



Preserving, Sharing, Celebrating...

Moravian Music FOUNDATION

Copyright and the Church Musician: What do we need to know?

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What is Copyright?

- ▶ Definition (Merriam-Webster): the exclusive legal right to reproduce, publish, sell, or distribute the matter and form of something (such as literary, musical, or artistic work)

In other words...



Exclusive Rights of the Copyright Owner

- ▶ Reproduce/copy the work
- ▶ Adapt and prepare derivative works based on the work (i.e., arrangements of a choral work)
- ▶ Distribute copies of the work
- ▶ Perform or display a musical work publicly, and
- ▶ Perform a sound recording publicly by digital audio transmission

[\[djcounsel.com/music-law-101-rights-copyright-owner/\]](http://djcounsel.com/music-law-101-rights-copyright-owner/)

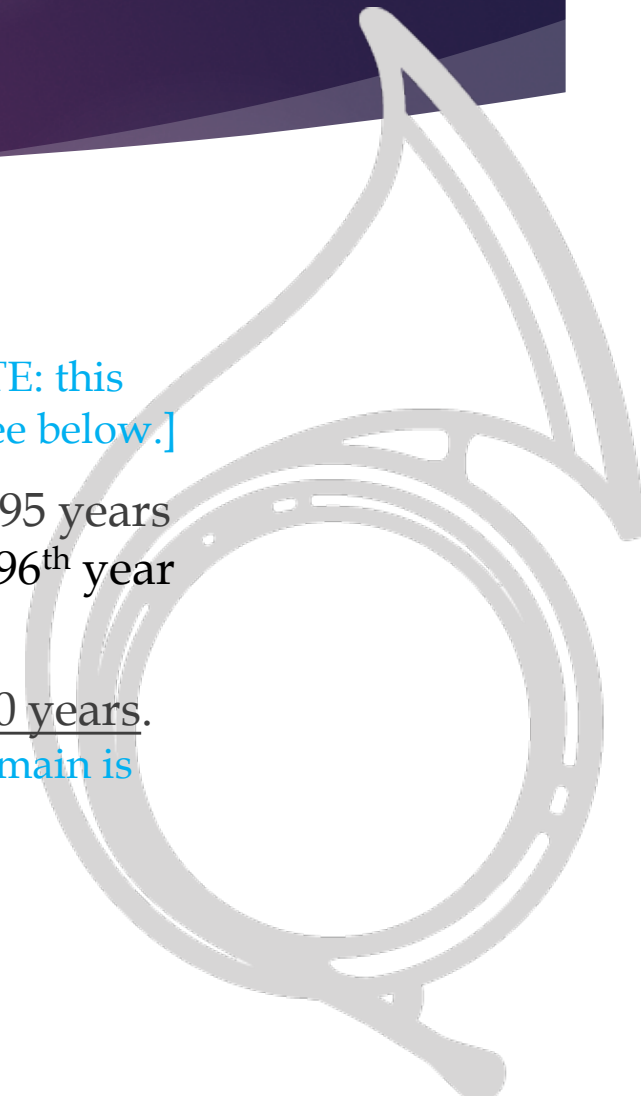
Many composers/lyricists assign rights of their works over to a publishing house.



© or Public Domain?

It's all about the date...

