

## IJA Music Policy

Starting in 2015, competitors are required to use music that is either royalty free or that they have the licensing rights to. These rights must allow for the IJA to use the music in mediums including but not limited to live performance, online streaming video, and DVD, with no charge to the IJA. It is the competitors' responsibility to use tracks that allow the IJA to use the music in recorded releases. Royalty free tracks are the easiest way to get music that fit these criteria, as they are widely available on the Internet.

### **Where can I find royalty free tracks?**

Here are just a few resources where you can get royalty free music:

<http://www.freestockmusic.com/>

<http://www.stockmusic.net/>

<http://www.premiumbeat.com/>

<http://www.royaltyfreemusic.com/>

<http://www.shockwave-sound.com/>

### **Why the policy change?**

This policy has been enacted to preserve the competitors' routines in their original formats. The IJA's ASCAP and BMI licenses allows for competitors to use commercial songs for live performances, but these licensing rights do not extend to a recorded medium. Copyright is a bundle of laws, and using music in live performance isn't the same right as being allowed to distribute it through mediums such as the IJA eZine or through the DVD. Using commercial songs that we do not have a license for on our video releases would be a violation of copyright law. Traditionally, as a consequence of not having the rights to distribution, many acts in the final DVD have their music dubbed over with a royalty-free track or simply silenced. This damages the spirit and intention of the act. With this new policy, all routines will have their original audio track left intact, preserving them in the way they were intended.

### **Can I provide my own musical creations?**

Yes, you may use your own original music. However, you will still have to fill out a music release form indicating yourself as the original composer.

### **Can I use music from an artist that has granted me the rights?**

Yes. As long as the artist has the full rights to the track and signs a music release form, this is acceptable.

### **What about music in the public domain?**

You may use music that is within the public domain. However, please note that the fact that a composition is within the public domain, does not mean that a particular recording of that composition is public domain. In that instance, you would need a music release form signed by the performing artist.

### **Are cover songs acceptable?**

Only in the event that you have a licensing agreement from both the recording artist and the entity that holds the composition rights as well.

### **What about the Creative Commons license?**

There are a variety of Creative Commons licenses, each of which give you different rights. See the license overview page <http://creativecommons.org/about/licenses/meet-the-licenses> on the Creative Commons web site for a summary. Music released under the "Attribution" and "Attribution No Derivatives" licenses will not be an issue; just make sure you tell us how to attribute the music. In other cases, you will have to contact the copyright owner. A Creative Commons license suggests that the owner of the copyright is likely to be open to licensing it for other uses, either free or for a minimal fee. If you find Creative Commons music on the web that you like, you should contact the composer and performer to obtain the necessary rights. It may help if you tell them that the IJA is a non-profit organization.

### **Can I make "fair use" of copyright music by using a brief quote?**

No. Unfortunately, there are no simple rules to determine what is fair use under the copyright act, and fair use cases have sometimes gone to the Supreme Court. Because of this, we must err on the side of caution and not allow it.

### **Do I have to use music in my act?**

Competitors are not required to perform with music.

### Music License Form (if applicable)

This is to certify that I, \_\_\_\_\_ [name] am the

☐ Composer

☐ Performer [check where applicable]

of the piece of music \_\_\_\_\_ [name of piece].

I grant permission to \_\_\_\_\_ [name of performer]

to use this song to accompany his/her live juggling performances. I also grant permission to the International Jugglers' Association to include this song on video recordings which feature this performance and to distribute those recordings in any manner.

I would like to be credited in the following way if the song is used in a video:

\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

### Music License form:

Name of track:

Artist/source:

Attach Licensing Agreement (if applicable)

Performer shall indemnify, defend, (by counsel reasonably acceptable to Association) and hold harmless the International Jugglers' Association and its officers and directors from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from the negligence or misconduct of Competitor in connection with usage of the work described in this Agreement.

I hereby declare that the above information is accurate and that I have taken the steps necessary to ensure that the IJA has the necessary rights to use the above track(s) on any releases of my performance included but not limited to: DVD and online streaming media.

Signature \_\_\_\_\_

Date: