Clock Ticking On Elvis Hits
Biz Seeks Euro Copyright Extension

BY EMMANUEL LEGRAND and NIGEL HUNTER

LONDON—Fifty years after it was first released in the United States, Elvis Presley’s “That’s All Right” is a hit in Great Britain. The single entered the British charts last week at No. 3. But BMG’s celebration may be short-lived.

If there are no changes in European copyright law, the track will fall into public domain Jan. 1, 2005. Anyone will be able to (Continued on page 80)

Presley’s first hit will enter the public domain in 2005 if the EU doesn’t act.

Hot Releases, Discounting Boost Latin Music Sales

BY LEILA COBO

MIAMI—Latin music is enjoying a banner year, with U.S. album sales up 28% over first-half 2003.

The genre is at its strongest level in four years, accounting for 4.8% of total U.S. album sales in the first six months of 2004, according to Nielsen SoundScan.

Leading the sales march was “La Historia Continua,” a greatest-hits album by Marco Antonio Solis ( Fonovisa), who was the top-selling Latin artist for the first six months of 2004.

Other top sellers for the period were “Pa-U-Latina” by Paulina Rubio (Universal), “Tributo al Amor” by Los Temerarios ( Fonovisa) and “En Vivo Desde Chicago” by Grupo Montez de Durango (Disa).

All of those titles are distributed by Universal Music & Video Distribution. (Continued on page 81)
Back in 1964, unless you were living in a cave or covered with fur, you would have heard the hit songs of the Animals and Herman's Hermits.

Now forty years later, ABKCO Records delivers these two classic rock bands. The Animals, 22 tracks, including the 1964 hits "HOUSE OF THE RISING SUN," and "WE GOTTA GET OUT OF THIS PLACE" as well as the 1970's Eric Burdon & War hit "SPILL THE WINE."

The Herman's Hermits, 26 tracks, 16 top ten singles, "MRS. BROWN YOU'VE GOT A LOVELY DAUGHTER," "HENRY THE VIII I AM," "CAN'T YOU HEAR MY HEARTBEAT," "(WHAT A) WONDERFUL WORLD," as well as the smash hit "THERE'S A KIND OF HUSH."

THE ANIMALS AND HERMAN'S HERMITS... LIKE YOU'VE NEVER HEARD THEM BEFORE.

In Stores July 20th

Restored and remastered to the highest possible standards using DSD™ technology on hybrid Super Audio Compact disc™.

SACD and DSD™ are trademarks of Sony and Philips.
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12 Higher Ground: Chris Rice hits a playable note with his Rocketown retrospective, "Short Term Memories."
14 Words & Music: Richard Barone will celebrate "Not So Great" songs in his upcoming show at Central Park SummerStage.
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QUOTE OF THE WEEK
"Rock'n'roll in its pure sense will never dominate again... Right now we're fighting just to make rock'n'roll a significant niche."
STEVEN VAN ZANDT

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Broadcast Data Systems

Announcing This Month's Recipients of BDS Certified Spin Awards June 2004

500,000 SPINS
- Unwell/ Matchbox Twenty /ATLANTIC

400,000 SPINS
- Hey Ya/ OutKast /LAFACE/ZOMBA
- This I Promise You/ Uncle Kracker /LAVA

300,000 SPINS
- So Far Away/ Staind /ELEKTRA/ATLANTIC
- Country Grammar/ Nelly /UNIVERSAL

200,000 SPINS
- The Reason/ Hoobastank /ISLAND/IDJMG
- Burn/ Usher /LAFACE/ZOMBA
- I Don't Wanna Know/ Mario Winans Feat. P. Diddy/ BAD BOY/UMRG
- It's Five O'Clock Somewhere/ Alan Jackson & Jimmy Buffett /ARISTA
- One Call Away/ Chingy Feat. Jason Weaver /CAPITOL
- Beer For My Horses/ Toby Keith /DREAMWORKS
- Fine Again/ Seether /WIND-UP
- Crowling In The Dark/ Hoobastank /ISLAND/IDJMG
- How You Gonna Act Like That/ Tyrese /J RECORDS
- No Letting Go/ Wayne Wonder /GREENSLEEVE/VP/ATLANTIC
- Awake/ Godsmack /REPUBLIC/UNIVERSAL

100,000 SPINS
- If I Ain't Got You/ Alicia Keys /J RECORDS
- Overnight Celebrity/ Twista /ATLANTIC
- Roses/ OutKast /LAFACE/ZOMBA
- All Falls Down/ Kanye West Feat. Syleena Johnson /ROC-A-FELLA/DEF JAM/IDJMG
- When The Sun Goes Down/ Kenny Chesney & Uncle Kracker /BNA
- Mayberry/ Rascal Flatts /LYRIC STREET
- One Thing/ Finger Eleven /WIND-UP
- I Miss You/ Blink-182 /GEFFEN
- Letters From Home/ John Michael Montgomery /WARNER BROS.
- Don't Tell Me/ Avril Lavigne /ARISTA/RMG
- Confessions Part II/ Usher /LAFACE/ZOMBA
- I'm Still In Love With You/ Sean Paul /ATLANTIC
- Not Falling/ Mudvayne /EPIC
- Game Over/ Lil Flip /COLUMBIA
- Senorita/ Justin Timberlake /JIVE/ZOMBA

50,000 SPINS
- Slow Motion/ Juvenile Feat. Soulja Slim /UNIVERSAL
- Let's Be Us Again/ Lonestar /BNA
- Heaven/ Los Lonely Boys /EPIC/OR
- Ocean Avenue/ Yellowcard /CAPITOL
- Whiskey Girl/ Toby Keith /DREAMWORKS
- Loco/ David Lee Murphy /AUDIUM
- Leave (Get Out)/ JoJo /DA FAMILY/BLACKGROUND/UNIVERSAL
- 45/ Shinedown /ATLANTIC
- Dip It Low/ Christina Milian /DEF SOUL/DEF JAM/IDJMG
- Somebody/ Reba McEntire /MCA
- I Can't Sleep/ Clay Walker /RCA
- Slither/ Velvet Revolver /RCA
- Echo/ Trapt /WARNER BROS.
- Everything/ Alanis Morissette /MAVERICK/REPRISE
- Where Are We Runnin'/ Lenny Kravitz /VIRGIN
- Everytime/ Britney Spears /JIVE/ZOMBA
- Move Ya Body/ Nina Sky /NEXT PLATEAU
- Extraordinary/ Liz Phair /CAPITOL
- Realign/ Godsmack /REPUBLIC/UNIVERSAL
- Passenger Seat/ Shedaisy /LYRIC STREET
- On Fire/ Lloyd Banks /INTERSCOPE
- It Only Hurts When I'm Breathing/ Shania Twain /MERCURY
- Mas Que Tu Amigo/ Marco Antonio Solis /FONOVISA
- Mariposa Traicionera/ Mana /WARNER MUSIC LATINA
- No Me Ensenaste/ Thalia /EMI LATIN
- Una Vez Mas/ Conjunto Primavera /FONOVISA
- In My Life/ Juvenile /UNIVERSAL
- Ocean Floor/ Audio Adrenaline /FOREFRONT

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Nichols’ ‘Revelation’: Don’t Change A Thing

BY JIM BESSMAN

Following one of the more auspicious major-label debuts in recent country music history, new country traditionalist Joe Nichols chose to stick with the proven formula of his last album, “Man With A Memory,” in creating its follow-up, “Revelation.”

“The main thing is that we just left everything the same as far as the [participants] and song selection,” Nichols says of his sophomore Universal South effort. “All the elements of the first album are the same. The only difference was...I was much more comfortable in the studio...do and stronger vocally and more mature mentally and physically from having been on the road a couple years.”

“Revelation” was released June 29 and debuted at No. 3 on the Billboard Top Country Albums chart last issue with first-week sales of 43,000 copies, according to Nielsen SoundScan. After recording for the independent Intersound label, Nichols became the debut artist for Universal South when it issued “Man With A Memory” in 2002. The album has since been certified gold. Its first two singles, “The Impossible” and “Brokenheartsville,” reached No. 3 and No. 1, respectively, on the Hot Country Singles & Tracks chart, and the album spawned two other top 20 singles. As a result, Nichols jumped

Real: Harmony Is Key

BY BRIAN GARRITY

NEW YORK—Real Networks has its eye on bridging the compatibility gap between competing digital music standards.

At the UJA Federation’s Music Visionary of the Year luncheon, held here July 13, co-honoree and Real chairman/CEO Rob Glaser said the company is working to solve the technology issues that limit consumer choices regarding digital music.

“Our big initiative is to solve this problem of the divided world we’re in,” he told Billboard. Glaser did not offer specifics. However, he said the company sees a market opportunity in facilitating improved compatibility between rival digital music technologies.

Music from iTunes Music Store—the leading seller of digital tracks—cannot be directly transferred to any portable device other than the iPod. At the same time, tracks from every other legitimate service—a field that includes Napster, MusicMatch, RealNetworks, Wall-Mart and Sony—are incompatible with the iPod.

The recording industry has been lobbying tech companies to shake hands in the interest of promoting digital downloads. Some label executives are hoping for a certain degree of compatibility among a range of digital music services and devices by next year.

EMI Recorded Music vice chairman David Munns, the UJA Music Visionary of the Year co-honoree, had no comment on timing except to say that labels are “pushing hard” for technology companies to solve their compatibility issues quickly.

Munns told Billboard that with the number of legitimate music consumers moving online growing steadily, technology companies will not be able to ignore interoperability problems.

So far, market leader Apple Computer is yet to license its FairPlay digital-rights-management technology to any competitors. In April, Apple rebuffed overtures from Real to make Apple’s iPod compatible with Real’s RealPlayer Music Store.
Sony, BMG Await Final EU OK

BY LEO CENDROWICZ
and EMMANUEL LEGRAND

BRUSSELS — Sony Music and BMG’s proposed merger is only one formality away from being green-lighted by the European Commission. The 30 commissioners are likely to approve the deal at a July 20 meeting in Strasbourg, France, without even discussing it, according to sources here. The deal will come one month after European Union competition commissioner Mario Monti concluded there was no evidence of price collusion between the majors, and no reason that the merger would harm the music market.

Once the merger is approved, Sony and BMG will proceed with their formal plans to create the world’s largest record label, with a combined global market share of 25.1% (based on 2003 International Federation of Phonographic Industry figures). Current market leader Universal had a 23.5% share in 2003.

Until BMG and Sony receive official clearance, they cannot act on logistical aspects of the merger. It is understood that each company is currently working with consultants to define the best path for future integration. Insiders cite the merger of PolyGram and Universal in 1998 as a bench mark. Sony and BMG sources believe the organizational integration of the two companies could take six months to complete. Most of the new structure could be in place before the Christmas season.