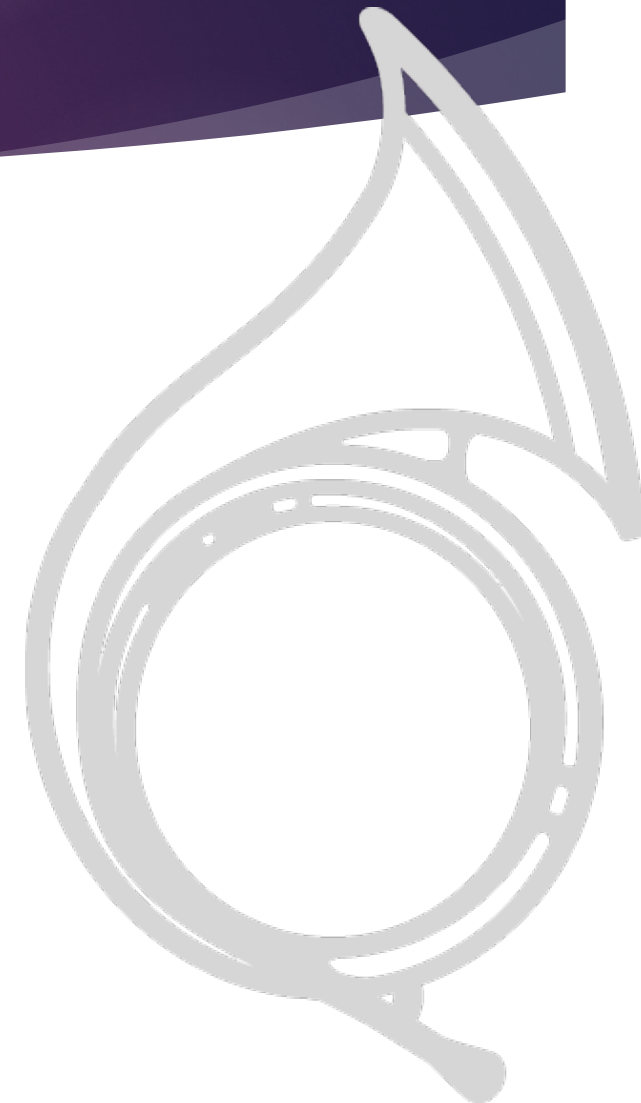
- ▶ **Works published before 1926** currently fall into the Public Domain. [NOTE: this year changes annually as the maximum copyright protection of 95 years expires; see below.]
- ▶ **Works published 1926 through 1978:** Maximum Copyright Protection of 95 years from year published. Works enter the Public Domain on January 1 of the 96th year of publication.
- ▶ **Works published after 1978:** Life of the Longest Surviving Author plus 70 years. [NOTE: The earliest possible date for a work in this category to enter the public domain is 1/1/2049.]



How do we cope?

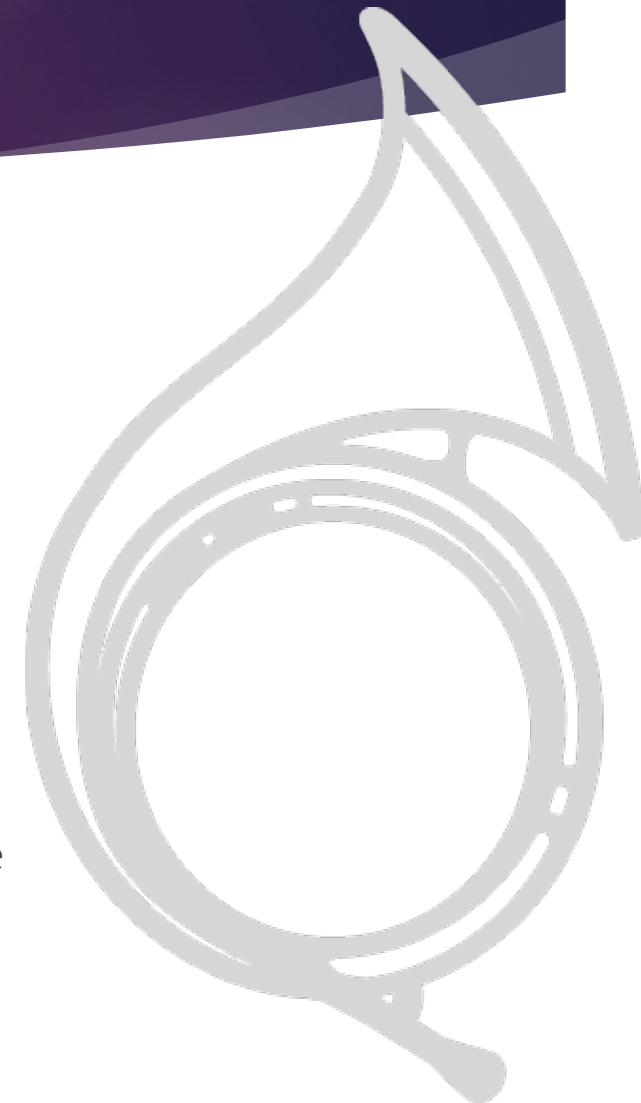
Licensing Agencies!

