Making His Marc

Latin Star Anthony Offers Fans His First Spanish Pop Album

BY LEILA COBO

It is a time of change for Marc Anthony.

Last year he changed management by signing with Tommy Mottola after a longstanding association with Bigram Zayas, Anthony's brother.

Last month he changed his tour dates. Originally slated to kick off in June, the outing has been rescheduled for November.

Last week, he reportedly married Jennifer Lopez.

But perhaps most important to his fans is his change in musical style.

After years of alternating between salsa albums and pop albums in English, on June 8 Anthony released "Amar Sin Mentiras," his first pop album in Spanish.

Sony Discos released and is promoting the album, although Columbia—Anthony's label for his English material—will assist in mainstream marketing.

(Continued on page 64)

Female DVD Buyers Take Over The Remote

BY JILL KIPNIS

LOS ANGELES—The 7-year-old DVD format has reached another milestone.

DVD marketing campaigns no longer focus on the technology-savvy males who fueled the format's rapid ascent in its infancy. During the past year females have emerged as a significant sales driver—and as marketing targets.

"Women are now involved in about 50% of [DVD] purchases," says Sean Wargo, analyst for Arlington.

(Continued on page 64)
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## Billboard No. 1 on the Charts

**Artist** | **Album** | **Page**
--- | --- | ---
*Usher* | *Confessions* | 84
*Alison Krauss + Union Station* | *Live* | 85
*Aerosmith* | *Honkin' On Bobo* | 58
*Switchfoot* | *The Beautiful Letdown* | 58
*Gretchen Wilson* | *Here For The Party* | 29
*The Streets* | *A Brand Don't Come For Free* | 31
*Bishop Eddie Jr.* | *Spirit & Truth* | 32
*Shinedown* | *Leave A Whisper* | 57
*Ying Yang Twins* | *Me & My Brother* | 57
*Incubus* | *Live In Japan 2004* | 57
*Bob Marley & The Wailers* | *Legend* | 57
*Lupillo Rivera* | *Con Mis Propias Manos* | 26
*Usher* | *Confessions* | 26
*Sean Paul* | *Dutty Rock* | 58
*Gipsy Kings* | *World Music* | 16

## Top Albums

<table>
<thead>
<tr>
<th>Artist</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Maroon 5</em></td>
<td><em>This Love</em></td>
<td>62</td>
</tr>
<tr>
<td><em>FIVE FOR FIGHTING</em></td>
<td><em>100 Years</em></td>
<td>60</td>
</tr>
<tr>
<td><em>Gretchen Wilson</em></td>
<td><em>Redneck Woman</em></td>
<td>34</td>
</tr>
<tr>
<td><em>Cherie</em></td>
<td><em>I'm Ready</em></td>
<td>31</td>
</tr>
<tr>
<td><em>George Michael</em></td>
<td><em>Amazing</em></td>
<td>31</td>
</tr>
<tr>
<td><em>Hoobastank</em></td>
<td><em>The Reason</em></td>
<td>28</td>
</tr>
<tr>
<td><em>Marc Anthony</em></td>
<td><em>Todos De Un Solo Corazon</em></td>
<td>26</td>
</tr>
<tr>
<td><em>Beastie Boys</em></td>
<td><em>Ch-Check It Out</em></td>
<td>24</td>
</tr>
<tr>
<td><em>Usher</em></td>
<td><em>Confessions</em></td>
<td>26</td>
</tr>
<tr>
<td><em>Twista</em></td>
<td><em>Overtight Celebrity</em></td>
<td>23</td>
</tr>
<tr>
<td><em>Chicago</em></td>
<td><em>Thank You</em></td>
<td>16</td>
</tr>
</tbody>
</table>

## Top Singles

<table>
<thead>
<tr>
<th>Artist</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Yo-Yo Ma</em></td>
<td><em>Vivaldi's Cello</em></td>
<td>47</td>
</tr>
<tr>
<td><em>Josh Groban</em></td>
<td><em>Closer</em></td>
<td>43</td>
</tr>
<tr>
<td><em>Diana Krall</em></td>
<td><em>The Girl In The Other Room</em></td>
<td>40</td>
</tr>
<tr>
<td><em>Norah Jones</em></td>
<td><em>Come Away With Me</em></td>
<td>37</td>
</tr>
<tr>
<td><em>Various Artists</em></td>
<td><em>That's So Raven</em></td>
<td>33</td>
</tr>
<tr>
<td><em>Jim Brickman</em></td>
<td><em>Greatest Hits</em></td>
<td>32</td>
</tr>
</tbody>
</table>

## Unpublished

<table>
<thead>
<tr>
<th>Artist</th>
<th>Album</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Avril Lavigne</em></td>
<td><em>When You're Gone</em></td>
<td>44</td>
</tr>
<tr>
<td><em>Bersuit Vergarabat</em></td>
<td><em>La Vida En El Barrio</em></td>
<td>40</td>
</tr>
<tr>
<td><em>Big &amp; Rich</em></td>
<td><em>Honeymoon Disney</em></td>
<td>40</td>
</tr>
<tr>
<td><em>Crea</em></td>
<td><em>365</em></td>
<td>40</td>
</tr>
<tr>
<td><em>Creed</em></td>
<td><em>My Own Prison</em></td>
<td>40</td>
</tr>
<tr>
<td><em>Crowded House</em></td>
<td><em>Live at Home</em></td>
<td>40</td>
</tr>
<tr>
<td><em>Dean Martin</em></td>
<td><em>Sweeter Than Sugar</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Fonzworth Bentley</em></td>
<td><em>This Is My Night</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Hoobastank</em></td>
<td><em>Some Things Never Change</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Isaac Hayes</em></td>
<td><em>Jungle Fever</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Johnny Cash</em></td>
<td><em>Guess Where I'm Going</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Kristin Mooney</em></td>
<td><em>I'm Your Woman</em></td>
<td>22</td>
</tr>
<tr>
<td><em>KRS-One</em></td>
<td><em>360 Degrees</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Kypress</em></td>
<td><em>Legacy</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Lloyd Banks</em></td>
<td><em>The Big L</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Neil Young</em></td>
<td><em>Cortez The Killer</em></td>
<td>22</td>
</tr>
<tr>
<td>*P.D.O. *</td>
<td><em>Retribution</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Split Enz</em></td>
<td><em>Here And Now</em></td>
<td>22</td>
</tr>
<tr>
<td><em>The Matrix</em></td>
<td><em>The Top 200 Hits Of The Year</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Tye Tribbett</em></td>
<td><em>The Best Of Tye Tribbett</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Waylon Payne</em></td>
<td><em>No. 1 On the Charts</em></td>
<td>22</td>
</tr>
</tbody>
</table>

## ARTIST & COMPANY INDEX

### Significant Mentions in the News

<table>
<thead>
<tr>
<th>Artist</th>
<th>Company</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Avril Lavigne</em></td>
<td><em>Allied Domecq PLC</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Bersuit Vergarabat</em></td>
<td><em>Clear Channel Communications Inc.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Big &amp; Rich</em></td>
<td><em>Electronic Arts Inc.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Crea</em></td>
<td><em>Handleman Co.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Creed</em></td>
<td><em>Nobody in Particular Presents Inc.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Crowded House</em></td>
<td><em>RCA Music Group</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Dean Martin</em></td>
<td><em>Rebel Waltz Management</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Fonzworth Bentley</em></td>
<td><em>Rhino Records</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Hoobastank</em></td>
<td><em>Sin City Records</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Isaac Hayes</em></td>
<td><em>Source Enterprises</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Johnny Cash</em></td>
<td><em>St. Clair Entertainment Group Inc.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Kristin Mooney</em></td>
<td><em>The Agency Group Ltd.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>KRS-One</em></td>
<td><em>The CBS Television Network</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Kypress</em></td>
<td><em>The Donna Karan Co. LLC</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Lloyd Banks</em></td>
<td><em>Tommy Hilfiger Inc.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Neil Young</em></td>
<td><em>Univation Music Group</em></td>
<td>22</td>
</tr>
<tr>
<td><em>P.D.O.</em></td>
<td><em>Verizon Wireless</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Split Enz</em></td>
<td><em>World Music Network</em></td>
<td>22</td>
</tr>
<tr>
<td><em>The Matrix</em></td>
<td><em>Xingtone Inc.</em></td>
<td>22</td>
</tr>
<tr>
<td><em>Tye Tribbett</em></td>
<td><em>Zelos Group Inc.</em></td>
<td>22</td>
</tr>
</tbody>
</table>

## Top Artists

<table>
<thead>
<tr>
<th>Artist</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Isaac Hayes</em></td>
<td><em>Left And KRS-One Honored With R&amp;B Founders Award: Pages 23, 25</em></td>
<td>25</td>
</tr>
</tbody>
</table>

## Music

### Top of the News

5. Nobody in Particular Presents has settled its suit against Clear Channel, but three other concert-related cases are pending against the industry giant.

6. Studios argue over next-generation high-definition DVD standards at the DVD Lucky 7 confab.


12. Classical Score: Morocco's 18 Fest Festival of World Sacred Music presents artists within that genre from around the globe.

13. In The Spirit: Tye Tribbett makes "mud" music on his Columbia debut, "Life."


21. Touring: Agents, managers and artists are questioning facility fees for club bookings.

### Global

45. Canadian MC Kyprios bows on Sony Music Canada with the album "Say Something ...

47. Global Pulse: Neil and Tim Finn reunite after eight years for a Netwerk album, "Everyone Is Here."

### Programming


### Features

22. Boxscore: America's Top 40

35. Billboard Picks

42. The Billboard BackBeat

42. Executive Turntable

46. Hits of the World

49. Classifieds

53. Charts

53. Chart Beat

53. Market Watch

66. The Last Word

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**QUOTE OF THE WEEK**

"The American culture cares that when you have to face a traffic jam, does the music get you to work well?"

JENNIFER WARNES

Page 44
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Don't miss R&B and hip-hop's most important event of the year!
385,000 Rock Lisbon
At Six-Day Festival

LISBON, Portugal—Brazil’s biggest music festival, Rock in Rio, has shown it can be exported successfully.

Rock in Rio Lisbon drew more than 385,000 participants across two weekends. However, that figure is lower than initial expectations from organizers, who predicted half a million ticket buyers.

The six-day musical event is the brainchild of Brazilian concert promoter Roberto Medina. It was previously presented in 1985, 1991 and 2001 in Rio de Janeiro, Brazil.

Medina says the festival’ "attained one of the highest attendance figures for a rock festival in the world—it has exceeded Woodstock's."

Medina, who heads the event as a success, announced that Rock in Rio will return to Lisbon in 2006.

Lisbon mayor Pedro Santana Lopes and Medina signed a contract June 7 for the event, which could become fixture for Portugal.

The organizers also hope to bring it to Sydney, perhaps while (Continued on page 63)

Promoters Prep For More CC Court Cases
Fallout From NIPP/Clear Channel Suit Unclear

BY RAY WADDELL

The jury is out on how the settlement of Nobody in Particular Presents' lawsuit against Clear Channel Communications will affect the industry.

NIPP settled with Clear Channel in a closed agreement, leaving little guidance to the independent concert promoters in three other pending proceedings with the concert promoter giant.

Those slated to meet Clear Channel in court include Metropolitan Talent president John Scher; JamSports, an affiliate of Chicago-based independent promoter Jam Productions, and San Francisco-based indie Gregg Pe’llof, president of Another Planet Entertainment.

NIPP recently settled its monopoly suit, filed in Denver in August 2001, against Clear Channel and several of its subsidiaries (Billboard, June 12).

The terms of the agreement are confidential.

NIPP alleged that Clear Channel’s radio and promoter businesses in Denver constituted a "monopolistic, multimedia empire" that was "severely harming NIPP’s ability to compete."

Judge Edward Nottingham ruled April 2 that sufficient evidence existed to proceed to trial Aug. 8.

Now there will not be a trial, which disappoints some observers. "I would have preferred to see this issue resolved and decided once and for all, whether [Clear Channel is] doing anything illegal or not," says Seth Hurwitz, president of Washington, D.C.-based promoter IMP.

"My guess is, [Clear Channel] paid a great deal of money to make sure the facts of this case did not go public," Perloff says. "It’s time for the industry as a whole to get more sophisticated about the issues surrounding radio, radio airplay, radio concerts and how they affect concert industry sales as a whole."

Hurwitz adds, "There’s no way [the settlement] could be interpreted as anything but bad news for an industry wishing to bring these issues to light. But I certainly don’t blame the guys at NIPP for wanting to get out from under this. That would have been a mighty tall order to ask them to fight our battle for us."

Jerry Mickelson, co-president of Jam Productions, agrees. "If this helps [NIPP] stay in business, I’m all for it," he says. "We’re next."

In the case of JamSports’ breach of contract/antitrust suit against Clear Channel Entertainment’s motor sports division and the American Motorcycle Ass’n, the focus is promotional rights for supercross events.

JamSports (which counts Tom Petty manager Tony Dimitriades among its principals) filed the suit in April 2002 in the Northern District Court of Illinois. A court date is set for Nov. 15.

At issue is a long-term contract to produce supercross events. The contract had been (Continued on page 63)

Hi-Def Radio Static
RIAA: Digital Radio Would Fuel File-Sharing

BY BILL HOLLAND

WASHINGTON, D.C.—The Recording Industry Ass’n of America has been working behind the scenes here for several months to obtain copyright protection measures for sound recordings transmitted on high-definition digital radio service.

RIAA chairman/CEO Mitch Bainwol says he is in favor of the service. But the trade group has major concerns that second-generation receiver-recorders now being planned by consumer electronics manufacturers could allow consumers to "cherry-pick" and copy individual tracks, which could end up being traded on file-sharing services.

"You'll have a situation where radio isn't radio anymore, but a method for acquisition and redistribution [of tracks] without payment," Bainwol says.

Such use, he says, would be devastating to an already hard-hit industry. "You'll have a situation that undermines the future investment in music and funding of new art," he says.

Current digital radio receivers do not yet employ technology to copy individual tracks, but only blocks of programming.

The Federal Communications Commission authorized interim regulations for digital radio in 2002. Its current inquiry will define and (Continued on page 63)
Artist Royalty Bill Revised Again
Final Vote June 15 For California State Sen. Murray's Legislation

BY SCOTT BANERJEE

SACRAMENTO—California State Sen. Kevin Murray's crusade to help recording artists collect unpaid royalties is approaching the finish line.

His legislation, dubbed the Recording Industry Accounting Practices Act, must undergo another round of amendments—for the fourth time in less than two years—before its final vote.

The Democratic senator introduced the proposal in February 2003. The most recent form of the bill (SB 1506) was offered June 8 during a public hearing here at the California Assembly Committee on Arts, Entertainment, Sports, Tourism and Internet Media. That committee will cast the final vote June 15.

The proposal seeks to create a statutory right to audit royalty statements recording companies issue to recording artists. It would also institute penalties for underpayment by those labels.

At the hearing, the American Federation of Television and Radio Artists, California Teamsters Public Affairs Council, Los Angeles County Federation of Labor, former industry executive Walter Yetnikoff and recording artists Jennifer Warnes, Joi Marshall and Kim Weston provided supporting testimony.

The Recording Industry Assn. of America spoke in opposition.

The bill has evolved significantly over time as record labels have proactively modified their royalty accounting practices. The bill originally sought to create a fiduciary duty for labels to accurately report and pay royalties.

During the hearing, Yetnikoff said the labels are "conceding they are underreporting $150,000 for every million dollars in royalties, and they don't argue about it."

Yetnikoff also quoted entertainment lawyer Don Engel: "The intentional underpayment of royalties to all recording artists is a pervasive, consistent policy and practice."

Murray noted how the cost of an audit, usually around $30,000, forms an economic barrier for artists seeking unpaid royalties. The most recently proposed bill would allow individuals to join with other artists to conduct an audit on a contingency-fee basis.

During the hearing, the RIAA particularly opposed the notion of having to pay legal fees, audit fees and treble damages.

"If you have the kind of penalties that are in this bill with an after-the-fact determination by a jury as to what the interpretation of a contract should be, it's going to chill the record companies from exploring the new models that the record industry needs to survive," RIAA general counsel Steven Marks says.

Amendments must be made by June 11.

Another bill from Murray, SB 1506, extends the current law that protects the distribution of CDs and DVDs to include digital content; it is another tool to fight Internet piracy. The bill received unanimous support from the assembly and will be heard by the Public Safety Committee in the coming weeks.

"I think that bill will be fine," Murray says, "and we'll clearly move forward on some piracy protection."

---

Clear Channel Antes Up

BY BILL HOLLAND

WASHINGTON, D.C.—Broadcast industry analysts say the record-settling indecency settlement that Clear Channel Communications reached with the Federal Communications Commission amounts to small change.

The San Antonio-based broadcaster agreed June 8 to pay $1.75 million to the FCC to settle outstanding indecency claims.

"The fines in San Antonio must be going, 'Wow, glad that's behind us.' I think there's a collective sigh of relief," Wochit's Securities director Bishop Chazen says.

"Relative to Clear Channel's size and the $1.75 million fine amounts being talked about in Congress, it could have been worse," he says.

"It seems to me (that) to pay $1.75 million to put all these past potential indecency violations behind them—for a company that is making $2.5 billion a year—certainly doesn't have an impact on earnings from the financial analyst point of view," JBC Capital Markets equity research director David Bank says.

"It's a positive in getting rid of the noise that investors have had to live with, seeing story after story on indecency in The Wall Street Journal and in Billboard."

The settlement, the largest ever negotiated by the FCC and a broadcast company, includes fines levied earlier this year. It also erased pending complaints.

On Jan. 27, the FCC fined Clear Channel $755,000 for indecent programming that aired in 2001 on Bubba the Love Sponge's syndicated show. The material was broadcast (Continued on page 63)
Icon Ray Charles Dies

BY CHRIS MORRIS

Ray Charles, who is being remembered as one of the creators of soul music and as a legendary singer, died June 10 of complications from liver disease. Charles was 73.

"The world is a quieter place today as we mourn the passing of 12-time Grammy winner Ray Charles," National Academy of Recording Arts and Sciences president Neil Portnow said in a statement. "With a mix of blues, gospel, jazz and soul, Mr. Charles was the pre-eminent American musician—with a heart as grand as his talents."

Charles was born Ray Charles Robinson Sept. 23, 1930, in Albany, Ga. He later dropped the family name to avoid confusion with middleweight boxing champ Sugar Ray Robinson.

Charles, who grew up poor in Greenville, Fla., was stricken with glaucoma at the age of 6 and lost his sight at 7. He was educated at the Florida School for the Deaf and Blind in St. Augustine, Fla., where he learned to read music in Braille and studied clarinet, alto sax, trumpet and piano.

With the death of his mother in 1945, Charles struck out on his own. As a neophyte pro musician, he played with big bands and jump bands, then in the '50s formed his own group called the Florida Playboys—work prefiguring his eclectic career.

He honed his skills with journeyman work in the late '40s in Seattle, where he led a trio variously known as the McSon Trio and the Naxin Trio. He also began using heroin; his drug addiction would dog him until the mid-'60s.

In 1949, Charles made his recording debut on Jack Lauderdale's Los Angeles independent Down Beat/Swing Time Records. His sides for the label, produced by pianist Lloyd Glenn, showed a teenage performer in the thrill of the reigning singer/pianists Nat "King" Cole and Charles Brown.

While Charles' work for Lauderdale yielded several Billboard R&B chart hits, he didn't hit his stride until New York's Atlantic Records purchased his contract in 1952.

Initially, Atlantic owners Ahmet Ertegun and Jerry Wexler gropped for a suitable setting for his new signing. In 1954—the year he arranged and played on Guitar Slim's huge Specialty hit "The Things I Used To Do"—

(Continued on page 9)
Hitting File Sharers Below The Belt

In response to Matt Stover’s letter in the June 12 issue (“A Youth Perspective on Downloading”): I happen to be a 30-plus-year-old, and as a working musician in New York, I felt that capturing those rare moments of real musicality on a recording medium would be as challenging as it was expensive three decades ago. Through 40 years as a studio owner, I watched the introduction of each new “hot” technology and saw those magic moments become increasingly rare. At one time, “transistor” was the magic word. If it didn’t say “solid state” on the equipment, no one was interested. I listened. I researched. And I avoided transistors. However, many studios forgot their purpose: producing good sound and musical quality for recording.

The next major change was the introduction of multitrack recording. Musicians donned headphones and dispersed into separate rooms. Besides being completely foreign to the way we learn to perform music, multitracking meant that if we made a mistake, we could go back and fix it. And we knew that. The tension of performance—which is essential to playing music—was destroyed. With mixing time added to “fix it” up time, studio billing spiraled higher. Then A&R people became incompetent or lazy. They gave a bunch of money to producers and relinquished all artistic and financial responsibility: “Bring me an album. Whatever you save on the production costs are your profit.”

Guess what happened. Back on the technology side, synthesizers appeared and further denigrated the music.

I opened one of the first commercial electronic drum kits, “hit-and-run” product, as doing commercials, film scores and albums. When John Barry, the composer for “Midnight Cowboy,” showed up at my studio, he asked for example of original sound. I decided to play the合成 synthesizer. After a few minutes, he asked for the house phone. He called downstairs to Fine Recording Studio A. “You can send the musicians home,” he said. I knew it was the beginning of the end. The digital level was greater. We pressed the last life out of the music, and the sound was awful.

Still, it was cheaper and more convenient. You could spend days doing corrections—and you often did because the remaining musicians were so careless, sloppy or unskilled. Digital devices fixed tracks that should have been recorded correctly on the second take. Studio billing went through the roof.

Naturally, people said, “I can buy the same computers and gadgets and do this in my living room.” Never mind the creative environment that a professional recording provides.

(Continued on page 9)
Music Publisher Bill Lowery Dies

BY JIM BESMAN

Legendary independent music publisher Bill Lowery died June 8 of cancer in Atlanta. He was 79. The former owner of Atlanta-based Lowery Music and the first inductee in the Atlanta Music Hall of Fame was the publisher of more than 5,000 varied titles, including the 1956 rock’n’roll classic “Be-Bop-A-Lula,” the disco-era smash “I Love the Nightlife” and Joe South’s 1969 Grammy Award-winning “Games People Play.”

Other heavily played hits emanating from Lowery’s house were “Young Love,” “I Don’t Love You Any More,” “Rainy”, “Spooky,” “Stormy,” “So Into You,” “Key Largo,” “Imaginary Lover,” “Down in the Boondocks,” “Walk On By” and “Common Man.”

In addition to South, Lowery writer/clients included Ray Stevens, Mac Davis, Freddy Weller, J.R. Cobb, Tommy Roe, Robert Nix, Sammy Johns, Rayzy Baley, Alicia Bridges and Bertie Higgins. Among the acts that have covered Lowery-published compositions are the Bee Gees, Deep Purple, Ray Charles, the Classics IV and Lynn Anderson.

Lowery was the youngest radio station manager in America when he launched his publicity in 1952. He also operated the Southern Tracks recording studio and record company in Atlanta.


“The music industry has lost a legend,” says Donna Hilley, president/CEO of Sony/ATV Music Publishing Nashville. “Bill Lowery will never be forgotten. He was one of a kind. I never met anyone who knew Bill who did not love him. He made a wonderful contribution through his love of songwriters, music and people in all walks of life.”

Sony/ATV president Richard Rowe says: “Bill Lowery was a true original, a great man and music publisher who song by song built a remarkable and timeless catalog of hits. We were privileged to know and work with Bill and proud that he trusted us to safeguard his legacy.”

“He was a remarkable music man,” Sony/ATV chairman David Hockman adds, “and one of the truly great characters of the business who will be sorely missed.”

Lowery is survived by his wife, Billie Lowery; a son, William “Butch” Lowery III; two daughters, Terri Drake and Cheryl Goodridge; eight grandchildren; and eight great-grandchildren.

Xingtone Gains New Financing

BY SCOTT BANERJEE

Xingtone, a controversial player in the rapidly emerging ringtone industry, got a shot in the arm June 8. The Los Angeles-based company has secured its first round of institutional financing from Siemens Mobile Acceleration, a Munich-based subsidiary of the Siemens Information and Communication Mobile Group of Siemens AG.

Xingtone allows users to create custom ringtones from their MP3 and CD libraries and upload them to their wireless phones. Critics say Xingtone bypasses paying artists for their music. The company claims its service enables consumers to make “fair use” of music they already own.

The software is compatible with all open networks, including Sprint PCS, Cingular, AT&T Wireless and T-Mobile. Xingtone chairman/president Brad Zouta says the funding will be used for “software development, planning, hiring more people and building a storefront for content owners.”

Mark Frieser, CEO of Consect, a New York-based mobile market consultant, says the deal allows Xingtone to become “a viable company in the mobile music market.”

Frieser also says the deal could help provide more direct distribution channels between content owners and their customers. To date, Walt Disney and Artemis Records have worked directly with Xingtone.

“This could shake up the industry,” Frieser says.

Meanwhile, Sven Weber, VP of Siemens Mobile, and Ovid Santoro have joined Xingtone’s board of directors. Santoro has been an investment banker and venture capitalist for almost 20 years.

Xingtone’s PC client supports some 50 handsets and nearly a dozen carriers in the United States and Canada.

Charles

Continued from page 7

Charles reached the R&B top five with “It Should Have Been Me,” a comic stop-time number. However, Charles found the touchstone of his style the following year. While on the road in Indiana, he heard a gospel song on the car radio. He asked trumpeter Renald Richard to help him convert it into a secular number.

The resultant tune, “I’ve Got a Woman,” reached No. 2 on the R&B chart, where it spent 20 weeks. Combining the testifying intensity of gospel and the worldly eroticism of secular music, it became the template for a new form of R&B that would be known as soul music.

“He introduced the world to secular soul singing,” Arthela Franklin told Billboard. “He was a fabulous man, full of humor and wit, and a giant of an artist.”

“Brother Ray,” as his preaching diary led him to be known, followed that landmark with a run of top five Atlantic R&B hits—“A Fool for You,” “This Little Girl of Mine,” “Drown in My Own Tears,” “Hallelujah I Love Her So,” “(Night Time Is) The Right Time”—that solidified his rep as the high priest of soul.

He reached his apotheosis with the electrifying 1959 call-and-response hit “The Two Part-Timer.” The two-part song stayed on the R&B chart for 17 weeks and hit No. 1 and was a No. 6 pop smash.


In 1960—ironically, right after cutting a version of Hank Snow’s country hit “I’m Movin’ On”—Charles deserted Atlantic for ABC-PARAMOUNT Records.

He immediately made his mark for the label with a diverse raft of singles: the ballad “Georgia on My Mind” (which collected two Grammys); the jazz organ arrangement of “One Mint Julep” (for ABC’s jazz subsidiary, Impulse); “Baby It’s Cold Outside,” a duet with jazz vocalist Betty Carter; and, most notably, “I Can’t Stop Loving You.”

That last number—a cover of Don Gibson’s No. 7 country hit from 1958—inaugurated a long string of best-selling country-soul fusions by Charles.

The song, a huge No. 1 pop and R&B hit, was drawn from “Modern Sounds in Country & Western Music,” which spent 14 weeks at No. 1 on the Billboard pop album chart.

“Here’s a black guy who took country & Western and made a whole new genre of music,” industry veteran Clarence Avant says.

By 1964, Charles seemed on top of the world.

He had his own ABC imprint, Tangerine Records (which would release albums by Charles and his productions of vocalists/duets Percy Sledge and Jimmy Scott). He controlled his publishing and his masters.

And he opened his own L.A. studio, designed in part by Atlantic engineer Tom Dowd.

But his personal life was coming apart. On Oct. 31, 1964, he was hustled in the Boston airport after customs officers found marijuana, heroin and a syringe in his overcoat.

Charles took a year off from touring and checked into an L.A. hospital and kicked his junk habit.

Sentenced to probation, Charles celebrated with the late-1965 release of “Crying Time,” his No. 6 pop cover of Buck Owens’ country hit.

Within years, his influence would be heard in the work of white vocalists—Steve Winwood, Van Morrison, Joe Cocker—who claimed him as their stylistic avatar.

Charles moved into the 70s with a stirring guest shot on Aretha Franklin’s album “Live at the Fillmore” and a hall-of-fame funk rendition of “America the Beautiful” on his 1972 collection “A Message From the People.”

In 1976, he collaborated with English vocalist Cleo Laine on an interpretation of Gershwin’s “Porgy & Bess.” The following year, he returned to Atlantic. His second stint with the label lasted until 1980.

That year, Charles’ lagging career received a boost when he was signed by Rick Blackburn, head of CBS Records’ Nashville division, and returned to country music.

His association with Columbia Records yielded hit duets with George Jones, Hank Williams Jr. and Mickey Gilley (No. 1 country hit, album, 1984’s “Friendship,” and single, the Willie Nelson duet “Seven Spanish Angels.”


Charles’ most recent album was 2002’s “Thanks for Bringing Love Around Again,” on his own Crossover imprint.

Concord Records has scheduled an album of duets with such talents as Willie Nelson, Norah Jones, Elton John, Bonnie Raitt and James Taylor for release Aug. 31.

John Burk, executive VP of Concord Records, produced the forthcoming “Genius Loves Company.”

Burk tells Billboard, “I used to think the most striking things about him were his ability to cross the lines between genres and his far-reaching influence on singers. But I believe the most striking thing was his unique ability to capture emotion in a song.”

Taking Issue

Continued from page 8

studio provides. (Or did we stop providing it?)

With this combination of factors, the sonic quality of CDs—poor to begin with—became even worse. After 20 years of bad sound, two things happened: 1) The public stopped buying CDs, and 2) Those who still wanted to listen were quite happy with the more miserable quality of MP3 files. Aside from these woes, we brought this dilemma on ourselves. We lost our mission to try to capture the music. We went along with the styles and trends dictated by equipment manufacturers, record labels and sometimes our own customers.

Instead of using our musical judgment, we, too, began to believe the advertisements that said you didn’t have to go to a professional recording studio to get professional results.

We even bought that equipment ourselves. We cut our own thumbs.

I have made it a policy at Sear Sound never to purchase anything intended for a home or “project” studio. If it has RCA jacks on it, I don’t buy it. You cannot compete with “free.”

No one has succeeded in creating a great painting on a computer, and I think that holds true for music as well.

In a world of virtu al recording, virtual music, virtual sex and virtual government, perhaps we should look back to a time when hit songs became classics, government was accountable and the public bought recorded music because it was real.

Walter E. Sear is the owner of Sear Sound in New York.
“The closest thing to a crystal ball that the music industry has ever seen...”

Just a few recent examples of songs that we identified as hits before airplay:

- Usher Yeah (RMG) #1 Rhythmic Top 40, R&B
- Britney Spears Toxic (Zomba) #1 Top 40
- Gretchen Wilson Redneck Woman (EPIC) #1 Country
- D12 My Band (Interscope) #1 Rhythmic Top 40
- Jessica Simpson With You (Columbia) #1 Top 40
- Blink 182 I Miss You (Geffen) #1 Modern Rock/Alt
- Hoobastank The Reason (IDJMG) #1 Top 40
- Maroon 5 This Love (RMG) #1 Top 40, Adult Top 40
- OutKast The Way You Move (RMG) #1 Top 40
- Sheryl Crow First Cut Is The Deepest (Interscope) #1 Mainstream AC
- Evanescence My Immortal (Wind-Up) #1 Adult Top 40
- Linkin Park Lying From You (WB) #1 Modern Rock/Alt
- Twista Overnight Celebrity (Atlantic) #1 R&B
- Beyoncé Naughty Girl (Columbia) #1 Rhythmic Top 40

ACCURATE - nearly 100% accurate with our predictions
CREDIBLE - well respected and experienced team, obsessive attention to detail
RELIABLE - the most trusted and widely used predictive song testing company in America

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Matrix Steps Out With Own Album

Lauren Christy, Graham Edwards and Scott Spock—better-known as the Matrix—have just finished their own album for Columbia Records.

The self-titled project arrives Sept. 14. It features two lead singers, Katie Perry and ADD.

“We hired two singers; we didn’t want to be in the spotlight,” Christy says. “We just wanted to do a Fleetwood Mac-type project. [Perry and ADD] are great writers and we all get to make these records together and they can have their solo careers, and we’ll come back in a year’s time and continue to make records for them.”

The album served as a “creative outlet” for the guns for hire, Christy says. “Normally, we’re working through the eyes of a 14-year-old girl or Liz Phair or if we keep mentioning her … But then again, she’ll probably just think we’re weirdos and are stalking her.”

Christy and Spock were recently honored as BMI songwriters of the year. Edwards won the same honor from ASCAP.

NO TRYOUT: Don’t look for Evanesce to try out new songs while on tour this summer.

Singer Amy Lee says her babies aren’t ready for public consumption. “The songs aren’t ready yet,” she says. “They’re all little skeletons of songs and structures. I don’t want to blow the secret before they’ve had time to grow.”

The writing for the follow-up to “Fallen” (Wind-up Records)—which has sold more than 11 million copies worldwide, according to the label—is going well, Lee says. “I’ve had the chance to really write [this year],” she says. “I bought a house; I’d been homeless forever. I’ve been playing my piano in the middle of the night, whenever, lighting candles and writing. It’s so gratifying. I just feel complete again.”

As for returning to the road last month, Lee says she couldn’t wait. “We were all dying to get back on the road. Once you do it, you have to keep doing it.”

The European leg of the tour ended June 11. The North American leg runs July 7-Aug. 15 (Billboard, May 1).

HE REALLY JUST WANTS TO DIRECT: Ask Goo Goo Dolls’ Johnny Rzeznik if producing E.V.L.A. Records Entertainment/Atlantic artist Ryan Cabrera gave him the producing bug, and he quickly responds, “I’m really only concerned with my own band and getting my own record out at this point.”

While he says he learned a lot by producing Cabrera, Rzeznik says his attention is now turned toward (Continued on page 14)
Early, Sacred Music Dovetail At Fes Festival

Morocco’s Fes Festival of World Sacred Music is a beloved event for many in the world-music community. This year’s fest (May 29-June 5) was no exception, playing host to such acts as South African legend Miriam Makeba, Senegalese superstar Youssou N’Dour and the Whirling Dervishes of Turkey.

Since the festival’s founding 10 years ago, however, the early-music community has also found a home in Fes. In past years, audiences have heard such acts as England’s Hilliard Ensemble and Catalonian viola da gamba virtuoso Jordi Savall along with his group, Hespèrion XXI. Participants in this year’s event included Lebanese liturgical music specialist Sister Marie Keyrouz, Barcelona-born vocalist Monserrat Figueras, French group Le Concert Spirituel (conducted by Hervé Niquet) and the United Kingdom’s Tallis Scholars.

The festival takes place in the city of Fes (better known in the West as Fez), an ancient imperial capital that for centuries has been a crossroads for Judaism, Christianity and Islam.

Building on this heritage, the festival presents sacred music from across the globe to create a cross-cultural dialogue. Early music, which so often traverses many different cultures, is a natural bridge, such as in the Arab-Andalusian music often performed at Fes. Even so, it might be a surprise to see the Tallis Scholars’ concert of Tudor music, featuring works by Byrd, Tallis and Parsons, on the Fes lineup.

“Performing in Fes, and at an event like this, is something completely new to us,” says Peter Phillips, founder and director of the Tallis Scholars. He notes that the June 3 concert was the group’s first appearance in the Muslim world in the group’s 31-year history. But Phillips maintains that their appearance makes sense, given the festival’s larger emotional and spiritual context. “The emotional content between what we do and the other concerts here is quite similar,” he says. “We’re all worshipping God through music.”

THE END OF AN ERA: One of the great singers of the post-World War II era, Bulgarian-born bass Nicolai Ghiaurov, 74, died June 2 of a heart attack in Modena, Italy. He is survived by his wife and frequent performing partner, soprano Mirella Freni, and two children.

Ghiaurov leaves behind an important operatic legacy; his best-known roles included Philip II in Verdi’s “Don Carlo,” the title role in Mussorgsky’s “Boris Godunov” and Mephistopheles in Gounod’s “Faust.”

In a statement, superstar tenor Plácido Domingo said, “With the passing of Nicolai Ghiaurov, the world of music has lost a giant.”

NEW & NOTEWORTHY: Paul Tobias’ “The American Cello” collection, featuring concertos by Samuel Barber, Chen Yi and Behzad Ranjbaran (on the Albany label); Mozart’s “Le Nozze di Figaro,” featuring Simon Keenlyside, Véronique Gens, Patricia Ciofi, Lorenzo Regazzo and Angelika Kirchschlager, conducted by René Jacobs (Harmonia Mundi); Joseph Calleja’s debut album, “Tener Aries” (Decca); and eighth blackbird’s “Beginnings” (Cedille), featuring Daniel Kellogg’s “Divina Mysterium” and George Crumb’s “Voix Balanae.”

Tribbett Gets Down In The Mud On Major-Label Debut

When it comes to describing the kind of music he makes, Columbia’s Tye Tribbett has an unusual response. He calls it “mud.”

“My musical influences are so wide. [There’s a] little country, a little pop, some rock’n’roll, some gospel. As long as the spirit is within us, there are no boundaries at all. That’s why it’s just ‘music undefined.’ It’s just musical,” Tribbett says, explaining the acronym.

Then, offering an even deeper reason for his definition, he adds, “The Bible describes us as human beings. We were born of the dirt in the ground, and God’s spirit is symbiotic with water. So his water mixed with dirt makes mud. As long as his spirit is in us we can become anything. He can shape us just like clay.”

On his major-label debut, “Life,” which was released June 8, Tribbett and his group G.A. (which stands for Greater Anointing) serve up one of the most joyful, encouraging projects to be released this year. Tribbett’s insightful songwriting takes center stage and is vibrantly brought to life through the ensemble’s powerful performances.

Tribbett and G.A. were slated to tape a live-concert DVD at an album-release event June 9 in Philadelphia. Then on June 13, they plan to stage another album-release performance at Fellowship Church of Pastor Hezekiah Walker’s Love Fellowship Church in Brooklyn, N.Y.

Even if their names are unfamiliar, chances are you’ve seen or heard Tribbett and G.A. before. The group backed Don Henley on his Inside Job tour, performed with Faith Hill at the Country Music Assn. Awards and on the “America: A Tribute to Heroes” TV special in September 2001 and sang backup on Justin Timberlake’s “Cry Me a River.”

“In The Spirit”

By Deborah Evans Price

“‘The Lord just opened so many doors. We’ve been blessed to sing with and even open for so many people,’” Tribbett says, citing the Henley experience as particularly enjoyable. “I became the biggest fan on that tour. It was a wonderful experience.”

A Camden, N.J., native, Tribbett’s first musical experiences were growing up attending church.

“My father was the pastor of the church,” he says. “So I was the organist/keyboards. Anything with black and white keys, I just played it.” (Continued on page 14)
The 2004 Los Angeles Film Festival has made strides in increasing its musical profile. The festival has tapped Neil Young to be this year's "artist in residence." The 10th annual event takes place June 17-26 in various locations throughout Los Angeles. On June 22, Young will do a QA session at the Argyle Hotel about his interests in film. Nic Harcourt, music director of noncommercial KCRW Santa Monica, Calif., will moderate the session.

Young, using the alias Bernard Shakey, directed the movie "Greendale," which was screened in select U.S. cities this year. The Los Angeles Film Festival will also screen the film. On June 22, Sanctuary Records Group will release "Greendale" on DVD. The movie—which Young calls a "musical novel"—is inspired by Young's Reprise Records album of the same name. Young composed the music for the film, which is about a family that must deal with various problems in a fictional town called Greendale.

As the festival's artist in residence, Young has chosen two of his favorite movies to be shown at the event: 1995's "Dead Man," directed by Jim Jarmusch and starring Johnny Depp, and "THE 1138," the 1971 film that George Lucas directed before "American Graffiti" and "Star Wars."

Another musical highlight of the festival is a BMI-sponsored panel, "Coffee Talk: Composers," with Grammy Award-winning composers Danny Elfman and Thomas Newman. BMI VP of film/TV relations Doreen Ringer Ross will moderate the panel, which takes place June 20 at the Directors Guild of America headquarters.


Music-oriented films screening at this year's festival include "Rock School," a documentary about a young people's music school in Philadelphia that is said to be the inspiration for the Jack Black film "School of Rock."

Documentaries "The Last of the First" (about the Harlem Blues and Jazz Band I, "DLC" (about the frontmen for the Dandy Warhols and Brian Jonestown Massacre) and "Metallica: Some Kind of Monster" will also be screened.

More information can be found at lafilmfest.com.

IN BRIEF: Wu-Tang Clan member RZA and Terence Blanchard have signed on to write the score for the New Line Cinema's "Blade: Trinity," the third installment in the "Blade" series. "Blade: Trinity" stars Wesley Snipes in the title role and will open Dec. 10 in U.S. theaters.

Sony Classical will release the soundtrack to Andrew Lloyd Webber's film version of "The Phantom of the Opera," "The Warner Bros. Pictures movie musical, directed by Joel Schumacher, is due in December in U.S. and U.K. theaters. A release date for the soundtrack has not been set.

Columbia Records/Sony Music Soundtrax will release the "Spider-Man 2" soundtrack June 22. Dashboard Confessional's "Vindicated" and Train's "Ordinary" are the lead singles. Other previously unreleased songs on the soundtrack include Hoobastank's "Did You," Maroon5's "Woman," Jet's "Hold On" and Yellowcard's "Gifts and Curses." Columbia Pictures' "Spider-Man 2" opens June 30 in U.S. theaters.

Vagabond Films is developing a biopic based on the life of the late singer/actress Nico, who at one time recorded with the Velvet Underground. David Mackenzie ("Young Adam") will direct the film. Paramount Pictures is working on a film based on the 1970s musical TV series "The Partridge Family." Andre 3000 of OutKast has a starring role in an as-yet-untitled movie from Element Films. He will play a musician who is wrongfully accused of shooting his girlfriend's brother.

Beoncé is co-starring in the MGM remake of "The Pink Panther," which is currently filming in New York and Paris. The movie also stars Steve Martin as Inspector Jacques Clouseau. Jennifer Lopez has signed on to start in the New Line Cinema romantic comedy "Monster-In-Law," which is filming in Los Angeles.

Marques Houston and former B2K member Omarion have co-starring roles in the 20th Century Fox comedy "Fat Albert," based on the 1970s cartoon series.
Banks
Continued from page 11

Kwame, the record debuted at No. 57 on the Hot R&B/Hip-Hop Singles & Tracks chart and No. 65 on The Billboard Hot 100.

Last issue, the single earned Greatest Gainer/Airplay honors on both charts. It moves up this issue to No. 6 on R&B/Hip-Hop and to No. 15 on the Hot 100.

BANKING ON RADIO
Banks recorded most of his album in a studio-equipped tour bus while he was on the road with 50 Cent. Describing the process for “On Fire,” Banks says: “Kwame did the beat, and after I laid the record down I sent it to Em [Eminem]. He just dug it...of the songs where he laid his magic on the record, and it had that feeling.”

Radio has embraced the results.

“First it was 50, then G-Unit and now 50 Cent is on the most-wanted list. When you make good music in this position, you've got to be ready for everything,” says 50 Cent’s radio director of hip-hop/dance programming Geronimo. “Whatever they do, they've got to have playing on that, it's a hit.”

Banks recognizes the importance of that stamp. After watching 50 Cent's rise, Banks also recognizes the value of brand recognition.

“The whole system that we designed was based off of mix tapes.” Banks explains. “Knowing is half the battle, and I know we can't beat the bootleggers, especially when you win mix-tape artist of the year. That's telling them that you're the one that needs to be bootlegged. Knowing that, I flipped it around to make the bootleggers my personal street team.”

The Beat
Continued from page 11

the Goos' July 8 show in the band's hometown of Buffalo, N.Y.

The group is filming the concert for release on DVD. “Right now, we're getting together for some re-reproduction on the DVD, which will have some unreleased material on it, of course,” he says. “You got to have the beat, you know.”

He's also writing songs for the next Goos album. “Hopefully, we'll be in the studio in the fall.”

Just as Rzeznik doesn't plan to produce more artists, he also doesn't foresee starting a label, even though bandmate Robby Takac has launched Good Charlemagne Records with Gregg Bell.

“I have no desire after seeing what those guys are going through,” he says with a laugh. “It would be nice to get a little imprint and find a couple of bands that you really liked and make a couple of small records a year and not have to worry about it. But it's a lot of work doing it from the ground up, and I don't have that much patience.”

It looks like Rzeznik may have a hit on his hands with Cabaret's first single “On the Way Down” is already getting ads at radio. Album “Take It All Away” comes out in August.

In The Spirit
Continued from page 12

I grew up playing behind him at the church and behind the choir ... But I never saw myself as the frontperson or singing as I'm doing now.”

He eventually began performing in other churches and at community events. Tribbett says he began developing his songwriting out of necessity.

“Back then my choir wasn't that good,” he admits. And since he had trouble teaching its members some of the more popular tunes of the day, he began writing for them.

“I said, 'Let me just write this simple song that you all can get [easily].' So I wrote it, and the anointing was all over it. People began to call and ask for songs. I said, 'I'm not a writer, I just did that for my little choir.' But then I began to start writing, writing and writing.”

Then the group recorded one independent record, then came to the attention of Columbia A&R execs when Tribbett put together a band and played keyboards at a showcase for his cousin, Vivian Green, who also has a deal with the label. Former Sony chief Tommy Mottola wanted to know who the guy was on piano, and soon after, Tribbett and G.A. had a deal.

Tribbett wrote every song on “Life.” Opening track "My Soul Loves Jesus" sets the tone for the reverent, joyful songs that follow. “Taste 'N See” is a track that Tribbett describes as a "try Christ" song with a crazy party beat.

Tribbett, who is married and the father of an 18-month-old daughter, says the past seven years of his life have provided the inspiration for the album.

"I just write words out of my heart, like most writers do. But as I listened to all the songs, in real life, I saw explaining the album's title.

"The message that I hear on here is hope. All these songs talk about real life. And whether it's pressures or temptations or just anxiety or jealousy or envy, it touches on all those things, but at the end there's always hope."
Jazz: Seeking A New Edge
So Far, Alternative Marketing Keeps Genre's Head Above Water

BY DAN OUELLETTE

Jazz today is at a marketing crossroads. At music retail, jazz never sold in the volume or with the speed of pop. A perpetual sales under-achiever, the genre accounts for 3% of music sales in the United States, according to Nielsen SoundScan. But jazz artists do offer consistent long-term sales.

Vocalists dominate the field lately. Witness the success of Norah Jones on the Billboard Top Contemporary Jazz Albums chart and Diana Krall on Top Jazz Albums.

Some critics fault the music itself for shrinking jazz sales. They pine for the classic jazz days of John Coltrane and Miles Davis and allege a lack of talent and inspiration among today's recording artists.

(Continued on page 18)
Chart-Toppers In Jazz

The chart recaps in the Jazz Spotlight are year-to-date from the Dec. 6, 2003, issue (the beginning of the 2004 chart year) through the May 22, 2004, issue. These recaps are based on sales information compiled by Nielsen SoundScan. Although the jazz charts are published in Billboard every other week, they are compiled each week and are available during unpublished weeks through billboard.biz, Billboard Information Network and Nielsen SoundScan. Titles receive credit for sales accumulated during each week they are on the chart, regardless of whether the chart is published or not.

