New Face of Music Emerging
Atlantic Slims Down

BY ED CHRISTMAN

NEW YORK—The wrenching round of layoffs at Atlantic Records Group this week should yield a far sleeker company capable of generating about $400 million in revenue, according to company sources.

The merger of the Atlantic Group and the Elektra Entertainment Group has been an "incredibly grueling process," says co-chairman/COO Craig Kallman, formerly co-president of Atlantic.

(Continued on page 61)

EMI Wins High Fives

BY EMMANUEL LEGRAND

LONDON—The financial markets are loudly applauding EMI Group's latest restructuring plan.

In the hours following the company's March 31 announcement of significant cost-saving measures, EMI's shares rose sharply, closing up 7% on the day.

EMI's plan includes the outsourcing of manufacturing in Europe and the United States, the restructuring of its labels and sharp cuts in its artist roster around the world.

(Continued on page 61)

Congress Steps Up

BY BILL HOLLAND

WASHINGTON, D.C.—In a week that saw continuing cuts at major labels, both houses of Congress finally went to bat for the record industry.

In an effort to stem peer-to-peer piracy, House lawmakers sent a multigigabyte copyright protection bill to full committee this week, and Senate leaders introduced a bill authorizing the

(Continued on page 60)
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The Billboard Q&A
PAULINA RUBIO

An in-depth conversation with one of Latin music’s most dynamic artists.

HIGHLIGHTS

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That Thing She Does
Toby Lightman Shows She Has Heavyweight Potential

BY MICHAEL PAOLETTA

Earlier this year, Lava sent "Little Things" CD samplers to key retail chains and independent accounts.

Greta Peri, co-owner of the new Future Legend store in midtown Manhattan, says response to the music has been positive. "The first time I played the sampler, every customer in the store looked up and wanted to know what it was," she says.

She continues, "At that second, I had one thought: Toby Lightman has the potential to be huge."

Produced by Peter Zizzo—who was instrumental in the careers of Vanessa Carlton and Avril Lavigne— "Little Things" is equal parts pop, folk, hip-hop and soul.

It is the type of collection that invites comparison to recordings by the likes of Alana Davis, Mary J. Blige, Sheryl Crow and Lauryn Hill.

"It's funny," Lightman says, "everyone is always comparing me to someone else. But I don't see myself as fitting into any particular spot. I'm just being me."

"Today, it's hard to get 100% original anything," she adds. "Everyone can be influenced by something else, but it's not 100% of who they are. It's the combination of..."

(Continued on page 59)

Usher Gusher!
Sales Top 1M

BY GAIL MITCHELL

Claiming first-week sales of 1.1 million, Usher's "Confessions" catapults the singer/songwriter into pop and R&B chart history.

Debuting at No. 1 on The Billboard 200 and on Top R&B/Hip-Hop Albums, the Arista release also wreaths the crown for the biggest sales week of 2004 from Norah Jones.

Jones' sophomore Blue Note release, "Feels Like Home," bowed atop The Billboard 200 six weeks ago, posting sales of 1.02 million units.

This one-two sales punch marks the first time since 2000 that more than one album has surpassed 1 million in weekly sales in the same year.

Coupled with the positive sales upturn in the fourth quarter of last year, is this a signal that the industry is indeed rebounding?

"As cliched as it sounds, the Usher and Jones albums basically say, 'Good music, marketed properly, still sells,'" says Sonya Askew, urban music buyer for the Musicland chain. "This should make retailers optimistic about other new releases."

Among projects still coming in 2004 with encouraging buzz are albums by rap group D12, producer/artist Marvin Winans and No Doubt frontwoman Gwen Stefani.

Going up against Usher's "Confessions" next week is Janet Jackson's "Damita Jo," which hit stores March 30. Early predictions place Jackson's album at around 400,000 units (see "A"

(Continued on page 59)

P2P Users Sued
In IFPI Blitzkrieg

BY EMMANUEL LEGRAND

LONDON—The International Federation of the Phonographic Industry expects legal action targeting "serial uploaders" to deter file sharers.

On March 30, the international trade body and the recording industry associations in Denmark, Germany, Italy and Canada launched legal action against 247 individuals who allegedly are illegally file sharing music.

There already has been some sporadic litigation in several countries, but this is the IFPI's first mass action. It echoes the Recording Industry Ass'n of America's strategy in 2003.

"This is the start of an international campaign against copyright theft," IFPI chairman/CEO Jay Berman tells Billboard.

Berman says the legal action comes after an awareness campaign throughout Europe. But he adds that only legal actions have a deterrent effect on file sharers, as was..."
Sony's Euro Service

Major Eyes Crowded Field With Windows-Based Store

BY JULIANA KORANTEG

LONDON—Sony is targeting the European market with its planned Sony Connect online music service. Launching in June through its Sony Network Services Europe (SNSE) division, Connect will initially target consumers in the United Kingdom, Germany and France.

Several other major players already have designs on the space. Apple's iTunes Music Store, Roxio's Napster and RealNetworks' Rhapsody have all pledged to enter the European market in 2004.

Connect aims to compete with iTunes and Napster and their à la carte sales model. However, its selling point is the consumer technology required to access the service.

According to Sony, Connect will sell songs for 59 euros ($1.20) per track in the Continental markets and for 79 (€1.40) per song in the United Kingdom.

The repertoire for the three launch markets will be a mix of local and international songs. Connect plans to offer 300,000 tracks from major labels and independents.

Robert Ashcroft, SNSE's U.K.-based senior VP, says those majors will include sister company Sony Music Entertainment. He declines to disclose if other majors have signed on or to reveal details about other copyright agreements.

Connect's European service will kick off after its U.S. introduction sometime this spring, Ashcroft says. He declares, "We're confident of our launch in June."

"It is a legitimate download service that enables consumers to buy on a per-song basis. And it is integrated into a range of Sony audio devices," Ashcroft says.

To buy digital recordings from Connect, the subscriber will need a PC with Microsoft's Windows Media operating systems, starting from the Windows 98 version or newer. So far, no plans to make it compatible with Apple's Macintosh computers have been unveiled.

Songs on iTunes are compressed for downloading in a pro (Continued on page 47)

Lollapalooza Tries Two Day Format

BY RAY WADDELL

After an uneven return in 2003, Lollapalooza 2004 will hit the road in July with a two-day format and a more diverse musical lineup.

Confirmed acts for this year’s run include Morrissey, The Flaming Lips, Sonic Youth, String Cheese Incident, Modest Mouse and the Polyphonic Spree. More announcements are expected shortly (billboard.biz, March 27).

Tour founder Perry Farrell will also be involved, either as a DJ or host or both. His band, Jane's Addiction, is not expected to be on the bill.

"The only theme to the whole thing is eclectic music not driven by the commercial marketplace," says Marc Geiger, agent for Lollapalooza at the William Morris Agency, one of the founders of the festival with Farrell.

"Lollapalooza is different from year to year, if you look at it historically," Geiger says. "Some years it was more indie, some years more dark."

Two days means more bands, Geiger points out. "There are just too many great bands, and the one-day rock festival with 13 acts format has been co-opted by the radio shows," he says.

"What we’re doing is more akin to the great European festivals that originally inspired Lollapalooza, as well as [events like] Coachella and Bonnaroo," he adds. "The two-day format will once again differentiate Lollapalooza from what everybody else is doing."

The pioneering rock festival returned in 2003 after a five-year absence and grossed $13.7 million from 25 shows reported to Billboard Boxscore. The tour’s best year was 1994, when it reported more than $21 million in grosses.

The year prior to the tour’s hiatus was its weakest run, with $7.4 million reported from 24 shows in 1997 with Snoop Dogg, Korn, Tool, Tricky and others. Seven years later, Korn and Snoop are out together again, this time on this summer’s Project Revolution tour with Linkin Park and the Used.

Meanwhile, Bonnaroo, set for June 11-13 in rural Manchester, Tenn., is still short of a sellout, though organizers say last year’s gross of $11.5 million has already been surpassed. Bonnaroo increased its capacity and ticket price for 2004.

A LOOK AHEAD

Jackson Reveals Play For No. 1

BY GEOFF MAYFIELD

LOS ANGELES—Janet Jackson has a shot to land her sixth No. 1 album on The Billboard 200, but current champ Usher might bar the door.

Based on retailers’ first-day sales, chart watchers estimate Jackson’s “Damita Jo” (Virgin) will draw 375,000 to 400,000 sales in its first week. A source close to the project says it could end up in the range of 425,000 to 450,000.

The album has been under a media spotlight since Jackson ignited debate about decency standards when her right breast was exposed during halftime at this year’s Super Bowl.

Albums that start large, as Usher’s “Confessions” did with its 1.1 million-unit bow (see story, page 5), tend to fall by 50% to 60% in the second week.

Such a drop would yield a still-strong $380,000 or more for Usher.

Although radio has ascended tepid play to the first two tracks from Jackson’s album, all-out TV assault with release-week visits to “Late Show With David Letterman,” “Good Morning America” and “On Air With Ryan Seacrest” could help her overtake Usher.

Behind that tug of war, sales watchers think Lil Flip’s “U Gotta Feel Me” (Columbia) will clear 200,000 copies.

Three other titles from the March 30 slate could beat 100,000, which would mark the second straight week that five or more titles debut in The Billboard 200’s top 10.

Aerosmith’s “Honkin’ on Bobo” (Columbia) looks good for 150,000 copies, while rapper J-Raww’s “Hood Hop” (Atlantic) and Eric Clapton’s “Me and Mr. Johnson” (Warner Bros.) are on target for 100k or more. The Clapton and Aerosmith sets already see early bows on Top Blues Albums (see Over the Counter, page 49).

VSDA Creates Division For Indies

BY MARCO WHITMIRE

Independent video retailers are lauding the Video Software Dealers Association’s decision to spin off a division for its indie members.

Announced March 29, the new, separate iGroup division will oversee all VSDA programs and services relating to the needs of independent video retailers (IVRs).

Legislative issues concerning all members will still come under the purview of the VSDA.

For years, the VSDA’s indie ranks have been shrinking, and the move is an effort to stem the tide.

Mick Blanken, a VSDA member and owner of Delaware, Ohio’s Super Hits, says he knows if iGroup will succeed in attracting more IVRs, but the organization is “setting their goals properly” in making the move.

“Since they’re not going to be concentrating on the political aspects,” he says, “they can concentrate on providing benefits and services that will increase their value to IVRs.”

An elected board of trustees will govern the board. The body will operate separately and autonomously from the VSDA.

One iGroup board member, Ken Dorrance—owner of Alameda, Calif.’s Video Station—says his goal is to double the IBF membership during the next three years.

He says that independent members have dropped to slightly more than 700 from 2,200 in the past five to six years.

Dorrance notes that the VSDA board has blamed the decline on the number of companies going out of business.

“But there are a lot of people I know personally that are out of the organization because they felt that they were misrepresented by VSDA,” Dorrance says. “Those are the people I’d like to get back in the fold.”

The iGroup will have exclusive control over allocated funding from VSDA dues and other revenue sources, like trade events. The org’s interim board chairman, Mark Vriesling, expects to announce a staff of about four shortly.

VSDA president Bob Andersen said during March 29’s media call that the creation of a separate entity will strengthen VSDA as a whole.

“we’ve built our trade events on our IVR memberships, and we need and want to address their needs in the most particular, market-driven ways so we can represent the whole of the industry.”

The new division officially launches at the VSDA convention July 14-16 in Las Vegas.
Dear File-sharers,

What is becoming increasingly clear is that the great majority of you truly feel no guilt about the "sharing" of what I have created and own -- my music. You have lumped together many professions (artists, songwriters, engineers, producers, publishers, etc.) into one big ugly corporate caricature -- a rich and corrupt industry that can be stolen from remorselessly. Additionally, in your "yes, Virginia, there is a free lunch" mentality, you have unthinkingly devalued songs to the extent that you perceive them as trifles -- something of little value to be partaken and enjoyed at no cost. Moreover, you have unfairly condemned me and my record industry peers for bringing the law to bear against you. In classic "blame the victim" reasoning, you lay the responsibility for my losses at my feet, saying, in essence, that the problem is not your theft, but rather my inability to prevent it.

Well, file-sharers, I rightly say "bull." I, songwriter/publisher, labored for years to create those songs, and I really do legally own them. I -- not you -- have the right to control what happens to them, a right your technology does not trump. You are dead wrong to simply give my songs away and undermine my only chance to profit from my creations. Don't tell me that I should graciously pardon your hand in my pocket. Don't insinuate to me that, because your thievery is so facile, perhaps I should find some other way to make a living. Your "hobby" is taking the bread off my table, and I have every right to use any and all legal means possible to discourage your destructive practices.

Let us come together. You often love what I create, and I need to make a living. I have been trying for several years now to find a way for us both to be happy -- where you can easily acquire my songs and I can be justly rewarded for my creativity. Try as I might, however, thus far I have been unable to find a way to compete with "free". You must help me.

First, you must wake up from your fantasy that songs should rightly be free, and that no one is being hurt by your theft. I and all my fellow songwriters (among others) are seeing our futures seriously threatened. Second, you must "raise your consciousness" to where you understand that a career in music is brutally serendipitous and difficult to maintain. The ability of artists and songwriters to have any kind of dependable, longer-term, income is entirely linked to their ability to control their copyrights. Without copyright protection, aspiring artists and songwriters had best not ever consider quitting their day jobs.

Finally, you must realize that in real life you really do get what you pay for. If you won't pay for music, you will soon be receiving a product commensurate with your thriftiness. A society that doesn't value a commodity enough to pay for it will soon see the creation and production of that commodity cease.

Hugh Prestwood is the award-winning songwriter of 1993 NSAI Song of the Year and 1994 Emmy winner (Outstanding Individual Achievement in Music and Lyrics) "The Song Remembers When," 1991 BMI Song of the Year "Hard Rock Bottom of Your Heart" and other number one country hits including "The Moon Is Still Over Her Shoulder" and "The Sound of Goodbye." The BMG Music Publishing songwriter's top five singles include "On The Verge" and the Grammy-nominated "Ghost In This House."
New Indie Taps Older Acts  

BY CHRIS MORRIS  

LOS ANGELES—Five music-industry veterans have established Sovereign Artists as a self-defined “artist-friendly” independent label aimed at upper-demographic listeners.  

Santa Monica, Calif.-based Sovereign in late June with “Jupiter’s Darling,” the first studio album by Head & Theyrs. Sovereign principal and seasoned vocalist Tommy Funderburk says, “We wanted to go to those artists that have an established fan base, and those [fans] tend to be slightly older.”  

Other executive members of Sovereign’s team include former Warner Bros. Records VP of national sales Charlie Springer and former House of Blues in-house counsel Geoff Clune.  

Rounding out the founding staff are Ken LeMunyon, who previously held key finance positions at Hollywood Records and Warner Bros. Records, and Internet marketing specialist Paul Angles.  

**EXCLUSIVE**  

Synergy Distribution, an indie firm with offices in Denver and New York, will handle U.S. distribution for Sovereign. Sovereign will announce international distribution plants shortly. The second Sovereign release, a tribute to Buddy Holly’s band the Crickets, will be issued in late July. The collection will include tracks by Eric Clapton, Phil Everly, Graham Nash and the late Waylon Jennings. An album and DVD by jazz keyboardist and bandleader Don Grusin is set for mid-August.  

“We’re trying to be genre-agnostic,” Funderburk says. “We would like to just concentrate on good music.”  

Sovereign will probably release five albums in 2004, according to Springer. “The focus of the music business today is really more of a teenage core audience,” he says. “We recognize that more than half of the generation that was rock’n’roll is being underserved.”  

Springer says, “We are setting ourselves up to make less money than the artist in all of our deals. We are offering higher royalty rates, and we are also licensing records, as opposed to owning them outright.”  

Sovereign licenses its titles for a seven-year period, after which rights to the masters revert to the acts.  

Surf Icon Jan Berry Dies At 62  

BY CHRIS MORRIS  

LOS ANGELES—For a time in the 50’s, Jan Berry’s music embodied the romance of Southern California’s surf and the lure of its open highways.  

Jan Berry, half of the hitmaking duo Jan & Dean, died March 26 after suffering a seizure at his home in L.A.’s Brentwood neighborhood. He was 62.  

Before a serious 1966 car crash sidetracked him personally and professionally, Berry racked up a run of sun-splashed pop hits with his vocal partner, Dean Torrence.  

Dean Torrence died in West L.A. and met Torrence in junior high school. The pair formed a band, the Barons, with some other locals destined for fame—future Beach Boy Bruce Johnston and drummer Sandy Nelson (“Teen Beat,” “Let There Be Drums”).  

A couple of singles billed to “Jan & Arnie” hit for Berry and Torrence in 1959 on singer/actress Doris Day’s Arwin label. The singer scored a couple of minor chart entries as Jan & Dean on Herb Alpert’s pre-A&M label Dore. But they had their biggest success on Liberty, where they cut the surf and hot-rod songs that made them famous.  

In 1963, the anthem “Surf City” reached No. 1 on the Billboard Top Pop Singles chart; during the next year, the pair reached the top 10 with “Drug City,” “The Little Old Lady (From Pasadena)” and the grimly prophetic “Dead Man’s Curve.”  

On April 12, 1966, Berry slammed his Corvette into a parked car not far from the treacherous Sunset Boulevard stretch he sang about in his ’63 hit. After emerging from a 10-month coma, Berry began a protracted and painful rehabilitation.  

Miraculously, Berry resumed performing on stage and released a solo album in 1998. He is survived by his wife, Gertrude; his parents; three brothers; and three sisters.  

Billboard Bows In S.F.  

Scott Banerjee Anchors Technology Bureau  

Scott Banerjee, a freelance journalist whose work has appeared on CBSMarketwatch.com, in the San Francisco Chronicle and other publications, has been named to helm Billboard’s new San Francisco bureau.  

Banerjee, a graduate of Brown University and the Gillman School in Baltimore, was also founder, editor and publisher of two startup magazines aimed at urban athletes and adventure racing. “Scott brings to Billboard the right combination of experience, energy and entrepreneurial spirit,” editor-in-chief Keith Girard says. “He also has a solid business background and understands such issues as finance and retailing,” Girard adds.  

As Billboard’s San Francisco reporter and bureau chief, Banerjee will cover the emerging digital music scene, the videogame industry and other entertainment technology issues. He starts April 5.  

The Billboard bureau is located at 300 Montgomery St., San Francisco, Calif., 94104; Banerjee can be reached at 415-291-9999 or at sbanerjee@billboard.com.

Circuit City Stores Inc. has inked a deal to acquire the assets of MusicNow, a Chicago-based digital music service. Financial terms were not disclosed. MusicNow keeps its name and its Chicago base as a wholly owned subsidiary of Circuit City. Scott Kaufman, president/AE of MusicNow, will continue to oversee its 40 staffers. He reports to Fiona Dias, president of Circuit City’s online division, Circuit City Direct. Dias says the consumer-electronics retailer will integrate MusicNow into Richmond, Va.-based Circuit City’s Web site at circuitcity.com. The service will also be promoted in nearly 600 superstores across the country.  

MOVIES  

BY DEBORAH EVANS PRICE  

NewSong has left Reunion Records, and the veteran Christian band is planning to launch its own label. Founding member Eddie Carswell says the yet-to-be-named label will have a ministry focus. NewSong has 13 albums to its credit and achieved a multi-format hit with “The Christmas Shoes,” which spawned a book and a CBS-TV movie starring Rob Lowe.  

EMMANUEL LEGRAND  

Def Jam and Electronic Arts are partnering again for “Def Jam Vendetta II.” The original “Def Jam Vendetta” videogame collaboration sold more than 1 million PlayStation 2 and Nintendo GameCube console games worldwide. The sequel, slated for a fall release, adds Xbox to the mix. The first game featured tracks from a dozen label artists who were also in-game characters. The new game has 70 characters, including more than 35 well-known hip-hop artists. Many contribute tracks from recent or upcoming albums. Included are Busta Rhymes, Carmen Electra, Lil’ Kim and Snoop Dogg. Method Man, Redman and Ludacris make return appearances.  

STEVE TRUHAN  

Video rental chain Hollywood Entertainment will become a private company in a $1 billion-plus buyout deal spearheaded by Hollywood chairman/CEO Mark Wattles and Los Angeles-based investment firm Leonard Green & Partners. Shareholders will receive $14 per share in cash, which is a premium of more than 30% over the company’s March 26 stock closing price. Hollywood operates more than 1,900 stores and 600 Game Crazy specialty stores.  

JILL KPHIS  

ASCAP has joined the FastTrack international alliance of performing rights groups. FastTrack operates a digital network of copyrights, with the aim of facilitating international licensing and royalty accounting on the Internet. The body was founded in 2000 by right groups BMI (United States), GEMA (Germany), SACEM (France), SGAE (Spain) and SIAE (Italy), AKM (Austria), BUMA-STEMRA (Netherlands), MCPS-PRS (United Kingdom), SARBM (Brazilian CUCAN, Canada) and SUISA (Switzerland) are also members. FastTrack claims a digital database representing more than two-thirds of music works performed worldwide.  

CAROLYN HORWITZ  

Exploratory steps have been taken to launch a new trade organization for American independent labels and distributors, styled along the lines of the United Kingdom’s Assn. of Independent Music. AIM chairman Alison Wenham has been serving as an adviser for the proposed new group, and Beggars Group U.S. CEO Lesley Beakley is serving as the American contact. A preliminary meeting to determine interest in forming the trade group was held during the South by Southwest Music Conference in Austin. Thirty-two-year-old American indie trade group the Assn. for Independent Music has been dug up in recent years by eroding membership and a narrowing focus on niche labels.  

CHRIS MORRIS  

Warners Strategic Marketing has purchased the catalog of Los Angeles-based independent label Del-Fi Records. Founded by producer Bob Keane, Del-Fi was responsible for a string of late-’50s and early-’60s hits by Latino rock’n’roll star Ritchie Valens, Texas-bred rocker Bobby Fuller and surf bands the Lively Ones, the Centurions and the Sentinels. The label was inactive for a number of years, but Del-Fi reappeared in the mid-’90s with a series of independently distributed CD reissues from its extensive catalog. WSM’s label Rhino Records licensed and rereleased Valens’ and Fuller’s hits in the ’80s and early ’90s.  

CHRIS MORRIS  

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BILLYARD APRIL 10, 2004
The Congressional Willies

Now Congress is even starting to give the willies to the bigwigs at the Federal Communications Commission.

At a broadband industry summit this week, FCC chairman Michael Powell, a Republican, and commissioner Michael Copp, a Democrat, expressed concern 
over the politically charged indemnity bills pending before the House and Senate.

At issue are provisions in both bills that would give the FCC the power to fine individual programmers, including average citizens who call in to stations, as much as $500,000 for uttering any government-defined obscene speech on commercial TV or over the radio.

It doesn’t take a constitutional scholar to figure out that the bills are fraught with First Amendment implications.

But even if the FCC’s chief regulator—who incidentally is a civil libertarian—has qualms about having such power, one has to wonder just how Congress can in good conscience foist regulation on the public.

“I understand it,” Powell said, about Congress’ intent to clamp down on indemnity. “But I have some reservations with the FCC going after performers,” he told the group.

Even Powell acknowledges that the bill would put the FCC on what he calls “very tough” constitutional grounds.

His Democratic counterpart didn’t agree more. “I think the primary reason has to do with the stations,” Copp said.

“That should be the first line of defense. They’re going to find things through their contract negotiations, so a

The public is more concerned about regulation than indenit speech on TV or radio.

wardrobe malfunction won’t happen. I think that’s where the problem should be solved.”

As Alantis Morrissette might say, isn’t it ironic that one of two Democratic commissioners sounds like a Reagan Republican on this issue.

The fact is, the Republican Party has long stood for fewer government regulations and less interference with the free market. In fact, as Powell and Copp attest, Republicans and Democrats are nervous about this bill.

Even polls show that the public is more concerned about government regulation than it is about the prospect of hearing indecent speech on commercial TV or radio. Incidentally, cable TV and satellite radio are outside the scope of the measures.