“The impact of going from five [majors] to four cannot be underestimated,” they said in a letter to the EC. “Already, the collective power and conduct of the major record companies imposes unfa..."
DiscLive
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Pixies
FIRST ARTIST EVER
TO SURPASS
$500,000
in sales of LIVE DISCS
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after a performance

"Sales of live discs on the band's North American warm-up tour 4.13 - 5.1.04 where live discs were available after each concert, and shows at the Brixton Academy, London, UK, where virtual discs were made available immediately afterwards via NetBurn."

"Working with DiscLive was not only everything we hoped it would be, but everything they promised it would be. The best word to describe their operation is professional, both in their business dealings and on the road. And speaking of business, the deal DiscLive gave the Pixies simply blew away the competition."

"It’s still too early to claim that DiscLive’s concept of instant CDs is the wave of the future, but it’s certainly one wave the Pixies will ride into this fall’s U.S. Tour."

- Ken Goes, Manager of the Pixies

"Rock’s Best New Souvenir"

- New York Times, May 2, 2004

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**THE STRAT AT 50**

*Leo Fender’s Pride & Joy Still A Rock’n’roll Favorite*

BY CHRISTOPHER WALSH

“...it’s the sound of the instrument and the way the neck feels. It’s unlike any other instrument,”

So says Bryan Adams of the Fender Stratocaster. “My pride and joy is a 1960 cherry sunburst that I bought 20 years ago. It is my finest guitar and sounds better than all of them. I can’t explain why, it just does.”

The Fender Stratocaster, now 50 years old, looms large in rock history. It was the guitar of choice at Bob Dylan’s electric debut at the Newport Folk Festival, the Beatles’ performance of “All You Need Is Love” on the first live global TV event and Jimi Hendrix’s Monterey Pop and Woodstock festivals. Despite an army of competitors and imitators, the Stratocaster remains one of the most revered and best-known instruments in the world. Like rock’n’roll itself—marking its 50th anniversary with Elvis Presley’s recording of “That’s All Right”—its popularity remains, well, stratospheric.

An accurate record of the Stratocaster’s origins is difficult to detail. It was the result of input from several people, including guitarists Bill Carson and Rex Gallion and Fender’s George Fullerton, Freddie Tavares and Don Randall. But Clarence Leo Fender, known as Leo, was the primary force behind the instrument’s concept and refinement.

**DESIGN AND ENGINEERING**

“I couldn’t design the things I needed,” recalls Carson, then a top Western guitarist, “but I could get my ideas across to Leo. He wouldn’t even put them on paper. He would just make the damn things and they worked! He was a very clever engineer.”

Fender’s Custom Shop’s Geoff Fullerton, who is George Fullerton’s son, says, “Leo was an electronics guy.

*(Continued on page 79)*

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**Juvenile Signs With Atlantic**

BY GAIL MITCHELL

Aiming to build on the momentum fueled by rappers Twista and Fat Joe, Atlantic Records has signed pioneering Southern rapper Juvenile. In addition, a separate deal has been negotiated for Juvenile’s UTP Records to join the Atlantic label roster.

Juvenile uses Universal-distributed Cash Money while still riding high on the singles charts with “Slow Motion,” which is No. 2 The Billboard Hot 100 this issue and No. 3 on Hot R&B/Hip-Hop Singles & Tracks.

The album art, on “Juve the Great,” peaked at No. 4 on the Top R&B/Hip-Hop Albums chart. The album has sold 761,000 copies, according to Nielsen SoundScan.

**Juvenile Leaves Cash Money Again**

Under the terms of the new long-term, exclusive worldwide contract, the New Orleans-based rapper will release his first Atlantic solo album in early 2005. Atlantic will also provide marketing and promotion for UTP Records, whose chief act is the Juvenile-fronted UTP (Juvenile, Skip and Wacko). The trio’s most recent single (“Nolia Clap”) and album (“The Beginning of the End…”) were released through UTP/Tag-A-Long’s 4 Life. UTP’s first album under the Atlantic logo is expected in late 2005.

“We got the word that Juvenile was available and moved immediately,” says Craig Kallman, Atlantic Records Group co-chairman/COO. “He definitely has a pulse on the South. We want to incorporate him into writing, producing and developing projects at Atlantic.”

This is the second time that Juvenile

*(Continued on page 67)*

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**WMG Inks Mobileway Deal**

**Pact Lets Customers Buy Ringtones Through Text Messaging**

BY SCOTT BANERJEE

SAN FRANCISCO—Warner Music Group has entered a deal to simplify the purchase of ringtones by U.S. mobile phone users.

The deal with Mobileway, a San Mateo, Calif.-based wireless entertainment and marketing company, allows customers to purchase ringtones through text messaging. Under the arrangement, WMG packaging, artist Web sites, online posters and online banners will include short codes and keywords required to initiate the paid downloads.

The process is already popular in such countries as the United Kingdom and Japan. But the WMG/Mobileway deal is believed to be the first involving major-label packaging.

The short codes and keywords are used on phones to access the Internet and initiate the download of the ringtones, which are then delivered on-demand by an incoming text message, a process dubbed “premium SMS” (short messaging service).

“It’s a great thing for the consumer and obviously for the record labels to have direct connections to mobile subscribers who are fans of their artists,” says Michael Nash, WMG senior VP of Internet strategy and business development.

Mark Frieser, CEO with New York-based mobile-marketing consultancy Consect, pegs the U.S. ringtone market at

*(Continued on page 81)*
Induce Act Makes P2P Sites Accountable For Infringement
Congress Gets It Right

The music industry was stunned last year when federal judge Stephen Wil-son ruled that Grokster and other unauthorized music-sharing peer-to-peer systems were not secondarily liable for copyright infringement. Wilson reached this conclusion while acknowledging that primary users of the P2P systems—kids—were most likely engaging in massive copyright infringement.

He also noted the P2P creators promoted their systems in the next "legitimate" manner, and he agreed that the Supreme Court standard, which sets the definition for secondary liability, was not met. In that case, the court ruled that Sony, the creator of the Betamax machine, was not liable for contributory copyright infringement. Errorneously equating P2P systems with the Betamax machine, Wilson concluded that no remedy existed for copyright owners. He told the artists and labels that if they want to sue creators of P2P systems, they should go to Congress and ask them to write a new law. And that is exactly what they have done.

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The Inducing Infringement of Copyrights Act, S. 2560—a.k.a. the Induce Act—was introduced in the Senate June 22 by Sens. Orrin Hatch, R-Utah, and Patrick Leahy, D-Vt., respectively the chairman and ranking member of the Senate Judiciary Committee. Both are strong supporters of artist rights. Hatch is a songwriter/performer, while Leahy has been seen too often at Eagles concerts. They understand more than most how P2P technology has devas-
tated artists.

The bill is co-sponsored by top Republicans and Democratic leaders in the Senate, including Sens. William Frist, R-Tenn., and Thomas Daschle, D-S.D., respectively the majority and minority leaders.

The purpose of the Induce Act is to hold the P2P creators accountable for infringing music. The bill clearly states that P2P systems are secondarily liable for copyright infringement. Proponents of the act strongly believe that P2P systems not only harm artists but intentionally induce kids into engaging in illegal activity.

Ignoring the culpability of the P2P crea-
tors would be like criminalizing drug but not the cultivation and sale of drugs.

Numerous technology and consumer groups oppose the act, because they believe the broad definition of "induce" may stifle creation of new technologies and products. They fear the Betamax standard set by the Supreme Court may be overturned, thereby negating the rights of copyright owners against the creators of the Betamax machine. It is obvious that "time shifting" is a form of fair use. Therefore, the creators of the Betamax were not secondarily liable for copyright infringement.

The court ruled primarily on three factors: lack of control over the infringement, users engaging in substantially non-infringing activity and lack of any real economic harm to the industry.

Infringing technologies and products is a tricky endeavor. Judge Wilson failed to fully appreciate the significant differences between the P2P systems and the Betamax machine, and as such, failed to correctly apply the Sony rule. The court in the Betax-

ome case would never have protected (Continued on page 67)

Letters

Boomers Should Be In The Buzz

The small print below your new

Boomers Buzz chart indicates your radio callout requests have been

hanging up on me when I express a

willingness to endure their questions. You and they only want "music fans ages

13-50."

So while this 53-year-old buys a minimum of three CDs per week and listens to

music radio virtually every waking hour, you would prefer to query my 22-

year-old son who listens to zero non-

sport radio or any music, or my 19-year-

old son who listens to zero radio and

makes his own playlists from downloaded

freelbies. (His justification for file sharing is that I already own anything he down-

loads anyway.) Combined, they have bought more than five CDs in their

entire lives.

Your articles keep stressing that the baby boomers are an underserved mar-

ket. Shouldn’t research reflect actual buyers and listeners and not just the
demographics that advertisers prefer?

Nora Lee Mandle

Forest Hills, N.Y.

Note: The Billboard Buzz is compiled for Billboard by Promotional Squad.

English Lesson

1 read with interest your piece in the July

3 issue on country acts emanating from

Australia and agree that the territory is
certainly an exciting and potent source of new

talent. However, Olivia Newton-John was

born in England. Incidentally, so was Frank

Iffeld, another artist to register on the

Billboard country charts and another

singer who often is mistakenly identified as

having been born Down Under.

Jon Schiff

Country Music People magazine

London

BUREAUS

Bureaus

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Phoenix: Laura Bragg

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San Francisco: Scott Sawyers

(415) 362-6170

Seattle: Debra Cavanagh

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2004

Opinion

Editorials / Commentary / Letters

EDWARD BROWN

Opinion Editor

Executive Editor

KEN SCHLAGER

Letters

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BILLY JOE WASHINGTON

2004

Opinion

Editorials / Commentary / Letters

EDWARD BROWN

Opinion Editor

Executive Editor

KEN SCHLAGER

Letters

Boomers Should Be In The Buzz

The small print below your new

Boomers Buzz chart indicates your radio callout requests have been

hanging up on me when I express a

willingness to endure their questions. You and they only want "music fans ages

13-50."

So while this 53-year-old buys a minimum of three CDs per week and listens to

music radio virtually every waking hour, you would prefer to query my 22-

year-old son who listens to zero non-

sport radio or any music, or my 19-year-

old son who listens to zero radio and

makes his own playlists from downloaded

freelbies. (His justification for file sharing is that I already own anything he down-

loads anyway.) Combined, they have bought more than five CDs in their

entire lives.

Your articles keep stressing that the baby boomers are an underserved mar-

ket. Shouldn’t research reflect actual buyers and listeners and not just the
demographics that advertisers prefer?

Nora Lee Mandle

Forest Hills, N.Y.

Note: The Billboard Buzz is compiled for Billboard by Promotional Squad.

English Lesson

1 read with interest your piece in the July

3 issue on country acts emanating from

Australia and agree that the territory is
certainly an exciting and potent source of new

talent. However, Olivia Newton-John was

born in England. Incidentally, so was Frank

Iffeld, another artist to register on the

Billboard country charts and another

singer who often is mistakenly identified as

having been born Down Under.