Anthony Colombo compiled the chart recaps with assistance from jazz chart manager Gordon Murray.

### Top Contemporary Jazz Artists

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<th>Artist (No. of Charted Titles)</th>
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<tr>
<td>1</td>
<td>NORAH JONES (1) Blue Note</td>
<td>Blue Note</td>
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<tr>
<td>2</td>
<td>WILL DOWNING (1) GRP/VG</td>
<td>GRP/VG</td>
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<tr>
<td>3</td>
<td>KENNY G (1) BMG Heritage/RMG</td>
<td>BMG Heritage/RMG</td>
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<td>4</td>
<td>DAVE KOZ (1) Capitol</td>
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<td>5</td>
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### Top Contemporary Jazz Distributors

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### Top Contemporary Jazz Albums

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<tr>
<td>1</td>
<td>COME AWAY WITH ME—Norah Jones (Blue Note)</td>
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<tr>
<td>2</td>
<td>EMOTIONS—Will Downing (GRP/VG)</td>
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<tr>
<td>3</td>
<td>ULTIMATE KENNY G—Kenny G (BMG Heritage/RMG)</td>
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<td>4</td>
<td>SAXOPHONIC—Dave Koz (Capitol)</td>
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<tr>
<td>5</td>
<td>A THOUSAND KISSES DEEP—Chris Botti (Columbia/Sony Music)</td>
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### Top Contemporary Jazz Imprints

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<th>Pos.</th>
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<tr>
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<tr>
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<td>BMG HERITAGE (1)</td>
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<td>COLUMBIA (4)</td>
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### Top Contemporary Jazz Labels

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<tr>
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<td>2</td>
<td>VERVE GROUP (9)</td>
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<td>3</td>
<td>RCA MUSIC GROUP (1)</td>
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<td>NARADA (8)</td>
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<td>SONY MUSIC (5)</td>
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### Top Jazz Albums Artists

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<tr>
<td>1</td>
<td>HARRY CONNICK, JR. (2) Columbia/Sony Music (1) Marsalis/Rounder</td>
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<tr>
<td>2</td>
<td>DIANA KRALL (3) Verve/VG</td>
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<td>3</td>
<td>STEVE TYRELL (2) Columbia/Sony Music</td>
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<td>4</td>
<td>CASSANDRA WILSON (1) Blue Note</td>
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<td>5</td>
<td>PETER CINCOTTI (1) Concord</td>
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### Top Jazz Albums Distributors

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<td>BLUEBIRD (5)</td>
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### Top Jazz Albums

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<tr>
<td>1</td>
<td>ONLY YOU—Harry Connick, Jr.—Columbia/Sony Music</td>
</tr>
<tr>
<td>2</td>
<td>HARRY FOR THE HOLIDAYS—Harry Connick, Jr.—Columbia/Sony Music</td>
</tr>
<tr>
<td>3</td>
<td>THE GIRL IN THE OTHER ROOM—Diana Krall—Verve/VG</td>
</tr>
<tr>
<td>4</td>
<td>LIVE IN PARIS—Diana Krall—Verve/VG</td>
</tr>
<tr>
<td>5</td>
<td>THIS GUY'S IN LOVE—Steve Tyrell—Columbia/Sony Music</td>
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Jazz From Europe, With a Global Flavor

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CONCORD'S PEAK YEAR...SO FAR!

**OZOMATLI**
**STREET SIGNS**
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Features the singles “Saturday Night” and “(Who Discovered) America?”

**RAY CHARLES**
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08.31.04
Duets with...Natalie Cole, Elton John, Norah Jones, B.B. King, Gladys Knight, Diana Krall, Johnny Mathis, Van Morrison, Willie Nelson Michael McDonald, Bonnie Raitt and James Taylor.

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**PAUL TAYLOR**
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Others counter that the genre is far from lacking in musicianship. Instrumental jazz, they note, has several top-notch artists.

There are elders like drummer Roy Haynes and saxophonist Von Freeman and such mid-career giants as saxophonists Michael Brecker and Joe Lovano. Young upstarts include vibraphonist Stefan Harris, pianist Jason Moran and power jazz trio the Bad Plus.

The problem is getting potential buyers to hear and appreciate current jazz releases. So what should be done when the traditional markets dry up?

OUTSIDE THE BOX

Most in the jazz industry agree that it is time to think outside the box and pursue new marketing strategies to expose audiences to cutting edge instrumentalists and singers.

"It's imperative to think of a new business paradigm to deal with the competitive marketplace," Jazz Alliance International president Suzan Jenkins says.

"New partnerships and alliances are essential," Jenkins says. She cites satellite radio services Sirius and XM as examples of programming that reaches people not serviced by localized jazz radio stations. "We've got to widen the jazz audience by demystifying the music."

Jessica Senders, jazz buyer for Borders Books & Music, agrees.

"Major and indie labels recognize the need to come up with new ideas because the old ones aren't working," she says. "So they're trying to reach sympathetic, arts-oriented customers through e-mail lists, e-mail blasts with coupons and being part of subscription series of multiple genres."

Recent success stories offer clues to what works.

Senders cites Blue Note's achievement in building Jones' profile beyond jazz magazines into nontraditional jazz markets with TV appearances on "Today" and "Late Night With David Letterman." In addition, she notes, "Blue Note did extensive NPR buys to target the older demographic that doesn't download music."

The success of Norah Jones helped open the door for other Blue Note acts, says Zach Hochkeppel, VP of marketing for EMI Jazz and Classics.

"You still need a hook, but because of Norah's success, we can talk about our instrumental artists like Stefon Harris and Jason Moran to nontraditional jazz markets," he says. "We used to get lip service—we'll call you back—but now people listen."

Senders adds that the Verve Music Group worked with Borders on Krall's new album to identify the best markets for TV ads, like "Today" and "The Oprah Winfrey Show."

Sherry McAdams, president of Branford Marsalis' Boston-based indie, Marsalis Music, observes that artists like Krall and Jones "enjoy a level of commercial success that is rare for jazz musicians. Their fan base—people who like jazz-influenced vocalists—extends well beyond that of the core jazz audience."

‘The old marketing ideas aren’t working.’

—JESSICA SENDERS, BORDERS BOOK & MUSIC

Therefore, McAdams notes, marketing strategies that work for them won't fit with traditional jazz artists.

"Jazz is not mass-market music, and we believe a lot of money is wasted in chasing that audience," she says. "Jazz certainly has a loyal following, but it's a much smaller audience than that of the pop world," McAdams continues. "So it's vital to focus our resources and efforts on reaching the existing audience."

The label applied border-busting marketing to Marsalis' last CD, "Romare Bearden Revealed," a jazz reflection on the renowned visual artist. When Bearden's work received a major retrospective at the National Gallery of Art in Washington, D.C. "that allowed us to introduce Branford to a new audience," McAdams says.

NEW PARTNERSHIPS

Concord Records is also exploring marketing partnerships to get the word out about its artists.

"Adults are now the most voracious consumers of music," Concord GM Gene Rumsey says. "We've got to be creative in getting our product to them."

He cites the label's affiliation with Starbuck's to market Roy Charles' label debut, "Genius Loves Company," which will be released in August.

To advance the careers of newcomer vocalists Rebecca Martin and Erin Bode, McAdams president Richard McDonnell banks on the growing reputation of the label itself. Maxjazz packages discs with handsome graphics that easily identify the label (see story, page 37).

"From the beginning, we intentionally set out to establish our label brand," McDonnell says. "Over time we hope that people will trust our label even if they don't know an artist. The encouraging news is that our business reply cards are indicating that's true."

(Continued on page 20)
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IT JUST KEEPS GETTING BETTER

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New Edge

Continued from page 18

Pat Rustici, GM of Palmetto Records, says touring is fundamental.

"We're a lean record label. When we sign someone new like Kate McCary or someone who's been dropped by a major like a Bobby Watson, touring is part of the conversation," Rustici says. "It's a partnership. [The artist] works hard, and we'll work hard to generate press—and sales—on the road.

Live performances are key, says Jeff Levenson, executive VP of Half Note Records, which has released CDs from Ben E. King, Onaje Allan Gumbs and Miri Ben-Ami.

For vocalist Karrin Allyson's new album of '70s pop songs, "Wild for You," Concord Records is looking for free outside summer concert bookings to introduce her to new audiences, the label's Gene Rumsey says.

Dave Love, president of Heads Up International (a division of Telarc International), says it's vital to showcase artists live, especially when dealing with new talent such as Telarc pianist Hiromi.

This year's big performance success story is Verve's Jamie Cullum. The U.K. jazz singer/songwriter created a buzz when he played select showcases eight months before his "Twenty-something" debut.

"This is one of the best setups I've ever been a part of," Verve senior VP/GM Nate Herr says. "Seeing Jamie is believing. That's how we wanted to introduce him to critics, TV, radio buyers and radar programmers. We ended up lining him up for a lot of high-profile press, including MTV, "Austin City Limits" and "NPR."

AT THE MOVIES

New marketing opportunities based on increased artist exposure continue to surface. Concord is preparing to capitalize on singer Peter Cincotti's appearance in two films—"Spider-Man 2" and a larger role in Kevin Spacey's fall release about Bobby Darin, "Beyond the Sea."

Then there are those in the jazz industry who still believe in the power of record stores in promoting music. Independent promotion veteran Bob Ruttenburg of Tucson, Ariz.-based Coast to Coast Marketing acknowledges that there's plenty of lifestyle marketing going on—with tunes playing on airplanes, at clothing stores and in malls and restaurants.

"But the best sellers are behind the counter at independent record stores like Dan Lamb's Kern Mill in D.C. and Sally White's Sally's Place in Westport, Conn.," Ruttenburg says. "People frequent stores run by people who know and love music. I'll take 100 Sallies and Dans over 100 radio stations."

Mitchell Feldman, director of the jazz promotion department of Denver-based Synergy Media Group's Indygo Marketing, agrees. He says that despite Web-buying and Internet downloading, there is "no substitute for the social experience of going to a store and interacting with other people."

Feldman says Indygo Jazz's promotion of Oliver Lake Steel Quartet's new Passin' Thru Records album, "Dat Love," includes Touch Stand kiosks.

These eMac computers with 17-inch touch screens are in 30-plus indie record stores with strong jazz departments. They allow in-store browsers to listen to the disc.

Amid today's myriad jazz marketing experiments, veteran jazz writer and publicist Peter Lexinomo waxes philosophical. He believes its sales woes reflect a deeper dilemma.

"What the jazz business needs is a new artist who creates controversy, like Ornette Coleman did in 1959, or a new and sensuous brand of jazz, such as the bossa nova that Antonio Carlos Jobim and João Gilberto offered in 1961," he says. "Jazz desperately needs a new kind of musical expression to make it both commercial and important in the general media once again."

Facility Fees On The Rise For Club Bookings

BY SUSANNE AULT

LOS ANGELES—Ampliﬁer, arena and theater facility fees have long been a thorn in booking agents’ sides. Clubs, however, have only recently become a sticking point.

Large-venue owners say their surcharges, which average $1 to $3 per ticket, are necessary to help ﬁnance arena or shed construction or renovation.

Over time, agents started questioning the validity of these fees, which beneﬁt venue owners over artists, agents and managers.

To many acts’ representatives, venues were enjoying a new revenue stream at the expense of the talent’s gross potential (Billboard, May 26, 2001).

The $1 to $3 tacked on to a $50 show could be seen as reasonable. But the increasing use of such fees for clubs that cost $20 or less is upsetting many tour organizers, who say there is no room to pad those tickets.

“At that kind of entry level, there is no real demand yet for that artist. You don’t want to make it that difﬁcult for people to go to shows, says Jim Guerinot, partner at Rebel Walz Management. “You certainly want to keep your prices as low as possible.”

P.O.D.’s current club tour ends June 20. Larry Wehman, the band’s booking agent at Little Big Man, says it is disappointing to see clubs add a facility fee in which the band does not share.

Although club capacities might top out at 1,000 seats, a facility fee as low as 50 cents at places like the Pageant in St. Louis (where P.O.D. played May 7), “could be $500 that the artist could have had for hotel rooms,” Wehman says. “Add that on every single day of the tour, and that really adds up.”

Tom Chauncey, booking agent at Partisan Arts, whose clients include Jack Johnson and Ben Harper, says “more clubs do have the fee. It could be called a promotion fee or a ‘facility fee’—there are a number of nice, ﬂoy words for it. But it is another income stream for the promoter or venue.”

For promotion companies that are aligned with clubs, like Clear Channel Entertainment and House of Blues Concerts, promoters and venue managers may share the facility fee.

“If it is a one-time fee, it is a quick sale,” admits Eric Herz, a Los Angeles-based CCE promoter. “But at other times I just pay rent” and do not participate in the facility fee.

Herz sees two sides to the debate. He works shows at such fee-charging clubs as the city’s Avalon and Viper Room (both CCE-operated) and the independently owned Henry Fonda Theater.

All three have undergone recent renovations, which would logically explain their addition of a facility fee during the past couple of years, he says.

Nevertheless, “I think it varies from venue to venue. Some truly have a high overhead and need help paying for their rent. Others turn it to a as a pure source of proﬁt,” says Chauncey.

SHARE THE WEALTH

Whatever the reason, Chauncey says, he wishes the agent and promoter/venue could be fair in crafting contracts so all parties could beneﬁt.

“I see [facility fees] as a problem. It is deception. It would be fairer if people were more straight and put expenses on the table and made deals based on reality,” Chauncey says. “I don’t make deals that don’t work on paper, promoters are then forced to make revenue streams for themselves.”

Other clubs that have added facility fees in the past couple of years include the Bottleneck in Lawrence, Kan., which has a $1 charge. Jointly booked by CCE and HOV, Sunset Station in San Antonio recently added a $3 fee.

“I would skip the market over that,” one booking agent says of the Sunset Station charge. “It’s ridiculous that an artist can’t get $3 or even $10 on a $15 ticket.”

Facility fees have become common at many HOV clubs, including locations in Los Angeles; Chicago; Orlando, Fla.; and New Orleans.

HOV executives did not return phone calls by press time.

When Kirk Sommer, an agent at William Morris Agency, questioned Bottleneck management over the new fee, he says he “got the usual answers: ‘Sales have been down. Everybody else is doing it, why can’t I?’”

Sommer believes that agents routing acts into clubs have had to become savvier negotiators because of the increasing usage of facility fees. Yet Sommer says he has had luck with waiving fees in some deals.

“People are more conscious of it. Before we conﬁrm the deal, we’re asking that question,” Sommer says. “Sometimes at certain venues you can’t win. But we do our best to make sure there aren’t additional facility fees.”

Somer adds that “so far everyone has folded” in agreeing not to charge facility fees for club shows up-and-coming rock band the Killers, as well as other new acts.

Artists have also become involved with clubs’ facility fees, agents say.

Acts will either push to ﬂush up their own deals or work to get the facility fee split between themselves and the promoter and/or venue.

“Promoters bitch and moan that artists cut narrower deals. But [facility fees] are another factor of why [acts] try to get more on the front end. That $1 facility fee is why you try to push that much harder to get an extra $1,000” for your client, Webman says.

There are clubs that do not charge facility fees as a general rule. Independently operated 9:30 Club in Washington, D.C., is one example; others include CCE clubs the Roxy and Cotton Club in Atlanta.

“We feel that costs should be kept to a minimum when you’re talking about developing artists,” says Adam Cohen, a CCE talent buyer for Atlanta.

Seth Hurwitz, owner of the 9:30 Club since 1986, believes adding a facility fee will simply result in encouraging “the agents to want a piece of that too” instead of signiﬁcantly advancing the venue in some way.

Sommer concludes, “If it was up to me, no one would have a facility fee.”
Creed Fans May Cross To Alter Bridge

Creed may have called it quits, but a new band will have the same focus on touring, according to its agent, Ken Fermaglich at the Agency Group.

Creed songwriter/guitarist Mark Tremonti and drummer Scott Phillips have joined original guitarist Brian Marshall and former Mayfield Four singer/songwriter Myles Kennedy in a new group called Alter Bridge (billboard.biz, June 4). Plans are to work the road hard.

“With Creed, we were dealing with a band with rabid fans around the world who have had nothing to sink their teeth into for a while,” says Fermaglich, who was also Creed’s agent. “I believe many of them will be drawn to Alter Bridge.”

Alter Bridge’s debut album on Wind-up is set for Aug. 10. A promotional acoustic tour of radio stations will begin later this summer, and a worldwide tour will start in September.

Like Creed, Alter Bridge will maintain a serious work ethic when it comes to touring. “They will be on the road at least a year-and-a-half,” Fermaglich predicts.

The Grizzlies will be operating the FedEx Forum, and they’ll also be responsible for any deficit the building may incur,” Pyramid GM Alan Freeman says. “In return for that, the Forum has first right of refusal on any entertainment that could play the Pyramid or the Mid-South Coliseum.”

Facing budget cuts, the council muddled potential savings of more than $1 million per year it could realize by shuttering the Pyramid.

MILLION DOLLAR PYRAMID: It has been called everything from “wow” architecture to a white elephant. Now the Pyramid in Memphis is in a battle just to remain standing in its huge footprint alongside the Mississippi River.

Although open only since 1991, the Pyramid’s future is in limbo. The Memphis City Council recently narrowly defeated a proposal to close the landmark structure, which will soon play second fiddle to the new FedEx Forum. The Forum, new home of the city’s NBA franchise, the Memphis Grizzlies, opens Sept. 1.
Billboard To Honor KRS-One At Confab

KRS-One will receive this year’s R&B Founders Award at the Billboard/American Urban Radio Networks R&B/Hip-Hop Conference and Awards.

The Bronx, N.Y., native and founding member of Boogie Down Productions is known for his socially conscious lyrics as well as his early rivalry with MC Shan.

In addition to his impressive musical output, KRS-One created the Temple of HipHop, a nonprofit organization that aims to "continue denaturalizing HipHop’s public image and promote the unity of the HipHop Culture."

Serving as the finale to the Billboard/AURN R&B/Hip-Hop Conference (Rhythm & Blues, Billboard, May 29), the awards show will take place Aug. 6 at Barton G in Miami Beach.

MIAMI’S FINEST: Miami has become the recording hot spot for hip-hop’s elite, and A-listers who record there often turn to local production team Cool & Dre (Fat Joe, Terror Squad, Trick Daddy).

The duo will soon branch out beyond the boards to launch their record label, Epidemic (Beats & Rhymes, Billboard, Aug. 2, 2003). Jive Records will distribute the label.

Epidemic’s first release comes from Miami-based MC Dirtsbag, Cool & Dre met Dirtsbag when he won a 1996 talent show. The grand prize was an opportunity to work with the production team—which wasn’t a good prize at the time,” Dre jokes.

Cool says Dirtsbag “did his thing on his independent level, but he kept coming back to us because he always took it to another level with our production.”

“When finally the time came that we felt we could get him a deal,” Cool continues, “we told him to do an album— we gave him the beats—and we would get him a deal. We shopped him, there was a bidding war and it was history for sure.”

Dre says, “I had interest from Shady, Aftermath, Interscope, Def Jam and Atlantic, as well as Jive. Jive senior VP Chris Lighty came down and met with us, and Dirtsbag was really feeling Cool & Dre, we were in L.A. about to close a deal with Shady when Chris Lighty and [Jive president] Barry Weiss put in a phone call to us and offered a label deal, “That was crazy, because Jive doesn’t typically do production deals. It was a big step, but we decided to work with Jive, and it has worked out.”

Cool & Dre signed Tony Sunshine of Terror Squad fame to Epidemic’s roster. They hope to release his and Dirtsbag’s albums in September.

In addition to working with Epidemic acts, Cool & Dre have produced tracks for Ja Rule, Ludacris, Trina and Mase, among others.

HERE & THERE: Congrats to Rob Stone, John Cohen, Chris Atlas, TNT, Sure Shot and the rest of the Cornerstone family on the company’s 60th mix tape.

New York-based Cornerstone celebrated the achievement with a star-studded event at New York nightclub LQ.

Performances by Boot Camp Clik, C.L. Smooth, Brand Nubian, De Soul and Dres of Black Sheep capped off the night.

R&B/hip-hop radio powerhouse WQHT (Hot 97) New York announced its lineup for this year’s Summer Jam. The event, slated for June 12 at New Jersey’s Giant Stadium, will feature R. Kelly, G-Unit Featuring 50 Cent, Ludacris, Chingy, Alicia Keys, Kanye West, Big Boi of Outkast, Twista, Jadakiss, Lil Jon & the East Side Boyz and Ying Yang Twins.

There will also be a parking lot festival and a second stage for up-and-coming artists.
La Bersuit Innovates, Generates Sales

BY MARCELO FERNANDEZ BITAR

BUENOS AIRES—An odd name with no true meaning meets an even older music that mixes rock with folk, polka and even tropical rhythms. It adds up to Bersuit Vergaraabat, a group that found success thanks to its singularity.

Although the band has a 15-year history, now is it enjoying nationwide success, propelled by a 2002 live album that is its recent release, “La Argentinidad Al Palo.”

The new album was released March 5 on Universal Music Argentina. According to the label, it already topped the 200,000-unit mark in Argentina, an extraordinary number for the region. It is also the band’s best-selling set. Live album “De La Cabeza” has sold 125,000 copies.

The new album’s success is the result of an innovative marketing plan and a tiered release schedule. “La Argentinidad” is a double album, but it was released one disc at a time. The first volume was sold at full price, while the second one, released a month later, was sold at half price.

It’s an unorthodox approach for an unorthodox band.

The eight-man troupe, led by vocalist Gustavo Cordera and keyboardist Juan Shubra, La Bersuit (as the group is called by fans) has learned to roll with the punches.

Its first shows during the early ‘90s attracted a cult following on the Argentine rock scene. But in the wake of a promising debut, several band members departed, and the songs from its following two albums received little airplay.

“But we never stopped playing,” Cordera says. Instead, the group honed its onstage antics with outrageous behavior, such as wearing pajamas to its shows.

Lyrically, Cordera’s songs combined social consciousness with poetic verses and blunt sexually oriented phrases.

La Bersuit’s popularity started growing, and it continued to escalate in 2002 with its live release. The album included older tracks and hits from its Santeolalla-produced albums, as well as the tango-tinted “Perro Amor Exploita.” The song, featured on the Mussimundo that tied in with the album’s release.

For two months, Mussimundo’s 64 Argentine stores exhibited a giant Argentine flag that would be raffled off among buyers who paid 60% in advance for their copy of the CD and a free single.

The maneuver was more successful than the record company ever imagined.

In the end, 20,000 units of the first album were sold in advance. By late March sales had grown to 60,000 copies.

When the second volume of “La Argentinidad” was released April 8, it also had racked up just as many advance sales.

“We are living these days with great intensity and enthusiasm,” Cordera says. “Over 100 songs were composed for this project, and the recording was made during a great Latin American tour with 92 shows throughout 2003.”

“La Argentinidad Al Palo” has since been released in Spain, Puerto Rico, Chile, Uruguay, Paraguay, Mexico, Costa Rica, Colombia, Ecuador and Peru. Promotional units and concerts have taken place in Spain (24 shows in April), Mexico and Puerto Rico.

In Argentina, Bersuit Vergaraabat will play a series of shows at the 8,000-seat Luna Park arena. The initial dates of June 25-27 sold out, and new concerts were added for June 30 and July 2.

In the United States, “La Argentinidad” bowed March 14. The group finished a 10-date tour this month that took in Miami, Los Angeles and New York, among other cities.

“Our idea is to translate the Bersuit phenomenon into the U.S.,” says Elena Rodrigo, marketing manager of alternative product for Universal Music Latino. “Their success in Argentina demands that they get more massive attention here.”

