflect what you feel will cover the costs of the scope of the job. In other words, agency producer #1 will tell you "we have \$10,000, and that's it" and you need to work with this number. Or, agency producer #2 will say, "Please submit an estimate that will cover all the costs" and you have to come up with numbers that are adequate to cover your expenses and what you feel you should earn on top of that.

It is always tough to gauge what the numbers will be like. I've done jobs for major advertising agencies for as little as \$2,500 up to amounts of \$75,000 and over. Of course, it all depends on what the scope of the job is, and what kind of money the agency has for music for a particular production. It could be a really large orchestral track with lots of players. It could be a simple drum 'n bass groove. It could be a jingle with lots of singers. Some of the questions for a project could be: Is it a big recording date? Can it all be done at your project studio? Are there certain needs, like M&Ms with all the green ones taken out, that must be available during the recording session? Just kidding, but you never know. All these items come into play when creating an estimate.

What we will do in this chapter is to go over a mid-range budget – around \$15,000 – with all the line items so you can see how everything fits. Yes, Fifteen Thousand

Dollars. It sounds like a lot of money. But when you see where expenses fall and what the profit margin is, you'll see that numbers such as these are pretty standard in music production for commercials. In this scenario, we will say the agency told us that the music budget is \$15k, and the estimate needs to reflect that amount. It's important to understand this budget reflects the music production job in its entirety – this means time you spend as on a job BEFORE and AFTER the actual recording session. These are costs associated from the time you get your first phone call regarding the job until the final bill is sent to the agency along with your final mix.

The next page will have the mock estimate budget that we'll go over to help you understand how all the numbers work, with an explanation of what each of the line items mean. As we go through each of the line items, just keep going back and referring to the mock estimate as we go along.

**C-Hit Music, Inc. • 1338 Yellowstone Ave. • Los Angeles, CA 90046 •
(323) 555-1212 FAX (323) 555-1234**

A

MUSIC PRODUCTION BID

CHET CHIT, COMPOSER

B

Date: 8/1/03
Client: Smith & Smithy Advertising
Address: 1234 Main Street
415.555.1212/415.555.1234
Agency Producer: Jeannie Smith
Product: Jack's Peanuttty Peanut Butter
Project: "Stick to the Roof" :30 TV

Bid No: 1112-B1
Agency Job No: Y4-57899
Phone/Fax:
San Francisco, CA 94103

C

Creative Director: Johnny Smithy
Copywriter: Frank Leemieder
Art Director: Don Gibadam

D

	Production Costs	Rate	Units	Totals
1	Studio Time (hours)	\$185.00	10(hours)	\$1,850.00
2	Engineer Fees	\$105.00	10(hours)	\$1,050.00
3	Media/Supplies	\$400.00	1(units)	\$400.00
4	Miscellaneous	\$500.00	1(project)	\$500.00
5	Cartage	\$800.00	1(units)	\$800.00
6	Musicologist	\$500.00	1(units)	\$500.00
7	Shipping/Messengers	\$220.00	1(project)	\$220.00
8	Rentals	\$500.00	1(days)	\$500.00

Production Costs Total: \$5,820.00

E

	Talent Costs	Rate	Units	Totals
9	AFM leader	\$212.00	1(units)	\$212.00
10	AFM scale	\$106.00	7(units)	\$742.00
11	AFM contractor	\$212.00	1(units)	\$212.00
12	AFM copyist	\$106.00	1(units)	\$106.00
13	AFM arranger	\$212.00	1(units)	\$212.00
	AFM session fees total		14(total scales)	\$1,484.00
14	AFM pension			\$148.40
15	AFM health & welfare			\$211.68
16	SAG Solo/Duo	\$402.25	1(units)	\$402.25
	SAG singers session fees total	\$402.25		\$402.25
17	Singer's Pension			\$58.33
18	Payroll Tax			\$330.09
19	talent handling fee			\$ 70.73

Talent Costs Total: \$2,705.48

F

	Creative Fees			
20	Sound Design	\$1,500.00	1 (project)	\$1,500.00
21	Creative Fee	\$5,000.00	1 (project)	\$5,000.00

Creative Fees Total: \$6,500.00

G

Grand Total: \$15,025.48

H

This estimate is based upon one :30 TV track with sound design. Upon approval of estimate, a 50% payment first billing will be due. Any changes in creative direction or scope of job will reflect changes upon this estimate. Advertising agency is responsible for any subsequent talent use fees; this estimate is only inclusive of actual session fees.

Breakdown of Estimate Budget

I have labeled each section of the estimate with letters and given line item numbers so we can go through each section with an explanation of what everything is. You can create a format very similar to this (this document was created in Microsoft Excel) and specialize it to your needs. This estimate should be acceptable to any agency or production company. It also protects you from any **overages** or additional costs if you should run into them during the scope of the production. There is an estimate form on the CD-ROM supplied with this course that you can use.

TIP

Remember, you can always get help from a payroll service company when it comes to creating talent contracts and budgets.

Estimate - Section A

This is all the information on you or your music company, so there is easy reference for the agency producer for contact/mailing information, and also to show that this is an estimate that was generated by you. It should include your name or your company's name, address, phone numbers, email address, and website info if you have one.

Estimate - Section B

This is all the advertising agency or client information so there is easy reference for you – you can just look at this estimate and all that information is right in front of you. This includes the client's name, the address/contact information, and all the people that are involved in the production. It would be quite a faux pas if you had these people show up at your recording session

and you can't remember the copywriter's name! You can get all this information from the agency producer when you first start talking about the job, so immediately write down all this info, and include it on your estimate for easy reference. You may look at this estimate weeks or months later when you want to call that agency again for more work, it's so handy to have this information available right on the estimate.

TIP

Why not practice putting a formal budget together just to experiment? There is an estimate form on the CD-ROM.

Estimate – Section C

Here are two numbers, important for book keeping and billing. The bid number is your own internal tracking number. This number on this particular estimate means "Job number 1112, bid #1 (B1)" as a reference to which bid this is. You may have to revise it, so then you would call it Bid # 1112-B2. In this way, you can keep track of changes if they take place. It's a good idea to assign an internal job number on your gigs - that way you can keep track of costs better. For example, you use your credit card to buy the clients lunch one day. Just put on your receipt the job number, and when you reconcile all your costs you know that lunch that day was for this particular job.

The second number is the job number that the agency has provided for this production. Their internal billing process is governed by job numbers – each TV production is assigned a job number (or billing code) to keep track of all costs and to make sure that invoices are charged to the correct production. Most advertising agencies like to work with **purchase orders**. A purchase order is a business document describing the services that the ad agency is buying from the vendor, in this case, your

music company. The agency job number or billing number should be on that purchase order. When you do your actual invoice, this job number or billing number should be on your invoice so that there is easy reference to which job the costs are charged to.

Estimate – Sections D, E, F and G

These sections are the numbers that make up the estimate. There are divided up by three different kinds of costs: Production, Talent, and Creative Fees. Then there is the final total amount which is item G. Sometimes ad agencies need to do very specific accounting for their books, and if you divide up your costs in this manner it is easy for them to see where the numbers lie. Let's go over each section and each line for a thorough explanation of each item.

Estimate, Section D: Production

1. Studio time. This is the number of actual hours you estimate for spending time in the studio. Yes, the actual AFM session fee is only one hour, but there is prep time (lining up video, setting up the console, microphone placement, etc.) actual tracking time (and your AFM session may be layered – maybe you have to record sections, or do overdubs), and mix time. You may need to buy out a whole day at a studio. This studio time can also be inclusive or time in your project studio time, especially if you are a "one-man operation" and do final tracks and mixing at your project studio.

TIP

Most recording facilities have an hourly rate, but a day rate may be cheaper in the long haul if you need that much time.

2. Engineer Fees. This cost may or may not be included in your studio time – I usually bring in my own recording engineer to a recording studio. I rarely just use the "house engineer" because I have relationships with engineers that understand the way I work and know the kind of sound I'm looking for. You may have a great rock 'n roll engineer, but you're not necessarily going to use the same guy for a jazz session, or an orchestral session. Perhaps you do all your work at your home studio but you bring in an engineer or assistant to take care of some studio function, like helping with recording and mixing.

3. Media/Supplies. This is a line item to cover costs on materials such as recording tape, CDs, video tape, office supplies, etc. It's most likely you will end up doing a number of demos and having to provide various CDs or videotapes with changes each time. This can also include items such as manuscript paper, copies of music parts, etc.

4. Miscellaneous. These costs can include such items as client entertainment, lunches, dinners, maybe late-night meals for you, phone costs – any type of incidentals that may have to do with the production at hand. Maybe you need to buy a particular reference music CD the client wants you to listen to for a style or a sound. Or perhaps there's a certain loop sample you need to buy for this job.

5. Cartage. Cartage is the cost of transporting larger instruments, such as drum kits, double basses, guitar amplifiers (like a bunch of Marshall stacks), etc. – heavier items that need professional transportation. Some

TIP

When creating an estimate, account for every single item you can think of when producing a music track, like shipping, cost of tape stock, lunch for clients, etc.

of the more popular session guitarists may have 3 or 4 amplifiers, and want their road case full of 20 guitars brought in if the composer or music producer is not exactly sure what kind of sound they are looking for. If you're using a multiple percussion player with all the different kinds of congas, bongos, timbales, shakers, and a myriad of different kinds of percussion, they may have a couple of big road cases that are brought in for the session. You'll have to find out from your musicians what their cartage company charges for round-trip transportation. I've seen bills for as little as \$200 upwards into the thousands if it's a big session. For example, let's say you are doing an orchestral session and need to bring in a whole timpani setup, a marimba, all those double basses, etc. -- these costs can fluctuate depending on the scope of the spot. There is a cartage cost that is associated with AFM session costs but this cartage cost in the estimate is the cost to pay the actual cartage company for their transportation costs.

6. Musicologist. Some advertising agencies have the requirement that a musicologist be hired to determine that your music track is an original work, and the likelihood of any kind of copyright infringement is kept at a minimum. A musicologist is most likely hired in a case when an ad agency comes to you and says, "Hey, we like this track by so-and-so. Can you do something like it?" At this point, we can get into a lengthy discussion about this type of practice, but in reality, this will happen to you sooner or later. It's a tough battle because as a composer of original work and to be fair to other artists, it's hard to see this kind of practice taking place.

FACT

A Musicologist is a scholar of music who pursues the scientific study of music - its forms, history, and functions.

Many editors will put a "placeholder" piece of music while they are cutting a commercial to develop a tempo and pace for their cut. Or the ad agency creative team really want a track by their favorite band to be used in their spot, then discover that it's going to cost way too much to even consider doing that. In the film world, they actually do this quite a bit when cutting a film – using existing soundtracks from a movie to get the pace of the cuts. If there is any question that your music is in the gray area of copyright infringement, it is the musicologist's job to analyze the two pieces side by side, looking at melodic and harmonic structure, rhythmic similarities, instrumentation, timbre, color, etc. There is also the question of intent. Did the agency already contact some famous music act and then couldn't get the rights to buy their song? Did they then they hire you to make a "sound alike"? That is very dangerous ground. It also needs to be clarified that if you get a positive report from a musicologist – saying that there is no basis for copyright infringement – it is NOT A GUARANTEE that a lawsuit could not take place. It's just UNLIKELY that a lawsuit could take place. I realize this is a bit alarmist, but it's quite important to understand.

7. Shipping/Messengers. These are costs associated with sending materials back and forth – whether is by a messenger service, Fed EX, UPS, or USPS.

8. Rentals. These costs are associated with anything that has to do with the scope of the job – renting microphones, renting a digital video deck, renting a particular instrument or amp (some recording studios will

have instruments/amps available on hand for rent), renting a bunch of headphones for an orchestral session, etc.

Estimate, Section E: Talent Costs

This section of the budget covers any and all costs associated with the actual session fees for AFM musicians and SAG/AFTRA singers. Our example has 14 total AFM units and one SAG soloist.

Section E, items 9 –13. AFM session fees

These are the actual number of units that will be represented on the contract. It's important to come to an agreement with the advertising agency on the number of AFM units. It's a cost issue initially for the recording session, but also for further talent costs when it comes to paying out the AFM use fees. The number of AFM units will be different with each job, depending on the scope of the job and number of players. As discussed in the previous chapter, the basic single scale amount for the AFM commercial session fee is \$106. As you can see, Leader gets double scale, as well as double scale for the contractor and arranger. Copyist gets one scale. In the "scale units" column, you will see that the amount adds up to 14 total scale units. It's a little misleading because of the way the estimate is structured, if you add up down the list it looks like there is only 11 units. But you need to take into account that it is the total number of SCALE units, not number of actual people. Since leader, contractor, and arranger are double scale, those payments add up to six scale payments. Then add the 7 regular

scale units, plus one more for the copyist. $6 + 7 + 1 = 14$.

Section E, items 14 and 15

As discussed in the previous chapter, there are pension and health & welfare payments on AFM session fees. AFM pension is 10% of session fee, so item 14 is 10%, or \$148.40 based on the total actual session payment of \$1,484 in this particular example. AFM health and welfare payment is \$13 per unit plus 2% of session fee. If you have multiple lines on the contract, you only pay up to \$26 for the one session and just pay the additional 2%. In this example, $\$13 \times 14 \text{ units} = \182 . 2% of the total session costs of \$1,484 is \$29.68. $\$182 + \$29.68 = \$211.68$. See? Easy.

Section E, items 16 and 17

Also discussed previously were SAG session fees. In this section, the estimate covers costs for session singers. On line item number 16 in this particular example, there is one SAG solo/duo estimated into the job. Scale rates for SAG commercial session is \$402.25. Line item 17 is for the singers' pension costs, which are calculated at 13.5% of the session cost ($\$402.25 \times 14.5\% = \58.33).

Section E, items 18 and 19

Here we determine costs for payroll tax and talent handling fees. These are costs purely associated with the AFM, SAG, or AFTRA talent session fees costs – it does not include any costs for employees if you happen to have

employees. Payroll tax is determined on this particular estimate at 17.5% of total session fees (inclusive of ALL session fees – musicians and singers). The talent handling fees covers costs using a payroll service to cut checks, or for your costs if you yourself cut payroll checks. In this particular estimate, this cost is determined at a 3.75% rate of total session fee payments. Most likely, you will be using a payroll service to get session checks cut – you can determine payroll tax rates and payroll handling costs with your payroll service and incorporate whatever numbers you see fit to cover these costs.

A note on talent session costs:

Some advertising agencies use their own payroll service companies and will pay their talent session costs directly. If this is the case, you'll have to exclude talent session costs from your final bottom line of the estimate. You will still need to give them talent costs, but the agency will just pay those out directly. In our estimate example, you can see that the costs have subtotals – a subtotal for production costs, for talent costs, and for creative fees. This way, if it is determined that the agency will pay the session fees directly, it will be easy to determine what you will bill the agency minus the talent costs.

Estimate, Section F: Creative Fees

In this section, we determine the creative fees costs. This is the payment for your services – whether you are doing a music track, sound design, jingle,

or whatever. These costs need to be determined by your estimation of what your services are worth, and what the market will bear.

Different music production companies and composers have different ways of figuring out these costs. Large music companies have larger overheads they have to be aware of. Some well-seasoned and well-known composers can charge \$10K or more purely as a creative fee. Some sound designers charge equally the same amount because of their unique or highly regarded skills. You also have to account for the actual production costs for a particular job – you want to be sure you are covering your expenses as well as feeling that you are being well compensated for your artistry and services. For ballpark fees, I have seen sound design costs anywhere between \$1,000 and \$8,000 for a :30 TV spot. As for creative fees (composer fees), I have seen costs anywhere between \$1,500 to \$15,000. It's quite a wide range.

FACT

Creative Fees can be anywhere between \$1500 to \$15,000 for a commercial.

It's also important to note that you have to be flexible within the entire framework of an estimate – you may need to "rob Peter to pay Paul", as they say. You might be a little short here, but have a little money over there to cover it off. It's a balancing act. In most cases, advertising agencies will not ask for "actuals" – meaning a report to what the actual costs were associated with the job. So there can be a substantial profit made on different line items on the job if you can't put in a creative fee of some weight. In other words, you can pad the job here and there to make sure you'll well compensated. For example, in this estimate we put in for 10 hours of studio time. But perhaps you only spend 8 hours in the recording studio. That extra money is just gravy for you.

I'd advise not to put in a ridiculous creative fee when you are starting out; you can make some money keeping a tight reign on your expenditures and making sure the estimate is padded in areas that can be justified.

Section G : Grand Total

This line is obviously the sum of the production costs, the talent session fees costs, and the creative fees costs. This is the bottom-line number that you will eventually send in as your billing amount when you send in your total invoice to the advertising agency.

Section H: Final Notes

In this section, you can make some clarifications regarding any business or legal matters such as: what the estimate is inclusive or exclusive of, billing requirements, etc. I've made this estimate to reflect a billing structure of 50% payment upon approval of the estimate – so you can have some operating cash – and a final payment of the last 50% upon completion of the job. It's also stated clearly that the estimate is only inclusive of talent session payments, not for any use fees. Most advertising agencies do take care of their talent use fees, but if you do a job directly for a production company, they may not. You need to protect yourself from any further costs as regards to talent fees by stating that you are not responsible for subsequent use fees.

Wrap it up

With a proper estimate, the music production job can be handled very smoothly - you can foresee what your expenditures will be and keep track of costs by breaking down all the different elements needed. As stated earlier, most advertising agencies will ask for a formal budget so they can see that all the money they're spending on a music track is accounted for, and can be justified to their clients as well. With a little practice, you too can put together an budget estimate for your music production job.

CHAPTER 8

Performance Royalties: ASCAP, BMI and SESAC

We've already covered residual payments by AFM, SAG, and AFTRA, but there are other payments available called **performance royalties** -- these are royalties paid out to the composers and publishers of music that is broadcast on different mediums (radio and television, foreign use, etc.). In most cases, writing music for a commercial is done on a work-for-hire basis - so the advertising agency and their client will retain the publisher's share of performance residuals, but you as the composer should retain the writer's share. You will usually receive a **music purchase agreement** which is a contract between you and your client as to the ownership of music.

If the advertising agency or client does not supply you with a music purchase agreement, you should submit one yourself so it is clearly defined as to who gets what the rights for that piece of music. You will find a sample music purchase agreement on the CD-ROM included with this course.

There is a big difference between performance royalties and residuals as discussed under the Unions chapter. Under AFM/SAG/AFTRA, you are getting paid as an actual player or singer -- you either played an instrumental part, or sang on a track. Under ASCAP/BMI/SESAC, you are earning money for the use of your music as a piece of intellectual or artistic property that you composed. In other words, something that you wrote is being broadcast. These royalties reflect you being paid for the use of that material by the people that are broadcasting it.

ASCAP/ BMI/ SESAC

There are three performance rights organizations in the United States: **ASCAP**, **BMI**, and **SESAC**. You can only belong to one of these organizations as a writer member.

ASCAP, **BMI**, and **SESAC** are what are called **performance royalty organizations (PROs)**. PROs license and distribute royalties generated by performances of music in television, film, radio, cable, the Internet, and other mediums. Royalties from performances of music cues or songs in your **catalog** can make up a significant percentage of your income. Your catalog is your sum total of music cues you're written or co-written and registered with your performing rights

FACT

As a writer, you can only belong to ONE of the major PROs - ASCAP, BMI, or SESAC. However, you can have publishing companies under any of them.

organization.

Certain songs or music cues that become hits or famous (think of “White Christmas” or the theme to the National Basketball Association broadcasts) create streams of royalties that can last decades.

The performance rights organizations represent their members by licensing and distributing royalties for the non-dramatic public performances of their copyrighted works. (Dramatic performances are considered those in a Broadway play, opera, ballet, etc.) It would be virtually impossible for music creators to keep track of all the possible places their music is performed, and try to collect royalties. The PROs act as a clearinghouse, making it simple to give and obtain permission to perform or broadcast music publicly. The PROs also have international agreements with societies outside of the U.S. performing similar functions, so U.S. members can receive royalties from foreign performances.

