MusicMark

CWR for MusicMark

MusicMark is a collaboration between ASCAP, BMI and SOCAN. Through MusicMark, publishers can submit a single registration file to all three performing rights organizations (PROs) simultaneously, even if the work was co-written by members of different societies. Each PRO will then integrate the registration data into its respective repertory of works. MusicMark is currently available to publishers that register music through Common Works Registration or Electronic Batch Registration.

The specificity of MusicMark :

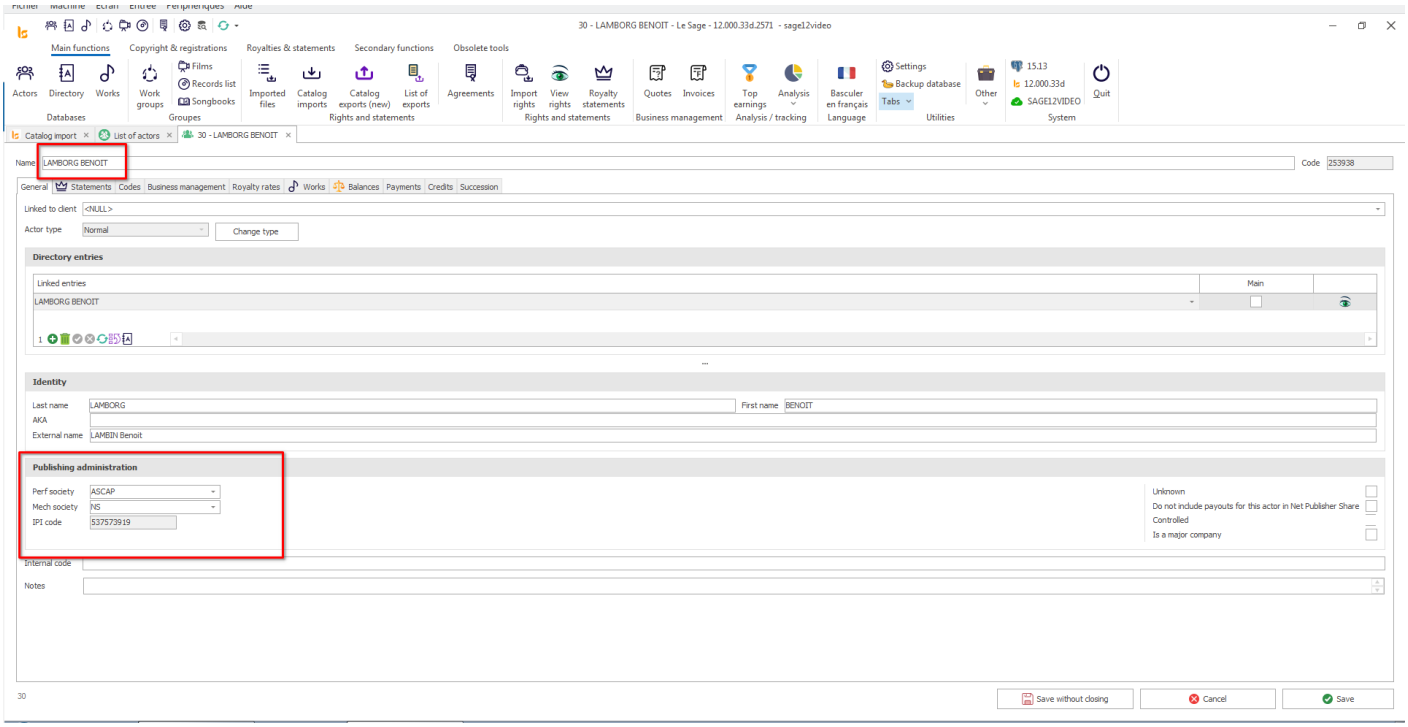
Authors/Composers affiliated to ASCAP have to be registered to ASCAP and the ones linked to BMI to BMI. So if a work has authors/composers from both societies the work has to be partially registered to one and the other PRO.

Settings in Le Sage

1/ The affiliations

When importing catalogues or creating the works directly in the system you have to make sure you have the information if you want the system to understand how he is supposed to send out the CWR.

Each actor can be affiliated to one PROs for performing rights and one for mechanical rights



If you put NS for mechanical rights the system will automatically say that you collect the authors/composers shares.