The biggest hurdle is radio, which finds Bersuit too edgy and too Argentine for U.S. audiences, according to programmers.

No matter, Cordera says.

“We want to perform the new songs live,” he says. “Our most cherished pleasure is playing concerts, and that experience justifies any extra effort. It is great to reach other countries and start from zero, because every trophery there turns us into a small soccer team that wins the championship.”

Univision Goes Nine For 10 Again On Chart

For the second consecutive week, nine of the top 10 titles on the Billboard Top Latin Albums chart belong to Univision Music Group. They include the No. 1 album, Lupillo Rivera’s “Con Mis Propias Manos,” which remains in the top spot for a second week.

“I think this is unprecedented,” Univision Music Group president/CEO Jose Behar says. “Two years ago I said we would have seven out of the top 10 spots on the chart. Now, we have nine.”

Rivera is on Univision Records, as is Jennifer Peña’s “Se-dución” debut at No. 1 and is now No. 5 and Los Huracanes del Norte (at No. 6 with “Con Experiencia y Juventud”).

Two releases on Fonovisa, which Univision owns, also sit in the top 10: Conjunto Primavera’s “Dejando Huella” (No. 2) and Banda El Recodo’s “Esto Es Con Tradición Sinaloense” (No. 7).

Disa, whose ownership is split evenly between Univision and the Chávez family of Mexico, has four titles in the top 10, including three musica durante albums. The regional Mexican subgenre currently is the strongest-selling style of Latin music (Billboard, June 12).

Disa has long been a major player in the regional Mexican market. But the label says it has been two years since Univision acquired half of it.

Disa’s artists now benefit from TV campaigns on Univision-owned networks and from the mass distribution of Universal Music & Video Distribution, although Univision continues to handle marketing, sales and promotion.

Aside from the Univision/UMVD boost, Disa executive VP of sales and marketing Jeff Young attributes the label’s continued success to strong airplay and careful strategic planning.

“We’re going to radio early. We’re having a hit early, we’re getting sales out of the gate early, we’re trying not to do TV shows at the same time as the TV campaigns,” Young says. “We’re taking all the key elements of a successful record and we’re setting it up.”

And he adds, “I think we’ve had some luck.”

PEER EXPANDS ITS BOUNDARIES: Peermusic’s recent signings of Gilberto Santa Rosa and Victor Manuelle are part of a broader Puerto Rican initiative that the publisher embarked on last year.

“When I first got there, I wanted to capture the independent scene, alternative rock acts and reggaeton,” says Julio Bagué, Peermusic’s creative director in charge of Puerto Rican repertoire. “In trying to do that, I ran across Victor.”

Bagué speaks of the catalogs of Manuelle and Santa Rosa. The latter’s publishing company is PMC (short for por mi cuenta, or “on my own”) and Manuelle’s is V.M.R. Publishing, as in Victor.

In the end, the deal is structured, it gives us the incentive to work creatively with Victor,” Bagué says. Among others, Peermusic wants to pair Manuelle with writers outside the tropical genre.

In addition to expanding its writers’ reach, Peermusic itself is stretching out. Two of its writers—Juliana Barrion and Jorge Luis Chavez—are also known as pop/tropical duo Bach. The pair released its debut album on Sony Discos.

Bagué handled the musical arrangements. He also produced the album with the help of Latin operations Ramón Arias, then took the duo to Sony.

This in itself is not unusual. Gustavo Menéndez of Warner/Chappell has also produced several acts signed to his publishing company, including Volumen Cero.

But in Bach’s case, Peermusic invested in the group’s masters and then sold them to Sony.

The next step, Bagué says, is opening Peermusic’s own recording studio this summer. It will be located at the company’s Miami offices.

“Instead of working just as a publishing company, we want to work as a production company with a publishing arm,” Bagué says. “That way we have different streams of income. We can make deals where we co-own the masters and use our studio space to develop artists or help labels develop artists.”

Bagué has his own new-age group, Bagué, that records on Alcione.
### BILLBOARD JUNE 19, 2004

#### HOT LATIN TRACKS

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#### LATIN POP AIRPLAY

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Composed from a national sample of radio stations, according to Nielsen Broadcast Data Systems' Radio Tracking Service. A panel of 98 radio stations (Latino FM & Spanish Adult Contemporary) monitored 24 hours a day, 7 days a week. The methodology used was a probability one. Records that were ranked in the chart for more than 3 weeks normally generated a chart entry. Each chart reflects the performance of the songs over the previous week, regardless of chart membership. A record that has been on the chart for more than 3 weeks usually does not generate a chart entry. Even if: a) it charted previously, b) it charted for more than 3 weeks, and c) a more recent performance placed it first. Records below the top 38 are removed from the chart after 20 weeks. Billboard and/or Chart Data. ©2004, VNU Business Media, Inc. All rights reserved.
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<td>IVY QUEEN</td>
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<td>BETO QUINTANILLA</td>
<td>Mi Historia Musical: 20 Exitos</td>
<td>21</td>
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Locals Abound At Cubadisco

BY HOWELL LLEWELLYN

HAVANA—Spanish flamenco and British Caribbean rhythms permeated the tropical air here during the eighth Cubadisco trade fair May 23-30.

Despite the presence of acts and industry agents from 14 countries, Cubadisco had a distinctive local air and anticipated the nascent local industry.

Cuban entertainment companies coming to grips with the music industry crisis outside the island’s shores vied to present new local acts at impromptu sessions. Current trends include blending rap with traditional Cuban music, local reggaetón and new Cuban talent that sounds international without obvious links to well-tried son, salsa or timple genres.

This year’s invited market was the Caribbean. Among Cuba’s neighbors that sent artists to perform at Cubadisco’s 110 concerts were Trinidad, Jamaica, Barbados, Bahamas, Cayman Islands and Haiti.

“The record market in the Caribbean region is very limited, and other Caribbean music is little-known in Cuba,” Cubadisco president Ciro Benemíls says. “This Cubadisco will help different Caribbean music markets to get to know each other.”

Benemíls says, “the U.S. trade embargo against Cuba makes it difficult to enter international distribution channels, and we should be stronger in areas such as Europe.”

Cubadisco this year serves to restore faith among Cuban artists and cultural representatives that there is interest abroad in our music.”

GROWING INDUSTRY

Some 20 years ago, Cuba had one state label, Egrem, and just three studios, including Havana’s legendary RCA Victor studio. Now the island has 13 studios and 22 labels, plus an estimated 40.000 musicians.

Among those presenting product at the fair was Canadian-born Mark Kaufman, who has lived in Cuba since he was 9, “thanks to my late father.”

Kaufman has set up two Panama-based labels, Rapern Records and Talento Cubano International, TCI’s latest release, “De Monturo Al Reggaetón,” by former hip-hop rappers Cubanos en La Red, was presented at Cubadisco.

“TCI has been set up with UNEAC [Cuban Union of Artists and Writers] to sign up new artists outside the usual Cuban genres, while on Rapern Records we cover salsa, rap, reggaeton and Cuban/fflamenco fusion,” says Kaufman, who is arranging licensing deals in Mexico and Spain.

Rap and traditional Cuban music is an interesting mix, says Susana Junco of the Adolfo Guzmán agency, which represents more than 1,000 Cuban acts.

“Commercialization of Cuban artists and live music has not decreased with the [worldwide] music crisis,” she says. “There is lots of inter-

est in Cuban artists for festivals, cruise liners and hotels in the Far East, places like United Arab Emirates, Dubai, Turkey and especially China. But our main zone is still Europe.”

All non-Cuban record labels or music promoters must legally work on the island through state cultural agency Recsa, which handles Cuban cultural repertoire for foreign investors. Recsa legal director Sandra Hernández says, “Interest in Cuban music activity has stabilized after dropping a little, although the action is not as strong as it was.”

Hernández says physical piracy of illegal CDs sold on the street is not as widespread as in other countries, “because here there is a certain social conscience.”

She adds that “for Cubans, either of the two alternatives [pirate or legal] is expensive.” Legitimate CDs cost $15, pirated CDs $2.50. The average monthly salary is about $12.

Recsa markets, promotes and licenses Cuban cultural repertoire for such foreign labels as Ahi Namá (United States), Iré Productions (Ahi’s Panama-based affiliate), Tumi Music (United Kingdom), Lusafica (France) and Verso Records and Eleguá Records (both Panama-based).

Concert highlights of the fest were shows by flamenco singer Diego El Cigala with pianist Chucho Valdés and Spanish copla revisionist Martirio. Spain’s authors and publishers society, SGAE, presented both concerts.

The El Cigala/Valdés concert, held at a packed Karl Marx Theater (5,000-seat capacity), launched the world tour behind the album “Lágrimas Negras.”

The album of coplas and boleros, recorded in Spain by El Cigala with Chucho’s self-exiled father, Bebo Valdés, has sold more than 250,000 copies in Spain in the past year, according to BMG Spain. It will be released this month in the United Kingdom, United States and Canada.

Even though it is unreleased in Cuba, “Lágrimas Negras” (Calle 54/ BMG) is known through local airplay and pirated copies. Bebo was a leading Cuban musician in the 1950s, but he has not been a household name since moving to Sweden in 1960.

El Cigala and Chucho played three concerts in Mexico City after Havana, and more Latin American dates are planned for the summer.

Martirio triumphed at her concert with Son de la Frontera, a flamenco outfit led by her guitarist son, Raúl Rodríguez. With her trademark glasses and hair comb, Martirio sang Cuban and Latin American bolero classics as well as Andalusian coplas stripped of their usual folkloric tints.

SGAE cultural development director Paco Galindo says, “The potential of Latin and Caribbean music has not diminished and is capable of regenerating the fabric of music, unlike traditional pop and rock, [and] that is why we are here every year.”

Cubadisco 2005’s invited country is Japan, where salsa has long been popular. Cuba’s music fair next May will coincide with the March-September World Trade Fair in Aichi, Japan, at which Cubadisco and SGAE will have a presence.

In 1997, at the 40th annual Grammy Awards, the National Academy of Recording Arts and Sciences debuted its two dance/electronic music categories: best dance recording and remix of the year, non-classical. (The latter was later replaced by the best remixed recording, non-classical, category.)

Sure, the two categories have helped raise awareness of dance/electronic music to the masses. But many industry veterans and music enthusiasts felt the genre was still not getting the respect it so deserved.

Throughout the years, we have heard, more than once, comments like, “Oh, if only there was a category for best dance album.”

Well, after much hard work from key players in the dance/electronic community, our collective wish has been granted. NARAS has announced that a new category—best electronic/dance album—will debut next year at the 47th annual Grammy Awards.

Now, as much as we take delight in the two “single-oriented” dance/electronic categories—and this is no disrespect to either one—we can’t help but think that an album category will give added weight to the movement.

“It really gives this genre some long-deserved credibility in American music,” says Ken Jordan, one-half of the Crystal Method. “Obviously, this [new category] adds legitimacy to the electronic music genre as a whole.”

adds DFuse, who will soon embark on his Prelude to Begin summer tour. “The tour coincides with DFuse’s ‘Prelude to Begin’ EP—currently available exclusively at Apple’s iTunes Music Store, with CDs available July 1 at djdfuse.com—and precedes the release of the artist’s full-length, “Begin,” due in the fall.”

For whatever reason, dance/electronic music is often considered the bastard child of the industry—a style not taken too seriously. But such a Grammy category has the power to change this way of thinking.

Consider the best electronic/ dance album category one giant step toward legitimizing a genre that is all too often misunderstood. Along the way, dance/electronic music may even experience a newfound respect on both sides of the fence.

“This new category should greatly open up the number of artists in the electronic community competing for the Grammy process,” DFuse offers.

BT concurs and adds: “This is the cornerstone that may finally unify the dance music community. It’s a huge leap forward.”

RED BULL SCHOOL: During the past six years, hundreds of DJs, musicians and producers from around the world have participated in the Red Bull Music Academy.

The annual event—held in a different city each year—offers a special workshop-like, hands-on environment in which to study, learn and share experiences.

Thus far, the academy has touched down in Berlin; London; São Paulo, Brazil; Cape Town, South Africa; New York; and Dublin. It’s sponsored by the Red Bull beverage company.

Past guest lecturers include Cut Chemist, Gilberto Gil, Bob Moog and Juan Atkins. This year, the event will reside in Rome for a pair of two-week sessions in October.

Those interested in attending are required to fill out an application to be considered for the academy. The deadline submission date is July 3.

The event will cover airfare and accommodate all participants, including accommodations that are selected. So, what are you waiting for? Start filling out that application now.
They’re Big & Rich & Having A Ball

At a time when Music Row is routinely accused of playing it safe, Warner Bros. has gone out on a limb with a completely different kind of country act in duo Big & Rich. As the name implies, this is an act that doesn’t take itself or the music business too seriously. Perhaps as a result, Big & Rich’s debut album, “Horse of a Different Color,” is arguably the most interesting project to come out of Music City so far this year.

Calling the Big & Rich style “music without prejudice,” the duo’s Big Kenny explains that stylistically, “it’s all inclusive,” incorporating elements of hip-hop, rock and other genres.

Big Kenny’s partner is John Rich. Both have paid their dues in the industry. Rich has been playing the Nashville rock-club circuit for years, most notably as frontman of the group LuvOli.

Rich is a former member of Lonestar who quit to pursue a solo deal. He made an excellent solo record for BNA Records a couple of years ago, but the album was not released. Rich parted with the label after a few singles failed to catch on at radio.

When they first met, Kenny says, “I was a rock n roll guy writing country songs, John was a country artist writing rock’n’roll songs.”

Together, he says, “we’re as country as they come, and [we] love this formula. But we like to bring other elements in as much as possible, where they work and feel good to us.”

They were signed to the label by Warner Bros. chief creative officer Paul Worley, who told them “to make the ultimate Big & Rich record, whatever that is in your head,” Rich says.

“We made a record that we want to blast on 10.”

The process of making the album, Rich says, “was very free-form. There were no contrived ideas. Whatever was ringing our bell, that’s what we did.”

Kenny adds: “We were given 100% artistic freedom. The only constraints on the album were the limits we put on ourselves. We wanted John’s grandmother to be able to listen to the album and not offend her.”

Rich says album track “Kick My Ass” is one of his grandmother’s favorites.

Big & Rich are among the founders of the Muzik Mafia, a mutually supportive clique of Nashville performers whose low-key Tuesday-night gigs have turned into a headline-grabbing musical movement for an industry that has already spoiled deals for Epic’s Gretchen Wilson and mercury’s James Otto.

Their first single, “Wild West Show,” peaked at No. 21 on the Hot Country Singles & Tracks chart in April. The follow-up, “Save a Horse (Ride a Cowboy),” rises 31-26 this week. It is building steadily, thanks to exposure on CMT and GAC and the duo’s performance at the May 26 Academy of Country Music Awards. This issue, the album rises to No. 4.

Big & Rich & Getting Bigger and Richer

“Horse of a Different Color” is debuting at No. 14 on the Top Country Albums chart following its May 4 release. It is building steadily thanks to exposure on CMT and GAC.

“Horse of a Different Color” is featured on the duo’s next album, released in April. It is building steadily thanks to exposure on CMT and GAC and the duo’s performance at the May 26 Academy of Country Music Awards. The album rises to No. 4.

Impressed with their music, McBride played it for Tim McGraw, who then immediately booked the duo to open his summer tour. Big & Rich are grateful for the opportunity.

“We had the giant hit yet,” Rich says. “Our album just came out. We don’t have the stats to be on that tour. Tim is just stepping out and taking a chance on us.”

As a result, the duo expect to play for more than 800,000 potential new fans this summer.

They are booked by the William Morris Agency and managed by Morris Management Group.

SIGNINGS: Jon Randall has signed with Sony Music Nashville. He previously recorded for RCA and Asylum and had a deal with producer George Massenburg on his first Sony album.

On the Row: George Briner has been promoted to VP of field promotion at DreamWorks Records. He previously was national director of promotion. Briner remains based in Milwaukee.

Payne’s Got The Genes, And The Jeans

BY DEBORAH EVANS PRICE

NASHVILLE—Between an upcoming role in the Johnny Cash biopic and a deal with DKNY clothes, newcomer Waylon Payne looks to grab more attention than the typical new artist with his Republic/Universal album “The Drifter.”

Even before landing those two highly visible projects, however, Payne, 31, was attracting attention just by his birthright.

His mother is veteran country chanteuse Sammi Smith, a Grammy winner for her definitive take on Kris Kristofferson’s “Help Me Make It Through The Night.” His father is Jody Payne, longtime guitarist in Willie Nelson’s band. Jessi Colter and the late Waylon Jennings are his godparents.

“Certainly carries a lot of weight in this part of the country,” John Kunz, owner of Watercolor Records in Austin, says of Payne’s country pedigree.

Kunz says the DKNY deal should give Payne an extra boost.

“Exposure is always good,” Kunz says. “but ultimately it’s always going to come down to the songs and how he relates to his audience. But with his lineage, he’s got the genes all lined up right on the parental side on [the jeans] on the DKNY side.”

NASHVILLE NOT A GOOD FIT

If “The Drifter” takes off after its July 13 release, it won’t just make a name for Payne. It will also shine a light on the burgeoning Los Angeles-based country scene.

Payne tried to land a deal in Nashville but left for the West Coast feeling like he didn’t fit in with the Music Row crowd.

“I just didn’t get along very well with Nashville, because I had different ideas,” says Payne, who eventually signed with New York-based Republic/Universal.

His tenure in Nashville proved valuable in one respect. While there, Payne briefly met singer/songwriter and former RCA artist Keith Gattis. The two later reconnected in L.A., and Gattis produced “The Drifter.”

For Payne, the album is a highly personal effort, fueled by his faith and family as well as his friendship with Shelby Lynne, with whom he used to tour.

“It’s my life, and this is my story up until now,” Payne says. “It went through some really difficult times and down some real scary roads. I had some great times too, but it all kind of fits together in a weird jigsaw puzzle.”

Payne says he really didn’t develop his writing chops until he moved to West. “When I was in Nashville, I wasn’t writing very much until I met Shelby,” he says. “She was the first person I ever wrote with. Boy, did we ever write some songs.”

From Lynne he learned “there’s power in songs. You don’t have to hold on to anything from your past anymore. You can write about it and can sing about it every night and get over it.”

“KING KING OF HOLLYWOOD”

Payne honed his songwriting abilities and live performance skills at Hollywood’s King King club where Gattis, Travis Howard, Lucas Chaudle, Austin Hanks and others were creating a vibrant country scene (billboard, Nov. 2, 2002).

Payne got his first big break when he wrote two songs with labelmate Pat Rich and recorded them, and “Wave” album. Payne and Gattis had already recorded “The Drifter,” and Green suggested they take the album to Universal president Avery Lipman. Within a week, Payne had a deal.

Payne will spend most of June filming his role as Jerry Lee Lewis in the upcoming Johnny Cash film, which stars Joaquin Phoenix as Cash and Reese Witherspoon as Cash’s wife, June Carter. Fox 2000 is the distributor; no release date has been set.

Additionally, filmmaker Margo Hamilton (who works with Kevin Spacey’s production company shot footage of Payne and Gattis making the album. She plans to screen the documentary at the Sundance Film Festival.

“The whole past two years of my life is on tape,” Payne says. “Everything. Going to New York, getting the record deal, they were with me the whole time.”

Payne also stars in a DKNY promotional film, “Road Stories.” Universal marketing director Bill Richards pitched Payne to DKNY after seeing his photo shoot.

“DKNY made 65,000 of these DVDs for promotional use,” he says of the deal, which also provides Payne with clothing. “They play the DVDs in all the DKNY stores. They send them out to all their tastemakers, and Waylon was chosen basically to be a DKNY model.”

“The DVD is a short story with a bunch of models kind of traveling across country,” Richards continues. “One of the models is looking for her brother, [played by] Waylon. It ends up with him playing guitar at the beach. Three songs of his are featured.”

Richards says label exec plans to initially take Payne to Triple-A radio, with an-as-yet-undetermined single.

“We don’t want to go to country [radio] right away,” Richards says. “When country people discover him, we’ll go in that direction.”

“He went out on the road with Fat [Green] last year and did about five or six dates with him, and they went over extremely well. Fat sort of originates in country and then sort of leans alternative. We just want to do the reverse with Waylon. We want to start alternative and lean him country. It’s really how you finish the race, not [how you] start. He’ll get over there, just not right away.”

“The Drifter” will have a developing-artist price at retail of $9.98.

Richards says the label began introducing Payne to consumers with a free sampler that was “belly handed” at select retailers, attached with a thick rubber band to CDs by Sheryl Crow, Bryan Adams, Chris Isaak and other acts. Such efforts were specifically targeted to retailers near college campuses.

The samplers were also sent to DKNY stores. When the Cash film hits theaters, the label will likely distribute samplers at movie screenings.
**TOP COUNTRY ALBUMS**

**JUNE 19, 2004**

**Sales data compiled by Nielsen SoundScan**

<table>
<thead>
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<th>ARTIST</th>
<th>IMPRINT &amp; NUMBER/DISTRIBUTING LABEL</th>
<th>Title</th>
<th>WEEKS AT NUMBER</th>
<th>FLAK POSITION</th>
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<tr>
<td><strong>NUMBER 1</strong></td>
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<td><strong>GREATEST GAINER</strong></td>
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<td><strong>PACESETTER</strong></td>
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**SALES DATA**

- Sales data compiled by Nielsen SoundScan.
- Nielsen SoundScan is a member of the RIAA's National Music Trade Council.
- Nielsen SoundScan measures retail sales of recorded music products in the United States.
- Nielsen SoundScan's sales data is the primary source of sales information for the music industry.

**Chart Notes**

- The chart shows the top country albums based on sales data from Nielsen SoundScan.
- The top albums are listed by their sales performance over the past week.
- The chart includes the number of weeks each album has been at number one, as well as the highest position each album has reached.
- The chart also includes special categories such as "Greatest Gainer" and "Pacesetter".