Jon Schiff

Country Music People magazine

London
Grohl Sees Double For Next Foos Set

You never know where the Foo Fighters' Dave Grohl is going to show up. Now he's playing drums on the new Nine Inch Nails album, but he is already looking ahead to the next Foos record.

Grohl tells The Beat that his band is building a studio in Los Angeles to record its next project, which he had done previous albums in Grohl's basement in Virginia.

The Beat

By Melinda Newman
mnewman@billboard.com

"I think it's going to be a two-record set," he says. "It's going to be 10 acoustic songs and then 10 tracks that are just koo-koo, really heavy," he says. He adds that the Foos already have a lot of acoustic material that the band has never recorded.

As for NIN, Grohl says Trent Reznor called to ask if he would play on the new album, and they went into Sound City Studio in Van Nuys, Calif., the next day.

"It sounds incredible," Grohl says of the NIN material. "It is [Trent's] first [studio] album in five years. I looked at him and said, 'What have you been doing?'"

Grohl will appear on "Bleed Through," which will be out on Interscope by year's end. NIN's last studio album, 1999's "The Fragile," has sold more than 815,000 copies in the United States, according to Nielsen SoundScan.

As is well-known, Grohl isn't one to sit around. If he's not working on a Foo Fighters album, he's usually drumming for someone else, whether it be NIN, Killing Joke or Queens of the Stone Age.

"I like to keep busy. I get bored easily," he says. "But I like to think I'm selective."

COVER UP: CoverGirl and Atlantic Records have created a new label, CG Vibes. The first release will be a limited-edition compilation, "CG Vibes: Music That Gives Back," out July 20 and on sale through December.

The CD, which features mostly Atlantic acts, will be available at Sam Goody and Media Play stores for $3.99. Sony Connect is selling the album as a download at the same price.

Included on the compilation are CoverGirl spokesmodels Queen Latifah and Brandy, as well as the Corrs, Sugar Ray, the Donnas, Toby Lightman, Ryan Cabrera, Ben Jelen and Cherie. The CD is available for free with the purchase of albums by Brandy, the Corrs, Lightman and Jelen.

A CoverGirl spokeswoman says the Procter & Gamble-owned company.

The Hives: Ready To Make Garage Rock Swell Again

BY BRIAN GARRITY

NEW YORK—Fresh off a European festival appearance the night before, Howlin' Pelle Almqvist is fired and his voice is hoarse.

But the Hives' charismatic frontman wants to make one thing clear: The Swedish band never wanted to be lumped into the so-called neo-garage movement that included the Vines, the Strokes, the White Stripes and others.

"It was never much of a scene," Almqvist says of the group of garage bands that broke through two years ago. "A lot of the bands don't even play garage rock."

Even though Almqvist doesn't like being part of the trend, the band reaped the benefits of the publicity.

And now, Interscope Records is hoping that the public will take quickly to "Tyrannosaurus Hives," the garage punk revivalists' latest offering, due July 20 in the United States. It comes out the day before in the rest of the world.

Universal Music U.K. won a bidding war for worldwide rights to distribute the Hives at the end of 2002, inking the self-managed quintet to a contract estimated to be worth in excess of $10 million.

However, that signing came at the height of the neo-garage rock craze, when a wave of young acts steeped in '60s garage and post-punk influences were generating "next big thing" headlines. Since then, other members of that wave—including the White Stripes, the Strokes and the Vines—have had varying levels of sales with follow-up releases in the wake of that hype. And not one act from these types of bands has spawned a crossover pop radio hit.

Retail and radio executives are noncommittal about

(Continued on page 13)
Rice Sprinkles ‘Memories’ On Best-Of Set

Greatest-hits albums are a rite of passage for all successful artists, but rarely has there been a more clever title than Chris Rice’s “Short Term Memories.” Such good-natured whimsy is familiar to Rice’s fans. After all, this hits package features compositions aimed at making listeners smile as they absorb lyrics that are playful and poignant. “Clumsy” and “Smellin’ Coffee” are among the hits that come to mind in that vein. But this 17-song Rocketown Records collection also offers Rice’s version of “Go Light Your World,” a song he wrote for Kathy Troccoli, as well as a newly recorded version of his “Untitled Hymn (Come to Jesus).”

The collection bowed at No. 10 on the Billboard Top Christian Albums chart, marking his seventh entry on the list. “I still feel like I’m the beginner, like the new guy,” says Rice, who debuted with the album “Deep Enough to Dream” in 1987. “I don’t feel like I’ve followed the typical music path enough to be worthy of this [hits collection] at this point.”

In listening to the body of work represented on “Short Term Memories,” Rice’s creative stamp is unmistakable. “The comments that I got from the very beginning were kind of wrapped around the fact that I approach things from a weird angle,” Rice says. That lyrical approach hasn’t changed, but the way in which Rice delivers his songs has. “I see the consistency in trying to approach things from an interesting angle,” he says of his lyrics. But with the production, he says, “we’ve covered a lot of ground.”

Rice adds, “We’ve tried to have fun with everything, but the fans want to keep you in a certain kind of a category, and you don’t want to scare them off either.” His motto for change: “Stretch slowly.”

The two new songs on the record were written by Rice years ago. “Go Light Your World” was a 1995 hit for Troccoli. Rice’s version has been released to Christian radio and is currently No. 27 on the Billboard Christian AC singles chart. The other new song, “Mama Prays,” was written 12 years ago. “It’s a timeless message, that we all need to be lifting our kids up,” Rice says. “I don’t have kids yet, but that’s what I want to do when it’s my turn. I wanted to show my appreciation for my parents and how they’ve been a spiritual support over the years. I want to encourage people to be like that too.”

Children have been an important part of Rice’s life. He has spent years working with Christian youth at church camps, youth conferences and retreats, where his music has garnered an enthusiastic audience. Even as his career took off, Rice has been careful to keep the music business from overwhelming his youth ministry. Over the years, Rice has been something of a reluctant star. Intelligent, introspective and intensely private, Rice has found celebrity uncomfortable, but he copes by keeping apart his public and private lives.

“I love it, but I can’t exhaust myself on the relational end, because I’m introverted, and it really zaps my energy to be talking to strangers for that much time,” he continues. “I just take it off the front end of the show and put it at the [back] end. Little things like that I’ve figured out work for me.”

“IT may tick some people off because I didn’t do a meet-and-greet beforehand or show up at their store that day. Even though they may not understand, it’s what I have to do to maintain sanity, because I have to manage my world and my relationships.”

Booked by Creative Artists Agency, Rice will play youth camps and festivals this summer. In the fall, he will tour with Amy Grant. One of his goals is to see his music reach a broader audience.

“One of the biggest convictions I have now is that my music needs to be not just for people who already believe in everything I do,” Rice says. “I really believe that everything we [in the Christian music industry] do, we are marketing to people who are encouraged by it. But there are so many more people who need to hear what we are doing.”

Jennifer Marks

www.jennifermarks.com
www.bardicrecords.com
The Hives

Continued from page 11

what all this means for the Hives. But no matter how they perform, industry watchers say that hope for any kind of neo-garage movement is long dead and these bands have to be judged on their own merits.

"This isn't the new grunge," says Sean Demery, PD at modern rock radio station KITS (Live 105) San Francisco.

Joe Nardone Jr., VP of Gallery of Sound, an 11-unit chain based in Wilkes-Barre, Pa., adds, "The [industry] was looking for these bands to be some kind of savior, but it hasn't worked out."

Radio and retail executives say Interscope also faces the challenge of reviving the Hives' momentum, which cooled after "Hate to Say I Told You So," the first single from "Veni Vidi Vicious.

That album has sold 397,000 copies in the United States, according to Nielsen SoundScan, since it was released in 2000 through Epitaph/Burning Heart Records. (In 2002 the album was licensed for North American distribution through Warner Bros. Records.)

"It's almost like they're back at square one," Nardone says. "They've been gone a long time."

However, the Hives' first single from the project, "Walk Idiot Walk," is already No. 23 on the Billboard Modern Rock chart this issue.

And Nardone adds that even if the band is taking small steps, the Hives appear to be carving out a solid career—something that was unattainable just a few years earlier when the nu-metal wave gripped the rock landscape.

DON'T COUNT THEM OUT YET

Interscope head of marketing Christina Meloche predicts that the Hives' profile is about to rise.

The band will appear on an upcoming installment of the WB's "Pepsi Smash" and on "Late Show With David Letterman" July 22. It will also feature on upcoming covers of Spin, Filter, NME and Kerrang.

At retail, the album will carry a suggested retail price of $13.98, and the iTunes Music Store will offer exclusive downloads.

The Hives, which are booked through the Agency Group, are also going back to the road, where they built an audience the first time around. The band toured for almost three years in support of "Veni Vidi Vicious.

Almqvist says the band is looking forward to returning to the road and reconnecting with its existing fan base and converting new followers.

Jay Frank, head of label relations for Launch, Yahoo's music channel, says the band continues to have an active following online. "There's still a significant core audience for this band."

That core was in part built by MTV's significant support behind the neo-garage movement. In addition to playing these bands' videos, the channel aired such programming as a "battle of the bands" between the Hives and the Vines at the 2002 Video Music Awards.

But the performance of the Vines' newest release shows that some of the excitement for these bands may have cooled.

The public so far has passed on "Winning Days," the sophomore outing from Australian rockers the Vines. The Capitol album, released in March, has sold 144,000 units—lagging far behind the performance of 2002's "Highly Evolved," which has sold more than 667,000 copies to date.

However, Rob Roth, owner of New Jersey-based rock retailer Vintage Vinyl Records, is wary of reading the numbers as a referendum on the health of the garage rock movement or an indication of how the Hives may perform.

He says that quality is as much as promotion or media hype about a "scene" is what drives the commercial response to these bands.

That certainly is the case with V2 Records' White Stripes.

The Detroit-based duo has sold 1.16 million copies of the critically hailed "Elephant" in the United States since its release in April 2003, according to Nielsen SoundScan. The record also earned a Grammy Award nomination. That outpaces the 910,000 total of their previous effort, "White Blood Cells," an album first released in (Continued on page 14)
Oldies, Not-So-Goodies

Richard Barone. New York's fittingly self-described post-punk Ed Sullivan, is at it again.

Hot off his star-studded revue "There'll Be Another Spring: A Tribute to Miss Peggy Lee" July 14 at the Hollywood Bowl, Barone is reading "The (Not-So) Great American Songbook" for Aug. 14 at Central Park SummerStage.

Marshall Crenshaw, Moby, cabaret legend Baby Jane Dexter, Judith Owen and Elizabeth Ziff of the group Betty are among those who will appear.

"There is so much attention and reverance these days lavished on 'The Great American Songbook'—and with good reason," Barone says. "The songs really are great. But what about the other songs we love—or love to hate? Pop songs that musicians love to perform and that audiences love to hear—and even sing along to—even though we know they're not so great. Guilty pleasures. This show is a celebration of those songs.

