

## **Twenty Songwriting Questions Answered**

**I do not write complete songs: I need a collaborator. How do I go about getting one?** If you are an ISA (International Songwriters Association) subscriber, send for our Leaflet 101, which explains Songwriter Magazine's services for subscribers trying to locate collaborators. There are plenty of ads also in each issue of "Songwriter Magazine" from lyric writers and melody writers seeking partners. Remember, people who can write great words are always in demand.

**Can you teach me how to write hit songs, and if so, what are my chances of success?** No, we cannot teach you how to write hit songs nor can anybody else. If you have talent, you can profit from good advice and good contacts, both of which we can offer, but we cannot give you that talent. As regards the chances of making it as a songwriter, do remember that top songwriters earn millions and the competition at any level in the music business is very keen. If you have talent, original ideas and a willingness to work against the odds, then your chances are somewhat better than those of the average hopeful, but even so, it is a highly unpredictable business.

**There are plenty of melody writers, offering to put music to lyrics for cash. They advertise in a lot of the music papers. Why not use one of these?** For one very good reason - namely that these people (referred to as "sharks") have written literally hundreds of thousands of melodies for lyric writers over the past fifty years, and none of these 'melodies for cash' merchants has ever produced one minor hit. They are not songwriters - they are simply businessmen who make a profit out of lyric writers. Many of them write the exact same tune to each song lyric they receive, so that if by any accident, they ever did have a hit - you would be sued by about another ten thousand songwriters! Many of them disguise themselves as so-called "music publishers" or "record companies" (called "sharks" by the trade - see below), but they can be easily recognised - they want money from you, whereas genuine publishers pay you (not you them!) *and* genuine songwriters collaborate with each other on a 50-50 split of royalties, and not cash fees.

**How can I protect my ideas from been stolen before they are published?** Theoretically, copyright exists from the moment one writes a song. The problem is to prove that you wrote the song in the first place, and since this is not usually possible unless you can produce witnesses who stood around watching you write it, you must prove ownership by showing that on a certain date you were in possession of the disputed song. If this date is the date prior to publication by the music publishers (which it would have to be if you wrote the song in the first place), then the publisher is faced with the task of showing how you could be in personal possession of a song which he claims you did not write on a date prior to its publication. The best methods of protecting copyright are to assign your song to a solicitor (attorney), or to a bank manager, ensuring that they date and seal the item in your presence, or to enclose the song in an official registered envelope (obtainable from the Post Office), post it to yourself but leave it unopened when it arrives so that it may be opened in court. Alternatively, you could use the various copyright services available, including the ISA Service, which is free of charge.

**Are cases of song-theft very common in the music business?** Although a lot of songwriters do worry about copyright, genuine cases of copyright infringement are rare indeed, and you will have very little to worry about if you deal with a respectable and established music publishing firm and copyright your material.

**Once I have my song written, and protected, what do I do then?** Once the songwriter has completed his song, the problem of promotion begins: (and again, remember that publishers are only interested in songs comprising words and music, not in words alone or music alone).

Normally, the writer will send his song to a music publisher, usually by post. Most publishers require a demonstration recording (called a demo) with a copy of the lyrics written out. A manuscript is a useful extra but is not essential. Demos can be made at home if the writer has the equipment and skill. A simple guitar or piano backing is sufficient (initially anyway) for ballads or folk material. It may be found necessary to have a demo made for more complex material, or for material requiring extra instruments, and the ISA for example, can assist, in these circumstances.

**How can I get a list of Music Publishers?** The ISA publishes a new list every few months. The magazines "Music Week" and "Billboard" publish yearbooks, which also list the major publishers, while in the UK, the Music Publishers Association publishes a list of its members.

**If the publisher I have chosen likes my song, what next?** The publisher may, if he likes the song enough, offer you a contract for that song. Sometimes, if he likes your style, but not particularly the song you have sent, he may ask you to send him further work so that he can judge your potential. If, however, he issues you with a contract, he will be of the opinion that he can get a recording on your song - that is to say, that he can persuade some singer to record your tune as his next single or perhaps as a track on his next album. This is why you are sent a contract - the publisher will want to have you signed to him prior to looking for a recording on your song; otherwise, you might sign with another publishing firm having got him to get a recording on your song, and so another publisher would reap the reward of his activity!

**What should I look for in a contract?** You should never sign any contract without having it examined first. The ISA will be happy to do this for subscribers, but you may know a lawyer or solicitor who is familiar with show-business contracts and who may be able to assist you. Although we do not advise signing a contract without having it checked, we will mention that you should look for a short reversionary clause (one or two years, for example - otherwise your song might remain tied for ever to a publisher unable to obtain a recording on it), and ensure that a minimum figure of 60% is quoted in all references.