**Chart Rankings**

1. **GRETCHEN WILSON**
   - Title: "Are You Gonna Kiss Me or Not?"
   - Weeks at Number 1: 4
   - Highest Position: #1

2. **Kenny Chesney**
   - Title: "No Shoes, No Shirt, No Problems"
   - Weeks at Number 1: 11
   - Highest Position: #1

3. **Lady Antebellum**
   - Title: "Need You Now"
   - Weeks at Number 1: 38
   - Highest Position: #1

4. **Toby Keith**
   - Title: "Shut Up and Kiss Me"
   - Weeks at Number 1: 13
   - Highest Position: #1

5. **Shania Twain**
   - Title: "Still the One"
   - Weeks at Number 1: 51
   - Highest Position: #1

6. **Alan Jackson**
   - Title: "Drive"
   - Weeks at Number 1: 37
   - Highest Position: #1

7. **George Strait**
   - Title: "Pure Country"
   - Weeks at Number 1: 32
   - Highest Position: #1

8. **Little Big Town**
   - Title: "Rearview Town"
   - Weeks at Number 1: 29
   - Highest Position: #1

9. **Jason Aldean**
   - Title: "Hitting a Wall"
   - Weeks at Number 1: 22
   - Highest Position: #1

10. **Lee Brice**
    - Title: "Hard To Get"
    - Weeks at Number 1: 18
    - Highest Position: #1

**Greatest Gainer**

- **Horse Of A Different Color** by Toby Keith
  - Weeks at Number 1: 2
  - Highest Position: #4

**HOT SHOT DEBUT**

- **Loretta Lynn**
  - Title: "Van Lear Rose"
  - Weeks at Number 1: 5
  - Highest Position: #1

**PACESETTER**

- **Rascal Flatts**
  - Title: "Life Is A Highway"
  - Weeks at Number 1: 2
  - Highest Position: #1

**Greatest Hits**

- **Greatest Hits II And Some Other Stuff** by John Anderson
  - Weeks at Number 1: 15
  - Highest Position: #1

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**PHISH**

**Undermind**

**PRODUCER:** Trist Blake  
**Elektra 62969**  
**RELEASE DATE:** June 15

Phish has always been known less for its studio work than for the often magical music it creates in a live setting. But lower expectations do not excite the high diehard. "Undermind" was released two days before the quartet begins its final tour. Hardly anything here makes an impression after repeated listen. What’s worse, even fewer tracks possess the spark or invention for which Phish is revered. There are cool ideas, like the spaced-out "Song I Heard the Ocean Say" and the funky "Tomorrow’s Song," but once seized, the group doesn’t do anything with them. The malaise seems clearest on "Crowd Control," where guitarist Trey Anastasio sings, "The time has come for changes/Do something/Or it will." Indeed, it would be best to skip "Undermind" and instead catch Phish in concert while that’s still an option.—**JC**

**GENE SIMMONS**

**Hole**

**PRODUCER:** Gene Simmons  
**Simmons/Sanctuary 06076-84670**  
**RELEASE DATE:** June 8

You wouldn’t guess this from the title, but Gene Simmons’ **Hole** is a huge musical success. After kicking out a few kiss-styled jams, the album suddenly goes . . . contemporary pop? And whether these are tongue-in-cheek excursions or earnest attempts at substantial material, the results are refreshingly eclectic, "Waiting for the Morning Light" (co-written with Bob Dylan), "Beautiful," and "1,000 Dreams" are all catchy songs, even as most top 40 fare and might even seduce programmers to give them airplay. The rowdy "****Hole" is co-producer made for a band Born song—along, and anyone who does not dance or laugh along to the frisky "Dug" (replete with Simmons howling in the background) needs to check their pulse.—**CLT**

**WARREN HAYNES**

**Live at Bonnaroo**

**PRODUCER:** Warren Haynes  
**ATO 0018**  
**RELEASE DATE:** June 8

Warren Haynes—co-founder of Gov’t Mule, longtime Allman Brother and frequent collaborator with the Dead, Phil Lesh & Friends and others—has added soloist duties to his active touring schedule. This 16-song set, performed at the 2004 Bonnaroo Music Festival, demonstrates his ability with or without accompaniment. With his work with Gov’t Mule and the Allman Brothers is marked by some of the most creative and powerful guitar playing since Jim Hendrix, Haynes for the most part relies on simple strumming to frame his exceptional voice. It’s an appropriate setting for Haynes, who was taken with vocalists like Otis Redding and Wilson Pickett before gravitating to guitar. Highlights here include Mule’s "Beautifully Broken," a take on the song’s "One" and a duet with South African Vusi Mahlasela on the Allman’s "Soulsine."—**GW**

**SANDY DILLON**

**Nobody’s Sweetheart**

**PRODUCERS:** Sandy Dillon, Julius Waters, Laurie Jenkins, Alan Biley  
**One Little Indian OIL357**  
**RELEASE DATE:** June 1

"Nobody’s Sweetheart" is Sandy Dillon’s fifth international album. Now, one year after its European release, it is finally available in the United States, marking Dillon’s American debut. Nobody’s Sweetheart is one alluring and enthralling affair; it showcases a singer/songwriter/musician who likely considers Tom Waits, PJ Harvey, Björk, Portishead’s Beth Gibbons, Cyndi Lauper and Janis Joplin her heroes. In Dillon’s torch-touched world, emotional lyrics float atop electronic atmospherics and rock guitars. Opening track "Feel the Way I Do" is exquisitely paced, while the achingly beautiful "Now You’re Mine" is like a nursery rhyme gone wildly awry. Much of "Nobody’s Sweetheart" is steeped in the kind of anguish that results from loss. (Dillon began working on this album after the death of her husband, guitarist Steve Bywater.) But all is not bleak in Dillon’s world. The delicious, Goldfrapp-hued "It Must Be Love" is home to cascading strings and Dillon singing, "I’ve been caught in a love thing/Zing, went the strings of my heart," throughout, she has what it takes to be most everybody’s sweetheart.—**MP**

**JIM WHITE**

**Drill a Hole in That Substrate and Tell Me What You See**

**PRODUCERS:** Joe Henry, Jim White, Tucker Martine, Barenaked Ladies  
**Lulaap Bop 68089-90055**  
**RELEASE DATE:** June 8

The third album from intense Pensacola, Fla., singer/songwriter Jim White gets its title from a local construction site foreman, who overheard words White finds psychologically symbolic. His songs, after all, are steeped in the region’s religious underbelly; his 1997 debut, "Wrong-Eyed Jesus," inspired a brilliant new documentary-styled film "Searching for the Wrong-Eyed Jesus," in which he stars as the tour guide. This disc includes the film’s "Alabama Chrome" and "Borrowed Wings," as well as "If Drowned in a Motor Home," which suggests, among other things, that the singer should be listening to Bob Dylan and motivational tapes and enjoying midnight eggs at a Waffle House. Haunting lead track "Static on the Radio" features backup vocals from Amie Mann, one of several noteworthy guests.—**JB**

**R&B/HIP-HOP**

**JOLO**

**Jalo**

**PRODUCERS:** various  
**Universal Blackground/Universal 0002657202**  
**RELEASE DATE:** June 15

Fledgling tenor singer Jalo is racking up noteworthy sales and most-played-video stats with her first single "Leave (Get Out)!" For her album debut, she enlists an army of producers who know their way around the R&B/pimp circuit. The lineup includes Soulshock & Karlin (who did "Leave"), Mike City and the Underdogs. They play to Jalo’s strong suit: take-noise vocals reminiscent of a young Beyoncé or Aaliyah. (The latter was Blackground’s premier artist before her death.) Some songs like "Breezy" overdo the around-the-world girl hip factor ("off the hood"); "sorry, shorty, he’s mine;" "I got it on lock." But when Jalo applies her considerable pipes to straight soul music of "Leavin’" or "Happy Song," a cover of SWV’s "Weak," look out. This engaging debut portends a promising future.—**GM**

**COUNTRY**

**SHEDISAYA**

**Sweet Right Here**

**PRODUCER:** Dennis Hoff  
**Shedisaya Lyric Street 65044**  
**RELEASE DATE:** June 8

One can only admire Shedisaya’s perseverance—she’s been a fixture for a decade and a half in the recording industry yet. This new disc is a bicoastal group’s debut, highly recommended for folks not interested in the current musical climate. Equal parts jazz, blues, funk and rumba, the disc offers a mix of provocative and mysterious songs, all of which hint at the influence of the greats. The music is a pleasant surprise, and the band is tight and cohesive, with Shedisaya’s voice at the center of everything.—**R**

**CONTRIBUTORS:** Jim Bevans, Libby Cobo, Jonathan Cohen, Gordon Ely, Deborah Evans Price, Rashan Hall, Gail Mitchell, Michael Paoletta, Wayne Robbins, Chuck Taylor, Christa L. Tillus, Anastasia Tsiolitos, Phillip van Vleck, Andrew Widdall, Christopher Walsh  
**ESSENTIALS:** Reviews deemed by the review editor to deserve special attention or the focus of musical merit and/or Billboard chart potential. HTML RESSELS: Reviewed albums of special artists, archival and commercial interest and/or outstanding collections of works by one or more artists. PCB (programs): New releases, regardless of chart potential; highly recommended because of their musical 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. 10003) or to the writers in the appropriate departments.

**BILLBOARD**

**JUNE 19, 2004**

www.billboard.com  •  www.billboard.biz
SINGLES
Edited by Michael Paolletta

TIM McGraw Live Like You Were Dying (4:48)
PRODUCERS: Byron Gallimore, Tim McGraw, Darran Smith
WRITERS: T. Nichols, C. Wiseman
PUBLISHERS: Warner-Tamerlane Publishing (BMI), Big Loud Shit (ASCAP)

“Live Like You Were Dying” is McGraw’s emotional ode to a woman and the gripping ballad is his first No. 1 single.

AC
DIANA KRALL Narrow Daylight (3:32)
PRODUCERS: Tommy LiPuma, Diana Krall
WRITERS: D. Krall, E. Costello
PUBLISHER: not listed

“Narrow Daylight” is a quiet, evocative track that showcases Krall’s vocals and Costello’s unique musical style.

R&B/HIP-HOP
O’RYAN Take It Slow (4:00)
PRODUCERS: BAM & Ryan
WRITERS: various
PUBLISHERS: various

“Take It Slow” is a soulful R&B track with a catchy beat and soothing vocals.

**REVIEWS**

**JESSICA SIMPSON** Angels (4:03)
PRODUCERS: Billyman
WRITERS: R. Williams, G. Chambers
PUBLISHERS: EMI Music/BMG Music

Simpson’s latest single is a catchy pop tune featuring collaborations with artists like Chris Brown and Pitbull.

**SEALS & CROFTS** Summer Breeze (4:07)
PRODUCERS: Louie Shelton
WRITERS: J. Seals, D. Crofts
PUBLISHERS: Faituliu Publishing/Duchess (BMI)

“Summer Breeze” is a classic summer song with a timeless feel.

**ESSENTIAL REVIEWS**

**ALBANIAL AFROBEAT ORCHESTRA** What Is This America?
PRODUCER: Antibalas

This landmark album combines traditional African music with contemporary influences, creating a unique soundscape.

**NICOLE HENRY** Nearness

This soulful album features powerful vocals and thought-provoking lyrics that explore themes of love, loss, and redemption.

**Waltz Version**

**JUDITH WYATT** High Time

Wyatt’s soulful vocals and heartfelt lyrics make this album a must-listen for fans of soul and gospel music.

**ACADEMY AWARD WINNERS**

**AARON SORKIN** The Social Network

Sorkin’s Pulitzer Prize-winning play about the creation of Facebook comes to screen, with an impressive ensemble cast and dynamic performances.

**Musician Magazine**

**THE CURE** Disintegration

The Cure’s third studio album is a classic of gothic rock, featuring some of their most iconic songs.

**BILLBOARD COM**

**The Weeknd** After Hours

The Weeknd’s latest album is a cinematic pop-R&B record with, well, a lot of after hours.
Rough Guide Marks First Decade Of Musical Travel

BY CHRIS MORRIS

LOS ANGELES—World Music Network is celebrating 10 years of spanning the musical globe with its Rough Guide anthologies.

The London-based company has produced 130 CD collections of international music, branded with the logo of the well-known U.K.-based travel-guide publisher.

The book firm has also created 30 music guides, published in the United States by Penguin.

The Rough Guide CDs—designed as starter sets for those exploring a foreign musical style or genre—have become a highly recognizable and successful brand.

“We stock all of them,” says John Brenes, co-owner of the Music Coop in Ashland, Ore. “That’s one of the really good labels we do well with. It’s consistent all the time. They’re what we call ‘instant catalog’—stuff that sells forever.”

Phil Stanton and his wife, Sandra Alayón-Stanton, founded World Music Network in 1994. The couple had operated its own world-music label, Riverboat Records, and wanted to prepare a mid-priced series of world-music CDs.

Stanton—a seasoned traveler who had consulted with Rough Guides on its guidebook to West Africa—learned that the publisher was preparing the first edition of “The Rough Guide to World Music,” and set up a meeting.

“The idea was to see how we could work together to help their book and our CDs,” Stanton says. “Out of that meeting came the idea that we should just call the CD ‘The Rough Guide to World Music.’ That would give an extra dimension to the book, and it would help the CD, too, to have that kind of brand recognition.”

“(Continued on page 39)
Sin City Spreads Americana Reach With New Label

Los Angeles-based Sin City Marketing and Artist Management has started its own label. Sin City Records began in June 1 with the release of vocalist Kristin Mooney’s self-titled album, Bumsyide Distribution in Portland, Ore., is handling the release. Sin City promotes and manages country-rock and Americana acts. The company is a partnership between founders Shilah Morrow, Alan Shapiro and Shawn Catz and Polly Parsons, daughter of country-rock icon Gram Parsons.

Morrow has long been active on the L.A. roots scene as promoter of country-rock and Americana Sweethearts of the Roden, presented monthly at the L.A. pub Molly Malone’s. Sin City is involved in mounting two all-star concerts honoring the late Parsons. July 9 at the Santa Barbara Bowl in Santa Barbara, Calif., and July 10 at the Universal Amphitheatre in L.A.

Proceeds from the dates will benefit Artists’ Assistance Program, the L.A.-based nonprofit that aids members of the music community, who have drug and alcohol abuse problems.

SPANKED: A federal judge in New York has ordered Memphis-based distributor Select-O-Hits to pay $132,000 to Universal Music Group in a copyright infringement suit UMG filed in 2002.

The court found that Select-O-Hits had willfully violated UMG’s copyrights and trademarks by distributing mix CDs from now-defunct label Cochineal Productions. The CDs featured tracks by several well-known rap artists who record for the major.

The court also held Select-O-Hits liable for part of the $195,000 in damages levied against Cochineal.

Scott has appeared on albums by artists including Jim Lauderdale, Jimmie Dale Gilmore and Kate Rusby, among others. His album “Theatre of the Unheard,” which features guests Rodney Crowell, Stuart Duncan and Danny Thompson, will be re-released June 29 through Virtual.

The Future Farmer/Virtual pact looks to have For Stars’ album “...It Falls Apart,” also due June 29.

Forthcoming projects include an album by ex-Matador Records act Fuck and a set from the Cub Country, a new band led by Jermaine Jackson of Jets to Brazil.

Future Farmer’s catalog includes titles by singersongwriter M. Ward, former American Recordings act the Mother Hips and Elephant 6 Collective group the Minders.

Jazz

Continued from page 37

that its artists are free to pursue their art. McDonnell says, His son Clayton, who also works at the label, says MaxJazz focuses on national retail outlets and independents. (Its albums all carry a $17.98 list price.)

Consumers can also find MaxJazz titles through the label’s mailorder catalog or Web site, maxjazz.com. And online retailers like Amazon account for 10% of MaxJazz sales, the McDonnells say.

The label continues to explore nontraditional retail channels. It tailored one current promotion for gift shops. It also encourages its artists to sell albums at their shows.

MaxJazz markets its releases through its Web site, as well as radio promotions and advertisements in national jazz magazines. It also sends extensive mailings to venues, media and radio.

The label includes business reply cards in its CDs. McDonnell says responses on the cards tell him the branding initiative is working. “One question we ask is, ‘What other MaxJazz CDs do you own?’ and the lists we are getting back are getting longer, so we realize that the brand is coming across.”

MaxJazz helps its branding efforts by placing artists from its roster in the same show or tour. For example, MaxJazz artists have appeared together at the Kennedy Center in Washington, D.C., and at Sweet Rhythm, a jazz club in New York. The label plans other MaxJazz events in upcoming months.

It is also putting together an agreement with Microsoft and finalizing a deal with Apple Computer’s iTunes, according to McDonnell. To improve relationships with venues, MaxJazz plans to release more live albums. It released Mulgrew Miller’s “Live at Yoshi’s, Vol. 1” May 25, and has Jessica Williams’ “Live at Yoshi’s” slated for July 20.

Both were recorded at the famed Oakland, Calif. club.

“We don’t set up objectives,” McDonnell says. “We always want to maintain the high quality of what we do, while having fun doing it.”
Handleman's Turn To Glisten In Black Ink

Man, it sure is a pleasure writing about black ink; last week Navarre, this week Handleman.

The Troy, Mich.-based rackjobber reported net income of $5.7 million, or 24 cents per diluted share, on sales of $297.2 million in its fiscal fourth quarter, ended May 1. While Handleman's net income decreased by nearly $2 million year over year (from $7.8 million, or 30 cents per diluted share), revenue increased 13.8% (from $261.2 million).

The company attributed the income differential to the Nov. 1 sale of its Anchor Bay Entertainment subsidiary. Although treated as a discontinued operation, it registered a $749,000 loss this year; last year it contributed after-tax income of $2.1 million.

For the fiscal year, the rack reported net income of $38.6 million, or $1.57 per diluted share, on sales of $1.2 billion. Handleman's net income the previous year was $27.7 million, or $1.06 per diluted share, on sales of $1.28 billion.

The company attributed the drop in its annual sales to 300 Kmart store closures and the loss of a regional discount department store chain.

Increased sales in Handleman's U.K. and Canadian operations partially offset the company's U.S. revenue decrease.

Looking more closely at Handleman's year-end numbers, its gross profit margin increased slightly to 20.6% of revenue, compared with 20.5% in fiscal 2003.

But selling, general and administrative costs grew faster than profit margin: The company's 2004 SG&A was 16.1% of revenue, compared with 15.7% in the previous year.

Handleman cited new customer initiatives and customer reconciliations for the increased expenses.

For the year, Handleman generated $71.8 million in adjusted earnings before interest, taxes, depreciation and amortization, compared with $83.3 million in the previous year.

During the year, the company repurchased 2.6 million shares. This leaves 2.2 million available in its common stock repurchase program.

At the same time Handleman released its results, the board of directors declared a dividend of seven cents per share.

Handleman said it expects music sales to continue growing and estimated revenue and earnings will improve by a percentage in the low single digits.

In a statement, chairman/CEO Steve Strome said: "As we enter fiscal 2005, we look to grow our core music category management and distribution business, and continue returning capital to our shareholders through increased share repurchases and dividend programs."

The company is awaiting results of a test conducted with a current customer—which Handleman would not name—but sources say it is Best Buy—to see if it will begin racking part of that chain.

Handleman currently sells Best Buy deep catalog, and music products on the retail floor has traditionally been a problem (Billboard, July 19, 2003). But Geoff Colquitt, director of marketing for Rough Guide U.S., says things are looking up.

"There are starting to be some inroads made, albeit more at the independent shops than at the chains," Colquitt says. "At the chains, it depends on buyers. You've got one guy whose department is at the left side of the store, and you've got someone else whose department is on the right side of the store, and they get pretty territorial."

But, he adds: "We do sell CDs through this office to bookstores, and that's where it's growing now."

World Music Network titles continue to get a push from Rough Guides books. A new edition of "The Rough Guide to Jazz" just shipped; new editions of the reggae and hip-hop guides and a title devoted to Bob Dylan should arrive this fall.

Stanton says his company works "very closely" with the publisher. "We do look at release schedules. We'll get to see those schedules well in advance, and we have the option of slotting in music releases to coincide with any of their book releases that we would like to."
DVDs Feed Athens Fever

BY JILL KIPNIS

LOS ANGELES—Home video labels are taking note of expected consumer interest in the 2004 Athens Olympics, which will run Aug. 13-29 and air on NBC. Labels are releasing numerous Olympic- and Greek-themed DVDs before the opening ceremony.

St. Clair Entertainment will issue the three-disc set "The Olympic Series" (July 20, $29.98). The project features memorable Olympic moments from 1920 to 2002, incudes the U.S. hockey team's 1980 victory over the Soviet Union and Florence Griffith Joyner's three track wins in 1988. The set includes interviews with key athletes.

"This title puts the games in perspective," St. Clair VP Martin Mair says. "The interviews go beyond the actual sporting events and give background about politics and history."

St. Clair will focus its marketing campaign on placement at specialty and mass merchant accounts. Mair says deals are in place with Wal-Mart, Trans World, Best Buy and Tower Records.

Mark Higgins, home video manager at Trans World, says the title will be featured on endcaps this summer.

The origin of the Olympics is the subject of PBS Home Video's "The Real Olympics" (Aug. 3, $24.99).

The title examines the original games' cultural and religious foundations and compares the event with its modern incarnation.

Tracey Beeker, VP of marketing and consumer products for PBS, says consumer awareness of the games will be "huge." She estimates 35 million people will watch it.

Beeker says that in addition to retail programs, PBS will market the title with a targeted e-mail newsletter in July. PBS will also include the video in a summer catalog aimed at teachers.

Two Acorn Media titles explore the scenery of Greece and the history of Greeks in America. "Visions of Greece" and "The Greek Americans" are due June 7 ($24.99 each).

Both programs will air on public TV stations nationwide throughout July and August, according to Sylvia George, VP of marketing at Acorn. Air dates will vary by market.

The Greek Americans" are due June 7 ($24.99),

Both programs will air on public TV stations nationwide throughout July and August, according to Sylvia George, VP of marketing at Acorn. Air dates will vary by market.

Other Olympics-related releases include A&E Home Video's "The First Olympics: Blood, Honor and Glory" (June 29, $24.95) and Madacy Entertainment's "The Olympic Century" (June 29, $19.98).
Oxygen Airs Alanis

Alanis Morissette took over the Oxygen TV network May 18 for a live, eight-hour marathon special, "Oxygen Goes Live With Alanis." The special documented Morissette's New York visit to promote her new Maverick Records album, "So-Called Chaos." The event included Morissette doing an autograph session at the Virgin Megastore in Times Square and concluded with the singer performing at the China Club. Pictured, from left, are Oxygen senior VP of talent and music Julie Insogna, Maverick marketing coordinator Jill Augusto, Morissette and Maverick marketing director David Grant.

Hot Fashion ... WYCLEF JEAN AND CLIVE DAVIS

Wyclef Jean, left, and BMG North America chairman/CEO Clive Davis hang out at a party celebrating the 100th anniversary of the Cartier Santos watch. The event, held May 26 at New York's Lexington Avenue Armory, also attracted such celebrities as Russell Simmons and Q-Tip. In other music-meets-fashion news, Beyoncé and her mother/stylist, Tina Knowles, have teamed with Wear Me Apparel/Kids Headquarters for a women's fashion line due at retail next year. . . . Mandy Moore and Kaylor Schwartz Inc. have launched Mblem, a vintage T-shirt line featuring quotes from songs of the 1960s through 1980s. . . . Lil' Kim has started her own watch collection, Queen B Royalty. (Photo: Dimitrios Kambouris/WireImage.com)

Reinvent Yourself

Madonna, right, receives a kiss from her husband, film director Guy Ritchie, at the May 24 party celebrating the kickoff of Madonna's 2004 Re-invention tour. The party, held at the Forum Club in Los Angeles, also drew such stars as David Spade and Fran Drescher. The Re-invention outing is expected to be one of the highest-grossing tours of the year. (Photo: Kevin Mazur/WireImage.com)

Lavigne Rocks With AOL Broadband

Avril Lavigne performed at New York's Webster Hall to celebrate the release of her second album, "Under My Skin." (Arista/RCA Records) AOL Broadband presented the May 24 concert as part of its "Broadband Rocks" series. "Under My Skin" debuted at No. 1 on The Billboard 200 in the June 12 issue. (Photo: Theo Wargo/Wireimage.com)

EXECUTIVE TURNTABLE

PEOPLE ON THE MOVE

RECORD COMPANIES: Equity Music Group in Nashville appoints Ted Wagner national director of promotion for the Southwest region. He was VP of promotion at Columbia Records Nashville. Sanctuary Records Group in Minneapolis names Rob Chapman director of national accounts. He was national director of sales at JRB Sales and Marketing Innovations. Mids Records in Los Angeles appoints Andrew Naas VP of A&R. He was an engineer and systems designer with music production team the Matrix. PUBLISHING: Peer Commercial Music ups Karima Torres to creative manager of film, TV, advertising and special markets for the Latin division. She was catalog manager of film, TV, advertising and special markets. CONCERT PROMOTION: Palace Sports and Entertainment in Auburn Hills, Mich., names Debra Colon director of marketing. She was advertising director at Sibley's Shoes. RADIO: Clear Channel Radio in Houston appoints Mike McGee executive VP of corporate operations. He was senior VP of sports and entertainment at Aramark. Infinity Radio in Baltimore names Dave Lahrozzi VP of programming. He was regional VP of programming for Pittsburgh at Clear Channel Radio. Classic rock WRWV in Washington, D.C., appoints Max Dugan PD. He was PD of classic rock KZPS in Dallas. Adult top 40 WRQQ in Nashville taps Joe Limardi as PD. He was PD of adult top 40 WDBY in Danbury, Conn.

