

## MUSIC LICENSING CHART

### Sound Recordings (Artist's Recorded Version)

Music is protected under copyright law and is one of the most difficult types of creative works to license. This is due to the multiple layers of rights for each song. First, under copyright law there are two different copyrights that must be considered, the copyright in the musical composition and the copyright in the sound recording. Second, the owner of each copyright then holds exclusive rights to reproduce, distribute, publicly perform, publicly display, and prepare derivatives of the work (17 U.S.C.).

These exclusive rights are subject to certain exceptions and limitations. Please refer to the UVU Copyright Decision Tree as you make an informed decision about whether using another's work is legal under copyright law. If a music license is required, the following table will identify the party that owns or controls the rights. Please contact a member of OGC with any questions.

	Master Use License (aka Master Rights)	Reproduction / Distribution License	Digital Public Performance License	Non-Interactive Digital Public Performance License	Terrestrial Radio Public Performance License	Non-Digital Public Performance License	Sound Recording Sample License
Use	<p>Incorporate sound recording into <u>audio-visual</u> work (TV program, music video, movie, advertisement, video game, mobile app, etc.)</p> <p>Incorporate sound recording into <u>audio-only</u> work such as a soundtrack or compilation.</p>	<p>Right to reproduce and distribute sound recording.</p> <p>Examples: Reproduction and distribution of CDs, digital download service such as iTunes, etc.</p>	<p>Audio-only streaming of sound recording that is interactive, on-demand, or non-interactive that doesn't meet §114 criteria.</p> <p>Examples: Spotify, Apple Music, Pandora Premium, downloads which expire after certain number of plays or time, etc.</p>	<p>Non-interactive streaming of sound recording that meets 17 U.S.C. §114 criteria.</p> <p>Examples: SiriusXM, Pandora, radio station website simulcast.</p>	<p>Terrestrial radio broadcast of sound recording.</p> <p>Example: AM/FM radio.</p>	<p>Public performance of non-digital transmission</p> <p>Example: sound recording played at restaurant, DJ at a dance party.</p>	<p>Sample an existing sound recording in a new recording</p>
Licensor / Rights Administrator	Typically, record label; in some cases, distributor or recording artist.	Typically, record label; in some cases, distributor or recording artist.	Typically, record label; in some cases, distributor or recording artist.	SoundExchange	N/A	N/A	Typically, record label; in some cases, distributor or recording artist.
License Fees / Rates	<p>License fees subject to negotiation. License fees vary widely based on the scope of use and market factors, including the popularity of the recording artist.</p> <p><b>* Note:</b> For composition embedded in sound recording, a <b>Sync License</b> for audio-visual work or <b>Mechanical License</b> for audio-only work also req'd.</p>	<p>License fees subject to negotiation.</p> <p><b>* Note:</b> <b>Mechanical License</b> for composition in sound recording also req'd.</p>	<p>License fees subject to negotiation.</p> <p><b>* Note:</b> <b>Mechanical License</b> or <b>Public Performance License</b> for composition in sound recording may also be req'd.</p>	<p>Very narrow right existing only in digital radio (non-interactive streaming) and satellite radio.</p> <p>Compulsory license (17 U.S.C. §114). Rates set by Copyright Royalty Board (CRB). Licensee must file notice of use with US Copyright Office, and then file usage reports with SoundExchange.</p> <p><b>* Note:</b> <b>Public Performance License</b> for composition in sound recording also req'd.</p>	No cost (\$0)	<p>No cost (\$0)</p> <p><b>* Note:</b> <b>Public Performance License</b> for composition in sound recording is req'd.</p> <p><b>* Note:</b> Artists concerned about negative publicity from event (e.g. political event) may try to stop public performance under legal theories such as right of publicity in image, confusion or dilution of name under Lanham Act, and false endorsement.</p>	License fees subject to negotiation.