**What is a "shark" publisher?** The number of fake or "shark" publishers in the U.S. is over 200 and in the UK almost 20. Since fake publishers or sharks vary their modus operandi frequently from year to year, it is often difficult to pinpoint them. The following guidelines may assist. Since genuine publishers do not deal with lyric writers (only complete songwriters), sharks often advertise looking for lyrics, either in the music press or in popular magazines. They often describe themselves as music publishers, and usually say that they like your lyrics, but that in order to be able to put them on the market they will have to get a melody written. This will cost money (anything from £5 - \$5 up to whatever fee they think the market will bear). Sometimes they stress that the "publishing" will be free, which often confuses the newcomer, and that all the publisher needs from then on is "luck" (which never seems to materialise).

How can I recognise a shark? If you remember that real publishers never look for one penny from a writer, then you will be able to avoid being caught. However, since our magazine pinpointed these sharks, several of them have now new angles for getting money from you. They promise free publishing, and free melodies, but ask for a small charge (£5 to £50 - \$5 to \$50) to cover (a) fees for arranging or orchestrating the finished work; (b) fees for recording the work; (c) fees for accounting or book-keeping; (d) fees for promotion, postage, copyright, etc. Please remember that there are many variations on the above themes, but genuine music publishers do not charge you - they pay you.

**What exactly is the role of the music publisher nowadays?** In the early days of popular music before records and tapes brought the songwriter's work into millions of homes, the writer depended on royalties from the sales of sheet music, which was "published" (i.e. printed and put on sale) by the Music Publisher. With the advent of recordings, sales of sheet music declined, and the Music Publisher, in order to compensate himself for the loss in revenue, negotiated a royalty from the song. Performances on radio and TV led to further "royalties", all of which were collected by the publisher, who in turn split all this new income with his writers. Indeed, nowadays, many publishers see themselves more in the role of a songwriter's agent, promoting his work to singers and record labels, and collecting revenue on his behalf from all sources.

Of course, publishers still "publish" sheet music but basically the job of the publisher nowadays is to evaluate what he receives from the writer, place it for recording, and then collect and distribute the moneys due, in conjunction with such agencies as the PRS, BMI, ASCAP and SESAC. Many pundits see the role of the publisher diminishing greatly in the years to come which could in our opinion be a pity for the new songwriter, as the publisher is closer to the songwriter in his aims and intentions than is the record company. A good publisher can truly be said to be "the songwriter's friend".

Songwriters often ask if it is possible to circumvent the music publisher, and deal directly with the record company. It is possible, but naturally a recorded song still has to be "published", as it were, and unless the writer has something going for him, it will be difficult for him in the early stages to keep the publishing for himself. However, where he has in fact promoted the song and obtained a recording on it without being asked for the publishing, he should try and keep it, or at least keep part of it.

**Is there any case where a genuine publisher, or a genuine record company, would require a lyric writer or songwriter, to pay any fee, part with any money, or share in any expense whatsoever?** Absolutely not.

**Some songwriters have their own publishing companies. Can I set up my own, and if so, how do I go about it?** You can certainly set up your own company, and we have helped subscribers to establish their own publishing firms. The procedure is quite simple, and we will be happy to send you a leaflet on the subject.

**Suppose that as a songwriter I am mainly interested in singing my own songs on record, and not just in writing songs for other singers, can this be arranged?** Yes, if you have the talent, and the material, you stand a better chance of breaking through as a newcomer. SongSeller often prints tips concerning record companies which are seeking singer songwriters and our advice department is always ready to help.

**Will I have to pay taxes on income from songwriting?** Yes, and the amount you will have to pay will depend on the country you live in. In Ireland, for example, many songwriters are partially exempt from taxes, while tax rates in parts of the U.K. (Isle of Man, Jersey, etc.) are somewhat lower than on the mainland. In the U.S.A. you can only avoid taxes by moving abroad and also changing citizenship, but the entire matter is so complex that you should write to the ISA setting out your particular situation, and we will put you in touch with a tax expert in your own country. However, we genuinely believe there is a moral obligation on writers, as there is on all citizens, to pay their fair share of the tax burden.

**Should a songwriter enter song contests?** There are hundreds of song contests and festivals throughout the world every year, ranging from small local affairs to large glamorous

international contests. The ISA can give you any information you require on the various festivals and competitions.

**How easy it is to make money in songwriting?** It is not easy - it is very difficult. The rewards are huge and the sums that can be made are vast. In any profession where the rewards are huge, the competition is intense. But every day, somebody makes it!

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