Seeking to maintain the surprise factor, Barone is reluctant to give away more than a couple of titles of songs scheduled to be performed. But he does clarify the criteria by which they were selected.

"Some were simply overplayed and spent too long dominating the airwaves," he says. "Actually, deep down, they are quite wonderful. But others are just plain bad, though still, they can make us smile. They have achieved their own kind of greatness." Interpretation also gets taken into account.

"One song is 'Total Eclipse of the Heart,' which is performed by [notorious drag act] Kiki & Herb and can be taken different ways," says Barone, an avowed fan of its songwriter Jim Steinman.

"I'd seen them do it, and it goes over the emotional edge—and that's why it fits into this show. They take it to such an extreme, but it's also quite a good arrangement." Barone adds that other songs in the program "take on different meanings" when performed by distinctive does. An example: Ashford & Simpson's classic "Solid," as sung by Dexter and Everett Bradley, star of "Swing," the hit Broadway musical. "I love Ashford & Simpson and the song is brilliant, but performances in a certain context can be funny or fun—and there will be a lot of them like that in this show." So Barone stresses that the songs included in his show, "unlike the Blender [magazine] list of 50 worst songs ever, aren't necessarily bad songs, but maybe played in a different context or with a different twist.

Barone, of course, is a singer/songwriter who first gained acclaim as leader of '80s pop-rock group the Bongos.

"I love pop, from my Bongos days," he says. "We love these songs, but they can have a campiness to them depending on how they're presented. Some tunes to sponsor Little Steven's International Garage Rock Festival—a one-day garage rock show set for Aug. 14 in New York. The bill features Iggy Pop & the Stooges, the Strokes, the New York Dolls, the Pretty Things, Bo Diddley and the Mooney Suzuki.

Van Zandt says the challenge now is to create a more permanent format presence for garage—as well as for other traditional-leaning rock acts like Jet—at mainstream radio, where the predominant formats are pop, hip-hop and hard rock.

"Rock 'n' roll in its pure sense will never dominate again, because we are in a culture that's much too fragmented," he says. "Right now we're fighting just to make rock 'n' roll a significant niche."
It's Great To Be A Gear Head
Musical Instruments And Products Are Selling To Pros And Novices Alike

BY CHRISTOPHER WALSH

Music instrument and product manufacturers and retailers have reasons to cheer as they convene in Nashville for the Summer Session of NAMM, the International Music Products Assn.

The dollar volume of retail sales for music products in first-quarter 2004 increased 5% compared with the same period last year, to $1,242,791, according to Music Trades magazine.

The Summer Session, July 23-25, follows NAMM's largest winter show ever, last January in Anaheim, Calif. And it comes at a time when NAMM is more proactive than ever in its efforts to cultivate music-making.

NAMM programs like Weekend Warriors, Recreational Music Making and Music Making & Wellness are among the initiatives promoting the physical and mental health benefits of playing an instrument. These programs are adding new customers for musical instruments in the process.

The association’s lobbying efforts paid off when the U.S. House of Representatives passed a resolution recognizing the benefits and importance of school-based music education. The resolution was read on the House floor May 4.

“The larger world issues go on,” NAMM president/CEO Joe Lamond says. “But more and more, people are saying, ‘I still want to play music.’ “

That desire is evident at retail, manufacturers report. “Most of the retailers we’re talking to say they had a really good first quarter,” says Tom Sumner, VP/GM of Yamaha’s pro audio and combo division. He predicts the company will have a strong year.

At NAMM’s Summer Session, Yamaha will introduce all-digital bass amplification systems, along with new electric basses and a low-priced acoustic guitar.

“I think the escalation of the [Iraq] war put a bit of a dent in people’s confidence,” says Jim Mack, division manager of Tascam, which is shipping the US-2400 digital audio workstation controller it introduced at the winter NAMM show. “But it seems like [that confidence] is coming back already and has been strong.

“After being through so many months of the economy being so bad, it really was nice to see such a nice ramp-up in the fall,” Mack adds. “We had a great Christmas, and then it continued into January and February. It’s much better than it was a year ago.”

GUSTO FOR GUITARS
Sales of fretted instruments rose 9% from first-quarter 2003, according to Music Trades. Retailers, of course, welcome the trend.

“We’re selling a lot of American-made acoustic guitars,” says Tim Miller, manager of Guitar Center’s flagship store in New York. “People want higher-quality [instruments], rather than lower-quality, introductory-level guitars that are usually made in Korea, China or elsewhere overseas.”

Guitar Center’s most popular brand names include Martin, Taylor and Gibson, Miller notes. “We sell a lot of Gibson,” he says.

Such reports are music to the ears of U.S.-based guitar manufacturers, many of which are marking significant anniversaries in 2004.

Nashville-based Gibson Musical Instruments—parent of the Gibson, Epiphone, Baldwin, Valley Arts, Kramer, Steinberger, Tobias, Trace Elliot and Slingerland brands—is marking the 110th anniversary of the Gibson brand. Miller says Gibson and Epiphone electric guitars, particularly the Les Paul model, are especially popular at his store.

El Cajon, Calif.-based Taylor Guitars is celebrating a milestone with its 30th-anniversary Grand Concert lim- (Continued on page 15)
Manufacturers Ready For Summer

New Guitars And Related Equipment Reflect Advances In Technology

BY CHRISTOPHER WALSH

The NAMM Summer Session is a smaller gathering than its annual winter trade show. But it offers a healthy combination of product debuts and presentations of products previously announced at the Winter NAMM. The show that since have shipped to retail.

This array of instruments and recording products demonstrates the high quality the music products industry offers and the ongoing impact of technology on centuries-old musical instruments.

“Companies are under such tremendous pressure to innovate, even an annual product cycle isn’t enough anymore,” NAMM president/CEO Joe Lamond says. “The result is that the end user is going to see some really good new products, and cheaper than ever.”

Here is a selective preview of products to watch.

GIBSON

The retail version of Gibson's digital guitar (Billboard, April 10) will be shown at the Summer Session, according to Gibson CEO Henry Juszkiewicz, along with the manufacturer’s new digital-ready guitars and digital-ready kit.

Also new are Jimmy Page and Peter Frampton Les Paul models from the Gibson Custom Shop. Gibson's Epiphone, Baldwin, Hamilton and Slingerland brands will introduce new products as well. Baldwin's Stealth Action, already found in its vertical pianos, is now included in its grand models. Also new is the Les Paul drum kit, a Les Paul baritone guitar and new guitars from Epiphone’s Masterbilt line.

ROLAND

Many Roland products introduced at the winter NAMM are now shipping. Retailers report brisk sales of these recent arrivals, including the Fantom workstation keyboards and new and improved models in the V-Drums family.

Roland’s VS88-3 Plug-In Effect Expansion Board is also shipping. The VS83 is an open platform card allowing third-party plug-in software. Other manufacturers like Antares, Massenburg Design Works, Universal Audio and TC Electronic are to be used with Roland V-Studios.

TAYLOR

Marking its 30th anniversary, Taylor Guitars will show the K4 Equalizer, the manufacturer’s first outboard equalizer. It is configured by Bob Taylor and Rupert Neve. The K4 is designed specifically for the acoustic guitar.

Taylor will also show its 2004 Fall Limited Editions, which, at press time, were still being designed.

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Shure

Microphone, headphone and transmitter manufacturer Shure will show its SLX Wireless Systems, introduced at the winter NAMM show and now shipping to retail.

The SLX Wireless Systems are aimed at installed sound environments and working bands. They feature the manufacturer’s Audio Reference Comping technology, which utilizes a variable compression ratio to eliminate wireless artifacts and offer greater dynamic range. The hand-held transmitters come with a choice of a built-in Shure microphone, Sennheiser capsule, including the SM58, Beta 58A and SM56.

Martin

C.F. Martin & Co., which recently produced a guitar with serial No. 1,000,000, will introduce the Belizea Nera model. A limited-edition collaboration among Martin, Eric Clapton (who designed the kit) and Peter Frampton (his album “Me and Mr. Johnson”) and Hiroshi Fujwara, the Belizea Nera is a 14-fret 000 series guitar featuring a black gloss body, neck and headplate and African black ebony fingerboard and bridge.

Martin will also honor two musicians with the introduction of signature-edition guitars bearing their names: the OM-40 Roy Block and HD-40LH Tom Paxton models.

DigiTech

DigiTech will show five new distortion pedals at very aggressive price points, director of marketing Noel Larson says. With names like Screamin’ Blues, Death Metal, Hot Head, Grunge and Bad Monkey, these pedals will serve newcomers and veterans seeking another weapon of mass distortion for electric guitars.

The DigiTech GX4 Guitar Workstation is now shipping, the manufacturer reports. Featuring a built-in eight-track recorder, Lexicon’s Panorama reverb plug-in and phantom-powered microphone preamp, the GX4 is a remarkably comprehensive product for guitarists.

Peavey

Peavey Electronics will introduce the Generation USA Custom series featuring the manufacturer’s patented ACM circuitry for replicating an acoustic guitar sound.

Peavey will also show new PV Series sound reinforcement products, including mixers, equalizers and loudspeakers, and its 100-channel PCX U1002 wireless systems for voice and guitar.

In addition, as Peavey has become the exclusive licensee of the Jack Daniel’s brand for music gear, the Jack Daniel’s guitar will debut at the show.
Caine's Quest Encompasses Classics To Club

Pianist Uri Caine has made a career out of operating on the out-skirts of jazz. His stylistic tastes run the gamut from hardcore classical to DJ groove. Whether he re-imagines Mahler, Wagner, Schumann and Bach in hip hop, klezmer and tango settings or pays improvisational tribute to Tin Pan Alley, he adheres to the jazz tradition as a springboard to dive into new musical depths.

Penn State grad, Caine showed his expansive oeuvre on the Village Vanguard for six nights as a part of the New York Jazz Festival. Caine adopted different ensembles for each evening. In between his septet “Mahler Project” and his Bach “Gobel Variations” octet show, Caine plugged in his Fender Rhodes to lead his Bedrock electric quintet featuring DJ Logic. Was it difficult switching gears each night? “Honestly, it wasn’t,” says Caine.

who sold out the club several nights during the engagement. “I’m used to it. I may be on the road with a large group, then they go home and I play some solo dates, then I hook up with another one of my ensembles to do another string of concerts. It’s just a matter of adopting a different head for each group.”

initially he was concerned about playing the jazz adaptations of classical music in a club setting because they are usually performed in bigger halls.

“It turned out great though,” he says. “Because the sets were well-put, you had a feeling of expectation. Plus it’s always special to be there.”

Caine also brought a tad of culture shock into the venerable club with Bedrock’s music. To Caine it seems there’s ever been a DJ playing a turntable and plugging into a laptop at the Vanguard,” he says.

Originally Caine was booked for a week to celebrate the release of his trio album, “Live at the Village Vanguard.” It was released June 8 on Winter + Winter, the German label that Allegro Corp. distributes in North America.

