

## **PUBLISHING – A PRACTITIONER’S VIEW by Johnny Lappin**

"Music publishing is where the copyright creator (Songwriter) allows the business person (Music Publisher) to take on the responsibility of maximizing the earning potential of the creators endeavours".

Put simply, the publishers job is to make as much money as possible for both the songwriter and him/herself as possible by 'exploiting' the songs controlled to their full potential. The word 'exploiting' in this context means trying to generate as much money as possible for the benefit of both songwriter and publisher.

Most songwriters will already be aware of the bread and butter earnings i.e. Broadcast & Public Performances collected and paid out by IMRO and Mechanical Royalties collected and paid out by The Mechanical Copyright Collection Society (MCPS) so I thought I might concentrate on some of the other aspects of a Music Publisher's work through general explanations under three headings.

- 1. What's in Music Publishing for a Songwriter??**
- 2. What's in Music Publishing for the Publisher??**
- 3. What's in Music Publishing for other people??**

So what's in it for the Songwriter??

The first thing a songwriter must accept if he wants a publisher to 'work' his songs is that it's going to cost him money.

Music Publishing is a skilled service provided to the songwriter, so a fee of some sort will have to be agreed by both parties and set out in a legal contract. This fee usually takes the form of a percentage of the songs earnings being retained by the publisher for his/her services. Hence the split between songwriter and publisher is the first thing to be decided.

This can range from a 50/50 split to a 60/40, 70/30, 80/20, 90/10 etc, the higher percentage always in favour of the writer. Other main points to be negotiated will be the term or length of the contract, the songs it covers, the territories it applies to (UK & Ireland, USA, Japan, The World, etc) and when payments are to be made ( quarterly, six-monthly etc)

In return for his/her percentage the publisher will usually take on the following responsibilities:

- a) Ensure correct registration of all works with the relevant society/body (IMRO/MCPS etc).
- b) Monitor, collect and distribute the accruing royalties to the songwriter on an agreed and regular basis.
- c) Where applicable, help the songwriter secure a record deal.
- d) Seek commissions for the writer's works on radio/TV/films.
- e) Endeavour to place the music with advertising agencies for possible 'jingle' usage.
- f) Licensing the works for ancillary usages such as graphic rights (reproduction of lyrics in newspapers, magazines, etc).
- g) Looking for soundtrack synchronisation licenses (TV themes/background music).
- h) Assisting the writer with demo recordings either financially or creatively.
- i) Using contacts in broadcast stations to encourage DJs etc to play ('exploit') the music on air etc.
- j) Where applicable to their contract, arranging sub-publishing deals in overseas territories where the works are being exploited (by, for example, being released by an overseas record company) and ensuring that the relevant societies (ASCAP, GEMA etc) are aware of the songs activities and all royalties are being collected and passed back.

k) 'Pitching' songs to established recording artists with a view to the work being 'covered' (recorded) by that artist.

The above (in no particular order) are some of the matters dealt with as part of a working Publisher's daily routine. As you might imagine, in order to work successfully together it is important that both parties have a good working relationship and have agreed on an overall game plan for the songwriter and his works.

So what's in it for the Music Publisher??

Hopefully, a decent income- not easy in a small market like Ireland with a three-minute airplay on RTE radio earns roughly £5, so from a 70/30 deal with a writer the publisher will earn £1.50 per play. So as a rule of thumb, Irish Music Publishers need to have an international aspect to their business as they will probably not survive from Irish revenues alone.

Of course there can also be a lot of job satisfaction for the Publisher when he achieves a particular goal. My own favourite personal memory was the night (5th March 1985) my clients Clannad won the BAFTA award for the 'Robin of Sherwood' television series. The thrill of that achievement after many years of hard work was very special. Similarly, since a Music Publisher is essentially a 'background' person in the career of a writer, seeing your clients play a sold out show in a prestige venue such as The Point or Albert Hall is a genuine buzz. Likewise if you manage to 'place' a song with a major recording artist the realisation of a job well done (not to mention the thought of future royalty income) is very rewarding.

The challenge of finding new hit songs is also part of the Publisher's job. Every time we listen to a new 'demo' (yes, we do listen!), we do so with the thought that the next demo could be a future No 1 with all the excitement that prospect might bring. A successful Music Publisher will be creative in the way he sees the potential in the new songs he hears, and many people have asked me over the years how I determine which songs I want to sign. I can't explain that too precisely as a Publisher's view on a particular song is very subjective, but I know it when it happens. The first time I heard Aslan's "Crazy World", I was blown away and just knew it would be a hit song. Right now I'm in the process of signing a new songwriter from Cork (Hi M.L.) whom I think is very talented and I look forward to the challenge in trying to prove my instincts are again correct.

The most exciting aspect to life as a Music Publisher is that things change rapidly. A style of music currently popular can become outmoded almost overnight. Copyright matters such as Internet usage etc. also bring new challenges and one must be constantly aware of and adaptable to these changes. Apart from all that it beats working!!

So what's in it for other people??

When a movie producer or director looks for suitable music soundtracks to compliment the picture he/she will often turn to a Music Publisher to find the right soundtrack material that can add so much to one's enjoyment of a movie. Likewise, where would the broadcast media (radio stations etc) be without music or imagine a disco without music?

In relation to artists, Cliff Richard, Tina Turner, Joe Dolan and Tom Jones (to pick four at random) have one thing in common. They are all high profile established recording artists who don't write songs. Instead they must rely on songwriters and Music Publishers to keep their careers alive.

Advertising agencies too, have reasons to be thankful to the creative community. The phenomenal 'Moby' has provided much succour to the advertising community with his ubiquitous songs appearing on a plethora of television commercials.

Our colleagues in the record companies, naturally, depend on music too, not to mention all the people who work in societies such as IMRO/MCPS etc. who, without music creators and publishers, would have to pursue a completely different and possibly boring career. Even worse, they might even have to pay for their own lunch!!

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