

How to legally use music in your media production

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[UniqueTracks Royalty Free Music](#) improves communication with your target audience by strengthening the emotional impact of your production. Our music has been designed to enhance, support but not overwhelm your imagery and text. That's the secret to a good soundtrack. It helps you reach your target audience by highlighting the underlying message of your production.

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About UniqueTracks

UniqueTracks licenses royalty-free stock music, sound effects and footage to media producers who in turn, integrate them into their DVDs, videos, podcasts, TV advertising and Flash presentations.

Royalty Free Stock Music - Your purchase entitles you to lifetime use of the music. Each track can be used as often as you want. You are free to use our recordings as background music in your own product which you can then market under your company's name.

Our [Basic Rights License Agreement](#) gives a detailed description of your usage rights when purchasing our royalty free music tracks or CDs.

How to legally use music in your work

When do I need a license to use music in my work?

You need to acquire a license when you want to take music that you have not personally created and use it as background music in your production. Acquiring a license gives you the legal right to include someone else's copyrighted work as a part of your own work.

What is a Copyright?

Copyright is a federal law that protects creators by giving them exclusive rights to their works. Once a work is under copyright, it is illegal to use the work without the permission of the copyright owner.

How does copyright affect my production?

Music that has been recorded and issued on CD is protected by two copyrights. To use a recording of a musical composition in your work, you need to get permission from both copyright holders.

The © and ® copyright symbols

The first permission you need is from the music's publisher. The music publisher holds the copyright for the actual written music – the melody, the lyrics, the accompaniment, the actual music, as it would appear in sheet music. This copyright is shown by using the familiar © symbol.

The second permission is for the recording itself. To get this, you would approach the record company that released the recording. The record company holds the copyright for the actual performance of the song captured and mastered on tape and released on CD. The symbol for this copyright is the letter © inside a circle. (look on the back of your own CDs, you will see these symbols in use).

How do I get permission to use copyrighted music?

The fact that music is protected by copyright doesn't mean you cannot use it, it simply means you have to seek permission to use it. To receive that permission you will typically have to pay a licensing fee.

What licenses do I need?

Here are the licenses you need for the right to use music in your media project:

Synchronization License – This license is issued from the music publisher. The Synchronization License (often abbreviated as sync license) gives you the right to “synchronize” the copyrighted music with your images and dialogue.

Note: Having a sync license means you have permission from the publisher to use the music but it doesn't give you the right to use a specific recording of the composition. For that you need the following...

Master Use License – This license is issued directly from the record company. Fees can range from several hundred dollars to millions of dollars depending on the popularity of the music.

Once you have paid the music publisher for a Sync License and the record company for a Master Use license, you have the legal right to use the music in your production within the terms of the license you negotiated.

Please Note: This article is about music that is under copyright and NOT in the public domain. Music written before 1933 is in the public domain and can be used without having to acquire a synchronization license (you still need a master use license if you use a recording of a piece in the public domain). Music written after 1933 is still under copyright according to US law.

What are the advantages of Production Music CDs?

As you can see from the process described above, licensing music can be a time-intensive, form-laden, and expensive process. Using Production Music CDs (also referred to as Royalty Free Music CDs), is the easiest way to license music to use legally in your work.

Royalty Free Production Music fills a niche for producers who don't have a million dollar music budget and can't afford to license a major hit song. Production Music gives the smaller, independent producer the ability to use music soundtracks in his or her production.

Is Production Music under copyright?

Production music is protected by both the © and ® copyrights. When you buy a track from UniqueTracks, you'll receive a license agreement which grants you both synchronization and master use rights. It's simple and easy to do.

Royalty Free Production Music is not copyright-free as some have termed it. It is fully protected by copyright law. With production music you get ease of licensing. You don't have to contact several sources to seek sync and master use licenses.

Can I license a famous song as production music?

There are no production music pop hits. You won't find an Eminem track in a royalty free production music library. To use an Eminem cut you would have to negotiate a license with Interscope Records. That's not to say you can't find Hip Hop tracks in production music libraries but you won't find current or past pop hits.

Unlike a pop song, production music is composed to be used specifically as background music. It is usually instrumental, with no vocals or lyrics, and is similar to a film soundtrack.

How often can I use Royalty Free Music tracks?