So where is the pressure coming from? Pretty clearly, it’s coming from the Bush White House. In what’s shaping up to be a tough election year, the administration is trying to pander to the far-right wing of the Republican Party by pushing this legislation. The president already has made it clear that he wants the bill on his desk as soon as possible. (Read that to mean before the election.)

Powell and Copp deserve credit for speaking candidly about their concerns. They are hoping to get the provision altered before Congress votes on the final bill. Let’s hope lawmakers on Capitol Hill listen to reason from two regulators who would be affected by the free soup.
Music Needs Million Band March

During the past few years, as my band faded from the press and as we tried to find a label crazy enough to release another one of our records, I watched radio become exactly what Pete Townshend said it would in his never-realized sequel to "Tommy." In his story "Lifehouse," Townsend said that "Tommy" is no longer physically deaf, dumb and blind but emotionally deaf, dumb and blind.

His senses are overrun, and advertisers, the media and the like have subverted this deafened them. In "Lifehouse," the government has assumed control of the radio, and the citizens are not allowed to listen to anything but mundanely boring, safe background music.

Betcha didn't know you'd be so right so soon, huh? Pete's leave it to Janet Jackson and Justin Timberlake to be the downfall of freedom of speech—or the necessary wake-up call.

Ours Stricken arms

It's a good thing that Jackson flashed on national TV. Until then, there was little, if any, public outcry about the Federal Communications Commission's practice of allowing Clear Channel to run amok like "Spaceballs" villain Pizza the Hut, gobbling up everything in sight.

It deceived listeners, and no one cared. It replaced DJs with voice-tracking (some after almost 30 years of service). No one cared.

Audrey Lornan, a gypsy producer on ABC TV news show "20/20," did an expose on Clear Channel's business practices. Still, no one cared.

After Sept. 11, 2001, Clear Channel temporarily removed all songs that fell within its new "offensive lyric" guideline. Some cared, but not enough.

Clear Channel assumed it was invincible. It continued to buy out every arts-related organization, to the point where it now owns the venue, the production company, the local radio station and the billboards.

Still, after all this, the FCC continues to act like Danny Devito in "Johnny Dangerously," when Michael Keaton dunks a briefcase full of evidence into his lap. "It's flimsy," he says. "It'll hold up in court.

Can you say, "Holy antitrust, Batman!"

You're thinking I'm brave or easy to be writing this for an international music magazine. But what have we currently receive mainstream radio play, and even though, as of right now, we are attempting to get our record played on Clear Channel's stations, I'm not scared.

If this article lights a fire under some congressman, then it's well worth it. This issue is bigger than our album. Ick, I can always change my name.

Getting Yanked

Recently, while watching TV, I sat dumbfounded by how much attention this stupid Super Bowl stunt received. I realized there might be no saving us.

We need Howard Stern!

I admit I'm tired of Lesbian Dial-A-Date, but whether you like him or not, Stern is the perfect barometer of our freedom of speech.

If he's going great guns, then that's good for all of us "smart" people. If he's being yanked everywhere you turn, it means the religious right is gaining on us.

Stern has been offensive for 20 years. Yet the day he announces he is not supporting President Bush, who happens to be pals with Clear Channel chairman/CEO Lowry Mays, the company pulls him from its network.

Meanwhile, Clear Channel's "business partners" at the FCC are now threatening immediate financial doom for anyone not spinning "Barney and Friends." It's scary.

In a few short months, "The John Tesh Radio Show" and those recycled "Morning Zoos" will be the most challenging stuff out there. As much as I love Barney, I should start thinking about that.

Epilogue: Networking

It occurred to me that smart, free-thinking citizens are the Delta House, and the FCC and Clear Channel are the Dean Wormers and Douglas C. Neidermeyer of this generation.

And what did the Deltas do when they knew they were going down with the ship? That's right—toga party.

Now, as much fun as a toga party for the First Amendment would be, I doubt it would do any real good for the future of said amendment or for the liberation of our airwaves in general.

Instead, I propose a Million Band March on Capitol Hill. Think of it. A musical colony! One sunny day in May, thousands of artists, writers, producers, actors, directors, DJs and anyone else crazy enough to be there gather in front of FCC headquarters to say, "We're mad as hell, and we're not going to take it anymore!"

We hold a rally, complete with fiery speeches and powerful performances from artists not afraid of Clear Channel (basically, me and Don Henley). Then we break down the door of chairmain Michael Powell's office, strip him to his underwear and pass him over our shoulders through the crowd.

Recording artists need to unite as one voice for one day, preferably with Ted Turner's news vans everywhere, so this time everyone sees us make our collective voices heard.

That is where we say, unanimously, "Mr. Chairman, we, as artists, are formally opposed to this government further restricting our right to free speech by removing initial warnings in broadcasting, by raising fines from $27,000 to $500,000 and by making Big Brother an inevitable reality as early as tomorrow." Then we have a soy dog and go home.

You know, in "Death to Smoochy," Smoocy the Rhino was right when he said, "You can't beat the world. But you can make a dent." Together, we artists can make a dent in Clear Channel. I'm sure they would be a bigger bang out. After all, Mr. Mays. We, the people, own the airwaves; you're merely renting them.

David Fagin is a songwriter and lead vocalist for the Rosenbergs.

I read the opinion column by Derek Mullen ("We Pay Tab But Don't Get Served," Billboard, Feb. 28) with great interest and thought it was spot on and humanity all at the same time.

Bellevue Cadillac is a band of baboos. Started for just the reasons cited in the piece. All the more interesting is the fact that Bellevue Cadillac has never had a recording contract. (We're too old.)

Even so, the music has found its way into the film "Shallow Hal," TV shows "The Sopranos" and "Touch by an Angel," in such magazines as Rolling Stone and People, jazz and blues review publications and on 16 compilation CDs.

"Access Hollywood," "CNN Showbiz" and NPR have tried to define its appeal without bringing up the geezer issue.

The band has toured in Japan, China, the Caribbean and both U.S. coasts. Bellevue Cadillac's songs are used as "closing" music in hospital operating rooms, house-cleaning music and themes for psychiatric conventions and award-winning radio shows. It's not laid-back like Norah Jones or Rickie Lee Jones, nor do we even try to "young up" our appearance.

We just decided to write and record music we like about issues we care about, like aging baby boomers ("Pull the Plug, and Flatline 'Em"), psychopharmacology ("Prazac"), growing up with music ("Body and Soul"), "Black and White"), spousal abuse, corporate takeovers ("Cuppa Joe, Without the Java Jive") and the Bay of Pigs ("Havana Moon").

We use humor to sugarcoat the message. Why? Your message was clear and sad at the same time but couched in the humor of the piece.

If there wasn't a market, how hell could we exist, especially without the support of record companies, radio, record stores and management, plain and simple.

Pretty compelling argument for your position. Thank you, Derek.

Doug "the Professor" Bell
Bellevue Cadillac
Hull, Mass.

NotSo Stern About Indecency

As your editorial ("A Stern View of Free Speech," Billboard, March 6) infers, politics undoubtedly influenced Clear Channel's wrist-lapping of Howard Stern.

But two pages earlier in the "Newsline" (which I read every time), it indirectly offers an equally valid reason: publicity.

After noting Clear Channel's "new decency guidelines" for radio stations warning that noncompliance would result in termination," Holland dryly quotes "a source" close to Stern's employer, Infinity Broadcasting, saying "there are not any plans to suspend or fire" Stern.

In other words: Business as usual for the radio industry.

Scott Isler
Brooklyn, N.Y.

Don't Forget About SESAC

Donald R. Simon's opinion column titled "Musician: Your Band Is a Business" (Billboard, March 13) was, for the most part, a well-written and informative piece.

But if Simon is indeed "an intellectual-property attorney concentrating on entertainment, copyright and related advertising law issues," he needs to concentrate a little harder when it comes to dispensing advice on performing rights.

Reading his editorial, one would assume there are two performing-rights organizations in the United States. That is incorrect. There are three performing-rights organizations in this country.

Yes, SESAC is by far the smallest of the three, but in the new order of the 21st-century music business, SESAC's size is its biggest advantage.

Established in 1930, SESAC is the second-oldest and fastest-growing of the nation's performing-rights organizations, offering songwriter and publishers an unmatched level of service and personal attention and an important alternative to "the big guys.

By omitting/ignoring that alternative, Simon has done your readers a disservice. Please direct them (and you) to sesac.com to find out more.

Thanks for this opportunity to set the record straight.

Peter Cronin
SESAC media director
Nashville

Bellevue Cadillac Cruises At Its Own Speed
Smokey Robinson puts ‘Food for the Spirit’ into the gospel market

Sub Pop’s Commercial Resurgence

LOS ANGELES—Sub Pop’s new brand of rock is on a roll. The Seattle-based indie label—home to such seminal Northwest grunge acts as Nirvana, Soundgarden, Mudhoney and Green River in the late ’80s and early ’90s—is enjoying a commercial resurgence, and not just with acts from its immediate region.

Jonathan Poneman, who co-founded Sub Pop in 1979 with former partner Bruce Pavitt, says of the label’s renaissance, “I’m pleasantly confounded, but confounded all the same. I still haven’t quite figured out why some things hit and why other things don’t.”

Sub Pop acts have racked up significant sales during the (Continued on page 12)

NBA Dribbles With Peas

The National Basketball Assn. and ESPN have picked A&M/Interscope act Black Eyed Peas’ “Let’s Get It Started” for its promo spots for the NBA playoffs.

In terms of exposure for the song, the impressions will be in the hundreds of millions. The 30-second spots will air no fewer than 2,000 times during the six-week playoff period on ESPN’s four networks, according to Ashley Smith, director of local marketing and publicity for ESPN.

ESPN alone is available in 92 million homes. That number of commercials does not count the airings slated for ESPN parent ABC or other ABC-owned channels that will run spots. It also does not include the shorter permutations of the commercial that will air or the 90-second versions that will play to thousands in arenas during the playoffs and finals.

“It could conceivably help us sell another million records and establish this band like an OutKast,” says Ron Fair, president of A&M.

The song, in its original version, “Let’s Get Retarded,” is on “Elephunk.” That title has sold 1 million copies in the United States since its (Continued on page 14)

Sub Pop has successfully reached beyond its Seattle base with Albuquerque, N.M.’s the Shins.

THE AUCTION WILL INCLUDE MASTERS IN THE SAME GENRES BY 12 OTHER ARTISTS PLUS VARIOUS SOUNDTRACKS. TO BID YOU MUST PROVIDE CONTACT INFORMATION BY APRIL 21st SO WE CAN SEND YOU AUCTION DETAILS BY APRIL 28th. REACH US BY E-MAIL USING billboard@equitabletransitions.com.
past 18 months, and the bands making the splash have mainly not been products of Seattle.

"Make Up the Breakdown," the 2002 debut by Canadian rock unit Hot Hot Heat, has sold 224,000 copies to date, according to Nielsen SoundScan. "Give Up," the early-2003 release by electro-pop duo the Postal Service, has moved 211,000 copies. And "Chutes Too Narrow," the 2003 sophomore album by Albuquerque, N.M., band the Shins, has sold 144,000 units.

Jimmy Tamborello, a Los Angeles-based musician who is partnered in the Postal Service with Benjamin Gibbard of Seattle group Death Cab for Cutie, says that Sub Pop's current run can be credited to a combination of attention to business details and a nurturing, creative environment for its musicians.

Tamborello says, "That's the best way for a label to work—to really know what you're doing, and have the business part of it, and know how to promote a record, but to not be ruled by that stuff, and really be going on the music you love. Then, if it's a hit, that's extra good."

Allen Lorman, head buyer at the Rhino Records store in L.A., maintains that Sub Pop is soaring back thanks to a strong roster.

"Whoever is doing A&R over there is signing the right bands," Lorman says. "They seem to be on a winning streak. They were a label where, if you bought something, you knew it was quality. They're back to that now."

Poneman credits the label's A&R team of Tony Kievel, Stuart Meyer, Andy Kotrositz, Shawn Rogers and Chris Jacobs with much of Sub Pop's current success.

He says, "These are people who have had careers heretofore, but, from a label standpoint, they're really coming into their own working under Sub Pop."

Sub Pop GM Megan Jasper says that the label's current success has been established at its traditional indie-retail base and built outward from there, with music chains like Tower and Virgin and such big-box operations as Best Buy delivering sales.

She says, "We will spend most of our initial money at small, independent record stores, but what ends up happening is, the demand grows for the records, we have to buy into larger programs, meaning larger retailers. Right now, stores like Best Buy are No. 1 accounts for Postal Service, for Hot Hot Heat."

Sub Pop is 49% owned by Warner Music Group, but all its product is handled by Warner's independent arm, Alternative Distribution Alliance (ADA), rather than WEA.

Poneman says, "The mom-and-pop stores are the taste-making stores. As such, ADA is the superior distributor, because they have at this point established enduring relationships with a lot of those stores. To that end, we also service a handful of those stores ourselves."

EXPOSURE AT RADIO

Sub Pop's releases have long enjoyed exposure at modern rock radio. Poneman and Jasper note that stations like KROQ Los Angeles, WFNX Boston, KNDD (the End) Seattle and KITS (Live 105) San Francisco have all supported the label's new acts.

But they also say that the developing adult modern rock format at stations like KDEL (Indie 103.1) Los Angeles—which is spinning tracks by Nirvana and the Shins—is bringing new exposure to Sub Pop's current acts.

Poneman says, "Cynically speaking, there seems to be a rejuvenation of what happened 20 years before on radio at any given time. If you're talking about the Postal Service and Hot Hot Heat, the cynical side of me would say that there are florishes of '80s aesthetic with both of those bands—and a little bit too, even, with the Shins."

KDEL PD Michael Steele says of Sub Pop, "I've always thought they had great stuff. After Nirvana, they were kind of the poster child for indie rock, and I've always thought they had great music. A lot of people that couldn't find a home anywhere else, because the majors didn't have the balls to sign them, found a home there. I think it was just an ignorance of radio programmers that they haven't exposed a lot of this stuff over the years."

LOOKING AHEAD

Poneman has high hopes for such signings as All Night Radio, an offshoot of L.A.-based Sub Pop act Beechwood Sparks; Portland, Ore.-based band Helios Sequence; the Electeds, a side project from Blake Sennett and Jason Boesel of L.A.-based Rilo Kiley; and Miami-based singer/songwriter Sam Beam, who records as Iron & Wine.

The company also has new albums due from comedian David Cross and Seattle rock quartet the Catheters.

Though Sub Pop has continued to range well beyond its regional roots from the early '90s through today, Poneman maintains, "We are a regionally based label, but our region is the planet."

He continues, "I'd like to think we're a West Coast record label. But we work with bands outside the region. I'd also like to think we're always paying attention to what's going on in our back yard. We love being in Seattle."

"Regionalism will always be important for indie record labels. As such, I would love to believe that Sub Pop remains the premier Northwest record label."

Additional reporting by Margo Whitmire in Los Angeles.
Vivaldi’s Back In Season With Spate Of New Releases

Times change, tastes change and composers fall in and out of fashion. Sometimes, it seems as if the zeitgeist moves for reasons that aren’t immediately discernible.


But the grandest and most audacious Vivaldi project by far is that of France’s Naïve Classique label, launched in 2001 and developed with L’Istituto per i Beni Musicali in Piedmont, Italy. It’s a 15-year endeavor called “The Vivaldi Edition,” which will include more than 100 recordings by project’s end. The latest entry, “Vesperas of the Assumption” in a reconstruction by Frédéric Delaméa and Rinaldo Alessandrini and conducted by Alessandrini, is already earning raves.

“The paradox of Vivaldi is exciting,” Naïve Classique director Hervé Boissière says. Vivaldi is one of the most popular classical composers because of “The Four Seasons,” but many people aren’t aware of his 20 extant operas, says Boissière, whose group has recorded them.

“What’s even more exciting is that he wrote 90 operas,” Boissière adds. “What if the musicologists we are working with find others in the course of this project? We would record those too.”

Boissière says that “The Vivaldi Edition” is a multimedia project. “We want to start a film project. Vivaldi’s life story deserves to be told in a way that explores what a provocative and even modern person he was, someone very advanced for his time.”

Boissière says Naïve’s far-reaching mission and inclusive scope make the 5-year-old independent the natural home for such a project.

“We want to present Naïve as a multicultural company,” he asserts. “By ‘multicultural,’ I mean that we are not focused simply on making recordings—we have to enlarge the spectrum of the relationship.”

To this end, the group invests in DVDs and has launched a publishing division. The group has also partnered with andante.com as a cornerstone for online and digital activities, Boissière says.

“We’re also open to partnerships to present live concerts and to handle artist management,” he adds.

NEW MUST-HEARs: Jennifer Higdon’s Concerto for Orchestra and “City Scape,” recorded by the Atlanta Symphony Orchestra and Robert Spano (Telarc, March 30); Monteverdi’s “Orfeo” with Ian Bostridge, Natalie Dessay and Véronique Gens, conducted by Emmanuelle Haim (Virgin, April 6).

MUSICAL CHAIRS: Kent Nagano—who as of 2006 will be music director at the Montreal Symphony and the Bavarian State Opera as well as continuing as music director of the Los Angeles Opera—has announced that from 2006 until 2008 he will also serve as principal guest conductor of Berlin’s Deutsches Symphonie-Orchester, once his term as USO chief conductor ends in 2006.
Tony Seyler sent an early edit of the new version to ESPN, and the game was on. Instead of paying to license the track, ESPN paid for all expenses involved in the production of the commercials. "It's exposure for a label that they could never afford," Smith says.

For the commercials, the Peas' Will.i.am provided four extra versions of the song, including one themed around the 24-second shot clock, tailored to the playoffs. "It's their personalities, but the lyrics are about the NBA," Smith says.

The four Brian Beletic-directed spots feature the band and to varying degrees guest star Carlos Santana and a boys choir. Legendary players including Kareem Abdul-Jabbar and Bill Walton are also in the spots. ABC sitcom stars Jim Belushi and George Lopez also appear.

The spots begin airing April 12 and will run through the NBA finals in June. The NBA is looking at other ways to tie in the Peas with the playoffs, including performing at a game.

"Right now there are some scheduling conflicts, but we always incorporate music into our campaigns in the arenas," says Charlie Rosenzweig, NBA VP of entertainment and player marketing.

For Will.i.am, the NBA promotion is as good as being a starting player in the league. "This means we made it. Just to be affiliated with Kareem, it's great. Aside from it being a cool launchpad for our single, this alone is big."

ALTERING THE LYRICS did not bother him, in part because he had revised them from the original song anyway.

"The song is about letting go of inhibitions and getting started, and the [rewrites] are about letting the game get started. It's the same idea."

MOTOWN PART 2: Michael McDonald is in Nice, France, recording "Motown 2." The follow-up to his platinum "Motown" will come out in September on Motown.

The project reunites McDonald with producer Climbie Fisher.

The set will include a number of duets. Though not confirmed, potential partners include Beyoncé, Mary J. Blige and Queen Latifah.

ON THE MOVE: A number of top communications executives have moved on in the past few weeks because of label restructuring.

Among the departed are Dawn Bridges, senior VP of corporate communications at Warner Music Group; Laura Swanson, Arista senior VP of publicity (laurasawannyc@aol.com); Liz Morentin, Arista VP of publicity (lizmorentin@yahoo.com); and Sherry Ring Ginsberg, Elektra senior VP of publicity (orphelia711@aol.com).

Catie Monck, formerly with Ark 21, has joined Origlio Public Relations in New York. Clients include Concord artists Karrin Allyson and Gary Burton ... Former Westwood One and Rhino executive Stephen Peoples in launching a new weekly radio series, "Beatles, Etc.," April 4 on KHTS-AM in Santa Clarita, Calif.

POP ON BY: Experience Music Project in Seattle will host its annual Pop Conference April 15-18. More than 30 panels will explore this year’s theme, "This Magic Moment: Capturing the Spirit and Impact of Music."

The speakers will dissect the works of the Rolling Stones, Elvis Costello, Dixie Chicks, Radiohead and Little Richard, among others.

GET OUT YOUR TUX: Nonprofit organization Chrysalis will honor Warner Music Group head Lyor Cohen at its third annual Butterfly Ball April 17. Chrysalis, which helps find employment for the homeless and economically disadvantaged, will also honor New Line Cinema chief Robert Shaye.

André 3000 of OutKast will be the MC for the evening, which will be held at a private home in Beverly Hills, Calif.

Seryl Crow, Jack Black, Willie Nelson and All G will perform at the Natural Resources Defense Council’s May 6 benefit.

The NRDC hopes to raise $2 million toward preserving the earth’s natural resources.

The event will be held at the Wadsworth Theater in Los Angeles.

May 7, 2004 - Sheraton New York Hotel and Towers

Marketing in the 21st century demands innovation, courage, creativity, and commitment. For one full day, The Next Big Idea will showcase the marketing visionaries and their media and agency partners who are reinventing the business with original ideas and innovative strategies that work. This must-attend event will explore the convergence of marketing, music, sports and Hollywood in an event designed for the elite of the entertainment economy.

To register, visit www.thenextbigidea.com or call 888.536.8536.
For sponsorship information, call 646.654.5109
Robinson Feeds His Gospel ‘Spirit’

With the April 20 release of “Food for the Spirit,” Smokey Robinson adds a new chapter to his musical legacy. Issued on his own Robso Records, the collection marks his entry into the gospel market. “I’ve always had a very intimate relationship with God. I’ve been writing those songs for years,” the veteran singer/songwriter says. “But it is my first album like this. Musically, I haven’t strayed away from myself, only the words are there to show people about my spiritual relationship.”

Robinson says he originally intended to pitch the songs to friends in the gospel industry, including Kirk Franklin, Yolanda Adams, Shirley Caesar and Donnie McClurkin. But, he says, “the Lord impressed upon me [that]... I was supposed to record them, so I did. I called it ‘Food for the Spirit’ because I wanted to feed people’s spirits.”

Robinson knows firsthand about the power of prayer. He credits it with pulling him out of a drug problem in the 1980s. Since then, he has been sharing his experience at churches, rehab centers, gang meetings and jails.

“I was doing what I wanted to do, doing something that I loved,” Robinson recalls. “I had a wonderful life, and I was stupid enough to fall into the entrapment of drugs. Drugs do not discriminate. They don’t care who you are. Anybody can fall into that trap. So I wanted people to know that, and I think God let me live to spread that word and to be his witness.”

Robinson’s pivotal moment came when he went to a storefront church and the pastor prayed for him. “She told me that she had been expecting me,” he says. “The Lord had told her I was coming. She told me all the things I was going through psychologically and physically, which were things I hadn’t told any earthly person. So I knew that God must have told her those things. When I walked out of that church, I was free. I was prayed for, and prayer is powerful.”

Robinson’s label is being distributed by Minneapolis-based Liquid 8 Records, which will handle marketing and promotion. He has shot videos for the songs “Let Your Light Shine,” “Road to Damascus” and “Gang Bangin’,” which are being serviced to video outlets along with performance and interview footage.

“Food for the Spirit” is Robso’s debut release. In addition to promoting the album, Robinson is working on a mainstream record and a DVD project for which he is singing standards. He also has plans for another gospel collection.

Robinson plans to sign and develop other artists once the label is established.

“If you are going to record records in today’s market, you might as well do it yourself, because you are going to benefit more financially from it than you would [if you went] to a major label,” he says.

NEWS NOTES: The Gospel Music Assn. is running its 35th annual (Continued on page 16)
**Band Rivalry The Focus Of Documentary ‘DIG!’**

The art vs. commerce debate isn’t new. But documentary “DIG!” offers a scathing view on what happens when musicians face that dilemma and take two different paths.

The movie—which won the grand jury prize for best documentary at the 2005 Sundance Film Festival—turns its attention on the longtime friendship-turned-rivalry between Dandy Warhols lead singer Courtney Taylor and Brian Jonestown Massacre frontman Anton Newcombe.

Taylor experiences major-label commercial success, while Newcombe is determined to stay independent and on the fringes of the mainstream.

Taylor is a self-described “well-adjusted” musician whose hand stays together during its ups and downs. Newcombe is a self-destructive troublemaker whose band falls apart from infighting, aided by Newcombe’s volatile personality.

