Music Copyright in the Digital Age

WP 4C. 1: Oct '11 - Sept '15





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1. Research Question: How does copyright inform the commercial decision-making of Popular Music creators in the UK?

2. CONTEXT

The music industries are estimated to be worth £3.5bn to the UK economy (UK Music: 2013). Such is the significance of copyright, these industries have been characterised as "copyright industries".

In the Digital Age it appears that the character of the music industries has changed considerably. This is manifest in the decline in the value of manufacture and sale of music *products* coupled with rapid growth in markets concerned with the provision of music *services*.

PRODUCT	SERVICE
OWNERSHIP	ACCESS
TANGIBLE	INTANGIBLE
PHYSICAL PRODUCT	DIGITAL STREAM

This transition has profound ramifications for creators, investors and the existing copyright regime. The rapidly changing digital environment is the context for this doctoral research project.

3. AIMS OF THIS PROJECT

The project seeks to interrogate the role of copyright in the complex interplay between creators of, and investors in, musical works and performances in the context UK popular music industries in the Digital Age.

Copyright law positions the creator as the initial decision-maker as to how an exclusive 'bundle of rights' are commercially exploited.

Creators are defined here as creators of copyright works...from unsigned artists to 'Digital DIY' creators through to established artists who have enjoyed considerable commercial success.

Investors are defined as record companies & music publishers...from 'Majors' to 'Indies' to 'Micro-companies'... that invest in the production and dissemination of musical works and sound recordings.

PROJECT DELIVERABLES...

- •PhD Thesis
- •3 x Conference Papers
- •2 x Peer Reviewed Journal Articles

Supervisory Team

Professor Martin Cloonan (Music)
Professor Martin Kretschmer (Law)
Dr. Andreas Rahmatian (Law)

4. METHODOLOGY

The literature provides a strong theoretical foundation for the thesis emerging from a number of areas including:

- •Law
- Cultural Economics
- Cultural Studies
- Ethnomusicology

However, the literature review also exposes areas in need of further empirical enquiry. These are reflected in the research question.

The methodology ultilises two primary qualitative data collection methods to address the research question...

Method 1: Analysis of creators' copyright income:

These data are instructive in revealing the financial value of copyright to individual creators and provide insight into the relative value of the commercial decisions they make.

Method 2: Semi-Structured
Interviews with creators and
investors:

The interviews explore the extent to which theoretical models of copyright transactions and the financial realities of copyright transactions play out in creators' commercial decision-making.

5. COMPLETED DELIVERABLES

Conference Paper: "Just Got Paid": Copyright's Division of Musical Labour in the Digital Age": IASPM Canada, Hamilton, Ontario, May 2013

Conference Paper: 'Music Copyright: A Digital Crisis?', IASPM International, Gijon, Spain, June 2013

Conference Paper: 'Take it or Leave It!: Copyright, Creators & Commercial Decision-Making in the Digital Age', CREATe Panel @ IASPM UK & Ireland, Cork, Ireland, September 2014

Peer Reviewed Journal Article: 'Theorising Music Streaming: Preliminary Investigations'. *Scottish Music Review*, Vol. 3. November 2013







6. PROGRESS & FURTHER OBJECTIVES

PROGRESS SO FAR...

- •Substantive chapter drafts on: Methodology, Literature Review, Theoretical Bases
- •Financial data obtained including: royalty statements, recording contracts, publishing agreements, live performance settlements
- •Majority of interviews with creators and investors completed and transcribed

FURTHER OBJECTIVES...

- Complete data collection end of October 2014
- •2 journal articles submitted for peer review December 2014
- Submit PhD thesis September 2015