Basically, the PROs collect monies from their “customers” - broadcasters and music users - for the right, or **license**, to use music on the public broadcasts. Broadcasters must pay an annual license fee based upon their ad revenue and other factors to the PROs, who distribute these fees to their songwriter, composer, and publisher members in the form of royalties. These broadcasters must pay ASCAP, BMI, and SESAC these licenses by law. The monies that are paid come from advertising revenue paid by advertisers running ads on these TV, radio, satellite and cable broadcasters stations.

These customers are:

- The three major TV networks: ABC, CBS, and NBC
- PBS - the Public Broadcasting System and it's affiliated stations
- The majority of the cable systems and virtually all of the cable programming services
- Local commercial TV stations, including the affiliates of Fox, Paramount (UPN), Warner Bros. (WB) and PAX.
- The Univision TV Network
- Local commercial radio stations
- Non-commercial radio broadcasters, including college radio stations, and National Public Radio (NPR) stations
- Background music services (such as Muzak, airlines)
- Colleges and universities
- Concert presenters
- Symphony orchestras

- Web sites
- General licensees such as bars, restaurants, hotels, ice and roller rinks, circuses, theme parks, veterans and fraternal organizations, and more.

(Note: this is a general list. ASCAP, BMI and SESAC may or may not license music from all the stations and media covered in these categories. Please contact them directly in regards to a specific licensee or music service.)

Royalties from performances of your music on TV, radio, internet, and satellite broadcasts can be very significant. If you're writing for long format, having your cues in a weekly network television show can earn you tens of thousands of dollars a year. A composer that has been writing for television for some years and has accumulated a catalog of music cues will make a significant portion of his or her income from royalties. Veteran composers may make more in royalties from their catalog than they do from new jobs. This can total hundreds of thousands of dollars a year for composers scoring network primetime shows or themes. In terms of commercials, the money is not as high because the format is so short (we are talking about 30 seconds of music most of the time) but if you start to develop a large catalog of material that is being broadcast, the numbers can be quite significant.

To better explain how this works, we'll outline each PRO's structure and guidelines.

FACT

Some veteran composers earn hundreds of thousands of dollars through their PRO, depending on the size of their catalogs.

ASCAP and **BMI** are the two oldest and largest. **SESAC** is newer, but is growing rapidly. All three have hundreds of well known members, famous songwriters, performing/recording artists, etc. You should visit their websites and contact them to determine which one is best for you.

ASCAP

website: www.ascap.com

The American Society of Composers, Authors, and Publishers, otherwise known as **ASCAP**, is the oldest performing rights licensing organization in America, founded in 1914. ASCAP was formed so that creators of music would be able to be paid for public performances of their works, and users (licensees) would comply with the Federal Copyright Law.

It is the only U.S. performing rights organization owned and run by its writer and publishing members. Its Board of Directors are elected by and from the Membership.

ASCAP protects the rights of its members by licensing and distributing royalties for the non-dramatic public performances of their copyrighted works. These royalties are paid to members based on surveys of performances of the works in their repertory that they wrote or published. ASCAP's customers, or licensees, encompass all those who want to perform copyrighted music publicly, such as radio and television broadcasters, cable programmers, live concert promoters, symphony orchestras, shopping malls, bars, and Web sites. Under

FACT

ASCAP has over 160,000 members who are composers, songwriters, lyricists, and music publishers of every kind of music

FACT

Some well known members of ASCAP:
Missy Elliot
Johnny Cash
Justin Timberlake
Hans Zimmer
Elvis Costello
Beyonce Knowles

the U.S. Copyright Law, they must have the permission of the copyright owner to perform copyrighted music publicly.

ASCAP collects license fees from music users on behalf of the ASCAP membership. They then distribute all income above operating costs to members. Performance royalty checks go out 8 times a year: 4 of these reflect domestic (U.S.) performances, and 4 reflect foreign performances. ASCAP writers generally receive payment 6 months after a performance quarter.

ASCAP also offers benefits for music professionals: insurance, including health, life, equipment, a credit union, grants, and awards for writers.

FACT

ASCAP distributes checks on a quarterly basis, four times for domestic use and four times for international use.

ASCAP PAYMENT OVERVIEW

(the following material is used by permission from ASCAP's website)

How You Get Paid At ASCAP

“ASCAP receives payment for public performances of songs and compositions by negotiating license fees with the users of music (radio, TV, cable, bars, clubs, restaurants, shopping malls, concert halls and promoters, web sites, airlines, orchestras, etc.) and distributing these monies to members whose works were performed.

ASCAP pays directly and fairly. ASCAP is guided by a "follow the dollar" principle in the design of its payment system. In other words, the money collected

from television stations is paid out to members for performances of their works on television; the money collected from radio stations is paid out for radio performances, and so on. ASCAP tracks music use on these and other media and live venues to determine which music has been performed, and the appropriate writers and publishers to be paid.

The value of each performance is determined by several factors, among them the amount of license fees collected in a medium (television, cable, radio, etc.), the type of performance (visual vocal, background music, theme song, jingle, etc.) and the economic significance of the licensee (how much a station pays us).

There are billions of performances licensed by ASCAP each year. ASCAP is committed to paying our members for these performances fairly, accurately and efficiently. ASCAP collects and distributes more money in performance royalty income than any other organization and our payment system is by far the fairest and most objective in the U.S.”

Registering Your Works With ASCAP

“One of the first steps to getting paid is making sure your works are registered at ASCAP. After all, we can't pay you for the performance of a work if we don't know you are the writer or publisher. Once we identify a work that has been performed, we must determine the appropriate writer and publisher members to be paid. To do that, we rely on information supplied to us by our members through our Title Registration System. In most cases, the publishing company of a work will register the

title with ASCAP by supplying information with respect to title, writers, publishers and royalty shares. Writers who publish their own works must register their titles directly.

In order to credit members for performances of their works on television and cable, ASCAP must have a cue sheet on file. Cue sheets list detailed information on all of the writers and publishers who have music in a show. Cue sheets are usually submitted to ASCAP by the producer of a film or television program.”

(Authors note: For film and television compositions you need only submit a cue sheet to be paid. Title Registration forms are used for songs or promos, jingles, or music in commercials.)

Who Does ASCAP Collect From?

“Once you've registered your works with ASCAP, they become part of the ASCAP repertory for which we collect performance royalties. We do this by negotiating with and collecting license fees from the users of music - our customers - who perform the works in our repertory.

Most customers pay ASCAP an annual blanket license fee for the right to use any music in the ASCAP repertory. Some local radio and television stations opt for a per program license, under which they only pay ASCAP for programs containing ASCAP music not otherwise licensed. Every penny we collect, less operating expenses, is distributed to our members whose works were performed.”

Keeping Track of Performances

“Each year, there are billions of performances of ASCAP music in the hundred thousand or more broadcast and live venues we license throughout the country. Whenever it is economically sensible, ASCAP will conduct a **census survey**, or complete count, of performances in a medium. ASCAP is able to count all performances in a medium when the cost of collecting and processing accurate performance information is a low enough percentage of the revenues generated by that medium.

Where a census survey is impractical, we conduct a **sample survey** designed to be a statistically accurate representation of performances in a medium. All times of the day, all days of the year, every region of the country and all types and sizes of stations are represented in the ASCAP sample surveys. The greater the fee a licensee pays us, the more often that licensee is sampled. For example, a station that pays us \$20,000 in licensee fees is sampled twice as much as a station that pays ASCAP only \$10,000.”

The ASCAP Surveys

“The following outlines the various media, including broadcast, cable, on-line, and live shows, where we conduct a complete count of performances and where we conduct a sample survey.

It is important to remember that as digital information becomes more readily available, ASCAP expands our complete count of performances and relies on samples only where it is necessary.”

MEDIUM	THE CENSUS SURVEY (Complete Count of Performances)	THE SAMPLE SURVEY
Network Television:	<p>* ABC, NBC, CBS - all performances including music in commercial, promotional and public service announcements</p> <p>* Fox, Paramount, Warner Brothers (WB), PAX and Univision Network - all programs and promotional announcements</p>	<p>* Music in commercials and public service announcements</p>
PBS	<p>* All PBS programs, syndicated programs and films on stations with \$20,000 or more annually in license fees</p>	<p>* All other programs and uses</p>
Cable TV	<p>* Major cable services, including: A&E, American Movie Classics, Black Entertainment TV, Cartoon Network, Cinemax, Comedy Central, Country Music TV, Discovery Channel, Disney Channel, E! Entertainment, Encore, Family Channel, FLIX, Fox, Fox Movie Channel, F/X, HBO, History Channel, Learning Channel, Lifetime, Lifetime Movie Channel, The Movie Channel, MoviePlex, The Nashville Network, Nick-at-Nite, Nickelodeon, Plex, Sci-Fi Channel, Showtime, STARZ!, TBS Superstation, TNT, Toon Disney, Turner Classic Movies, TV Land, USA, and pay per view services DIRECTV, InDemand and TVN.</p>	<p>* All other licensed cable services</p> <p>* Music in commercial, promotional and public service announcements</p>
Local TV	<p>* All syndicated programs, feature films, and movies of the week</p> <p>* Locally produced programs for which ASCAP is paid on a per-program license basis</p>	<p>* All other programs</p> <p>* Music in commercial, promotional and public service announcements</p>

MEDIUM	THE CENSUS SURVEY (Complete Count of Performances)	THE SAMPLE SURVEY
Live Concerts	<ul style="list-style-type: none"> * All songs performed in the 200 top-grossing concert tours, as well as selected other major live performance venues, covering headliners and opening acts. * Live symphonic and recital concerts 	* Performances in educational institutions where the artist is paid less than \$1,500
Radio		* All radio including commercial stations, National Public Radio, and college radio stations
Internet	* ASCAP-licensed Internet sites and Ringtones licenses that provide us with complete data on music use	* Other ASCAP-licensed Internet sites
Background and Foreground Music Services	<ul style="list-style-type: none"> * The Environmental Channel and FMI satellite services of MUZAK * The On-Premise and satellite services of DMX/AEI 	
Other Media	<ul style="list-style-type: none"> * Ringling Brothers Circus * Disney On Ice * Radio City Music Hall Christmas and Easter Shows * Disney and Universal Theme Parks 	* Airlines

General Licensees

“Of course, it would be impractical to monitor all performances in bars, clubs, restaurants and the like. ASCAP licenses tens of thousands of music users, such as these, that do not fall into the ASCAP surveys. The monies collected from these establishments goes into a "general" licensing fund and is paid out to members on the basis of feature performances on radio and all surveyed performances on television.”

Identifying Performances

“ASCAP relies on a combination of sources for data to identify performances on each medium. ASCAP is committed to a high standard of accuracy in identifying performances and has developed many technological innovations that have set international standards.”

TELEVISION

“In order to identify what musical works are performed on both broadcast and cable television, ASCAP uses cue sheets provided to us by the program producers or broadcasters combined with computer based program schedules, network or station logs, and tapes of actual broadcasts which are then analyzed by ASCAP's music experts. Cue sheets list detailed information on all of the composers, writers and publishers who have music in a show, and the type of music usage. Types of music usage include feature performances, underscoring, themes, etc. We must have a cue sheet on file in order to make payment. Among ASCAP's many technological

innovations was the development of uniform cue sheet software, called ASCAP EZQTM. Most of the major studios and program producers use EZQTM, which greatly facilitates the process of preparing cue sheets and identifying performances of our members' works.”

RADIO

“Our radio survey uses computerized information provided to us by the advanced digital tracking technology of BDS - Broadcast Data Systems, station logs (lists of works performed) provided to us by the radio stations, and by recorded tapes of actual broadcasts.

ASCAP radio survey covers all types of music on all types and sizes of stations in every region of the country. ASCAP conducts separate surveys of country, Latin, jazz, urban contemporary, religious, classical, ethnic, and pop music stations. The total monies collected from those genre-specific stations are paid to the writers and publishers of works with performances on those stations.”

LIVE CONCERTS

“For live concerts, ASCAP uses set lists provided to us by concert promoters, the performing artists and our own members. For symphony, recital and educational concerts, we rely on printed programs for performance information.”

OTHER MEDIA

“With respect to background music services and other media, logs and program guides listing all music used provide the necessary performance information.”

Turning Performances Into Dollars

“Every performance picked up in ASCAP's survey generates a certain number of credits. Each credit is worth a certain dollar value. The number of credits for each performance depends upon several factors, among them:

- * HOW the music is used (feature, theme, background, etc.)
- * WHERE the music is performed (network or local television, radio, cable, etc.)
- * HOW much the licensee pays us
- * the time of day of the performance (with respect to television and cable)
- * the general licensing allocation applied to radio and television performances

FACT

ASCAP's credit value has been increasing every year, which translates into higher income per credit.

If a song earns a certain threshold of radio feature performance credits in a quarter, additional credits are then added to that song's total credits as Radio Feature Premium payments. These payments recognize the increased licensing value to the repertory of frequently performed songs.

In the case of music used as underscoring in films and television programs, the length, or duration, of the work will affect the number of credits generated. In the case of live symphony and concert performances, the

length, or duration, and the instrumentation will also affect the number of credits a particular performance will generate (full orchestra, chamber work, etc.)”

“Monies to writers and publishers are paid out in separate distributions covering the same performance periods. ASCAP divides the dollars available for distribution equally between writers and publishers. The dollar value of a performance credit is determined annually, taking into account the estimated total number of ASCAP credits being processed for writers or publishers and the total number of dollars available for distribution. A writer's or publisher's royalty check is determined by multiplying the number of credits they earned for performances of their works during a quarter by the dollar value of a writer or publisher credit for that quarter.

For example, if a writer earned 10,000 credits for performances of her works on radio and television in a three-month period and the value of one writer credit was \$5.67, the writer's royalty check would be \$56,700 (10,000 X \$5.67).”

$$\begin{array}{r} 10,000 \text{ credits} \\ \times \quad \$5.67 \text{ credit value} \\ \hline \end{array}$$

\$56,700 Royalty

ROYALTIES CALCULATION

“Generally, royalties for a single musical work, in any surveyed medium, are the product of this calculation:”

$$\begin{array}{ccccccc}
 \text{Use Weight} & \times & \text{Licensee Weight} & \times & \text{"Follow the"} & \times & \text{Time of} \\
 & & & & \text{Dollar" Factor} & & \text{Day Weight} \\
 & & & & & & \times & \text{General Licensing} \\
 & & & & & & & \text{Allocation} \\
 & & & & + & & & \\
 & & & & \text{Radio Feature Premium Credits} & & & \\
 & & & & \text{(for radio performances only, where applicable)} & & &
 \end{array}$$

USE WEIGHT

“The factor, or value, attached to each type of performance, such as theme, underscoring, promotional.”

X

LICENSEE WEIGHT

“This factor reflects the license fee paid by a station (or group of stations) and the number of hours included in the appropriate survey. The licensee weight is also referred to as the "hook-up" weight with respect to network television, reflecting the number of stations carrying a broadcast. Other surveyed media - such as TOP 200, live concerts tours, symphonic and chamber concerts, web sites, background music services, airlines, circuses, and ice shows - are also assigned 'weights' based on license fees paid to ASCAP.”

X

"FOLLOW THE DOLLAR" FACTOR

“This factor ensures that the license fees that ASCAP receives from any medium are paid to writers and publishers for performances on that medium. In other words, the money received from radio is paid out for radio performances, etc.”

X

TIME OF DAY WEIGHT (if applicable)

“On television, the value of a performance can vary depending on the time of day; for example, whether it takes place in prime time or in the middle of the night.”

X

GENERAL LICENSING ALLOCATION

“Fees collected from non-broadcast, non-surveyed licensees (bars, hotels, restaurants and the like) are applied to broadcast feature performances on radio and all performances on television, which serve as a proxy for distribution purposes.”

X

**RADIO FEATURE PREMIUM CREDITS
(for radio performances only, where applicable)**

“Songs that earn certain threshold numbers of radio feature credits in a quarter receive additional credits in that quarter.”

=

CREDITS

CREDITS X SHARE X CREDIT VALUE

=

\$ ROYALTY

“When all of these factors are computed, we arrive at the number of total performance CREDITS. After establishing the number of credits generated by a performance, the next step is to allocate these credits among all of the writers and publishers of the work based on the SHARE each should receive. ASCAP is advised of the correct shares to be paid when members submit Title Registrations. For example, if two co-writers of a song share royalties equally, each will receive 50% of the total credits. The final step is to multiply credits by the appropriate CREDIT VALUE to arrive at the ROYALTY payment.”

Collecting International Royalties

“An important source of performance income for our members are royalties earned in foreign countries. ASCAP has agreements with foreign societies representing virtually every country that has laws protecting copyright. These societies are similar to ASCAP and we cooperate with them in a number of ways

to ensure our members receive royalties from performances of their works in foreign territories. Through these agreements, they license the works of our members in their territories and we license the works of their members in the U.S.”

“ASCAP is the most effective U.S. performing right organization in collecting foreign royalties. We have the longest standing relationships with foreign societies and the deepest understanding of how they do business. When ASCAP works are performed in a foreign country, that country's performing right society collects the license fees from the local music users. The foreign society then forwards the royalties earned to ASCAP for distribution to our members whose works were performed. Each foreign society tracks performances in its own territories.”

“An important part of our role is to ensure that societies around the world have all the information and documentation they need about the works in ASCAP's repertory to properly identify and pay on performances. In some territories, ASCAP also monitors certain types of performances to ensure proper crediting of our members works. For example, in Austria, Finland, France, Germany, Ireland, Italy, the Netherlands, Spain, Sweden, Switzerland, and the United Kingdom, where American television programs are frequently broadcast, usually with foreign language titles, ASCAP collects its own performance information to help identify the use of ASCAP music.”

“ASCAP is the only US society to have an International Monitoring Unit (IMU) that utilizes an innovative database technology (EZ-Maxx™) to verify the accuracy of television and cinema performance

statements received from affiliated foreign societies.”

“Royalties earned from foreign territories vary depending on each country's use of American music, local copyright laws and the types of uses licensed, the fees collected from local music users, etc. Each foreign society pays ASCAP for use of our members' music on varying payment schedules depending on their own distribution policies.”

HOW DO I JOIN?

To join ASCAP as a writer member, you must be the writer or the co-writer of a musical composition or song that has been:

- commercially recorded or performed
- or performed publicly in a venue licensable by ASCAP
- or performed publicly in any audio-visual or electronic medium (film, TV, cable, Internet, etc.)
- or published and available for sale or rental as sheet music, score, or folio.

Application forms are available on ASCAP's website at **www.ascap.com**.

Publishers may join according to the same criteria above. You can join both ASCAP and BMI as publisher members; but you must have different company names.

BMI

Broadcast Music Inc., or BMI, is the other primary performance rights organization. BMI, founded in 1940, is a non-profit organization. BMI has offices in New York, Los Angeles, Nashville, London, Miami, Atlanta and Puerto Rico.

Like ASCAP, BMI protects the rights of its members by licensing and distributing royalties for the non-dramatic public performances of their copyrighted works. Again, these royalties are paid to members based on surveys of performances of the works in their repertory that they wrote or published.

Here are some questions and answers from BMI's Website (used by permission).

FACT

BMI is celebrating their 50th Anniversary. They were founded in 1940.

What is a performing right?

"It is the right granted under the U.S. Copyright Act to owners of musical works to license these works to be publicly performed on radio and television and in places such as nightclubs, hotels, discos, retail stores and other establishments that use music in an effort to enhance their business."

FACT

BMI has about 300,000 members - songwriters, composers, and music publishers.

What does BMI do?

"There are hundreds of thousands of establishments - radio and television stations, nightclubs, hotels, amusement parks and the like in the U.S. where music is publicly performed. It would be virtually impossible for individuals to monitor these music users themselves. Therefore, BMI acquires performing rights

from writers and publishers and, in turn, grants licenses to use its entire repertoire to public users of music. BMI collects license fees from each user of music BMI licenses, and distributes to its writers and publishers all the money collected, other than what is needed for operating expenses.”

Does BMI license any other right besides performing rights?

“BMI only licenses performing rights and only non-dramatic performing rights at that. (The right to perform shows known as the "grand right" such as Fiddler on The Roof or Cabaret, on the legitimate stage must be obtained directly from the publishers of the music or the producers of the show.) Moreover, BMI does not license such things as the making of phonograph records or the printing of sheet music. These rights are administered and licensed by the publisher who accounts directly to the writer.”

FACT

Some noted BMI members:
Danny Elfman
Eminem
David Arnold
Sting
Willie Nelson
Black Crowes
Jay-Z

Is BMI a music publisher?

“No. BMI represents music publishers, but BMI is not itself a publisher.”

Is BMI a profit-making organization?

“No. Although BMI is a corporation, it operates on a non-profit basis. Aside from operating expenses, all income goes directly to BMI’s writers and publishers.”

Why was BMI formed?

“BMI was formed to provide a competitive source of music licensing in the United States. In 1940, at the time of BMI's formation, the works of less than 150 publishers and slightly more than 1,000 writers were the only U.S. works available through the existing performing rights organizations. The repertoire available almost entirely excluded certain forms of music that were beginning to grow in popularity, such as R&B and country, which became the roots of rock & roll.

The introduction of BMI's Open Door policy encouraged writers and publishers, including many who in the past had not received royalties for the performance of their works, to create and promote new and different music. This made it possible for the users of music to have a much larger number and variety of works to perform. Today, BMI has more than 60,000 publishers and more than 140,000 writers who are eligible to receive earnings for performances of their works. Indeed, as a result of BMI's Open Door policy, the repertoire available to the general public has been greatly enhanced.”

Why should I become a BMI affiliate?

“Because if your works are being performed and you do not join, BMI will be unable to pay you the performance royalties your songs would earn.”

BMI PAYMENT OVERVIEW

How does BMI keep track of performances of my works on radio and television?

“Because there are so many local radio broadcasting stations, it is impossible to keep track of everything each one of them plays every day of the year. Instead, a scientifically chosen representative cross section of stations is monitored each quarter. The stations being monitored supply BMI with complete information as to all music performed. These lists, known in the industry as logs, are put through an elaborate computer system that multiplies each performance listed by a factor which reflects the ratio of the number of stations logged to the number licensed. BMI monitors approximately 500,000 hours of commercial radio programming annually.

Non-commercial college radio is monitored using the same methodology, with the more-than-50,000 hours of programming tracked resulting in separate payments for these performances.

Television feature, theme and cue music performed on networks, cable TV stations and local TV stations is reported to BMI on music cue sheets, which list all music performed on a program. Performances are logged using such sources as TV Data, cable program guides and local TV station logging reports.

Through cue sheets and computerized data BMI pays for all performances on network, syndicated, and cable television on a true census basis, keeping track of over 6,000,000 hours of programming annually.”

Is information available as to which radio stations are being monitored at a given time?

“No. Even BMI personnel do not know which stations are being monitored in a given month, until after the monitoring period is over. The selection of stations to be monitored is made on the basis of a scientifically chosen sample, and communication with stations to be monitored is handled by an independent accounting firm.”

How are my royalties computed?

“BMI publishes a Royalty Information Booklet. A copy of this booklet is given to you when you become a BMI affiliate or can be obtained from any Writer/Publisher Relations office. It also can be downloaded from bmi.com. If the Royalty Information Booklet should be revised, a copy of the new booklet will be sent to you and all other BMI writers and publishers.”
(Author’s note: We have included a copy of the booklet on the CD-ROM included with this course)

What does BMI pay for and how often do I get paid?

“BMI makes payment in a variety of areas and according to a set timetable. For details, consult BMI’s Royalty Information Booklet.”

Is there a standard contract that all BMI writers and publishers use when a writer gives a song to a publisher?

“No. Although most contracts contain many similar clauses and provisions, there is no standard contract.”

If I license a work directly, must I notify BMI?

“Yes. So that BMI may know it will not be licensing or collecting fees for the particular performance, you must send BMI written notice and a copy of the license, within 10 days of the issuance of the license or within three months of the performance, whichever comes first.”

Can BMI collect and distribute royalties for me pursuant to the Audio Home Recording Act of 1992?

“Yes. The Act imposes a royalty on the sale of home digital audio recording equipment and blank digital tape and compact discs. Claims to such royalties must be made through the Copyright Office, and BMI has undertaken to make such claims on behalf of its songwriters and composers, and on behalf of publishers if they are not represented elsewhere.

Distribution will be made on the basis of a combination of record sales and performances for each period, with a maximum administration fee of 4.5 percent. The authorization may be terminated by you by written notice by certified mail received prior to the end of any calendar year, and such cancellation will be effective for subsequent years.”

BMI PAYMENT PROCESS

The process at BMI is similar to ASCAP's. All musical material must be registered by either filling out a **BMI Song Registration Form**, or a **cue sheet**.

BMI ROYALTY RATES AND INFORMATION

These are from BMI's Royalty Rates (as stated in their latest Royalty Payment Booklet)

U.S. TELEVISION ROYALTIES

Types of Performances

"BMI categorizes broadcast television and cable television performances as listed below and derives the usage information from music cue sheets and performance information provided to BMI by BMI television licensees, the TV Data Corporation, and other qualified sources."

Feature Performance

"A performance of a work which is the focus of audience attention at the time of the broadcast. These works properly are noted on the music cue sheet with one of the following codes:"

- * **Visual Vocal (VV)** - to be used when the vocalist is on camera singing the song
- * **Visual Instrumental (VI)** - to be used when the instrumentalist is on camera performing the song

* **Background Vocal (BV)** - when the song is audible to the listening audience, even though there may be some dialogue in the foreground of the scene

Background Performance

“A performance of a work (or works) used as dramatic underscore to a scene where the music is not the focus of audience attention yet nonetheless is used to set the mood of the scene. These usually are works commissioned especially for a TV program or motion picture, or are library works selected by a program producer in lieu of specially commissioned music. These works generally are of a background instrumental nature and properly are noted on cue sheets with a use code of ‘BI.’”

Theme Performance

“A performance of a work which is regularly associated with a television program and identifies that program to the viewer when used as the opening and/or closing music. Theme credit is given only when a work is used in multiple episodes of a television program. Works, other than the theme as described above, used at the opening and/or closing of an individual episode of a series will be credited in accordance with their actual use (feature or background).”

Logo Performance

“A performance of music regularly accompanying

the visual identification of a production company or program distributor.”

Infomercial Performance

“Music performed in a short-form or long-form advertisement, the content of which often includes a product demonstration and invites direct consumer response.

The rates for feature, background, theme and logo performances are indicated on the Network Television and Local Television rate tables below. Music performed within infomercials will be paid at one-third of the otherwise applicable rate listed.”

Promotional Announcement and Commercial Jingle Performance

“A promotional announcement (promo) is an announcement that advertises an upcoming program on television or radio. The programming being promoted must be aired on the same network or station as the promo itself.

BMI pays for music used in promotional announcements aired on the ABC, CBS, Fox and NBC television networks. Payments are calculated based upon the time of day of the performance, and the rate of payment varies from quarter to quarter depending upon the number of promotional announcements aired in a given quarter. At this time, no payment is made for promotional announcements on any other medium. A commercial jingle is a work (either pre-existing or specifically written for an advertiser) used to advertise

products and/or services for sale on television and radio.

Payment is made for feature performances of commercial jingles on broadcast and cable networks, local television and radio. Royalties are paid for background performances only on the ABC, CBS, Fox, and NBC television networks. In both cases, rates vary from quarter to quarter depending on the number of commercials aired in a given quarter.

NETWORK TELEVISION

“BMI currently licenses the ABC, CBS, and NBC television networks under agreements where the fee to cover music used in network originating programming is paid for by the network instead of by the local TV station carrying the program. Performances of music on these networks are listed separately on your royalty statements.

Other television "networks," such as Fox, United Paramount Network (UPN), Warner Brothers (The WB) and PAX, are not currently licensed by BMI as networks. The license fees associated with performances of music in the programming carried by these networks are paid by the individual local stations broadcasting the programs.

On the next page are the applicable rates for performances on licensed networks (ABC, CBS, and NBC). When BMI computes royalties earned by a single performance, we multiply the indicated rates by the number of local stations carrying the network broadcast.”

ABC, CBS AND NBC NETWORK TELEVISION RATES

PERFORMANCE TYPE	PRIMETIME (6:00 PM- 10:59 PM)	LATENIGHT (11:00 PM- 1:59 AM)	OVERNIGHT (2:00 AM- 5:59 AM)	MORNING/DAYTIME (6:00 AM- 5:59 PM)
FULL FEATURE (45 SECONDS OR MORE)*	\$11.50	\$9.00	\$5.00	\$6.00
THEME (PER SHOW)	\$5.00	\$3.32	\$0.58	\$1.00
BACKGROUND (PER MINUTE)	\$1.10	\$0.72	\$0.52	\$0.60
LOGO (PER SHOW)	\$0.30	\$0.24	\$0.22	\$0.28

* Performances of less than 45 seconds are paid on a prorata basis.

Local Television

“Currently BMI licenses over 1100 local television stations on a "blanket" or "per-program" basis. A blanket licensee pays a single fee that covers the performance of any BMI-licensed work in the licensee's syndicated and locally-originated programs (including those carrying Fox, UPN, The WB and PAX programming). A per-program licensee pays a fee to BMI only when there is BMI music used in films or other audio-visual works or on a syndicated or locally originating program broadcast on the station, as well as for certain incidental and ambient uses of music.

For distribution purposes, BMI separates fees derived from blanket licensees and per-program licensees. Royalty rates for TV Performances occurring on stations choosing a blanket license are weighted in order to reflect the license fees paid by a station or group of stations. The Local Television Rates below reflect the initial starting point of the royalty calculation. These rates are NOT the maximum or minimum rates available which may be ultimately paid by BMI. TV Local blanket royalty rates are calculated based on license fee revenue received from the station(s) airing BMI music and by applying the relationships between the various use types, i.e. feature, theme, background, etc., as indicated below. Performances of music on stations opting for a per-program license are credited by calculating the fee associated with the individual program and applying the relationships between the various use types, i.e. feature, theme, background, etc. Fees collected from per-program stations are distributed only to those songwriters, composers and publishers whose music is used on the

programs for which the fees are paid, less an administrative charge.”

Local Television Rates

PERFORMANCE TYPE	DAYPART A (4:00 PM-10:59 PM)	DAYPART B (ALL OTHER TIMES)
FULL FEATURE (45 SECONDS OR MORE)*	\$3.00	\$1.50
THEME (PER SHOW)	\$1.60	\$1.00
BACKGROUND (PER MINUTE)	\$0.76	\$0.42
LOGO (PER SHOW)	\$0.18	\$0.16

* Performances of less than 45 seconds are paid on a prorata basis.

Public Television (PBS)

“BMI receives compulsory license fees for performances of music on public broadcasting stations and distributes the fees derived from this source to those songwriters, composers and publishers whose music is broadcast on public TV stations. Rates vary from quarter to quarter depending on the amount of the license fee collected and the base value of BMI performances tabulated during a quarter. The value of a performance on a PBS station could be higher or lower than the Local Television Daypart A rates, depending on the factors noted above. The methodology and relative weightings of the Local Television rates are used to begin the calculation.”

Cable Television

“BMI collects license fees from both pay cable networks (e.g., HBO, Cinemax, Showtime, etc.) and basic cable networks (e.g., MTV, USA Network, Lifetime, Discovery Network, VH-1, TNN, etc.). Because the list of cable licensees changes from quarter to quarter, they are not included in this booklet. Please contact your local Writer/Publisher Relations office if you have a question about the licensing status of a particular cable network.

A census of programming information for cable TV is provided to BMI by outside sources such as the TV Data Corporation, and cue sheets for the programs are collected from many sources, including, but not limited to, cable networks and program producers and distributors. Royalty rates are determined each quarter by applying the amount of license fees collected from each cable network (less an administrative fee) against the payable performances occurring on that network, using the methodology and relative weightings of the Local Television Daypart A rates as a starting point.”

Please note that BMI currently lists some types of performances in electronic media that they do not distribute royalties for. Depending on the types of music you write, this can impact whether you want to join BMI.

- cue, bridge or background music on radio
- Partial performances of popular songs on radio
- Station ID's in any medium
- Promotional announcements on radio or on local broadcast, cable TV, or satellite TV

HOW DO I JOIN?

To join BMI, contact the office nearest you:

The Main Offices:

New York

320 West 57th Street
New York, NY 10019
(212) 586-2000
Fax: (212) 245-8986
E-Mail: newyork@bmi.com

Los Angeles

8730 Sunset Boulevard
Third Floor West
Los Angeles, CA 90069
(310) 659-9109
Fax: (310) 657-6947
E-Mail: losangeles@bmi.com

Nashville

10 Music Square East
Nashville, TN 37203
(615) 401-2000
Fax: (615) 401-2707
E-Mail: nashville@bmi.com

TIP

You can get
membership info
and join via
online:
www.bmi.com.

Miami

5201 Blue Lagoon Drive, Suite 310
Miami, FL 33126
(305) 266-3636
Fax: (305) 266-2442
E-Mail: miami@bmi.com

London

84 Harley House
Marylebone Road
London NW1 5HN
England
011-44-171-486-2036
Fax: 011-44-171-224-1046
E-Mail: London@bmi.com

SESAC

The Society of European Stage Authors and Composers was the original name for the organization now known as **SESAC**. SESAC is the 2nd oldest performing rights organization in the U.S. SESAC's repertory was once limited to European and Gospel music, but today has expanded to popular music, Latin, jazz, country, Christian, etc. SESAC is based in Nashville, TN, and has offices in New York, Los Angeles, and London.

As Ellen Bligh Jones, Director, Corporate Relations states: "While SESAC is the smallest of the three U.S. performing rights organizations, the company believes its size is its largest advantage. SESAC prides itself in developing relationships with both songwriters and publishers."

FACT

SESAC was founded in 1930, making it the second oldest PRO in existence in the U.S.

SESAC ROYALTY PAYMENTS

Pat Rogers, Senior Vice President, Writer Publisher relations, says: "As the technological leader among the nation's performing rights organizations, SESAC was the first PRO to employ state of the art Broadcast Data Systems (BDS) performance detection. SESAC uses BDS in conjunction with cutting edge ConfiMedia Watermarking technology, providing SESAC's writer and publisher affiliates with the fastest, most accurate royalty payment available anywhere. The system required to compute compensation is based on many factors, including music trade publication chart activity, broadcast logs, computer database information, and state of the art monitoring."

FACT

Some Noted SESAC Members:
Garth Brooks
Eric Clapton
Mariah Carey
Ricky Martin
U2
Leann Rimes

Here are some Q & A's from SESAC's Website.

Q: “If I have licenses with ASCAP and/or BMI, why do I need a license with SESAC?”

(note - this question would generally come from a music user, not a composer or publisher)

A: “SESAC, ASCAP, and BMI are three separate and distinct Performing Rights Organizations (PRO). Each organization represents different songwriters, composers, publishers and copyright holders, and each organization licenses only the copyrighted works of its own respective affiliated copyright holders. Licenses with ASCAP and BMI do NOT grant you authorization for the right to use the copyrighted music of SESAC represented songwriters, composers, publishers or copyright holders.

Since a license with ASCAP and/or BMI does not grant authorization to play songs in the SESAC repertory, most broadcasters obtain licenses with SESAC, ASCAP and BMI to obtain proper copyright clearance for virtually all of the copyrighted music in the world.”

Q: “What does the SESAC Radio or Television Blanket License provide?”

A: “Immediate and unlimited access to SESAC's vast repertory, including music in commercials and jingles.”

Q: How are SESAC license fees determined?

A: “Generally, the scope of the public to which the SESAC repertory is being performed is the main factor in

SESAC license fees for broadcasters. For example, a station's MSA or DMA are used in determining radio and television license fees, respectively.”

Q: How are SESAC local television license fees determined?

A: “SESAC's local television license fees, negotiated with the Television Music License Committee, are based on the station's average Nielsen ratings and the Television Households in the station's DMA. SESAC also has licenses in effect with the major premium and basic cable networks. License fees are generally based on the network subscriber base, net advertising and subscriber revenue, Nielsen ratings and the type of programming provided by the network.”

HOW DO I JOIN?

SESAC's Website states that they have a selective process for a composer or songwriter to become a SESAC affiliate. Applications must be solicited by someone on SESAC's staff.

Wrap up

The three performance rights organizations (PROs) in the U.S. are ASCAP, BMI, and SESAC. There's been a lot of information given to you to digest, but it's important to understand so that when your music is broadcast or performed, you receive your entitled share of royalty earnings. Royalties can make up a large portion of your income revenue, and can last for years if you have music on a commercial that runs for a long time. It's up to you to decide what PRO is right for you. Check out their websites, do some research, and talk to people at the organizations to decide what PRO is best for you.

CHAPTER 9

Interviews with Working Composers

In this chapter, I've included several interviews with working composers - all of whom make their living writing music for the media - commercials, promos, film, television shows, songwriting, you name it. It will give you a great perspective on how these individuals got their careers started and how they work. They will also share some fun stories and give you some great advice you should take to heart.

These individuals are very talented composers, and more important, they are great people! And they are all my friends!

NORMAN ARNOLD

TV, Film, and Commercial Composer

Education:

University of Miami , B.M. Presidential Honors

University of California, Los Angeles, Film Scoring

Interlochen Arts Academy Royal Conservatory of Music, Toronto

Selected Credits:

Television

"The New Americans" 2003 PBS Television dir. Steve James
(Hoop Dreams)

"elimiDATE" 2001-02 Theme Music, Warner Bros. Television

"The Bachelor" 2003, Additional Underscore, ABC

"The Sharon Osbourne Show" 2003, Underscore, Telepictures

"Extra" 2001-02 Show Underscore , Warner Bros. Television

"Celebrity Justice" 2002 Show Underscore , Warner Bros.
Television

"Carolyn Rhea Show" 2002 , Promo Package , Telepictures

"Judge Matthis" 2002 Promo Package ,Telepictures

"Queen Latifah Show" 2001 Theme Music, Warner Bros.
Television

"Street Smarts" 2001 Warner Bros. Television-Promo Music

"Mama Flora's Family" 2000 CBS Television Event Promo

"Sister Sister" 2000 WB Network-Promo Music

"Angry Boy" 20th Century Fox

"Disney Channel" Event Promo

Film

"Facing the Enemy" 2001 -feature -Lifetime Network

"Focus" 2001 -feature- Waterline Pictures -dir. Roger Roth

"The Red Clog" 2000 -dir. Sylvia Jaunzarins

The Art of Appreciation" feature -dir. Dave Kennedy

"Scrub"- dir. Rob Schmidt
 "Becoming Rebecca" -feature- dir. Steve Tackitt
 "The Stronger" - dir. Susan Savage
 "The Man Who Fell" -feature- dir. Neke Bivins
 "Emerald City " feature - dir. John Loughlin
 "Cheap Curry & Calculus" - dir. Justin King
 "Twisted" - music video underscoring, Keith Sweat, artist

Commercials

- | | |
|------------------------------|---------------------|
| o McDonalds | o Loanworks |
| o IBM/Lotus Notes | o Tecate |
| o Mercedes Benz | o WB Network |
| o Disney | o Mitsubishi Motors |
| o Southern California Edison | o Toyota |

TIP

Note Norman's versatility in his body of work. Spots, TV, promos, Films.

Question: Where are you from? Where do you work/live now?

Norman Arnold: I was born and raised in Toronto, Canada. I now live and work in Los Angeles, CA.

Q: What is your musical background?

NA: I started studying music at the Royal Conservatory of Music in Toronto when I was about 10 years old. I studied Piano and Trumpet. I switched to percussion a few years later and studied for three years with David Kent, the Timpanist in the Toronto Symphony. I finished my senior year of high school at Interlochen Arts Academy in Michigan as a Music major. I received my Bachelors degree in Music from the University of Miami, as a Jazz Major. I studied Composition at UCLA with Mark Carlson and Film Scoring through UCLA

Extension. My main instruments are percussion and piano.

Q: How did you get interested and get started in a career as a composer?

NA: I actually did not plan on becoming a composer. When I was younger I was more interested in just playing music. In college I started to enjoy composition and arranging classes and started writing songs as well. My first job composing came by accident. A friend of mine was managing composers and knew of some songs I had written and thought I'd be a good fit to collaborate on a advertising campaign for Mercedes Benz. The company wanted a percussion oriented score for a film about making the C class car and, being that I'm mainly a percussionist, my friend realized it might work out. And it did.

Q: How long have you been in the business now? Do you make your sole income on composing?

NA: I've been writing full time now for seven years. It's my sole income, except for the gigolo stuff on the side.....(*Author's note: Norman has a great sense of humor! He WISHES he were a gigolo!*)

Q: Do you have a particular style of writing that you focus on? Or does it just depend on the gig?

NA: Being a percussionist I write a lot of world and global sounding music. I try to combine as much of the technology with real instruments. I enjoy that sound and

the balance.

Q: Can you describe your writing and recording environment?

NA: I have a home studio in the Hollywood Hills. I have a separate structure on my property that is solely for the studio. I have an all digital Mac based setup. Digital Performer and lots of Native Instrument soft synths. I use Avalon mic pre-amps, and monitor back through Genelec 1030's. I don't really have racks and racks of MIDI gear. Just a Roland 5080 and a 1080. I use the MIDI devices to sketch and compose with, then usually replace or combine as much as I can with real instruments. Of course with techno stuff, it's all synthetic.

FACT

A LOT of composers use Digital Performer. It's a great program for MIDI/digital audio and syncing to Quicktimes.

Q: What professional organizations are you a member of?

NA: I am a writer and publisher member of ASCAP. *(author's note: he is also a member of AFM; we have worked together on union gigs.)*

Q: When you have a job, how do you start? What's your usual MO? How long does it take?

NA: I usually try to get as much information up front as I can. With commercials it's so important to know who the commercials are supposed to appeal to. Yuppies? Kids? Moms? Old men with Erectile Dysfunction?

It really helps to know so you can tailor what you write. Music in advertising can really be a big part of the brand image and I think being a composer in this world

it's important not to forget that. I've been involved in projects at the inception. I've gone to advertising agencies for the client brief and played music ideas weeks before the shoot. I've also finished last minute commercials in an hour, with the client and ad execs on their way over to the studio. It always varies. I use an FTP site quite a bit and most spots are now posted there. I just download the spot, write an idea and post the music.

Q: Do you do everything yourself in music production? Do you have an assistant, etc?

NA: I record mostly myself. I had an engineer for quite a while but with everything digital and automated, I have gotten used to mixing as I go and I've learned a lot in the past few years from some great people about mixing. Also, with so many client changes and sometimes picture changes being made at absurd hours, its hard to justify keeping some poor guy mixing at the console all night. It's just easier to get to a point that I can do it all myself.

I always write out my own parts for commercials. On my last film project I used an orchestrator and copyist because we were recording the score in Mexico with members of the Symphony down there, and there was no margin for error. In situations like that an extra set of ears and eyes is essential. I have an assistant that takes care of lots of logistics - delivering the music, CD pressing, artwork, some sound design, client services, that kind of thing - also writing additional music.

Q: What do you like best about the career of a composer? The least?

NA: The best is clearly the creative aspect. I enjoy the discovery, finding something that works. Sitting with a blank piece of paper wondering how you're going to pull it off. As a musician I was concerned about my part and how it fit together. Now I get to be concerned about all the parts fitting together, and its great. It's the ultimate puzzle. Of course the thing I like least is the puzzle! Sitting there thinking how am I going to pull this off. I think back to when I was a musician touring around the world and my only real responsibility was to be in the lobby of the hotel at 4pm to get on the tour bus to go to the show. Catering-roadies-lobby at 4, people cleaning up after you all the time.. that was easy...

Q: What kind of advice would you have for someone starting out in the business?

NA: It's really quite simple: If Biff Weinstein and His Happy Circus calls and needs music for his merry-go-round, and you decide to take the job, you'd bloody well better plan on writing the best damn merry-go-round music anyone had ever heard in their life. If you have it in your head that you'll start to write seriously or really work hard only when you start getting some good jobs you'll never get them. Its like Cervantes wrote in Don Quixote, "If you want to be a Knight, act like a Knight". Or as I like to put it: People who get drafted into the NBA are the ones who play like they belong in the NBA long before they ever get there.

(Author's notes: Norman's experience in all different genres is crucial in his work, and his enthusiasm is very obvious in everything he says and does. Very important points to ponder. Check out some of his work at www.amimusicgroup.com.)

TIM BOLAND**Composer, engineer, record producer**

You can view some of Tim's work at

www.echopark.tv

For a list of recording work go to

www.allmusic.com

and enter "Tim Boland" for his discography

Q: Where are you from? Where do you work/live now?

Tim Boland: Born in Dublin, Ireland Work for my own company Echo Park Music & Sound in Echo Park, Los Angeles, CA. Converted a 3 car garage into a control room/live room.

Q: What is your musical background?

TB: Born into a musical family, my brothers are all musicians and sound engineers.

I'm self taught and play guitar, bass, keyboards. Been in bands since I was 12. Bought a 4 track Portastudio when I was 14, recorded my own demos and went around the neighbourhood recording friend's bands. I would save money and hire a piece of equipment for the day, i.e., a DX7 or Ensoniq Mirage, Roland Tape echo, etc., and try and learn what each piece of equipment did.

While still in high school, I got involved in a recording studio co-op called the Tunnel, I was 16 . It was a grassroots studio where I cut my teeth mainly at night and weekends recording local bands, songwriters and my own experiments. We also had a primitive MIDI

FACT

Note that Tim is a self-taught musician - formal training has nothing to do with being a successful composer!

setup (well, high end for 1986: an Atari ST running Steinberg Pro 24) As the studio developed, I bought the Akai S1000 (sampler) when it first came out. I was commissioned to compose some commercials by a friend at an ad agency, and this was my first taste of commercial composition and of being paid a handsome wage!!!

Q: How did you get interested and get started in a career as a composer?

TB: Worked mainly as a sound engineer and Mixer in Ireland. Emigrated to Los Angeles in 1994 and worked as a freelance engineer, worked with artists as varied as UB40, Ozzy Osbourne, Soul Coughing, Lili Haydn, 3 Mile Pilot. (you can check out a full list of credits at all-music.com)

Work was slow, so I was calling around and came across a music house producer who asked me to come in and mix some tracks for the composer. The company was tomandandy and the composer was Tom Hajdu. They were having problems trying to get a track right for a GMC spot, they asked me if I could compose and I tried a demo for the spot. The client liked it and it went final. I was very green and knew nothing about music houses; for all I knew they were the only people doing this kind of thing! I freelanced for about 3 weeks. They came to me offering me a full time job, which at that point was very attractive to me; freelance engineering was thin at the time and I liked the idea of being paid to play and write music all day!!! I was 26 when I started.

Q: Do you recall your first paying gig? Tell me about it.

TB: 1st paying gig for scoring a spot was in Ireland. A friend had asked me to demo for an ad for a sports drink. He told me that there were a lot of other people who were people who did this fulltime for a living. We had just got the sampler and I had acquired a cool loop CD. I guess the track in hindsight was fairly cutting edge for the time, it would have been in a Prodigy style, way before they had come on the scene. The track was cool but I think what got me the job was there was a part in the spot where everything slowed down for a few seconds, so I dropped the loop down an octave which made it lower in pitch and half time and played the rest of the instruments accordingly. Luckily it happened on a downbeat with the cut (a pure fluke since I was hand syncing a VCR for the visual). It stayed down for 2 beats then right on the cut the music popped back with an action cut. My friend and I and the agency were delighted an underdog had gotten the spot over professionals!!!

Q: How long have you been in the business now? Do you make your sole income from composing?

TB: I have been in the business since I joined tomandandy as a fulltime composer in 1997. I left them after 4 1/2 years and freelanced for multiple music houses across the country, now made possible by the advent of broadband internet and ftp sites.

I make my sole income from composing, occasionally I'll mix a record but the majority of my income is generated from writing spots. It is a lot more lucrative than mixing records on an indie level.

Q: Do you have a particular style of writing that you focus on? Or does it just depend on the gig?

TB: I don't think I have a particular style; I would say I have a particular approach to each piece. I like real organic instruments but I also like sonic manipulation and weird FX. I like the juxtaposition of sweet melodies set against a hardcore backdrop or, for example, an organic acoustic sound set against a very non-organic electronically manipulated sound. Also like melody and hook and try and incorporate that into as much of my work as I can, so tracks are not just a groove or a stagnant bed. For the style/genre of music it completely depends on the gig. I never force a style because I prefer it; the music is a slave to the job but in rare occasions it can work the other way around.

Q: Can you describe your writing and recording environment?

TB: As I said earlier, it's a converted garage at the back of where I live. I have a long commute to work - just have to dodge a few squirrels in the back yard!!!

Inside, on one wall I decorated it with a photorealistic wall paper mural of a morning forest, and installed a window on the opposite wall looking into the garden. Built my own acoustic sound dampers/wall panels, covered them in camoflaue material and soft khakis and greens. The paint job is light greens and a lot of vintage distressed look to the doors. Built custom Gear racks and work surface, stained it with a green tea stain. So the environment of the room is contemporary yet organic. Added a few funky thrift store lamps and pieces

of furniture. I think the vibe of a room is really important. Equipment: I use Pro Tools as my writing software, as I rarely use outboard MIDI. Most of what I do is audio. I also love the mixing environment and plug-ins. I have a Mix Plus system and I added an additional vintage farm card for additional DSP. I have a 16 bit 888 and one 882 for a total of 16 analog inputs. I use a blackburst generator, via a VSD for my "house audio sync". I run it (Pro Tools) on a Mac G4 733Mhz with a 17" Apple flat screen.

I use some soft synths, like Reason, Virus, B4, Absynth, Soft Sample Cell. I have a Roland JV-1080 which is a good all round sound module. I have Neve, Telefunken and Api outboard mic pres going into Pro Tools. I have a 32 channel Mackie mixer for additional inputs beyond my 6 pres. I use an Eventide DSP 4000 for additional FX. Most of my FX are created within the computer. I have some Neumann Geffell tube microphones, some Octavia mics, the usual Shure 57s & 58s, an AKG egg for kick drum, bass amps. Some funky old organs (Optigan ,GE harmonium). Lots of different guitars and foot pedals.

Q: What professional organizations are you a member of?

TB: I'm a member of Local 47 AFM, a SAG/AFTRA member and belong to ASCAP.

Q: When you have a job, how do you start? What's your usual MO? How long does it take?

TB: I usually start by looking at the video if available

TIP

With the way Tim works, ProTools is the best choice for his style of working, recording and manipulating audio.

and familiarising myself with the creative brief and the cut. I watch the video for any obvious scoring points, and try and get my tempo to fit that or think of any ideas that will help tell the story or get the point across. Genre wise, it depends if the client already has a pre-conceived idea, which they usually do, usually influenced by the choice of music used to cut picture to. Sometimes they will reference a certain band or song they like the feel of.

Hopefully the style is left up to me which is determined by what feel I get off the project and if I think it needs to be more exciting, or downplayed, or whatever inspires. It can take anywhere from 1 hour to 5 hours. Average is 2 –3 hours. Depends on the instrumentation and if there are additional players or if there are vocals. Vocals tend to take a lot longer. *(Author's note: Tim's composition time frame is unusually fast, he learned this from working on tight timeline schedules.)*

Q: Do you do everything yourself in music production?

TB: 85% of the time I do everything myself. Sometimes I will collaborate with my other partners. This is becoming more common, especially in jobs where you might have a lot of work to cover, i.e., TV theme bumpers. There can be up to 30 of those things to do in a short space of time.

Sometimes it is a creative collaboration where we will decide to write together, for a change of pace, to freshen things up, make it more fun. Other times I will take a track from the other composer that is due for revision and add a different perspective to it, also giving him a creative break if he has been working on it for a while.

We all assist each other; in client sessions we will take turns running the board/computer. At home I engineer and mix everything myself. Occasionally I will mix the other composer's pieces as well.

Q: What do you like best about the career of a composer? The least?

TB: There are a lot of great things about the career of a composer. You are constantly creating something unique. Constantly working in music and technology. Always playing and experimenting. Most of the time you can call your own shots and take as much or as little time off as you like.

Downside is you never really know from where or when your next job is coming. When it does you never really know how much it will pay, how much time it will take, or if it is something you will enjoy doing. It takes a while to get yourself setup to a degree where you are comfortable with your income and work load.

Q: What kind of advice would you have for someone starting out in the business?

TB: Be enthusiastic. I went to see a seminar when I was a teenager given by Mel Gaynor, the then drummer with Simple Minds. He asked the crowd what the most important word a musician/composer needs to have. People guessed: talent, dedication, creativity, etc, etc. He said you can attain all those if you have true enthusiasm. He was told this by Miles Davis.

After that it is important not to have a fear of technology. Although you might think it has nothing to

TIP

Being enthusiastic is a KEY element for success as a composer. You will note that from every interview.

do with writing music, in this genre of composing it has become essential. Very few people work around a piano/guitar then book a studio with musicians and hash it out. I think I can only name one company that does that but they have had to adapt to the changing demands of clients and the fast schedules and deadlines that are put upon you.

Get yourself a good basic setup that allows you to work quickly and with picture (Quicktime movies). Know how to deliver music via the Internet.

Know how to work your software to your advantage. Make sure you have good front end hardware to get strong sounds into your system. Check your mixes on headphones; don't have your speakers placed in a corner or too near to the wall or you will hear an extra low end that does not exist in your mix and could result in your clients hearing a thin tinny small sounding piece of music. Sound has become important in much of today's current music.

Familiarise yourself with sample CDs-- don't become too reliant on them; remember you are being hired to write original music, not cut and paste someone else's. They are handy for bringing up production value though, especially in the case of drums and rhythm. Most people cannot record drums in their homes plus it can be faster!!!

Maybe try an internship at one of the leading music houses, failing that, try and find a composer who works from home and ask if you could sit in and observe, help out in anyway, running messages, making coffee etc, etc, etc. If you don't have the access to buy your own equipment, maybe trade your time for some time on the gear and teach yourself when the studio is not busy. Go

into music stores and ask to try out equipment. Subscribe to Tape Op magazine, it is an amazing resource for all levels of recording. Listen to lots of different types of music. In areas you are not strong in, try writing a track in that genre and keep doing it until it sounds good to you and value the opinion of an impartial listener. I cannot recommend enough doing this, as it is the very best way to learn and develop your craft -- especially if you can get the ear of an experienced composer who could quickly give you pointers.

*(Author's note: Tim's very insightful comments, especially in the last section, should really be digested. The point he makes about trying to get an internship at a music house or working for a composer is brilliant, and this **mentorship** he recommends is covered in Manual #3, Contacts/Marketing, of this course.)*

JOHN DEFARIA

Composer, touring/session guitarist, songwriter, and record producer

List of credits/accomplishments:

1984 Toured with Bob James

1985-1993 Guitar and Production for Gloria Estefan. Wrote "Get on Your Feet", arranged "Cuts Both Ways", Guitar on the records and on tour.

1995 Kitaro and Jon Anderson tour. Guitar on Kitaro's record "Mandala"

1996 Jon Secada's tour of South America

1997 On tour w/ Kenny Loggins. Did three summer tours. Live video for "House at Pooh Corner" A& E special "Live by Request" w/ Kenny.

2001-2003 Composing music for TV shows; "Worst Case Scenario", "Secrets of the CIA", "Ecochallenge" Hallmark Channel's "Adoption Stories" Disney Channel's "Even Stevens", Telepicture's "Extra", Animal Planet's "Vet Confidential".

Composing music for films: "Stateside", "Dave Dragon", "Kid Cop"

Guitar on films: "Ghosts of the Abyss", "Holes", "Uptown Girl", "Stateside"

Composing commercials for: Subaru, Direct TV.

Question: Where are you from? Where do you work/live now?

John Defaria: Originally born in New Haven, Connecticut through Chicago, through Miami, to Los Angeles.

Q: What is your musical background? (what instrument(s) do you play, education, etc.)

JD: Played double bass, drums and saxophone in high school. Played in the Chicago Youth Symphony. Went to Interlochen Arts Academy in Michigan. Studied Double Bass, Guitar and composition. College at University of Miami. Studied Guitar, theory and composition.

Q: How did you get interested and get started in a career as a composer?

JD: Got sick of the road !!

Q: Do you recall your first paying gig? Tell me about it.

JD: Some High school party -- Usually we'd get paid in beer. I had a great rock band with Rob Gjersoe on guitar, My brother Tom on drums. Pat Berguson on guitar and Dan Anderson on bass.

Q: How long have you been in the business now? Do you make your sole income from composing?

FACT

John's switch from touring musician to composer was a natural progression for him, with his arranging and writing skills.

JD: I've been a pro since 1982. Most of my income is from writing, although I do quite a lot of guitar sessions.

Q: Do you have a particular style of writing that you focus on? Or does it just depend on the gig?

JD: I like writing in a lot of different styles, but I guess I'm more known for edgy synth and guitar kinds of music.

Q: Can you describe your writing and recording environment? (your home studio, software you use, etc.)

JD: My studio is really my instrument. I'm very hands on with all my instruments, be it steel guitar or "Reason" (software). I like to get deep into an instrument and find out what I can do with it that sounds unique. Digital Performer is my Holy Grail. I know it like my left hand and I find it very powerful. My preamp of choice is the Avalon 737. My speakers are Dynaudio.

TIP

John is yet another Digital Performer user. Check out the new DP4 at www.motu.com.

Q: What professional organizations are you a member of?

JD: I've been an ASCAP member for years. They've always been very good to me. I'm also a member of AFTRA, AFM and the RMA. (*author's note: the RMA is the Recording Musician's Association, for recording musicians, and related to the AFM*)

Q: When you have a job, how do you start? What's your usual MO? How long does it take?

JD: Usually there is a definite criteria that I must fill, be it a sound, hook, or "temp track". I start by checking out the most predominate parts they want and go from there. I always try to add something original that hopefully gives them a pleasant surprise. The longer I've done this the faster I get.

Q: Do you do everything yourself in music production?

A: I can't help but do everything. Maybe that's the control freak in me. I like mixing. It's probably my favorite part of the process so I'm not going to give that to someone else. I do book players but a lot of times I'm called for the gig 'cause I can usually play all the parts myself!

Q: What do you like best about the career of a composer? The least?

JD: The best part of being a composer is getting your hands on the music from start to finish. I really like that. Of course to have a job that's this creative is certainly a blessing.

The least -- There's not much I don't like about it. That's probably why I do it. I guess when the hours get really long and there's a serious deadline.

Q: What kind of advice would you have for someone starting out in the business?

JD: Learn everything you can about all aspects of writing. Don't ever say "I can't do that". Keep yourself open to new situations. But, realize that this is a business

and you can't take it too personally. Always be a team player and appreciate the opportunity to work with very talented people. Composing can be a very solitary environment so I have to try hard not to make it so. There's too many great people out there that I want to work with.

(Author's note: John is a fantastic guitar player and a very gifted composer as well. I think one of the important points to ponder is he says in the last paragraph: "...realize that this is a business and you can't take it too personally". This is especially helpful when one is asked to make change after change on a track, or getting shot down on a demo. It's a business, not a reflection on you as an individual.)

- Feature Film 2002 **Buying The Cow** (Destination/
Sony/Screen Gems)
Producers: Brad Jenkel & Dan Etheridge Director: Walt Becker
- Feature Film 2002 **Ring of Fire** (Destination/
Sony/Screen Gems)additional music
Producers: Al Corley, Bart Rosenblatt, Eugene Musso
Director: Xavier Koller
- Feature Film 2001 **Dead Simple** (Franchise Pictures/
Artisan Ent.)
Producers: Elie & Demitri Samaha Director: Jason Bloom
- Feature Film 2000 **Buzz Lightyear of Star Command**
(Disney/Pixar)additional music
- Feature Film 2000 **The Secret Life of Girls**
(Ocean Park Pictures)
Producer: Dan Parada Director: Holly Goldberg-Sloan
- Feature Film 1999 **The Extreme Adventures of Super
Dave** (MGM)
Producers: Mike Marcus, Larry Brezner
Director: Peter Macdonald
- Feature Film 1998 **My Teacher's Wife**(Savoy/Trimark)
additional music
Producer: Robert Fried, Richard Zinman
- Feature Film 1997 **8 Heads in a Duffel Bag** (Orion)
Producers: Brad Krevoy, Steve Stabler Director: Tom Schulman
- Feature Film 1997 **Overnight Delivery** (New Line)
Producers: Brad Krevoy, Steve Stabler, Dan Etheridge
Director: Jason Bloom
- Feature Film 1996 **Bio-Dome** (MGM)
Producers: Brad Krevoy, Steve Stabler, Brad Jenkel
Director: Jason Bloom
-

Feature Film 1995 **Angel's Tide** (Mont Meru Prod.)
Producer/ Director: Woody Keith

TV series & theme 1999 **The King of Queens**
(Columbia/TriStar) CBS
Executive Producers: Michael Whitehorn, David Litt

TV pilot 1998 **The 900 Lives of Jackie Frye**
(Studios USA) FOX
Executive Producers: Jeff Nathanson, Gavin Polone

TV theme music 1996 **Nick Freno: Licensed Teacher**
(Warner Bros.) WB
Executive Producers: Marc Warren & Dennis Rinsler

Short Film 1997 **First Fidelity**
(Dir. Melissa Gerrero-Shea)
Winner - 1998 Hampton Film Fest. & 1999 Worldfest Houston

Short Film 1995 **Headless!** (Dir. Larry Guterman)
1st Place at Houston International Film Festival

Short Film 1994 **Irving** (Prod. Dan Etheridge;
Prod./Dir. Jason Bloom)
Gold Medal at Charleston International Film Festival

COMMERCIALS:

2003 Piedmont Federal (Commercial Campaign)
2002 Coke "Scholar" & "Reading"
2002 Independent Film Project "Gangsters" (DDB Los Angeles)
2002 IFP "One Night Stand" (DDB Los Angeles)
2002 TJ Maxx "21 Dollars" (Mullen|LHC)
2002 Sprint PCS "Big Gloves"
2002 Western Union "Doctors"
Video Promo 1998 Lion King II: Simba's Pride (Buena Vista Home Ent.)

Commercial Campaign 1997 Oprah Winfrey "Make the
Connection" (BVHE)

Commercial Campaign 1997 "Sleeping Beauty" Re-issue
(BVHE) Producer: Weller/O'Sullivan

DISCOGRAPHY:

String Arranger/Conductor	2003	The Format (Elektra) produced by Walt Vincent
String Arranger/Conductor	2001	Tenacious D (Sony/Epic) produced by The Dust Brothers
Composer	1997	8 Heads in a Duffel Bag (Varese/ Sarabande)

AWARDS:

2003	BMI TV Music Award "The King of Queens"
2002	RIAA Gold Record "Tenacious D"
2002	BMI TV Music Award "The King of Queens"
2001	BMI TV Music Award "The King of Queens"

Question: Where are you from? Where do you
work/live now?

Andrew Gross: I'm from Los Angeles, CA and I
currently live and work in LA.

Q: What is your musical background?

AG: I bought my first synthesizer when I was 12, a
Sequential Circuits Pro-One, and started to realize my
desire to become a one-man band by learning how to
overdub with 2 cassette decks (ping-ponging back and
forth). Around the same time I also started playing

keyboards and writing songs in a band that played Afro-Cuban/Funk/Hip-Hop/Soul music. For college, I decided to give myself a solid traditional musical background. I attended Manhattan School of Music for 2 1/2 years and majored in classical composition. While there, I learned counterpoint, theory, orchestration and music history. I tried to finish my degree at USC, but with 12 units to go, I stopped to take my first job scoring a film. I have been working scoring films, television shows and commercials with varying regularity ever since.

Q: How did you get interested and get started in a career as a composer?

AG: Since high school, I had been very interested in film as an art form. I would take film studies classes whenever I could. Because I knew that I didn't want to pursue directing, I figured the only way I could meaningfully contribute to a film was with music. I got my first opportunity when I ran into an old friend, Jason Bloom, from high school who was starting USC's graduate film studies program. I scored all of Jason's students films while he was at USC. As I mentioned earlier, I quit USC to score my first independent film. But Jason brought me on to score my first studio film, Bio-Dome. He was a first time director, and I was essentially a first time composer. So the producers weren't very open to me, at first. Sensing that it was my only shot, Jason asked me to write a demo score to his rough cut. I demoed for free for 2 months. Friends thought I was crazy to work so hard for nothing, but I knew this was an opportunity that only comes by about 26 times in a lifetime. My temp score was used along with

FACT

In Andrew's career, his personal relationship with a director got him a great start. This is something we talk about in the Contacts Manual.

songs in the early test screenings of the film. Because the film and music tested very well, and because the producers liked what they heard, Jason was able to hire me to score the film.

Q: Do you recall your first paying gig? Tell me about it.

AG: My first paying gig was the feature I quit USC to score. It was an independent feature titled “Angel’s Tide”, which I don’t believe ever got distribution in the U.S. It was a pleasant experience, up until the very end. The director had seen one of the student films I scored for Jason Bloom, and immediately hired me. My score was simple, mainly piano and cello. I would demo the cues with samples and get his approval before recording. We got along wonderfully. He loved me, and my temp score, until the very end. A few things happened quickly that soured our relationship, and I don’t think my inexperience helped me with what I had to face. When I didn’t think I was going to be able to deliver the score in time (mistake #1), I asked for 4 more days, and the director said that would be fine. Then when he finally heard the score, he was a little shocked by how different it sounded from the temp. I thought that he would love the score even more when I recorded live piano and cello. The lesson was, assume nothing. The director didn’t like the fact that when a cello sustains a long note, he/she must change bow directions and have an ever so slight break in the sustain. I told him that that’s how a real cello sounds, and I probably said that there’s nothing we can do about it (mistake #2). If I prepared the director a little better, I’m sure this would have been a non-issue. I think that I also told him that I was going to be scoring Bio-Dome

right after his film (mistake #3), so I think he felt that I was trying to move on without finishing the film properly. Well, he got angry, said that my 4 day delay cost him money, he threatened to withhold my last payment and I threatened to contact my attorney. In the end, we worked it out. But we never worked together since.

I really care about the projects I work on and the quality of my music. And while I really didn't do anything wrong, I learned the difference between taking care of your client and *thinking* you're taking care of your client. It's important to have your client feel like they are being taken care of. It's part of our job. And it wasn't an obvious concept to master because it has nothing to do with music.

*(Author's note: The above paragraph of Andrew's comments really hits dead-eye center a very important point: writing music for someone is not just a task, it's a **relationship** with a client. You really need to understand what he or she is saying. -- JA)*

Q: How long have you been in the business now? Do you make your sole income from composing?

AG: I've been making my living as a composer for 8 years.

Q: Do you have a particular style of writing that you focus on? Or does it just depend on the gig?

AG: It depends on the gig. I never thought of myself as a comedy composer, but that's the genre that got me started and that I continue to get hired to do. To score comedy you really need to be very broad stylistically.

An orchestral and contemporary musical background is pretty necessary, but you really need to be able to write in any style. Sometimes the music needs to be referential to best bring out the humor. For instance, in *Bio-Dome*, there is a scene where Bud and Doyle are confessing their sins of the past to one another as atonement, before they die of dehydration in the desert. Their confessions are ridiculous and funny, but they feel like they're really going to die. I can't make fun of them, but it's a funny scene. My solution was to write something that Morricone would have written for a Sergio Leone film. This put their predicament in the perfect light. The result was music that supported their situation, but framed it in a way that clearly let the comedy play.

Recently I've been trying to focus on music that's more dramatic and internal in nature. I enjoy getting the opportunity to write music for a character's internal journey. I've been experimenting with combining electronic and acoustic instruments in different ways. I also enjoy fusing different styles of music together. I find that, for me, it creates more exciting and fresh results. I like finding out what the director is really excited about musically, and fuse that with my own sensibilities.

On **Overnight Delivery** (Reese Witherspoon, Paul Rudd) I wanted to use an orchestra and the director had just been to France where he got into House music and Techno. He liked the energy of dance music, and I liked the warmth of the orchestra. Since this was a contemporary romantic comedy, I said "Let's use both." It was 1996, and I hadn't heard any scores that fused the two in a way that I wanted to. I was very scared that the score wouldn't work, but it turned to be one of my best scores, even to this day. The score was both contemporary

and warm. And fusing the two created an original and fresh sound.

I don't know if I answered the question. My simple answer is that I continue to strive to learn and master writing for orchestra, while I also stay up to date with electronic music and studio production.

Q: Can you describe your writing and recording environment?

AG: The core of my setup is a Mac Dual Processor 1GHz G4 that runs Digital Performer with Digidesign hardware (888/24, MixPlus). I recently bought a G4 PowerBook, which I am going to turn into a mobile studio that will run Reason, Digital Performer and ProTools with all my soft synths too. I enjoy taking advantage of both DAE and MAS plug-ins. For sample library playback I use a GigaStudio and I still use 2 Roland S-760s and an Emu e6400. I'm one of the few people to use a Roland VM-C7200 digital mixing board. My favorite piece (of equipment) is my Neve 1272 mic pre. Almost everything passes through it before it goes to my hard drive. I'm using more and more soft synths. I've been using Spectrasonics' Trilogy, Stylus and Atmosphere a lot lately. I also use Reason and B4. I use Mackie 824s to monitor. I plan on building a studio with 5.1 monitoring in the near future.

FACT

Andrew uses BOTH Digital Performer and ProTools, depending on the type of thing he's working on.

Q: What professional organizations are you a member of?

AG: I am a BMI writer. I'm a member of the AFM, Local 47. And I have publishing companies with BMI and

ASCAP.

Q: When you have a job, how do you start? What's your usual MO? How long does it take?

AG: I first look at the needs of the film, television, or commercial score. I try to discover the heart of the project and ask myself, and others, what its needs are and what perspective the music should take. As composers we really have to be flexible and open to go where the film wants to go, and where the directors want us to go. I try and learn how the director perceives the tone of his/her own film. I try, as quickly as possible, to learn their sensibilities about timing, about the structure of film in relationship to the music, about what sounds and styles they like or dislike. When I've worked with a director on multiple projects, I can get to the point where I know what he or she will like when I'm writing on my own.

If I have the time, I usually like to think about the ensemble and create a palette of sounds that really excites me. For the dark comedy, *Dead Simple* (with James Caan and Daniel Stern) I used pedal steel guitar, orchestra, radiators, springs on hub caps, ac bass, fiddle, all kinds of ac gtrs and dobros to create an appropriate sound for a dark comedy that takes place in the geographic center of the US. I wrote for country instruments as if they were in an orchestra. It was a very fun ensemble to write for because it could be so many things at once: quirky, somber, intense, dramatic and always related to the films place and time.

I usually take as long as I can. I don't like to write fast, because I like to revisit cues and make revisions. I don't like to write more than 2 minutes a day, but

sometimes I have to. (*Author's note: he means 2 minutes of composed music, which could take hours and hours of actual writing time, production, etc. - JA*)

Q: Do you do everything yourself in music production?

AG: I don't like to do everything myself, but I can. For my films, I always budget for an assistant, and engineer, and orchestrator and copyist. I'll book my own players, unless I've got an orchestra. For commercials, I'll bring in a mixer if my spot goes final.

Q: What do you like best about the career of a composer? The least?

AG: I like that I work at home. I like being part of the creative brain trust that's responsible for framing the film in the best way possible. I like that I can hire some of the best musicians in the world to make my music come alive. I like the fact that I can make the seats rumble in theatres across the world. I like being inspired by a film and letting it tell me what it needs and where it wants to go, and learning and discovering as I go. And I like the fact that my music earns royalties and residuals that will continue to earn money for my family 75 years after I am dead. (*Author's Note: Copyright extends to 75 years after the death of the composer*)

I don't like unclear communication that muddles the creative process and turns the music into an amorphous amalgam of sound. I don't like unrealistic deadlines, but unfortunately they go with the territory. I don't like computer crashes that occur during tight deadlines. Which leads me to the fact that I don't always

like my creativity being at the mercy of technology. But this also goes with the territory.

Q: What kind of advice would you have for someone starting out in the business?

AG: Be tenacious, learn the craft, understand the politics within the job, write music that excites people, be reliable, be a pleasure to work with, and be a problem solver, not the problem itself.

(Author's Notes: Andrew's incredibly insightful interview really shows the character of a successful composer: He has genuine love for his craft, understands the politics of the relationship with clients, and is always striving to do the best possible job he can do. These are all things that you need to develop as you pursue your career as a successful composer. - JA)

CHAPTER 10

A Typical Job Scenario

We've covered a lot of ground in this manual so far - how an advertising agency works, how to create an estimate, how to set up your business, and setting up your studio. We've covered union residuals, as well as royalties. In this chapter, we'll put all these pieces together by going through the process of what to expect on an actual job -- what to expect as far as dealing with clients, salaries and earnings, and the various types of paperwork you'll complete once you're on a music production job with an advertising agency. We'll set up a fictitious scenario of a composer going through the maze of a commercial music job, what he runs into and has to deal with, and go through the ebbs and flows of the process. Of course, with every different scenario, things will change, but this chapter will help you navigate through the waters of music production for commercials

and promos.

Composition Rates: What to expect

On a note for note basis, commercial music production can be one of the most lucrative of the different types of music production. To give you a general idea of what people get paid, here is a salary guide to common composing jobs:

Movies: direct to video

\$7,000 - \$12,000

Movie of the week (MOV)

\$20,000 - \$40,000

**TV series - single episode -
syndicated show, or cable**

\$3,500 - \$5,000

**TV series - single episode - network
(NBC, ABC, CBS, Fox)**

\$8,000 - \$10,000 up

TV special - syndicated/ cable

\$3,500 - \$5,000

Animated series episode

\$3,500 - \$4,500 or \$200/ minute

Exercise videos

\$3,000 - \$5,000

Infomercials

\$5,000

**Song for projects
(music and lyrics)**

\$2,000- \$2,500

(this is for low budget productions)

Commercials - national

\$8,000 - \$20,000

Commercials - local

\$2,500 up

Promos - individual

\$2,500 - \$7,500

Promos - network package

\$1,500 - \$1,800/ cue

(packages run 6-10 cues)

Music library track

\$1,000 - \$1,200 for

2:00/ :60/ :30/ :15 package

Industrial film

\$1,000 to \$2,500

PROMOS

In terms of **Promos**, as you can see by the Composition Rate list, the budgets tend to be a little smaller. When we talk about promos, they usually fall into these categories:

Promos for Episodic Shows (sitcoms, drama series)

Promos for News (Local and Network)

Promos for TV Magazine type shows (like Entertainment Tonight, Extra!)

Promos for Network Packages (ABC, NBC, FOX, CBS)

Promos for Cable Networks (CNN, ESPN, Comedy Central, MTV, Food Network, etc.)

Promos are usually handled directly by the production company or network entity that's shooting and editing the project. Promos usually come in multiple length packages - they will cut a :05, :10, :15, :20, and :30 to fit into any scenario. Promos are many times tagged on at the end of a show, used as a quick bumper, or they may run a long :30 version. As far as music for network promos, unfortunately, the trend really has been going to the development of **music libraries** that the individual shows or networks develop on their own. Why? Because it's cost effective for them. They own the music, and they also collect performance royalties because they are the holder of the publishing (and in some cases, the writing) share of royalty earnings. All of the major networks - ABC, NBC, and CBS and Fox - have music libraries they have been developing over decades. They also license entire music libraries owned by other music library

companies like APM, Megatrax, and Killer Music. Fox Sports is always developing their music library and they use their tracks for their various shows and promos. MTV basically uses all their music from the videos they are rotating, but they also develop original music for promos.

Most likely, if you do end up with a job writing a promo, it will be a **licensing** or **buyout** situation so they can re-use the music as part of their library. If this is the case, always try to at least retain your rightly entitled share of the writer's royalties. That way, you can earn back end performance royalties when they re-use the music over and over again. Writing for promos is almost always exclusively non-union, so there are no AFM/SAG/AFTRA residuals to earn.

COMMERCIALS

So in terms of commercials, I would say a median budget for a national spot is about \$15,000. Of course, this will depend on the scope of the project; if it includes a lot of musicians or singers, the budget could be much higher. Orchestral jobs tend to run in the \$25 - \$50K range. If the spot is regional or local, budgets tend to be quite a bit smaller, and sometimes are non-union buyout situations. It depends on the agency and the scope of the job. You'll have to be flexible sometimes when it comes to budgets -- sometimes you may need to do something very cheap to establish or maintain a relationship with a client so you continue to get work through them.

The Scenario: The Big Gig: Opening Call

From this point on, we'll go through a fictitious, yet true to life, scenario of a composer going through a job with a national-level advertising agency. As we go through the process, I'll provide additional explanations and notes as to what's going on.

***Fred** is the composer, who gets a call from **Kathy** on a Monday afternoon. Kathy is an advertising agency producer:*

Fred: Hello, this is Fred.

Kathy: Hey, Fred, this is Kathy from B&B Advertising. We'd like to speak to you about working on a job for Krazy Kat Kitty Litter.

Fred: Great! I appreciate the call. Tell me more about it.

Kathy: Well, first of all, unfortunately it's a shoot-out. The client wants several demos, so we're talking to three different music companies, including you. We'd like to get some demos in by end of week.

Fred: No problem. You have a budget for demos?

Kathy: Yes. We know you have to pay for singers so we'll have \$2000 for the demos. I'll also need to get an estimate for final production from you.

Fred: Sounds good. Is this a union gig? Do you have a ballpark figure I should be shooting at?

Kathy: Yes, it's AFM and SAG, probably just a solo singer, maybe backgrounds. As far as a ballpark figure, I don't have a cost yet - just do what feels right. You'll be working from storyboards, it's pre-score. We're going to cut to the track. I'll send you jpegs via email to you.

Fred: Terrific. Go ahead and fax me a purchase order for the demos and I'll get things moving. Can we have a creative call today?

Kathy: I'll have Miko and Emily , the creative team, call you in a couple of hours after you've had a chance to see the storyboards.

Fred: Okay. Where can I reach you if I need to get a hold of you?

Kathy: I'll be at the agency all day. But here's my cel number if you can't find me: 310.555-5555.

Fred: Great. I'll get the estimate together after I see the boards and fax it out to you. I'm looking forward to working with you guys.

Kathy: Cool. Talk to you later, bye!

Fred: Bye!

