



## **Music Publishers' Association of the United States**

Minutes of the Officers & Board of Directors Meeting  
11 December, 2003 at BMI

### Present

Jennifer Bilfield  
Beebe Bourne, President (via conference call)  
Arnold Broido  
Tom Broido, 2<sup>nd</sup> Vice-President  
Gene Caprioglio  
Susan Feder  
Aida Gurwicz  
Janna Mattson, Administrator  
Larry Morton  
David Murray  
Lee Paynter  
Lynn Sengstack  
John Shorney  
Charles Slater, Treasurer  
Robert Thompson, Secretary

### Excused

Fred Anton, 1<sup>st</sup> Vice-President  
Jan Ausfahl  
Christopher Johnson  
Lauren Keiser  
James Kendrick Esq., Counsel

### Housekeeping and Announcements

The meeting was called to order at 10:03am. President Bourne joined the meeting via conference call. As no President or Vice-President was in attendance at the commencement of the meeting, Treasurer Slater presided over the meeting.

Charles Slater presented a gift on behalf of the MPA Board to Janna Mattson on the birth of her daughter, Audrey Jane.

President Bourne reported that Jan Ausfahl has resigned from the board, and requested that the MPA send a letter to Jan, thanking her for her years of service, along with the hope that at some future time she might return.

The minutes of the 30 October, 2003 were read and subsequently approved by the Board as circulated.

Treasurer's Report: Charles Slater reported that receipt of membership dues are on track, with dues from fifty-five publishers received and twenty-two still outstanding. Current assets are \$215,503.64.

## Old Business

Annual Meeting: President Bourne commented on the direct marketing proposal from Lauren Keiser for the afternoon session. Jenny Bilfield mentioned that this was a good topic, and would likely appeal to that portion of MPA's constituency represented by smaller publishers/composers.

With regard to direct marketing, Aida Gurwicz described the manner in which Convex Group, Inc., doing business as "LidRocks" [www.lidrocks.com](http://www.lidrocks.com) is revolutionizing the industry through the creation of patented soft drink lids that contain a CD-Rom. Regal Cinema and Sbarro are currently in partnership with "LidRocks" to distribute these CD/soft drink lids in a promotional campaign. Tom Broido commented on LidRock's unique approach using music as a marketing tool, not an end product, and yet publishers are still earning income via licensing.

For the morning session, devoted to copyright/licensing issues, Aida Gurwicz suggested Richard Stumpf, Vice-President of Marketing & Licensing at Cherry Lane as a panelist. President Bourne suggested Michael S. Simon, Senior Vice-President for Licensing and Chief of Strategic Development and Marketing at the Harry Fox Agency as a panelist for the morning session

For the luncheon, President Bourne suggested Fred Koenigsberg, Esq. of White & Case and Jenny Vacher-Devernais of the International Confederation of Music Publishers as speakers for the luncheon and Aida Gurwicz suggested Steve Schnur of Electronic Arts [www.ea.com](http://www.ea.com).

Archives: Jim Kendrick is awaiting a response from Counsel at the University of Maryland concerning execution of the agreement to place the archives on deposit. President Bourne stated this should be finalized by the next meeting

American Music Center: A donation of \$5000.00 to the American Music Center was approved. Tom Broido did raise the point that the current agreements between publishers and the AMC state that the AMC will receive no direct compensation for downloading, and hence the issue of whether other entities might be entitled to income, or whether the AMC might receive "in-direct" income was mentioned.

Mid West: Lauren Keiser has asked for volunteers to devote an hour a day to staff the MPA booth (#1016) at the Mid-West Clinic. David Olsen of Warner Bros. Publications is presenting a clinic on behalf of the MPA.

Paul Revere Awards: The Paul Revere Awards Traveling exhibit will first tour to the MLA conference, after which Janna Mattson, Fred Anton, and Charles Slater will coordinate a nationwide tour.

Press/Publicity: Lynn Sengstack mentioned that the new MPA brochure is being reformatted. Arnold Broido introduced the new ASCAP advertisement, "When you illegally download music...you're hurting a lot more people than you think." The ad is a visually appealing pyramid of musical faces (songwriter, publisher, artist, arranger, record store employee) affected by illegal file sharing.

Abbreviated Copyright Guidelines: Lynn Sengstack will email Jim Kendrick for any corrections/changes to the Abbreviated Copyright Guidelines.