MUSIC VIDEO: Gospel Music Channel in Nashville appoints Genia Edelman VP of affiliate sales and marketing and Stacey Killian Hagwood executive producer. Edelman was regional director of affiliate sales and marketing at Discovery Networks. Hagwood was VP of creative at CMT.

HOME VIDEO: New Line Home Entertainment in Los Angeles names John Kirkpatrick senior VP of music. He was VP of A&R and soundtracks at Elektra Entertainment. The Museum of Television & Radio in New York appoints Monique J. Fortune radio curator. She was a communications instructor at Fordham University.

PRICEWATERHOUSECOOPERS in New York appoints R. Wayne Jackson, global leader of entertainment and media practice. He adds that title to his current post as PriceWaterhouseCoopers' global relationship partner for Time Warner and BellSouth.
ACM Bash  Several winners of the 2004 Academy of Country Music Awards gathered at the RCA Label Group post-show party, held May 26 at the Four Seasons Hotel in Las Vegas. Pictured celebrating at the party, from left, are Kix Brooks and Ronnie Dunn, winners of top vocal duo of the year; ACM Awards host Reba McEntire; Robin McGraw and her husband, TV talk-show host Dr. Phil McGraw; Martina McBride, winner of top female vocalist of the year and the Humanitarian Award; Alan Jackson, co-winner of single of the year and vocal event of the year; and RCA Label Group chairman Joe Galante. (Photo: Curtis Hilburn)
Pro Audio

Grammys Back DVD-A, SACD

Proponents of DVD-Audio and Super Audio CD hope to see the formats’ fortunes turn around. Despite an abundance of semi-narrated playback programs and several top artists’ albums mixed or remixed in surround-sound for DVD-A or SACD release—sales gains have been modest. All this may change, however, if recent events are any indication.

On May 19, the National Academy of Recording Arts and Sciences’ Producers & Engineers Wing premiered its Grammy Surround Music Alliance at Loews Vanderbilt Hotel in Nashville.

The event included a two-hour presentation hosted by producer Phil Ramone. Other audio professionals conducted educational presentations, including Chuck Ainlay, Tony Brown, BT, Ed Cherney, Bob Ludwig, George Massenburg, Elliot Scheiner and Eric Schilling, as well as Foreigner’s Mick Jones and Ken Jordan of the Crystal Method. The alliance also featured a trade-show exhibit.

The purpose of the event was to educate consumers and professionals, according to Hank Neuberger of Chicago-based Chicago Recording and Third Surround—and broadcasting—and surround is everywhere. Shortly after the Surround Music Alliance event, NARAS held a board of trustees meeting. One result of the meeting was the ratification of a new Grammy Award—production, surround sound—and its first category, best surround sound album (billboard.biz, June 4).

“I saw the writing on the wall years ago and knew it was a matter of time,” producer/engineer Rich Tozzoli says.

Tozzoli was one of several audio professionals—including many of the aforementioned engineers, along with Frank Filipetti, Al Schmitt, Tony Visconti, Jeff Levison, Paul Stubblebine, Rory Kaplan and Howard Massey—who submitted the proposal to NARAS for a surround-related Grammy Award.

“We got a great reception from everybody that was working in multichannel,” Tozzoli says. The best surround sound album award—which will recognize a commercial DVD-A, DVD-A or SACD release that provides an original surround mix of four or more channels—is certain to promote multichannel audio worldwide.

Events like the Surround Music Alliance will do the same on a local level.
French Music Biz, ISPs Debate Law

BY JAMES MARTIN

France’s music industry has welcomed a new e-commerce bill as a tool in the fight against illicit content on the Internet. The legislation, known as LEN (or the Digital Economy Law) is in the final stage of review before becoming law. LEN would place more responsibility on Internet service providers and Internet hosts to identify and remove illicit content.

The bill adapts a June 2000 European directive on e-commerce. It passed both houses of French Parliament—the Senate and the National Assembly—in May.

France’s constitutional court, Conseil Constitutionnel, is reviewing the bill, with a ruling expected this summer. The court must approve the bill before it can become law.

LEN would not require ISPs to constantly monitor their services, but it would oblige them to remove illicit content following a complaint by a third party.

"Hosts’ responsibility is strictly limited to cases where they have not acted quickly to stop access of illicit content of which they have been made aware,” Minister of Industry Patrick Deweydian says. The French music industry says LEN will make it easier to stop individual illegal file sharers.

Frédéric Goldsmith, legal director for French labels body SNEP, says, “The LEN will bring about a clarification of ISPs’ responsibilities. It will be easier to obtain their cooperation with the law behind us.”

SNEP has criticized various ISPs’ advertisements, which it says encourage subscribers to illegally download music.

"In the past,” SNEP director general Hervé Rony says, “ISPs have not really taken us seriously. Now, they’ll be obliged to cooperate.”

Stéphane Marcovitch, GM of ISP trade body APA, disagrees. “We don’t need the LEN to settle the differences between ISPs and major labels,” he says. “We’ve been more than willing to talk with the record industry for years, but they’ve openly refused to do so unless Internet content is filtered.”

LEN has faced strong opposition. APA and several consumer and freedom-of-speech groups have said the text infringes on fundamental liberties.

Ritto Returns

Ex-EMI Denmark Exec Starts MBO

BY CHARLES FERRO

COPENHAGEN—Michael Ritto, former president of EMI Recorded Music Denmark, has launched an indie company that he hopes will play a major role in the Danish industry.

Ritto teamed with Benny Bach, another local EMI veteran, for his new venture, the Music Business Organization.

MBO is more than a label, Ritto says. It is a holding company comprising 10 operations, ranging from music publishing to artist management.

"I expected to see someone create a company like this for quite some time, a kind of major-indie or indie-major,” Ritto says. “Our strategy is to be big when it pays to be big and small when it pays to be small.”

Among MBO’s operations are Music Business Sweden and Music Business Norway; each will represent all of the MBO companies in its market.

(Continued on page 48)
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CROWDED STUDIO
FOR FINNS’ REUNION

Eight years after they last worked together, Neil and Tim Finn of Split Enz and Crowded House fame have reunited. The New Zealand brothers release the album “Everyone Is Here” Aug. 24 on Nettwerk. “The last time we did a Finn Brothers record, it was kind of a side proj-
et,” Neil says. “This one we’ve been a lot more deliberate about.” Recorded in Los Angeles, the album also reunites the brothers with producer Mitchell Froom and more.

Tobias Mortensen, the team behind Crowded House’s catalog, Tony Vis-
conti provided string arrangements. A North American tour kicks off July 9 in Vancouver, coinciding with the arrival of radio single “Won’t Give In.” The brothers will also release a commemorative tour EP online.

OLYMPIC EFFORT: Two months before the Olympic Games kick off in Greece, Athens mayor Dora Bakoy-
annas presided over the launch of single “On Your Marks—Get Set & Cease Fire,” a plea for peace conveyed in 11 languages. Two of the

country’s most popular artists, Dimitri Galani and Athitos Protopsalti, perform the song, backed by a chil-
dren’s choir. The single is the city’s effort to send out a message of peace in these difficult times,” Baisio-
annas says. Veteran singer-songwriter Galani adds, “It is our way, our voice, to stop this madness of violence.”

Kinessis distributes the single, which is a joint project of the City of Athens and label NME.

MARIA PARAVANTS

MUSICAL CHAIRS: While Australian rock band Silverchair takes a break from the road, singer/guitarist Daniel Johns has teamed with dance producer Paulmac to form the Dis-
sociates. Johns’ grunge rock and Paulmac’s electro rhythms merge on the duo’s self-titled EM album, showing a penchant for melody and goofy humor. “Different people coming from different angles, that’s what makes it interesting,” Johns says.

The two met in 1997 when Paulmac remixed the Silverchair track “Freak.” Johns then asked the pro-
ducer to play on the band’s “Neon Ballroom” and “Diorama” albums.

CHRISTIE ELIER

IN THE VANGUARD: Danish indie-rock quartet the Blue Van has signed to New York-based TVR Records. The label will release the band’s debut album, “Beat Sellers,” in September. “We began talks at MIDEM in January,” says Mette Zähringer, president/manager.

Mark’s Iceberg Records, which discovered the Blue Van. “They’ve signed a band with an album that’s basically fin-
ished,” he adds. Iceberg manages the band and handles its publishing. The Danish label generated interest in the Blue Van late last year by distrib-

CHARLES FERRO
Aussies Freeze Funding

Government’s New Arts Budget Leaves Music Community Cold

BY CHRISTIE ELIEZER

SYDNEY—Australia’s ruling Liberal Party/National Party coalition probably cannot count on across-the-board music industry support at election time this fall.

When the government announced its 2004-2005 fiscal year budget May 11, the arts allocation disappointed some in the music business.

The government’s main arts funding figure is the Australia Council. The new budget freezes the council’s core funding for the next three years at $398 million Australian ($278.6 million). Funding allocations take effect July 1.

Many music executives complain the funding is inadequate. Some also believe the council’s policy of extending repayable grants to help local musicians tour overseas is short-sighted.

“Lending $20,000 Australian ($14,000) to an independent band is not the answer,” says artist manager Nathan Brenner, who is managing director of Melbourne-based Independent Management. “Very few have the capacity to pay back a grant.”

Gail Cork is acting chair of the Australia Council’s music board. She points out that the council will not finalize its funding allocations until mid-June. “We’re still establishing what the dollar figure is,” Cork says. Contemporary acts received 17% of the music board’s 2002-2003 budget, she adds.

Cork is keen to expand such programs as International Pathways, which offers grants to help Australian acts tour abroad and to assist industry execs’ travel to trade fairs, but she says funding is tight.

International Pathways offers one-off repayable grants of $10,000 to $30,000 Australian ($7,000 to $14,000). Cork says applications doubled from 2003 to 2004, while the program’s annual budget has remained $320,000 Australian ($224,000) since 2001.

TAX BREAKS

Brenner believes the music business would be better-served by tax incentives to encourage investment. “The tax incentives for film and TV were extended in this budget,” he says. “The music industry got nothing.”

Brenner, who has worked with such acts as Men at Work, Split Enza and Daryl Braithwaite in his 15-plus-year career, is a founding member of the Australian arm of the Music Managers Forum. He would like to see government funding directed to courses that build the technical and entrepreneurial skills of Australian music-makers.

That kind of assistance would be particularly valuable for Australia’s indigenous community, hip-hop vocalist EBomb Mills says. With the joint indigenous project manager for the MMF and the Australian Independent Record Labels Assn., liaising with indigenous artists, labels and managers is optimistic.

“Many indigenous musicians live in regional areas thousands of miles from where they can learn such skills,” he says.

Williams estimates that $50,000 to $70,000 Australian ($35,000 to $49,000) would be enough to bring a dozen musicians to major music centers to learn skills or to fund landing music executives on a four-week road trip to rural settlements.

Paul Terdich, president of the Community Broadcasting Assn. of Australia, also criticizes the government budget. The CBA represents 300 community radio stations, 70% of which are in rural or remote areas.

“The community sector has grown immensely in size since 1996, yet [its] federal government funding has remained the same,” Terdich says.

If funding had remained on par with the sector’s growth, he says, community radio stations would be receiving $9.3 million Australian ($6.5 million) per year—$4 million Australian ($2.8 million) more than currently allocated.

The other eight companies, all Denmark-based, are Good Songs Publishing, based in Copenhagen; the CTCU Development, artist management company Artistcare, recording studio SB Studio and labels CMC, Recart Music, My Way Music and Copenhagen Entertainment.

Four former EMI Recorded Music Denmark executives launched Copenhagen Records earlier this year (Billboard, Jan. 24). MBO plans to release a broad spectrum of music, Ritto says. The combined rosters of the MBO labels total about 50 acts.

Ritto Brad Bach’s efforts have not gone unnoticed.

“They’re two weighty players,” says John Aagaard, managing director of TG Management and former manager of Danish outfit Aqua, “It’s great to see people who still care to enter new ventures.”

Jesper Bay, marketing director for Denmark’s branch of the International Federation of the Phonographic Industry, agrees. “MBO is the most serious indie venture we’ve seen in many years,” he says. “There’s a bit of a paradox in the timing. [Now is] a bad time for the industry, but this gives them a better chance at success.”

COACHING STRATEGY

Bach and Ritto are joint CEOs of MBO. Copenhagen-based Ritto over-sees regional activities, new media and international contacts. Aalborg, Denmark-based Bach handles administrative and financial areas, plus operations related to CMC.

Each invested 5 million kroner ($800,000) in MBO and owns 50% of it. MBO has stakes ranging from 50% to 90% in its 10 affiliates; the outstanding shares are owned by 12 artists, who are involved in those businesses.

“MBO’s objective is to strategically coach the companies,” Bach says. “They can take advantage of a larger corporate structure when it comes to sales, distribution, finance and economy, administration and IT.”

Danish distributor GDC will handle domestic distribution. Swedish firm Bonnier Amigo Music Distribution will handle MBO product in the wider Nordic region.

Elsewhere, licensing and distribution will vary from act to act. “We won’t anchor ourselves to one big company,” Ritto says.

Ritto left EMI Denmark Feb. 29. He had been with the company since 1987, when EMI bought the label he co-founded, Copenhagen-based Medley Records, and merged it with its existing Danish operation.

Ritto became managing director of EMI-Medley. He was named president of EMI Recorded Music Denmark in February 2002.

EMI is the dominant player in Denmark, with a marketplace of 40% of the music market in 2003.

Each founded Aalborg-based catalog/compilations specialist CMC, which EMI-Medley acquired in 1997. Each company was opened as CM until autumn 2003, when he bought back most of its assets from EMI and formed CMC Entertainment.

Sanctuary Group reported profit of $6.9 million ($12.6 million) for the first half of its fiscal year, a 15% increase compared with the same period the previous year. The London-based British independent music company posted £89 million ($163 million) in revenue for the six months ended March 31 up 41%. At the same time, earnings before interest, taxes, depreciation and amortization improved by 35% to £34 million ($63 million). Sanctuary also reported an increase in revenue from such new licensing areas as synchronization and licensing and content to download services.

“These revenues are now meaningful,” executive chairman Andy Taylor says. “We believe that these areas will continue to grow and provide strong long-term revenue streams.”

Elleene Roda-Gil, one of France’s most celebrated lyricists of the past four decades, died May 31 of a stroke. He was 62.

French president Jacques Chirac said Roda-Gil “a lyricist of genius” and “a great poet.” During his career, Roda-Gil worked with such artists as Julien Clerc, Johnny Hallyday, Patricia Kaas, Françoise Hardy, Mort Shuman, Vanessa Paradis, Claude François and Pascal Obispo. One of his biggest international successes was “Piano à Tokyo,” which became a worldwide hit in 1987.

Born Aug. 1, 1941, Roda-Gil was the son of Spanish refugee parents who left Spain after 1936.

Universal Music Germany has removed copy-protection technology from its national CD releases. The change will not affect any international repertoire the Berlin-based affiliate handles.

A Universal representative says the move follows consumer complaints that the anti-copying technology obstructed some discs from functioning on various devices.

“Universal Germany will not be reintroducing copy protection until a reliable technology has been developed,” the representative says.

Universal Germany is the leading record company in the market. German industry sources say the other majors will not follow Universal’s lead in removing copy protection.

Kyprios

Continued from page 45

make something distinct and new. Also, rap came from telling stories. It wasn’t about rhyming couplets. It was about something telling you about themselves and their day. That’s what good rap is.”

Kyprios’ influences include Gil Scott-Heron, A Tribe Called Quest, Saul Williams, Q-Tip, Pharoah Monch, Mos Def, Guru and De La Soul.

The album’s lead single, “This Is My Hit,” is a biting indictment of the music industry’s star-making tactics. Its video spent 12 weeks in heavy rotation on Canadian video channel MuchMusic.

“Rap is a scathing look at the industry,” Kyprios admits. “But I’m also saying that I’m using the industry as a tool to get this message across.”

At this point, his album will appear in Canada only. “We’re going to build it here first,” Donlon says. “I’m confident we can take him beyond our borders.”

Kyprios turned to rap a decade ago, when his older brother started hanging out with Depree I, a member of Victoria, British Columbia, hip-hop outfit Sound Advice.


“New York changed my view point and my whole work ethic,” he says. “There was such a positive vibe there.”

After returning to Vancouver in 2000, Kyprios released “Mic Tease.” He performed at numerous local clubs and hosted a weekly open-mic party called Come With It.

Kyprios also hooked up with Sweatshop Union during this time. He appears on the collective’s two albums, a 2002 self-titled set and 2005’s Natural Progression.

Macklam/Feldman Management and Keith Maryanovich co-manage Kyprios. Both are based in Vancouver.
HELP WANTED

Legal Editor Wanted
VNU Business Media Publishes over 50 business publications; stages more than 50 trade shows and conferences and operates approximately 200 business-to-business electronic products. We operate around the globe, covering some of the most powerful industries in the world including, entertainment, retail, media, travel and design.

We currently have a career opportunity at Billboard, the international authority on music, video, and digital entertainment, for a Legal Editor. This position will be responsible for business and legal coverage for the Billboard Information Group, which includes Billboard Magazine, Billboard.biz, Billboard.com, Entertainment Law Weekly and Airplay Monitor. The Legal Editor will handle editing, reporting and analysis for Billboard’s Entertainment Law Weekly newsletter; write the bieweekly Legal Matters column for Billboard; and contribute business and legal news and analysis to all BIG print and electronic platforms.

Qualified candidate must have demonstrated editing, reporting and analytical skills; knowledge of electronic products; ability to plan and host events and to represent the publication to other print and electronic media. Must be competent with editorial software. Five to ten years of professional reporting, assigning and editing experience required, including substantial legal reporting experience. Law degree preferred but not required.

Please send résumé and a cover letter including salary requirements to: VNU Business Media, attn: Human Resources Dept.-lg, 770 Broadway, 6th Fl., New York, NY 10003. Email: entertainrecruit@vnubspubs.com or Fax: 646-654-4671. Visit our website: www.vnubsbusinessmedia.com.

Only candidates selected for interviews will be contacted. No phone calls or agencies please. VNU Business Media offers a competitive salary with excellent benefits. VNU is an equal opportunity employer.

HELP WANTED

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VNU Business Media Publishes over 50 business publications; stages more than 50 trade shows and conferences and operates approximately 200 business-to-business electronic products. We operate around the globe, covering some of the most powerful industries in the world including, entertainment, retail, media, travel and design.

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Qualified candidate must have a minimum of five years sales experience, preferably in advertising sales. Must have exceptional verbal and written communication skills, competency with ACT and Excel preferable. College degree preferred.

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Tony Awards

Continued from page 7

“"Avenue Q" producer Robin Goodman said backstage that the musical's Tony victories meant recognition for “the next generation of theater. [...] "Avenue Q" featured all unknowns bringing new life to Broadway.”

"Wicked," a "Wizard Of Oz"-themed production, was the leading contender with 10 nominations. It won three categories: best performance by a leading actress in a musical (Idina Menzel), best scenic design (Eugene Lee) and best costume design (Susan Hilferty).

Hugh Jackman, who hosted the Tony Awards for the second consecutive year, won best performance by a leading actor in a musical for "The Boy From Oz." Jackman stars in the musical as the late Peter Allen.

He said to the reporters in the press room, “I didn’t think about [my] nomination too much, because I was mainly thinking about [hosting] the show. It’s been an honor to host Peter Allen.”

HINTING that he might be interested in doing “The Boy From Oz” in another medium other than the stage, Jackman said, “I have a feeling that [the Broadway] isn’t going to be the last of the show for me.”

The actor mentioned that his next film project would be “The Fountain,” directed by Darren Aronofsky.

Mary J. Blige and Tony Bennett were among those who performed at the event, which aired on CBS. Presenters included LL Cool J, Billy Joel, songwriter Carole Bayer Sager and Sean "P. Diddy" Combs, who made his Broadway debut this year in the dramatic play "A Raisin in the Sun.”

“It’s been the hardest thing I’ve ever done,” Combs said backstage at his Broadway debut. “But it’s been a life-changing experience. I would love to come back to Broadway.”

According to the League of American Theatres and Producers, Broadway box-office grosses for the 2003-2004 season totaled $771 million, up 6.5% from the previous season.

Of the four productions nominated for best musical Tony this year, "Wicked" is the biggest hit, grossing $34.4 million to date since it opened in October 2003. "The Boy From Oz" is the second-biggest, grossing $28.5 million since opening in September 2003.

Since its July 2003 opening, “Avenue Q” has grossed $16.9 million to date and experienced attendance growth from 35% to 96% capacity. "Caroline, Or Change" has grossed $3.1 million since opening in April.

"Taboo," nominated for four Tonys this year, was Broadway’s highest-grossing flop of the season, despite the high-profile involvement of Boy George and producer Rosie O’Donnell. After opening in November 2003, "Taboo" closed three months later and grossed just $4.9 million.

A complete list of winners may be found at tonyawards.com.
Bill Pushes For Low-Power FM

Two main supporters of low-power FM service believe that a new bipartisan bill introduced in the Senate will make LPFM a reality in urban areas.


The main supporters of the legislation are the Future of Music Coalition and the United Church of Christ.

The bill will allow for new city and suburban stations to offer "a noncommercial vehicle for churches, schools and community groups to serve local citizens," says Gloria Tristani, a former commissioner with the Federal Communications Commission and now managing director of the FCC office of communication.

"The establishment of hundreds of new, community-based [LPFM] stations has been a glimmer of hope among the devastation brought by massive consolidation of commercial radio," says Michael Brady, FMC executive director of government relations.

As a result of radio consolidation, Brady added, "We see a shrinking playlist, barriers for local and independent artists, structural payola and the utter disappearance of entire genres of music from commercial radio. LPFM provides a tangible opportunity to do something proactive" about those problems, he says.

Sources say McCain, the outgoing chairman of the Senate Commerce Committee, is particularly interested in passage of the bill as part of his legislative legacy.

McCain’s choice of Leahy as co-sponsor will give a necessary bipartisan cast to the bill and improve its chances for passage, Brady says. Leahy is a former chairman and current ranking member of the Senate Judiciary Committee.

Thanks to FCC authorization in 2000, there are LPFM stations in rural areas at present. However, the National Assn. of Broadcasters fought against urban counterparts, arguing such outlets would cause interference for existing stations.

NAB lobbyists managed to get an amendment placed on an appropriations bill in 2000 that delayed FCC action until the completion of a taxpayer-funded interference study by the Mitre Corp.

During introduction of the bill, McCain called the radio industry’s alleged stalling tactic “subterfuge,” adding: "The results are in. After spending almost two years and over $2 million, the independent study revealed what the FCC and community groups had said all along: LPFM will do no harm to broadcasters."

But the NAB doesn’t agree. It is unfortunate Sen. McCain is relying on the deeply flawed Mitre study in supporting the authorization of more low-power FM stations,” NAB president/CEO Eddie Fritts says. The study was conducted to gauge the interference effects of LPFM stations. He characterizes any new LPFM authorization as “shoehorning more stations in an already overcrowded radio dial.”

The bill will be Senate-driven, there isn’t any current companion legislation in the House.

Brady thinks the findings of the Mitre study and McCain’s entrance into the issue has neutralized the NAB’s opposition.