The CD is adventurously eclectic, including a dazzling swing through Wayne Shorter’s “Nefertiti,” a dramatic take on Giuseppe Verdi’s “Otello,” a rousing romantic jaunt through Irving Berlin’s “Check to Check” and the rollicking original “Bushwick that instrumentally basses the president.

The trio—featuring bassist Drew Gress and drummer Ben Perowsky—performed opening and closing night. Alto saxophonist Greg Osby joined the threesome on another night.

“The trio allows me more freedom musically,” Caine says. “The complex pieces of the larger groups have room for improvisation, but it’s not like when Drew, Ben and I play together.”

Watts had given the keyboardist free rein to pursue his musical interests. Upcoming projects include a new Bedrock 1.0 CD and an entire jazz-fused album devoted to the opera “Otello.”

GODFATHER OF SOUL DOES JAZZ: On July 20, Verve Records will issue for the first time the complete James Brown’s jazz album, “Soul on Top.”

Recorded in 1989 with the Louie Bellson Orchestra, it could well be the jazz record of the year. Originally released on King Records, the 12-tune collection features Oliver Nelson’s arrangements and Brown’s bandmate Macaco Parker Jr.’s tenor sax lines. Led by the longtime Duke Ellington Orchestra drummer, the support group includes such noteworthy as bassist Ray Brown and alto saxophonist Ernie Watts.

Brown performs at his best—learned backing with gusto, swing-ting with brio and launching into delicious vocal improvisations teeming with his trademark squeals, “uh-huh”s and “awwww”s.

In the LP’s original liner notes penned by jazz critic Leonard Feather, Brown commends, “At heart I’ve always been a jazz man. When I was just a kid in Macon, Ga., during summer breaks, I used to listen to some of those name bands that passed through town. I’ve never forgotten hearing those big-band sounds made on me.”

On the album, Brown kills on such low-light romantic standards as “That’s My Desire” and “It’s Magic.” He puts a funky jazz spin on Hank Williams’ “Your Cheatin’ Heart” and stretches out on two of his big hits, “It’s a Man’s, Man’s, Man’s World” and “Papa’s Got a Brand New Bag,” giving the big-band jazz treatment by Nelson.

The CD also contains a previously unaired version of Brown’s 1968 hit, “There Was a Time,” co-written by Brown and Bud Hopkins.

Brown told Feather that Jazz was an integral ingredient in his music. “When people talk about soul music, they only talk about R&B and gospel coming together. That’s accurate about a lot of soul, but if you are going to talk about mine, you have to remember the jazz in it. That’s what made my music so different and allowed it to change and grow.”

BE YOURSELF: Turks & Caicos Music & Poetry Festival September 1-5, 2004

Last year you saw the spectacular beauty of the Turks and Caicos Islands while enjoying an eclectic mix of world class performers in multiple music and spoken word genres.

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Caine’s quest encompasses classical music in a club setting where they are usually performed in bigger halls.
BY MARK WORDEN

MILAN—Although the prevailing atmosphere of Italy’s record industry is avoided Italy, while there was an incredible hunger on the part of Italian fans to see them.” That hunger is still evident; the difference launched the first Festivalbar in 1964. Its original aim was to enable fans to vote for the year’s “summer hit,” but its role has evolved. “For a mering material,” Salvetti says. Such is the prevalence of TV that purists are wary of describing Festivalbar as a live event, Trotta says, “It’s The event’s decline has coincided, however, with the emergence of another “alternative” event, the Arezzo Wave Love Festival, which Mauro the}
Conventions Elect Security

BY RAY WADDELL

In the post-Sept. 11, 2001, world, venue managers must focus on building security more than ever. And this summer, two of the nation's major arenas face a top-level security test.

As FleetCenter in Boston prepares to host the Democratic National Convention July 26-29 and Madison Square Garden in New York gets ready to host the Republican National Convention Aug. 30-Sept. 2, the federal government has designated each assembly as a National Special Security Event.

The designation by the U.S. Department of Homeland Security brings with it the guarantee of extra funds for security and resources from the local, state and federal governments.

"When an event is designated a National Special Security Event, the Secret Service becomes the lead federal agency for security design, planning and implementation," says Ann Roman, spokeswoman for the Secret Service.


The Secret Service has been planning for both conventions for more than a year, Roman adds, noting that the U.S. agency goes to each city to prepare an event security plan with law enforcement and safety officials from the local and state government.

And while the conventions are no doubt challenging (Continued on page 32)
### Top 25 Tours

**Ranked by Gross. Compiled from Billboard Boxscore Nov. 19, 2003-May 18, 2004.**

<table>
<thead>
<tr>
<th>No.</th>
<th>Act</th>
<th>Total Gross</th>
<th>Total Attendance</th>
<th>Total Capacity</th>
<th>No. of Shows</th>
<th>No. of Salleurs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>David Bowie</td>
<td>$45,395,490</td>
<td>722,158</td>
<td>737,581</td>
<td>82</td>
<td>60</td>
</tr>
<tr>
<td>2</td>
<td>Bette Midler</td>
<td>$39,748,912</td>
<td>410,848</td>
<td>484,346</td>
<td>39</td>
<td>8</td>
</tr>
<tr>
<td>3</td>
<td>Simon &amp; Garfunkel</td>
<td>$35,910,184</td>
<td>328,562</td>
<td>332,577</td>
<td>20</td>
<td>18</td>
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<tr>
<td>4</td>
<td>Shania Twain</td>
<td>$34,241,445</td>
<td>514,656</td>
<td>545,455</td>
<td>39</td>
<td>14</td>
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<tr>
<td>5</td>
<td>Prince</td>
<td>$26,302,332</td>
<td>407,289</td>
<td>439,049</td>
<td>32</td>
<td>26</td>
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<tr>
<td>6</td>
<td>Rod Stewart</td>
<td>$25,386,307</td>
<td>320,414</td>
<td>339,940</td>
<td>31</td>
<td>22</td>
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<tr>
<td>7</td>
<td>Metallica</td>
<td>$21,615,315</td>
<td>382,382</td>
<td>422,911</td>
<td>28</td>
<td>13</td>
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<tr>
<td>8</td>
<td>Beyoncé, Alicia Keys &amp; Missy Elliott</td>
<td>$19,177,889</td>
<td>282,476</td>
<td>364,708</td>
<td>27</td>
<td>6</td>
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<tr>
<td>9</td>
<td>Britney Spears</td>
<td>$18,917,821</td>
<td>300,460</td>
<td>338,596</td>
<td>25</td>
<td>9</td>
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<tr>
<td>10</td>
<td>George Strait</td>
<td>$15,672,499</td>
<td>321,299</td>
<td>346,491</td>
<td>19</td>
<td>8</td>
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<tr>
<td>11</td>
<td>Alan Jackson</td>
<td>$15,520,402</td>
<td>315,460</td>
<td>342,444</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>12</td>
<td>Lus Miguel</td>
<td>$15,240,534</td>
<td>271,397</td>
<td>289,708</td>
<td>31</td>
<td>4</td>
</tr>
<tr>
<td>13</td>
<td>Kenny Chesney</td>
<td>$14,920,797</td>
<td>344,647</td>
<td>349,240</td>
<td>23</td>
<td>21</td>
</tr>
<tr>
<td>14</td>
<td>Sarah Brightman</td>
<td>$14,418,670</td>
<td>225,402</td>
<td>329,638</td>
<td>41</td>
<td>3</td>
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<tr>
<td>15</td>
<td>Aerosmith &amp; KISS</td>
<td>$14,330,856</td>
<td>159,012</td>
<td>202,241</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>16</td>
<td>Trans-Siberian Orchestra</td>
<td>$13,991,019</td>
<td>376,553</td>
<td>451,862</td>
<td>76</td>
<td>21</td>
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<tr>
<td>17</td>
<td>Linkin Park</td>
<td>$13,857,007</td>
<td>411,230</td>
<td>413,876</td>
<td>33</td>
<td>29</td>
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<tr>
<td>18</td>
<td>Aerosmith</td>
<td>$13,549,504</td>
<td>223,015</td>
<td>258,851</td>
<td>23</td>
<td>4</td>
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<tr>
<td>19</td>
<td>Robbie Williams</td>
<td>$13,293,955</td>
<td>196,943</td>
<td>211,789</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>20</td>
<td>Eagles</td>
<td>$12,978,685</td>
<td>124,372</td>
<td>137,643</td>
<td>11</td>
<td>4</td>
</tr>
<tr>
<td>21</td>
<td>Kid Rock</td>
<td>$11,858,007</td>
<td>347,495</td>
<td>381,467</td>
<td>39</td>
<td>23</td>
</tr>
<tr>
<td>22</td>
<td>Clay Aiken &amp; Kelly Clarkson</td>
<td>$11,332,015</td>
<td>250,442</td>
<td>295,061</td>
<td>30</td>
<td>5</td>
</tr>
<tr>
<td>23</td>
<td>Night of the Proms</td>
<td>$10,977,188</td>
<td>302,231</td>
<td>320,103</td>
<td>32</td>
<td>1</td>
</tr>
<tr>
<td>24</td>
<td>Fleetwood Mac</td>
<td>$10,826,650</td>
<td>126,257</td>
<td>129,671</td>
<td>11</td>
<td>0</td>
</tr>
<tr>
<td>25</td>
<td>John Mayer</td>
<td>$10,218,936</td>
<td>310,309</td>
<td>395,641</td>
<td>38</td>
<td>10</td>
</tr>
</tbody>
</table>

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### Backstage Report

**BY RAY WADDELL**

#### David Bowie

Although his tour has been cut short by recent heart surgery, David Bowie came on strong this year. His A Reality tour, is the top-grossing trek for the first half of 2004, raking in $45.4 million and attracting 722,158 fans worldwide, through May 18.

The final night of Bowie's North American tour, June 5 at the PNC Bank Arts Center in Holmdel, N.J., also marked the singer's 40th anniversary in the music business.

That night the rock icon poked fun at his 1964 debut by singing a snippet of "Liza Jane," the song he first recorded as David Jones and the King Bees, reported reviewer John D. Luerssen on billboard.com.

"The tour has been a tremendous success on all levels," says Arthur Fogel, touring division president at Clear Channel Entertainment, worldwide producer and booking agent for the tour. "This is David's first major world tour in more than 10 years, and I couldn't be happier with the results. The show is brilliant. David is truly one of the greatest live performers."

---

#### Bette Midler

The Divine Miss M's Kiss My Brass tour has proved to be a major winner, grossing almost $40 million and averaging about $1 million per night at the box office.

Midler's ticket prices for the first leg, which wrapped in March, ranged from $35 to more than $250.

"She can command a high ticket price because there is no one else like her," says Larry Magid, promoter and producer of the tour for Clear Channel Entertainment. "She brings out a specific audience that wants to see her again and again. They know they're going to get their money's worth."

