

Contracts In the Music Industry

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ABSTRACT

A contract is a written or spoken agreement that is held enforceable by law if it is in any way, shape, or form broken. In the music industry contracts are the holy grail, as they are how money, rights to songs, and power is distributed. For our poster we have chosen to highlight 5 of the most important types of contracts for musicians.



INTRODUCTION

As a group of college musicians, it has become very apparent to us the importance of contracts in the music industry. Whether it be us learning them, reading them, or signing them, we have had our fair share of work with contracts. With this poster we aim to shine some light on some of the most frequent/important contract types, how to go about signing them, and what to watch out for.



CONCLUSION

These are just a few of the many contract types in the music industry, but the same idea of contracts exist elsewhere. Remember to re-read and proofread a document like this many times in order to ensure both ends of the contract receive a fair deal. Thank you for your attention.

ARTIST CONTRACTS

Contracts with artists reside on a broad spectrum, as fame/money can be a big contributing factor to the success of a contract. An artist contract is a contract between an artist who is looking for production/development, and usually a studio or a record label who will commence that development. This is one of the most frequently seen contracts and it is also one of the most important contracts to read over and double check. In the music industry it is very easy to be taken advantage of when it comes to money, so artists that are looking for a big contract deal should be prepared to hire a lawyer.

LICENSING CONTRACTS

Music licensing contracts can vary significantly depending on the specific needs and circumstances of the parties involved. A licensing contract is an agreement between a licensor and licensee, in which rights to music for fair use is exchanged for a monetary payment. It's crucial for both licensors and licensees to carefully review and negotiate these agreements to ensure their interests are protected. Consulting with legal professionals experienced in entertainment law is often advisable when drafting or entering into music licensing contracts. This is another contract that is seen very frequently in the industry, be careful to not sell yourself short when it comes to your music.

PUBLISHING CONTRACTS

A publishing contract serves as a legal agreement between a musician and a publishing company, delineating the terms and conditions for the production, distribution, and sale of the musician's work. Key clauses typically include the grant of rights, specifying the publisher's authority to publish and distribute the work; royalties, determining the percentage of revenue the musician receives from sales; an advance, an upfront payment against future royalties; manuscript delivery and acceptance, detailing deadlines and quality standards; publication schedule, outlining timelines for editing, design, and release; copyright and ownership, clarifying ownership while granting publishing rights; author copies and discounts; subsidiary rights, addressing additional rights like translations and merchandising; termination clause, outlining conditions for contract termination; warranties and indemnities, ensuring the work's originality and legality; and an out-of-print clause, defining conditions for ceasing distribution. These clauses collectively govern the distribution process and protect the interests of both parties involved.

PERFORMANCE CONTRACTS

Music performance contracts are legal agreements between artists or bands and event organizers, outlining the terms and conditions of a live performance. These contracts typically include details such as the date, time, and location of the performance, the duration of the set, and the agreed-upon compensation for the artists. Additionally, they may cover technical requirements such as sound equipment, lighting, and stage setup. The contract often specifies any special requests or accommodations requested by either party, as well as provisions for cancellation or rescheduling due to unforeseen circumstances. It's crucial for both parties to review and negotiate the terms carefully to ensure mutual understanding and compliance. Once signed, the contract serves as a binding agreement, providing legal protection for both the performers and the organizers throughout the planning and execution of the event.

RECORDING CONTRACTS

A recording contract binds to an artist to ensure they follow the agreed upon term, clauses, rights, and product commitment. Defining the "term", this is how long/how many projects the artist agrees to stay with the label for. When discussing rights or "range of rights", this is the part of the agreement that states what copyrights the artist and label are entitled to. Clauses are certain parts of the agreement where specifics are decided. For example, a "backout clause" decides how long the artist has to for-go the contract. Another topic that can also fall into clauses is product commitment, this states that the label will be paying and agrees to release the project produced by the artist. Lastly the advance and funding, this is by-far the most talked about part of the contract because before the artist can begin retaining money they make from their songs, they have to recoup the money the label spent on them.