The story of how Taylor and Newcombe deal with the music industry, and how the industry deals with them, serves as a cautionary tale to artists who want their work to be recognized by the public.

Music video veteran Ondi Timoner wrote, directed and produced “DIG!”, which was filmed between 1996 and 2003. She tells Billboard that the most trying aspect of making the film was the editing, which took three years, and sticking with Newcombe as a subject.

“It was hard because as a documentary filmmaker, you can’t intervene if the person you’re filming is a [drug] addict. But I also didn’t want to exploit Anton’s addiction, so I left some of the darkest stuff out of the film.”

Timoner says the film’s unusual title was inspired by a catchphrase used by many involved in the project.

“We kept using the word ‘dig’ a lot, as in, ‘Can you dig it?’ But it also took on a double meaning, because doing this documentary is like doing an archaeological dig.”

Timoner originally conceived “DIG!” as a documentary series for TV titled “The Cut,” focusing on unsigned bands trying to secure record deals.

Timoner pitched the idea to MTV, and she says the channel initially agreed to develop the project. “But then they had a lot of [stipulations], like we couldn’t show cigarettes. Eventually, the people at MTV stopped responding to the project and came out with their own series called ‘The Cut,’ which was the kind of talent show you would expect from MTV.”

Timoner took the rejection as a sign that the project was better off as a movie and decided to focus on Taylor and Newcombe as the documentary’s main subjects.

The two musicians were “way more charismatic than the other people we filmed,” Timoner says. “All the other bands were playing it safe.”

Palm Pictures will release “DIG!” in October in U.S. theaters. The Sundance Channel will also televise the film around that time. Palm will release the “DIG!” DVD in late 2004 or early 2005.

Timoner says the “DIG!” DVD will include scenes cut from the theatrical release that will show more of Newcombe’s obsession with power, cults and mind control.

Timoner sees some parallels between her own life and those of the musicians she films.

“There were so many times I wanted to give up, but I had great people around me who encouraged me to keep going. Now I feel like what an artist feels like when they’ve made a record that’s about to be released and they’re anxious to see how the public is going to react.”

**IN BRIEF:** New Line Cinema is bringing the musical “Hairspray” to the big screen. The musical swept the Tony Awards last year, winning eight prizes, including best book of a musical for Thomas Meehan and Mark O’Donnell and best original score for Marc Shaiman and Scott Wittman.

Meehan and O’Donnell will write an adapted screenplay for the new “Hairspray” movie, which is inspired by the 1988 John Waters-directed “Hairspray” comedy.

Shaiman and Wittman are the executive producers of the “Hairspray” musical movie. “Hairspray” will be the film’s music supervisor; he will also compose the score and produce songs for the film’s soundtrack.

Lions Gate Films has reteamed with Roc-a-Fella Records CEO Damon Dash for “State Property II.” Lions Gate distributed the first “State Property” film in 2002. Dash will direct, produce and co-star in the film’s sequel. Dash Films and ROC Films will produce “State Property II,” which is due in 2005.

**Movie Tunes and Eastman Kodak**

Dove Awards from Gaylord Entertainment Center in Nashville to nearby Municipal Auditorium on April 28. The move will allow the Predators, Nashville’s National Hockey League team, to have their home venue available for a potential second-round playoff game.

The International Gospel Industry Retreat, founded by Dr. Bobby Jones and Vickie Winans, will hold its biennial event May 2-4 at MGM Grand in Las Vegas. Plans call for the event to revert to its previous format of talk-show-type sessions. Jones and the Nashville Super Choir will record their new album during the retreat.

**Sheridan Broadcasting Network** is the principal sponsor of the three-day event. For more information, visit bobbyjonesgospel.com.

**Norman Hutchins** has signed with Bishop Gilbert E. Patterson’s Memphis-based Podium Records. Hutchins is set to record a live album April 2 at Temple of Deliverance Church of God in Christ in Memphis.
**Spring Traffic Creates On-Sale Crush**

**BY RAY WADDELL**

If a promoter wants to put a show on sale this weekend, chances are he needs to get in line. Every show benefits from the exposure brought when a concert first goes on sale, and nobody wants to share the limelight.

“In April, shows are going up every weekend—sometimes two, three or four different shows,” says Rob Light, who heads up Creative Artists Agency’s music division.

“There are just so many tours going out this time of year.”

With an estimated 70% or more of all touring traffic jammed into the April/October time frame, the tight squeeze forces promoters to follow one of two strategic options:

One is to put the show up months before the actual date and try to get as much money as possible before markets are drained of discretionary income by the season.

The other strategy is to wait until only a few weeks out to create a sense of urgency for the show.

Historically, the latter was the prevailing tactic. It was as much a function of economics as human nature, because promoters did not want to budget more for promotion than absolutely necessary.

But increasingly, promoters and agents are more apt to go up early to get their financial licks in first.

“This whole strategy of rushing to get the first dollars has dramatically altered the dynamic of promoting,” says Arthur Fogel, president of Clear Channel Entertainment’s touring division.

“How can you reconcile going up three or four months out with the same ad budget as three or four weeks out?” Fogel wonders. “The logic escapes me. It’s like you put a show on sale, and then you forget about it for a period of time.”

Light does not subscribe wholesale to either school of thought. “I don’t believe in any philosophy that blueprints every part of the country or every act,” he says. “Every scenario is different. Some acts need to go up way out, maybe 15 weeks, and others need to think more focused and short-term.”

**TOUGH CHOICES**

Fogel believes the more fundamental issue is the overabundance of touring traffic within a narrow time frame.

“Knowing the company I work for is as guilty as anybody, but there are so many shows in a three- or four-month period that we’re forcing people to make choices,” he says.

Tours targeting a similar demographic exacerbate the issue when they go on sale close together.

On a given Saturday morning in April, metalheads may have to choose from Ozzfest, Metallica or Project Revolution—neon-hippies either Dave Matthews Band or Phish; and, in a particularly crowded niche, classic rock fans face choosing among Fleetwood Mac, the Eagles, Rush, Aerosmith, Rod Stewart, Sting and many more.

Light says the rush of on-sales is an issue every summer. “Last summer, you had Ozzfest, Metallica and Lollapalooza. Who went up first, and did it matter?” he wonders. “Everybody’s trying to go up in eight weeks.”

Country bookers have long been cognizant of the issue. “The key is to keep distance between everybody,” says Ron Baird of CAA in Nashville.

No two situations are the same, Fogel points out. “The reality is, the stronger an act or tour is, the less you need to force the issue.”

Greg Oswald, VP at the William Morris Agency, agrees. “If you have what people want to see, it’s pretty amazing how resilient a market can be,” Oswald notes. “The act doesn’t have to be bulletproof, just bulletproof.”

Often, this forces ticket sellers, usually Ticketmaster, into the roll of traffic cop. “Most of the coordination of on-sales is done at the local level, with our GMs, the promoter and the buildings in contact several times a day,” says David Goldberg, executive VP of strategic ticketing business development for Ticketmaster.

“It is a bit of ‘traffic cop,’ but everybody is pretty amenable to working with each other to make sure each on-sale is as clear as possible.” According to Light, agencies also have a lot of input into when shows go up. “When we’re routing a tour, when we put the on-sale hold, just bulletproof.”

Light explains. “Last summer with the Dixie Chicks, we blocked out the March 1 on-sale four months in advance.”

**BRIGHTMAN'S HAREM TOUR A WELCOME SURPRISE**

**BY SUSANNE AULT**

LOS ANGELES—Sarah Brightman’s Harem world tour has turned into an unexpected ray of sunshine for organizers.

The 46-date North American arena leg wrapped March 18 at HP Pavilion in San Jose, Calif. It sold 225,000 tickets and grossed $15 million.

“She has been a terrific surprise in the first quarter, the ticket sellers have been exceptional, but we’re now wildly over what we thought this,” says Brad Wavra, VP of touring at Clear Channel Entertainment.

Clear Channel has nationally promoted the concert since its kickoff Jan. 15 at American Airlines Center in Dallas.

In the spotlight since her Broadway tour in “Cats” and “The Phantom of the Opera” in the 1980s, Brightman has an established fan base. Yet current Nemo Studio/Angel release “Harem” has sold 333,000 copies since its May 2003 bow, according to Nielsen SoundScan. That is about one-third of the total sales for Brightman’s “La Luna,” which she supported on her last major tour in 2000.

In terms of radio airplay, “she hardly gets any at all,” says Nat Farnham, Brightman’s booking agent at Evolution Talent Agency. A few remixed “Harem” tracks appeared this year on the Billboard Hot Dance Club Play chart, but “that’s such an obscure format,” he says.

**FACTORS FOR SUCCESS**

Still, Farnham adds, the North American trek “has dramatically exceeded everyone’s expectations . . . and turned out to quietly be a very successful tour.”

Granted, relatively high-priced $35, $55 and $125 tickets likely contributed to the tour’s dollar haul. Those prices are about 30% higher than Brightman’s previous shows, venue managers say. But Farnham reports that the average 6,600-person ticket sales at arenas are a 65% spike from the 4,000 average on her 2000 theater trek.

“We were really selling these tickets in a context where we were not firing on all the cylinders that we should have been,” Farnham says regarding the limited exposure for the “Harem” album.

But Waeva and Farnham insist the tour bounty is not a fluke. The key, the key, was making the unprecedented decision to coordinate CCE’s concert and theatrical promotion divisions.

Realizing they had an underdog tour, CCE wanted to throw out a wide net for attracting Brightman fans. That meant enlisting the help of CCE’s theatrical divisions to launch a Brightman presale specifically for its theater subscribers. Theatrical staff also publicized her tour when any customers contacted CCE for play information.

“Just being a concert promoter would not have given us the level of success that we enjoyed,” Waeva says. “This is one of the first tours where we really integrated among our divisions.”

Waeva says it was imperative to aggressively court the theater crowd, which is “the fan base she has historically had . . . because a lot of these customers don’t experience concerts in arenas very well.”

The tastes of regular concert-goers versus frequent Broadway attendees “is not even close sometimes,” he admits.

CCE also stuck Brightman fliers inside Broadway’s Playbill and Show People magazines. Plus, the company tapped its outdoor division for Brightman’s three other Big Screens in Los Angeles and New York’s Times Square.

Farnham says hechalks up Brightman’s success to CCE’s blending of promotional firepower.

“We really benefited from all of that, and while that wasn’t in the normal context of concert promotion, it was a very special process,” he says.

Farnham hopes to take advantage of concert and theatrical promotion divisions for all future Brightman tours.

**THE VIP EXPERIENCE**

Adding zip to Brightman’s tour, Waeva says, was the sale of $750 VIP tickets. About 1,000 of these tickets were sold across the span of tour dates.

CCE has previously been part of tours by such acts as Britney Spears, Aerosmith and the Rolling Stones, which have sold solid elite fan packages. But according to Waeva, Brightman actively engaged herself in the process. Instead of handing VIP buyers front-of-house seats plus autographed memorabilia as usual, she sat the ticket holders onstage as she performed.

“That kind of production design is so different from what has been out there in recent memory,” Waeva says, noting that “it added to the overall thrill.”

Post-concert, Brightman also sat down and talked to each person on one-to-one. A number of venue managers say they were taken aback by the number of VIP tickets selling at a premium.

“We sold about 50 of them. That was surprising,” says Steve Kirnser, director of booking and events at HP Pavilion, which moved about 6,000 tickets overall for its March 18 show.

Brightman will next play 14 European dates April 21 to May 13 and 21 Asian and Australian shows May 28 to July 8.

Waeva adds, “This is just a great story when ever you can exceed your expectations. This was an effort where all elements of the CEE marketing staff came together.”
Music Touring

I.M.P. Preps Shed For Summer Shows

In its first year of exclusively programming Merriweather Post Pavilion, I.M.P. has notched some premier shows, including Sarah McLachlan and Dave Matthews Band for summer concerts.

Seth Hurwitz and Rich Heincke are principal partners in I.M.P. and owners of 9:30 Club in Washington, D.C. They signed a contract to book and operate the 15,000-capacity amphitheater in Columbia, Md., beginning this year (On The Road, Billboard, Nov. 8, 2003).

I.M.P. signed the contract with Rouse Co., which owns the pavilion. Clear Channel Entertainment programmed the venue last summer.

Hurwitz says I.M.P. has instituted some improvements to the shed. “We’ve been going through the place top to bottom and 9:30’ing it,” he says. He adds that signing McLachlan, who is booked by Marty Diamond at Little Big Man, for her Aug. 11 show in the D.C. market was a huge vote of confidence for I.M.P. at the shed. It is the only outdoor date on the tour.

Hurwitz says he’s pleased with how the season is coming together and is looking forward carefully over quantity.

“When I thought, I want people to be able to look at our lineup and say, ‘Wow, these were all cool shows.’ That’s when we took over at Merriweather because we felt it was a great venue for a lot of shows, not every show. If we didn’t feel that way, we never would have undertaken this great risk.”

UNITED SIGNS LA LEY: United Talent Agency has signed Warner rock en español band La Ley for representation in all areas, including TV and acting opportunities for band frontman Beto Cuevas.

Hailing from Santiago, Chile, La Ley is building a following in the United States and annually sells out such venues as the Greek Theatre in Los Angeles. Tomas Cookman at Cookman International manages the band.

TRIPPING’: Bad Acid Trip will join Gwar for 14 dates beginning April 16 at Ziggy’s in Winstont-Salem, N.C., and wrapping May 6 at the Whisky in Los Angeles. Bad Acid Trip will also perform at System of a Down’s Souls 2004 benefit concert set for April 24 at the Greek Theatre.

These three tour dates are in support of Bad Acid Trip’s CD, “Lynch the Weirdo,” set for an April 20 release on Serjical Strike/Columbia Records. System of a Down vocalist Serj Tankian owns the label.

SOME SWEET HARMONY: Emmylou Harris, Patty Griffin, Buddy Miller, Gillian Welch and David Rawlings will team for the Sweet Harmony Revue tour, beginning Aug. 11 at Chastain Park Amphitheater in Atlanta and running until Aug. 29 at Red Butte Gardens in Salt Lake City. Frank Riley at High Road Touring is booking the tour.

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On The Road

By Ray Waddell

For her to say, ‘We want to play outdoors there was a ringing endorsement and got us a lot of attention,” Hurwitz says. “Likewise, Dave Matthews Band could’ve made more money playing a different shed [July 14], so I’m very grateful to [DMB manager] Coran Capshaw for supporting us.”

Other concerts booked this summer at Merriweather include Diana Krall (July 3), Dashboard Confessional (June 24), Indigo Girls (June 19) and Harry Connick Jr. (June 27), the last two are opening and closing shows for Columbia Festival of the Arts.

I.M.P. has a history in the venue, having promoted shows there from 1998 to 2002 through an agree-
Gamble & Huff Redux

Next-Generation Producers Dip Into Legendary Songwriters’ Catalog

Like two kids alone in a candy store. That is how producer/songwriter Carvin Haggins describes the musical alliance he and partner Ivan Barias have established with the legendary Kenny Gamble and Leon Huff.

The progenitors of Philly soul are giving this next generation of Philadelphia-bred producers an opportunity of a lifetime: a chance to reproduce some of their songs.

“Gamble and Huff have a vault of records that no one has heard before,” says Haggins, recalling his visit to the pair’s Philadelphia studio. “They gave us a list and let us choose 10 songs.”

The younger twoodie is already working on all six songs, “Friend,” with RCA artist Heather Headley.

“The same carpet from 1972 is on the studio walls, and the same equipment is there,” Barias says. “That’s when it hits you. Their studio is a summary of a career that spans three decades. That’s a humbling experience, because I know how far we have to go.”

In the past eight years, Barias and Haggins created CarMul Productions in 2001. Best-known for their work on albums by Philly colleagues Musiq & Jill Scott, the duo is splitting time between Los Angeles and its Home Cookin’ studios in Philadelphia.

Having wrapped several songs on Joe’s latest Jive album, “And Then…” Barias and Haggins spent most of March in L.A. collaborating on Brian McKnight’s new Motown project. In between, the duo laid down tracks with Patti LaBelle (“Black Butterly,” on Def Soul’s “Johnson Family Vacation” soundtrack) and Earth, Wind & Fire. On the latter album, Musiq teams with Maurice White and Philip Bailey on “Happiness Is.”

After Easter, it’s back to L.A. to record songs for Faith Evans’ Capital debut, also on CarMul’s recording docket: Atlantic newcomer Alphaville and a fourth Musiq album.

MUSICAL NOTES: Motown’s Kem will return in September with a sophomore set. It would be interesting if Kem, often compared to Al Jarreau, partnered with the jazz vocalist on something. Just a thought – … Nuendo Music Group R&B singer Geri King makes her U.S. debut April 27 with “Always.” Producers include Kimo Kaulani and Take 6’s Alvin Chea.

Digable Planets associate Ladybug Mecca … Detroit-based Psychopathic Records launches R&B/Hip-hop sister label Urban Music Zone. Distribution is through RED/Sony in the United States and Canada and through Proper Distribution in Britain.

LISTEN UP: Noted session player Arthur Adams digs into his soul for new album “Soul of the Blues” on MM111 PM Records. The guitarist’s resume lists collaborations with everyone from R&B King to the Jackson 5. On this project he teams with another musical notable, Will Jennis. The album already tops XM Satellite Radio’s Bluesville chart. And it seems to prove Adams’ theory: “If radio and others would promote it, contemporary blues/soul would find it has a huge audience.”

Adams is currently touring in support of the album and is slated to play with Stephanie Mills in August.

FROM LEFT: BARIAS, HUFF, GAMBLE AND HAGGINS

By Gail Mitchell

gmtichell@billboard.com

Rhythm & Blues

Billboard HOT RAP TRACKS

By Gail Mitchell

gmtichell@billboard.com

x

Billboard/Penn Broadcasting Co

MUSIC & MEDIA

Billboard/April 10, 2004

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www.americanradiohistory.com
J-Kwon Debuts With ‘Hood Hop’

The hip-hop class of 2004 is only 3 months old, and it has already had its fair share of impressive debuts. From Kanye West to Cassidy, rap’s new breed is quickly making a name for itself. Next up is So So Def’s J-Kwon. The St. Louis native recently made his debut with “Hood Hop.”

J-Kwon says he started rhymin’ seriously at age 12. It obviously paid off. So So Def principal Jermaine Dupri signed him at the ripe age of 17. “I had a buzz in St. Louis on the freestyle tip,” J-Kwon says. “I was also a young guy, so I think that played an important role for me. I went through my father—Shawn Caldwell Management—to [producers] the Trackboyz. I had deals on the table, and we felt like J.D. was the best producer in the world, so that’s who we went with.”

J-Kwon cites “personalities cats” like Jay-Z and Dupri as his influences. He says the album title “Hood Hop” describes his sound. “Basically, the title means introducing pop to the hood and the hood to pop. I wanted to walk that thin line between the two.”

He has certainly done that with his lead single, “Tipsy.” A top five hit on both The Billboard Hot 100 and the R&B/Hip-Hop Airplay Tracks chart, the single is currently at No. 3 on the former and No. 4 on the latter.

“I got a fake I.D.,” J-Kwon says of the song. “I’m not promoting teen drinking. They don’t even let me in the club with my fake I.D., so I stand outside and parking-lot pimp.”

“Doing that,” I would see cats coming out of the club so tipsy and drunk that they’re two-stepping,” the rapper adds. “So I wanted to talk about that from my point of view—I see everybody in the club getting tipsy. It’s like I’m looking through a door into the club.”

On the horizon: The majors aren’t the only ones with breaking new acts. Indie labels have their own crop of up-and-comers who should be making a name for themselves in the world of hip-hop.

Bay Area MC Encore is the next member of the Hieroglyphics family aiming to make his mark. He released his last set, “Life,” on March 9, “Layover” (Hiero Imperium) is the rapper’s sophomore set and features appearances by Ladybug Mecca, Pey Love, Opio and A-Plus, among others. On the East Coast, Ice Schuler is also turning a lot of heads. The New York-based MC is currently buzzing with his “White Album” (Bod Music). The set features guest appearances from G-Dep and Black Rob.

Lastly, representing the Midwest is D.O.A. The St. Louis duo of Dilla and Chill will release his debut this spring with “From Outta Nowhere” (New World Records). Lead single “Packed” is already getting nationwide attention.

Gotti Gets TVY: Yo Gotti has inked a deal with TVT Records. The Memphis-based rapper recently signed with the Rap Hustlaz label. He released his last set, “Life,” on Inevitable Records/Rap Hustla/TVT Records last year and is now signed directly to TVT.

Gotti is in the studio working on his next set, “Back to the Basics,” due this summer.

In Memoriam: Condolences to the family and friends of R&B star Interscope West Coast regional R&B promotion manager Amon Parker, 31, who died March 21 from injuries sustained in a motorcycle accident. I only had the pleasure of meeting him a few times, but he was always helpful. I am sure that he will be sorely missed.
RIAA: Latin Sales Slide Slowed In 2003

Although Latin music’s presence in mainstream retail has hit an all-time high, shipments of Spanish-language albums in 2003 were down for the fourth year in a row.

According to numbers just released by the Recording Industry Assn. of America (RIAA), net shipments of Latin music slid from 41.1 million in 2002 to 38.6 million in 2003, a decline of 6%.

But these numbers have left RIAA officials far more optimistic than in recent years.

“I am encouraged by the fact that although the numbers are still down, the [percentage has] come down to single digits,” RIAA VP of Latin music Rafael Fernández says. Net shipments in 2002 declined 15.6% from the 2001 total of 48.7 million units.

The 6% decline in 2003 “is a sign that we’re progressing in the right direction,” Fernández adds. “So, although it’s not great, it’s encouraging for us, and it says a lot [about] the programs we’ve set in place to deal specifically with Latin issues over the last year.”

Fernández refers to the $2.5 million in anti-piracy funds that the RIAA allocated last spring specifically to fight Latin-music piracy. The program was a response to Latin music’s disproportionate physical-piracy rates in the United States and Puerto Rico. Two million illegal pieces of Latin product were seized in 2003, Fernández says. That number represents 33% of all seizures in the United States and Puerto Rico. And Latin-music seizures rose overall by 40% compared with 2002.

Funds for the anti-piracy program already have been allocated for the RIAA’s 2004-2005 fiscal year, which began April 1.

This time, Fernández says, the program will expand its concentration from specific areas, such as the West Coast, Texas and Chicago, to the market as a whole.

Just as the majority of illegal Latin music seized is regional Mexican music, the bulk of Latin music sold legitimately is also regional Mexican, according to the RIAA.

Regional Mexican was the only segment of the Latin market that registered growth in 2003, with net shipments climbing to 2.2 million units, from 2.2 million units in 2002.

Pop music registered the largest loss, with net shipments dropping by a dramatic 16%, from 13.6 million in 2002 to 11.4 million in 2003. Net shipments of tropical music also declined, from 4.7 million in 2002 to 4.3 million in 2003.

On the bright side, net shipments of DVDs were up 71%. Although the numbers are still modest—478,000 units in 2003 vs. 280,000 in 2002—they signal increased emphasis by Latin artists to pay more for a premium product that’s harder for pirates to replicate. As has long been the case, the RIAA’s numbers are at odds with those of Nielsen SoundScan.

According to the latter, sales of Latin music were up dramatically, from 19.5 million units in 2002 to 26.1 million units in 2003. This sales figure is smaller than that published by the RIAA because many outlets that sell Latin music, including flea markets and mom-and-pop stores, do not report to Nielsen SoundScan.

The RIAA does not tally all labels’ shipments. By its own estimate, it counts 85%-90% of all Latin music sold in the United States and Puerto Rico.

At the same time, the rising Nielsen Soundscan numbers indicate what many executives have long suspected: that more Latin music is being sold through mass merchants such as Wal-Mart, Kmart and Target.

Death Of Adán Sánchez Draws Widespread Grief

Two months ago, when Adán “Chalino” Sánchez did not get an invitation to perform at Premios lo Nuestros, he shrugged it off: “Well, not this time, but it will happen. Little by little.”

“That was his line,” publicist Felix Castillo recalls. “Little by lit- tle. He knew he’d make it.”

