

COPYRIGHT QUESTIONS AND INFORMATION FOR MEMBERS

1. What is copyright?

Copyright is the exclusive legal right to make copies of intellectual property: books, music, poetry, pictures, drawings, etc.

2. Who owns this exclusive legal right to make copies?

The original creator(s), legal owner or assigned agents such as publishers.

3. Is arranging considered to be copying?

Yes. Technically, you are copying words and/or music and subsequently must ask for and receive permission from the copyright owner before you are allowed to arrange a copyrighted piece of music.

4. Does the copyright law apply in a nonprofit situation?

Yes.

5. How can I tell if an arrangement is legal?

A legal copy is one that has been made with permission and contains a notice on the first page of the music similar to: *Used with permission by Publisher.*

6. What should I do about music that is currently in our library and not legal (i.e., illegal photocopies of legal arrangements or copies of illegal arrangements)?

It is recommended that all members review their music libraries and eliminate any illegal music. If you would like to obtain legal copies of the arrangement, contact the arranger or her designated agent.

7. What must I do when I want to obtain an arrangement of a specific song?

First, contact the Music Services Department at international headquarters to find out if such an arrangement is listed on their master list. If so, you may request it using the forms and procedures that pertain to that particular arrangement. Remember to request enough copies in the event of new members. If no arrangement is on file at headquarters, members should contact an arranger directly for information.

8. If we destroy illegal copies but would like to continue using an arrangement once clearance has been obtained, does this mean we are paying twice for the arrangement?

It is up to the arranger as to how much a group will pay. The arranger may pass on the handling cost as well as the copyright holders fees as first-time charges. However, the arranger may be willing to waive her own fee if the group has already paid it one time.

9. How long will it take to obtain permission and how much will it cost?

Experience has shown that it will take anywhere from a few months to two years for the entire approval process depending upon how quickly the individual publisher responds. Fees involved include a nominal handling fee paid to the international organization. The permission fees paid to the publisher vary, generally running from \$20 to \$75 plus a per copy fee. Arrangers establish their own fee for their arrangements.

10. Can anyone outside of the IMAP use headquarters for clearing arrangements?

Yes. Arrangers who are not members of the IMAP may write international headquarters to request a packet of information and procedures.

11. What about medleys?

Permission to arrange must be obtained for each song or portion of song (no matter how little). The request must indicate that the song will be included in a medley.

12. What if a publisher does not grant permission to arrange or make additional copies?

In this rare instance, any arrangement will not be legal.

13. Will the international organization protect me if I use these procedures for songs I sing?

The system set up through headquarters has been reviewed by a copyright attorney and is providing a basis in developing positive relationships with the publishers with whom we do business. The international organization is confident that arrangements and subsequent photocopies made using these procedures are in compliance with the copyright law.

14. What if I am a member in a country other than the United States?

Permission to arrange and/or photocopy arrangements must still be obtained and requests may be submitted to international headquarters as outlined in procedures. Requirements particular to your own area should also be followed.

15. Since all regional and international competition music must now be cleared, what happens to a competitor if an arrangement they sing is found to be illegal?

The competitor may be disqualified.

16. How may I obtain additional information regarding the Copyright Law?

One good source available in most areas or by mail for \$8.95 + tax + shipping is a small paperback book:

COPYRIGHT: The Complete Guide for Music Educators
Fees' Sharp & Nichols Music
11500 Quail Creek Road
Oklahoma City, Oklahoma 73120-5305
Phone: (405) 748-7313

17. Are there other areas of copyright besides arranging and photocopying music?

Yes, there are several areas of licensing for performance and recording. Most of these are covered in international policy. Contact Martha Clemons in Music Services if you have specific questions regarding procedures in this area.