

# Music Library Association Conference Newport, RI, February 2008

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## Plenary Session

One of the great pleasures of attending an MLA conference is the opportunity to encounter living history, through panel discussions involving local luminaries. Newport proved to be no exception, with a plenary session devoted to the history of the Newport Jazz Festival, dedicated to the memory of the late Elaine Lorillard. The Festival's founder, George Wein, was in attendance, and "given his due" by several of the panel participants. We were treated to the opportunity to hear a recording, dubbed from an acetate, of the first Newport Jazz Festival (1954). Legendary Columbia Recordings producer George Avakian regaled the assemblage with fascinating reminiscences of jazz legends, recording snafus and a debunking of the "Newport Riots" which were said to have happened in 1971. A subsequent session "A Conversation with George Wein, Founder of the Newport Jazz Festival" proved equally fascinating. *Myself Among Others. A Life In Music* is George Wein's autobiography, written with Nate Chinen. Alas, Chinen had brought only one box of books, and the last one was sold as I approached the table!

## Music Licensing

A session on music licensing provided a terrific overview of the state of music copyright, with practical examples. It included information about the Tams Witmark situation (where libraries can never acquire those titles); Indiana University's VARIATIONS-III project, where institutions other than Indiana U will be able to access the digitized recordings and scores from the Variations2 project; and the licensing needs of performing ensembles such as the U.S. Marine Band. For more information, visit the Major Orchestra Librarians site: <http://www.mola-inc.org/>

For the most part, performing ensembles need to concern themselves only with Small Rights for the performance of musical sounds. Venues and broadcasters/transmitters need to apply for a Blanket Licences. Grand Rights are required when literary and/or visual components are combined with music. Jane Cross (U.S. Marine Band) described how a chorus was planning to add rocking chairs as a "prop" to their performance of a particular chorus, which would then have necessitated the purchase of Grand Rights. When making a recording, mechanical licensing is required; however, if your recording is for educational purposes, it doesn't hurt to inquire whether there can be a reduction in the fee! You can expect a 90-day delay in the response to

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your application for “free” licensing, which must include the release date, the duration of each recorded work, and the number of copies being made (sales numbers); or you can contact the Harry Fox Agency and simply pay the fee outright.

Printed music has its own licensing requirements. If you wish to arrange a work, known as a Derivative Work, then you must contact the publisher/copyright holder to apply for a license. If the arrangement is approved, you can sign a contract and pay the fee. Cross cited an occasion where an arrangement of a Radiohead song was programmed and the options were to a) pay \$40 and wait 3 days for approval OR b) apply for approval and wait 90 days for a reply. Video materials are more complex, with additional layers of permission required, specifically synchronization rights which may be held by another party. Cross’s best advice? Track your work using a spreadsheet, noting all actions taken, and the date. Laurie Lake offered a Performing Ensemble Licensing Chart: <http://ella.slis.indiana.edu/~lklake/MLALicensingChartJ.pdf>

Pictures from the conference are printed on the inside of the back cover.