

## Copyright Concerns for Show Choir Directors

Many of us think of copyright as a terrible burden. However, it is a law that is essential to fostering creativity in our society. Without copyright a writer or composer has no protection against the unlimited free use of his works by others. If everyone has free access to a writer's work then there would be no financial incentive for creators to create. As music educators we need to do all we can to support the system that not only provides the music we use in our classrooms, but also provides tremendous enrichment to each of our lives.

Copyright is defined as the legal right granted to an author, composer, playwright, publisher, or distributor to exclusive publication, production, sale, or distribution of a literary, musical, dramatic, or artistic work. There are several types of copyright licenses. Those of greatest concern to show choir directors are:

1. Performance License - Grants the permission to perform the work publicly.
2. Permission to arrange - Grants the right to prepare a derivative work based on the copyrighted work.
3. Mechanical License/Print License - Grants permission to reproduce the work as a sound recording or printed copy. (Can often be secured through Harry Fox Agency)
4. Synchronization License – Grants permission to videotape a performance of the work. (Reproduce a musical composition “in connection with” or “in timed relation with” a visual image.)

Obtaining one type of permission or license does not mean you have been granted any of the other types. Permission/licenses are granted by the publisher or copyright owner.

In most cases when you purchase a published choral work the permission to perform is understood. You will need to secure permission to arrange if you are altering the published work, or arranging an unpublished work. Show Choirs will often use special arrangements of popular songs. It is your responsibility to secure the rights to arrange and the rights to perform these songs. Each copyright owner has their own process, timeline, and fee structure for securing these rights. If you are using an arranger that secures permission to arrange, you should request copies of the documentation. ISSMA requires all groups entering the State Show Choir Finals to provide written documentation of the securing of these rights. If you need help, Abrienne Dean in the ISSMA office can assist. Please note the options listed on the ISSMA website.

Anytime DVD's are sold or distributed of Show Choir performances the synchronization rights for each of the songs performed must be secured. ISSMA has found this process to be very difficult and therefore no longer sells DVD's to the public. ISSMA assumes responsibility for providing each director the archival copy permitted by copyright law of their performance and provides access to the public to view video recordings of performances through the ISSMA Fan Network. If an individual school wishes to sell or distribute copies of the DVD, ISSMA will grant permission only after the school secures all synchronization rights and provides ISSMA with all documentation.

If you are hosting a Show Choir Invitational and plan to sell DVD's, synchronization rights for every song included on the DVD must be secured. Fees associated with synchronization rights are typically based on the number of DVD's made and often include a guaranteed amount. If you utilize a video company, you should check to be certain they are obtaining the synchronization rights.

If you have any questions about copyright, please feel free to contact Abrienne R. Dean at (317) 780-4100 or send her an email at [abrienne@issma.net](mailto:abrienne@issma.net).