

NEWSLETTER

An Entertainment Industry Organization



50th Anniversary

FILM Music Biz Quiz

Randall Rumage

The President's Corner

Michael R. Morris

In December, the CCC celebrated the holidays with its annual party, again held at the ever-hospitable Cafe Cordiale. While this meant a hiatus from our regular monthly panels, the sold-out evening afforded CCC members and friends a splendid opportunity to usher out 2004, rekindle old friendships, and - of course - musically schmooze. Special kudos to James Leach for organizing the musical portion of the party, and to Debbie Dumas, Marrsha Sill and Ilene Goldberg for their efforts in assembling the "goodie bags" (nice work).

Tonight, we kick off the new year with our "Film and TV Music 2005" panel, moderated by Dan Butler, who is both the current CCC Vice President and V.P. Business & Legal Affairs - Music for Warner Brothers Pictures. The erosion in mechanical royalties surprised no one after Napster and its progeny became ubiquitous on the web. Hopefully the widespread appeal of Apple's iPod and similar devices will continue to spur legitimate on-line sales and materially reverse this trend. In the meantime, synchronization fees and performance income from the use of music in film and TV has become an increasingly important source of income to

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As we enter the new year, it's good to review some of the amazing musical contributions made in 2004 to movies, television programs, and soundtrack albums. It's now the season of the Golden Globes, the Academy Awards and the Grammy Awards, all of which help to remind us of the songs, the scores, and the people who make them come to life. See if your film music trivia knowledge is up to speed with this scientifically uncertified multiple choice quiz! The answers are on page 5.

- According to Billboard, what was the top selling soundtrack album of 2004?
 - Spider-Man 2 - (Geffen/DreamWorks/Interscope)
 - Tupac: Resurrection - (Amaru/Interscope)
 - The Passion Of The Christ - (Integrity/Sony Music)
 - Ray (Ray Charles) - (WMG Soundtracks/Atlantic/Rhino)
- Connect these top 5 Hot Soundtrack Singles (according to Billboard's 2004 year-end edition) to the soundtracks or films in which they were embodied:

| | |
|---|---|
| A. "Milkshake" - Kelis | 1. "The Punisher" |
| B. "Breakaway" - Kelly Clarkson | 2. "Shrek 2" |
| C. "Runnin (Dying To Live)" - Tupac Shakur/Notorious B.I.G. | 3. "Tupac: Resurrection" |
| D. "Accidentally In Love" - Counting Crows | 4. "Mean Girls" |
| E. "Broken" | 5. "Princess Diaries 2: Royal Engagement" |
- "Breakaway" was recorded by Kelly Clarkson and featured in "The Princess Diaries 2: Royal Engagement." It was the second highest selling soundtrack single of 2004. Besides Matthew Gerrard and Bridget Louise Benenate, name another co-writer of this song:

| | |
|-------------------|-------------------|
| A. Desmond Child | D. Avril Lavigne |
| B. Linda Perry | E. Kelly Clarkson |
| C. Justin Guarini | |
- Which of the following top soundtrack albums of 2004 was NOT released by Walt Disney or Hollywood Records:

| | |
|---|---|
| A. The Cheetah Girls (EP) | F. 50 First Dates |
| B. The Lizzie McGuire Movie | G. That's So Raven |
| C. Freaky Friday | H. 13 Going On 30 |
| D. A Cinderella Story | I. Confessions Of A Teenage Drama Queen |
| E. The Princess Diaries 2: Royal Engagement | |

5. Match the following film composers with the films they scored:

- | | |
|-----------------------------|------------------------|
| A. "Racing Stripes" | 1. Alan Menken |
| B. "Coach Carter" | 2. James Newton Howard |
| C. "A Very Long Engagement" | 3. Mark Isham |
| D. "Home On The Range" | 4. Trevor Rabin |
| E. "The Village" | 5. Angelo Badalamenti |

6. Match the music supervisors listed below with the films on which they worked:

- | | |
|----------------------|--------------------|
| A. "In Good Company" | 1. Lia Vollack |
| B. "Spider-Man 2" | 2. Michael Dilbeck |
| C. "50 First Dates" | 3. Kathy Nelson |
| D. "Shrek 2" | 4. Curt Sobel |
| E. "Ray" | 5. Chris Douridas |

7. Which song won the 2004 Oscar for Best Original Song:

- A. "Into the West" from "The Lord of the Rings: The Return of the King" - Music and Lyric by Fran Walsh, Howard Shore, and Annie Lennox
- B. "A Kiss at the End of the Rainbow" from "A Mighty Wind" - Music and Lyric by Michael McKean and Annette O'Toole
- C. "Scarlet Tide" from "Cold Mountain" - Music and Lyric by T Bone Burnett and Elvis Costello
- D. "The Triplets of Belleville" from "The Triplets of Belleville" - Music by Benoit Charest, Lyric by Sylvain Chomet
- E. "You Will Be My Ain True Love" from "Cold Mountain" - Music and Lyric by Sting

8. According to SoundScan's 2004 Year-To-Date Soundtrack chart for the week ending January 2, 2005, how many soundtrack albums sold a million or more units in the U.S. in 2004?

- | | |
|------|-------|
| A. 0 | D. 10 |
| B. 1 | E. 11 |
| C. 5 | F. 17 |

9. Billboard reports that two sister labels were the Top 2 Soundtrack Imprints for 2004. Name those 2 labels:

- A. Columbia/Sony
- B. BMG/Arista
- C. Walt Disney/Hollywood
- D. UMG/Def Jam

10. The song "Why Can't I?" recorded by Liz Phair on Capitol Records was Billboard's #9 Hot Soundtrack Single of 2004, and was featured in 2 separate film soundtracks. Name those 2:

- A. "Meet The Fokkers" and "Team America – World Police"
- B. "Garden State" and "I Heart Huckabees"
- C. "13 Going On 30" and "Win A Date With Tad Hamilton"
- D. "Starsky & Hutch" and "Harold & Kumar Go to White Castle"

11. Although David Soul made a non-musical cameo appearance in "Starsky & Hutch" starring Ben Stiller and Owen Wilson, Owen Wilson performed an onscreen vocal

rendition with acoustic guitar of what 1976 hit single made famous by David Soul:

- A. "We May Never Pass This Way Again"
- B. "Wildfire"
- C. "Let Her In"
- D. "Don't Give Up On Us"
- E. "Never Gonna Fall In Love Again"

12. Match the film with the song, each of which was nominated for the 2005 Golden Globe award for this year's Best Original Song from a Motion Picture:

- | | |
|---------------------------|---------------------------|
| A. "Accidentally In Love" | 1. "The Polar Express" |
| B. "Believe" | 2. "Shrek 2" |
| C. "Learn To Be Lonely" | 3. "Hotel Rwanda" |
| D. "Million Voices" | 4. "Phantom Of The Opera" |
| E. "Old Habits Die Hard" | 5. "Alfie" |

13. Which star of the film "A Love Song For Bobby Long" also performs 2 songs on its soundtrack album:

- A. John Travolta
- B. Kevin Kline
- C. Kevin Spacey
- D. Harry Connick, Jr.

14. According to Billboard, the top 5 soundtrack distributors had an aggregate of 109 charted titles in 2004. Which label(s) had the most:

- A. Universal
- B. WEA
- C. Sony
- D. BMG
- E. Independents (combined)
- F. EMM (EMI Music Marketing)

15. Which former child star had the #2 and the #17 Top Soundtrack Album of 2004, according to Billboard:

- | | |
|-----------------------|------------------|
| A. Jessica Simpson | D. Raven Symone |
| B. Christina Aguilera | E. Lindsey Lohan |
| C. Britney Spears | |

16. Which composer won the Oscar for Best Original Score in 2004?

- A. "Big Fish" (Sony Pictures Releasing) - Danny Elfman
- B. "Cold Mountain" (Miramax) - Gabriel Yared
- C. "Finding Nemo" (Buena Vista) - Thomas Newman
- D. "House of Sand and Fog" (DreamWorks/Cobalt) - James Horner
- E. "The Lord of the Rings: The Return of the King" (New Line) - Howard Shore

17. Which of the following composers/films was NOT nominated for this year's Golden Globe award for Best Original Score for a Motion Picture:

- A. Hans Zimmer – "Spanglish"
- B. Michael Giacchino – "The Incredibles"
- C. Jan A.P. Kaczmarek - "Finding Neverland"
- D. Rolfe Kent - "Sideways"
- E. Howard Shore – "The Aviator"
- F. Clint Eastwood – "Million Dollar Baby"

form of an injunction inhibiting or preventing the exhibition or distribution of the project. This clause is crucial because it would be disastrous to the producer for a composer paid \$200,000.00 to be able to enjoin the release of a \$50,000,000.00 movie.

The Certificate of Authorship reiterates the "work made for hire" language and also waives all moral rights, or "droit moral". It also reinforces the warranty of originality contained in the primary agreement.

