

# PLUSQUAM



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## **Frequently Asked Questions (FAQ) for Music Publishing**

### **Music Publishing In General:**

When a musician composes, performs and records music, they make money by distributing it commercially through stores and online retail locations. If they own full rights to the music, they can also resell it to third parties, such as film producers for soundtracks or advertising agencies for commercials. This income is known as royalty income or residual payments.

But who ensures that artists are paid for their work ? How do they do this ? They work with a reputable music publisher together.

### **Question 1:**

#### **What IS a Music Publisher ?**

A music publishing company is a firm that ensures that musicians are paid royalty payments for their work. They also promote the musicians' work to maximize the earnings potential of their music. A music publisher licenses your songs for film, recording, musical theatre etc.

They also will get you two types of royalties: performance and mechanical. (More explained under Question 3)

### **Question 2:**

#### **What DOES a Music Publisher ?**

Musicians enter into a contract called a publishing contract, which allows the music publishing company to manage the use of the musicians' music. The music publishing company is authorized to market and license the music – the control and monitor how the music is used (and help initiate legal action against unauthorized users) and collect royalty payments on behalf of the musician.

### **Question 3:**

#### **In which fields are the main activities of a music publisher ?**

##### **Mechanical Royalties**

The term "mechanical royalties" initially referred to royalties paid whenever a song was reproduced by a mechanical device. The term "mechanical royalties" refers to royalties paid for the reproduction of songs on CD, DAT, audiocassette, flexi-discs, musical greeting cards, and other devices sold on a physical "per unit" basis.

##### **Foreign Monies**

Foreign countries sometimes have different laws governing the collection and distribution of mechanical royalties. The music publisher has the connection to other foreign publishers to collect a songwriter's mechanical royalties in that territory.

##### **Synchronization Licenses**

Whenever a song is used with a visual image, it is necessary to obtain a "synchronization" (or "synch") license permitting the use of that song. Music publishers issue synch licenses to television advertisers, motion picture companies, video manufacturers and CD-Rom companies.

### **Transcription Licenses**

Because radio is not a visual medium, the use of a song as part of a radio commercial requires a separate license, known as a "transcription license."

### **Administration and Registration of Copyrights**

Because music publishers generate money by licensing copyrighted compositions, they must also perform various administrative tasks involving copyright. The registration by a reputable music publisher provides additional protection to copyright holders, and can permit the copyright owner to recover statutory damages of up to \$100,000 and attorneys fees if the copyright is subsequently infringed by people uploading, selling or sharing the signed tracks illegally.

### **Public Performance Royalties**

A copyright owner also has the exclusive right to authorize the "public performance" of that work. This is why radio and television broadcasters must enter into licenses with performance rights organizations such as BMI, ASCAP and SESAC. These performance rights organizations collect income on behalf of songwriters and music publishers whenever a song is publicly broadcast.

### **Question 4:**

#### **How do I get the incomes from music publishing ?**

The main advantage within signing a music publishing deal is, that you get the incomes from above mentioned fields and collectives directly and automatically from the mechanical rights organization and NOT from "Plusquam Publishing". We do not send statements or make accountings.

### **Question 4.1:**

#### **Do I need to register to a mechanical rights organization ?**

No, you do not have/need to sign to a mechanical rights organization but it is highly recommended, because they collection additive money to the publishing deal on behalf of their rights and actions and share it with the artist and the publisher. Therefore it can add incomes to your balance. To find out the mechanical rights organization in your country/territory, please check here:  
<http://www.musicbizbuzz.net/legal/mechanicalrights.htm>

### **Question 4.2:**

#### **When do I get statements or money from this publishing deal ?**

The time period when you get your first statement and the reoccurring statements belongs to the terms of the mechanical rights organization in your country/territory. Normally it has the time periods within every 3 months (quarterly), every 6 months (half-yearly) or every 12 months (yearly).

### **Question 5:**

#### **If I sign a Music Publishing deal, is it still possible to release my music on other labels ?**

**100% YES !** Because releasing music and publishing are completely two different things.

A music publishing deal has nothing to do with exclusive signing of the artist name or your brand. You can still release your music physically and digitally wherever you want.

Plusquam Publishing only warrants the artist's rights for the mentioned fields of question 3 and collects extra money that is hold in the hands of mechanical right organizations or performing rights organizations.

Without a music publisher the artist does not get any of the mentioned money at any time. It is hold back by the mentioned organizations. To get access to this money the artist needs a music publisher to get it collected.

### **Question 6:**

#### **What is the difference between a Music Publishing company and a Music Label ?**

A Music Label signs/licenses the exploitation rights from artists to make compilations or artist albums for a physical CD or digital release.

A Music Publisher signs/licenses the performing and mechanical rights to collect the artist's money from performing & mechanical right organizations in every country/territory which were paid by Television, Radio, Broadcasters, Organizers and Labels.