Website: Charles Slater reported that Nancy S. Clarke of Embury Arts Consulting [www.embury.com](http://www.embury.com) has been contacted to develop and maintain the MPA Website. Ms. Clarke mentioned \$2000-\$6000 as a possible figure for updating the web site, stipulating that this was not a firm quote. An \$80/hour fee would be required for doing the updates needed immediately, until such time as the MPA decides exactly what should be the content and form of a web site redesign. A motion to approve Ms. Clarke to do immediate updates to the Website, at a rate of \$80 per hour, and not to exceed \$800.00 was approved.

#### New Business

Mission Statement: President Bourne discussed the need to re-examine the mission of the MPA, how best to serve our constituency, and how best to use our capital reserve. While copyright protection and awareness, along with the Paul Revere Awards, continue to remain focal points of the MPA's mission, Arnold Broido stated that, given the MPA's history and image, more could be done, and perhaps the mission be expanded. To facilitate this process, a motion was approved to ask Linda Golding to help the MPA Board refine its goals, with an initial budget of \$1500 to cover consultant costs.

It was decided that the schedule for the next meeting be expanded as follows: enlarged as follows:

10-1PM: Meeting with MPA Board and Linda Golding

1-2PM: Lunch

2-4PM: MPA Board Meeting

Registration for Trademark - Copy Free Zone Logo: The Board opted not to proceed with trademarking the Copy Free Zone Logo (estimated costs \$1800-2000) as there did not appear to be a clear objective as to what trademarking the logo would achieve.

Visit to Carnegie Hall: Charles Slater has arranged with Rob Hudson, Archivist at Carnegie Hall, a tour of the Carnegie Archives after the April 22, 2004 meeting. The tour is open to all MPA members.

Arnold Broido Report: Arnold Broido reported on preparations for the ICMP meeting at MIDEM in January, at which a full day will be devoted to Serious Music which will include discussing the questionnaire sent to IFSMP members, as well as a panel devoted to "The Future of Serious music". Broido is in need of information for the questionnaire on the number of music schools and conservatories in the U.S. Janna Mattson will research this information from the College Music Society; Charles Slater has agreed to do some further research. Mr. Broido further mentioned the development of four technical Committees of the Societies, IMPA and ICMP. Bob Thompson agreed to monitor communications from one of the Committees on behalf of the MPA. Finally, Broido mentioned the "Artist's Rights and Theft Prevention (ART) Act" introduced on November 22<sup>nd</sup>, 2003 as S.1932 by Senators Cornyn and Feinstein. The bill would create a federal law against the use of camcorders and other recording devices in movie theaters, and

strengthening both the criminal and civil provisions of the "No Electronic Theft (NET) Act" of 1997 by recognizing that illegal reproduction and distribution of copyrighted works that takes place before the work is officially released causes economic harm and triggers NET. A full copy of the legislation can be found at <http://thomas.loc.gov/> and entering "S.1932". A problem in the wording of the bill has been brought to our attention and is being worked on by NMPA. It was agreed that MPA would cooperate with NMPA if asked.

#### Committee Reports

ACDA: No Report. The MPA Board is awaiting Christopher Johnson's update at to a meeting with ACDA review staff for information on review procedures.

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:

Engraving: A January meeting is scheduled to discuss the three most used computer engraving programs, but no specific date is available yet.

Finance/Audit: No Report

International Contacts: Arnold Broido has asked that publishers, who have examples of licensing Opera recordings for text and CDs separately, send such information as soon as possible to him for examples in a session at the January ICMP meeting at MIDEM.

MPA/MLA/MOLA: Susan Feder reported that MOLA collected over five-hundred scores and parts on behalf of the Iraqi Symphony. The MPA will have a table at the MLA Conference.

Membership Committee: Membership of Fountain Park Music Publishing Co. was approved.

Performance: Jenny Bilfield reported that a slot at the Chamber Music America Convention would be devoted to programming new works. In addition, Opera America will offer a slot on commissioning new works and working with composers. It does not appear that ASOL will provide an expanded role for publisher involvement at their upcoming conference.

Research/Development/New Technology: Larry Morton reiterated the goals of the committee, and distributed information on two emerging companies, [www.estand.com](http://www.estand.com) and [www.freehandsystems.com](http://www.freehandsystems.com) which manufacture digital music stands and related software.

The meeting was adjourned at 12:06pm. Please Note: Due to a conflict with MIDEM, the January 29 meeting has been tentatively rescheduled for January 14 or 15th at ASCAP, and will be an expanded meeting from 10am-4pm. Janna Mattson will check availability at ASCAP.