In this exchange, there are several items which have been discussed:

1. A "Shoot-out". Also called **Competitive Demos**, or **Cattle Call**. This means that the ad agency is not awarding the job to a music house based on merit. They will award the job if the music house writes a piece of music that works best for the spot. In many scenarios, I have seen three music houses do 3 to 5 demos each, so the client may be hearing 9 to 15 tracks for their spot. On one occasion, I was involved in a shoot-out as a freelance writer. The client listened to 30 tracks! (I got the job, by the way!). Unfortunately, this seems to be more of the norm than the exception - because of the advent of music technology, composers and music production companies are generating a lot more tracks.

2. Demo budget. Notice how Fred specifically asked if there was a budget for the demo so he knows what he can spend if he needs to hire players and singers. Agencies will typically pay a music house \$1500 for a round of demos.

3. “Ballpark figure”. This is a way for Fred to find out if the client has a particular amount to spend on music. On occasion, clients may tell you that they have X amount of dollars of music, so you know at what number to generate your estimate. In this particular case, Kathy says, “Just do what feels right”. Fred knows from experience that a jingle can go between \$12- \$20K, so he’s going to shoot for around \$18K on the budget. That way he’s shooting high on the number - better to ask for more and get pulled back, rather than low-balling yourself and not making the most out of a situation. Fred also asked if it was a union gig, and it is - so he can estimate for those costs within the budget.

4. “Fax me a purchase order”. A purchase order is a legal binding agreement that the agency is hiring you as a work-for-hire on a particular engagement. This way, Fred is protecting himself not just based on the verbal exchange, but also on an agreement on paper. The purchase order he receives from the agency will state the cost of the demo(s) - \$2000, what the job entails, and billing instructions. Most likely, they purchase order will have to be signed by Fred and sent back with an invoice and be paid in 30 days.

5. “Can we have a creative call today?” Fred asks this specifically so that a meeting can be arranged to

talk about the musical direction of the spot. Kathy says that the creative team, Miko and Emily, will call Fred later. Fred will look at the storyboards, perhaps get some ideas going as to the direction where he may want to go, and then have a conversation with the creative team to determine what they are looking for before he starts writing demos.

6. “Where can I reach you?” Notice Fred made sure he could get a hold of Kathy, by asking how she can be reached. Now he has a cel phone number as well, so she can be reached if she is out of the office. The ad agency producer is your prime contact at all times.

The Big Gig: The Creative Call

*Later the same day, **Fred** the composer checks his email and receives an email with an attached JPEG of storyboards for the Krazy Kat Kitty Litter commercial. He studies them, and a bit later he gets a call from the agency producer, **Kathy**.*

Fred: Hello, Fred here.

Kathy: Hey Fred, it’s Kathy from B&B Advertising. Can I put you on speakerphone with everyone?

Fred: Sure.

Kathy: *(now on speakerphone)* Hey Fred, its Kathy, and I’ve got here with me Emily, who’s the art director, and Miko, the copywriter.

Emily: Hey Fred!

Miko: How’s it going Fred!

Fred: Hey, nice to meet you over the phone. How’s it going? I got the storyboard and I’ve been checking it out.

How the heck are you going to get the cats to walk on a clothesline?

Emily, Miko, and Kathy: Special FX! Stunt cats! (they all laugh)

Miko: So Fred, we wanted to talk to you about the general direction for the music. You got the lyric ideas on the storyboard, right?

Fred: Yep. It works pretty good, I already have a tune going on in my head, but stylistically, there are a lot of ways we could go. Have you guys been thinking about a certain style?

Kathy: We've been listening to stuff that's pretty much middle of the road, kind of that punk-pop kind of stuff like Avril Lavigne, also some Pink. Definitely not too "jingly" or too cute, more pop/rock with some edge.

Emily: Yeah, I kind of like the rock guitar kind of thing with attitude. The cats are kind of doing their own rebellious thing in the spot, you know, hanging out and being cool and carefree, so the music has to be in that realm.

Fred: That sounds good. You know, even some of that new Christina Aguilera stuff might be a direction as well. Can I change some of the lyrics if I need to?

Miko: Oh yeah, it's still pretty rough. Feel free to move things around if it works better musically.

Kathy: Yeah, we really want you to bring some ideas to the table as well, so don't feel restricted to our tastes if you feel you find another tangent you can explore. We're not married to a style or a particular song by the artists we mentioned.

Fred: Oh, I'll definitely do some exploring. If I have some ideas, can I call you guys and maybe pick your brain before I commit to doing some tracking?

TIP

Some creative calls will have reference to current music, so it's good for you as a composer to keep track of music trends.

Emily: Sure, call us any 'ol time. We're doing a lot of stuff right now and we're at the agency all the time so call us here, or Kathy will know where we are.

Fred: Okay, I feel like I'm ready to do some exploring. Any other thoughts or ideas?

Kathy: Guys?

Miko: I'm good.

Emily: Yeah, let's let Fred do his thing.

Kathy: Okay then. All right Fred, good talking to you. Let's chat soon, okay? Keep up posted and call me anytime with any questions.

Fred: Thanks everybody. I'll talk to you soon.

Everybody: Bye!

At this point, Fred has quite a bit of information so that he knows what to do. The most important thing is the musical direction was discussed, so that he has a barometer reading on where to take the track. As discussed, the creatives are not completely married to the direction so Fred does have some leeway as to where he can take the track. After the conversation, Fred goes ahead and pulls an estimate together for \$18K - he includes a solo singer with multi-tracking, 17 AFM units, plus all his costs - and faxes it over to Kathy at the agency. The next page is the estimate bid that Fred sent.

Foondangle Music, Inc.
6996 Fairfax Road
#112
Los Angeles, CA 90028
Phone: 323.555-1212
FAX: 323.555-1213

BID 1112A-B01

January 22, 2004

Client B&B Advertising 123456 Main Street Los Angeles, CA 90046	Titles 1. Krazy Kat Kitty Litter - :30 TV 2. Krazy Kat Kitty Litter - :25/:05 TV	P.O.# tbd Job# KAT-12345
Advertiser Krazy Kat Kitty Litter	Producer Kathy Kook	
Product Kitty Litter	Start Date July 29, 2003	

Notes

Session fees to be paid by music company. Any subsequent AFM/SAG use fees to be paid by agency.

Production		Units			\$5,648.72
1. Studio Time	\$275.00	10.00	Hour(s)		\$2,750.00
2. Engineer Time	\$150.00	10.00	Hour(s)		\$1,500.00
3. materials	\$500.00	1.00	Project		\$500.00
4. Shipping & Messengers	\$250.00	1.00	Unit(s)		\$250.00
5. Miscellaneous	\$500.00	1.00	Project		\$500.00
6. Talent Handling Fee	\$148.72	1.00			\$148.72
Talent		17 AFofM	Units	Hour(s)	\$3,304.80
7. AFofM Leader	\$212.00	1.00	1:00		\$212.00
8. AFofM Copyist	\$106.00	1.00	1:00		\$106.00
9. AFofM Arranger	\$212.00	1.00	1:00		\$212.00
10. AFofM Contractor	\$212.00	1.00	1:00		\$212.00
11. SAG Solo/Duo (w/multitrack)	\$603.37	1.00	1:00		\$603.37
12. AFofM Scale	\$106.00	10.00	1:00		\$1,060.00
13. AFofM Pension	\$180.20	1.00			\$180.20
14. AFofM Health & Welfare	\$218.04	1.00			\$218.04
15. Singer's Pension	\$80.25	1.00			\$80.25
16. Talent Payroll Tax	\$420.94	1.00			\$420.94
Creative		Units			\$9,500.00
17. Creative Fee	\$7,500.00	1.00	Project		\$7,500.00
18. Arrangement	\$2,000.00	1.00			\$2,000.00
discount					-\$453.52
Sub Total					\$18,000.00
Grand Total					\$18,000.00

Fred also receives the purchase order from Kathy to do the demo. So now Fred can start writing. He decides that he's going to write three demos, and even has a couple of composer friends who are willing to ghostwrite, so he will actually submit 5 tracks. **Ghostwriting** is the term used when someone is hired to write something for someone else. Many, many composers who are quite busy do this, and will have final say in making changes in the tracks, or even submitting material according to their tastes. Many young composers get their start at scoring by ghostwriting.

So Fred works on his demos on Monday night, Tuesday, Wednesday, and Thursday. His two other writers play him some stuff over the phone and Fred suggests a few changes here and there. He asks them to send him mP3s by Thursday evening so Fred can burn a CD and/or send mP3s to the agency by Friday morning. Fred decides to do both to cover his bases. He also checks in with Kathy, the agency producer, on Friday to make sure that they have received his demos. Kathy says yes, and they will listen to everything and will get some feedback to him as early as next Monday morning.

The Big Gig: The Follow-up Creative Call

On Monday afternoon (a week after first hearing from the agency) Fred gets a call from Kathy.

Fred: Hey Kathy, how's things? Any news?

Kathy: Good Fred - the creatives really liked what you did, but unfortunately, they went with another track. I wanted to thank you for your efforts, go ahead and bill us \$2000 for the demos.

Fred: Well, I'm sorry it didn't work out, I hope you call me again soon.

Kathy. Absolutely. We really did like your stuff, and I'm sure we'll be working together again.

Fred: Thanks again for the opportunity. Good luck on your project. Bye.

WHAT!? Sorry to throw you for a loop, but like I said at the beginning of this chapter, this fictitious scenario is based on real-world events. Getting shot down like this happens ALL THE TIME. You'll have to get used to it. One of the things you will need to learn is to handle being rejected for your work graciously and not to damage the relationship. You've got to develop a tough skin and be able to handle difficult scenarios. Okay, with that said, let's change the scenario so we can go on with the process.

The Big Gig: The Follow-up Creative Call Version 2

On Monday afternoon (a week after first hearing from the agency) Fred gets a call from Kathy.

Fred: Hey Kathy, how's things? Any news?

Kathy: Good Fred - the creatives really liked what you did, I've got them here with me- can I put you on speaker phone?

Fred: Sure, go ahead.

Kathy, with Miko and Emily: (on speakerphone) Hey Fred, we're all here now - how you doing?

Fred: Good! What did you all think of the demos?

Miko: They were really great. We liked all of them, I think we'd like to go with demo #3, with a couple of

changes.

Fred: Great! Yeah, I felt that that one was pretty cool. It certainly has the right attitude.

Emily: Yeah, we think so. I really also liked #1, the way it ended - maybe we can do something like that on #3, you know?

Fred: Sure. A bigger wrap up kind of thing? Stronger end?

Miko: Yeah. I think track #3 can have a little more energy overall and maybe do something similar to #1's end part. I'm not completely sold on the singer, maybe it's just a performance thing - she came off a little harsh, maybe tone it down a bit.

Fred: That's not a problem. I'll tell you what, let me make a couple of changes on this track, taking into account what we've talked about. I want you to be comfortable with what you get before going off to the shoot. Then we can even make changes during editorial as well, if we need to.

Kathy: That will be great.

Fred: Cool. Any other thoughts or ideas? What about the instrumentation, did it work for you?

Emily: I liked the guitars.

Miko: Me too. Maybe louder.

Fred: No problem, that's just a mix thing. I'll have splits for you so we can pull them up as hot as you want.

Kathy: When can we expect changes?

Fred: I need to check with the singer, but I should be able to get it to you by tomorrow. I'll call you once I find out her availability.

Kathy: Great. I'll just wait to hear from you. Okay guys, say goodbye!

Miko and Emily: Bye Fred! Great work!

Fred: Thanks a lot. I'm really glad to be on this project. Kathy, we'll talk about paperwork and all that stuff later, okay?

Kathy: Okay - no prob. I'll catch up with you later.

Fred: Bye!

From this conversation, we've learned a few things. It sounds like the gig has been landed. Fred will confirm with the agency producer, Kathy, in a later phone call with just her on the phone. Fred will ask Kathy to clarify his position now, since it was originally a "shoot-out". Considering the creative sounded pretty confident about track #3 with a couple of changes, the best bet is that it is his job and it will go to final. There was also a mention of doing something to the end of track #3 similar to track #1. This happens a lot on demos - where an element of one track is desired in another. You have to determine how you can do that artistically without creating the "Frankenstein Effect" - just splicing on the end of one to the other. What is it in particular that they like about that particular moment? Fred determines that track #1 had a bigger and more powerful end and asks clarification to that effect. The most important thing is to be flexible when it comes to changes, ask questions, and to be able to roll with the punches. You may completely disagree with their opinion, but in the end, it's their opinion that matters the most - it's their baby.

Fred also is very eager to please his clients, and says that he can make changes even during the editorial process. This is definitely something that will happen. Once they get into doing the off-line editorial, issues with timing or lyric content will come up. Changes are the norm, and you should expect this. Rarely does a piece of

TIP

Be flexible with your music. Remember, you're writing music for someone else, it's not your 'artistic statement'.

music retain its original form to the end of a production, especially in a case such as this which is an original jingle being pre-scored. As Composer Andrew Gross said in his interview in the last chapter, “Be very flexible and be a part of the solution, not a part of the problem.” Always remember that you are working to develop a piece of music in a collaborative way, hand-in-hand with your clients.

The Big Gig: The Confirmation call with Kathy

Later the same day, Fred calls Kathy at the agency.

Fred: Hey Kathy, it’s Fred. I was able to get a hold of the singer and we’re going to track tonight. I’ll have changes for you in the morning.

Kathy: Great! I’ll let the creatives know.

Fred: If I understand correctly from our previous conversation, have I been awarded the job?

Kathy: Yes. They are very happy with the track and we will most likely go with it. Our client has yet to hear it, however, but at this point, I’m pretty confident it’s a done deal. I’ll speak to my business manager about getting you a music purchase agreement and a P.O. (purchase order) to you in the next couple of days.

Fred: Woo-hoo! Are we in line on the estimate? Does the 18K work for you?

Kathy: Yep. Should be fine. I’ll have Bill, the business affairs manager, get in touch with you for the paperwork.

Fred: Sounds good. Okay, expect an mP3 from me in your email first thing tomorrow morning.

Kathy: Great! I’ll talk to you tomorrow.

Fred: Oh, Kathy, is the demo fee going to be folded into the production? Or can I bill it as well?

Kathy: Yeah, that's fine. Go ahead and bill the \$2000 for the demos and the final will be the \$18K.

Fred: Great! I'll talk to your tomorrow. Bye!

In this conversation, Fred asks very specifically if the job has been awarded to him, and also asks how the demo fee will impact the cost of the job. Sometimes an agency will have a separate budget allotted for demo costs, other times they may not. In this case, it sounds like Kathy had money available to pay three music houses for their demos in addition to having at least \$18K available for the final piece of music. More often than not, the agency will ask that the demo fee will be inclusive of the final music production costs - that the initial \$1500 or \$2000 will be “folded in” to the final bid. Usually, this isn't a problem as long as you have control of your costs and you haven't been asked to make 30 changes, costing you time and money. You may even come into a situation where the demo is the final track, after a couple of changes, depending on the scope of the job. Every job will have different scenarios.

Kathy mentions that the business affairs manager, Bill, will be contacting Fred regarding a P.O. and the **Music Purchase Agreement**, also called the **Music Rights Agreement**. The Music Rights Agreement is a legal document with the conditions of the work-for-hire situation - what rights you as a composer retains, the scope and agreed cost of the job, and any legal disclaimers. There are also items such as who the composer is, what PRO (performance rights organization) he or she is affiliated with, the compensation amount for

TIP

Be very specific when dealing in terms of costs and numbers. After all, you need to make a profit on your jobs.

purchasing the music, the ownership rights, etc. On the following page is a sample MRA for you to look at. (It can also be found on the CD-ROM included with this course). As in any case involving legal documents, it is advised that you seek out and obtain professional legal advice when dealing with documents or contracts of this nature.

Music Rights Agreement

Date: May 5, 2003

Agency: B&B Advertising, inc.

Agency Address: 123456 Main Street, Los Angeles, CA 90046

Client: Kaching Media, Inc/Krazy Kat Kitty Litter

Job Number: KAT-12345

Supplier: Fred Foondangle Music, Inc.

Supplier Address: 6996 Fairfax Road, Ste. #112, Hollywood, CA 90028

Supplier Invoice Number: TBD

Supplier Federal Employer ID #: 00-0000000

Composition: "Krazy Kat Kitty Litter Jingle"

Composer: Fred Foondangle

Membership/Affiliation: ASCAP

Composer SSN: 000-00-0000

In consideration of the Fee (hereinafter defined) paid to Supplier by Agency as Agent for Client, Supplier agrees to provide Agency with the above-captioned musical composition ("Composition") under the following terms and conditions:

1. GRANT OF RIGHTS.

- a. Supplier hereby sells, transfers and assigns to Client, in perpetuity, the entire right, title and interest in and to the Composition (a copy of which is attached hereto and made a part hereof) of whatsoever kind, nature and description, presently known or hereafter ascertained, including, but not limited to, the right to secure the copyright therein (and all renewals thereof) throughout the world, without any restriction as to use. Supplier will execute without charge or expense any additional documents Client or Agency deem necessary to further evidence such transfer of ownership, establishment of copyright or renewal of copyright in the Composition.
- b. Notwithstanding anything to the contrary set forth in this Agreement, it is agreed that the non-dramatic performance rights in and to the Composition are hereby reserved to Supplier and Agency's publisher designee ("Publisher"), both of whom shall be members of or affiliated with the same performing rights society (i.e., ASCAP or BMI, as the case may be).
- c. Public performance rights in the Composition shall be licensed by ASCAP or BMI, as the case may be, which society shall be and hereby is authorized to collect and receive all monies earned from the public performance of the Composition and to pay directly to the Publisher and Composer their respective shares of such sums as are allocated by such society.
- d. Notwithstanding the above, in any and all situations where the performing rights society or any of its affiliates at any time is prevented from collecting performance fees or where the performing rights society at any time does not maintain a regular system of collecting performance fees, Agency and its designated Publisher reserve the right to

perform and authorize the performance of the Composition in and as part of the commercial(s) or other production(s) without any obligation to pay any performance fees to Composer.

e. Nothing contained herein shall be deemed to prevent Publisher from granting a non-exclusive license to perform the Composition or any arrangement(s) thereof. In such event publisher shall notify ASCAP/BMI/SESAC, and while the composition would remain a part of the ASCAP/BMI/SESAC repertory and ASCAP's/BMI's/SESAC's licensees would have the right to perform the Composition, Composer and Publisher would not then be entitled to be paid by ASCAP/BMI/SESAC for further performances of the licensed Composition.

2. WARRANTIES AND REPRESENTATIONS.

Supplier warrants and represents the following:

- a. Supplier is the sole author of the Composition.
- b. The Composition is, or shall be deemed to be, a "work made for hire" (as defined in Section 101 of the U.S. Copyright Law) and conforms with the Agency's direction, control and specifications.
- c. The Composition is original and has never been published or exploited in any form anywhere in the world.
- d. The Composition does not and will not infringe upon or violate the copyrights or any other rights whatsoever or any person or entity.
- e. No adverse claim exist with respect to the Composition.
- f. Any and all materials that are incorporated in the Composition are works made for hire and are free from any reversionary rights therein.
- g. No application has been made to register the Composition for copyright as either a published or unpublished work.
- h. Supplier has full right, power and authority to make and enter into this Agreement, and the rights granted to Client hereunder will not violate the legal or equitable rights of any third party.

3. INDEMNITY.

Supplier hereby agrees to defend, indemnify and hold harmless Client, Agency and their respective officers, directors, employees, associated or affiliated companies, successors, assigns, licensees and any and all persons who make use of the Composition with the consent of Agency and/or Client (hereinafter referred to as "Indemnities") from and against any and all liabilities, damages, costs, charges, recoveries, judgments, penalties, expenses or losses of whatsoever kind or nature, including reasonable attorney's fees and disbursements, which may be obtained, against, imposed upon or suffered by the Indemnities or any of them by reason of any breach by Supplier of any of its warranties hereunder or any infringement or claim of infringement of copyright, or violation or claim of violation of any other rights resulting from any use made by the Indemnities of the Composition. Agency will similarly indemnify Supplier and hold Supplier harmless with respect to any alterations of or additions Agency makes to the Composition.