- ▶ **CCLI** (Contemporary Christian Licensing International): us.ccli.com
- ▶ **OneLicense**: onelicense.net
- ▶ **CCS** (Christian Copyright Solutions; division of CCLI): christiancopyrightsolutions.com



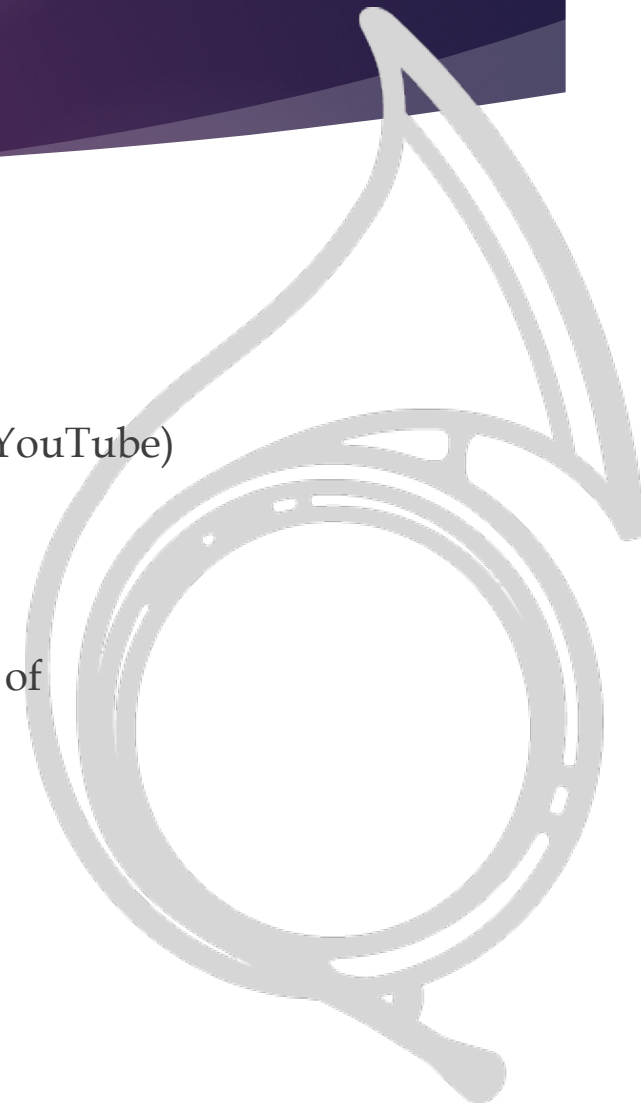
Reproduce Texts in printed material (bulletins, etc.)

- ▶ Church Copyright License, allows congregation to:
 - ❖ Print songs, hymns, and lyrics in bulletins for congregational singing
 - ❖ Project lyrics for congregational singing
 - ❖ Record services, provided only recording *live* music (i.e., not tracks!)
- Annual License
- Based on Average Church Attendance, not membership
- Licensing agencies have methods in place to report titles used, paying the composer/author and copyright owner their due



What about broadcasting?

- ▶ Requires a Podcast/Streaming License, allows congregation to:
 - ❖ Distribute pre-recorded and/or live services
 - ❖ Covers church's website as well as social media platforms (i.e., Facebook and YouTube)
 - ❖ Report handled in same manner as print license
 - ❖ Can be bundled with print license
 - ❖ Like print license – covers broadcast of live music only; does *not* allow for use of commercial or publisher-owned recordings



Caveat...

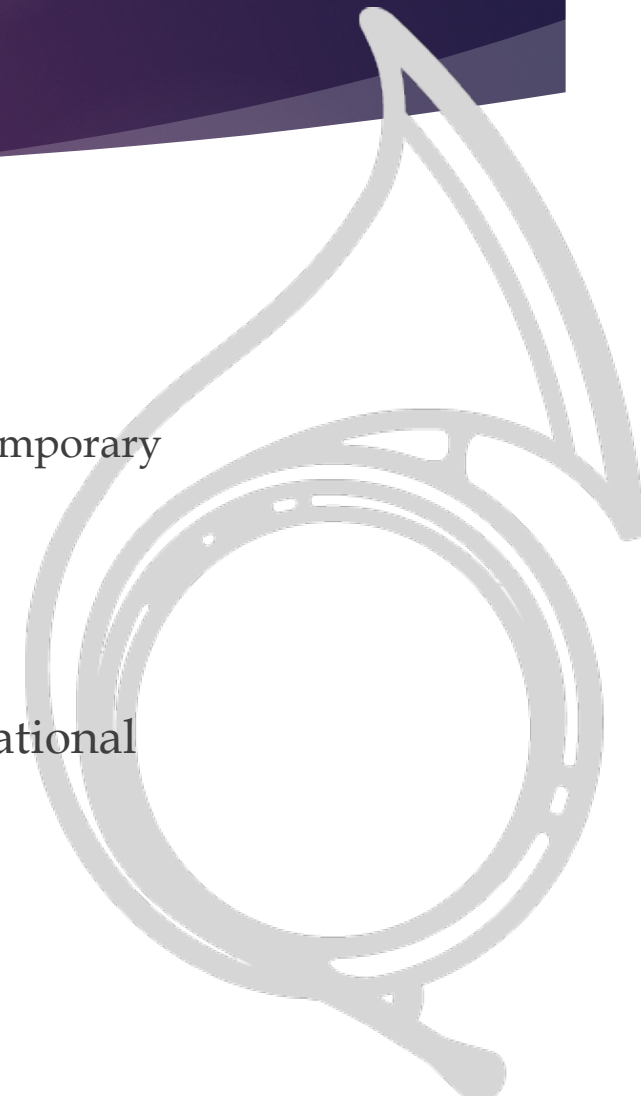
CCLI, OneLicense, etc. cover material intended for **congregational** (*or Worship Ensemble*) **singing**.