2/ The agreements

The agreements explain wich publisher gives the right to collect to an other publisher on certain territories.

In the case of MusicMark you can have 3 different publishers to register to ASCAP/BMI/SOCAN.

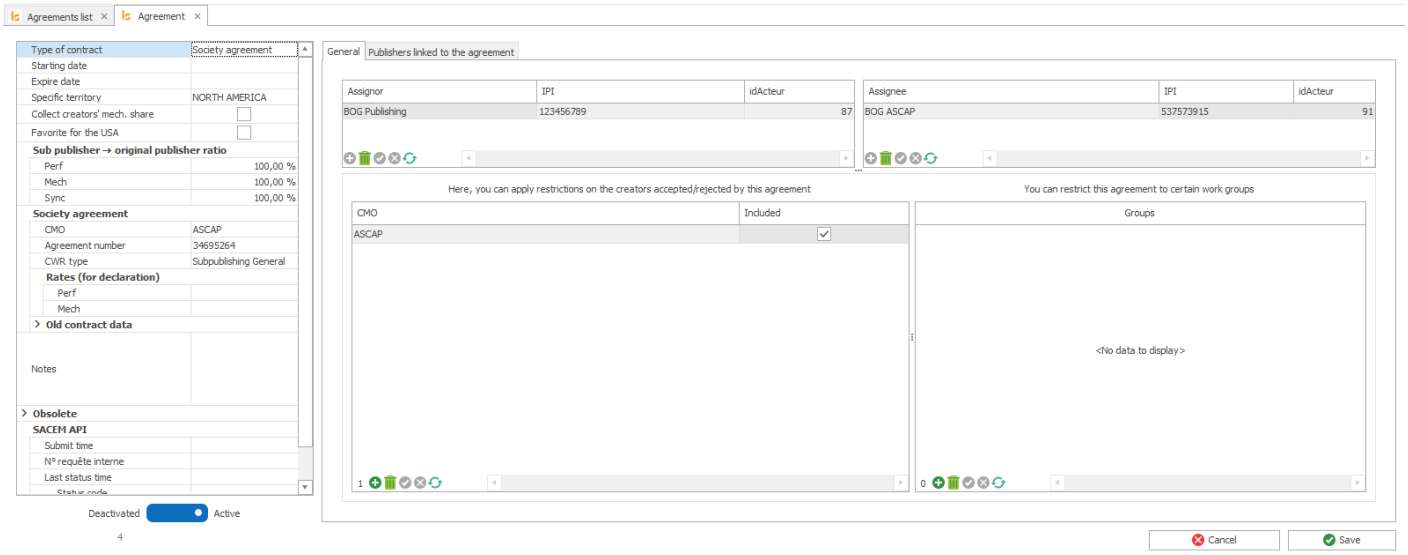
Between ASCAP/ BMI and SOCAN there are no problem of territories, ASCAP/BMI taking care of US and SOCAN of Canada, but you will have to explainb what you want the system to do if you have a work with A/C or even publishers that you control and that have no affiliation to ASCAP nor BMI. Do you prefer registering the work to ASCAP or BMI?

In this example we choose to say that BMI is the principal PRO.

I am myself affiliated to all of these PROs I just have different IPIs and names to deal with registration.

Entering the agreements :