The fall leg of the tour, which begins in October at a date and venue to be confirmed, will consist mostly of new markets, with a few repeats.

"Bette Midler always does great business," Magid says.

---

### Simon & Garfunkel

Folk-rock duo Paul Simon and Art Garfunkel reunited to great fanfare last year for their Old Friends tour, and their success continues with more dates this summer.

Simon & Garfunkel reported $22.4 million in grosses last year and another $36 million through May 18. This gives the pair a nightly average of $1.7 million.

John Scher, manager of Garfunkel, and Simon's manager, Jeff Kramer, are partners in the outing. The tour has cut individual promoter deals in each market, including pacts with AEG Live, the Messina Group, Clear Channel Entertainment, Jam Productions, Beaver Productions, Metropolitan Talent, Silva/Euwitt Presents and in-house promoters.

The duo will have another 20 summer arena shows in North America, followed by a brief late-summer run through Europe.
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### Top 25 Boxscores


<table>
<thead>
<tr>
<th>No.</th>
<th>Gross Ticket Sales</th>
<th>Headliner, Support Act(s)</th>
<th>Total Attendance</th>
<th>Total Capacity, No. of Shows/Sellouts</th>
<th>Ticket Scale</th>
<th>Promoter(s)</th>
<th>Venue, City, Date(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>$11,964,429 (129,861,912 pesos)</td>
<td>Luis Miguel</td>
<td>233,913</td>
<td>262,075/25 shows</td>
<td>$51.14</td>
<td>Diversión y Eventos Espacuadores, S.A.</td>
<td>Auditorio Nacional, Mexico City, Jan. 15-Feb. 16</td>
</tr>
<tr>
<td>2.</td>
<td>$8,137,425</td>
<td>Elton John</td>
<td>42,594</td>
<td>11 sellouts</td>
<td>$250, $175, $100</td>
<td>Caesars Palace/Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, March 23-April 4</td>
</tr>
<tr>
<td>3.</td>
<td>$7,546,068 (6,299,940 euros)</td>
<td>Clousteau</td>
<td>243,556</td>
<td>266,672/14 shows</td>
<td>$38.93, $20.96</td>
<td>PSE Belgium</td>
<td>Sportspalais, Antwerp, Belgium, Dec. 2-9</td>
</tr>
<tr>
<td>4.</td>
<td>$6,827,100 ($9,191,653 pesos)</td>
<td>Robbie Williams</td>
<td>99,870</td>
<td>153,483/2 shows one sellout</td>
<td>$28.93, $57.67</td>
<td>Michael Chugg Entertainment / Jack Ushik Presents</td>
<td>Aussie Stadium, Sydney, Dec. 13-14</td>
</tr>
<tr>
<td>5.</td>
<td>$6,415,950</td>
<td>Elton John</td>
<td>32,682</td>
<td>8 sellouts</td>
<td>$250, $175, $100</td>
<td>Caesars Palace/Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, Feb. 13-22</td>
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<tr>
<td>6.</td>
<td>$6,023,220</td>
<td>Simon &amp; Garfunkel, The Everly Brothers</td>
<td>54,482</td>
<td>3 sellouts</td>
<td>$250, $50</td>
<td>Clear Channel Entertainment</td>
<td>Madison Square Garden, New York, Dec. 2-4</td>
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<tr>
<td>7.</td>
<td>$4,427,726</td>
<td>Simon &amp; Garfunkel, The Everly Brothers</td>
<td>37,978</td>
<td>2 sellouts</td>
<td>$250, $50</td>
<td>Metropolitan Talent Presents</td>
<td>Continental Airlines Arena, East Rutherford, N.J., Dec. 7-8</td>
</tr>
<tr>
<td>9.</td>
<td>$3,992,582 ($53,383,014 Australian)</td>
<td>Robbie Williams</td>
<td>57,027</td>
<td>sellout</td>
<td>$82.06, $57.46</td>
<td>Michael Chugg Entertainment / Jack Ushik Presents</td>
<td>Telstra Dome, Melbourne, Australia, Dec. 10</td>
</tr>
<tr>
<td>10.</td>
<td>$3,886,919 (3,181,306 euros)</td>
<td>Night of the Proms: Toto, INXS, John Miles Band, Ilse Lange, Il Novecento Orchestra</td>
<td>147,945</td>
<td>149,044/14 shows</td>
<td>$48.87, $42.76, $36.65, $27.49</td>
<td>PSE Holland</td>
<td>The Ahoy, Rotterdam, The Netherlands, Nov. 18-Dec. 1</td>
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<tr>
<td>11.</td>
<td>$3,786,055</td>
<td>Simon &amp; Garfunkel, The Everly Brothers</td>
<td>30,952</td>
<td>2 sellouts</td>
<td>$250, $50</td>
<td>Nederlandse Organisatie / AEG Live</td>
<td>Staples Center, Los Angeles, Nov. 17-18</td>
</tr>
<tr>
<td>13.</td>
<td>$3,294,735</td>
<td>Simon &amp; Garfunkel, The Everly Brothers</td>
<td>33,085</td>
<td>2 sellouts</td>
<td>$225, $125, $58, $50</td>
<td>AEG Live / Moss Concerts</td>
<td>FleetCenter, Boston, Dec. 11-13</td>
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<tr>
<td>15.</td>
<td>$3,145,082</td>
<td>Cher, KC &amp; the Sunshine Band, Village People</td>
<td>21,281</td>
<td>23,490/2 shows</td>
<td>$236.51, $75.25</td>
<td>Clear Channel Entertainment/in-house</td>
<td>MGM Grand Garden, Las Vegas, Jan. 2-3</td>
</tr>
<tr>
<td>17.</td>
<td>$2,963,420</td>
<td>Simon &amp; Garfunkel, The Everly Brothers</td>
<td>23,081</td>
<td>26,325/2 shows one sellout</td>
<td>$250, $50</td>
<td>Nederlandse Organisatie</td>
<td>Arrowhead Pond, Anaheim, Calif., Nov. 19-23</td>
</tr>
<tr>
<td>18.</td>
<td>$2,933,187 (32,185,861 pesos)</td>
<td>Alejandro Sanz</td>
<td>88,442</td>
<td>96,830/10 shows</td>
<td>$33.17</td>
<td>OCESA Presents</td>
<td>Auditorio Nacional, Mexico City, March 3-20</td>
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<tr>
<td>19.</td>
<td>$2,842,461</td>
<td>Celine Dion</td>
<td>20,518</td>
<td>5 sellouts</td>
<td>$225, $175, $127.50, $87.50</td>
<td>Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, March 10-14</td>
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<td>20.</td>
<td>$2,837,325</td>
<td>Celine Dion</td>
<td>20,546</td>
<td>5 sellouts</td>
<td>$225, $175, $127.50, $87.50</td>
<td>Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, March 3-7</td>
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<tr>
<td>21.</td>
<td>$2,836,146</td>
<td>Celine Dion</td>
<td>20,556</td>
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<td>Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, April 14-18</td>
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<td>22.</td>
<td>$2,835,743</td>
<td>Celine Dion</td>
<td>20,579</td>
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<td>Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, Dec. 30-Jan. 3</td>
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<td>23.</td>
<td>$2,832,188</td>
<td>Celine Dion</td>
<td>20,532</td>
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<td>$225, $175, $127.50, $87.50</td>
<td>Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, April 21-25</td>
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<td>24.</td>
<td>$2,824,977</td>
<td>Celine Dion</td>
<td>20,444</td>
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<td>Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, Jan. 21-25</td>
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<td>25.</td>
<td>$2,817,354</td>
<td>Celine Dion</td>
<td>20,459</td>
<td>5 sellouts</td>
<td>$225, $175, $127.50, $87.50</td>
<td>Concerts West</td>
<td>The Colosseum at Caesars Palace, Las Vegas, March 17-21</td>
</tr>
</tbody>
</table>
once in a lifetime
every day...
Top 10 Venues

<table>
<thead>
<tr>
<th>No.</th>
<th>Facility, City, State</th>
<th>Venue Capacity</th>
<th>Total Gross/Total Attendance</th>
<th>Total Capacity</th>
<th>No. of Shows</th>
<th>No. of Sellouts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Madison Square Garden, New York</td>
<td>20,697</td>
<td>$32,858,313</td>
<td>808,182</td>
<td>316,648</td>
<td>34</td>
</tr>
<tr>
<td>3.</td>
<td>Wachovia Center, Philadelphia</td>
<td>19,600</td>
<td>$13,495,668</td>
<td>323,735</td>
<td>473,401</td>
<td>50</td>
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<tr>
<td>4.</td>
<td>Philips Arena, Atlanta</td>
<td>20,919</td>
<td>$14,543,801</td>
<td>402,098</td>
<td>721,766</td>
<td>42</td>
</tr>
<tr>
<td>5.</td>
<td>Bell Centre, Montreal</td>
<td>21,000</td>
<td>$15,945,410</td>
<td>461,756</td>
<td>755,397</td>
<td>50</td>
</tr>
<tr>
<td>7.</td>
<td>St. Pete Times Forum, Tampa, Fla.</td>
<td>19,514</td>
<td>$17,609,500</td>
<td>475,313</td>
<td>755,397</td>
<td>50</td>
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<tr>
<td>8.</td>
<td>FleetCenter, Boston</td>
<td>21,000</td>
<td>$32,858,313</td>
<td>708,182</td>
<td>933,563</td>
<td>50</td>
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<tr>
<td>9.</td>
<td>American Airlines Center, Dallas</td>
<td>20,697</td>
<td>$17,379,351</td>
<td>408,504</td>
<td>755,397</td>
<td>50</td>
</tr>
<tr>
<td>10.</td>
<td>Thomas &amp; Mack Center, Las Vegas</td>
<td>21,000</td>
<td>$17,609,500</td>
<td>475,313</td>
<td>755,397</td>
<td>50</td>
</tr>
</tbody>
</table>

(Caption: Compiled from Boxscores reported Nov. 19, 2003 through May 18, 2004.)*

(Caption: Capacities 5,001-10,000 Ranked by Gross. Compiled from Boxscores reported Nov. 19, 2003 through May 18, 2004.)*

It is great to be number **One**, with the best shows from around the world.

**Auditorio Nacional, Mexico City number one venue.**

*Capacities 5,001-10,000 Ranked by Gross. Compiled from Boxscores reported Nov. 19, 2003 through May 18, 2004."

- **535,485** Total Attendance
- **73** No. of Shows
- **$21,106,571** Total Gross

---

**Touring**

**CCE Is Top Promoter**

Clear Channel’s Promotion Arm Far Outranks Competition

**BY RAY WADDELL**

The list of top-grossing promoters for the first half of 2004 offers few surprises, with the three corporate heavyweights predictably occupying the top three slots.

Far and away the world’s largest promoter and venue operator is Clear Channel Entertainment, which reports more than $405 million from being involved at some level in 2,644 shows.