“I’d like to think it’s noncontroversial legislation now,” he says.
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600,000 SPINS
Every Morning/ Sugar Ray /ELEKTRA/ATLANTIC

500,000 SPINS
That Don't Impress Me Much/ Shania Twain /MERCURY
Family Affair/ Mary J. Blige /MCA

400,000 SPINS
Someday/ Nickelback /ROADRUNNER
I Can Love You Like That (Yo Te Voy A Querer)/ All-4-One /ELEKTRA/ATLANTIC

300,000 SPINS
Yeah/ Usher Feat. Ludacris & Lil' Jon /AFACE/ZOMBA
Don't Let Me Get Me/ Pink, /AFACE/ZOMBA
Last Resort/ Papa Roach /DREAMWORKS
Clocks/ Coldplay /CAPITOL
Where Is The Love/ Black Eyed Peas /A&M

200,000 SPINS
My Immortal/ Evanescence /WIND-UP
This Love/ Maroon 5 /OCTONE/J RECOVERS
Tippsy/ J-Kwon /SO SO DEF/ZOMBA
Slow Jams/ Twista Feat. Kanye West /ELEKTRA/ATLANTIC
Holiday In/ Chingy Feat. Ludacris & Snoop Dogg /DTP/CAPITOL
No One Knows/ Queens Of The Stone Age /INTERSCOPE
Where I Come From/ Alan Jackson /ARISTA
Ten Rounds With Jose Cuervo/ Tracy Byrd /RCA

100,000 SPINS
Burn/ Usher /LAFACE/ZOMBA
Naughty Girl/ Beyonce Knowles /COLUMBIA
Freek-A-Leek/ Petey Pablo /JIVE/ZOMBA
My Bond/ D12 Feat. Eminem /INTERSCOPE
Sweet Southern Comfort/ Buddy Jewell /COLUMBIA
You'll Think Of Me/ Keith Urban /COLUMBIA
Perfect/ Sara Evans /RCA
Breathe/ Michelle Branch /MAVERICK
Megalomania/ Incubus /EPIC
Open My Heart/ Yolanda Adams /ELEKTRA/ATLANTIC
Walking Away/ Craig David /RCA
Then They Do/ Trace Adkins /CAPITOL
I'm A Thug/ Trick Daddy /ELEKTRA/ATLANTIC
Who Let The Dogs Out/ Baha Men /ARTEMIS

50,000 SPINS
Overnight Celebrity/ Twista /ELEKTRA/ATLANTIC
Roses/ OutKast /LAFACE/ZOMBA
Don't Tell Me/ Avril Lavigne /ARISTA/RMG
Lying From You/ Linkin Park /WARNER BROS.
Redneck Woman/ Gretchen Wilson /EPIC
Take My Breath Away/ Jessica Simpson /COLUMBIA
If You Ever Stop Loving Me/ Montgomery Gentry /COLUMBIA
You Raise Me Up/ Josh Groban /REPRISE
Bounce/ Sarah Conner /EPIC
8th World Wonder/ Kimberley Locke /CURB/REPRISE
He Reigns/ Newsboys /SPARROW
That's What She Gets For Loving Me/ Brooks & Dunn /ARISTA
Call On Jesus/ Nicole C. Mullen /WORD/CURB
Out Of Control/ Hoobastank /ISLAND/DE/ JAM
Still Ballin'/ 2Pac /INTERSCOPE
De Uno Y De Todos Los Modos/ Palomo /DISA
Love Song/ 311 /VOLCANO/MAVERICK

www.americanradiohistory.com
Two Unlikely Debuts

In a week when Usher returns to his accustomed seat at No. 1, the most fascinating wrinkle near the top of The Billboard 200 comes right out of Memory Lane. The Hot Shot Debut belongs to, of all people, Rat Pack icon Dean Martin, while the second-highest bow goes to another star from earlier decades, Kenny Rogers.

Both outings mine EMI’s catalog resources, and both were promoted through direct-to-consumer TV marketing. Both men are recording artists whose legacy extends far beyond music. The sight of “Dino: The Essential Dean Martin” at No. 28 (52,500) reminds me of a T-shirt I saw during a recent trip to San Diego that read “Old Guys Rule,” although in this case the more appropriate motto might be “Mature Consumers Spend.”

Although the direct campaign drove awareness, most of the sales came from retail. Direct sales accounted for no more than 7% of the Martin set’s start and less than 1% of Rogers’ sum.

Both are no-shows on Top Internet Albums, which tracks the sale of physical albums ordered online. But don’t walk away with the impression that fans of these artists aren’t finding their way to a computer. In fact, Capitol’s distributor, EMI Music Marketing, reports that the sale of bundled downloads made iTunes Music Store a top 10 account for the Martin album’s start.

“Dino” was also assisted by a value-add offering at Target, and it sold a good chunk at Costco, too.

More Amore For Martin

Although he has charted four times this millennium as part of the Rat Pack, Dean Martin has been absent from The Billboard 200 with his solo efforts for 32 years, three months and three weeks. This issue he returns in a big way, earning Hot Shot Debut honors with “Dino: The Essential Dean Martin” (Capitol).

The collection of hits from his tenures with Capitol and Reprise opens at No. 28.

Martin’s last solo album to chart was “Dino,” which stopped at No. 17 in February 1972. “Essential” ranks 10th among his 25 chart albums in terms of highest rank on The Billboard 200.

Martin first appeared on the album survey in May 1962 with “Dino—Italian Love Songs.” It was his only Capitol album to chart before he moved to Reprise, the label founded by his fellow Rat Pack, Frank Sinatra. Martin’s No. 1 single on the Hot 100, “Everybody Loves Somebody,” became the title song of his highest-charting album. That LP spent four weeks at No. 2 in 1961, and it began a run of six albums that all charted in the top 15.

Considering all the Billboard charts, Martin has a career span of 35 years, six months and two weeks, counting back to the December 1948 debut of the single “That Certain Party,” recorded with his comedy partner, Jerry Lewis.

STEADY AS HE GOES: Just shy of 4 million copies in his album’s first 11 weeks, according to Nielsen SoundScan, it may already be too late for any other title to contest Usher’s “Confessions” as the best seller of 2004.

The next Eminem album might be a contender, considering that in 2002 his most recent set sold more than 4.8 million copies in its first dozen weeks, but he may not have enough time to catch Usher. Once penciled in for an early-July release, the Eminem project now seems destined to arrive in the fourth quarter.

Aside from having a month-plus start in his back pocket, the consistent sales for Usher’s “Confessions” are starting to build some impressive milestones. His nine weeks at No. 1 are the most that any title has logged on The Billboard 200 since Santana’s 1999 album, the Grammy Award-winning “Supernatural,” clocked 12 consecutive weeks at No. 1.

Further, Usher’s album has yet to sell less than 190,000 in any of its first 11 chart weeks. Britney Spears’ “Oops! . . . I Did It Again” in 2000 was the last to compile a longer streak, sur-

(Continued on page 56)
<table>
<thead>
<tr>
<th>Week</th>
<th>Chart Position</th>
<th>Artist</th>
<th>Title</th>
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<tr>
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<td>Usher</td>
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<td>3</td>
<td>1</td>
<td>Gretchen Wilson</td>
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<td>4</td>
<td>1</td>
<td>Prince</td>
<td>Musicology</td>
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<td>5</td>
<td>1</td>
<td>Slipknot</td>
<td>Vol. 3: (The Subliminal Verses)</td>
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<td>Hoobastank</td>
<td>The Reason</td>
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<td>Los Lonely Boys</td>
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<td>Modest Mouse</td>
<td>Good News For People Who Love Bad News</td>
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<td>19</td>
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<td>Pete Yabor</td>
<td>Still Writing In My Diary: 2nd Entry</td>
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**NEW**

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<td>Shock'n Y'all</td>
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<td>Diana Krall</td>
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<td>24</td>
<td>Big &amp; Rich</td>
<td>Horse Of A Different Color</td>
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<td>25</td>
<td>Jay-Z</td>
<td>The Black Album</td>
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<td>26</td>
<td>Maroon 5</td>
<td>Songs About Jane</td>
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<td>27</td>
<td>Josh Groban</td>
<td>Closer</td>
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<td>Twista</td>
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<td>Let's Be Us Again</td>
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<td>Get Born</td>
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<td>37</td>
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<td>38</td>
<td>Lil' Flip</td>
<td>U Gotta Feel Me</td>
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<td>39</td>
<td>Sheryl Crow</td>
<td>The Very Best Of Sheryl Crow</td>
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<td>40</td>
<td>Montgomery Gentry</td>
<td>You Do Your Thing</td>
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<td>41</td>
<td>Beyoncé</td>
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**HOT SHOT DEBUT**

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<td>Pussycat Dolls</td>
<td>One In A Million</td>
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<td>44</td>
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<td>Sunday</td>
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<td>45</td>
<td>New</td>
<td>Snoop Dogg</td>
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<tr>
<td>46</td>
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<tr>
<td>47</td>
<td>New</td>
<td>Slightly Stoopid</td>
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<td>48</td>
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**JUNE 19, 2004**

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<td>51</td>
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<td>52</td>
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**HEATSECTOR IMPACT**

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**SOUNDTRACK**

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<td>62</td>
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**SHORELINE**

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<tr>
<td>65</td>
<td>New</td>
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<td>66</td>
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<td>John Mayer</td>
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<td>67</td>
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<td>Dido</td>
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<td>68</td>
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**SOUNDTRACK**

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<td>71</td>
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<td>Backstreet Boys</td>
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<tr>
<td>72</td>
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<td>73</td>
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**ULTIMATE Mix**

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<td>78</td>
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**SHORELINE**

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<td>83</td>
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**SOUNDTRACK**

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<table>
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<td>Jack Johnson</td>
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<tr>
<td>91</td>
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<td>John Mayer</td>
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<td>93</td>
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The BILLYBOOM 200 A-Z (LISTED BY ARTISTS)

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<td>Week at Number 1</td>
<td>Live in Japan</td>
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<td>Feels Like Home</td>
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<td>4</td>
<td>3</td>
<td>So-Called Chaos</td>
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<td>4</td>
<td>Confessions</td>
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<td>5</td>
<td>The Girl to the Other Room</td>
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<td>6</td>
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<td>7</td>
<td>Musiculture</td>
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<td>8</td>
<td>Lovin' Boys</td>
<td>-</td>
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<td>Fall for You</td>
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<td>You Are the Queen</td>
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<td>Me and My Johnson</td>
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<td>As Time Goes By</td>
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<td>Came Away With Me</td>
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<td>We Last Spoke</td>
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<td>Harry Potter And The Prisoner Of Azkaban</td>
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<tr>
<td>24</td>
<td>23</td>
<td>The Very Best Of Sheryl Crow</td>
<td>-</td>
</tr>
</tbody>
</table>

Over The Counter

Continued from page 53

passing 190,000 during each of its first 14 weeks.

Down by a little more than 1%,

190,000 is more than enough to put

Usher's run on top. Last top 5 week's

chart, Avril Lavigne, sees

a 55% drop in her second frame (170,000).

BULL'S-EYE: While Usher may indeed

pile up more weeks atop The Billboard

200, his run will be interrupted again

next week by yet another BMG-
distributed act. Velvet Revolver, who

matches Stone Temple Pilots front-

man Scott Weiland with members of

Guns N' Roses, is poised to take the

crown, with the Beastie Boys on deck
to rule the following week.

Based on first-numbered charts,

chart watchers think Revolver is a cinch to

sell 200,000 or more in its first week.

A source close to the project esti-

mates it will start at 250,000.

By comparison, the bands from

which Velvet Revolver evolved did

more modest numbers with their last

studio sets. STP's "Shangri-La Dee

Da" opened at No. 9 in 1993 with

98,000 copies; GnR's "The Spaghetti

Incident" corralled 190,000, bowing at

No. 4 in 1993.

Meanwhile, GnR's recent "Greatest

Hits" surges 21-6 (up 7%), its

second straight increase after eight

weeks of decline. The title is sale-

price at more than one major

account, and it has also benefited

from Velvet Revolver's release.

GREEN GIANT: The jump to The

Billboard 200's top 10 last week by

the "Shrek 2" soundtrack may not

seem like a big deal, with the movie

doing boffo numbers at the box office ($314 million in three weeks, two

of those at No. 1) and contributing

hand Counting Crows making stops

on such shows as "Late Show With

David Letterman" and "Today.

Still, the album is noteworthy, as

film-related albums have become a

rare sight in the top 10. "Shrek 2"

(9-8) is the first movie

soundtrack to reach the top 10 since

the album from the documentary

"Tupac: Resurrection" bowed at No. 2

in November. The only other film set to

appear in the top 10 during the

second half of 2003 was "Bad Boys II,

which led the list for four weeks.

AMEN: Call him to the preacher

stars. EMI Gospel says Bishop

Eddie L. Long reaches a congregation

of 250,000 parishioners at New Birth

Missionary Baptist Church near

Atlanta, a flock that includes Usher,

Faith Evans, Montell Jordan and

Bernice King, daughter of Martin

Luther King Jr.

His TV show "Taking Authority"

runs weekly on BET, Tribune and

Daystar.

Sales more than triple for his

album with New Birth Total Praise

Choir, good for a No. 7 re-entry on

The Billboard 200 and its first week

at No. 1 on Top Gospel Albums.

About 84% of his current sales come

from Christian bookstores, with the

one at Long's church accounting for

most of that sector's sales.

TV helps twin artists Renee

Olstead and blues trio the Holmes

Brothers Brothers who appear on

"Today." Bringing Olstead a five-fold

gain over her first-week numbers,

which moves her 4-2 on Top Jazz

Albums (up 50%). In addition, she

bypasses Top Heatseekers with a

No. 95 entry on the big chart.

The May 31 holiday also saw the

Holmes Brothers appear on Willie

Nelson's USA Network special (rerun

twice earlier in the week), followed

by a June 1 stop on "Late Night

With Conan O'Brien." Sales for the

Holmes' latest more than double

(up 103%), good for a No. 7 re-entry

on Top Blues Albums.
BILLBOARD JUNE 19, 2004

Sales data compiled by Nielsen SoundScan

TOP POP/CATALOG

| ARTIST | IMPRINT & NUMBER/DISTRIBUTING LABEL | NUMBER 1 |ipe: 10 | WEEKS AT NUMBER 1 |
|--------|------------------------------------|----------|---------|
| BOB MARLEY & THE WAILERS | Legend | BILLBOARD | 1 | 12 |
| PRINCE | The Very Best Of Prince | Columbia | 1 | 3 |
| KENNY CHESNEY | No Shoes, No Shirt, No Problems | R.E.M. | 1 | 3 |
| THE BEATLES | 1 | Capitol | 2 | 5 |
| LARRY THE CABLE GUY | Lord, I Apologize | Virgin | 2 | 16 |
| PINK FLOYD | Dark Side Of The Moon | Capitol | 2 | 9 |

TOP HEATSEEKERS

| ARTIST | IMPRINT & NUMBER/DISTRIBUTING LABEL | NUMBER 1 |ipe: 10 | WEEKS AT NUMBER 1 |
|--------|------------------------------------|----------|---------|
| SHINEDOWN | Leave A Whisper | Epic | 2 | 2 |
| MUSE | Absolution | Interscope | 2 | 6 |
| MORGAN | No Dade | 10110 | 2 | 1 |
| LUPEFRIEDA | Con Mis Propias Manos | EMI Latin | 3 | 2 |
| RON WHITE | Drunk In Public | Warner Bros. | 3 | 9 |
| FINGER ELVIRA | Finger Elvira | EMI Latin | 3 | 8 |
| ROONEY | Rooney | Warner Bros. | 3 | 16 |
| AUF DER MAUR | Auf der Maur | Chrysalis | 3 | 9 |

TOP INDEPENDENT ALBUMS

| ARTIST | IMPRINT & NUMBER/DISTRIBUTING LABEL | NUMBER 1 |ipe: 10 | WEEKS AT NUMBER 1 |
|--------|------------------------------------|----------|---------|
| YING YANG TWINS | Me & My Brother | 10110 | 2 | 5 |
| SUGARCULT | Palm Trees And Power Lines | 10110 | 3 | 12 |
| LIL' JON & THE EAST SIDE BOYZ | King Of Crunk | Def Jam | 3 | 4 |
| WILLIAM HUN | Inspiration | SBD | 3 | 6 |
| MASTER P | Righteous Brother | Jive | 3 | 7 |
| 5 | The Streets | XL Recordings | 3 | 51 |
| 8 | VARIOUS ARTISTS | Volume One | 3 | 1 |
| 10 | DASHED CONFIDENTIAL | A Mark, A Mission, A Brand, A Scar | 3 | 10 |
| 12 | CONEED AND CAMBIA | In Keeping Secrets Of Silent Earth: 3 | 3 | 12 |
| 14 | THE POSTER SESSION | Third Day | 3 | 11 |
| 16 | HANSON | Underneath | 3 | 13 |
| 18 | VIC LATINO & DAVID WAXMAN | Ultra.Dance OS | 3 | 18 |
| 20 | FEAR FACTORY | Archetype | 3 | 16 |
| 22 | JOE DEFIVE | Tougher Than Nails | 3 | 14 |
| 24 | BLACK LABEL SOCIETY | Hangover Music Vol. I | 3 | 12 |
| 26 | CHERYL BURKE | One Moment More | 3 | 10 |
| 28 | PESKETT | Wave Of Mutation: Best Of Pixies | 3 | 8 |
| 30 | ZUG ISLAND | Three Cheers For The Money | 3 | 7 |
| 32 | TWISTID | Cryptic Collection | 3 | 5 |
| 34 | DEATH CAB FOR CUTIE | The Photo Album | 3 | 3 |
| 36 | DAVID CROSS | It's Not Funny | 3 | 1 |
| 38 | LIL JON & THE EAST SIDE BOYZ | Part II | 2 | 27 |
| 40 | SPIRO GYRA | The Deep End | 2 | 35 |
| 42 | IN FLAMES | Soundtrack To Your Escape | 2 | 34 |
| 44 | KIM WATERS | In The Name Of Love | 2 | 33 |
| 46 | LACUNA COIL | Comalies | 2 | 32 |
| 48 | BRIAN CRISPI | Great Songs For The Independent | 2 | 31 |
| 50 | PEDRO THE LION | The Place We Once Knew | 2 | 30 |
| 52 | PROBOD | Proter | 2 | 29 |
| 54 | THE SHINS | Chutes Too Narrow | 2 | 28 |
| 56 | DANE COOK | Harmful If Swallowed | 2 | 27 |
| 58 | FALL OUT BOY | Take This To Your Grave | 2 | 26 |
| 60 | MATCHBOOK ROMANCE | Stories And Alibis | 2 | 25 |
| 62 | THE BETA RAYE | Heroes To Zeros | 2 | 24 |
| 64 | DIESELBOY | The Dungeonmaster's Guide | 2 | 23 |
| 66 | SMOKEY ROBINSON | Food For The Spirit | 2 | 22 |
| 68 | FALL OUT BOY | My Heart Will Always Be The B Side To Your Love | 2 | 21 |
| 70 | VARIOUS ARTISTS | Power Of Soul: A Tribute To Jimi Hendrix | 2 | 20 |

Additional information and charts can be found on the Billboard website at www.billboard.com.
**Billboard Top Blues Albums**

Sales data compiled by Nielsen SoundScan

<table>
<thead>
<tr>
<th>Artist</th>
<th>Label &amp; Number/Displaying Label</th>
<th>Title</th>
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<tr>
<td><strong>#1</strong></td>
<td><strong>AEROSMITH</strong></td>
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<td><strong>#2</strong></td>
<td><strong>ERIC CLAPTON</strong></td>
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<td><strong>#3</strong></td>
<td><strong>GEORGE THOROGOOD &amp; THE DESTROYERS</strong></td>
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<tr>
<td><strong>#4</strong></td>
<td><strong>Bobby Rush</strong></td>
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<td><strong>#5</strong></td>
<td><strong>Keb’ Mo’</strong></td>
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<td><strong>#6</strong></td>
<td><strong>THEODIS EALEY</strong></td>
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<td><strong>#7</strong></td>
<td><strong>THE HOLMES BROTHERS</strong></td>
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<td><strong>#8</strong></td>
<td><strong>CHARLIE MUSSELWHITE</strong></td>
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<td><strong>#9</strong></td>
<td><strong>RONNIE EARL &amp; THE BROADCASTERS</strong></td>
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<td><strong>#10</strong></td>
<td><strong>SUSAN TEDESCI</strong></td>
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<td><strong>#11</strong></td>
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<td><strong>#12</strong></td>
<td><strong>SOUNDTRACK</strong></td>
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<td><strong>#13</strong></td>
<td><strong>WILLIE CLAYTON</strong></td>
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<td><strong>#14</strong></td>
<td><strong>TYRONE DAVIS</strong></td>
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<td><strong>#15</strong></td>
<td><strong>STEVE RAY VAUGHAN</strong></td>
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**Billboard Top Christian Albums**

Sales data compiled by Nielsen SoundScan

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<tr>
<td><strong>#1</strong></td>
<td><strong>SWITCHFOOT</strong></td>
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<td><strong>#2</strong></td>
<td><strong>THIRD DAY</strong></td>
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<td><strong>#3</strong></td>
<td><strong>SELAH</strong></td>
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<td><strong>#4</strong></td>
<td><strong>CASTING CROWNS</strong></td>
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<td><strong>#5</strong></td>
<td><strong>MERCYME</strong></td>
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<td><strong>TONE &amp; THE PECULIAR PEOPLE</strong></td>
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<td><strong>#7</strong></td>
<td><strong>ISRAEL &amp; NEW BREED</strong></td>
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<td><strong>VARIOUS ARTISTS</strong></td>
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<td><strong>SHANE &amp; SHANE</strong></td>
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<td><strong>VARIOUS ARTISTS</strong></td>
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**Billboard Top Reggae Albums**

Sales data compiled by Nielsen SoundScan

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<td><strong>SEAN PAUL</strong></td>
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<tr>
<td><strong>#2</strong></td>
<td><strong>SOUNDTRACK</strong></td>
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<td><strong>#3</strong></td>
<td><strong>DON GUMAR</strong></td>
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<td><strong>#4</strong></td>
<td><strong>VARIOUS ARTISTS</strong></td>
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<td><strong>VARIOUS ARTISTS</strong></td>
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<td><strong>#6</strong></td>
<td><strong>BOB MARLEY</strong></td>
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<td><strong>VARIOUS ARTISTS</strong></td>
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<td><strong>#8</strong></td>
<td><strong>TANYA STEPHENS</strong></td>
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**Billboard Top World Albums**

Sales data compiled by Nielsen SoundScan

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<td><strong>#1</strong></td>
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<td><strong>#2</strong></td>
<td><strong>SOUNDTRACK</strong></td>
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<td><strong>#3</strong></td>
<td><strong>DANIEL O’DONNELL</strong></td>
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<td><strong>#4</strong></td>
<td><strong>ANGELIQUE KIDJO</strong></td>
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<td><strong>#5</strong></td>
<td><strong>KEALY REICHEL</strong></td>
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<td><strong>#6</strong></td>
<td><strong>CAETANO VELSO</strong></td>
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<td><strong>#7</strong></td>
<td><strong>DANIEL O’DONNELL</strong></td>
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<td><strong>ANGELIQUE KIDJO</strong></td>
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<td><strong>#9</strong></td>
<td><strong>VARIOUS ARTISTS</strong></td>
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<td><strong>#10</strong></td>
<td><strong>JOOLS HUDSON</strong></td>
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**Certifications**

- RIAA certification for net shipment of 50,000 units (Gold). A RIAA certification for net shipment of 1 million units (Platinum). A RIAA certification for net shipment of 10 million units (Diamond). Numerical values indicate albums most recent shipment level. For taped sets, and double albums with a retail price of 100 minutes or more, the RIAA multiple shipments by the number of discs shipped are required. RIAA awards: 1 Certification for net shipment of 100,000 units (Gold), 2 Certification of 200,000 units (Platinum), 3 Certification of 400,000 units (3X Platinum). Some albums were released before RIAA certification was available. Please note that album names and labels vary due to different territories and countries. Album sales data compiled by Nielsen SoundScan. All rights reserved.
Hoobastank Has ‘Reason’ To Be Proud

Not one rock-based track has reached the top two slots this week, with the Billboard Hot 100 chart. The death of retail singles for such songs, coupled with the massive audience potential of R&B/hip-hop titles, has all but relegated rock, and some pop titles, to the middle of the top 10. But Hoobastank defies the trend as "The Reason" jumps 5-2 to become the highest-charting rock track on the Hot 100 since Linkin Park took "In the End" to No. 2 in March 2002.

