



MUSIC LICENSING CHART

**Musical Compositions
(Notes & Lyrics)**

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	Synchronization License (aka Sync License)	Print License	Mechanical License (aka Compulsory License)	(Nondramatic) Public Performance License	Dramatic Performance License (aka Grand Rights)	Composition Sample License
Use	Incorporate composition into <u>audio-visual</u> work, including traditional media (TV program, video, movie, music video, commercial) and new media (internet, video game, mobile app, YouTube, Facebook, Instagram, etc.)	Print, write, arrange, or sell the score (but not record or play it).	Create a sound recording using the composition and distribute either physically (such as a CD) or digitally (permanent download, limited download, or interactive streaming.) * Note: Does <u>not</u> cover <u>noninteractive</u> streaming (see Public Performance License.)	Publicly perform composition through live performance or embodied in a sound recording. Includes plays over digital, terrestrial (AM/FM), and satellite radio; performances at physical venues like health clubs, restaurants, performance halls, night clubs, malls, or any public place that has live or recorded music (with limited exceptions). Also includes non-interactive streaming. Examples: Digital radio, terrestrial radio (AM/FM), TV, bars, restaurants, clubs, live music.	Publicly perform composition using the work to tell a story or plot, such as in dramatic settings such as ballet, Broadway show, or opera. * Note: Singing songs from several musicals or a medley of unrelated songs at a concert is not a dramatic performance. * Note: Incorporating a live or recorded performance of a song into a story or plot (even though composition was not originally written for a musical play) is a dramatic performance of the song.	Sample a composition in another work.
Licensor / Rights Administrator	Typically, music publisher; in some cases, songwriter. Multiple licenses may be necessary if the composition has multiple writers and music publishers. Each songwriter's consent may also be necessary, depending on the agreement between the music publisher and writer, for certain uses.	Typically, music publisher; in some cases, songwriter.	Harry Fox Agency (HFA) or, if not affiliated with HFA, the music publishers or songwriters directly; or Mechanical Licensing Collective (MLC) for eligible streaming and download services.	Blanket license from Performing Rights Organizations ("PROs") such as ASCAP, BMI, SESAC, or GMR for all songs in their catalog <u>or</u> direct license from publisher or songwriter.	Composer or publisher.	Typically, music publisher; in some cases, songwriter.
License Fees / Rates	License fees subject to negotiation. * Note: If incorporating a sound recording, also need a Master Use License. * Note: For webcasting of <u>live</u> performance on <u>UVU domain</u> then Public Performance License is req'd and Sync License not req'd (see PRO agmt). However, if performance is streamed <u>on-demand</u> , a Sync License is required (but note that Sync License may not be req'd if music is stripped out in advance of on-demand streaming).	License fees subject to negotiation.	Compulsory license if 17 U.S.C. §115 (a)(1)(A) factors are met (non-dramatic musical work that has previously been lawfully recorded and distributed in the US in the form of phonorecords or is first distributed through a digital music provider). Rates set by Copyright Royalty Board (CRB). If §115 factors are <u>not</u> met, the license is voluntary. * Note: Once a song has been publicly released, anyone can cover it w/o permission from owner by paying compulsory license fee set by CRB. * Note: Dramatic works (musicals, operas, ballet) are not subject to compulsory license. For these works, a Grand Rights Mechanical License must be negotiated directly with publisher / songwriter.	License is voluntary, but PRO required to make available on non-discriminatory basis. For ASCAP and BMI, a rate court (S.D.N.Y.) sets royalty rate if parties cannot agree. For direct licenses with publisher or songwriter, license fees are subject to negotiation. * Note: AM/FM radio requires this license for compositions, but doesn't need public performance license for sound recordings. * Note: Copyright owners may exclude PROs from granting public performance licenses when it leads to negative publicity to the owner (e.g., political events).	License fees subject to negotiation.	License fees subject to negotiation.