He could hardly guess that it would never happen.

On March 27, en route to a concert in Mexico, Sánchez died when two tires on the car he was traveling in blew up.

He was 19 years old.

A degree of reaction to Sánchez’s death was not unexpected. In the regional Mexican world, he was widely regarded as a star in the making. But few could have foreseen the level of grief.

While on the East Coast, many are still asking, ‘Chalino whot,’ on the West Coast he is being mourned with a fervor reserved for idols and saints.

The first indication was an impromptu candlelight vigil held by Los Angeles radio station KBUE, which reportedly drew some 6,000 people to Lincoln Park in East Los Angeles.

“We had to do it,” says KBUE PD Pepe Garza, who had to turn people away after police quickly broke up the vigil because it did not have a permit.

“There are artists who cause euphoria on the West Coast, and no one else knows about them. I knew press would come, and I wanted them to say, ‘Hey it’s true. He was big.’ He was a boy who drew many, many people.”

In his last interview on record with Los Angeles daily La Opinión, Sánchez said he aspired to be “an idol.”

It was not a far-fetched idea.

He was born and raised in Los Angeles the son of legendary corrido singer Chalino Sánchez, whose Underground appeal during his lifetime changed to cult status after he was shot and killed at age 32.

The younger Sánchez was only 6 when his father died. But he decided on a musical career early on, signing with local indie Costarola. He recorded six albums for that label.

Unlike his father, however, Adán did not sing corridos or norte- ros but ballads and dance music.

The singer’s death inevitably incites comparisons to the late Selena.

Of course, Selena—already a Grammy Award winner and major seller—was far better known at the time of her death.

But like her, Sánchez was a Mexican-American, born and raised in the United States, who successfully straddled two cultures. Both appealed to a demographic that yearns for young idols that look and sound like them.

With his cherubic good looks and boy-next-door charm, Sánchez struck a chord.

“He reached girls who truly saw him as their possible boyfriend,” Garza says. Because of who his father was, Sánchez appealed to men as well.

Now, like Selena, Sánchez appears destined to become more famous in life than in death.

In the three days following the accident, his songs have received renewed airplay. National media outlets that barely acknowledged him during his life are now taking note of the story of the up-and-coming boy star.

At press time, a public mass with his body on display was scheduled for April 1 at the Los Angeles Cathedral.

Prior to the accident, Costarola had made plans to put out an album of earlier, previously unreleased material this month. It includes a single titled “Nadie Es Eterno” (No One Is Eternal).

When people are asked to describe Sánchez, invariably they all use the adjectives “courteous,” “nice” and “charismatic.”

Immediately upon his death, Univision Records put out a state- ment lamenting Sánchez’s demise. Days later, when asked what exactly made this singer so appealing, Univision Records chairman/CEO José Behar has two words: “Talent” and “humility.”
### Latin Pop Airplay

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**Billboard**

**HOT LATIN TRACKS**

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**Latino Daemon Data Sources**

- **Greatest Gainer**: A song that has been on the chart for more than 10 weeks and/or currently in a position lower than it was at the beginning of the week.
- **HOT SHOT DEBUT**: A new entry on the chart that has been on the chart for less than 10 weeks.

[www.billboard.com] [www.billboard.biz]
**LATIN POP ALBUMS**

1. PAULO NGO
   - **Minuto de Oro** (Universal Latin) $14.98
2. DÝSP HEICO
   - **En el Barrio** (EMI Latin) $12.98
3. TAILLA
   - **Greatest Hits** (EMI Latin) $16.98
4. CON Ojos Que Hermosos Ojos (EMI Latin) $19.98
5. LO TIGRES DEL NORTE
   - **Grandes Exitos** (EMI Latin) $19.98
6. LOS REYES
   - **Romanticas** (EMI Latin) $19.98
7. K -PAZ
   - **Nuevas Exito** (Sony Discos) $17.98
8. BANDA ARKANGEL R-15
   - **Mi Vida, Mi Cruz** (Sony Discos) $15.98
9. DISCIPULOS DEL GRUPO RICARDO ARONA
   - **Aventura** (Sony Discos) $13.98

**REGIONAL MEXICAN ALBUMS**

1. GRUPO MONTEZ DE Durango
   - **En Vivo Desde Chicago** (EMI Latin) $15.98
2. NIETO MANUELLE
   - **Hermanos del Norte** (EMI Latin) $12.98
3. LITO Y POLACO
   - **En Vivo Desde Chicago** (EMI Latin) $19.98
4. PILAR MONTENEGRO
   - **En Vivo Desde Chicago** (EMI Latin) $12.98
5. DVORA PLATINUM
   - **En Vivo Desde Chicago** (EMI Latin) $17.98
6. INTOCABLE
   - **Dos Exitos** (EMI Latin) $15.98
7. OBRE BERMUDEZ
   - **Romanticas** (EMI Latin) $19.98
8. MANUEL ROCA
   - **Romanticas** (EMI Latin) $19.98
9. GUY SANCHEZ
   - **Romanticas** (EMI Latin) $19.98
10. JERRY RIVERA
    - **Romanticas** (EMI Latin) $19.98

**TROPICAL ALBUMS**

1. DEL PASITO DURANGUENSE
   - **Con el Pueblo** (EMI Latin) $14.98
2. PAULINA RUBIO
   - **Enamorarme** (EMI Latin) $17.98
3. LÉO Y POLACO
   - **En Vivo Desde Chicago** (EMI Latin) $19.98
4. PILAR MONTENEGRO
   - **En Vivo Desde Chicago** (EMI Latin) $12.98
5. DVORA PLATINUM
   - **En Vivo Desde Chicago** (EMI Latin) $17.98
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9. GUY SANCHEZ
   - **Romanticas** (EMI Latin) $19.98
10. JERRY RIVERA
    - **Romanticas** (EMI Latin) $19.98

**GREATEST GAINER**

- **Almas del Silencio** ($9.98)
- **En Vivo Desde Chicago** ($15.98)
- **Dos Exitos** ($15.98)
- **Romanticas** ($19.98)
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SPANISH DUO SETS SIGHTS ON STATESIDE SUCCESS

BY HOWELL LLEWELLYN

Two 20-year-old lifelong friends who never seem to stop joking and talking about girls — and who also sing compelling pop songs — are Spain's musical success story of the past 10 months. Now, Andy & Lucas — the duo made up of Andy Morales and Lucas González — hope to repeat the feat in the United States and Latin America.

Andy & Lucas are in the midst of heavy promotion in Mexico and will arrive in the States April 16 for two weeks of promotion in Puerto Rico, Los Angeles and Miami.

Amazingly enough, the pair was completely unknown when it released its self-titled debut album last May on BMG Ariola. But "Andy & Lucas" has sold more than 400,000 units, and the duo has played significantly more than 100 concerts.

"I reckon the album can work [in the States and Mexico], as the first two singles are very strong," Andy said at Madrid airport before taking a flight to Mexico.

"The idea is to spend up to a couple of weeks on each trip, then come back to write and record more songs," added Lucas, who writes all the act's lyrics and music.

They return to Mexico late May for more promotion and the Acapulco Festival, and from there will travel to Chile and Argentina for radio, TV and press promotion.

"Andy & Lucas is a priority act for us in the whole of Latin America and the U.S. Latin markets," BMG International exploitation manager Fran Arbulu says. "This is more of a Latin regional campaign than some others."

Andy & Lucas' first single, "Son de Amores," was released March 16 in Mexico, Argentina, Chile, Peru, Colombia, Ecuador and Central America. In the United States, BMG chose the duo's second Spanish single, the intensely romantic "Tanto La Quería," for a March 23 release.

"The reaction in the States swung toward the more melodic second single, and the girls there obviously know their audience," Arbulu says. "But both songs have been enormously popular in Spain since before last summer.

"We knew we had a success on our hands, but the phenomenon was massive and immediate — nobody expected them to sweep over Spanish pop culture so quickly. There was simply no way of stopping it. Children and their grandparents were all swept along together."

Andy & Lucas began singing together at 16 in neighborhood bars in their southern hometown of Cádiz. This explains their enticing vocal flavor that encompasses Andalucian rumba and flamenco, as well as down-home pop and disco music.

"Their success is based on two things: their solid and consistent songwriting and vocal skills and their tremendously simplified nature, which has captivated the young female fan base in Spain," Arbulu says. "They have also had wonderful radio support across the country, not just in their southern birthplace.

One of the most-played songs is an ode to Andalucia, the cradle of Spanish gypsy flamenco, called "Un Rinconico al Sur." For all its regionalism, the track has received equal airplay nationwide.

BMG Ariola now has two successful male duos. The other is Estopa: brothers Juan and David Muñoz, who hail from a girttier, northern industrial area near Barcelona. Estopa's music is harder and rockier, and their songs are lyrically tougher.

Andy & Lucas and Estopa both sing about everyday experiences of love, girls and the street, but the results are sharply different— as different as the north and south of Spain. Estopa is slick and cocky and funny, while Andy & Lucas are funny but cuter and more ingenious.

Arbulu says, "Musically, Estopa has a more local appeal, while we think Andy & Lucas have universal attraction."
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<tr>
<th>WEEKS AT #1</th>
<th>TITLE</th>
<th>ARTIST</th>
<th>LABEL/RECORD COMPANY</th>
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<th>CD SINGLE</th>
<th>AIRPLAY RANKINGS</th>
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*Disclaimer: The table above shows the top singles for the week of April 10, 2004, based on Nielsen SoundScan data. The rankings are based on various metrics including sales, radio airplay, and online streaming. This data is provided for historical reference and may not reflect current rankings.*
**Despite Panel Cuts, Promo Costs Remain High**

**BY PHYLLIS STARK**

NASHVILLE—It has been six months since Billboard and Radio & Records cut their country chart panels, but labels say the cost of promotion has yet to go down.

Cuts were made at the urging of Nashville labels and despite some vocal objections from radio. Billboard dropped 18 stations that weren’t at least 60% current. R&R cut all stations below low market No. 100.

At the time, labels said such moves would help them control spiraling promotion costs.

“Turns out, that hasn’t happened—at least not yet,” Rob Dalton, VP of promotion for Arista Nashville, says, among those who confirm there has been little change in spending.

“It was expensive, it is expensive and it will be expensive,” he says. “Big records get bigger, and hard records get harder.”

Royce Risser, VP of promotion at MCA Nashville, says costs “haven’t gotten worse, but they haven’t improved either, and I think that was the idea behind the panel cut.”

But Risser says labels are, at least in part, to blame for the status quo. “I hear stories weekly of outrageous promotions being done to get records played,” Risser says. “If those are, in fact, being done, then things will most likely get worse. Expectations will rise.”

For now, however, Risser says he at least hasn’t felt the bar being raised on costs. “That’s not to say the bar isn’t too high already.”

Independent record promoter Nancy Tunick agrees that the amount of dollars being spent on radio promotion has not declined.

Tunick, a managing partner in Nashville-based GrassRoots Promotion, offers an analogy to describe the labels’ current situation.

“It reminds me of a person who buys a larger desk to eliminate clutter, only to find that the clutter expands to meet the dimensions of the new desk,” she says.

“Even if we are dealing with fewer stations, the stations’ needs seem to expand to meet the available dollars,” Tunick continues. “On the label front, we seem to be operating with the expectation that we need the same level of promotion budget. Usually when there is an expectation about what is going to be spent, that expectation will rise.”

For its part, MCA has made one change it is hoping will help control costs long term. When the panel cuts were made, the label dropped its promotion budget for singles “pretty aggressively,” according to Risser.

“The theory is, when the money is out, it’s out,” he says. “We are really trying to hold to those decreased budgets. But as long as we have competition that is willing or desperate enough to outspend, we will be tempted to do the same. Nobody wants to be outgunned, to go into battle with a slingshot.”

**MAJOR-MARKET PARTNERS**

Before the panels were cut, some industry observers predicted that having fewer stations report to the chart would actually make matters worse by putting more influence in the hands of fewer promoters.

Sony Music Nashville’s Bill Mackey says it’s too early to tell whether the smaller panel will affect the cost of doing business. But the good news for Mackey, the company’s VP of national promotion, is that he doesn’t feel as though the remaining stations are asking for more or wielding more power.

“The bigger-market stations were never the problem,” he notes. “The major-market stations are the ones you want to partner with because you’re reaching a greater audience. … A label can recoup the cost of bringing an artist to that market because they can sell enough records [there].”

DreamWorks Records’ Scott Borchetta breaks down some of the cost of promoting a new or mid-level act, agreeing with the others that the panel cuts have not affected those costs. (Superstar acts, meanwhile, were never as expensive to promote, since their records are often instant adds at radio.)

Borchetta, the label’s senior executive for promotion and artist development, says the cost of working a new or developing act has remained steady at about $100,000 to $150,000 per single. That includes $3,500 to $5,000 per day for an act with a bus and a band to travel around to stations doing free shows.

Mackey cites an average figure of $3,000 to $5,000 to send an artist to do just one live radio show.

Those artists’ singles used to peak in 26 weeks. That cost is now being spread over 30 to 32 weeks. It takes longer for records to ascend the charts, a phenomenon that predates the panel cuts by several years.

That, Borchetta says, “elongates the weekly cost of having an artist on the road, and that’s a hard expense. When you get down to the end of the year, it comes down to how many singles did we get out, because that’s where it compounds.”

“You have a hard cost per week in the building process of an artist,” Borchetta adds. He couldn’t pinpoint what that cost typically is. So even with fewer stations to promote, adding more weeks to the life of the record also adds to the expense.

“Some labels that are used to spending a lot of money are spending a little bit more per station because they’re reaching a lot of stations at once. It’s not really good for any of us.”

---

**Tritt To Give Radio A Spin As ‘Roadhouse’ Co-Host**

Forget Howard Stern. Travis Tritt might be the king of all media.

In addition to a successful recording career, the Grammy Award-winning Tritt has acted in films and TV and hosted a countdown show for Viacom’s Country. For his next venture, he is trying out radio.

Nashville-based Marketing Group to go co-host Tritt to co-host a new syndicated show, “Roadhouse Weekend,” with mediakit commentator Wally Dallenbach.

The show will feature a mix of up-to-the-minute country music and artist interviews, interspersed with some relaxed guy talk.

“Roadhouse Weekend” debuts in mid-April and will air on affiliates from 7 p.m. to midnight on Friday or Saturday nights.

Tritt says that when he was approached with the idea for the program, “it just appealed to me all the way around. It didn’t sound like your normal, average, run-of-the-mill show.”

Thus far, Tritt and Dallenbach have only recorded the pilot, but Tritt says they have a clearance for the show and are even helping pick the music.

“It has a real relaxed feel to it,” Tritt says. “It sounds like a couple of guys sitting around in the living room having a couple of beers [and playing] what we would like to hear to get the weekend started off.”

Although Tritt had never met Dallenbach prior to their “Roadhouse Weekend” partnership, he had seen Dallenbach’s broadcasts on NBC and TNT for the Winston Cup and Busch Series races. Dallenbach, a former pro driver, also hosts a daily racing report feature for country stations.

Tritt says their on-air pairing “just felt right.”

While radio is a new medium for Tritt, he’s been on the other side of the mic plenty of times. “It’s something I always felt comfortable with,” he says. “I never felt shy about talking to people and telling people what I think.”

And Tritt says the radio job met his No. 1 criteria for any new project he takes on—it’s fun.

As a recording artist, Tritt has to his credit seven albums that are either platinum or multi-platinum and 20 top 10 hits. His next Columbia album, “My Honkytonk History,” comes out in mid-summer.

Tritt says the album is “a throwback to the more rocking side of what I’ve done throughout my career. There are some very straight-ahead country ballads, but more of the ‘Tr-R-O-B-L-E’ and ‘Put Some Drive in Your Country’ kind of songs than I’ve ever had on one [project].”

It’s a real summertime album.

The first single, “The Girl’s Gone Wild,” goes to radio May 3. Bob DiPiero and Rivers Rutherford wrote the tune, and Tritt hopes the uptempo number will become “the song of the summer.”

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**Nashville Scene**

**By Phyllis Stark**

ptark@billboard.com

**SIGNINGS:** Billy Dean has been signed to Curb Records, which will pick up his current View 2/H2E project. Dean previously recorded for Liberty and Capitol Records, where he scored 11 top 10 singles and four gold albums. Dean’s current single, a remake of John Denver’s “Thank God I’m a Country Boy,” is at No. 38 on the Hot Country Singles & Tracks chart.

Ash Street Music has added Andrew Dorff to its songwriter roster. Dorff has recorded albums for Sony and Lost Highway Records.

**ON THE ROW:** National TV network RFD-TV is relocating its operations to Nashville from Dallas and plans to expand its lineup to include music and entertainment programming.

The 4-year-old RFD-TV is an 24-hour national network focused on rural America. Its programming includes a mix of agricultural and family-oriented shows. DirectTV and Dish Network distribute the network as a basic channel. Cable systems Mediacom and NCTC also carry it.

Music Row law firm Bass, Berry & Sims has upheled Charles Biederman, Charles Harvis and Mitchell Joyce to partner. The three specialize in entertainment and intellectual-property law. They all joined the firm in 2001.

Hospitality Design has named Karen Oertley publisher/editor-in-chief, effective April 5. She was publisher/editor of Amusement Business magazine. She will relocate from Nashville to New York. Both magazines are Billboard sister publications.

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BILLYARD APRIL 10, 2004

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ALBUMS

ESSENTIAL REVIEWS

Edited by Michael Paoletta

POP

► ERIC CLAPTON
Mr. and Me: Johnson PRODUCERS: Eric Clapton, Simon Climie REISSUE 48423 RELEASE DATE: March 30

So like many of his peers, Eric Clapton was a wreckstruck by the guttural blues of Robert Johnson. Also like his contemporaries, the rock and blues that Clapton has come to regard as his greatest work has survived at hip-hop relevance over the years, and he continues to be a major influence on the genre.

► CYPRUS HILL
Till Death Do Us Part PRODUCERS: Muggs, the Alchemist, Tony "CD" Kelly, "Fredwreck" Nassar COLUMBIA CK 90792 RELEASE DATE: March 23

Cyprus Hill’s seventh album finds the trio of Los Angeles act a crossroads. Lyrically, the group seems content covering the same ganja/gangsta beat it has tackled since its 1991 debut. But musically, Cypress Hill is all over the map, seeking an identity that most bands have found well before their 14th year. While the group has lost hip-hop relevance over the years, it has survived at modern rock, where the Clash-sampling “What’s Your Number” continues to climb the charts. In addition to rock and rap, the group touches on reggae, Latin, trip-hop and even dawli. While the production values aren’t bad, the styles and lack of cohesion add up to a somewhat schizophrenic offering. Highlights include the aforementioned “Number,” which features Rancid’s Tim Armstrong, and “Busted in the Hood,” a reworking of the Beastie Boys’ “Paul Revere.” —BT

► TOBY LIGHTMAN
Little Things PRODUCER: Peter Tizzo LAX 83623 RELEASE DATE: March 30

Live, newcomer Toby Lightman is a force of nature. In an unofficial showcase in New York, she effortlessly kept the SRO crowd in the palm of her hand from the first song to the very last. Singing songs from her then-soon-to-be-released album, Lightman surprised many when she tossed a remake into the set. But it wasn’t just any remake. It was Mary J. Blige’s 12-year-old hit, “Real Love.” Indeed, blunted, the song transforms Lightman to be musically smart, savvy and right on. In doubt? Give a listen to the wonderfully hip “Little Things,” which brings together elements of soul, folk, hip-hop and pop. A song like “Coming Back In” seamlessly intertwines all these styles. (It’s the type of song you could imagine Lightman covering. In “Frightened,” an acoustic foundation perfectly captures the essence of the heartfelt lyrics. On the dancefloor-primed “The River,” Lightman asks of her beloved: “Are you gonna sink/Are you gonna swim.” As for Lightman expect the latter. Like its lead single (“Devils and Angels”), “Little Things” is a powerful slab of acoustic- and soul-drenched pop. —MP

► JANET JACKSON
Damita Jo PRODUCERS: various Virgin 84604 RELEASE DATE: March 30

For her eighth studio album, titled after her middle name, one of today’s unofficially sanctioned children of rock royalty, Jackson has produced a disc that is as contemporary and relevant as ever, just as her new baby serves as the perfect mother for her 17th year. Her sincere and unassuming vocals and tender, Make-no-fuss attitude mark Jackson’s mature, confident, impressive single “Tipsy” has already caused a stir. With its infectious hard-clip track (think Clipse’s “Grindin’”) and party vibe, the top five single has the country under its influence. The St. Louis native shines on a more mature side on the moving, melodic “They Ask Me.” The autobiographical track showcases the MC’s impressive lyrical narrative and ability to connect with listeners. That said, Jackson shines brightest on club anthems, with “Show Your Ass” being the album’s standout. Featuring Honey Eyes, the track’s trumpet loop and reversed backbeats are irresistible. Other highlights include “Welcome to Tha Hood” and “You & Me.” This man is talented beyond his years. —RH

► AEROSMITH
Honkin’ on Bobo PRODUCERS: Steven Tyler, Joe Perry, Jack Douglas COLUMBIA 87025 RELEASE DATE: March 30

Old Aerosmith fans who have lamented the group’s lackluster power of late will rejoice at the arrival of the Beantown Bad Boys’ latest. This loud ‘n’ gnarly opus marks a sonic return to the heyday of KISS’ A Rolllin’” and “Big Ten-Inch Record.” With the exception of one new original, the band has thrown through a well-selected brace of blues and R&B covers, kicking hard, their whip steady numbers associated with Aretha Franklin, Bo Diddley, Sonny Boy and the Bang Bangs, Lightman, Jackson, Williams, and more recent work by the group’s latter vocalists (including Kanye West). In so doing, Jackson gingerly forges ahead, not quite ready to completely break free from her musical past and not fully prepared to give fans something completely new. At 22 tracks, Damita Jo has its fair share of hits and misses. But songs like “Island Life” (complemented by classical strings), the spirited “Slo-Love” and “RB Junkie” (which fabulously references Evelyn Champagne “King” (I’m in Love) are winners. The sensual “Warmth” and “Moist” find the singer giving and receiving affectionately. The Prince-hued “Just a Little While,” which closes the album, sounds like nothing else here. Jackson may want to use this as a starting point for her next album. —MP

► K-JROWN
Hood Hop PRODUCERS: the Trackboyz, Jermaine Dupri, Bryan Michael Cox So So Def 82676-57613 RELEASE DATE: March 30

Hip-hop is known for its young phenomenon known as Clutch. Description of this new project is that Jackson’s less conventional than popular opinion would have been, a project that would have been most likely tame. Yet Clutch’s breakout album, it will be with rock songs “The Mob Goes Forth in a Perfect World,” “Eyes, Ears, Testa,” “Early Rain” and “The Mob Goes Forth in a Perfect World.” This latest effort has a bit of the barefoot, and a lot of the wild, and the last effort was yet another project that would have been the obvious choice. "Early Rain” certainly hasn’t altered the band’s fanbase, but it’s a sure sign that Clutch is here to stay. His guttural pop vocals and Jimmy Rodgers’ “Waiting for a Train,” then equally fine on “The Mob Goes Forth in a Perfect World,” a testament to musicianship and taste. Malo is truly a vocalist for the ages, and this project is a quiet glory.—RW

LUCIANA SOUZA
Neruda PRODUCER: Luciana Souza SUNSET 1132 RELEASE DATE: April 6

Brazilian jazz vocalist Luciana Souza is well known for turning poems into songs. She garnered critical praise for her 2000 album “The Poems of Elizabeth Bishop and Other Songs.” "Neruda,” Souza dealt herself a challenge—setting several of Chilean poet Pablo Neruda’s poems to music (sung in English). For this service, Souza has added an instrumental ensemble, and Neruda was a world-class poet, but neither of these realities guaranteed this project would be a success. Souza has added an instrumental ensemble, and Neruda was a world-class poet, but neither of these realities guaranteed this project would be a success. Souza has added an instrumental ensemble, and Neruda was a world-class poet, but neither of these realities guaranteed this project would be a success. Souza has added an instrumental ensemble, and Neruda was a world-class poet, but neither of these realities guaranteed this project would be a success.

