Subject: internet radio
Posted by Melissa Parham on Fri, 06 Apr 2007 15:45:35 GMT
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Hey everyone, it looks like we should be up and running by next week with our new radio station, right here on ART. I wanted to let you know if there is anything you are interested in hearing, or would like some of your personal favorites on the radio please feel free to email them to me (they must be in MP3 format). I look forward to hearing from you!!Thanks Melissa

Subject: Re: internet radio
Posted by Wayne Parham on Fri, 06 Apr 2007 16:29:56 GMT
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Diana KrallKate BushOingo BoingoYesGenesisMoodiesMushroom JazzMussorgsky "Pictures at an Exhibition"BeethovenGentle GiantThat's just a few. We'll think of others. I'm sure the rest of the gang will chime in too.Does the music licensing agreement cover anything people find? I know part of what you've done is deal with the royalties in addition to the streaming audio server cost. How do those royalties get accounted for? I mean, I don't really care how the contract is written between the hosing service and the musicians except that I wanted to know if there was any material we are excluded from. Can we send you any request and put whatever we want on the station?

Subject: Re: internet radio
Posted by Melissa on Sun, 08 Apr 2007 03:11:04 GMT
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The licensing agreement covers all material goverened by ASCAP, BMI and SESAC. We're covered on anything we would play, with certain limitations like not playing whole albums and things like that. Playlists are restricted so that we cannot violate these agreements. Basically we're covered on anything we play and the royalties are taken out of the money we pay each month.

Subject: Re: internet radio
Posted by Duke on Sun, 08 Apr 2007 06:11:26 GMT
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Hi Melissa,Can you play independent music, from artists not under contract to anyone?If so, how

would that be handled? Duke

Subject: Re: internet radio
Posted by Melissa Parham on Sun, 08 Apr 2007 15:02:15 GMT
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With their permission, sure. Just send us the MP3 files and we'll put it on the station. We have to pay royalties to the record companies for the material they own. That covers us for everything on commercial record labels. Other stuff is no problem, provider the owners don't mind the airplay. Uh, er, I mean streamplay.

Subject: Re: internet radio
Posted by Duke on Sun, 08 Apr 2007 16:17:22 GMT
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Thank you very much, Melissa. I will e-mail you once I have some MP-3 files and permission.Duke

Subject: Re: internet radio
Posted by Melissa on Mon, 09 Apr 2007 01:29:29 GMT
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FYI- We pay monthly---for royalties on ALL copyrighted music. Melissa

Subject: Re: internet radio
Posted by Melissa on Mon, 09 Apr 2007 01:40:53 GMT
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Hello Duke, we are learning as we go, and I have copied information from live365 (below) so you can better understand. MelissaDo I still have to follow the broadcast licensing guidelines as strictly as stated if I want to create an Internet radio station that contains only my originally created music and my performance of such music?Ordinarily, you must abide by the rules as stated in our Broadcasting Rules and the Digital Millennium Copyright Act (“DMCA”). However, if you own the copyrights in both the music and in all sound recordings embodying the performance of

the music, you would not need to comply with all the rules that would otherwise be applicable.In addition, you must still abide by our User's Agreement, Terms of Use, and other guidelines set forth by Live365. Please keep in mind that we do require proper documentation from you. If you are an independent Artist and wish to create an Internet radio station featuring your own music, you can do so by forwarding to us written consent from you, as long as you are the sole owner of the copyrights in both the music and in all sound recordings embodying the performance of such music.If you wish to create an independent Artist Internet radio station that features music owned and/or controlled by you, please send us a notice stating that you are in fact the Artist being featured and that you own all rights in the music and in all sound recordings embodying the performance of such music (and that no third party, including any record company or other party, owns any such rights) on your Internet radio station. Please provide your DJ name and description of your Internet radio station as well so that we may stamp it as an "independent" station.If, however, you are featuring someone else's music on your Internet radio station on our site, you must forward to us written consent from the Artist and/or Artists, and any third parties involved (including record companies) that own any of the copyrights in the music or in any of the sound recordings embodying the performance of such music. Please send such documentation to the attention of the Live365 Legal Department via facsimile at (650) 345-7494 or forward via U.S. Mail.

Subject: Re: internet radio
Posted by Duke on Mon, 09 Apr 2007 02:27:32 GMT
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Thank you again, Melissa.The final paragraph seems most applicable in this case.Would a letter from the (unsigned by any record label) artists stating their full copyright ownership and consenting to your use of their music over ART Radio be sufficient?Duke

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Subject: Re: internet radio
Posted by Wayne Parham on Mon, 09 Apr 2007 03:24:50 GMT
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You betcha. A letter stating authorization to play would be just fine. If an unsigned musician would like us to play their music, we'd be happy to put it in the playlist.If a musician or group is signed with a record label, we're covered because we pay royalies in a lump sum that are divvied up to pay the respective copyright owners. It's part of the contract. If they're independent, then the way they handle their distribution and licensing is up to them, so if they want to be on the ART playlist, we're good. Either way, I think we're covered.The way our licensing agreement is written, extra moneys are provided for record companies licensing and royalties in addition to those paid for streaming audio service. Anything that isn't owned by record companies is up to us. For example, if we setup a station that played nothing but indie music and/or recorded material that we own, the we would not have to pay the licensed royalties to ASCAP, BMI and SESAC (via

Live365). We could sign a waiver and not pay the licensing fees, and instead just pay for the streaming audio server.Since we plan to play mostly music, we pay the licensing fees. We also plan to run programs like recordings of seminars at LSAF and things like that. We'd love to play independent artists, and encourage everyone to send in material that they'd like to hear.

Subject: Re: internet radio
Posted by Skip Pack on Tue, 10 Apr 2007 00:03:50 GMT
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So! I've looked around for a registered user entryfor your email address, and found none. How shouldI direct my email with mp3 attachments?Thanks,Skip

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Subject: Re: internet radio
Posted by Melissa on Wed, 11 Apr 2007 02:59:29 GMT
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Sorry about that, my email address is melissa@parhamdata.com. Please make subject "ART radio" so I don't think its spam. Thank you. Melissa

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Subject: Re: internet radio
Posted by Duke on Thu, 12 Apr 2007 04:21:44 GMT
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That sounds great, Wayne.I have two independent musicians each putting together a compilation to send to Melissa hopefully within the next week or so.Duke

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Subject: Re: internet radio
Posted by Wayne Parham on Thu, 12 Apr 2007 04:26:07 GMT
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Sounds great! Looking forward to it!

Subject: Re: internet radio
Posted by Melissa on Thu, 12 Apr 2007 04:41:04 GMT
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Yeah!!!!