



If You Play Music In Your Business, You Should Know...

Copyright laws require permission for any rebroadcast of music, even if that rebroadcast is only for your employees' enjoyment. "Permission" is most commonly granted through a music performance licensing agreement with one of the three performing rights organizations recognized by the United States Copyright Act of 1976. The three recognized organizations are ASCAP (American Society of Composers, Authors and Publishers), BMI (Broadcast Music, Inc.) and SESAC (Society of European Stage Authors and Composers). The role of ASCAP, BMI and SESAC is to protect the rights of their membership by licensing and paying royalties for the public performance of copyrighted works.

Once an author or composer puts a song's melody or words into a tangible medium, copyright protections attach. There is no requirement that an actual copyright be applied for and granted by the Library of Congress (although some additional protections are provided once such application is approved).

Since the rebroadcast of music is a fairly common practice among businesses, including restaurants, clubs and taverns, the organizations which grant the licenses diligently police businesses to ensure that no violations of copyright laws occur. If the organizations discover violations, they pursue all legal remedies available. The infringing business can be fined or sued to prevent further violations.

To avoid copyright infringement, for a fee, a business can obtain a music performance license for the right to the "public performance" of music. If you belong to a business association or professional organization, you may already be protected. Sometimes a business association will have a blanket license which covers all of the membership, but often, each individual business must obtain their own license. Don't assume you are protected.

Call these organizations or your professional association and determine if you need to protect your business by obtaining a licensing agreement. ASCAP: 1-800-95-ASCAP and <http://www.ascap.com>; BMI: 1-800-925-8451 and <http://www.bmi.com>; SESAC: 1-800-862-9996 and <http://www.sesac.com>.