JAZZ

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R&B/HIP-HOP

► VARIOUS ARTISTS

Performing features by eight semifinalists from Oprah Winfrey’s version of “American Idol”, "Oprah’s Pop Star Challenge" is a temptation of 10 songs, notable for their graceful, almost stern minimalism. Instrumentation is sparse, with few exceptions: Simon’s piano and Souza’s voice (she also handled percussion). Souza’s vocals are a real treat. But the album is a fragile one, the only thing that is certain is that it is scheduled to appear on her upcoming album.—AK

CONTRIBUTORS: Suzanne Ault, Jim Beissman, Gordon Ely, Deborah Evans Price, Rasshaun Hall, Barry A. Jeffckel, Kati Kroll, Gail Mitchell, Chris Morris, Michael Paoletta, Bram Teitelman, Christa L. Thues, Philip van Vleck, Ray Waddell, Christopher Walsh. ESSENTIALS: Reviews deemed by the review to deserve special attention: the bus of musical merit and/or Billboard chart potential. YOUR REVIEWS: Recommended albums of special artistic, archival and commercial interest and outstanding collections of works by one or more artists. PROMOS: New releases predicted to hit the top half of the chart in the coming month. POSTER CHOICES: 3. New releases, regardless of chart potential, highly recommended because of their usual merit. All albums commercially available in the United States are eligible. Send album review copies and singles review copies to Michael Paoletta (Billboard, 770 Broadway, 6th floor, New York, N.Y. 10038) or to the written in the appropriate bureau.

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CHRISTIAN

▶ GINNY OWENS
Beautiful
PRODUCERS: Morrie Jones, Margaret Becker
Rocktown 4036
RELEASE DATE: April 6
This is the third album from talented singer-songwriter Ginny Owens, who always manages to “see” more about the human condition than most of her siblings. Owens shares these heartfelt observations through songs that are infused with poetic lyrics and breezy melodies. Lyrically, the album conveys the depth, passion and vulnerability that fans have come to expect from Owens. Sonically, she steps out with arrangements that take her in a more soulful direction. “On I Know Who You Are,” Owens defines God who is in her way that all believers will relate to. “Breezy” and “You Are” are a introspective treatise on self-acceptance. “Trust You” and “Always” are among the other highlights of this thoroughly enjoyable collection. Yes, it is a rare Christian album that is most compelling songwriters.—DEP

VITAL REISSUES

BOB WEIR
Weir Here: The Best of Bob Weir
PRODUCER: not listed
Hybrid HY-20032
RELEASE DATE: March 23
Bob Weir inevitably played second guitar to Jerry Garcia in the Grateful Dead. But if anyone needs it, this two-disc career retrospective shows Weir’s equivalent value, both in the group’s context and as a solo artist in his own right. Both sides are suitably represented on this disc. One, key Dead songs penned by Weir that appeared on his solo albums and choice cuts from other solo projects (like “Easy Answers” for Rob Waterman’s 1994 album, “Trio”) are featured. The second side of this double-disc, 33-track collection chronicles the group’s Capit- ol legacy from 1973 to 1981. It was a journey marked by smooth, sparkling harmonies and a versatility that didn’t miss a beat among the love-torn ballads, cha-cha grooves and club-hopping disco. All the gems are here, from the aforementioned signature tunes to the memorable cuts “Heaven Must Be Missing An Angel” and “Never Had A Love Like This Before.” Roundout the package are such choice album tracks as “Fool of the Year” and “Straight From The Heart.” While Tavocho’s unadorned voice serves to stream crossovers it deserved, this compilation gives longtime fans and new fans a chance to sample its tasty—GM

DVD

KELLY OSBOURNE
Live in London
Sanctuary 06076-83877-9
RELEASE DATE: March 23
Filmed in Camden Town in London last year, “Live” shows a blooming punker who holds 80’s pop culture close to her heart. Dressed in retro fashions, Osbourne backed herself up with a smoking band (guitarists Mat Dauzat and Devon Bronson, drummer Alicia Warrington and bassist Greg Pribble). “On the Run” is where at-titude and performance best converge, while “Come Dig Me Out” echoes Lily Ford in her “Kill Me Deadly” days. Osbourne isn’t the shy, delicate girl she DIY ethically well, but trying to reach lower registers a la Debbie Harry is not a wise move. Like any Osbourne performance, this is a family act. The artist’s softer side comes through when she announces that she wrote “More Than Life Itself” for her mom, who then appears onstage. The moment is genuine, as is when sister Aimee joins in for a treat of Madonna’s “Papa Don’t Preach.”—GLT

Billboard

• Broken Social Scene, “Bee Hives” (Acts & Crafts)
• Sufjan Stevens, “Seven Swans” (Senses Family)
• Delays, “Faded Seaside Glamour” (Rough Trade)

■ R&B/HIP-HOP

COMMUNITY ANTHEM COMPILATION
The Right Stuff/Capitol 72435-93745
RELEASE DATE: March 9
Very few acts can claim their own Hot R&B/Hip-Hop Sales and R&B/soul disc, 31-track collection chronicles the group’s Capitol legacy from 1973 to 1981. It was a journey marked by smooth, sparkling harmonies and a versatility that didn’t miss a beat among the love-torn ballads, cha-cha grooves and club-hopping disco. All the gems are here, from the aforementioned signature tunes to the memorable cuts “Heaven Must Be Missing An Angel” and “Never Had A Love Like This Before.” Roundout the package are such choice album tracks as “Fool of the Year” and “Straight From The Heart.” While Tavocho’s unadorned voice serves to stream crossovers it deserved, this compilation gives longtime fans and new fans a chance to sample its tasty—GM

ESSENTIAL REVIEWS

DIANA KRAALL
Tempation (4/28)
PRODUCERS: Tommy LiPuma, Diana Kral
WRITERS: T. Waits
PUBLISHER: Jsalma Music, ASCAP
Verve V00019295-32 (CD single)
Since the early ’90s, Diana Krall has been redefining what it means to be a contemporary jazz artist. Not one to shy away from infusing her jazz landscape with elements of swing and pop, Krall has ably crossed over into many musical camps—without sacrificing her jazz roots. Her previous studio album, “The Look of Love” (2001), topped the Billboard Top Jazz Albums chart and cracked The Bill- Board 200. For “Tempation”—the lead single from the artist’s upcoming album, “The Girl in the Other Room”—Krall mines Tom Waits territory. The end result is wickedly sensual. In under five minutes, Krall makes this song her own. Assisting Krall (the singer and piano player) are top-notch musicians, including Anthony Wilson on guitar, Neil Larsen on Hammond B-3, Christian McBride on bass and Terri Lynne Carrington on drums—who keep the atmos- phere subtle yet rich.—MP

DOY playbook

DIRTY MY 5(30)
PRODUCER: Eminem
WRITERS: various
PUBLISHERS: various
Shady/Intercope INTR-11118-2 (CD promo)
A certain chemistry is needed to keep a group together. For D12, that chemistry must be linked to a good sense of humo- r. The sextet—Bizarre, Proof, Kon Artis, Swift, Knuva and Eminem—ex- amines its group dynamic on the phunni- ous “My Band.” Serving as lead single to the act’s new album, “D12 World,” the track begins with Eminem’s verse about how his bandmates are jealous of him. The rest of the group then trades verses about Emin’s preferential treatment. Knuva and Kon Artis’ lyrical bars are some of the song’s best: “You’re going to be late for soundcheck/Ma, I ain’t going to soundcheck/Our mics are screwed up and his always sound best/You know what, man? I’m saying some- thing/You got something to say/Ma, nothing.”—D12

COUNTRY

RAM MCD 01042 (CD)
There’s a good reason the Oak Ridge Boys have been around for decades— they have consistently delivered great vocal performances and solid song selection. This lively, up-tempo tune demonstrates these qualities. Cut from the group’s underappreciated “Colors” album, “Glory Bound” tells the story of a guy who was abandoned by his lover but chooses to keep an eye on the eternal prize instead of getting mired in sorrow. The song boasts an engaging lead vocal by Duane Allen, who has one of the format’s warmest, most distinctive voic- es. The track is saturated with dobro, fiddle and guitar. Energy abound— Secondary radio stations are already supporting this track. The enthusi- asm could likely spread.—DEP

www.americanradiohistory.com

BILLBOARD APRIL 10, 2004
Elvis! Rock’n’Roll King Unleashes Gospel CD

BY SARAH HAN

NEW YORK—Elvis is back, baby—and this time he’s found religion. BMG Strategic Marketing Group/RCA Music Group has released "Elvis Ultimate Gospel," the first greatest-hits collection of Elvis Presley’s gospel recordings.

The 24-track compilation hit stores March 23 at a retail price of $18.98. It features such classic Elvis gospel tunes as "How Great Thou Art," "Amazing Grace," "Crying in the Chapel" and "(There’ll Be) Peace in the Valley (For Me)." The tracks were mastered from original mastering tapes using direct stream digital for premium sound quality.

While Elvis has long been known as the king of rock’n’roll, he has also sold more than 250 million gospel recordings in the United States, according to BMG/RCA. This issue, "Elvis Ultimate Gospel" debuts on the Billboard Top Contemporary Christian chart at No. 9 and on the Top Country Albums chart at No. 30.

Within the BMG Strategic Marketing (Continued on page 24)

In addition to Elvis’ gospel music, projects the Elvis Team at BMG Strategic Marketing Group is preparing to release include DVDs and a compilation of Elvis’ Sun Studios recordings.

MI, Pro Audio Worlds Blur

DAW Revolution Forces Retail Rethink

BY CHRISTOPHER WALSH

NEW YORK—The evolution of inexpensive digital audio workstations (DAW)-based equipment has blurred the distinction between professional and hobbyist audio recording.

Today, the DAW equipment that traditional musical instrument (MI) retailers sell is often the same gear found in commercial facilities and used on professional projects. Likewise, high-end DAW equipment used in professional recording environments is increasingly common in home studios.

For MI retailers and professional audio dealers—the latter group serving the recording studio and postproduction industries—the distinction between professional and consumer is often subtle.

"The high end has come way down in price, and technology is much more accessible to people," says Tom Menrath, GC Pro director of business development. "The MI world has matured quite a bit, and the products have become more sophisticated. So there is a gray area."

BUILDING B2B SALES

GC Pro, Menrath explains, is an outgrowth of the 124-store Guitar Center chain. The establishment of GC Pro three years ago, he adds, made official what several Guitar Center representatives had long been doing: business-to-business sales serving professional clients.

"I came to the company specifically to create a national network of outbound sales offices to call on professional clients in a way that our stores aren’t really capable of," Menrath says. "We’ve been hiring some veteran people from the industry to give us a B2B outbound function, calling on studio and post clients, broadcasters, corporate clients and houses of worship."

Guitar Center’s existing infrastructure allowed the chain to formally implement the GC Pro division to address the unprecedented scale of audio production brought forth by the DAW, occurring in home studio settings as well as the diverse environments Menrath describes.

CUSTOMER MAKES THE CALL

Supplementing the 32 locations of the Sam Ash MI chain is Sam Ash Professional, which moved into a new showroom and office in October 2003 above its flagship Manhattan retail location. As with Guitar Center, differentiating between the MI and professional divisions is principally determined by the customer.

"If a guy is going to buy a [Digidesign] Mbox for four or five hundred dollars, generally they know what they want," says Wayne Dolnick, Sam Ash Professional director of sales and marketing. "They buy that piece to use on the road or at home in their basement, versus going into a studio."

"The guys who really want to build a studio, though, should come into Sam Ash Professional," Dolnick adds.

"It’s not just about going in and saying, ‘I need a Digi 002 [workstation] and speakers.’ There are questions that have to be asked of the customer: What size is the room? What is the genre of music? I’m not saying they’re not going to ask those questions on (Continued on page 35)
All-Star Escovedo Tribute Album Lends Helping Hand

We'd already left town, but word is that Alejandro Escovedo gave a
heroic performance to close the South by Southwest Music Festival
March 21 in Austin.

We say "heroic" because the Austin music icon, who performed a
90-minute set at the Continental Club, has been sick with hepatitis C
for a couple of years.

Escovedo traditionally wraps up the festival every year, and 2004
was no exception—despite his debilitating illness.

The Indies first saw Escovedo in 1978, when his punk band the
Nuns opened for the Sex Pistols in San Francisco. We got to know him
as a friend when he was a member of the crucial roots-punk bands
Rank & File and the True Believers in the '80s.

He's a Texas musical treasure, and it's good to hear an indie label is
trying to lend a hand to him in an hour of need.

On July 13, RED-distributed Or
Music in New York will release "Por Vida," a two-CD collection featuring an all-star cast interpreting Escovedo's songs.

The list of contributors is staggering and too long to be replicated
in full here.

But the best-known performers include Los Lonely Boys (Or's develop-
ing stars), John Cale, Cowboy Junkies, Ian Hunter, the Jayhawks,
Charlie Musselwhite & Charlie Sexton, Peter Case, Billy Corgan,
the Flatlanders, Los Lobos, Lucinda Williams and Escovedo's brother and
sister, Pete Escovedo and Sheila E.

A portion of the proceeds from the release will go to the Alejandro
Fund, established by Heinz Geissler of the Texas Music Group to defray
Escovedo's medical costs.

Or has already made its own advance donation to the fund.

VICTORY HAS HOPE: Victory Records in Chicago has picked up
Miami-based startup Hand of Hope Records as an exclu-
sively distributed label.

Hand of Hope is headed by Christopher Brown of pop-punk group
Evergreen Terrace and John Wylie, who formerly ran Eulogy
Records. The first release under the deal will be an Evergreen
Terrace album.

Victory is handled by RED Distribution.

ALLEGRO GETS HEP: The Allegro
Group in Portland, Ore., has signed an exclusive North American distrib-
ution deal with U.K.-based jazz label Hep Records.

Hep has been unavailable in the United States since the closure of its

GOING UNDERGROUND: Ryko Dis-
tribution in New York has picked up distribution of Martin Atkins'
umbrella label group Underground Inc. and Atkins' own Chicago-based
label Invisible Records.

One of the best-known drum-
ers of the original punk era,
Atkins has hit the traps for Public
Image Ltd., Ministry, Nine Inch
Nails and Pigface.

Founded by Alastair Robertson,
the label has released more than
250 titles since 1974, including
albums by Benny Goodman, Harry
James, Cab Calloway, Herb Geller
and Buddy DeFranco.

Underground's roster of labels includes Sleazebox (My Life With
the Thrill Kill Cult's label), Drug
Squad, Bileyle, Cracknation,
Denzal and Rchy.

The new arrangement took effect
March 29.

KISSING UP CAROLINE: Caroline
Distribution has forged an exclusive
 pact with New York-based
Frenchkiss Records.

The new arrangement com-
mensures with the April 20 release of
"Almost Killed Me" by the Hold
Steady, a band fronted by alt
leader Craig Finn, formerly of Lifter Puller.

Frenchkiss' roster also includes the
Apes, Sean Nana, the Blood-
thirsty Lovers and Les Savy Fav.

MORE BEER, PLEASE: Southern
Records in Chicago has picked up
North American distribution for
Marianne-based Beer City Records.

The label—a spin-off of the well-
known skateboard manufacturer—
specializes in skate lifestyle music
and punk and hardcore reissues
from the '80s and '90s. Its acts
include DRI, MDC, the Faction
and Verbal Abuse.

Elvis

Continued from page 33

Group, an "Elvis Team" was formed two years ago to
collaborate solely on the Elvis Presley franchise.

Joe DiMuro, the group's executive VP, says the team is
dedicated to catalog and product management, A&R
development, marketing and promotion.

The Elvis Team is taking a multi-pronged market-
ing approach to promoting the album, including work-
ing with NASCAR's fan list (which fits the record's
demographics) to initiate e-
mall blasts through Elvis
Presley Enterprises' (EPE)
Web site at elvis.com. BMG
has its own Web site to pro-
more the CD, elvisultimate

gospel.com.

And beginning in April,
a track from the album will
be featured in 900 movie thea-
ters, including select-
ed Regal and United Artists
venues, under a deal with
Cinema Sounds.

The Elvis team has been
working on radio promo-
ations, with key gospel and
crossover stations offering
promotional trips to Grace-
land, prize packages and
content giveaways. DiMuro
says JumpStart Artists
Development was chosen
to do barter promotions for
the album.

The Rick Hendrix Co. has been handling radio pro-
motions for BMG for the past eight years, according to
CEO Rick Hendrix. Hendrix selected the track "Who
Am I" to market nationally, because that was Elvis' first
gospel song to go to national Christian radio.

The company then mailed the single to 1,240 mar-
gets. "The first day the press release hit on Elvis' sin-
gle, there were 568 downloads from 305 stations in 22
different countries," Hendrix says. He claims that even
stations outside of the gospel genre are downloading
the song.

Hendrix says he was shocked that within three days
of the release, there were 700,000 hits on rick-
hendrix.com. "The Elvis project is the biggest and
most exciting project we've ever worked on," he says.

The Web site has a protected area featuring MP3s
for radio airplay that is only accessible with a passcode.
An estimated 700 radio programs have access to this feature.

MORE ON TAP

The Elvis Team is cur-
rently preparing projects
surrounding July 5, the 50-
year anniversary of the
birth of rock'n'roll.

BMG and EPE are sched-
uled to release "The '68
Comeback" deluxe-edition
DVD June 22.

The three-disc set con-
tains seven hours of con-
tent showcasing never-
before-seen performances.
The original unedited TV
special is aired and all the
outtakes from the skits.

"Aloha From Hawaii"
will be released at the same
time. The double-DVD will
come in special packaging
with three to four hours of
previously unreleased material and content.

Another Elvis project to look out for is "Elvis at Sun,"
a compilation of Elvis' greatest recordings at Sun
Studios, DiMuro says. The Elvis Team says there is a posi-
ability that this will include a previously unreleased track.
Wal-Mart Tests Music Endcaps With Low-Cost Product

Wal-Mart is testing a new high-volume vehicle which, if successful, will become a part of its music selling arsenal. Sources say that after months of negotiating with the majors, the merchandising giant has finally launched a test that places an additional endcap in a high-traffic area outside of its music department, with titles priced at $9.72.

The endcap is called a "POD," which, depending on whom you talk to, stands for either "permanent" or "placement outside department." The chain already has a four-sided endcap, with one side priced at $9.72, but it is mainly filled with hit catalog, budget product and developing acts.

Wal-Mart planned to build on that by adding a corrugated stand, placed near the music department but outside of it, thus a POD. Some sources say that it initially placed the POD in 800 of its supercenter stores late last year, and now the new component is being rolled out to the rest of its stores. But Retail Track cannot confirm that, because the closest Wal-Mart that I know of is in Newburgh, N.Y., about 70 miles from Manhattan.

With this expanded program, Wal-Mart wanted current product.

So it initially asked each major to make its top 50 titles available, allowing the merchant to choose which ones would be featured in the endcap at the $9.72 price. The plan was also to include a mirror endcap to the POD inside the department. Afterward, the titles would go in the bins but would retain the $9.72 price, some sources suggest. The majors liked the idea, because it would likely move tonnes. But they were wrestling with one other aspect of the program: Wal-Mart wanted the titles that it selected to be tendered to its rock-jobber, Anderson Merchandisers and the Handleman Co., for $7.50, which is below front-line pricing, even with discounts and price-and-positioning dollars.

In the weeks leading up to the POD's debut, major-label executives say they searched for a way to capitalize on the offer but still stay within their own current pricing policies and programs without giving any special consideration to Wal-Mart.

One senior distribution executive who offered Wal-Mart some titles for the program says he absolutely did not give the retailer the $7.50 price it wanted. In most instances, executives at the majors say they have offered albums that have been out for at least one year or albums that are a part of the various catalog programs that each major fields.

The tricky part to consider with Wal-Mart is that the account doesn't like price increases. Some label executives fear that once they offer something with whatever low-cost deal that is cut, Wal-Mart executives may expect that price to remain constant for that title beyond the program. As it is, the only time Wal-Mart appears to be willing to consider stocking a title that has undergone a price increase is with introductory special prices on developing artists.

Wal-Mart did not return a call for comment.

HITTING THE NUMBERS: Hastings Entertainment reports net income of $12.4 million, or $1.07 per share, on revenue of $163.2 million for the fourth quarter, ended Jan. 31. The results include a one-time income tax benefit of $1.7 million, or 15 cents per share.

In the year-ago quarter, Hastings earned $9.6 million, or 82 cents per share, on revenue of $156.9 million. Hastings attributed higher revenue in the latest quarter to a 4.7% increase in same-store sales, which was offset by a 0.6% drop in video rental sales.

In a statement, chairman/CEO John Marmaduke said, "We made great progress in reducing costs and enhancing our management while improving inventory controls, which contributed to a substantial improvement in profitability and reduction in our debt for the year."

For the full year, Hastings posted net income of $7.8 million, or 68 cents per share, on revenue of $598.3 million, versus earnings of $1.9 million on revenue of $495.4 million one year earlier. Same-store sales in fiscal 2003 rose 1.9%.

By product category, movies and videogames showed strong growth. But books barely managed to eke out a 0.7% same-store gain, and music decreased 7.5%.

Hastings stock closed at $5.69 March 31.

MI, Pro Audio

Continued from page 33

the [MI] floor at all, but it's a different environment," he notes. Manufacturers also shape the remaining distinction between MI and professional divisions. While much of the DAW equipment found in MI chains is extremely powerful and sophisticated, some manufacturers restrict their products to pro audio dealers, despite apparent similarities to those found on the MI floor.

"The reason we're allowed to sell Yamaha DM2000 and DM1000 consoles and [the retail store] is not," Dolnick says, "is that we have a dedicated technician to answer technical questions about hookup, connections, software, compatibility and, if need be, install outboard cards."

While certain products are prohibited from display on MI retail floors, the delineation of pro and MI is decidedly hazier than in the past. Though certain brands are specific to GC Pro, for example, GC-Pro salespeople have access to all Guitar Center products, musical instruments included.

MI is defined to include all but the most expensive audio products, while MI Pro does not always require the purchase of a certificate of registration. The MI Pro categories can be bewildering. For example, MI Pro Audio Historian Ed Christman says it is possible to purchase a 4-channel mix set for a single channel with the same components via a MI Pro network, while those same components are available in a 2-channel version via the MI network.

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AOL Music: Total Monthly Streams

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* First Listen/First View • Artist of the Month • Breaker Artist • Sessions@AOL

Source: AOL Music for four weeks ending March 25, 2004
Kultur Sees Pop Ahead

BY JILL KINIPS

LOS ANGELES—Performing-arts programming distributor Kultur is ringing in its 25th anniversary by breaking out of the mold. The West Long Branch, N.J.-based Kultur, best-known for releasing versions of “Swan Lake” and “The Nutcracker” on video, is tripping its DVD release slate in April. It is also adding staff and targeting mainstream music DVD consumers with the launch of SSO (Standing Room Only) Entertainment.

“We have reached saturation point with [titles featuring] Mikhail Baryshnikov, Luciano Pavarotti and Jose Carreras,” says Dennis Hedlund, founder and chairman of Kultur. “Until the world recognizes new opera, ballet and classical music stars, we decided we wanted to get into more traditional music and performances.”

Under a new three-year plan, one-third of Kultur’s DVD releases this year will be catalog titles that were previously available on VHS. Kultur sells an average of 6,000-8,000 units per released DVD title, according to Hedlund. The remaining release slate includes new titles on its SSO, Kultur (performing arts) and White Star (classic TV, programming, documentaries) labels.

SSO’s product line debuts April 27 with the five-disc “Cassey Kasem’s Rock ‘N’ Roll Goldmine” ($59.95 on DVD or VHS) and “David Copperfield: Illusion” ($19.95 on DVD or VHS). The Kasem set will feature live performances from such music legends as James Brown, the Doors, Aretha Franklin and Jimmy Hendrix. The volumes focus on the British invasion, the mid-1960s and the 1970s.

Each disc will also be sold separately for $14.95 (DVD or VHS). “David Copperfield: Illusion” contains many of the musician’s major jumps, including the disappearance of the Statue of Liberty.