Successful tours by Bette Midler, Sting, David Bowie and Beyoncé all contributed to CCE’s strong start. A soft shed season for the remainder of the year should be at least partially offset by CCE’s worldwide promotion of Madonna’s Re-Invention tour.

In second place is the industry’s newest major league, AEG Live. This subsidiary of the Anschutz Entertainment Group, with its own sub-promoters like Concerts West (Prince), Goldenvoice (Coachella) and the Messina Group (Kenny Chesney), has fared well so far this year. AEG Live has reported more than $176 million in grosses from just

374 concerts, which takes it well on its way to topping its total for 2003. Among AEG successes are arena tours by Prince and Rod Stewart, along with long-running stands by Celine Dion and Elton John at the Colosseum at Caesars Palace in Las Vegas.

House of Blues Concerts remains a major player, reporting more than $88 million from 976 shows. HOB appears to be off the pace to a degree, though, from the $220 million the promoter reported for all of 2003. National promotion of the Maybelline New York Girls With Attitude tour, headlined by Liz Phair, will contribute to HOB’s revenue.

Florida-based Jack Utsick presents continues to climb the promoter ladder, reporting $51 million from involvement in 253 shows. Utsick has broadened his base into international markets like Australia and the Pacific Rim while at the same time becoming a nationwide player in the United States.

The Nederland Organization also remains highly active this year, reporting $22 million from 40 shows. Nederland’s most active market is Southern California.

(Continued on page 35)
Thank you for making the Bell Centre one of the top venues in North America!

GILLETTE ENTERTAINMENT GROUP

MONTREAL, CANADA

www.americanradiohistory.com
<table>
<thead>
<tr>
<th>No.</th>
<th>Facility, City, State</th>
<th>Venue Capacity/Total Gross/Total Attendance/Total Capacity/No. of Shows/No. of Sellouts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Atlantic City Boardwalk Hall, Atlantic City, N.J.</td>
<td>13,800 $9,214,733 152,645 281,202 29 4</td>
</tr>
<tr>
<td>2.</td>
<td>Van Andel Arena, Grand Rapids, Mich.</td>
<td>12,664 $8,669,222 218,120 300,044 40 6</td>
</tr>
<tr>
<td>3.</td>
<td>National Exhibition Centre, Birmingham, England</td>
<td>12,244 $8,307,729 133,722 135,000 13 5</td>
</tr>
<tr>
<td>5.</td>
<td>Wembley Arena, London</td>
<td>12,000 $6,478,072 124,601 128,304</td>
</tr>
<tr>
<td>6.</td>
<td>Giant Center, Hershey, Pa.</td>
<td>12,500 $5,410,091 156,001 216,097 31 5</td>
</tr>
<tr>
<td>8.</td>
<td>Cox Arena, San Diego</td>
<td>13,000 $4,644,872 94,031 99,562 11 6</td>
</tr>
<tr>
<td>9.</td>
<td>The Ahoy, Rotterdam, The Netherlands</td>
<td>10,500 $4,489,330 158,021 159,120 15 1</td>
</tr>
<tr>
<td>10.</td>
<td>Long Beach Arena, Long Beach, Calif.</td>
<td>14,500 $4,449,122 159,038 194,112 25 15</td>
</tr>
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**IAAM’s Core ‘Values’**

Conference Will Focus On Talent Buying, Mentoring

**BY RAY WADDELL**

Under the banner of "Building Member Value,” the International Assn. of Assembly Managers will convene for its 79th conference and trade show July 23-27 in Reno, Nevada, with an increased focus on talent buying and mentoring opportunities for venue managers.

Such hot topics as building security, a possible National Hockey League strike and funding challenges for performing arts centers are also likely to gain attention at the IAAM confab.

"Right now everything is shaping up extremely well," says Dexter King, executive director of the IAAM, who adds that exhibit booths and registrations are up par with 2003.

King notes that some special programs have spurred interest—particularly a discussion linking building managers with booking agents. The booking agency forum will be presented by Rodney Smith, GM of the Boettcher Concert Hall in Denver; Kevin Ullestad, director of Assembly Hall in Champaign, Ill.; and Paul Beard of Bass Performance Hall in Fort Worth, Texas.

"The agency forum is probably the biggest push we’ve made in recent years to give something of substantive value to commerce benefits to our members," King says. "You can teach and preach philosophical values all you want, but the bottom line is that’s putting butts in seats."

Similarly, King believes a new mentoring program, "Charting Your Course for Career Advancement," will offer specific benefits to attendees.

Venue executives who will lead the mentoring discussion include Debbie King, GM of Bank of America Centre in Boise, Idaho; Joan LeMahieu, GM of Ford Field in Detroit; Larry Perkins, assistant GM of the BC Place in Vancouver, Canada; and Craig Nelson, GM of the ACCA in Atlanta.

King adds that the annual conference will include the transition between IAAM presidents. Outgoing president Mike Kelly—executive director of venue management company NCC in Christchurch, New Zealand—will welcome incoming president Jimmy Earl, associate athletic director of the Frank Erwin Center in Austin.

Kelly categorizes his year at the helm as more about housekeeping than new initiatives, although he also established three management councils—one on education, industry affairs and safety—in a key development for the IAAM.

"The larger and more practical (Continued on page 36)"
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Security
Continued from page 21

events, they are no more difficult than, say, a Super Bowl.

"Whenever there is a large event of this magnitude, there are certain challenges that have to be met," Roman says. "Our goal in these partnerships is to provide a safe and secure event. We work as a group coordinating and designing what is hopefully a successful plan."

FleetCenter and MSG won the role of convention host through a bidding process. FleetCenter was a finalist for the 2000 DNC, which was held at Staples Center in Los Angeles.

A venue may be chosen for political reasons. In the case of the 2000 DNC, California and its electoral votes were a primary factor in staging the convention in Los Angeles, sources close to the process say.

BOSTON'S EARLY BID
As Massachusetts senator John Kerry calls Boston home, the FleetCenter would appear to have had an edge in winning his party's convention bid. In fact, the arena received the contract in the fall of 2002, well before Kerry had emerged as the presumptive Democratic presidential nominee.

"It's very much a bid process," FleetCenter director Richard Krezwick says. "The mayor [Thomas M. Menino] came up with a plan, and Sen. Ted Kennedy [D-Mass.] was very instrumental in the effort. They put significant hours into selling the city of Boston and the state of Massachusetts, and we handled the process."

Still, it doesn't hurt that Kerry lives near the site of the 2004 DNC—very near. "His house is three blocks from the FleetCenter," Krezwick says.

MSG will provide the stage for President Bush to accept the Republican presidential nomination in the city that severely suffered from the terrorist attacks of Sept. 11.

MSG won the bid to host the RNC Jan. 31, 2003, by unanimous vote of the Republican National Committee, according to Rori Smith, spokeswoman for the RNC.

"New York offered the best package of goods and services, hotels and, of course, venues," Smith says. "When we came to New York City, we recognized it as the No. 1 media market and the gateway to the world."

Hosting a political convention provides an arena with an opportunity to play a civic role on the national stage and often, as with Kerry and the FleetCenter, to honor a local political hero. But it also takes its toll in lost business.

An arena must hand over the keys to convention organizers for the better part of two months and hope the benefits outweigh the losses, particularly in a summer such as this when many high-profile acts are playing arenas.

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objective for the board of directors [this year] was the stabilization of cash flow, and we have made significant positive strides toward renewed financial health," Kelly says.

According to Kelly, for the first time in several years, the association has a positive cash flow. "The board had the courage of their convictions, and Dexter King and the staff were brilliant in this regard, since it was cost-saving that drove the results," he says.

Among developing programs that are "changing the face of IAAM," Kelly cites the association's relationship with the U.S. Department of Homeland Security. The relationship has "created a heightened profile for the association and a partnership that we hope will serve both partners well over time," he says.

Kelly also believes the role of IAAM president is changing, driven by the size of the organization and its role as a leader in the venue industry. He suggests the IAAM may move "toward a more traditional corporate structure—where the president is primarily chairperson for the board of directors and the executive director assumes a role adopted by many similar associations of president and CEO."

Similarly, Kelly says the role of venues is evolving.

"Venue managers are increasingly required to be creators of wealth and opportunity for their communities or employers," Kelly says. "The venues we manage are a small part of the business environment in which we operate, and managers must take a holistic view of the three essential roles of their venues."

"We have distinct commercial, social and environmental roles to play, and we have to provide community leadership," he adds.

Incoming president Earl praises Kelly's work. "My main focus is to maintain the financial ground we've gained and continue with the programs that have been successful," he says.

Other IAAM officers who are due to assume their new positions at the annual conference include David Ross of the Show Me Center in Cape Girardeau, Mo., who becomes first VP, and Larry Perkins of the RCC Center in Raleigh, N.C., who becomes second VP. Ross and Perkins will then move up to the IAAM presidency in 2005 and 2006, respectively.
Arena Biz

Continued from page 21

ments than were reported during the same period in 2003.

But the strong mid-year Boxscore numbers reflect a front-loaded touring season. The business dipped sharply in April. Ticket sales from April 1 to June 15 are down 17.6%, and attendance has dropped 27%, compared with the same period of 2003.

NEW YORK, NEW YORK

Despite those concerns, top venues reflect the overall strength of the business. Nowhere is that more evident than New York's venerable Madison Square Garden, which sits atop the list of top-grossing arenas for the first half of 2004.

MSG reported 59 engagements to Boxscore, which grossed nearly $32 million and drew more than 708,000 people.

"Business here is strong," MSG executive VP of entertainment Joel Peresman says.

"We've had more multiples booked this year, including two Bette Midlers, two Rod Stewarts, six Madonnas, three Eric Claptons and three Princes."

More important, Big Apple music fans have responded. "You can book all the dates you want," Peresman points out, "but ticket sales have to support them."

MSG must maintain these strong numbers while closing to regular business for about two months to prepare for and host the Republican National Convention, which will run Aug. 30-Sept. 2. Boston's FleetCenter faces the same challenge as host of the Democratic National Convention July 26-29.

"That was a challenge, but we got out way in front of this with the agents and promoters," Peresman says. "We let everyone know we wouldn't have any arenas or theater availabilities in that time period."

MSG was able to nail down most of the big shows, and it didn't hurt (Continued on page 38)
that it is the premier venue in the premier market.

"Obviously, that plays to our advantage, but we try not to take it for granted," Peresman says. "People want to play here and will route based on our availabilities. But we still want to be proactive."

Still, MSG missed out on dates by Van Halen, the Project Revolution package and Sarah McLachlan, though Peresman is hopeful all three will find a way to get back to the venue late in the year.

As it stands, with the Who and Yes visiting MSG in May, along with a diverse slate of events, including everything from Russian artists to salsa acts, Peresman is pleased with the year to date.

"We didn’t think this year would be as strong as it has been," he says. "In January, there was no talk of Prince or Madonna, and then all of a sudden [we] have nine shows between the two of them, so we’re very happy."