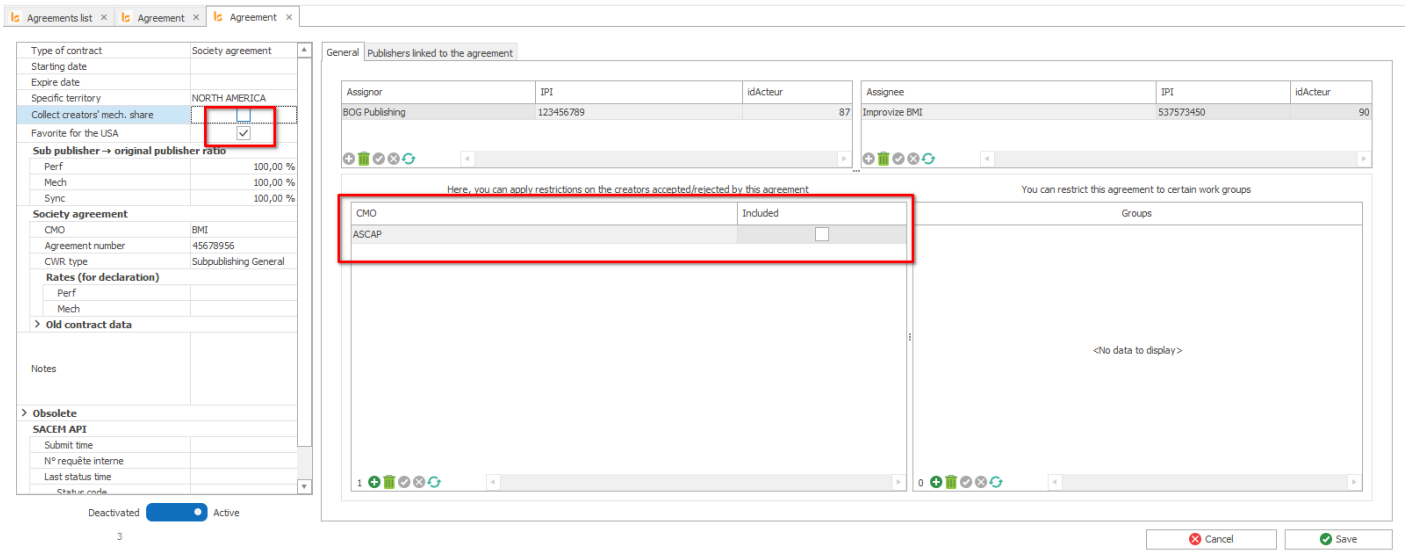
ASCAP agreement



Inside this agreement we explain

- which publisher - actor - give the right to claim the collection shares for ASCAP.
- on what territory we ask ASCAP to collect the rights
- a number of Agreement if the society gives you one - it is a number given once the representation is registered.
- and what is important for MusicMark - as we are going to have two contracts that can apply for one same territory, is to explain that this co,tracts applies only if the creators in the copyrights are affiliated to ASCAP.

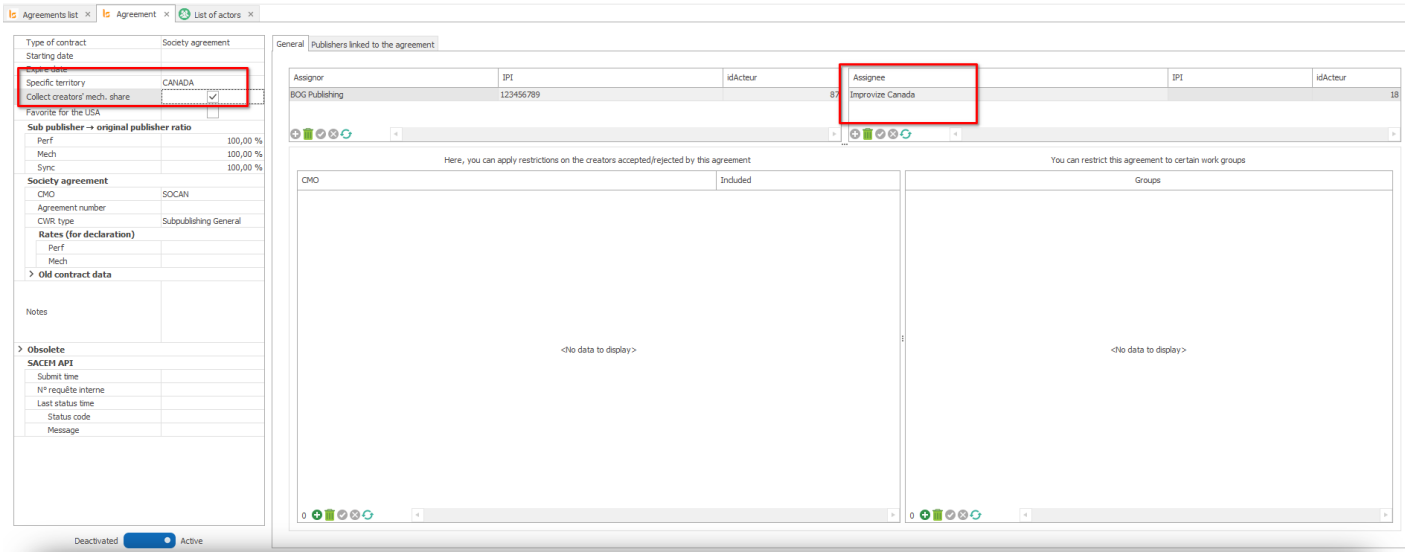
BMI agreement



As BMI is our principal contract for US we have to add the choice of this contact in "Favorite for the USA". This contract will apply in case of both BMI or ASCAP should apply.