The [UniqueTracks license agreement](#) grants you very broad usage rights. With the UniqueTracks license agreement, you are not limited to one-time usage; you can use the music again in any other production you create. You don't have to inform us of your intent to use or report back once the production is complete. Once you have purchased (licensed) the music, you are free and clear to use it as often as you like within the boundaries stated by the license (i.e. the music has to be used in synchronization with narration or visuals).

The simplicity of Royalty Free Production Music licensing makes it a perfect choice for corporate videos, Flash animations, PowerPoint presentations, independent film, multimedia applications, - virtually anywhere where music is helpful but where the project budget doesn't include hundreds of thousands of dollars to license expensive songs.



At UniqueTracks.com you will find music recordings that you can instantly license and download with full Master Use and Synchronization Rights. These rights enable you to legally use the music as a component of your film, video, iPhone app, game or multimedia application.

What is royalty-free music?

The three most popular phrases used to describe the offerings of music production libraries like UniqueTracks are:

- royalty free music
- stock music
- buy-out music

Of the three, the most accurate, to me, is stock music because it implies a collection or inventory of ready-made assets (recordings) that are immediately available to be used in production creation.

However, the phrase most often used to describe our services is royalty-free music. The majority of new visitors to our web site reach us through some type of search that includes the term "royalty-free".

Unfortunately this term is fraught with misconceptions. This is mainly because the term royalty-free music contains the word "free" in it.

Royalty-free does not mean free of charge

I get a lot of inquiries that go something like this:

"by royalty free music, you mean 'free' music, don't you?"

"do you know where I can get some 'free' royalty-free music?"

"royalty free music means 'copyright free' doesn't it?"

The three questions above highlight common misconceptions about what production music libraries do.

Production Music Libraries

Companies like UniqueTracks are in business to provide a fast and economical way for you to acquire the legal rights you need to use our tracks as background music in your own work. The simple online purchase of a royalty free music track immediately grants you the Synchronization and Master Use rights that you need to legally use the track in your production.

Music licensing is really our main product. For instance, when you purchase an album-length CD or album download from UniqueTracks, you are paying for a license that grants you incredibly wide usage rights. This license comes directly from us, the publisher and owner of the recorded master tracks (some very large production music libraries are actually more like “brokers” for many different music publishers).

Public Performances and Performance Rights

When their music is used as background music in a television program, even businesses that advertise as “royalty free” music companies still require producers to file cue sheets with performance rights organizations like ASCAP, BMI and SESAC so their composers and publishers can receive performance royalties (payments) from the broadcast.

Please note: The fees paid to the performance rights organizations like ASCAP are made by the TV broadcaster, not you, the producer of the show. It is a cost of doing business for the network or cable broadcaster. They pay them yearly. All the cue sheet does is tell ASCAP or BMI who should get what percentage of the broadcaster fee. So is this still royalty free? It does add to the confusion around the term.

The following phrases are, to me, more accurate descriptions of what a production music library really offers:

- One-Stop Music Licensing
- Quick and Easy Music Licensing
- Budget Music Licensing.
- Music Licensing with Wide Usage Rights

One-Stop Music Licensing

If you've ever had the experience of licensing a popular music track, you know just how hard and expensive it can be to finally get the clearances necessary to actually use the track. You first have to locate and then negotiate Master Use rights from the record company that owns the recorded master (no easy thing for some tunes). You also have to locate and pay for a synchronization license from the music's publisher.

Quick and Easy Music Licensing

Production Music Libraries exist to simplify the process. You can obtain Master Use and Sync licenses with the simple click of a mouse.

Budget Music Licensing

Prices are targeted at smaller production companies like independent film producers, video production companies and multimedia producers. Royalty Free Production Music Libraries fill the niche for media producers who want successful soundtracks but don't have million dollar budgets to acquire the latest pop tracks.

Music Licensing with wide usage rights

Once licensed, you can use the music in perpetuity with a worldwide territory right letting you sell your production across the globe with no further fees due.

I've also found that many people's perception of anything "royalty-free" is of something of limited or even bad quality.

Admittedly, the royalty-free music of the past did have a one-dimensional, cheesy quality to it. It mainly served the corporate video market of the late 1980s through the 1990s. The music was created mainly on synthesizers with a very upbeat feel and was incorporated into in-house presentations meant to inspire employees to better performance, to meet sales goals, etc. The musical arrangements had a lot of glitz and over-the-top electronic effects and were anything but subtle. This style really has no use for today's media producers except maybe in some comical retro or kitschy way (the big '80s!).

