

# ASCAP

## American Society of Composers, Authors, and Publishers

Do you agree that music composers should receive royalties from the performances of their music? Yes, of course! Not only should they receive royalties, the Copyright Law states that they must receive a royalty when their work is performed. ASCAP protects the rights of its members by licensing and distributing royalties for the performances of copyrighted works.

ASCAP members are individuals who make their living writing music. Many of our MTAC members are members of ASCAP. We know that many months, even years, can pass between the creation of a piece, its publishing, its recording, its release, its performance, and the day when the revenues due to the composer actually arrive. ASCAP exists to ensure that music creators are paid when their works are performed publicly. Rental or purchase of music does not authorize its public performance.

A **public performance** is one that occurs either in a public place or any place where people gather. This includes all MTAC recitals, master classes, concerts, workshops, etc. With one license fee, ASCAP saves us the time, expense, and burden of contacting thousands of copyright owners, and gives us the right to perform any or all of the millions of musical works in the copyrighted repertory. Works created after January 1, 1978, are protected for the life of the composer plus 70 years. Copyrights in effect on that date, if renewed, will continue for 95 years from the date copyright was originally secured.

**MTAC has an ASCAP Copyright License.** Our License Number is **500605062**. This license is at no charge to individual members, as it is paid for by a portion of our dues. It covers each and every MTAC member for all branch public performances, plus individual recitals and concerts by MTAC members. However - for ASCAP members to be sent royalties from the performances of their works, we must turn in programs of all performances to ASCAP. This is where we need your help.

Please have someone in your branch in charge of mailing all programs to the MTAC State Office, 833 Market St., Suite 900, San Francisco, CA 94103. You may mail programs in bunches, and any time during the year. The State Office will then send them to ASCAP.

**MTAC also has an ASCAP Media License.** This allows us to post recordings on our mtac.org website. This does not allow individual branches to post music on their branch websites, however.

You may check on what pieces are in the ASCAP repertory, and also who is an ASCAP member by accessing the ACE part of the website [www.ascap.com](http://www.ascap.com).

## FREQUENTLY ASKED QUESTIONS ABOUT ASCAP

American Society of Composers, Authors, and Publishers

[www.ascap.com](http://www.ascap.com)

One Lincoln Plaza

New York, NY 10023

ASCAP # 500605062 (Concert Performance Licensing Agreement)

### 1) Why should I pay for playing music in public?

Music legally belongs to the composer who created it, and the music publisher who markets it. When you use other people's property, you need to ask permission, and pay for the right to use it.

### 2) What is a public performance?

A public performance occurs either in a public place or any place where people gather (other than a small circle of a family or social acquaintances). A public performance is also one that is transmitted to the public through radio, television, music-on-hold, cable television, or by the internet. There are a few exceptions to this (worship services that are not transmitted, teaching at an educational institution, are some examples)

### 3) What does the ASCAP license do?

ASCAP gives us the right to perform any or all of the millions of musical works in the copyrighted ASCAP repertory, and also to know that composers and publishers will receive compensation for the performance of their works.

### 4) How do I know what is a copyrighted piece?

Works composed after January 1, 1978, are protected for the life of the composer, plus 70 years (this means for 70 years after a composer's death). Copyrights already in effect on the 1978 date, if renewed, will continue for 95 years from the date the copyright was originally secured. All other works are in the public domain, and you do not need permission to perform these works.

### 5) I bought the music. Why do I need permission to perform this music?

Copyright owners enjoy a number of different rights, including performance rights, print rights, and recording rights. Rental or purchase of music does not authorize its public performance.

### 6) Where does the money go?

The money goes to ASCAP members. All fees collected are distributed as royalties, after deducting operating expense (currently 12%).

### 7) Does this license cover copying music?

NO!!! This only covers the public performance of music. You do not have the right to photocopy music for any reason. "Copyright" does not mean "right to copy."

### 8) Questions from the floor?

## **OTHER HELPFUL INFORMATION:**

Our MTAC ASCAP license is an all-encompassing blanket-license, covering all MTAC members and branches for the performance of all music. This includes recitals, concerts, master classes, workshops, etc. — either as an MTAC branch, or as an individual MTAC teacher.

The only way an ASCAP member composer or publisher may receive royalties, however, is when ASCAP knows that their piece has been performed. For this reason, we must send in programs to ASCAP. We are asking all 61 branches to gather up your branch and individual programs and send them to the MTAC State Office, 833 Market St., Suite 900, San Francisco, CA 94103. The programs then will be sent to ASCAP.

You do not need to worry about paying ASCAP fees individually. MTAC covers this yearly expense through a portion of your dues.

MTAC also holds a **Media License** through ASCAP. This allows us to post music performances from our convention on our mtac.org website. This is not a blanket license to individual branches. If an individual branch wishes to post copyrighted music on their website, they must obtain their own media license.