



Music Publishers' Association of the United States

Minutes of the Officers & Board of Directors Meeting
04 September, 2003 at ASCAP

Present

Jan Ausfahl
Jennifer Bilfield
Beebe Bourne, President
Arnold Broido
Caroline Kallett
Susan Feder
Brian Hill
Lauren Keiser
Fred Koenigsberg Esq., Guest
James Kendrick Esq., Counsel
Janna Mattson, Administrator
Larry Morton
David Murray
John Shorney
Charles Slater, Treasurer
Robert Thompson, Secretary

Excused

Fred Anton, 1st Vice-President
Tom Broido, 2nd Vice-President
Gene Caprioglio
Aida Gurwicz
Christopher Johnson
Lee Paynter
Lynn Sengstack

Housekeeping and Announcements

The meeting was called to order at 10:00AM. The minutes of the 13 June, 2003 meeting were approved as circulated.

Treasurer's Report: Charles Slater reported that line items in the Budget were added for Press and Publicity (PR Firm) and the MPA Web-Site. As of August 31, 2003, the MPA Balance Sheet showed assets of \$204,844. The Budget for Fiscal Year 2004 showed a projected loss \$70,200, however this figure does not include the Kopinor income, which should foreseeably offset this loss. The Treasurer's Report was approved as circulated.

Old Business

Copyright Guidelines: Lauren Keiser reported that the MENC had reviewed and edited the Copyright Guidelines. Jim Kendrick requested a copy for final review and President Bourne requested that Caroline Kallett review these guidelines as well.

MPA Archives/University of Maryland: Beebe Bourne asked that Charles Slater contact Tom Broido to finalize the agreement with the University of Maryland and to have it available for signing by the next MPA meeting. She asked that Charles Slater and/or Tom Broido coordinate a visit to the UofM.

Paul Revere Awards: President Bourne commented on the lack of complete information (i.e., winner's lists from previous years). Charles Slater mentioned that the Archives need to be organized so as to compile data on past winners.

Press, Publicity and PR: Jenny Bilfield reported that the PR firm Cohn, Davis and Bigar did not believe that the Paul Revere Awards would capture public interest unless anchored by a notable public event. A motion was approved not to move forward with a PR firm at this time. President Bourne asked that Jenny put forth a proposal as to how best to get the MPA's message out to its constituency and the public.

New Stationery/Dues Letter: President Bourne reported that the annual dues letter had been sent to all members.

New Business

Legislative Update: Fred Koenigsberg reported on recent legislation issues, including a Bill that recently passed the Senate which would allow artists to deduct the market value of their artistic works donated to charity, not just the cost of materials. Although this provision is not included in the House Bill, it is thought that the provision will be included in joint-committee when the Senate and House Bills are reconciled. Mr. Koenigsberg mentioned that, although the Supreme Court ruled in favor of copyright holders in *Eldridge vs. Ashcroft*, eternal vigilance is necessary. He reported that The US District Court for the Central District of California had granted Grokster's request for a summary judgment, denying the motion picture and recording industries request to shut Grokster down. However, the motion picture and recording industries have filed briefs requesting that the U.S. Court of Appeals for the Ninth Circuit overturn the decision by the district court and hold Grokster liable for those infringements. The RIAA is proceeding with lawsuits against individuals whom the RIAA accuse of illegally downloading music from P2P networks, although some members of Congress are growing uneasy about the aggressiveness of RIAA's tactics.

MPA Website: Charles Slater requested that another person/company assume maintenance and updates to the MPA Website (currently handled by JW Pepper). Jennifer Bilfield suggested that the American Music Center be considered for this role. Jim Kendrick will also look for alternatives

New Member Applications: The new member applications of Berklee Media and Hummingbird Music were approved.

ICMP/graphical usage of lyrics in DVD: Arnold Broido reported that, at the annual meeting of the ICMP, the issue of licensing lyrics on DVDs was discussed. Most European collecting societies do not separately license lyrics for use on DVDs, and it is the publisher's responsibility to insure that a separate license is arranged. Jim Kendrick suggested that, even if a publisher allowed the lyrics to be used on a DVD gratis, a license should still be issued to retain the rights.

Operation Harmony: Susan Feder reported that she had received a request from the National Endowment for the Arts to donate scores to "Operation Harmony," a joint program between the NEA and the Department of Defense to replenish musical instruments and scores that were lost or destroyed during the Iraq War. MPA members can contact Pennie Ojeda, International Coordinator for the NEA at 202-686-5562 or ojedap@arts.gov.

Committee Reports

ACDA: No Report

Annual Meeting-Local Arrangements: No Report

Annual Meeting-Program: No Report

Archive Committee: No Report

Paul Revere Awards: No Report

Copyright/Licensing: No Report

Educational Contacts & Trade Relations: Lauren Keiser reported that the Mid-West Clinic will sponsor an MPA clinic on music licensing to be conducted by Warner Brother's Dave Olsen. Keiser will be addressing the State President's meeting of the MTNA in Cincinnati this weekend. He also mentioned that the joint web site of the MENC, MTNA and MPA is almost ready, although some publishers have yet to provide their licensing contact information. The MENC is asking that publishers respond to any licensing requests made through the site within a period of two weeks. A motion to authorize Lauren Keiser's expense for the Midwest Clinic subject to the approval of both Charles Slater and President Bourne was passed.

Engraving: No Report

Finance/Audit: No Report

International Contacts: Arnold Broido reported that the BBC recently announced it would make its TV and radio archives free and available to the public. Beebe Bourne asked that the MPA look into this matter, and Jim Kendrick will speak with Sarah Faulder of the British MPA next week.

MPA/MLA/MOLA: A joint meeting is scheduled for October 21st at the offices of Oxford University Press.

Membership Committee: No Report

Performance: Jenny Bilfield reported that she met with representatives of the ASOL, the result of which is that she will be representing the MPA as a panelist in an April, 2004 ASOL meeting on Artistic Administration.

Press/Publicity/Public Relations: No Report

Research/Development/New Technology: Larry Morton reported on three areas that the Research & Development/Technology Committee will focus

on this year: Digital Sheet Music Publishing, Digital Printing, and New Technologies (including eStand and Freehand Systems which deliver music via an electronic music stand).

The meeting was adjourned at 12:00PM. The next meeting will take place on October 30th at the Harry Fox Agency.