Until recently I used to call this style the “Weather Channel Sound” because it reminded me of the background music used by the 24-hour cable weather channel. Their music soundtracks have greatly improved though in the past few years. I’ve even heard tracks from *A Kind of Blue* by Miles Davis accompanying my local forecast.

Sadly I still do hear this overly glitzy style of music in a lot of telephone on-hold message programming. Is this supposed to make me feel good while on hold?


So why do we use the phrase royalty-free music on the UniqueTracks web site? The main reason is that it is still the most searched for phrase for our type of service. And the term does describe the usage rights granted under our license agreement. It just has a lot of misconceptions attached to it.

Our music is royalty-free because you won’t pay any further license fees once you obtain the initial license. You can use the music in as many products, videos, multimedia projects as you wish. You can sell a product, like a DVD, that incorporates our tracks as background music without any further financial obligation whether you sell 1 copy or 100,000 copies.

The main benefit to licensing music this way is that you have covered yourself legally – you have licensed the music and can now legally use it as part of your own work. Remember, when creating any type of media production – if you don’t create the content personally or in-house, you need to license the

content to be able to incorporate it into your project. This is true of photos, video footage, music or any other audio. If you haven't created it in-house, you need some type of license or release to use it in your work.

Royalty Free Music Production Libraries offer fast and affordable one-stop licensing letting you get on with the other creative aspects of media production.



UniqueTracks offers imaginative, original recordings specifically designed to enhance your imagery and support the underlying message of your production.

UniqueTracks prides itself on its contemporary library. Whether you are looking for a slamming metal track or an urban soul groove, you will find the mood you are looking for here. Our music library also contains plenty of retro music styles from the 1950s, 60s and 70s.

Stock Music Licensing Explained

Stock media companies provide ready-made media content that can be legally added to your work in a matter of minutes.

Off-the-Shelf Solutions

Stock Media includes photographs, illustrations, video footage, music recordings, Flash animations, web site templates, PowerPoint backgrounds and clipart. Many stock companies refer to themselves as libraries because, like a library, they carry a broad array of materials that tries to satisfy a wide range of tastes and needs.

Licensed Not Sold

With stock media, what you are really buying is a license that gives you permission to use the material you're interested in. Once you have a license you don't in fact own the material. It is still owned by the stock media company. They remain the copyright holders. Your license lets you legally use the material in your production.

There are two main types of stock licenses.

1. **Rights Managed** - The price of a rights managed license depends on how you wish to use the media you're interested in. For instance, is it going to be used in a national advertising campaign or is it for your company brochure? Is it being considered for a PowerPoint presentation or is it going to be used in a motion picture? Each usage has a different price. A rights managed license also takes into consideration how long you will use the me-

dia. Periods usually range from 3 months to several years. If you are going to include the material in a product, your license will be based on how many pieces you plan to manufacture. With a right managed license, at the end of the license period, you no longer have permission to use the media. Your relationship with the company ends (unless you extend your license).

2. **Royalty Free** - Royalty free means you are not charged a fee for each separate commercial use of the media. You can use the material as often as you'd like for as long as you'd like. You pay an initial fee for the license and are then free and clear of any further licensing restraints. Licensing is fast and easy, with one price you acquire synchronization rights to use the music as background music in your production.

A rights managed license is more expensive. Why? Because when you license, for instance, a rights managed photo, the stock company removes the photo from circulation for the period of your license. No one else can use it.

This is the main advantage a rights-managed license provides. It protects against simultaneous use - so your competitor won't be using the same photo as you to launch their ad campaign. When you use royalty free content, there is no such protection. The same photo or music track might be used by hundreds of companies at the same time. The question to ask is... is this important to me? Do I care if another company is using this image or this particular web template? If you do, then you will want to pursue a rights

managed solution. If, on the other hand, it really doesn't matter to you, then you'll want to take a serious look at royalty free media because it is so much cheaper.

Stock by any other name

Rights-managed recordings are known as "needle-drops" in the stock music world. This name came from the act of actually lowering a phonograph needle onto a record to place the music in a production. Now with compact discs, they've started calling it "laser-drop". I find "rights managed" to be a much better description.

Royalty free is sometimes called "buy out". I've also seen it referred to as "copyright-free" but this is really an error. The material is in fact fully copyrighted by the stock media company.

[UniqueTracks](#) is a royalty free stock media company. We began licensing stock music in 1998. Since then we have grown to include stock sound effects and the ArtLoops line of stock animated footage. All of our products can be licensed on a royalty free basis.

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