

## **THE JAWS OF THE SONG SHARK**

**By William Collins, Princeton Music Examiner**

Just like our oceans, there are also sharks prowling the waters of the music business. The difference is these carnivores are in search of un-signed musicians and songwriters.

Getting a recording or publishing deal is a tough nut to crack. To make music matters even more difficult, there are many unscrupulous individuals trawling the shallows ready to cash-in on the dreams of the unsuspecting artist. These scams are everywhere, especially on the internet and one must be vigilant.

While manoeuvring through these murky, musical waters, it is helpful to be able to identify the dangerous species from the harmless ones. Common sense is the first and most important piece of equipment to have before submerging into the depths. Remember, nothing is totally free; anyone who solicits services or the ability to help you with your career-search will want something from you. Some of the many scams are:

**Song Sharks** - These are individuals who claim to be legitimate publishers, record labels or firms. They will sign almost any song regardless of quality. Then they will request money from you for a number of different services (submission fees, paperwork, office expenses, packaging, etc.) while at the same time telling you that they are on the brink of getting your music to a major label or artist. Legit publishers never ask the songwriter to pay for items and services that are a standard part of the business. Publishers get paid in the form of royalties after the song has been recorded.

**The Demo Mill** – Once these people receive your song, they will stroke your ego by telling you how good the song is. Then comes the pitch - you will be told that your song has hit potential but needs to be of studio quality before they can shop it, and they have top-notch studio musicians who will re-record it for a minimal fee (because the song is so good). Once you commit to paying for their services they will consider you hooked.

Soon, one cost after another will be thrust upon you for as long as you will continue to pay. Respectable publishers are used to hearing basic, production-less demos. At this early stage, they are only interested in the melody and lyrics of the song and not the production. If a good publisher is interested in your song, they will most likely re-record the song themselves, or have an idea of what they want to do with it. This is not the responsibility of the songwriter.

**Compilation CDs** – This is a popular scam. The songwriter will be offered the opportunity to have his or her song included on a compilation CD that will later be shopped to hundreds of record companies, agents and managers. This will be explained as a cost-cutting approach because all of the artists will contribute to the production costs by each paying a fee.

Unfortunately, the only people who will probably hear this CD are the people performing on it. Record labels rarely (if ever) listen to these types of compilation recordings. The artists send in their money and their demo recordings. In return the scammers burn a CD of all the songs, slap a label on it and mail a copy to all the contributors. Included will be a letter stating that they are very excited about the many positive industry responses to the CD. They will ask you to be patient, and you will hear from them as soon as all of the results are in. Don't hold your breath!

**Song Contests** – This scam is so simple that non-music sharks have entered these waters. The contest requires that you send in a copy of your song along with \$10 - \$20 (per song). The winner supposedly will receive a recording contract for that song and/or a complete band package of instruments, audio equipment and accessories. Of course, a bogus name is announced as the winner and everyone is sent an email stating that they were runners up. The songwriter is encouraged to submit their music again for the next contest because they were so close to winning the first time.

**Song-pluggers** – These are individuals who claim to be part of an experienced team of music industry pros. For a fee they will use the contacts that they have accumulated over the years to shop your songs. The songwriter must first pay a membership fee to be included in this exclusive service. The company will offer a yearly or multi-year membership. Many of these memberships will range from \$150 to \$400. The songwriter will also receive an optional critique of their songs for an additional fee per song.

There are supposedly legit music placement services out there that require membership fees. Check all of these services carefully before joining. Email a few members and ask what they think of that particular service. Take time to research independent reviews and articles regarding these companies in respectable music magazines and websites. Keep in mind that if your songs are that good, you don't need to pay anyone to shop it for you. The composition itself will draw legitimate interest and reward if you take the proper steps to get it heard. This requires research, patience and a professional approach.

Never sell anyone your songs or the rights to them! Unless someone has hired you to write a particular song, don't allow anyone legal rights to your musical property. In doing so, someone can take your name off of the song and replace it with their own. If someone wants to record your song, be sure to follow the proper licensing procedures.

Let's face it, most of us can easily be swayed by someone who raves about our talent and offers to assist us in getting that 'big break.' Although they will ask for money, some of us will look at this as a small price to pay for fame. But don't be fooled by compliments and promises that sound too good to be true, because ...

Respectable industry people understand that they must pay good money for good songs. These individuals are more than willing to pay the artist in order to get on board with a product that they feel will reap rewards down the road. Anyone who asks the songwriter for a fee or payment regardless of the reason should be looked upon with suspicion. As with most things in this world, there are exceptions, but very few!

With these few things in mind, swim carefully and safely in the sandy, salty, surf of the sometimes seedy sea of song.

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The one area I have not touched upon is dishonesty - yet most songwriters think in terms of getting ripped off by dishonest music publishers. How real is that fear? Most people are honest, and in spite of what many songwriters may think, so are most music publishers. In more than 25 years in this business, I can honestly say that I have found comparatively few dishonest publishers around. Having said that, there do exist publishers who do not make the demos they promised when the song was first being assigned. There are publishers who fail to promote the song at all, having signed it, but never tell you this. There are publishers who consistently fail to reply to letters from writers they have signed. There are publishers who make false claims of earlier successes. There are publishers who arrange sub-publishing deals to their own advantage and to your detriment, but all of these people are not necessarily crooked - just a little bent. Of course, there are crooked publishers, but they are a tiny minority who should be, and someday probably will be, in jail.

Before signing with any publisher, try and speak with somebody who has dealt with that publisher, and ask him about his own experiences. If you cannot locate a writer who has dealt with that publisher, try us. Over the last 20 years or more, we have heard from members who have had dealings with almost every music publishing company, and indeed almost every music publishing executive in existence, and we can usually give you some idea of what to expect. Having said that, it is my opinion that in 90% of all cases, such precautions are superfluous, as I do genuinely believe that 90% of all publishers are relatively honest. They are not necessarily relatively efficient or successful - but they are, by and large, usually honest.

So what exactly is a "shark publisher"? I never refer to one of these people as a "shark publisher" - but simply as a shark. Basically, a shark is a self-styled publisher who does not publish. The most basic form of shark is the gent who preys on lyric writers. As you know, when you approach a music publisher, he is only interested in hearing a complete song - and not just words. If he likes your song, he pays you a small advance, and starts trying to turn your song into a hit. In other words, a genuine music publisher publishes complete songs of lyrics and music, and he pays you - not you him.

Now the shark works the other way around. He will express enthusiasm for anything you give him... words on their own, music on its own, pieces of toilet paper on its own, song titles on their own, anything you like - as long as you are willing to pay him to write melodies, write lyrics, write entire songs, and publish the results. The main point is that it will cost you money, and that you will never see one penny of that money again. Of course, they are not always that obvious. Since the ISA started pinpointing these people some years ago, they have got cuter. Nowadays, some of them say that the publishing is free, but that the writer will have to pay for copyright, or else for accounting fees, or else for promotion, or whatever. All of this is rubbish, and if you remember that the real publisher pays you, but that you pay the shark publisher, you will not go far wrong.

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