They don't always cover instrumental music – organ, piano, handbell, etc.

They do not cover spoken material – liturgies, scripture readings, etc.

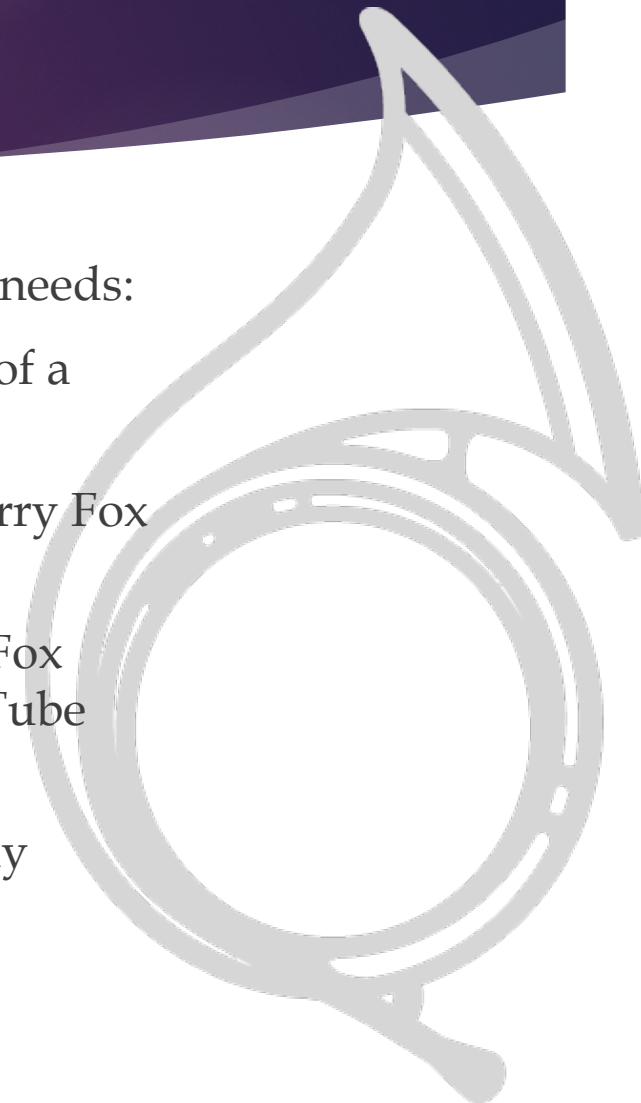
Christian Copyright Solutions (CCS)

- ▶ WorshipCast License, covers:
 - ❖ Materials from ASCAP, BMI, and SESAC performing rights databases
 - ❖ Wider genres of music: Gospel, Rock, Holiday, Pop, Patriotic, as well as Contemporary Christian
 - ❖ Includes some instrumental materials as well as choral (piano, etc.)
- ▶ Format same as CCLI and OneLicense: Annual License based on congregational attendance



Virtual Choir performances

- ▶ In order to record a virtual choir performance of a copyrighted work one needs:
 1. A **Mechanical License** (obtained from the publisher): for the creation of a sound recording/rehearsal track
 2. A **Synchronization License** (obtained from either the publisher or Harry Fox Agency): covers assembly of music and video together
 3. A **Performance License** (obtained from either the publisher or Harry Fox Agency): covers broadcast of the performance on the church website or YouTube channel
- *Or...* Virtual Choir packages offered by various publishers; these generally include streaming rights



Back-Up/Master Tracks

- ▶ Use of back-up or publisher Master Tracks is not permitted with normal CCLI/OneLicense material, *but...*
 - ❖ CCLI has added an additional “Streaming Plus” License which allows for streaming of Master Tracks: multitracks, backing tracks, split tracks, loops, etc.
 - ❖ Materials limited to CCLI’s Streaming Plus database



Questions...