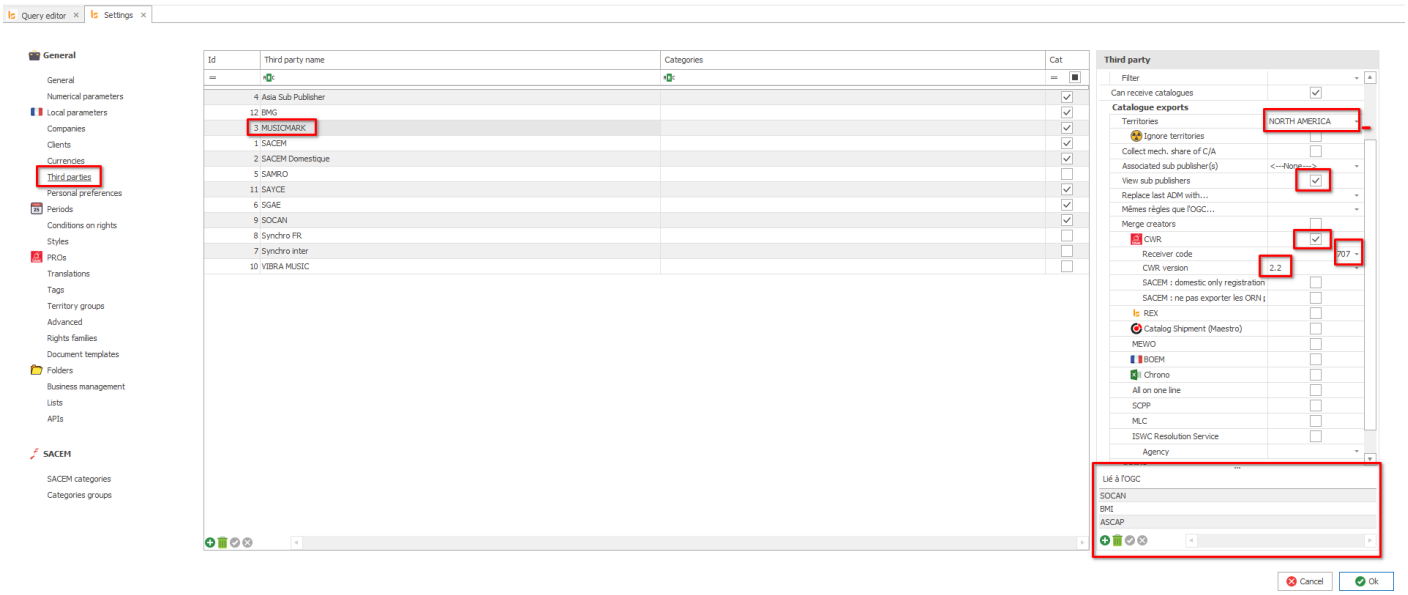
You have to specify that this contract doesn't apply to creators that are ASCAP.

SOCAN agreement



Same as the above, select the assignor and assignee, but this time for the territory Canada and ask for the collection shares of the mechanicals if you want to collect them to payout the A/C.

3/ The Third Party MusicMark



The Third party defines what copyright does the entity want to receive.

MusicMark needs to receive the copyright for the 3 PRO's : SOCAN, BMI & ASCAP and then spreads it to the three. The CWR file will detail the copyright for the three PRO's following the contracts entered.

1/ Territory : MusicMark takes care of North America and further if you want one of the PRO's to collect for a vaster territory.

2/ You have to ask the system to View the subpublishers, so that the system adds the correct Subpublisher affiliated to the correct PRO depending on the territory/pro where the copyright has to be registered.

3/ If SOCAN collects the mechanical shares for the authors and composers you have to indicate it in the Third Party as well as in the contract. And in the ASACP and BMI contracts you will say you don't collect the mechanical shares as they don't take care of mechanical rights.

4/MusicMark wants a CWR format in 2.2 with her receiver code : 707.

5/You have to link the Third Party to the different PRO so that your PRO contracts apply : BMI ASCAP & SOCAN.

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