The surrounding R&B tracks having reached their peak almost simultaneously at R&B and top 40 stations, "Reason" sneaks ahead with an audience gain of 7.5 million listener impressions.

"The Reason" was one of many tracks that took an audience hit last issue because of Memoirs, a weekend specialty programming, which cut into normal station playlist rotations. It is now at a weekly high of 105.7 million impressions.

BACK BURN: Another track that makes an impressive post-holiday audience rebound is Usher’s "Burn." It turns a decline of 13 million from one week ago into a 17 million jump on The Billboard Hot 100 chart, good enough to become the Greatest Gainer/Airplay winner in its fifth week at No. 1.

The bulk of the Hot 100 audience bump (almost 11 million) comes from R&B/hip-hop outlets, primarily WQHT New York (20.5 detections), WQCD Chicago (32.5) and WJLS Los Angeles (31.5). Combined, they account for an increase of 4.7 million listener impressions. It is no surprise then that "Burn" also earns Greatest Gainer stripes atop Hot & R&B/hip-hop Singles & Tracks.

SUMMER SALE: Seals & Crofts return to the Adult Contemporary chart for the first time in 22 years with "Summer Breeze," a track they took to No. 4 in 1972.

The song’s re-entry at No. 24 (the chart is 30 titles deep on billboard.biz and in Airplay Monitor), was fueled by its inclusion in the latest Gap commercials, which tout the channel’s summer wares.

A new mix of "Breeze" was cut for the ad, and Warner Bros. shipped it to radio. The label will include the track with some other remixed golden oldies from the likes of Rod Stewart and the Doobie Brothers on an album due in August.

WGNY New York is one of the many stations that jumped on board, as the station is playing "Breeze" for the first time in a few years, with the new mix getting a great reaction, music coordinator Morgan Prue says.

WALK Long Island, N.Y., P D Rob Miller adds that "they took a familiar song and made it more contemporary to where it fits in comfortably with what [the station] is playing. Lyric that in with a hip merchant like the Gap that our audience shops at helps it out even more.

COTTER IN THE ACT: After bowing one week early because of street-date violations, second-season "Nashville Star" winner Brad Cotter logs the biggest week of the Hot Country Singles chart that has since last fall. He also collects the fastest sum by a new artist's debut single since the USA Network’s first-round winner last summer.

Cotter’s "I Meant To" scans 5,000 copies and vaults 9-1, the largest sales mark since Kid Rock’s "Picture" last summer. Moreno reigned with 5,000 copies in the Sept. 13, 2003, issue.

Among acts without any prior chart history, Cotter’s tally is the highest since inaugural "Star" winner Buddy Jewell scanned 7,000 and 6,000 copies during a two-week stint at No. 1 in July 2003 with "Help Pour Out the Rain." Cotter’s chart action has since dropped sharply, falling from 13.

Elsewhere on the chart, Tom McGraw’s "Live Like You Were Dying" is flat-out heating up, as it put in the most blunt terms. The emotional ballad has moved to the top of its third chart week, a feat the star typically achieves on this chart with songs that contain profound lyrics.

McGraw’s stop-you-in-your-tracks songs about mortality is country’s quickest top 10 climb since Darryl Worley’s contemplative "Have You Forgotten?" took three weeks to rise to No. 10 in the March 22, 2003, issue. McGraw is one of only five artists in the modern era to enter the top 10 that fast and one of three to have accomplished it twice, along with Garth Brooks and Alan Jackson. McGraw’s "It’s Your Love" (with wife Faith Hill) did so in 1997.

### Charts

**SinglesMinded**

Silvio Pirottono

silvio@billboard.com

Minal Patel

mpatel@billboard.com

Wade Jesse

wjessen@billboard.com

WGNY Long Island, N.Y.

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### Mainstream Top 40

- **The Reason**
  - Artist: Hoobastank
  - Label: Universal/Universal
  - Peak position: No. 1
  - Format: Adult Alternative

- **Reason**
  - Artist: Silvio Pirottono
  - Label: Silvio Pirottono
  - Peak position: No. 1
  - Format: Rock

### Adult Contemporary Top 40

- **The Reason**
  - Artist: Hoobastank
  - Label: Universal/Universal
  - Peak position: No. 1
  - Format: Adult Alternative

- **Reason**
  - Artist: Silvio Pirottono
  - Label: Silvio Pirottono
  - Peak position: No. 1
  - Format: Rock

### Adult Contemporary Mainstream Top 40

- **The Reason**
  - Artist: Hoobastank
  - Label: Universal/Universal
  - Peak position: No. 1
  - Format: Adult Alternative

- **Reason**
  - Artist: Silvio Pirottono
  - Label: Silvio Pirottono
  - Peak position: No. 1
  - Format: Rock

### Hot Country Top 40

- **I Meant To**
  - Artist: Brad Cotter
  - Label: Universal/Mercury
  - Peak position: No. 1
  - Format: Country

- **Have You Forgotten?**
  - Artist: Darryl Worley
  - Label: RCA Nashville
  - Peak position: No. 10
  - Format: Country
**Promoters**

Continued from page 5

Promoters continued from page 5

on Clear Channel’s WXBT Tampa, Fla., and three other stations.

On April 6, the commission fined Clear Channel $4,945,000 for 18 incidents of broadcast indecency on six stations nationwide. All were connected to broadcasts of Howard Stern’s syndicated show in 2003.

Bank says that because Clear Channel owned Stern on only six stations, “Stern himself wasn’t a meaningful contributor to [Clear Channels] cash flow.” Stern’s program is an Infinity property.

Clear Channel has since removed Stern from all of its 1,200-plus stations. “Politically, it’s an interesting move in that it takes a jab at their competition,” Bank adds. “The real story is not what this means to Clear Channel—which is not much—but what does it mean for [Infinity parent] Viacom? That’s who they’re going after next.”

The FCC has said it will soon turn its attention to Infinity. Ironically, it was Infinity that in 1995 paid the FCC $1.7 million in exchange for the commission dismissing numerous indecency fines.

The difference now is that Mel Karmazin—a staunch Stern supporter—exited his post as president/COO at Viacom (Billboard, June 12).

In April, FCC enforcement division spokesman Janice Wise told Billboard that the commission would be reviewing complaints against Infinity for the same Stern programming that led to the Clear Channel fines. That programming was carried on 19 Infinity stations nationwide.

The maximum FCC fine for indecent programming is $27,500. Assuming the commission finds the 19 Infinity stations liable for the same three Stern violations, the fine could exceed $1.5 million.

In the Clear Channel action, the commission for the first time cited a broadcast station for multiple violations in a single broadcast rather than simply issuing a single fine for an entire show.

In a written statement, Andrew Levin, Clear Channel Executive VP/ chief legal officer, said of the June 9 settlement: “We didn’t agree that all the complaints were legally, but some clearly crossed the line, and for those we have taken full responsibility.”

In February, Clear Channel announced its Responsible Broadcasting Initiative. It includes policies and procedures to ensure broadcasts do not violate indecency laws. Training for all on-air personnel and on-air talent is under way.

Levin also reiterated the company’s call for a level playing field on all media platforms for indecency.

“On Powered Networks should not be treated differently from broadcasters,” he said. “In today’s media landscape, that is a distinction without a difference. We all need to be accountable for what is said in the presence of our kids.”

**HD Radio**

Continued from page 5

awarded to JamSports, but ended up back with CCE, a longtime producer of AMA superscross events.

Scher is involved in two complex, parallel lawsuits against CCE, one in New York Federal Bankruptcy Court and one in federal court in Newark, N.J. (Billboard, March 29, 2003). The latter is an antitrust case related to Scher’s noncompete agreement.

Scher founded and ran Metropolitan Entertainment until Covanta acquired it in 2001; Covanta later sold it to Mitch Slater. CCE inherited Scher’s noncompete agreement when it purchased Metropolitan from Slater.

Both cases involve Covanta, Slater’s purchase of Metropolitan and the subsequent sale to CCE (Billboard, March 29, 2003).

“Our claims are challenging the noncompete, and we’ve alleged some antitrust claims,” Scher says. "Many of the claims we have asserted in our federal antitrust case are similar, if not exactly the same, as those asserted by Nobody in Particular Promoters.”

Scher says he isn’t sure what bearing the Denver settlement will have on his suits.

“I tried very hard for the last six months to settle [with CCE], and I thought earlier in the year we were very close to negotiating a settlement,” he says. “But negotiations fell apart, and unfortunately, we’re headed to trial.”

The third CCE case concerns the exodus of Perloff and Sherry Wasserman from the company’s San Francisco office and their subsequent formation of Another Planet. Also at issue is the pair’s involvement in producing a Bruce Springsteen show at the city’s Pac Bell Park shortly thereafter (Billboard, Aug. 15, 2003).

CCE filed a civil suit last August in California Superior Court. The suit alleged misappropriation of trade secrets, unfair competition and “injunctively, it’s an interesting move in that it takes a jab at their competition,” Bank adds. “The real story is not what this means to Clear Channel—which is not much—but what does it mean for [Infinity parent] Viacom? That’s who they’re going after next.”

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**HD Radio**

Continued from page 5

In addition to working with the FCC, the RIAA has circulated digital radio protection language that could be part of federal legislation.

“Like we’ve talked to the FCC about our concerns, we’ve also talked to people on Capitol Hill,” RIAA general counsel Steven Marks says. The RIAA opposes automatic functions in which a device would search and record a certain track without copying protection.

“We’re not asking [the FCC] to say there can’t be this cherry-picking functionality,” Marks says. “We’re just saying material shouldn’t be allowed to be cherry-picked and redistributed unless it’s paid for. What we’re asking is for business-model enabling.”

One suggestion is to include a “buy” button on new receiver-recorders. The FCC has already requested the National Assn. of Broadcasters about sharing a percentage of the proceeds from any such radio-driven sales.

“Radio stations have always said they’re the best promotional vehicle for sales of music,” Marks says. “Here is the new way to have the impulse purchase, which is the Holy Grail of retailing.”

The Consumer Electronics Assn. opposes any changes in receivers and believes customers have a right to tape any and all broadcast material for non-commercial use, according to CEA chairman/CEO Gary Shapiro.

“As far as the technical solution,” Marks says, “we’re entirely agnostic. We’d meet at 6:30 in the morning to begin discussions on a solution that would benefit all concerned. The problem is, no one will come to the table.”

Marks was expected to bring the digital radio recording issue up at a House panel hearing on Webcast streaming scheduled for June 10. Broadcasters, smarting from rulings by the Copyright Office and district and appeals courts that they must pay digital performance royalties to the ASCAP, BMI and SoundExchange, are digital simulcasting of analog broadcasting, were to bring their case to Congress.

However, all Capitol Hill hearings were postponed because of the funeral ceremonies for President Reagan.

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Marc Anthony
Continued from page 1

Latin pop “is a world that I was raised with and I never got to explore,” Anthony tells Billboard in his only print interview about the project. “Just because of the way my musical story went. You understand what I mean? It's something I never considered doing, [but] it's something I've wanted to do for years.”

LIMITED PRESS PROMOTION
Always reticent with the media, Anthony will not be doing in-stores or press conferences and has declined most media requests surrounding the new album. The exceptions are appearances on several major TV programs, including “Today,” “The Tonight Show with Jay Leno” and Spanish-language TV shows “El Gordo y la Flaca,” “Desperta América” and “Don Francisco Presenta.”

Instead, Anthony is going directly to the people, says Luana Pagani, senior VP of Latin American marketing for Sony Music International.

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Spin Buys

Continued from page 1

track on that week’s Mainstream Top 40 chart, label-sponsored airplay appears to have proved critical in securing the song a top 10 slot. It moved from No. 12 to No. 4 on the Billboard issue dated June 5.

As for the Black Eyed Peas track, sources say “Hey Mama”—which came in at No. 11 on the Mainstream’s Top 40 chart, two spots shy of the top 10—received more than 80 spins through spot buy help to push it into the No. 8 position.

RCA and Interscope are hardly alone. In the current issue of Billboard, more than 25% of the singles on the Mainstream Top 40 chart are either actively supported by labels or have recent buy efforts or received similar backing earlier in their chart history, sources estimate.

Other labels that sources say are using spot-buy strategies include Geffen, Virgin, J. Warner Bros., Lava and Wind-up.

The heads of promotion at all of the labels mentioned either declined to comment or did not return calls by press time.

Critics of spot buys say the practice creates an ethnoclime for all parties involved.

Labels using commercial time to play their singles claims that sponsored airplay is affecting the integrity of chart data—a key tool for radio programmers.

One label says, “Major labels also charge that a label buying into a spin program for a single is equivalent to an athlete taking steroids. That is, sustained performance—in this case, on the charts—requires repeated use.”

Michael Ellis, associate publisher of Billboard and Airplay Monitor, acknowledges that the practice affects the company’s charts.

“We take great pride in the accuracy and credibility of our radio charts,” Ellis says. “We are carefully studying this trend and consulting with the industry using the company’s charts to determine the proper course of action.”

EASY TO DETECT

Nielsen BDS officials point out that programmers looking at the data should be able to easily determine if attempts are being made to influence their station’s positions.

“If a piece of music plays in its entirety, BDS reports that to our clients. Audience size, the time of day and the market of the airplay are reported along with spin. Utilizing all of our data resources, our clients can determine in what context songs are being played,” says Mark Tindle, senior VP/West Coast GM of BDS.

That has stopped labels from spending upwards of $50,000 to buy ad time for spinning a song.

In some cases, labels are spending more than $13,000 per week to buy overnight advertising time and other fringe slots for spins at small- and mid-sized market radio stations, sources say.

Tracks on the charts currently or at one time supported by such initiatives include Blink 182’s “I Miss You (Stay),” Lenny Kravitz’s “Where Are We Runnin’?” (Virgin), Trapt’s “Echo” (Warner Bros.), Cherie’s “I’m Ready” (Lava) and Alicia Keys’ “If I Ain’t Got You” (J), sources say.

While much of the activity focuses on top 40, similar methods are used at country, rhythm and modern rock formats.

One of the most extreme examples centers on efforts to push tracks into the top 10, but the bulk of the buys are used either to get new songs on the chart or to improve chart activity on songs struggling in the 30 to 40 range on the chart.

Thus far, larger station groups like Clear Channel and Infinity Broadcasting are not offering spot buys.

Label sources say the controversy surrounding the system is scaring larger radio groups from participating.

“Biggers stations aren’t doing this because they’re questioning not just the validity of it, but ethically if this is right,” says a leading label executive. “Some major labels really have to play it conservative just based on the fact that they are so high profile.”

INDIE PROMO REINVENTED

Industry watchers call the rise of sponsored airplay an example of the independent promotion business reinventing itself. After being largely driven out of the traditional promotion business in recent years, some independent promoters are trying to survive by using new, more effective tactics.

Congressional heat on such major radio chains as Clear Channel led the big operators to abandon arrangements that formerly provided stations dollars per play payments from indie promoters to corporate coffers.

During the past 12 to 18 months, a handful of entrepre neurial indie labels have started programs to broker-sponsored-airplay deals between labels and stations. Under these programs, labels pay a midlevel man who then buys airtime.

The program Krysz runs is among the most popular spot-buy programs labels use. Krysz says the program represents more than 30 stations nationwide.

However, that program is not the only one. Indie firm Bishop Bait & Tackle has been offering spin buys through Entercom stations, sources say. The company has recently shifted to an in-house rep to broker the program, sources say. For this $5,500-$6,000 offering, labels can buy up to 42 spins across Entercom stations, sources say.

Meanwhile, sources say Jeff McHugh & Associates is branching out from playing music and they sell slots on a new-music “countdown” show.

Promoters of sponsored airplay argue that the system helps labels keep their singles afloat in tight radio playlist environments and provides valuable revenue to smaller radio chains where no longer raking in fees from independent promotions.

“It is another way of reaping that promotional dollar in a legal way,” says Bob Quick, operations manager of top 40 WCQW Columbus, Ga. The Archway-owned station patterned the sales, sources say.

And unlike other promotion programs that quietly trade incentives like flyways and radio concert appearances for airplay, this system is operating in the open, proponents say.

ABOVEBOARD AND LEGIT

Krysz, who licenses the system to late-night independent promotions on TV, argues that it is a more effective way for labels to spend their promotion money.

“They label know what they are getting 100% of the time,” he says. “This is totally aboveboard and legitimate.”

It is also decidedly cheaper than what the labels used to pay under indie arrangements.

Radio promotion cost upwards of $300,000 per single a few years ago. Today a track can be worked at radio for less than $1,000, according to one label estimate.

“If we shocked to find any major record label spending more money on independent promotion now than they were 24 months ago,” a major-label executive familiar with the situation says.

Operators of the programs and participating stations claim sponsored-airplay programs are not in violation of Federal Communications Commission policy rules as long as the station runs a disclaimer before or after the song that a label has paid for airplay.

However, the rule of FCC rules confirms the claim.

Station operators interviewed by Billboard also say they accept buys only for singles they are already playing.

“I’ve said for the 30 years that I’ve been in the business we have advertising to sell, and the recording industry is free to buy time—long as it is not impacting the integrity of that station,” Cromwell owner Bud Walters says. “This is consistent with that policy.”

WQQQ Columbus, Ga.
Audi Eyed Peas: “Hey Mama”
(Thursday-Sunday, a.m. spins)

Bought For A Song

Overnight airplay data shows times of plays (paid and unpaid) at stations participating in spin programs

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</table>

WQQQ Nashville
Avril Lavigne: “Don’t Tell Me”
(Thursday-Sunday, a.m. spins)

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‘I Want Hispanic People To Be Comfortable In My Stores’

BY LEILA COBO

“The Latin marketplace” has become the catchphrase of the year, as advertisers and brands all play catch-up in their struggle to capture the attention of the biggest minority group in the nation.

Not so David Massry.

For nearly two decades, the Brooklyn, N.Y.-born, Mexico-raised Massry has built a successful music retail operation that caters to Latinos.

Massry opened the first Ritmo Latino store in 1989 in Santa Ana, Calif. Today, the Ritmo Latino company, based in Tinton Falls, N.J., is the biggest Latin music chain in the country, with 45 stores nationwide and 400 employees.

Massry got into music retail in 1978, when he and his brother Isaac opened the first Discolandia store in Mexico City.

Ritmo Latino differs from other U.S. operations of its size in that it exclusively targets a niche market and locates its stores in Hispanic neighborhoods.

“His stores have become very important, because in the market today there’s diminishing space for Latin music,” Sony Norte VP of sales Rubén Leyva says. “While other retailers support Latin product, the depth of product we can get with Ritmo Latino is very important to us, especially when it comes to developing artists.”

Jeff Young, executive VP of sales and marketing at Discotronics, says, “His execution is incredible. He implements the arrangement, and he does it perfectly, both at a regional and national level.

On the eve of Ritmo Latino’s 15th anniversary, which the company will celebrate in August at its convention in Los Angeles, Massry spoke to Billboard about his recipe for success in the Latin marketplace.

Q: What was the original concept for Ritmo Latino?
A: The idea was always to do a Latin music chain. I checked out the markets, and I saw there was a need.

Q: Will Ritmo expand to malls and other sites outside of Latin neighborhoods?
A: I still concentrate on opening stores in Latin music neighborhoods. I’m trying to fill a niche, and I don’t want to lose my concentration in filling that niche. I want Hispanic people to be comfortable in my stores.

Q: Your stores could very well be in Latin America, wouldn’t you say?
A: All my signs are in Spanish, all the in-store music is in Spanish, all my employees—their first language is Spanish. So all Latin people who come in feel comfortable. It’s not an American store serving them, it’s a Latin music store.

Even though I sell music in English, I just sell the music that Spanish speakers like. I don’t sell much country music or much jazz. I sell the type of music they like. They like urban, they like rap.

Q: Who is your buyer?
A: The best buyers are the first generation of immigrants that come in, and then males, who on average are 23 years old.

Q: Are you targeting bicultural, bilingual Latinos?
A: Not as much. Those people aren’t interested in going to the neighborhoods. If they’re going to Tower, they’re not going to go to me.

Q: Music sales are down, and yet you have been growing and your sales are up. Have you changed the way you tap into your market?
A: I’ve been going into new neighborhoods I haven’t been in before. That’s how I’ve been growing. There are still a lot of neighborhoods that I haven’t been in and that I need to reach.

And I don’t just sell CDs—I sell DVDs: I have a big selection of books. And I merchandise much different than I used to, with DVDs, books, Wallomani and all kinds of different types of gadgets that I didn’t sell before.

Q: What do you say to labels’ complaints that retailers ask for a ton of money for price-and-position and the like?
A: That’s not true. I don’t ask for a ton of money. I say, “If you help me, I can help you in other ways.” It can be in-stores. It can be a thousand ways. It has to be a two-way street. I can’t always be helping them if they don’t want to support me.

Q: What are they missing out on?
A: They are missing in-store play, they’re missing in-stores and live performances with developing artists. They’re missing in-stores with big artists.

In the domestic market, every time there’s a new CD, even if the artist is huge, they do in-stores. And in the Latin market, when they get big, they feel they don’t have to do it anymore. And I think that’s a mistake.

Victor Fernandez doesn’t do in-stores. Juan Gabriel doesn’t. Los Tenerarios don’t. When they have a new record, they should do two or three. And they don’t necessarily have to do it for me. Yes, it’s good for me, but it’s good for them as well. It gives them awareness. I think it’s good for everybody.

Q: Many in the industry say the majors’ clout is declining and indie is getting stronger. Have you observed that?
A: I don’t see that happening now. I don’t see the indies getting weaker, but I’m not sure if I see them getting stronger. But they’re a very important part of my business.

Q: Your Internet sales have been growing. How about digital downloads? Is that something you plan to offer on your site?
A: I’m not sure if I’m going to get to that point. But, as we speak, I’m negotiating with a company to put kiosks in my store so customers can download the music inside the stores and create their own CDs.

Another thing I’m doing is . . . you can scan any CD in my store and listen to it without unwrapping it. That’s available in eight stores now, but I’m planning to put it chain-wide.

Q: You have several Ritmo Rock stores, which only sell Latin alternative and Latin rock. Those genres are not big sales areas in Latin music. Why focus on them?
A: It’s a niche within a niche. I’m not looking for massive sales. There is a market for it. And it’s not just the music that we sell. We sell accessories, clothing accessories, everything that rock people like.

Q: What’s the biggest problem the music industry faces today?
A: There are exceptions, but many companies have so much turnaround in their staff, and they don’t know if they’re coming or going. The companies aren’t very stable. And with the cutbacks, we have less communication now with some labels.

Q: Have you seen a change in the way labels do business?
A: I think they’re just a little bit less creative, in all aspects, including developing artists. They just want to Bank on what they have, and they’re a little bit less creative than they should be. Even in the advertising dollars. They just give you an allowance for the buy you did and they don’t try to be creative about the way you spend it.

However, labels are adding extra value. They’re putting out DVDs, I think the sale price is coming down. And I think there are a lot of good records coming out.

Q: So, you think the outlook is good?
A: I’m optimistic. I think things are improving. Business is not what it used to be, but things are improving from last year.
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