4. INJUNCTIVE RELIEF.

The services of Supplier are special, unique, unusual, extraordinary and of an artistic character giving them a peculiar value, and are impossible to replace and any breach of this Agreement by Supplier will cause Agency or Client irreparable damage. Supplier, therefore, agrees that Agency and/or Client shall be entitled as a matter of right and without notice, to equitable relief by way of injunction or otherwise, in the event of any violation of the provisions of this Agreement.

5. CONSIDERATION.

In full consideration of Supplier's performance hereunder, and for all rights granted by Supplier herein, Agency as Agent for Client agrees to pay Supplier and Supplier agrees to accept the sum of

\$ 18,000.00 including Creative and all Studio costs (the "Fee"). Supplier is responsible for AFM session fees. Agency is responsible for any and all subsequent use fees.

6. DISPUTES AND APPLICABLE LAW.

Any controversy or claim arising out of or relating to this Agreement, or any breach thereof, shall be determined and settled by arbitration in New York City, pursuant to the rules then pertaining of the American Arbitration Association, and any award rendered shall be final and conclusive upon the parties and a judgment thereon may be entered in the highest court of the forum, State or Federal, having jurisdiction.

The parties will share equally the administrative costs of such arbitration proceeding. This Agreement and all matters or issues collateral thereto shall be governed by and construed in accordance with the laws of the State of California applicable to contracts made and performed entirely therein.

7. OBLIGATION LIMITED TO PAYMENT.

Client and Agency shall be under no obligation to use or publish the Composition; it being understood that their only obligation is to make the payment required under this Agreement.

8. NO WAIVER.

Failure of either party to exercise rights granted upon the occurrence of any of the contingencies set forth in this Agreement shall not in any event constitute a waiver of such rights upon the recurrence of any such contingencies.

9. ENTIRE AGREEMENT.

This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof and supersedes all prior agreements. No waiver, modification or addition to this Agreement shall be valid unless in a writing and signed by the parties hereto.

10.NOTICES.

Any notices given with respect to this Agreement will be in writing and delivered by certified or registered mail, postage pre-paid, return receipt requested, to Agency or Supplier, as the case may be, at the address set forth herein. Said notice will be deemed to have been given two (2) days after mailing.

Please indicate your agreement to the foregoing by signing in the space provided below.

ACCEPTED AND AGREED TO:

B&B Advertising, inc.
as Agent for Client

By: _____
Fred Foondangle Music, Inc.

By: _____

Date: _____

Title: _____

Address: _____

Supplier invoices will not be approved for payment without a signed contract, AFM Contract/W-4 Forms and SAG/AFTRA Member Reports/W-4 Forms (when necessary), two copies of the lead sheet and musicologist's report received by the Broadcast Business Manager.

Regarding the Music Rights Agreement, there is quite a bit of “legalese” involved. Basically, the agreement protects both you and the agency with specific rights that are involved when it comes to ownership of the track (the agency on behalf of their client owns it; you are being hired as a “work-for-hire”), the performance rights distribution, the compensation costs (under “Consideration”), who is responsible for session and use costs, etc, etc.

The advertising agency or production company will, in most cases, provide you with a Music Rights Agreement such as this once the job is awarded to you. You can also issue a rights agreement by using the above form and specify it to your specific needs, but you should always get professional advice from a lawyer when trying to draw up a legal document such as MRA.

The Big Gig: The Editorial Process

Fred does another version of the demo, fixing the end of the track and re-tracking the vocal to meet with the changes that the creatives had asked for. They are pleased with the outcome, and they go ahead and shoot the spot. After a week, they start getting into the rough cut editorial process, and they use the revised demo as they cut the raw footage into a cohesive spot. Fred is invited over to the editor’s facility on a Tuesday morning to view the rough cut and to talk about some concerns the agency has about the music.

Fred walks into the editor’s room where he is greeted by Kathy, the agency producer.

Kathy: Fred! Thanks for coming. Let me introduce you to everyone. You've met Miko and Emily over the phone, here they are!

Miko: Hey Fred! How's it going?

Emily: Hi Fred! You look just like your picture on your CD!

Fred: Hey, no false advertising here. It's really nice to meet you guys in person. How goes the cut?

Emily: Pretty good. There are a few little timing issues here and there we need to deal with, but overall, everything looks good. We haven't seen the scenes of the cats walking on the clothesline yet; the effects company should have some rough stuff done by end of today. Oh Fred, let me introduce you to Jimmy; he's our editor.

Fred: Hey Jimmy, nice to meet you.

Jimmy: Same here Fred. Great track, I like the way it moves. Helps with the cut. There's a little thing with music I'd like to address.

Fred: Thanks. So, what's going on in the track that I can help out with?

Jimmy: Well, at about 12 seconds in, we want to use this shot of one of the cats pawing at the mouse toy, and we want to do a little double-take effect with the cat, like a stop, reverse, and move forward again. We need some kind of break, or a record scratch, or just some cool little lick or a pause in the music to highlight it.

Fred: Show it to me, let's figure out what we can do.

(They pause to watch the rough cut a few times.)

Fred: Hmmm. It's falling on a weird spot musically. Any way you can move the cut so that the pause happens on a strong beat, like on the downbeat or on beat three? It would make the track easier to change.

Bill: Okay, let me try a few things here. Give me a minute. (Bill goes into his AVID editing system and shaves off a few frames here, adds a few frames there, and gets the cut to fall right on the downbeat.

Bill: How's that?

Fred: Perfect! What do you guys think?

Miko: Works for me. It feels better, timing-wise.

Emily: Yeah. What do you think you can do there, Fred?

Fred: Well, let me try a few things. A cool little drumbeat might work, or maybe a sound effect. or maybe I can have the guitar do a scratchy little lick to match the move of the cat.

Kathy: I like the guitar idea, definitely try that.

Bill: Try a record scratch kind of thing, too.

Fred: No problem. I'll do a few things to explore some different options. Maybe it'll be combination of things.

Kathy: Sounds good. Oh yeah, Fred, remember, we may need to do a dealer version - a :25/05 with a little tag music to it. (Fred is surprised but rolls with this new info)

Fred: When do you think you'll have a cut of the :25?

Kathy: Probably by end of day tomorrow. We still have a lot of special effects to do, so our online won't be until next week. We'll probably do the VO (voiceover) record and mix Wednesday or Thursday of next week.

Fred: Sounds good. Can you send me a Quicktime, or send me a 3/4" dub with window burn time code of both the :30 and :25 once you're close? That way I can really lock on to picture.

Bill: Sure thing. Leave your address with my assistant with your specs.

Kathy: Great. Hey Fred, you wanna hang out with us for lunch? We ordered Chinese food.

Fred: Hey, I never pass up a free lunch!

In the editorial process, in this particular case, the editor has been cutting with Fred's music so the jingle works with the visual aspects of the cut. This is a **pre-score** situation, similar to cutting a music video, as discussed in Chapter 1 on pre-score and post-score.

You must develop a relationship with the editor immediately to understand his needs as well. Fred was smart to suggest moving a few frames to make the picture cut right on a beat to make it easier for both the editor and to make changes in the music. Fred also listens to everyone's ideas and offers to do a number of different changes to appeal to everyone's opinion; they can then choose from a number of different options.

When Kathy mentions a :25/:05 version of the commercial, Fred just goes with it, although he doesn't recall any conversation of having to do another version. There's no reason to raise a big fuss since he's got to make changes anyway, and with actual picture, he can also make some slight adjustments here and there to make the changes lock in very tight. Remember, Fred is getting paid a LOT of money to do this and he is going to do the best job he can possible do.

Fred gets a 3/4" tape with SMPTE timecode on the audio channel 1 with matching window burn, exactly what he asked the editor's assistant for. He has a :30 and a :25/:05 version, so he does the changes for both spots. He sends Jimmy, the editor, an mp3 with his changes and Jimmy lays it into his AVID system for the agency people to look at. They're happy with the changes. Fred gets a call from Kathy the following day.

Kathy: Hey Fred, looks like things are moving along.

Fred: Great. How are the special effects looking?

Kathy: Pretty good. We're doing a few more changes, but I think we're in good shape. As far as music, I think we're mostly there.

Fred: Any changes or concerns?

Kathy: We may need to make some lyric changes. I would plan on a final session at least with the singer. Everyone seems to be happy with the instrumentation and the general sound.

Fred: Yeah -- I tracked all real guitars, and the drums are samples, with a couple of percussion loops. If we re-tracked everything, it wouldn't really change that much. It will be no problem re-tracking the singer if we need to have lyric changes, it might be good for your creatives to be a part of that process anyway.

Kathy: Okay, let's do this: Set up a singer session at your studio for Friday. By then we should know about any lyric changes. We don't need to re-do the music tracks.

Fred: I'll set it up. I get you the particulars later today.

Kathy: Great. Call me later. Bye.

By the sounds of it, if lyric changes are the only issue, Fred is in pretty good shape. He confirms with the singer for a Friday afternoon session and gives all the details to Kathy - location, time, phone number at the studio, and also asks if they'd like to have lunch ordered in. People are more happy with a full stomach! On Friday afternoon, the two creatives, Miko and Emily, come with Kathy the producer to Fred's studio for the final vocal session.

Kathy, Miko, and Emily show up at the recording session over at Fred's studio. Isabel, the singer, is

already there.

Fred: Hey guys, welcome to my studio. Let me introduce you to our singer, Isabel.

Isabel: Hi, nice to meet you.

Kathy: We love what you've done on the track.

Isabel: Thank you.

Fred: Okay, let's get working

Fred gets Isabel set up in the vocal room. Miko and Emily have different sets of lyrics they'd like to try so they give them to Fred and Isabel. They do a number of takes on different lyrics, and Isabel also does some harmonies.

Fred: Okay everyone, are we happy with the changes?

Kathy: Sounds great. We have so many choices.

Fred: It's not a problem to do a few different mixes, you don't have to decide right at this moment which lyrics to use.

Emily: Yeah, I'd like to have our client take a listen to several versions.

Fred: No sweat. I'll lay off different stripes for the vocal takes and you can pick and choose at the final mix session.

Miko: Great! Okay, I think we're done!

Fred: Okay -- I'll get started on a mix and the splits. Thanks, everybody. Great work by all.

What Fred will do at this point is supply different mixes on the vocal takes. He creates a solid stereo mix with all the parts, and he creates **stems**, or **stripes**, or **splits** of the different elements of the mix. He does three

full stereo mixes, with three different sets of lyrics. Then he creates these splits: (all stereo passes)

Split 1: Bass
Split 2: Drums
Split 3: Rhythm Guitars
Split 4: Solo Guitars
Split 6: Keyboards/synths
Split 7: Solo Vocal
Split 8: Background vocals

These splits are created by having the full mix up, then muting everything but what needs to be soloed, and recorded to DAT or digital audio the different parts. If you lined up all 8 splits with the faders at zero, it will sound just like the full stereo mix. There are **two-pops** or **sync pops** at the beginning of each of the splits so it's easy to line up all the parts at the final mix session. Fred will confirm with Kathy the date and time of the final mix session, and also make sure he gets the specs. The mix facility can use DAT at 16 bit/ 48K. They can also use Sound Designer II files or AIFF files at 16 bit /48K.

Fred also has a SAG contract for Isabel to sign. Fred also has to supply the agency with the AFM contract as well. Fred's contracts are on the following two pages. Fred will pay the SAG and AFM contracts out of the budget of \$18K, as specified on his estimate.

EMPLOYER : Signature of Employer or Employer Representative: SAG Reporter: Eoondangle Music, Inc. SAG Reporter's Phone Number: 323.555.1212 Date: 7/29/03		STUDIO FACILITY: The Complex Address: 123456 Main Street, Los Angeles, CA Tel. No.: 90046 Address: 6996 Fairfax Road, #112, Los Angeles, CA 90028 Product: Kitty Litter		DATE OF ENGAGEMENT: July 29, 2003 Address: B&B Advertising Producer (if other than Agency): Eoondangle Music, Inc. Advertiser: Kitty Litter		TYPE OF COMMERCIAL: <input type="checkbox"/> Dealer <input type="checkbox"/> Seasonal <input type="checkbox"/> Wildspot <input checked="" type="checkbox"/> Class A Program <input type="checkbox"/> Foreign <input type="checkbox"/> Theatrical/Industrial Commercial Titles: Kitty Litter, Kitty Litter, Kitty Litter	
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KEY TO TYPE OF PERFORMANCE									
P	- Principle Performer	D-3	- Group Dancers	S	- Singer's Solo	D-4	- Group Singers	SC	- Singer's Comedian
DC	- Dancer's Comedian	S-8	- Group Singers	ST	- Singer's Solo	D-8	- Group Dancers	SS	- Singer's Solo
DS	- Dancer's Solo	P-1	- Pils	SS	- Singer's Solo	S-9	- Group Singers	S-3	- Group Singers

The only reason for requesting information on ethnicity, sex, age and disability is for the value unions to monitor applicant flow. The furnishing of such information is on a VOLUNTARY basis. The Producer's signature on this form shall constitute a verification of the information supplied by the performer's. (1) SEX -- Male - M, Female - F (2) AGE -- 40 & Over - 4 (3) ETH -- Asian/Pacific Islander, Black, Caucasian, Latino/Hispanic, Native American, etc.									
Check appropriate columns: Sex, Age, Ethnicity, P, S, SC, DC, ST, DS, SS, D-3, D-4, D-8, D-9, S-3, S-8, S-9									

MEMBER-CONTRACTORS STANDARD REPORT FORM									
TELEVISION COMMERCIALS									
It is the responsibility of the reporting member to file the white copy of this report with Screen Actors Guild within 48 hours of each session, and to deliver the pink copy to the employer or employer's representative at the conclusion of each session. If there is a contract, he shall assume these responsibilities with respect to each session (See Section 5f)									
Address: 2324 N. Rindge, Los Angeles, CA		Tel. No.: 323.555.1212		Production Fees		to Be Paid By:		Non-Air	
Address: 123456 Main Street, Los Angeles, CA		Tel. No.: 90046		Address: 6996 Fairfax Road, #112, Los Angeles, CA 90028		Product: Kitty Litter		Type of Perf.:	
Address: B&B Advertising		Producer (if other than Agency): Eoondangle Music, Inc.		Advertiser: Kitty Litter		Type of Perf.:		Type of Perf.:	
Address: 123456 Main Street, Los Angeles, CA		Tel. No.: 90046		Address: 6996 Fairfax Road, #112, Los Angeles, CA 90028		Product: Kitty Litter		Type of Perf.:	
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The Big Gig: The final mix session

After the singer's session on Friday, the agency people have to continue working on their special effects (still trying to get the cats walking on the clothesline to look right) through the weekend and on Monday. On Tuesday they do their final color correction and on-line. Wednesday is the final mix session, where the voiceover will come in and record her lines, and all the different elements will be mixed and laid back to the final Digibeta master tape.

Kathy, the agency producer, asks Fred to come to the session with the mixes and splits at 2PM on Wednesday afternoon. He arrives just as they are finishing up recording the voiceover talent.

Fred arrives at Mix-A-Lot Studios where he meets Kathy, Miko and Emily in Studio B.

Fred: Hey guys! How's it going?

Miko: Good Fred. We're just about done with Amy, the voiceover. We're just going through some of the last takes now.

Kathy: (speaking to Amy, the voiceover actress) Can you do that last line just a little faster? We need to pull it in under 4 seconds and that last take was about 4.5.

Amy: (behind glass in voiceover booth) Okay, let me do an ABC take. (this means she will do the line three times in a row)

Emilio: (The engineer): Okay, anytime you're ready, Amy.

Amy does three takes of the line. Everyone agrees that take B was the best and Emilio goes ahead and cuts and pastes it into the voiceover track.

Emilio: Hey Fred! Nice to see you, it's been a while!

Fred: Hello Emilio. That sounded good. I guess I haven't been here for at least a month. I have both a DAT and a CD-ROM with SDII files (Sound Designer II). What would you prefer?

Emilio: You know me, baby, I'll go with the CD-ROM and just stick it right in.

Fred: That's what I figured. You may want to work from the splits.

Emilio: For sure. We got cats meowing all over the place in this spot!

Emilio takes the SDII files and lines up the stereo pairs of splits into his existing ProTools file which already has a comp of the selected takes of the voiceover, the cats meowing, and some sound effects. All the music elements line up perfectly with the spot and are in sync with each split, because Emilio lines up each of the two-pops at exactly 00:59:58:00, 2 seconds before the spot begins. He double checks the sync with Fred, then Emilio starts the final mix process. He dips the music a little bit when the voiceover starts so that it doesn't cover up her lines. He makes sure all the sound effects can be heard over the music. He pulls the music up at the end of the spot for the big finish.

Miko: That's sounding really good - we may need to do a different mix with the 3rd set of lyrics, it was still up in the air as far as which one the client will sign off on.

Kathy: That's fine. Emilio, we actually did lay off the spot twice, one called Lyrics 1 and the other Lyrics 3. We'll do a different lyric mix for each.

Emilio: Peace of cake. Let me just duplicate everything down the timeline to the next minute, and replace the lyric split. Lyrics #3, right?

Fred: Right. It's on the CD-ROM.

Emilio: Cool, baby.

The mix gets done very quickly. Emilio goes ahead and lays back the two mix versions onto the Digibeta master and the clone of the master. Fred asks for a Digibeta and viewing copy on 3/4" as well, so he can have it for his library.

Kathy: Great job Fred. This job went off without a hitch.

Fred: Thanks Kathy. It was a lot of fun to do.

Kathy: I'm glad it all worked out. Make sure you get everything to the business manager. I'll need copies of the AFM contract, a SAG contract, W-4 forms for all the musicians and the singer, a signed purchase order, and your invoice.

Fred: I'll get it out to Bill (the business manager) in the next couple of days.

So what have we learned? At the final mix, all the elements are pulled together - Fred supplies his music tracks, the voiceover actor is brought in to record her final lines, all the sound effects (the cats meowing, in this case) are all synced up, and a few different versions are mixed and printed to the final picture. This is a very important final step in the process; after all, your music is going to

be on this thing so you need to be sure it sounds as good as possible and still not interfere with the voiceover's parts or mask any sound effects. There has to be a right balance between all the different sound elements to create a sonic landscape that supports what's going on with the visual aspects of the commercial.

Fred also asks to get a copy of the spots, so he can add them to his demo reel. Fred will also supply to Kathy all the pieces of paperwork she asked for as well as his final invoice.

On the next page is a copy of Fred's invoice.

Fred Foondangle Music, Inc.

6996 Fairfax Road, Ste. #112
Hollywood, CA 90028 (323)555-1212
email: fred@fredfoondangle.com

I N V O I C E

Billed to: B&B Advertising, Inc.
123456 Main Street
Los Angeles, CA 90046
attn: Broadcast Business Affairs

Date: 7/30/03
Invoice number: B2031
P.O. number: 32231
Job number: KAT-12345

Description of services:

Music composition/production for:

Krazy Kat Kitty Litter, :30 and :25/05 versions

INVOICE TOTAL: \$18,000.00

payable upon receipt

please make check out to:
Fred Foondangle Music, Inc.
Fed ID# 41-000000

Thank you! Please call again!

And that, boys and girls, is a wrap!

I hope it was helpful to go through this scenario to see some of the dynamics that are involved in a job. It's very important to understand that writing music for hire is a very collaborative effort - not only will you have to work with the agency producer, but you will have to listen to the opinions of the art director, copywriter, editors, creative directors, and sometimes directors of the commercial, and take in all their different opinions and formulate what you feel is right for the job. You need to keep your wits about you, maintain your composure, be willing to try different things, and be a great creative resource that others can rely on.

