

Creative Rights

Copyright

Videos 1- 9: see the Reader's Portal at www.DontForgetAboutTheMusic.com for the copyright videos

See "Copyright Word Problems" in the Reader's Portal for the Answers.

Trademark

1. United States Patent and Trademark Office (<http://www.uspto.gov>): The United States Patent & Trademark Office (USPTO) is the United States federal agency responsible for granting patents and registering trademarks. On the USPTO website, under the "Trademarks" tab on this website, you can access information on Trademark Basics, including a 42 minute video called "Basic Facts About Trademarks."
2. "Musicians and Artist Profiles" as provided by the USPTO (<https://www.uspto.gov/learning-and-resources/ip-policy/musicians-and-artists-profile>): the USPTO provides information specifically for musicians and artist seeking to understand the process of registering a trademark.
3. Legal Information Institute at Cornell Law School (<https://www.law.cornell.edu/wex/trademark>): this article highlights two requirements a trademark must have to be eligible for trademark protection: (i) that the mark be used in commerce and (ii) distinctiveness

Personality Rights

1. "Right of Publicity" (<http://rightofpublicity.com/brief-history-of-rop>): this site is dedicated to rights of publicity. This particular page provides a brief history of right of publicity, including an overview, how these rights are different from other intellectual property, and some historical cases centered on these rights.
2. "Taco Very Much, 50 Cent Wins Suit" from New York Post (<http://nypost.com/2009/11/24/taco-you-very-much-50-cent-wins-suit/>): this article highlights a lawsuit filed by the rapper 50 Cent when Taco Bell used his name (and trademark "50 Cent") in an advertisement without his authorization.
3. "Sandra Bullock Settles Lawsuit Over 'Bullock Watch,'" from Hollywood Reporter (<http://www.hollywoodreporter.com/thr-esq/sandra-bullock-settles-lawsuit-bullock-705852>): this article highlights a lawsuit filed by actress Sandra Bullock with a watch company that used her name, image, and likeness to sell watches without her authorization.

Business Resources

Business Structures

1. United States Small Business Administration (<https://www.sba.gov/starting-business/choose-your-business-structure>): visit this page to learn about the structure and tax differences among various business structures such as sole proprietorships, LLCs, partnerships, corporations, etc.
2. "The Basics of Business Structures" (<https://www.entrepreneur.com/article/200516>): this is an article from Entrepreneur Magazine that highlights various business structures and covers a few advantages and disadvantages to consider.

3. “Structuring A Musician Business” from Sonic Techworks (<http://www.sonictechworks.com/structuring-a-musician-business/>): this article contains an excerpt from Dave Kusek’s (CEO of Berkleemusic) book “Hack the Music Business.”

Maintenance

Copyright:

Registration: “Copyright Registration of Musical Compositions and Sound Recordings,” (<http://www.copyright.gov/circs/circ56a.pdf>), an article provided by the United States Copyright Office on how to register your musical compositions and/or sound recordings.

Performance Rights Organizations: organizations that collect songwriter performance royalties

- ASCAP: www.ascap.com
- BMI: www.bmi.com
- SESAC: www.sesac.com

Split Sheets: used to outline the publishing shares of all authors in the *musical composition*

- “The Business of Songwriting: Co-Writes and Split Sheets” an article from The [DIY] Musician: (<http://diymusician.cdbaby.com/musician-tips/business-songwriting-co-writes-split-sheets/>): this piece provides some guidance on what a split sheet is, when to create it, and how to determine splits. NOTE: there are no “hard rules” on determining splits, please use this article as a guide – other sources may vary on how splits can be determined.
- Songsplits.com: an online and cloud based split sheet tool (www.songsplits.com)
- Template: on page 4 of this document is a very simple sample template that you can use

Sound Exchange: organization that collects digital performance royalties for artists and copyright holders of the *sound recordings*: <http://www.soundexchange.com/artist-copyright-owner/digital-royalties/>

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Classifications: trademarks are classified into two groups: goods and services. There are currently 45 international trademark classes within the two groups. The USPTO provides information on “services” and “goods” and a listing of the 45 international classes <http://www.uspto.gov/trademark/trademark-updates-and-announcements/nice-agreement-tenth-edition-general-remarks-class>

Planning

1. Inc. Magazine 10 business plan templates: <http://www.inc.com/larry-kim/top-10-business-plan-templates-you-can-download-free.html>
2. Small Business Administration (SBA) <https://www.sba.gov/tools/business-plan/1>: this resource requires you to establish a free account. Once you have created an account, you will have access to a business plan wizard that helps you create your business plan through a series of questions.

Sample Split Sheet (Simple Form)

Date: _____

Song Title: _____

Recording Artist: _____

Writer Shares

Name: _____ Ownership % _____ Music or Lyrics (circle) Signature _____

Name: _____ Ownership % _____ Music or Lyrics (circle) Signature _____

Name: _____ Ownership % _____ Music or Lyrics (circle) Signature _____

Name: _____ Ownership % _____ Music or Lyrics (circle) Signature _____

Name: _____ Ownership % _____ Music or Lyrics (circle) Signature _____

Name: _____ Ownership % _____ Music or Lyrics (circle) Signature _____

Sample Information:

Is there a Sample(s): Yes or No (circle)

If yes, name of Sample song and sampled artist _____

Was the sample a replay OR actual use of the sound recording: _____

Which Writer incorporated the Sample? _____