

Copyright Matters

The copyright clearance statement is included on the competition entry form. By completing and submitting the entry form, the quartet or the president/team leader, on behalf of the chorus, is stating that to the best of their knowledge the arrangements the group is performing are legal arrangements; either they have been cleared through the copyright process, are original works, or are songs in the public domain. Generally, when you purchase music you can assume that appropriate permissions have been obtained. However, if you are not certain, it is acceptable to ask the music provider to verify that the arrangement has cleared the copyright approval process.

Please be aware that lyrics, like the music itself, are copyright protected. Legal issues typically occur only when a performer makes musical or lyrical changes to a published arrangement without permission. Altering a few words to personalize the song for the performer is usually permissible; however, if the lyrical changes involve a parody, with very few exceptions, a performer must obtain permission from the copyright holder to make such changes. Parody lyrics are defined by Jay Althouse in his book, *Copyright: The Complete Guide for Music Educators*, as follows:

“Parody lyrics are lyrics which replace the original lyrics of a vocal work or are added to an instrumental work. In general, any parody lyric or the revision of a lyric that changes the integrity (character) of the work requires authorization from the copyright owner.”

Copyright holders have the right to say “no” to any particular arrangement of their music, and they exercise that right frequently when it comes to parodies. Copyright holders will generally want to review the parody lyrics prior to granting approval or permission to arrange. In addition, when we obtain permission to put your performance on video, copyright holders request copies of all parody lyrics before that permission is considered. As a result, we are now requiring all competitors to attach parody lyrics to the Song Information Sheet so that we are not unduly delayed in our request for licensing. To avoid further complications, and in accordance with the policy adopted by the International Board of Directors, no parodies will be included on our international recordings without written permission from the copyright holders.

Obtaining permission: Obtaining permission to arrange a piece of music with parody lyrics does not guarantee that the copyright holder will grant permission for the video recording.

Sweet Adelines International always tries to comply, to the best of its knowledge and ability, with all applicable copyright and licensing laws of the United States. Use of the copyright clearance form is intended to help you protect the organization from complications resulting from the licensing restrictions. We also recognize that you, as members and performers, want to do the right thing and be in compliance with the law as well. In the future, if it is determined that a contestant has provided false information or has not appropriately obtained permission for an arrangement, and as a result the organization is subject to extraordinary expenses, legal fees, or fines, that contestant may be asked to share in these costs.

SA’s official explanation on copyright and licensing is available under Members Only, Members Document Center, Chapter Resources, Chapter Guide, Section VIII: Keep the Music Ringing. If you have any questions or concerns, please contact music@sweetadelines.com. We appreciate your cooperation.

Copyright Q & A

What is copyright?

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

Who owns this exclusive legal right to make copies?

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

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.

Does the copyright law apply in a nonprofit situation?

- Yes

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.

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.

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

- First, contact Music Services 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.

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 \$50.00 to \$75.00 plus a per copy fee.

Can anyone outside of the ACP (formerly IMAP) use headquarters for clearing arrangements?

- Yes. Arrangers who are not members of the ACP program may write international headquarters to request a packet of information and procedures. Additionally, the Sweet Adelines Request for Permission to Arrange form is available in the Members Only Document Center as an interactive form.

What about medleys?

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

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

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

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

- The system set up through international 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/digital downloads made using these procedures are in compliance with the copyright law.

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.

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.

How may I obtain additional information regarding the Copyright Law?

- One good, free source is a small, online publication: *The United States Copyright Law: A Guide for Music Educators*.
- Sweet Adelines official word on copyright and licensing can be found under Members Only – Chapter Guide Section VIII: Keep the Music Ringing.

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. Please contact Music Services at music@sweetadelines.com if you have specific questions regarding procedures in this area.

Can I post a video of our performance on our website and on social media sites such as Facebook?

- Yes. Beginning with 2019 International Competition, permission to post is included on Competition entry forms. Your chorus is responsible for any additional licensing necessary.

Our chorus has dissolved. What can we do with our music?

- Your chorus can gift their purchased sheet music to another Sweet Adelines International chorus or quartet if the original license was not granted specifically to a particular chorus or quartet for their use only.

Can our quartet use music purchased by our chorus?

- Yes, so long as each quartet member has one paid-for copy of the sheet music and every quartet member is also a member of the chorus.

How do I know if a song is suitable for contest?

· Competition songs: Music Licensing versus Competition Worthiness

All music available on the Sweet Adelines website is licensed and the copyright printed on the first page of the sheet music. As long as you purchase one copy for each person in your quartet/chorus, you can legally sing the song for as long as you wish. SA recommends retaining receipts for all purchased music. If you decide to sing that music in competition, it will be cleared and ready to affirm in your competition forms re: music chosen to be sung in your competition performance.

However, whether the song is appropriate for competition – given the criteria of the Music Category of the *Judging Category Description Book* – is a separate issue. Many factors determine a song's suitability for competition, including technical aspects of the song and arrangement itself, degree of competence in the performance of the elements of barbershop style and the vocal capabilities of your quartet/chorus. The requirements for a contest song are available in the Music Category section of the Judging Category Description Book, which is available to all members in the Members Only section of the SA website. Your coaches, music judges and Certified Music Arrangers are also resources for evaluating competition music.