



Music Publishers' Association of the United States

Minutes of the Officers & Board of Directors Meeting
February 21, 2008 at The Harry Fox Agency Offices.

Brittain Ashford (Administrator)	Present
Marco Berrocal	Present
Carl Bornmann	Present
Craig Cornwall	Present
Steve Culbertson	Absent
Daniel Dorff	Present
Kathy Fernandes	Present
Lauren Keiser (President)	Present
James Kendrick Esq., (Counsel)	Absent
Steve Manus	Present
Kathleen Marsh	Present
Roger McClean	Present
Dave Olsen	Present
Marc Ostrow	Absent
Norman Ryan	Absent
Todd Vunderink	Absent

Committee Chairs

Craig Cornwall, Finance Chair	Present
Brian Hill, Membership Chair	Absent

Call to order and announcements (Keiser) - 10:15 am

Approval of Minutes for January 10, 2008 Meeting Approved as submitted.

Treasurer's Report. Approved as submitted.

Old Business.

Arnold Broido Advocacy Award

Lauren announced that the first annual *Arnold Broido Award for Copyright Advocacy* will be presented to Mary Beth Peters at the MPA annual meeting. Mary Beth has accepted the MPA's invitation to accept the award and speak at the June 6th meeting.

New Business

MENC Blanket License for Recordings and Syncs for Schools

Lauren Keiser announced that he has been in contact with leaders of the MENC regarding a proposal that would establish the MPA as a licensing agent for publishers that would allow a blanket license for the use of their music in limited use works such as student recitals, teaching samples, school concerts, etc. of 300 copies or less. This blanket license would include a mechanical and sync license. Lauren suggested a rate of \$2 per member. A spirited conversation ensued among the board members, who asked questions regarding the cost of the administration of such a program, and the appropriate amount that should be charged to each member. Also, there was a concern regarding whether the member or the school got the license. Steve Manus volunteered to tell the MPA how much licensing revenue he generated last year for similar licenses granted by Alfred Music Publishing. That figure can be used as a guideline for a pricing structure if the MPA decides to enter into this deal with the MENC.

New Returning Board Member: John Shorney

Lauren Keiser communicated that a former board member, John Shorney, has expressed an interest to rejoin the MPA Board of Directors. He would like to be nominated for a position on the 2008/09 Board and work on a newly formed Church Committee. All approved his nomination.

Legal Update /Eldrid vs. Ascot

Nancy Mertz, representing Jim Kendrick, spoke to the Board on the latest legal news of note. She discussed the Colorado case, Eldrid vs. Ascot which questions the constitutionality of the copyright term extension. The claim against the extension is that it infringes upon free speech. The case has been sent to district court for review.

She also discussed the progress of the royalty rate proceedings and the issues involved. There is currently an argument over the exact definition of what constitutes a 'download', and what rate should be applied to the different forms of the 'download'. An agreement on definitions and rates is not expected soon.

Committee Reports

ACDA – No report.

Annual Meeting – Lauren Keiser. Lauren Keiser announced that the venue for the annual meeting will have to be changed because of construction taking place at the Princeton Club the day of the meeting. He will check on the availability of similar venues and report back to the board with his recommendation.

Finance/Audit – Craig Cornwall. The Board discussed a change in the dues structure and the topic was tabled for further discussion.

Revere Awards– Paul Sadowski. No report.

Contribution – Roger McClean/Todd Vunderink. No report.

Copyright and Licensing – Marc Ostrow. No report.

Educations Contact and Trade Relations – Lauren Keiser. No report.

Engraving/Production – Dan Dorff/Todd Vunderink. No report.

Finance/Audit – Craig Cornwall. Carl Bornmann will start the process of changing the signatories on our Chase accounts.

International Contacts – Lauren Keiser. Lauren attended the meeting in MIDEM on behalf of the MPA. Lauren was elected to the ICMP board, along with Ralph Peer to represent America. The board is made up of 10 MPAs from MPAs all over the world. Jenny Vacher, the former Secretary General will be kept on as legal council, but the board is actively seeking to fill the two open positions of Secretary General and lobbyist.

As a European based organization, the Europeans are very concerned with the matter as the European Union Commission is demanding that publishers figure out a way to license from one country for the entire EU or face a fine of 20% of all revenue. The main area of concern for the organization is cross European licensing and also the shift from a government subsidized model to a competitive model. Lauren also stated that the ICMP has encouraged China and Russia to join the organization. The Board encouraged Lauren to invite ICMP members who are in New York on the dates of our MPA meetings to attend and contribute their perspective to the meeting.

Membership Report – Brian Hill. Marimba Publications, Inc. was submitted and approved for new membership to the MPA.

MLA/MOLA/MPA – Dan Dorff/Todd Vunderink. The next committee meeting will be in May.

Performance – Norman Ryan. No report.

Press/PR/Pub – Kathy Fernandes/Kathleen Marsh/Craig Cornwall. Kathy Fernandes announced that the new “Keep It Legal” campaign started running in the March editions of six major music education magazines. She also mentioned that an article about the copyright law will run in the MENC magazine. The Board also unanimously voted the funds to create a new brochure that can be distributed at trade shows, to new members, and to other interested parties.

Education Contact and Trade Relations – Lauren Keiser. No report.

Research/Development/New Technology – Steve Manus/Steve Culbertson. No report.

The meeting was adjourned at 12:00 pm.

Respectfully submitted,
Kathleen Marsh, Secretary