Upcoming SSO titles include a Moody Blues concert video culled from their 1972 European tour and a set relating to the 35th anniversary of Woodstock.

Hedlund notes that a wide array of retailers, from music specialty chains to mass merchants, has expressed interest in the SSO titles. Kultur’s releases typically have been carried in nontraditional retail outlets.

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EXECUTIVE TURNTABLE

PEOPLE ON THE MOVE

RECORD COMPANIES: Universal Music in Bogota, Colombia, promotes Sandra Sossa to managing director for its operations in Colombia, Venezuela, Ecuador and Peru. She will be financial controller. President Music Group in Franklin, Tenn., names Jason Miller manager of national promotions. He was contemporary Christian editor at allaccess.com.

PUBLISHING: BMI in Nashville appoints Bruce A. Esworthy senior VP of finance/CFO. He was VP of finance at Tennessee Education Lottery. ASCAP in Nashville promotes Chad Green to Nashville member representative. He was assistant membership representative.

RADIO: Infinity Broadcasting names Les Hollander senior VP/regional manager. He was director of New York sales at Clear Channel Radio. In addition, Infinity Solutions and Beyond in New York, the company's in-house marketing and sales group, names Jim O'Connell VP. He was VP of the National Football League's London office.

Albany Broadcasting in Albany, N.Y., promotes Kevin Callahan to operations manager of the company's top 40 WFLL, R&B WAZJ, AC WYJB, jazz WZMR and adult standards WKLI. He adds those duties to his PD title.

Entercom Communications in Sacramento, Calif., ups David Lichtman to VP/GM of the company's top 40 KDND, adult standards KCTC, modern rock KWOD, active rock KRKO, classic rock KSEG and smooth jazz KSSJ. He was director of sales for Entercom's radio stations in Portland, Ore.

Univision Radio names Rick Thomas operations manager of its San Antonio operations. He was VP of Clifton Radio.

Sirius Satellite Radio appoints Darrin Smith programming operations director. He was PD of Press Communications' Montmouth/Ocean, N.J., radio operations.

Top 40 KKRZ in Portland, Ore., names Brian Bridgman PD. He was PD of top 40 KHKS Dallas.

Greater Media names John Fullam market manager of its Philadelphia stations heritage rock WMMR, adult top 40 WMWX, classic rock WMGK and adult standards WPEN. He was Infinity Broadcasting president/COO.

MUSIC VIDEO: VH1 and CMT in New York name Richard Gay senior VP of strategy and business operations. He was partner at Booz Allen Hamilton.

MTV in New York appoints Ian V. Rowe VP of public affairs and strategic partnerships. He was director of strategy and performance measurement for USA Freedom Corps.

HOME VIDEO: MGM Home Entertainment in Los Angeles promotes Ron Sufrin to executive VP of business and legal affairs. He was senior VP of business and legal affairs.

New Video in New York promotes Lisa Holmes to manager of VP of sales and Melissa Bustos to manager of international sales. Holmes was director of sales, and Bustos was coordinator of international sales.

THE Q PEOPLE
Veteran rock band NRBQ celebrated the release of "The Q People," the NRBQ tribute album on SpiritHouse Records, with a performance at the March 8 record-release party for the album. Tom Kenny—the voice of cartoon character SpongeBob SquarePants and one of the performers on "The Q People"—hosted the event, which was held at King King in Los Angeles. Pictured clockwise, from left, are Marchesano, Johnson, Timothy White's widow, Judith Garlan White, and his son Alexander White; and American Business Media president/CEO Gordon Hughes.

Rodney Rocks
Longtime music-industry tastemaker Rodney Bingenheimer, center, celebrated with the Bangles' lead guitarist Vicki Peterson, left, and lead singer Susanna Hoffs at the March 22 Los Angeles movie premiere of "Mayor of the Sunset Strip." The First Look Pictures documentary is about Bingenheimer's DJ at modern rock KROQ Los Angeles. The premiere, held at the Egyptian Theatre, attracted such stars as Daryl Hannah, Matt LeBlanc and Juliette Lewis. (Photo: Justin Kahn/Wireimage.com)
Urban Cowboy When Capitol Records Nashville recording artist Keith Urban, right, played his first headlining show at Nashville's Ryman Auditorium March 1, he was greeted backstage by Capitol Records Nashville president/CEO Mike Dugan, who presented Urban with a Recording Industry Assn. of America platinum award for 1 million shipments of Urban's current album, "Golden Road." Urban joined onstage for two songs at the show by Jerry Flowers, Urban's former bandmate in the Ranch.

Saluting Sony/ATV ASCAP held its 12th annual El Premio ASCAP Awards March 11 at the Ritz-Carlton Hotel in San Juan, Puerto Rico. Rudy Perez and Joan Sebastian both received the Latin songwriter of the year award, while Sony/ATV Music Publishing won the Latin publisher of the year award. Pictured, from left, are ASCAP CEO John LoFrumento, Sony/ATV Music Publishing president Richard Rowe, Sony/ATVVP of Norte and Latin American region Eddie Fernandez, ASCAP senior VP of Latin membership Alexandra Lioutikoff and ASCAP executive VP/director of membership Todd Brabec.

Mobile Maneuvers EMI Music North America chairman/CEO David Munns, who delivered the keynote speech March 24 at MobileMusicCon in Atlanta, used the event to announce a deal with San Francisco-based Faith West to offer original EMI record as ring tones through Verizon Wireless. MobileMusicCon was part of CTIAWireless 2004, which was presented March 21-24 by the Cellular Telecommunications & Wireless Assn. and attracted a reported 20,000 attendees. Pictured at the event, from left, are Faith West director of business development Jonas Gerber, Faith West president Carolynne Schloeder, Munns and Ted Cohen, EMI Music senior VP of digital development and distribution.

Hot Fashion ... JOEY FATONE AND LANCE BASS Joey Fatone, left, and Lance Bass, right, of 'N Sync wear clothes by designer Tommy Hilfiger, center, at a fashion showcase for the new Hilfiger clothing line's spring 2004 collection. Fatone and Bass also modeled the clothes on the runway at the March 18 event, which took place at Macy's in New York. (Photo: Kevin Mazur/Wireimage.com)
Both acts.

Arc remains best-known as the music publishing home of blues and rock-n’roll greats including Bo Diddley, Chuck Berry, Howlin’ Wolf, John Lee Hooker and Jimmy Reed, as well as jazz legends Benny Goodman and Django Reinhardt. It has also enjoyed great success with its dual market of masters and sync licenses for Latin music companies Discos Fuentes, Miami Records, Edimúsica and Orun Music.


Copyright and licensing VP Kenneth Higdon says the rock-n’roll-based songs of Groovie Ghoulies and the rhythm-based music of Jabali Afrika bring Arc’s catalog assets full-circle. In fact, the Groovie Ghoulies got to open last fall for Chuck Berry in St. Louis.

“These contemporary acts bring their unique sounds to a modern audience without Arc sacrificing our ‘roots’ reputation,” he says.

BMI AGREEMENTS: Digital downloading jukebox providers TouchTunes Music and Ecset have signed separate agreements with BMI.

“This BMI agreement gives us the right to play millions of the popular songs Americans love to hear,” TouchTunes president/CEO John Perrachon says. “Having access to all of BMI’s music greatly increases the value of our service to our business clients and provides much more musical entertainment for their customers.”

TouchTunes previously licensed songs directly from copyright owners, requiring copious contracts and long negotiations. The single BMI contract secures it performance copyright clearance from approximately 300,000 songwriters, composers and music publishers in all music genres.

Moonlight & Magic,” a compilation of Mancini’s greatest compositions, including “Moon River,” “The Baby Elephant Walk,” “Days of Wine and Roses” and the themes from “Romero and Juliet” and “Peter Gunn,” “The Ultimate Pink Panther,” due April 6, collects the best music and themes from the “Panther” movies. BMI will release it in conjunction with “The Pink Panther” DVD box.


“IT suggested that authorship is a romantic notion and that the concept of copyright needed to be rethought,” Peters said. “But our founding fathers thought that encouraging creativity was critical as it is today.

The constitutional provision of exclusive rights to authors of their writing, in effect, ‘encourages creativity and promotes knowledge,’” Peters noted. “By encouraging authors to put their thoughts out to the public, our nation is enhanced,” she continued.

“In fact, copyright is part of the engine of a democracy: You’re not trying to stop authorship, but trying to have authors put their thoughts in writing and get them available to society to increase the public debate. It’s the opposite of tyranny.”

I’m reminded of the splendid “Dickens” three-hour dramatized PBS documentary that I stumbled upon while channel surfing during the holidays. Turns out the great English author’s visit to the States was marred when he learned that his phenomenal popularity here derived from the mass sale of cheap pirated editions of his works.

When he complained bitterly upon discovering that American copyright laws did not protect him because he was a British citizen, he was unceremoniously denounced for being “mercenary.”

But Dickens at least got some measure of revenge with his mighty pen: His ensuing novel, “The Life and Adventures of Martin Chuzzlewit,” brutally satirized American life.

FOR THE RECORD: OK, we know that was not a photograph of Billy Joel on last weekend’s Songwriters & Publishers page. It was, in fact, Marc Ostrow, VP of business affairs at Boosey & Hawkes. Chalk it up to a production error.

Arc Music Group has expanded upon its “one-stop shopping” concept by signing Sacramento, Calif-based rock band Groovie Ghoulies and Kenya’s Jabali Afrika. Arc will handle worldwide publishing and master licensing for both acts.

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Famed ‘Abba Studio’ Reaches End Of Era

BY JEFFREY DE HART

STOCKHOLM—The city’s best-known recording facility, Polar Studios, is set to close its doors May 1 after 26 years in operation. “For us, and many in the music world, it is the end of an era,” studio co-owner Marie Ledin says. The closure follows the refusal by Polar’s three co-owners to agree to tenancy terms set forth by the building’s owners.

Polar Studios is jointly owned by Ledin, her husband, Tomas Ledin; and Leennart Östlund. “We have been in long negotiations with the landlord but have not been able to reach an agreement, so we have to shut down the studio,” Marie Ledin says.

Östlund has overseen the day-to-day operations of the studio for its entire life span. “It’s totally unique,” Östlund says. “To build a studio like this today would be financially impossible.”

ABBA’S HOME BASE

Polar Studios opened May 18, 1978, at 58-60 St. Eriksgatan, in a building that housed a mixture of business units and private accommodations. The building was jointly owned by ABBA manager/mentor Stig Anderson and band members Björn Ulvaeus and Benny Andersson.

Anderson, who died in 1997, founded the Polar Music label in 1963. The studio was built to allow ABBA and other Polar Music artists to consolidate their recording activities in one location. One of the earliest international non-Polar Music projects to be recorded there was the ABBA single "Waterloo".

MARIE LEDIN: THE END OF AN ERA

The new division is "probably the largest and most potent team in Europe devoted to marketing national artists," Universal Music International (UMI) chairman/CEO Jorgen Larsen says. The restructuring of UMI’s German affiliate sees the domestic artist rosters of its two label groups, Motörhead and Polydor, merged into the new DRD. International repertoire from those labels—originating from Universal Music companies in the United States, the United Kingdom and other A&R centers—will now be handled by another new entity, the international repertoire division (IRD).

INTERNATIONAL PROMOTIONS

Elsewhere, the restructuring has led to a change at the helm of the German arm of compilations and catalog operation Universal Strategic Marketing (USM). The local Koch Universal and Universal Classics & Jazz divisions are not affected by the restructuring.

The new regime at Universal Music (Continued on page 45)
<table>
<thead>
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Neubauten Fans Direct New Album

German group Einstürzende Neubauten has returned after four years with the album "Perpetuas Mobile." The record was released worldwide through Mute, but only after the band recruited its fan base to help finance the album. In August 2002, EN invited fans via its Web site (neubauten.org) to prepay $35 for a special edition of the disc. More than 5,000 signed up. In the following 12 months, recording sessions were streamed live, and fans were asked to comment. Their views were taken into account as the album was assembled. This core base will help spread the word about the new album, Mute head of international marketing Donna Vergeri says. The record is an impressive return to form, as guitarist/singer Blixa Bargeld gave up his other job with Nick Cave's Bad Seeds to concentrate on EN full-time. Neubauten are currently touring Europe.

**Gary Smith**

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**Bittersweet** With "Crevscape," Daniel Dare has penned one of the most accomplished dance albums of recent times. Dare, formerly Miravis' partner in 1980s group Taxi Girl, marries his bitter-sweet lyrics and Serge Gainsbourg's influence in "Blue Savannah," this year's hit. Directions single "On My Side" disappeared in Europe. But "Blue Savannah" saw flow from one of the best dance albums of the year. The Heat has been generated by the slow burn of "Final Straw," the Glasgow, Scotland-based quartet's third album and its first for Polydor's Black Lion label. The album was released last summer, but took off at the turn of 2004 on the back of top five chart success for its anthemic single, "Run." "Final Straw" will see UK release March 30 on A&M. Follow-up single "Chocolate" appears April 12, and in the same week the band will embark on a U.S. tour.

**Steve Adams**

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**Tunnel Vision** CapaRezza is described by his publishers, Chuck Rolando of Sony ATV Italy, as "a rapper with a sense of humor, sort of Eminem meets Frank Zappa." A case in point is his current top 10 single, "Fuori Dal Tunnel." "Fuori Dal Tunnel" comes from his second album, "Vera Professore," on Extra Labels. "At first, radio stations didn't want to know, but they've had to in regards to listeners," says Special Labels GM Carlo Martelli, who reports the single's success has pushed album sales from 15,000 units to more than 70,000. CapaRezza is the second incarnation of Michele Salvemini, who began his career as Mikimix and enjoyed a big hit in France with "La Noite Se Ne Va." "Many Italian artists start out as aggressive acts and then become more melodic," Martelli says. "CapaRezza has found success by doing the opposite." **Mark Worden**
Global

Canadian Lawyers See More Opportunities In Music

BY LARRY LeBLANC
TORONTO—The global success of Canada’s top artists, coupled with more independent Canadian acts working in international markets, has led to an appreciable expansion in opportunities for Canadian entertainment lawyers.

And the number of international legal issues about which these lawyers must advise their clients is growing.

Among the issues affecting different markets are immigration policies, copyright infringement, trademark protection and currency and foreign territory dealings within record deals. Tax planning is also becoming more of an issue.

“We’ve always worked in a global industry, but there are now more Canadian-based international acts,” observes lawyer Paul Sanderson of Sanderson Taylor in Toronto. “Acts breaking worldwide want to protect their name in each territory that they are having success in. Or there might be the need to litigate in a territory.”

Sanderson’s partner Chris Taylor adds, “You become a general counsel for an artist’s business. You make sure they all of their legal needs are taken care of.”

Canadian-based lawyers now find they must keep abreast of the activities of peer recording companies in international copyright and trademark societies in various jurisdictions, because they need to understand how these activities affect what does and does not get collected.

“We deal with the norms, standards and laws of individual territories,” says attorney Susan Abramovitch of Goodman Carr in Toronto.

While some Canadian-based independent labels or artists have worldwide deals with multinationals, many have favored territory-by-territory licensing agreements with a multinational or independent distributor.

“For the decline of big U.S. or big Canadian deals, artists are doing more one-off international deals with various territories,” Abramovitch says.

“I’m dealing [directly] with [labels in] Germany, Japan, Italy and France.”

With their clients increasingly working globally, Canadian lawyers have had to increase their international legal affiliations. “There is a need from time to time to involve local counsel. If there’s an infringement happening, you work with local counsel and deal with it,” says Leonard Glickman of Cassels Brock & Blackwell in Toronto.

Taylor adds, “We have had to develop a network of contacts in different territories, including trademark specialists to help us with trademark applications.”

Traditionally, when Canadian lawyers have advised fledging Canadian acts, they have often lost the act to a U.S. law firm. They now do a U.S.-based label recording deal. That apparently is happening less today. “Artists and managers are looking at a more global perspective today.”

Toronto lawyer Greg Stephens says, “Taylor argues, “A handful of lawyers in Canada now perform a general counsel role for artists, whereas that role might have been performed by lawyers in New York or Los Angeles in the past.”

Stephen Stohn, partner of Toronto-based Stohl Hay, says that many Canadian lawyers were already working globally if they handled music publishing clients. “If you were active in publishing, the shift over to the ‘rights era’ with master recordings is relatively simple,” he points out.

Stephens argues that the era of digital downloading is bringing greater international jurisdiction challenges to Canadian lawyers. “Downloads have no borders. To understand infringement, you have to understand it everywhere.”

EMI Singapore Tries Legal Downloads

BY CHRISTIE LEO
SINGAPORE—EMI Music Singapore has partnered with local Internet service provider StarHub to launch the territory’s first legitimate music download service.

The service, called Play, enables Internet users in the country to choose from 50,000 tracks by EMI acts.

“Artists and their songs merit respect and protection,” EMI Music Singapore managing director Valerie Lim says. “The StarHub online music store legitimizes downloads and encourages a new generation of music fans to value intellectual property.”

The Play service is accessible through the StarHub platform at play.starhub.com. Consumers can purchase tracks for the local equivalent of $1.17 each. Full-length albums cost $9.70. The album price for downloads is approximately 20% cheaper than the local cost of a full-price CD.

Users can download songs, burn them directly onto a CD or copy them into a portable player. The site enables users to preview tracks and music videos by streaming samples.

Although at present the repertoire is confined to EMI acts, other Singapore-based labels are being invited to pursue similar nonexclusive downloading deals with StarHub for the Play service.

The technical and digital content management services for Play are provided by local digital services provider NetroAsia.

EMI has made 50,000 tracks available for download on the Play service.

Lim is confident that sales at brick-and-mortar stores will not be affected by the new venture. “Those who want the physical product, with cover art, liner notes, lyrics, etc., are not likely to make a switch to music downloads,” she says.

A survey conducted in third-quarter 2003 by the local government’s Intelcore Office of Singapore claimed that more than half a million Internet users in Singapore downloaded music last year, the majority of them illegally.

“The online music store business will help us recover losses from illegal downloads,” Lim says. “We’re already in discussions with other digital service providers to license songs. This is the start of a new revolution in music marketing.”

Communications Group Singapore Technologies Telemedia is the largest single shareholder in StarHub, with a 50% stake. StarHub also operates a multichannel cable TV service through its nationwide broadband network.

French rock singer Bertrand Cantat has been sentenced to eight years in prison by a tribunal in Vilnius, Lithuania. Cantat, 40, is the lead singer of Noire Desir, a popular French rock act signed to Universal Music France label Barclay. He was found guilty of homicide March 29 after the death of his actress girlfriend Marie Trintignant in 2003. Under Lithuanian law, both sides have 20 days to appeal. Cantat’s lawyer, Olivier Metzner, says an appeal is likely. Trintignant was found unconscious July 27, 2003, in the hotel room she shared with Cantat. She died five days later from head wounds. Trintignant, 41, was the mother of four children. During the trial, Cantat admitted he killed her four times during a violent argument. He expressed regret and asked Trintignant’s family for forgiveness. Noire Desir members declined to comment on the group’s future.

Warner Music Australia chairman/CEO Shaun James has been re-elected chairman of the Phonographic Performance Co. of Australia (PPCA) board for a second one-year term. The PPCA licenses the broadcast and public performance in Australia of all sound recordings and music videos for companies and artists. “PPCA remains committed to increasing its license revenue,” James says, “particularly from broadcasters, to the benefit of both record companies and Australian recording artists.” Five of the eight other members of the PPCA board represent Australian labels; the other three represent record companies.

London-based music-recognition technology company Shazam Entertainment has secured $5 million in financing from a number of investors. Shazam will use the funds to expand into Europe, Asia and North America, particularly in business-to-business areas such as broadcast monitoring and royalty tracking.

The company currently has contracts for its patented music-recognition technology with companies in Europe, Asia and Oceania. The Shazam service enables users to access details of a song and its performing artist by “tagging” an audio sample with a mobile-handset handset. After dialing Shazam’s four-digit number, the service responds with a message containing details of the song. The company says the service has been used more than 3 million times in the United Kingdom by more than 750,000 customers. Backers of Shazam include IDG Ventures Europe and DN Capital.

V2 Records has signed a two-year licensing deal withTimes Music of Mumbai, India. The deal covers India, Pakistan, Sri Lanka, Bangladesh and Nepal. Times Music is the Indian licensee for Ministry of Sound, Tommy Boy Records, New Earth, Oasis Music, Silva Screen, TBM Music, MBM International and Cool Music.

The first batch of releases is expected in April. V’s previous Indian licensee was Mumbai-based indie label GAS Music, which went out of business one year after signing the deal with V2 in 2000. Times Music is owned by Bennett & Coleman, a leading Indian media group.

A rare custodial sentence has been handed down to a U.K. man convicted of running a commercial counterfeiting operation. Mathew Peter Rodgers, 33, of Leicester, was sentenced March 19 at Leicester Crown Court to nine months’ imprisonment for trademark offenses. He also received two months’ imprisonment, to be served concurrently, on video-recording offenses. Rodgers’ home had been raided in 2002 by Leicester Trading Standards Service following an investigation by the Anti-Piracy Unit of the Mechanical Copyright Protection Society (MCPS). He had been copying music, films and games and selling counterfeit discs online. The product seized had an estimated retail value of £100,000 ($181,000). A spokesman for MCPS said, “It is unusual for a first-time offender to receive a prison sentence, but this sentencing just goes to show how seriously counterfeiting is now being taken by U.K. courts.”

London-based digital music service Wippit has inked a content deal with BMG U.K. & Ireland. Wippit will offer its subscribers in both countries roughly 10,000 tracks from BMG. The major’s songs will be sold as individual downloads or on a monthly subscription basis through customers’ PCs. Users can also burn limited copies of the songs to blank CDs or transfer them to portable digital players. Wippit sells individual downloads for 79 pence ($1.14) each or through a £20 ($35) annual subscription fee. The BMG agreement is similar to a recent Pan-European deal with EMI Recorded Music. Unlike most of the music licensed to Wippit by some 200 independent labels, the BMG and EMI repertoire is not available through Wippit’s legitimate peer-to-peer file-sharing service.

For the latest breaking news, go to billboard.biz.
frei/Leventis' sale to Universal has been described as a "formal and non-binding pre-agreement," and Lynden is due to sign a definitive agreement in the coming weeks. Lynden's deal with Universal was brokered by his company's managing director, Chris Costello.

The sale of the company, which was acquired by the Far East Holding company in 1992, will see Universal take over the company's worldwide business, including its publishing, production, and distribution operations. The deal is expected to be completed by the end of the year.

"This is a significant step forward for Universal, and we are looking forward to working with Lynden and his team to ensure a smooth transition," said Universal's senior vice president of international operations, Mark Hirsch. "We are excited to welcome them to our family and are confident that they will bring valuable contributions to our company."
Airplay Monitor, the nation’s leading music radio programming publication, is seeking an Editorial Director. In this position as brand steward, you are responsible for the overall editorial positioning for an integrated platform of content including a weekly magazine, daily fax and e-newsletters, Web site and annual conference. You will lead an editorial staff in producing timely content for the weekly print publication, daily e-newsletters and Web site. As Editorial Director, you will coordinate with other departments, as well as other VNU divisions, including Billboard and Nielsen BDS and Soundscan. You will be the face of the brand in representing Monitor to the record, radio and allied industries. You will also supervise a national editorial staff with offices in NYC, LA and Nashville and assign and approve story assignments and editing.

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If this position sounds like an opportunity you wish to explore further, please send your résumé, cover letter and samples of your writing and salary requirements to: vnurfa@vnunbuspubs.com. EOE. Due to the large volume of résumés received, we will only contact candidates of interest.

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Sony
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Sony

Sony has a proprietary version of the Advanced Audio Codec encryption system, and Napster uses Microsoft's Windows Media Audio codec.

Connect, however, has opted for ATRAC3, a technology already installed in Sony's well-established MiniDisc formats and digital players based on Sony's pioneering portable Walkman listening devices. Currently, Ashcroft explains, there are more than 2 million units of these ATRAC3-fitted devices in Europe.