Lastly, there should be a schedule of royalties to be paid to the composer in the event that the music is exploited by licensing its use to a third party. These royalty provisions are similar in nature to those between a songwriter and a music publisher and define the various types of exploitation and the composer's share of each source of income. Since the producer/publisher collects all license fees and royalties (except the composer's share of public performance royalties, which are paid directly to the composer by their performing rights society), there is also an accounting provision that states how these royalties are to be paid and an audit provision on the composer's behalf.

Composer agreements can range from 4 to 20 pages but, for the protection of both parties, all of them should contain the basic terms listed above. As these are legally binding agreements, composers are encouraged to engage competent legal counsel before entering into this type of agreement.

Steven Winogradsky is the President of The Winogradsky Company in North Hollywood, California, providing music business affairs and legal support for composers, songwriters, music publishers, recording artists and television, film, video and multi-media producers. He is also a former president of the CCC and the AIMP.

Quiz Answers

1. B. "Tupac: Resurrection" (Amaru/Interscope) was # 1. "Spiderman 2" was #4, "The Passion of the Christ" was #13, and "Ray" was #21.
2. A - 4; B - 5; C - 3; D - 2; E. 1
3. D.
4. F. "50 First Dates" was released on Maverick/Warner Bros. and was #9 on Billboard's 2004 Top Soundtrack Albums.
5. A - 3; B - 4; C - 5; D - 1; E - 2
6. A - 3; B - 1; C - 2; D - 5; E - 4
7. A. "Into the West" from "The Lord of the Rings"
8. 0 - No soundtrack album sold 1 million units in 2004, according to SoundScan's 2004 Year-To-Date Soundtrack chart for the week ending January 2, 2005. The highest charted soundtrack album of 2004, according to SoundScan, is "Shrek 2," which sold 939,394 units in the U.S., unlike "8 Mile" which has sold approximately 4 ½ million units in the U.S. to date, "O Brother, Where Art Thou?" which has sold almost 7 million units in the U.S. to date, and "Titanic" (featuring "My Heart Will Go On") which has sold 9 million copies in the U.S. to date.
9. C. Walt Disney had 18 charted titles and Hollywood had 10 charted titles, for a total of 28.
10. C.
11. D.
12. A-2: Music and Lyrics by Adam Duritz, Dan Vickery, David Immergluck, Matthew Malley and David Bryson; B-1: Music and Lyrics by Glen Ballard and Alan Silvestri; C-4: Music By Andrew Lloyd Webber, Lyrics By Charles Hart; D-3: Music By Wyclef Jean, Jerry "Wonder" Duplessis, Andrea Guerra, Lyrics By Wyclef Jean; E-5: Music & Lyrics By: Mick Jagger & David A. Stewart
13. A.
14. The labels are listed in the correct order. Universal had 46 charted titles, WEA had 24, Sony had 18, BMG had 8, the combined independents had 10, and EMM had 3.
15. D. Raven was featured on the #2 album "The Cheetah Girls" and on the #17 album "That's So Raven."
16. E. "The Lord of the Rings: The Return of the King" (New Line) - Howard Shore
17. B. Michael Giacchino - "The Incredibles"

If you got 5 or more correct, not bad - see a movie every month or two, and you'll improve your score next time! If you got 10 or more correct, you're well on your way to beating Ken Jennings when he reappears on "Jeopardy." If you got 15 or more correct, you should be sitting in the executive suite of the music department of a major motion picture studio; and if you got less than 4 correct, you need to bring a pad and pencil to the movie theater and remain seated until all the credits have scrolled by....then Elvis and you can simultaneously leave the building!

Randall Ramage is V.P. of Business Affairs for Rondor Music International, Inc., a wholly-owned division of Universal Music Group.

President's Corner (continued)

composers and publishers.

Tonight's panel will review recent changes in the business models for these uses as well as new opportunities that have arisen for placement of music in film and TV, music clearance issues and related "hot" topics. This discussion should prove invaluable to those already involved in this important segment of the music business as well as those seeking to break in to the world of film and TV music.

Finally, the recent tragic tsunami in the Indian Ocean as well as the deadly mudslides so close to home should make everyone reflect upon our own good fortune. Congress just passed a special law making charitable donations given on or before January 31, 2005 for tsunami relief eligible for 2004 tax deduction treatment. If you haven't already reached into your pocket in response to this unprecedented disaster, I urge you to do so.

I wish everyone a happy and healthy new year.

UPCOMING MEETINGS

February 15
An Evening with BMI

March 22
An Evening with SESAC