It's also very important to handle all the paperwork aspects of the job - the purchase order, the estimate process, music rights agreements, the contracts, billing, invoicing - and the myriad of things that you'll come across as you're booking studios, hiring players, singers, engineers, and even other composers if you have them ghostwrite for you. You'll need to be a solid bookkeeper so you have all these things organized, and you need everything categorized for your taxes - all the expenses you can write off, your earnings, etc. Remember, it's a business, but a business you can be very creative in.

Closing Notes - Manual #1 Knowledge

This concludes the Knowledge and Information section of the **Crack the Code! Writing Music for Commercials and Promos** course. I hope you've learned a lot about the business of music for commercials, how agencies work, how the unions work, and how to set up your music production business. The Knowledge section has also given you some insight on how to set up a studio, how other composers work, and the dynamics of the client-composer relationship.

If I could offer one piece of advice to young composers about the business of music production, it is this: to really *LISTEN*. Listen to your clients. Listen to your teachers. Listen to your mentors. Listen to all kinds of music. Really try to comprehend and understand any information you come across and apply it to your growth as a composer, and more importantly, to your growth as an individual with unlimited potential. Learn from other people's experiences.

Keep up the good work and remain focused!

- *John Miyagi Author*

APPENDIX

RECOMMENDED MUSIC BOOKS:

Anatomy of a Home Studio. Wilkinson, Scott. Hal Leonard Music Publications.

Music Business Handbook & Career Guide. Baskerville, David. 5th Edition

Music, Money, and Success. The Insider's Guide to the Music Industry. Brabec, Jeffrey and Todd Brabec.

Music Matters - The basics of music publishing and music licensing. Cantor, Stu and Corton, Monica and Deutch, Murray

Music Publishing: A Songwriter's Guide. Poe, Randy. Writers Digest Books-New Edition

This Business Of Music. Shemel, Sidney and William Krasilovsky

The MIDI Companion. Rona, Jeff. Hal Leonard Music Publications.

RECOMMENDED MONEY AND FINANCIAL BOOKS:

Multiple Streams of Income. Allen, Robert

Rich Dad series of books. Kiyosaki, Robert and various authors.

OTHER RECOMMENDED BOOKS:

Influence. Cialdini, Robert

Maximum Achievement. Tracy, Brian

Think And Grow Rich. Hill, Napoleon

RECOMMENDED WEBSITES:

PROFESSIONAL SITES:

AFTRA The American Federation of Television and Radio Artists
www.aftra.com

ASCAP
www.ascap.com

BMI
www.bmi.com

Copyright Office Of The Library of Congress
<http://lcweb.loc.gov/>

The Harry Fox Agency

<http://www.harryfox.com/>

The Independent Feature Project

<http://www.ifp.org/>

The Pacific Composers Forum

<http://www.composersforum.com/>

SESAC

www.sesac.com

The Songwriters Guild of America

<http://songwriters.org/>

MUSIC TECHNOLOGY WEBSITES:

visit **www.crackthecodemusic.com** for more links.

Digidesign (Pro Tools)

<http://www.digidesign.com/>

Emagic (Logic Software)

<http://www.emagic.de>

Mark of the Unicorn (Digital Performer)

www.motu.com

Musicians' Friend (music technology retailer)

<http://www.musiciansfriend.com/>

Propellerheads Software (Reason, Rebirth, Recycle, etc)

<http://www.propellerheads.se/index.php3>

Spectrasonics Virtual Instruments

<http://www.spectrasonics.net/>

Steinberg (Cubase and other music applications)

<http://www.steinberg.net>

Sweetwater (music tech retailer)

<http://www.sweetwater.com/>

UnicorNation - The MOTU-MAC website

www.unicornation.com

INTERESTING MUSIC
RELATED SITES

ALL MUSIC GUIDE

www.allmusic.com

Comprehensive database of bands

ARTIST DIRECT

www.artistdirect.com

Good overall record industry site

BILLBOARD MAGAZINE

www.billboard.com

Industry standard music magazine

THE BUZZ FACTOR

www.thebuzzfactor.com

Indie band marketing books and tapes

CHERRY LANE MUSIC

www.cherrylane.com

Music instruction/ publishing products

CLICK 2 MUSIC

www.click2music.com

Domestic and international artist profiles, videos and music

DIGITAL CLUB NETWORK

www.dcn.com

Music videos

GARAGE BAND

www.garageband.com

Independent music site

GET SIGNED

www.getsigned.com/index2.html

A&R contacts and industry info.

GIG AMERICA

www.gigamerica.com

Band homepages, gig swapping, discounts, digital sales

HAL LEONARD

<http://www.halleonard.com/>

Music instruction/ publishing materials

I WRITE THE SONGS

www.iwritethesongs.com

Songwriter's radio talk show

JEFF MALLETT'S SONGWRITER SITE

www.lyricist.com

Songwriter's site

MUSIC LAW OFFICES OF MIKE MCREADY

www.music-law.com

Music biz info

MP3

www.mp3.com

Online downloadable jukebox.

THE MUSE'S MUSE

www.musesmuse.com

Songwriter monthly newsletter

**MUSICIANS' INTELLECTUAL LAW
& RESOURCES**

www.aracnet.com/~schornj/index.shtml

Copyright law and intellectual property info

NET 4 MUSIC

www.net4music.com

Downloadable sheet music

OLD TIME MUSIC

www.oldtimemusic.com

Americana music site

RECYCLER NEWSPAPER

www.recycler.com

Buy and sell used gear

ROLLING STONE MAGAZINE

www.rollingstone.com

Everyone knows this one

SONG CATALOG

www.songcatalog.com

Connects music buyers with songwriters and publishers.

SONGLINK

www.songlink.com

"Who's looking" information for music publishers and songwriters.

SONGPLACE.NET

www.songplace.net

Web resource for songwriters

SONGWRITERS UNIVERSE

www.songwritersuniverse.com

An educational resource for songwriters

SONIC NET

<http://www.sonicnet.com/home/index.jhtml>

Covers the Internet music scene.

STARPOLISH

www.starpolish.com

Music industry info

TAXI

www.taxi.com

Independent A&R company for artists and songwriters

TONOS

www.tonos.com

Songwriter site

ULTIMATE BAND LIST

<http://ubl.artistdirect.com/>

Part of the Artist Direct website

For more, please visit our website's Link Page!

www.crackthecodemusic.com

GLOSSARY

1/2" video format - also known as standard VHS video cassette, or consumer video cassette.

3/4" video format - professional video format using 3/4" video tape. Common for video for music production, especially in commercials.

80/20 rule - 80% of your results come from 20% of your actions. Or, 80% of your time will be spent on activities that produce only 20% of your results.

ADR - automated dialogue replacement or audio dialogue replacement. The act of re-recording dialogue to match with the visual elements, matching the lip motion of the actors on the film or video

AIFF file - AIFF (Audio Interchange File Format) is one of the two most-used audio file formats used in the Apple Macintosh operating system. The other is Sound Designer II (SDII). AIFF is sometimes referred to as "Apple Interchange File Format".

Address track - SMPTE timecode track available on professional video machines like 3/4" decks or Digibeta decks.

Advertising Agency - A business entity that provides advertising services for a particular product, including developing and producing print/radio/TV advertising, marketing research, and brand building.

Agency Producer - the individual who is responsible for the production of a radio or TV commercial and its logistics

“All in” package deal - a music composition contract where the composer receives a flat fee for their services, and all expenses (musicians, studio, music prep, etc.) come out of this fee. This is the most common deal.

Art Director - in an advertising agency, the individual responsible for the visual elements in a print ad or TV commercial.

ASCAP - one of the three performing rights organizations in the U.S.

Assignment of copyright - the transfer of ownership of a copyright from one party to another, which must be in writing to be effective.

Audio Post - the process of recording the final voice-over, doing ADR, mixing the different sound elements, and marrying them to the final video master.

Back end - money or income derived from royalties, licensing, residuals, or points.

Background music -music used (other than as feature or theme music) that creates mood and supports the spoken dialogue of a radio program or visual action of an audio/visual work.

Blanket license - for an annual fee, radio and television stations, public broadcasters, cable stations, universities, restaurants, programmed music services, etc. can acquire a "blanket license" from a performing rights organization. This license gives them the right to perform every piece of music contained in the respective repertoire as often as they wish during the term of the license.

BMI - one of the three performing rights organizations in the U.S.

Business Affairs Manager - the individual responsible for legal and business affairs in context of the production and use of radio and TV commercials. Also referred to as Broadcast Business Manager.

Buyout - a deal or contract where all copyrights are granted to the client by the composer. The composer relinquishes all claims to future income from the work.

Cartage - the fees associated with the cost of transporting larger instruments like cello, double bass, tympani, drum kits, amplifiers, etc.

Catalog - the body of work of a composer, songwriter, or publisher.

“Cattle call” demo - when a client requests demos from many composers in a competitive manner. Also referred to as a **shoot-out** or **competitive demos**.

Competitive demo - a situation when a composer is competing against other composers to land a job.

Copyright - the exclusive right, granted by law for a stated period, usually until 70 years after the death of the surviving author of the work, to make, dispose of, and otherwise control copies of literary, musical, dramatic, pictorial and other copyrightable works.

Copywriter - at an advertising agency, an individual who develops ideas and the vocabulary of a print ad, a radio spot, or a TV spot.

Corporation - a legal entity that can conduct business, invest, or engage in business affairs.

Cover letter - a letter accompanying a submission of some material (a demo CD, press materials, etc.).

Creative Director - an individual who is responsible for the creative development of advertising campaigns for an advertising agency.

“Creative fee” deal - music composition contract where the composer receives a fee for his/ her creative services. Unlike the “all in” deal, all production costs are paid by the production company.

Cue sheet - a document used by the performance rights organizations that lists all information on the music used in a production. This includes the composition names, composers/ writers, publishers, usage and timings.

DA-88 - an eight track digital recorder made by Tascam. Used extensively in film and music post production.

dba - stands for “doing business as”, where a person or a company is operating their business using a business name other than their real, actual name.

Data CD - a CD format that has files in .WAV, SDII, AIFF, or other digital data format. These files cannot be played back on a regular CD player.

Drop frame - a format used in SMPTE timecode.

Direct license - in reference to performing rights, a license obtained by a music user directly from the copyright owner allowing the user to publicly perform the licensed work.

Editor - in TV or film production, the individual who cuts the film or video in logical and creative sequences to create a cohesive film scene, program, or commercial.

Employee Identification Number (EIN) - also known as a Federal Tax ID Number. Used for tax identification purposes by the IRS.

Exclusive rights - the right of a copyright owner to exclusively authorize recording, performance, dramatization or other uses of his works, as set forth in the Copyright Act.

Exploit - when used in relation to publishing, "exploit" refers to encouraging the licensing and commercial use of

a particular copyright.

FTP - file transfer protocol. FTP sites are used to transfer large files to and from computers. Popular Mac software programs used are **Transmit** and **Fetch**.

Feature work - on television, a performance that constitutes the main focus of audience attention at the time of the performance. The vocalists and/or instrumentalists, respectively, must be on camera except where the music is used as part of a choreographic routine that constitutes the main focus of attention. On radio, a performance that is the sole sound broadcast at the time of the performance.

Film Transfer - also called telecine, when the film is processed to videotape for color adjustments and brightness, luminosity, etc.

Final mix/layback - the last step in the audio process of sound being married to picture, with level adjustments and printing the full mix to the video master. Also called **sweetening**.

Foley - the recording and creation of realistic sound effects, matching the action of the visual image.

Full mix - a stereo music mix that includes all elements. See also **splits**.

Gigastudio - a software program that allows music sounds and samples to be streamed from the computer's hard drives.

Ghostwrite - to write music for another composer or company without getting full credit, whether on-screen credit or cue sheet credit.

Grand rights - another term used to describe "dramatic" performing rights. This would cover performances of musical comedies (Broadway and off-Broadway), operas, operettas, ballets, as well as renditions of independent musical compositions in a dramatic setting where there is narration, a plot and/or costumes and scenery.

Industrial film - a film or video used for training or promotion.

Invoice - a document used by companies and individuals to request payment due from services, sales, or other use.

Iso room - isolation room. A soundproof room in a studio used for recording. Most professional studios have at least one.

Jingle - a generic term used for music for commercials. In the advertising industry, a jingle is a specifically a short song with lyrics created specifically for a product on a radio or TV commercial.

Jobs book - a log of all work performed by a company or individual.

LLC (Limited liability company) - a relatively new type of legal entity. An LLC can be viewed as a hybrid of a corporation with a partnership.

Latency - a delay between an action and the result. In music production, this commonly refers to the delay between playing a note on a keyboard and hearing it, or the delay inherent in computer processing.

Lead sheet - an abbreviated version of a score or composition. Usually includes only melody, lyrics, and chord symbols.

License - granting a portion of the copyright in a musical work to another party for a specific use.

MP3 - a digital music format that uses a compression algorithm to reduce the size of a file.

Mastering - the process of fine tuning and adjusting the mix of a track. It also refers to the process of sequencing the tracks on a CD, record, or cassette.

Mechanicals - also known as mechanical royalties. Royalties received from the sale of CDs, records, or cassettes.

MIDI (aka Music Instrument Digital Interface) - an industry standard binary code language that is universal in most music/computer applications so that one device can “speak” to the other. Such information as on/off, patch changes, levels, velocity, etc. is conveyed through a MIDI cable, a 5-pin DIN cable that is used to connect to two devices, such as a music keyboard to a sampler, or a computer MIDI interface to a digital recording deck or to a drum machine.

Mnemonic - an aural device to trigger memory. In advertising music, a short, memorable soundbite that relates to creating a brand image (and sound) of a particular product.

Multiband compression - compression that can be adjusted by frequency. Many devices divide the spectrum into three frequency bands.

Multi-timbral - a synthesizer, sound module, or sampler that allows more than one sound to be outputted at a time. Most devices are 32 part multi-timbral these days.

Multi-tracking - in definitions under SAG and AFTRA, when a singer doubles parts by NOT harmonizing. Also refers to recording many tracks in a studio environment.

Music Bed - in advertising music, background music that is filler music, not specifically relating to the cuts of the video images.

Music Rights Agreement or Music Purchase Agreement - a legal document that outlines the rights of the buyer of music and the work-for-hire supplier, including compensation, scope of usage, and distribution of performance royalties.

Music supervisor - an individual whose job it is to locate, license, and oversee the music needs for their clients.

Off-line - in editorial, the editing of the film elements to create a rough cut of the commercial or video project.

On-line - in editorial, the final phase or combining all the visual elements to make the master tape, including video effects, and final color correction.

Parody - a satirical imitation of a literary or musical work. Permission from the owner of the copyright is generally required. Also refers to “parody lyrics” when you take a existing musical work and write new lyrics to it.

Partnership - a business entity consisting of two or more parties.

Performing rights organization (PRO) - an association or corporation that licenses the public performance of non-dramatic musical works on behalf of the copyright owners. ASCAP, BMI, and SESAC are the three PROs in the U.S. These performing rights organizations issue licenses to users of publicly performed, non-dramatic music for a fee, and then pay performing rights royalties to the publishers, composers, and songwriters of the performed works.

Per-program license - a license agreement available for broadcasters from a performing rights organization in lieu of a blanket license. A per-program license bases its fee upon revenues from only those programs using music licensed by that organization.

Public domain (PD) - refers to the status of a work having no copyright protection. A work in the public domain is available for unrestricted use by anyone, and permission and/or payment are not required for use. Once

a work falls into the public domain it can never be recaptured by the owner.

Publisher - a person or company that publishes and exploits songs, scores, or compositions, usually acquired from the author via an assignment of copyright.

P.O. (purchase order) - a document indicating a company's purchase of a service or product. It is considered legally binding.

Post Production - work on a project that is done after the film or video is shot. This includes video and sound editing, graphics and visual effects, ADR, looping, sound effects, and music.

Project studio - a studio usually for personal use only. As opposed to a **commercial studio**, which is available for hire. Project studios can run from a few pieces of gear to million dollar facilities that rival commercial studios.

RAM - random access memory. This is the memory computers use for programs and operations. Increasing RAM in computers enables more programs to be able to run at the same time, and can increase the speed and reliability of Internet access and general operation.

Residuals - monies received from the usage of a person's work or performance.

Royalties - monies received from the sale or usage of a product or idea by another party. They are usually paid as artist royalties, performance royalties, and/ or

mechanical royalties.

Rule of 7 - a business rule of thumb meaning a person needs contact with another person or business entity at least 7 times before they feel comfortable with that person or entity.

Quicktime - a video format developed by Apple Computer. Quicktime movies are very common in music and video production.

Rough cut - an off-line version of a commercial or video before all the final visual effects are finished.

Rough mix - a rough representation of an audio mix before all the final elements have been finished.

Sampler - a hardware device or software program that allows the user to record or playback sounds placed in memory.

Scoring - the act of writing music for media such as television, film, video, etc.

Sequencing program - a software program that allows the user to record MIDI data and audio files and information to produce music and sound design tracks.

SESAC - One of the three major performing rights organizations in the U.S.

Session fee - the cost associated with paying musicians or singers for their recorded performances.

Different rates apply to different contracts under SAG, AFTRA, and AFM.

SMPTE - the Society of Motion Picture and Television Engineers. Commonly refers to timecode on a video or other media that is used in synchronization.

Small rights - the use of a musical work in a non-dramatic public performance licensed through a performing rights organization.

Sole proprietor - a form of business organization where one person establishes, runs and operates the business.

Sound Design - the craft of creating a sonic landscape to create a mood to highlight the action of the visual images.

Sound Designer II (SD II) file - a digital audio format developed by Digidesign, it is one of the two most-used audio file formats used in the Apple Macintosh operating system. The other is AIFF.

Splits - separate mixes of a music track; for example: drums only, no melody version, lead vocal part, etc. Also called **Stems**.

Spot - the industry term for a radio or television commercial.

Spotting session - a meeting where the composer and the client discuss the specific music needs for a project,

detailing when, where, styles, emotional considerations, etc.

Stems - separate mixes of a music track; for example: drums only, no melody version, lead guitar part, etc. Also called **splits**.

Storyboards - a graphic representation of the “story” that will be filmed to determine shot selections, and the flow of the edits. Storyboards are produced before the filming process takes place.

Sweetening - the last step in the audio process of sound being married to picture, including sound level adjustments, and printing the full mix to the video master. Also called **final mix** or **layback**. In reference to SAG/AFTRA, **sweetening** is defined as when a singer sings harmony parts.

Sync pop - a sound exactly two seconds before the beginning of the video. Used for synchronization. Also called **two pop**.

Talent - term used to describe an actor, voiceover actor, singer, musician; etc. i.e.: “Make sure the **talent** knows when and where the session is going to be” or “What are the **talent** fees going to cost?”

Telecine - also called film transfer, when the film is processed to videotape for color adjustments, brightness, luminosity, etc.

Temp music - music that has been placed in a production that is not final. Often used by the editor and director to help set the emotional tone or pacing.

Templates - a preset list or group of sounds and MIDI instruments in your sequencing software. Provides a palette to work from.

Theme - in TV commercials, music that is a "signature piece" that you associate with a particular product or service.

2 pop - a sound exactly two seconds before the beginning of the video. Used for synchronization. Also called **sync pop**.

Uninterruptible power supply (UPS) - a hardware battery backup unit that supplies power to connected units if the main AC power is shut off. Allows for safe backup and shutdown of computers, samplers, drives, etc.

Video capture card - a hardware card installed in a computer that allows the user to digitize video and audio, and also output the video to a TV monitor.

.WAV file - a popular digital audio file format.

Window burn - the visual SMPTE timecode numbers seen on a video. It should match the actual SMPTE timecode recorded on the audio or address track.

Word clock - a form of digital audio synchronization that provides sample-accurate resolution.