Asked whether using different compression technology matters, London-based Jupiter Research analyst Mark Mulligan observes that Apple and Sony have deliberately chosen proprietary technology integrated into both their stores and listening devices to drive their hardware sales.

"Sony and Apple don't want to support Microsoft's Windows Media, which is used by the largest number of legitimate content providers and has the largest installed on the world's PCs," he says.

"But somewhere down the line, there has to be interoperability, because people will not buy into a market where you have multiple players and DRM," Mulligan says.

To ensure rights-owners get paid, Sony's proprietary Open MagicGate technology and digital-rights management system will be applied to Connect's downloadable songs.

Buyers can burn tracks to blank CDs, but "the usage will be comparable to other services. Usage rules depend on the licenses that the rights-holders grant us. Sony will announce the details prior to the official commercial launch," a spokesman says.

Japanese

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The indecency wars continue. It seems as if there is a headline to read or a fine reported in the consumer press every week. The Chicago Sun-Times has the latest.

According to the paper, modern WKQX (Q101) Chicago morning host Mancow Muller is suing David Edward Smith. The latter has filed complaints against the jock, resulting in $42,000 worth of Federal Communications Commission indecency fines.

Muller's $3 million lawsuit charges Smith and his Citizens for Community Values with business interference and filing "spurious complaints" that are "repugnant, malicious, untrue and designed merely for the purpose of harassment." Smith has filed 66 complaints against Muller.

If he should win, Muller vows that any profit from the suit will be donated to the Boy Scouts of America and various charities.

December stating that its ground-based Repeaters would not be used for local programming. "Just a few weeks after signing that agreement," the release reads, "the company announced plans to distribute local content via its national channels.

The bill also requests that the FCC review whether such a practice is in line with the satellite radio license.

TUNING AROUND: Brian Ongaro, executive VP of Infinity Broadcasting's Western region, adds operations oversight for the company's seven stations in Los Angeles.

Veteran programmer Don Kelly joins iBiquity Digital as broadcast strategic marketing manager Kelly spent nearly two decades as a consultant.

Jon Zellner, Infinity VP of adult top 40 programming and operations manager/VP of top 40 KMXV (Mix 93.3)/AC KSBC (Star 102) Kansas City, heads to Boston as operations manager/VP of sister stations adult top 40 WBWX (Mix 98.3)/WODS (Oldies 103.3). He succeeds Greg Strassell, who was recently upped to Infinity senior VP of programming. Barbara Jean Scannell joins WBWX as VP/GM. She had been GSN for Greater Media/Boston.

John Roberts has been named VP of programming and operations for Clear Channel's six-station cluster in Dallas. He most recently was operations manager/VP of WEZB/WKZN New Orleans. While we're in Dallas, Dan Kiely has left the PD slot at top 40 KKBV (Wild 100). APD Alex Valentine is handling those duties for now.
Usher Rides Rising Tide

Grammarians who took issue with Alanis Morissette’s loose use of the word “ironic” cannot quibble with the music industry’s latest example of irony. In the week that the company downsized from full-service label to lean-staffed imprint, Usher gives Arista its biggest ever Nielsen SoundScan frame.

Thus, the 1.2 million sum that opens Usher’s “Confessions” chart life is not just the biggest sales week of the year (see story, page 5). This moment also provides a poignant snapshot that illustrates an era of significant change in the music trade, which takes place even as album sales rebound.

In fact, so healthy is the sales tide in 2004 that Usher’s career-best week ends up being just icing on the cake. Subtract his opener from the 12.7 million units that were sold for the frame that ended March 28, and music stores would still show gains over the prior week and, more significantly, the same week of last year.

That’s saying something, because this week in 2003 was a mighty one, with a Linkin Park box of more than 800,000 copies and seven albums weighing in at 100,000 or more. Only the top six from the current chart stand in the 100,000-plus-club.

Over the Counter

By Geoff Mayfield
gmayfield@billboard.com

What this week has in common with its equivalent week last year is the number five. There are five bows in the top 10 on this issue’s Billboard 200, including one from the “Now That’s What I Call Music” series—a set of facts that also described the week when Linkin Park’s “Meteora” arrived.

That was the first of nine weeks in 2003 when five or more albums bowed inside the top 10, more than any other year in the history of The Billboard 200. The chart in these pages marks the first time it has happened this year.

FAT TUESDAY: Four other guests join Usher’s party in the top 10, including the latest from the “Now That’s What I Call Music” series. At 343,500 copies, “Now 15” easily grips the No. 2 slot. This is the line’s best opening week since “Now 9” moved 419,000 copies in March 2002.

Guns N’ Roses’ “Greatest Hits” exceeds projections that chart forecasters had calculated from its first-day sales, locking No. 3 with 169,000 sold. The band’s members set aside differences long enough to attempt to block the album’s release; it appears the only thing those legal wranglings accomplished was to make the public more aware of the set.

Also strong from the March 23 slate: Carl Thomas (No. 4), (Continued on page 52)
<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
<th>Last Week</th>
<th>This Week</th>
<th>Last Week +1</th>
<th>This Week +1</th>
<th>Certification</th>
<th>Price</th>
<th>Chart Position</th>
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Over The Counter

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139,000 and the Neptunes' rock incarnation N*E*R*D (No. 6, 119,000). In both cases, these sophomore albums outsold first-week numbers by either act's debut album. From the rap pack, Master P has his best Billboard 200 rank since 1999 and Cypress Hill has its highest since 2000, at No. 11 and No. 22, respectively.

Weird sighting of the week is that the new Cypress Hill has a better standing on the big chart, where it counts with all genres, than it does on Top R&B/Hip-Hop Albums (No. 23). Standings on the R&B/hip-hop sales charts often vary from the rest of the lists because they are determined by a subset of core stores rather than the overall panel, but this contrast is a real head-scratcher. On the surface, it suggests that the veteran hip-hop act is selling more in the general market than it does in stores that specialize in rap and R&B.

NUMERIC RIDDLER: Two albums have enjoyed million-plus weeks in 2004, while none did in all of 2003, and album sales are 9.2% ahead of last year's pace. Would it surprise you to learn that the average sales of a No. 1 album was actually higher a year ago?

Since the start of January, the average sale of the No. 1 on The Billboard 200 has been 356,712 copies, but at the same point of 2003 it was 391,406.

For one thing, although there were no million-plus frames in first-quarter 2003, there were three weeks when the No. 1 title beat 800,000, and its sales did it twice. And Linkin Park's arrival was the third.

Those three weeks made up the difference of this year's million-plus stand for Usher and Norah Jones. The post-Grammy Awards week by Jones' first album (621,000 copies) and R. Kelly's opening week (512,000) also ramped up the chart-topping machine after the first three months of 2003.

On the other hand, we had the rare sight this year of not one but two occasions in which the No. 1 title sold less than 100,000, even as overall album sales beat those of the comparative 2003 weeks.

Further, there have been six weeks so far this year vs. four during first-quarter 2003 when the No. 1 title sold less than 200,000.

No cause for alarm, though. After three years of decline, the overall growth in album sales is a much bigger story than the numbers at No. 1.

BACK PAGES: A gussied-up version of the first edition was released on Top Pop Catalog in the same

week that enhanced versions of three classic Fleetwood Mac albums make chart noise.

The deluxe "Weezer" adds a second disc with alternative takes of the original songs and other bonus tracks. It fetches 15,000 sales, good for No. 2 on the catalog chart and No. 79 on billboard.com's Comprehensive Albums list.

The Mac albums are similarly juiced, each expanding to two discs. They hit the catalog list at Nos. 17, 25, and 30, Collectively, those three sell 19,000, with the 1977 set "Rumours" pulling the most of these.

WHO GOES WHERE: Street-date leaks prove Top Blues Albums ink for rock gods Eric Clapton and Aerosmith (Nos. 2 and 8, respectively), while an Elvis Presley collection bows on Top Christian Albums (No. 9) and Top Country Albums (No. 36). This marks the fifth time since Billboard launched the blues chart in 1995 that a Clapton title has been appropriate for this chart.

Presley, inducted in 2004 by the country and gospel halls of fame, has placed five inspirational albums on the country list, but this is his first to do so since 1978.

FOR THE RECORD: Larry the Cable Guy's "I Apologize" appears on Parallel/HiP-O through Universal Music Enterprises. The imprint was misstated in Billboard's charts and in last issue's Chart Beat.
For boxed sets, and double albums Catalog albums are

BILLBOARD APRIL 10, 2004

WEEZER a WEEZER: Deluxe Edition

BOB SEGER & THE SILVER BULLET BAND a Greatest Hits

JOSH GROBAN a A Beautiful Day In December

THE BEATLES a 1

LINKIN PARK a [Hybrid Theory]

MERCEY A Almos There

LARRY THE CABLE GUY Lord, I Apologize

BOB MARLEY & THE WAILERS Legend

ROD STEWART a The Very Best Of Rod Stewart

KID ROCK a Devil Without A Cause

PINK FLOYD a The Delicate Sound Of Thunder

JOHN MAYER a Room For Squares

SHANIA TWAIN a Come On Over

AC/DC a Back In Black

SOUNDTRACk a O Brother, Where Art Thou?

FLEETWOOD MAC a Rumours

KELLY HESLEY a Greatest Hits

METALLICA a Greatest Hits

MARTINA McBride a Greatest Hits

COCO a Devil Without A Cause

ABBA a Gold – Greatest Hits

TIM MCGRAW a Greatest Hits

JOHNNY CASH a 16 Biggest Hits

FLEETWOOD MAC a Fleetwood Mac

QUEEN a Greatest Hits

AC/DC a Live

FRANK SMITH a Classic Smith: His Great Performances 1952-1960

ED SHEERAN a 30

MICHAEL JACKSON a Thriller

FLEETWOOD MAC a Tusk

AL GREEN a Greatest Hits

CELINE DION a All The Way...A Decade Of Song

SYSTEM OF A DOWN a Toxicity

SADIE a The Best Of Sadie

COLDPLAY a Parachutes

DISTURBED a The Sickness

BARRY WHITE a All Time Greatest Hits

EMINEM a The Marshall Mathers LP

JIM HENDRIX a The Best Of Jimi Hendrix

PETER WHITE a Confident

MURS a Murs 3:16-The 9th Edition

HIM a Razorblade Romance

JEREMY CAMERON a Stay

ANONYMOUS 4 a American Angels

EYEDEA & ABILITIES a E&A

DEATH CAR FOR CUTIE a Transatlanticism

THE SHINS a Chutes Too Narrow

SOUNDTRACK a Lost In Translation

JOHNNY VIVID a Ultra.3:an

RIZEN a Someone Like You [Composers: M. Lojza, A. Shabel]

WARREN ZEVON a The Wind

DAVID LEE Murphy Tryin’ To Get There

DONO Prince “Blues” Bono “Pref” Billy & Great Prince Sir Robert

EAGLES OF DEATH METAL a Peace Love Death Metal

VARIOUS ARTISTS Strictly The Best Volume 31

GOAPAZ a Even Closer

JOAN SEBASTIAN a Collection De Oro

AMEL LARRUAUX a Bravobird

IVY a Yummy Yummy

COHED AND CROMAI In Keeping Secrets Of Silent Earth 3

VARIATIONS & SINGERS Nothing Love Everything Ga: Stage II

ROYCE DA 5’9” a Whole Lotta Red

EN VOGUE a Sugglflower

MARSHA WHITE a The Best Is Yet To Come

OREY a Pun Statik Paranoia

SESENDUT a Seasons

EXODUS a Tempe Of The Damned

ANI DIFRANCO a Educated Guess

FALL OUT BOY a Take This To Your Grave

MITCH HEDBERG a Mitch Together

YING YANG THINGS a Me & My Brother

LIL JON & THE EAST SIDE BOYZ a Kings Of Crunk

CLINT BLACK a Spend My Time

LOSI LONELY BOYS a Cool To Be You

FRANZ FERDINAND a Our Endless Days

THE POSTAL SERVICE a Give Up

MADVILLAIN a Madvillain

BLONDIE REDHEAD a Misery Is A Butterfly

RON WHITE a Keep It Simple

MADVILLAIN a Madvillain

JIMMY CLIFF a Finally Woken

ISHEDOWN a Leave A Whisper

JASON ALDEAN a When It Falls

RJ HILTON a Real Life

SHADY / CURB a The Best Volume 31

AIR a Talkin Walkie

AEROSMITH a Aerosmith’s Greatest

JAMES TAYLOR a Greatest Loves Of My Life

TOM PETTY & THE HEARTBREAKERS a “Greatest Hits”–

JIMMY PAGE a The Decade Of Jimmy Page’s Greatest Hits Vol.

JIMMY PAGE a The Decade Of Jimmy Page’s Greatest Hits Vol.

SIMPLY RED a Stay

GOLDMANTAR A Material Is Devoloping

THE ROLLING STONES a Beggars Banquet

GUY LEWIS a The Best Of Guy Lewis

THE VEILS a The End Of The World

JOSÉ FELIX a The Best Of Jose Felix

THE KILLS a Our Endless Days

THE LAUREL A.D. a The Classic Songs Of The Laurel A.D.

THE KILLS a Our Endless Days

THE SECOND ARMS a The Best Of The Second Arms

JIMMY PAGE a The Decade Of Jimmy Page’s Greatest Hits Vol.

THE KILLS a Our Endless Days

THE LAUREL A.D. a The Classic Songs Of The Laurel A.D.

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THE LAUREL A.D. a The Classic Songs Of The Laurel A.D.
### Billboard Top Blues Albums

**TOP ARTISTS:**

<table>
<thead>
<tr>
<th>WEEK</th>
<th>ARTIST</th>
<th>IMPRINT &amp; NUMBER/DISTRIBUTING LABEL</th>
<th>TITLE</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>KEB' MO</td>
<td>Keep It Simple</td>
<td>The Essential Keb' Mo. Vol. 1</td>
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<tr>
<td>2</td>
<td>STEVE RAY VAUGHAN &amp; DOUBLE TROUBLE</td>
<td>Keep It Simple</td>
<td>The Essential Steve Ray Vaughan And Double Trouble</td>
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<td>3</td>
<td>ERIC CLAPTON</td>
<td>Me And Mr. Johnson</td>
<td>Me And Mr. Johnson</td>
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<tr>
<td>4</td>
<td>VARIOUS ARTISTS</td>
<td>Putumayo Presents: World Reggae</td>
<td>Putumayo Presents: World Reggae</td>
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<td>5</td>
<td>THE HOLMES BROTHERS</td>
<td>Simple Truths</td>
<td>Simple Truths</td>
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<tr>
<td>6</td>
<td>WILLIAM CLAYTON</td>
<td>Changing The Game</td>
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<td>7</td>
<td>AEROSMITH</td>
<td>Hawk 'Em On Bolivia</td>
<td>Hawk 'Em On Bolivia</td>
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<td>8</td>
<td>STEVE RAY VAUGHAN</td>
<td>Martin Scorsese Presents The Blues: Steve Ray Vaughan</td>
<td>Martin Scorsese Presents The Blues: Steve Ray Vaughan</td>
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<td>KEB' MO</td>
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<td>JOHN PHYLLIS AND THE LIONHEARTS</td>
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<td>11</td>
<td>JIMMY BARNES AND TAB BENJet</td>
<td>Whisky River Live</td>
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<td>Keep On Running</td>
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### Billboard Top Christian Albums

**TOP ARTISTS:**

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<td>3</td>
<td>CASTING CROWNS</td>
<td>HEARD HE SAVES US</td>
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<td>4</td>
<td>VARIOUS ARTISTS</td>
<td>HARVESTweepES</td>
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<td>5</td>
<td>JEREMY CAMP</td>
<td>WORSHIP</td>
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<td>VARIOUS ARTISTS</td>
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<td>VARIOUS ARTISTS</td>
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<td>AVALON</td>
<td>HEAVEN</td>
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<td>ELVIS PRESLEY</td>
<td>Ultimate Gospel</td>
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<td>BILLY GIBBONS</td>
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<td>GREATEST GAINERS</td>
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<td>THEO ROBERTS</td>
<td>LOVE Tippe</td>
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<td>STACEE ORRICO</td>
<td>FORGET NEW YORK</td>
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<td>DAVID CROWDER BAND</td>
<td>GATHER THE VOICE</td>
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<td>JEREMY CAMP</td>
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<td>THOUSANDPOUT</td>
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<td>GODFREY</td>
<td>pray</td>
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<td>REBECCA ST. JAMES</td>
<td>ANGEL'S</td>
<td>ANGEL'S</td>
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<td>TIM BUTLER</td>
<td>LOVE IN THE AIR</td>
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### Billboard Top Reggae Albums

**TOP ARTISTS:**

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<td>SEAN PAUL</td>
<td>Dutty Rock</td>
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<td>ELEPHANT MAN</td>
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<td>3</td>
<td>VARIOUS ARTISTS</td>
<td>Strictly The Best Volume 35</td>
<td>Strictly The Best Volume 35</td>
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<td>4</td>
<td>VARIOUS ARTISTS</td>
<td>Tuff</td>
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<td>VARIOUS ARTISTS</td>
<td>Reggae Gold 2003</td>
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<td>VARIOUS ARTISTS</td>
<td>Putumayo Presents: World Reggae</td>
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<td>7</td>
<td>ZIGGY MARLEY</td>
<td>Dragonfly</td>
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<td>8</td>
<td>WAYNE WONDER</td>
<td>No Holding Back</td>
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<td>9</td>
<td>BOB MARLEY AND THE WAILERS</td>
<td>Bob Marley &amp; The Wailers Live On The Run</td>
<td>Bob Marley &amp; The Wailers Live On The Run</td>
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<td>VARIOUS ARTISTS</td>
<td>Rasta Jam</td>
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<td>BERES HAMMOND</td>
<td>The Ultimate Collection</td>
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<td>SIZZLA</td>
<td>Da Real Thing</td>
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<td>13</td>
<td>SIZZLA</td>
<td>Speak Of Jah</td>
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### Billboard Top Gospel Albums

**TOP ARTISTS:**

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<th>WEEK</th>
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<td>VARIOUS ARTISTS</td>
<td>The Ultimate Collection</td>
<td>The Ultimate Collection</td>
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<td>2</td>
<td>CECE WINANS</td>
<td>Purifying: Devotion &amp; Devotion</td>
<td>Purifying: Devotion &amp; Devotion</td>
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<td>3</td>
<td>VARIOUS ARTISTS</td>
<td>I Need You Now</td>
<td>I Need You Now</td>
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<td>4</td>
<td>VARIOUS ARTISTS</td>
<td>Interpreting Gospel Classics</td>
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<td>BYRON CAGE</td>
<td>Stay</td>
<td>Stay</td>
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<td>6</td>
<td>REN</td>
<td>Run The Earth, Watch The Sky</td>
<td>Run The Earth, Watch The Sky</td>
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<td>7</td>
<td>VARIOUS ARTISTS</td>
<td>The Other Side Of Something</td>
<td>The Other Side Of Something</td>
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<td>8</td>
<td>MARTHA MUNIZZI</td>
<td>The Best Is Yet To Be</td>
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<td>DONNIE McClurkin</td>
<td>Love And Peace</td>
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<td>Love, Peace &amp; Happiness</td>
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<td>11</td>
<td>MICHELLE WILLIAMS</td>
<td>FREE ME</td>
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### Billboard Top World Albums

**TOP ARTISTS:**

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<tr>
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<td>THE IRISH TENORS</td>
<td>Heritage</td>
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<td>2</td>
<td>GIPSY KINGS</td>
<td>Gipsy Kings</td>
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<td>SOUNDTRACK</td>
<td>The Tripods Of Belgium</td>
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<td>4</td>
<td>VARIOUS ARTISTS</td>
<td>Celtic Circle</td>
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<td>5</td>
<td>DANIEL O'DONNELL</td>
<td>Classic Doubles: Songs Of Inspiration</td>
<td>Classic Doubles: Songs Of Inspiration</td>
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<td>6</td>
<td>DANIEL O'DONNELL</td>
<td>Daniel In Blue Jeans</td>
<td>Daniel In Blue Jeans</td>
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<tr>
<td>7</td>
<td>DANIEL O'DONNELL</td>
<td>Greatest Hits</td>
<td>Greatest Hits</td>
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<td>8</td>
<td>DANIEL O'DONNELL</td>
<td>The Daniel O'Donnell Show</td>
<td>The Daniel O'Donnell Show</td>
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<tr>
<td>9</td>
<td>GREAT BIG SEA</td>
<td>Something Beautiful</td>
<td>Something Beautiful</td>
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<td>RONDOY BRENNAN AND THE NORTHERN EXPRESS</td>
<td>Two Horizons</td>
<td>Two Horizons</td>
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<td>11</td>
<td>SOUNDTRACK</td>
<td>Bend It Like Beckham</td>
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<td>JUSTIN REICH</td>
<td>R'n'a'sk</td>
<td>R'n'a'sk</td>
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<td>13</td>
<td>DANIEL O'DONNELL AND FRIENDS</td>
<td>Putumayo Presents: World Reggae</td>
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<td>CLANNOAD</td>
<td>A Lifetime To Live: The Rest Of Clannad</td>
<td>A Lifetime To Live: The Rest Of Clannad</td>
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Note: Sales data compiled by Nielsen SoundScan.
Eminem’s D12 sets a new one-week sales mark on Hot Digital Tracks, as “My Band (Explicit Version)” comes in with 16,500 paid downloads and jumps 3-1. The previous single-week peak belonged to OutKast’s “Hey Ya! (Radio Mix),” which sold 16,000 downloads during Christmas week.

Coupled with the clean version of the track, which debuts at No. 20 with 4,000 downloads, “Band” is the first song to surpass 20,000 digital transactions in one week.

Elsewhere on Hot Digital Tracks, William Hung proves that limited singing ability can result in a modicum of fun.

Hung’s rendition of “She Bangs” enters at No. 8 with 6,500 paid downloads and is one of four debuting tracks that preview his upcoming album. Hung is also at Nos. 28, 31 and 46 with “I Believe I Can Fly,” “Rocket Man” and “Free,” respectively.

RED, HOT & BLUE: Although Hot Country Singles & Tracks has not been topped by a solo female in more than two years, the chart swells with optimism as Gretchen Wilson cracks the top 20 faster than any new artist has with a debut single in almost eight years.

“Redneck Woman” is one of two titles inside the top 40 with only five chart weeks on the ledger. The other is also by a new-comer, “American Idol” finalist Josh Gracin, who takes “I Want To Live” 43-37.

Wilson’s gritty declaration of blue-collar femininity takes the chart’s fastest gain (up 546 detections) and earns Airpower status with a 24-20 leap in its fifth chart week. That’s the quickest top 20 sprint for a debut single since teen phenom LeAnn Rimes stoked that part of the chart in just four weeks with “Blue” in the June 1996, issue.

Sara Evans, the most recent female contender for No. 1, is pushed back two spots to No. 4 with “Perfect,” as it bullets with a modest 43-detection gain. Keith Urban’s “You’ll Think of Me” (6-2) and Buddy Jewell’s “Sweet Southern Comfort” (3-3) both post more healthy increases of 481 and 267 detections, respectively.

ON FIRE: “Yeah!” by Usher featuring Lil Jon & Ludacris continues its reign atop The Billboard Hot 100 and Hot R&B/Hip-Hop Singles & Tracks for a seventh and sixth week, respectively. Usher also enters the top 10 of both charts with his follow-up, “Burn.” That track jumps 15-10 on the Hot 100 and 11-9 on R&B/Hip-Hop Singles & Tracks.

For the first time, “Yeah!” stuns in total audience on Hot 100 Airplay, dropping to 167 million listener impressions, down by 2 million. The track retains a commanding lead and is likely to be challenged for the lead in the next few weeks by “Burn.”

While radio is playing a few cuts from Usher’s high-flying “Confessions” album, it seems to have chosen “Confessions Part II” as the third single. “Part II” takes a bow on R&B/Hip-Hop Singles & Tracks at No. 76 with nearly 3.6 million impressions from airplay at 18 R&B stations.

PENNY FOR YOUR THOUGHTS: Hanson returns to the Hot 100 Singles Sales chart for the first time in four years, as “Penny & Me” scans 6,500 units and debuts at No. 2.

The trio has now hit the top five with all four of its charting retail singles. Hanson’s previous single, “This Time Around,” opened at No. 2 in the April 22, 2000, issue, with 54,000 units sold.

Keeping Hanson out of the No. 1 slot on Hot 100 Singles Sales are Clay Aiken’s double-sided “Solitaire/The Way,” which sees sales dip 54% in its second week of release to 46,000 units.

With minimal airplay, the steep sales decrease keeps the Hot 100-listed “Solitaire” 4-7 on that chart.

NAUGHTY BUT NICE: Beyoncé can obviously close to extending to four her streak of Billboard Hot 100 top 10s from her album “Dangerously In Love.” “Naughty Girl” moves 34-19 and earns Greatest Gainer honors for a second consecutive week. In only its third chart week, “Naughty” is up 16 million listener impressions for an audience total of 53.3 million.

NAME GAME: The demise of Arista’s promotion staff results in label listing changes on all radio charts, except for Hot Country Singles & Tracks. Artists from Arista moved to either the RCA Music Group (RMG) or Zomba, which is the promotion team formerly known as Jive.

Arista will remain an imprint through RMG, while Jive will continue as an imprint name through Zomba. Sales charts credits will be updated next week.

WILSON: Silvio Pietroluongo

Minal Patel

Wade Jessen

wjessem@billboard.com

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the case in the United States. “The four countries have been chosen because these are markets that have been dramatically hit by file sharing,” he says, “At this stage, we cannot simply wait around and think.” Berman adds that if the process took more time outside the United States, it was because the industry first needed to step up its educational campaign against online copyright theft before moving into litigation.

Also, each country has a different set of laws, and time was needed to clear the legal ground before taking action.

In Denmark, more than 120 people received civil demand letters asking them to either stop illegal file sharing and pay compensation or face legal action. Each individual was asked to pay 10,667 euros ($12,990) for unauthorized downloads of music or films from Internet providers, each of whom allegedly downloaded an average of 5,000 music files or 60 films.

“It’s the first step, and in the near future letters will go out to an additional 350 persons,” says Torben Stefensen, an attorney for the Danish Anti-Pirate Group. The association consists of several rights organizations, including IFPI Denmark.

In Germany, 68 individuals were reported to law enforcement authorities pursuant to criminal complaints for alleged peer-to-peer (P2P) infringement.

In contrast to other European countries, German law does not provide for any secure right to claim information from Internet service providers in civil-law proceedings. As a result, the copyright holders are forced to initiate criminal law proceedings to determine the identity of the parties involved.

In most cases, public prosecutors will issue orders for homes to be searched and computers to be seized,” explains Gerd Gebhardt, chairman of the Phono Assn.

In Italy, 30 individuals have been charged with copyright infringement; in Canada, the number is 29.

**NO ONE IS IMMUNE**

The cases are not about downloading for personal use; IFPI general council Allen Dixon says, “It’s about putting hundreds or thousands of files (on the Internet) for people to share.”

“Our message is simple: File sharing is illegal, and no one engaging in this activity is immune from prosecution,” Dixon says.

Dixon adds that these actions target people who made available “a substantial number of files” on a wide range of file-sharing systems. “It is not simply Kazaa,” Dixon notes, naming Grokster, WinMX, eMule and eMule among the services file sharers use.

Dixon says that through either civil or criminal procedures, rights-owners will seek compensation that could reach some cases, several thousand euros.

Berman indicates that other countries will follow suit in the coming months. A recent Canadian ruling appears to go against the trend (see sidebar).

A week before the IFPI’s announcement, British trade body the BPI launched an instant-messaging campaign against file sharers, saying that they risk legal action if they continue their file-sharing activities.

BPI executive chairman Peter Jamieson declined to specify when the BPI would take legal action. The decision, he adds, will be made if mass illegal downloads persist.

“The warning period will last for as long as we believe it is necessary,” he explains. “We will resolve to legal action when we feel that we have done all we can in terms of education.”

However, he added, “I am convinced that we will take action this year if things don’t change.”

In France, industry body SNEP issued a warning to file sharers. “We are in full solidarity with IFPI,” SNEP director general Herve Rony says. “We will continue to raise awareness, but litigation has become indispensable.”

Rony says there will be French cases “before the end of 2004.”

Additional reporting by Charles Ferro in Copenhagen and Wolfgang Spahr in Hamburg.

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**Gibson**

Continued from page 1

The digital guitar is initially being manufactured exclusively in the Les Paul model mold by a suggested retail price of $4,000.

Gibson will also introduce a kit allowing standard electric guitars to be retrofitted with the technology.

“We are not creating something better than a Les Paul,” Gibson CEO Henry Juszkiewicz says. “We are building on an incredibly great instrument … We’re adding a new aspect to it.”

One clear application for the digital guitar is recording, a field now dominated by the digital audio workstation (DAW).

Capturing a digital signal within the guitar and sending it directly into the DAW bypasses the limitations of magnetic pickups and the standard electric guitar’s reliance on signal-degrading cables.

The standard electric guitar’s output signal is meagre, one ¼-inch jack going through various cables that degrade that sound,” Juszkiewicz says. “Because an analog guitar cable is high impedance, every foot of additional cable adds capacitance and degrades signal.”

**LOW-TECH GUYS**

The digital guitar’s signal, Juszkiewicz maintains, “sounds better right out of the box.”

But whether that’s enough to sell thousands of artists who hang on traditional guitarists remains to be seen.

“Those sounds like a great idea,” says Frank Clum, guitar manager at the Sam Ash musical instrument chain’s Manhattan store.

“But I can tell you that guitar players are very skeptical about this stuff. Most serious guitar players are low-tech guys,” he adds.

The solid-body electric guitar, developed in the 1930s, is still the standard. The Les Paul has evolved very little since its debut in 1952 and still draws the rock ‘n’ roll and most popular music.

In fact, fretted instruments and related products accounted for more than $1.1 billion in U.S. retail sales in 2002, according to NAMM, the International Music Products Assn. That figure is nearly double that of U.S. retail sales of acoustic pianos, the second-highest instrument category.

Why the trend with success? “It became obvious that here was an industry that literally had no technical progress,” says Juszkiewicz, who acquired Gibson in 1986.

The “well, the technology trends led him in one direction, Juszkiewicz says.

“The electric guitar is fundamentally an analog device. Not only is it analog, it’s not a very high impedance. All studio-grade stuff is low impedance and balanced.”

As a result, guitars sold today can’t be fully integrated into the modern recording world, he explains.

“Not only does it give better tone, but it also gives you a great deal of moving on signal, though,” he quickly adds. “The direct- to-DAW [aspect] is probably going to be cool for apartment dwellers wanting to record electric guitar.”

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**Lightman**

Continued from page 5

things that makes me who I am.”

Born in Philadelphia and raised in Cherry Hill, N.J., Lightman was weaned on the sounds of Madonna; Def Leppard; Led Zeppelin; Crosby, Stills & Nash; and ’60s doo-wop records.

She began playing the violin at age 6. Years later, she put the violin down and picked up a guitar. The guitar became an important writing tool—especially when Lightman “discovered” her singing voice in high school.

The artist’s influences for R&B artists—Blige and the Fugees, among others—developed while attending the University of Wisconsin in the mid-to-late 1980s.

During this time, Lightman began toying with the idea of merging the “music of my life” into “my own style.”

In 2000, she moved to New York. To pay the rent, she “bartended all over the city.” During her down time, she worked with various musicians and producers.

A rough demo of album track “Voyeur” is one way into Zizzo’s hands. “Peter understood what I was trying to do with just this one song. So, we began working on songs.”

Fast forward to now. Now songs to adult top 40 radio in mid-February, “Devises and Angels” — the lead single from “Little Things” — has been embraced by several stations in the format, including WKZ New Orleans; WBLS Columbus, Ohio; and KAMX Austin.

The song’s video, directed by Liz Friedlander, is in rotation on MTV and VH1.

“I had a good feeling about ‘Devises and Angels’ from the first time I heard it,” WKZN music director Steve G. says. “And then I saw the video and thought, ‘What a charmer.’ She could be a star.”

G. acknowledges that the track tested poorly at first, but he says results eventually began to rise.

At WBLS, music director Robin Cole says there is much interest in the song.

“Listeners are wanting to know who the artist is and when an album is coming out,” she notes. “These are very powerful signs.”

The momentum is likely to increase. Lightman is on a club tour with Edwin McCain through April 11. Those dates will be followed by a May 3-19 trek with Josh Kelley.

She also is receiving significant national TV exposure. She already has appeared on “Late Show With David Letterman” and “Late Night With Conan O’Brien” and is confirmed for “Late Late Show With Craig Kilborn” (April 16) and “Late Call With Carson Daly” (April 20).

At press time, several Internet initiatives were being discussed, including opportunities with Sessions@aol.com and Yahoo’s Launch program.

With all this going on, Lightman is keeping everything in perspective.

“For me, writing comes from a very real and genuine place,” she says. “All I can do is relate my own experiences and see what happens. People will get it—or they won’t.”

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**Usher**

Continued from page 5

Look Ahead, page 6.

More than tripling the highest-week sales (338,000) of Usher’s 2001 album, “8701,” “Confessions” scores several other chart marks.

The album claims the biggest sales week since Eminem’s “The Eminem Show” sold 1.3 million in its first full sales week in June 2002.

“Confessions” secures the highest overall-all R&B debut, surpassing Destiny’s Child’s 2001 No. 1 album “Survivor” (663,000 units). It also becomes the top solo R&B No. 1 debut, overtaking Alicia Keys’ 2001 album “Songs in A Minor” (618,000). Usher’s previous two albums, “8701” and “My Way,” have sold 4.2 million and 4.1 million copies, respectively.

In the end, three chart factors are his No. 1 R&B/pop crossover single “Yeah!” and follow-up “Burn.” Featuring Lil Jon and Ludacris, “Yeah!” racks up seven weeks to No. 1, while “Burn” climbs to No. 10 on The Billboard Hot 100.

In the weeks prior to the March 23 release of “Confessions,” Usher promoted the title track.

He staged an exclusive AOL Broadband concert in New York, visited MTV’s “Total Request Live” and BET’s “Blueprint” and performed at the recent Soul Train Music Awards.

Jim Stella, urban music buyer for Trans World, says, “This is big hip-hop, big radio singles and strong video with an established artist who is considered ‘safe’ by parents; decent, nonexplicit music; and being properly supported by the record label helps sell records.”

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attended the South by Southwest Music Conference (SXSW) in Austin last month, stresses that nothing takes the place of hearing an act live.

But he and his peers are using the Internet to help them do their jobs better.

“If there’s a CD that comes to my attention, the first thing I do is go to the act’s Web site,” says Mark Williams, senior A&R executive for Interscope. “The site tells me about their creativity and what their audience can be.

“I can’t send a message to a band that has a Web site and send the wrong message.

“The Internet has added to the process of elimination,” says Steve Yegelwes, executive VP of A&R for S-Cube Records. “Maybe you can rule a band out more easily.”

Indeed, Rubeli says, “if the framework of the Web site isn’t as advanced as it should be, it might not be time for a major to get involved.”

**DOING THE DEAL**

Scanning band Web sites is part of the growing effort by labels to decrease their exposure to piracy risk. Another part is becoming more flexible when structuring deals.

“We’ve been trying to do smaller and more creative deals, ones that require less upfront money than just in the past,” says Andrew Karp, Luna Records senior VP of A&R.

For some labels, that may mean a longer courtship instead of rushing into marriage.

“On bands that we find really early, they may need some time to grow in their live show and songwriting,” Interscope’s Williams says. “We might go in and help nurture them a bit.”

“A band that is willing to pin pen names means a lot to a label.

“If you keep the spend on an artist reasonable—$3,500 a week on tour support instead of $35,000 a week, or a video for $35,000 instead of $350,000—that makes a difference,” Rubeli says.

Where the band is in its life cycle also enters the equation.

“If you feel you’re just a song away, if it’s a young act, I wouldn’t have trouble spending time and money growing them,” Williams says. “But if it’s a band that’s been around awhile and they may have lost some audience or it’s not seen growing elsewhere, we might be less inclined to stick with that.”

“Until the first record is more of a consideration now than it was 10 years ago,” Karp says.

“That’s an incentive for a band not to stay a huge deal.”

In the absence of an obvious hit or substantial sales, other factors determine whether an act stays with a label for its next record.

“Harry Benson comments promising dollars for recording, touring and marketing. The money is in proportion to where the group is in its growth period,” Williams says, “as opposed to a typical major-label deal where there’s all that pressure to deliver that first record.

The ultimate goal in these mini-deals is for the band to release an EP or album.

Similarly, certain acts, Atlantic’s Rubeli says, could be in an “embryonic” stage; he wants to bring them along but isn’t ready to commit a full deal.

“I’ll watch them grow and develop as songwriters. Every new and now then, if they need some nominal financial support,” he says, “there are ways we can be helpful without being contractual.”

**BIDDING WARS**

Even though bidding wars between labels still occur—most recently over Scottish band Franz Ferdinand (which signed to Epic)—executives say they try to avoid such battles.

“Everything I’ve had that’s been successful was something no one wanted or no one knew about, like Kid Rock or Simple Plan,” Luna’s Karp says.

Additionally, a bidding-war deal raises the stakes significantly that the act is often dropped if it doesn’t break through quickly, because the label has to cut its losses.

“How in debt we are [after the first record is more of a consideration now than it was] 10 years ago,” Karp says.

“That’s an incentive for a band not to stay a huge deal.”

**STRAIGHT TO THE CHAMPIONSHIP**

If Discovery is a label that has made the shift to the new form of the traditional A&R process.

“With this type of deal, you’re looking at the career of an artist. It’s a 25-year commitment. You can’t do that to bands that are bidding wars,” notes Simon Mason, A&R manager at Discovery.

“If there’s a song that is unbelievable, it can see the light of day at Discovery.

“The format is also different, and the money is on the record deal. The label can then spend the money on the act.”

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EMI Now Full Owner Of Jobete

BY BRIAN GARRITY

NEW YORK—Against the backdrop of sweeping job cuts at its parent company, EMI Music Publishing is acquiring the last of Berry Gordy’s stake in the Jobete music catalog for $85 million.

Gordy, who has been slowly selling off the catalog to EMI since 1997, exercised a “put” option that required the publishing giant to purchase from Gordy the remaining 20% of Jobete that he did not already own.

Gordy labeled the sale of Jobete, home to numerous Motown standards.

EMI says the transaction will be completed in the next few weeks. Gordy is expected to continue to offer “development and creative direction” for the catalog after the deal is finalized.

The deal is EMI’s second major Jobete investment in the past year. Last April the company shelled out $109 million for an additional 30% stake in the catalog.

As part of that agreement, Gordy received the put option on the remaining 20% of the business. He had the option of exercising it either April 2004 or April 2005. Had Gordy decided not to sell the stake, EMI had a “call” option to buy him out in October 2005.

EMI valued the outstanding 20% stake between $75.1 million and $83.6 million.

It acquired an initial 50% stake in Jobete in 1997 for $132.5 million.

In announcing the deal, EMI was quick to point out the continued relevance of the catalog.

On April 20, Universal will release “Motown #1s” (Motown/UVT)—a 26-track, single-CD collection of Motown hits “Stop! In the Name of Love” by the Temptations and “I’ll Be There” by the Four Tops, “Please Mr. Postman” by the Marvelettes and “Three Times a Lady” by the Commodores.

“We think the move was a bit harsh, but consistent with Moody’s bearish view on the music industry and overall caution on the recovery in the European media industry,” said a note published by JP Morgan credit research.

In a statement, EMI said it was pleased that Moody’s had reaffirmed its rating and shown support of its actions, notwithstanding the investment agency’s concerns about industry trends.

Key to the EMI plan is the move away from manufacturing.

EMI will transfer its European manufacturing facility in Eden, the Netherlands, to MediaMotion.

The company will also close its U.S. manufacturing facility in Jacksonville, Ill. Notice has already been given to the affected employees there.

Since May, EMI has entered into long-term agreements with MediaMotion and Cinram International Inc. for the supply of CDs and DVDs.

EMI retains three manufacturing facilities: one in Japan, through its joint-venture with Toshiba-EMI; one in Australia, a joint venture with Warner Music; and a small one in Canada. Moody’s Sachs added that EMI “will outsource its distribution business as well, but not in the near term.”

LABEL CUTS

EMI’s recorded music division is expected to lose another 1,500 employees, roughly 20% of the workforce.

EMI indicates that 900 of the jobs to be lost are related to the outsourcing of manufacturing.

Among those cut at Virgin in the United States are senior VP of promotion Steve Lees, VP of worldwide marketing Stacy Conde and publicity director Lisa Spamer.

At EMI Jazz & Classics, Andray Tay, VP of marketing, and Nell Mulldrey, director of market development, are expected to be exiting.

Sources say there have been no cuts at Capitol on the VP level or higher.

In addition to trimming its staff, EMI will reduce its global roster by about 10%. In a statement, the company said the roster cuts will primarily affect “niche and under-performing artists.”

In a number of smaller territories, EMI is consolidating its marketing into a single department for Capitol and Virgin records.

Niche labels will be merged into larger label groups “to increase the efficiency of [EMI’s] repertoire management,” according to the company’s statement.

To that end, new-age label Higher Octave is being combined with Narada, a San Francisco-based label, and Forshing is merging into a single label group.

In continental Europe, the changes are reported to be continuing.

EMI says it will focus more on developing artists, but will also invest in its most established artists.

“We have here great music to the public, and to make sure it is marketed and promoted in the classiest way possible,” said a note from EMI.

While Elektra and Atlantic have been folded into a super-label, Lavaz will continue as is, with its own dedicated small staff, Flom says. “Lavaz continues on a great incubator of young artists and talented executives.”

Even amid all the work of creating a merged company, “we have continued to break and develop new artists,” Flom says.

“EMI has the best group of developing artists in the industry right now.”

Ercige, who should know about such things, says, “I have never been so excited at the prospects of the company as I am now.”

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NEW YORK—As technology continues to reshape the commercial recording industry, Paul Gallo wants you to recognize and respect that industry’s historic importance to the music business.

With nearly three decades’ experience as a magazine publisher and executive, Gallo is uniquely qualified to speak for all levels of the audio recording industry, from the elite multi-room facilities of New York, Nashville and Los Angeles to the emerging digital audio workstation (DAW)-based studios.

The latter, proliferating widely as costs of DAW equipment plummet while capabilities soar, have taken a large measure of production from commercial studios.

Meanwhile, labels, facing diminishing returns as they adapt to digital distribution, have slashed rosters and recording budgets, putting additional pressure on recording studios.

As managing director of the Society of Professional Audio Recording Services (SPARS), New York-based Gallo is a tireless evangelist for the skilled professionals who capture the music industry’s singular asset. He is also founder of the Professional Audio Manufacturers Alliance (PAMA), a forum for senior executives of audio equipment companies.

“He truly has a vision and an insight that transcends studios, artists and manufacturers,” says Jeff Greenberg, CEO of the Village Recorder in Los Angeles and current SPARS president. “As an entrepreneur, his efforts to create a positive and attractive environment for the recording business have gone a long way to keep people going through a very rough time.”

Q: Given the expanding capabilities of the DAW, what is happening to the commercial studios?

A: Three years ago, everybody was fighting the idea of a digital workstation as a real professional tool. Now, it’s recognized. It is what people are using.

Only a few years ago, it was a [large-format] Solid State Logic console that differentiaeted your studio. Now, it’s quality of service and other things. You can’t sell your studio only as “an SSL studio” today and make money.

You have to sell your studio as something, and I think everybody’s trying to find out what works. What does sell a studio today? Why will an artist and producer agree to pay a fair rate for a day in a studio? What are they getting out of it? What’s the value proposition?

Q: Does the sizable reduction in recording budgets indicate a disconnect between studio and client?

A: The disconnect may be between A&R and the artist’s producer; I’m not sure it’s at the studio level. So much work is being done outside the traditional studio today. Without having studios where you can focus, it’s very difficult for A&R people to really trust the kind of work that’s being done.

But I think the disconnect is really in the young artist that, because they bought these [DAW] tools, doesn’t recognize the many different values of a real studio, be it acoustically treated rooms, equipment or experienced staff.

Some of the reason they disconnect is the budget. Budgets are smaller, and something has to go. The producer wants to hold his fee; the artist still needs to eat. So what goes? If a budget goes down from $125,000 to say, $75,000, something’s going to pay the price, and that generally is the element that goes into the production of the music. The studio musician goes, or even the studio. Engineering goes, and, more and more, mastering goes.

That, to me, seems asinine.

Q: What must the commercial studio owner do to articulate the value of his or her business to potential clients?

A: We all need to educate a new generation of recordists—artists and producers—on what it takes to produce a hit record.

That’s the common need from the National Academy of Recording Arts and Sciences, the record companies, and everyone else who is concerned about the quality of the music that’s going to be produced from here on. There’s a profound difference between a professional facility and a computer workstation claiming to be a recording studio.

[A] At the Billboard Music & Money Symposium I heard somebody say that Norah Jones could save our industry. Norah Jones was produced by a professional producer who used professional engineers. She is a great songwriter who went into professional studios, used professional tools and professional musicians, and had that album mixed and mastered professionally.

What she got out of it was an unbelievably great album. If I’m going to hear financial people say, “Norah Jones has changed our world,” maybe more albums produced with that kind of quality would help.

Another thing that came up was that record companies are better when they’re run “entrepreneurially,” not by corporate pencil-pushers. It will be very interesting to see whether, in the trimming back that labels are doing, they’ll be able to come back to us. If we’re 20 and 30 years ago developers of new music genres and new sounds, and the people who put out the very best records. Just good enough isn’t good enough. That phrase, “It’s good enough,” drives me nuts.

Q: As executive director of PAMA, what is your position on the inexpensive DAW equipment that is increasingly sold not through pro audio dealers but musical instrument retail chains?

A: For the PAMA organization, the definition of pro audio is people using tools for commercial purpose. If they are using a properly engineered product that fulfills a purpose in a professional, first-class recording, that product by its very nature becomes professional.

But the tools that Digidesign, Horg and Roland, for example, are making today are very sophisticated. I think it’s a wonderful thing that we’ve had a democratization of high-quality recording. Now you have young artists, producers and songwriters with a variety of products, at all price points, and the creative freedom to do almost anything they want to do.

Q: Apple’s GarageBand software is introducing DAW-based production to the masses. Is such easy-to-use, inexpensive technology doing a disservice by implying that the fundamentals of audio recording—auditory perception, signal flow and microphone placement, for example—aren’t important?

A: No, because the tools they’re providing will enable you to make music that’s good enough without knowing all those things.

Q: Didn’t you say “good enough” isn’t good enough?

A: Right! But for somebody who spent $99 on software and is sitting at their computer, “good enough” is all they should strive for. The question becomes, “Does artist require nothing more than buying a bunch of [software] plug-ins?" There’s nothing wrong with plug-ins, but plug-ins just make it good enough. Artistry makes it great.

We must educate people that “what you’re doing with GarageBand is a great idea, but let’s step you up. Go to a real studio for $500, use that Steinway grand piano for two hours instead of a plug-in.”

Q: But increasingly, successful artists are recording themselves with inexpensive, portable DAW gear on a plane, in a hotel and, especially, at home. They’re using the same equipment that young, aspiring musicians are buying at Guitar Center and Sam Ash.

A: That is great. We have new tools that allow a musician, an artist, a songwriter, to create wonderful music. Yes, it can be done on an iBook [an inexpensive Pro Tools interface manufactured by Digidesign], and it should be. But at some point, if it’s going to be all it can be, it’s going to find itself in some kind of high-end private or commercial recording environment.

Q: Are the commercial studio and the private studio morphing into a hybrid, or will they co-exist?

A: Recording is moving toward the lifestyle of the producer, the engineer and the artist. The newer artist’s lifestyle is, “I’d like my DAW on a plane.” When they get to some level of success, they’re going to realize that lifestyle means “a private environment where my studio is, where I can have a bottle of wine when I’m finished recording.” That will create a new generation of private recording facilities more numerous than we ever dreamed before.
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