JERSEY CASH COW

New Jersey’s Continental Airlines Arena in East Rutherford is the second-highest-grossing arena for the first half of 2004, reporting grosses of $17.6 million from 50 events.

Since last year, Continental has played host to two Simon & Garfunkel dates and appearances by Toby Keith, Barenaked Ladies, Midler, Britney Spears and the Ladies First tour.

"The type of shows we’ve had are great, and they’re selling well," says Ron VanDeVeelen, VP/associate GM of Continental Airlines Arena and Giants Stadium.

"We have one of the strongest summers that we’ve seen in a while at the arena," VanDeVeelen adds, citing two Van Halens, two Madonnas, two Princes, Hilary Duff, McLachlan and American Idols Live.

"Our building is still doing well, and we’re holding our own in the New York market," VanDeVeelen says. "With all the talk of proposed new buildings in this area, we’re still standing and feel we will be for a long time."

SUCCESS IN PHILLY

Another perennial powerhouse is Wachovia Center in Philadelphia, a 20,000-seater that is part of a complex that includes the Wachovia Spectrum arena.

The center is the showplace, hosting 42 engagements this year so far, with grosses of $17.4 million and attendance of more than 400,000 people, according to Billboard Boxscore.

"We’re extremely excited and optimistic about our concert bookings," says John Page, senior VP of Continental Spectator, the facility management firm that operates the Wachovia complex.

The year started out good and has maintained momentum, Page says. "We’re heading into a record summer here in our eighth season," he says. "People have a desire to see live entertainment, and there’s a lot of great talent out there."

Stewart, Linkin Park, Sarah Brightman and Aerosmith have "given us a wide variety of things to sell to the Philadelphia marketplace," Page says. "And everybody did great."

The building is in the midst of a "huge" summer that includes visits from Simon & Garfunkel, two Van Halens, Dashboard Confessional, Clapton, Incubus, two Madonnas, Duff, McLachlan, American Idols Live, four Princes, Usher, four sellouts from the Wiggles and three days hosting "Wheel of Fortune."

"The lot for an arena in the summer, Page admits. "A lot of these tours are really geared toward arenas, and that’s great for arena managers."

TONIGHT IN ATLANTIC CITY

The Atlantic City (N.J.) Boardwalk Hall has been one of the top-grossing buildings of its size for the past few years.

For the first half of this year, it topped North America’s 10,000- to 15,000-seat venues with more than $9 million in grosses, according to Billboard Boxscore.

Greg Tessone, assistant GM of the arena, says boxing, family shows and concerts are driving the numbers, including a big show by Midler promoted by Caesars Entertainment with Clear Channel Entertainment.

"Most of our big concerts here are promoted by Caesars," Tessone says.

He adds that the market is defined in many ways as a casino destination, though that perception is changing.

"This market is evolving," Tessone says. "We’re creating our own market apart from Philadelphia."

"Right now," he adds, "we’re doing business that the casino will support, with the exception of our family show. We’re just now starting to get into concert business that’s not casino-driven, that the local market has shown it will support."

Tessone cites an upcoming show by Norah Jones as an example.

PEACH OF A YEAR

While four of the top five arenas for the first half of the year are located in the Northeast, Atlanta’s Philips Arena is posting some strong numbers.

The venue reported some $16 million in grosses to Boxscore.

"The proliferation of touring artists playing indoors in 2004 has ensured a banner year for the Philips Arena," president Bob Williams says.

"Fortunately, it’s not only quantity, but quality as well," Williams says. Philips Arena has already hosted 10 concerts this year, and it has nine more on sale.

"I keep hearing about a soft amphitheater season, well, here’s the reason why," he says. "Premier artists and their discriminating audiences prefer arenas."

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Security

Continued from page 34

out in July, starting with the skyboxes, then building the podium, the lighting, etc." In preparation for the convention, an enclosed pedestrian bridge soon will open, connecting the James A. Farley Post Office with MSG, across Manhattan’s Eighth Avenue. The media will use the Farley Post Office during the convention; afterward the building is set to become a new annex to Penn Station, which is located below MSG.

One of MSG’s sports tenants, the WNBA’s New York Liberty, will pay six games at Radio City Music Hall. (MSG and Radio City are owned by Cablevision.)

Despite the challenges of staging the convention in New York, Smith says, everyone, regardless of political affiliation, seems ready to make the RNC a notable event.

"Everyone wants this convention to be successful for various reasons," Smith says. "I want this to be successful because I want George W. Bush to be re-elected for president. New York Democrats want this to be successful because this is great opportunity. Security is to be able to produce such a large and complex event means you can do anything."

Top 10 Venues

CAPACITIES 5,000 OR LESS


1. The Colosseum at Caesars Palace, Las Vegas
   4,000 $55,682,840
   394,652
   394,652
   98
   98

2. Tampa Bay Performing Arts Center, Morsani Hall, Tampa, Fla.
   2,600 $13,327,746
   259,008
   284,491
   115
   8

3. Fox Theatre, Atlanta
   4,600 $11,905,947
   277,546
   628,538
   139
   3

4. Murat Theatre, Indianapolis
   2,476 $9,627,997
   189,661
   264,294
   103
   5

5. St. Denis Theatre, Montreal
   2,300 $9,231,231
   150,099
   175,748
   89
   9

6. Fox Theatre, Detroit
   4,800 $7,554,790
   202,197
   311,930
   78
   6

7. Temple Hoyne Buell Theatre, Denver
   2,830 $6,791,026
   144,234
   195,899
   69
   1

8. Ruth Eckerd Hall, Clearwater, Fla.
   2,174 $6,371,303
   158,927
   203,988
   107
   14

   4,800 $5,648,683
   130,199
   230,416
   63
   4

    2,900 $5,559,220
    109,440
    118,712
    40
    23
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Jason Colton, Dionysian Productions
Marty Diamond, Little Big Man Booking
Ken Fermaglich, The Agency Group
Caroline Frye, Clear Channel Entertainment
Brad Garrett, Police Productions
David Goldberg, Ticketmaster

Peter Grosslight, William Morris Agency
Seth Hurwitz, L.P./930 Club
Don Law, Clear Channel Entertainment Music
Stan Levinstone, Concerts East
Rob Light, Creative Artist Agency
Dave Lucas, Clear Channel Entertainment Music
Peter Luuke, Comcast Spectator Ventures
Larry Magid, Clear Channel Entertainment
Stephanie Mahler, Monterey Peninsula Artists
Steve Martin, The Agency Group
Jonathan Mayers, Superfly Productions
John Meglen, AEG Live/Concerts West

Jerry Mickelson, Jam Productions
Ian Noble, Metropolitan Talent
John Page, Comcast Spectator/Wachovia Ctr
Randy Phillips, AEG Live
Bob Roux, Clear Channel Entertainment
John Scher, Metropolitan Talent
Jon Stoll, Fantasma Productions
Rob Tonkin, Marketing Factory Inc.
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Brad Wavra, Clear Channel Entertainment
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Rick Zeiler, Sidney Frank Import

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BY GAIL MITCHELL

LOS ANGELES—Chasing quarterbacks is one thing. Chasing hit records while building a successful multifaceted entertainment company is quite another.

Willie McGinest is determined to prove he can do both. Sports fans know McGinest as linebacker No. 55 for 2004 Super Bowl champions the New England Patriots. But off the gridiron, he’s busy establishing 55 Entertainment.


SPORTS AND MUSIC DON’T ALWAYS MIX

The industry hasn’t been all that kind to sports figures dabbling in music. Los Angeles Lakers star Kobe Bryant sold a paltry 1,200 copies of his January 2000 Columbia single “K.O.B.E.” according to Nielsen SoundScan. His album was not released.

Sacramento Kings forward Chris Webber’s independent label, Humility Records, never ignited. Neither did Philadelphia 76ers forward Derek Coleman’s On Point label.

There have been some exceptions. Basketball superstar Shaquille O’Neal released five studio albums between 1993 and 1998. These include Jive Records project “Shaq Diesel,” which has sold 864,000 units, according to Nielsen SoundScan, and “Respect” on O’Neal’s A&M/Interscope-distributed Twizm label (104,000 units). And former Chicago Bulls great Michael Jordan is an investor in Hidden Beach Recordings, home of Jill Scott.

It’s Jordan’s low-profile persona at Hidden Beach that McGinest emulates in his quest to build 55 Entertainment into a successful black-owned enterprise.

“I’m not trying to be the artist,” he says. “I’m behind the scenes. By the same token, if you don’t have the talent to back it up, it’s all for nothing.”

McGinest is making sure he has the talent. For the past 14 months, he and his 55 Entertainment staff have been honing the forthcoming debut of street-edged R&B/hip-hop quartet Metro.

The Boston-bred group, whose singing/songwriting members include 2key, Jy, Rey and Cyrus, will issue its first album this fall through A&M/Interscope. Among the top-name producers they enlisted for the project are Kanye West, Buckwild and Mike City.

The second release out of the 55 chute, in first-quarter 2005, comes from Phedra. Her project will go through UrbanWorks Entertainment. Los Angeles-based UrbanWorks is a production/distribution company headed and co-owned by Jeff Clanagan.

In addition, 55 is producing the soundtrack to the film “Beauty Shop,” starring Mo’Nique and Kelita Smith (from Fox’s “The Bernie Mac Show”). The comedy is jointly produced by UrbanWorks and Magic Johnson Productions. Also on the 55 roster is R&B/hip-hop singer Dani.

The year’s BMI Icon honoree. The award will be presented Aug. 27 during the annual BMI Urban Awards at Club Tropicana in the Fontainebleau Hilton in Miami Beach. Green joins previous honorees as Issac Hayes and James Brown.

COME ONE, COME ALL: The clock is ticking. . . . It’s just three weeks and change before the fifth annual Billboard/American Urban Radio Networks R&B/Hip-Hop Conference and Awards show gets under way Aug. 4 at Miami’s Eden Roc Resort. This year’s three-day gathering promises to be another rewarding event.


This year’s awards show will be co-hosted by Free of BET’S “106 & Park” and Russ Parr of “The Russ Parr Morning Show.” Special honorees Isaac Hayes and KRS-One will join such presenters as producer/songwriter Dal-las Austin. Don’t miss out on the networking, learning and fun.

HOLDING HIS OWN: Self-described Mississipi country boy Theodis Ealy has been plying his trade for 43 years. Now, at the age of 57, the R&B/blues guitar-slinger is enjoying the fruits of his labor with the modest hit “Stand Up in It.”

The double-entendre-strewn tune about male sexual prowess has been a fixture on the R&B/Hip-Hop Singles Sales chart for 38 weeks, including four weeks at No. 1. Released in March, the album of the same title peaked at No. 54 on the Top R&B/Hip-Hop Albums chart. After 14 weeks on that chart, the set resides at No. 55.

“Just as I say on the song, a little old lady told me a story, and I decided to set it to music,” Ealy tells Billboard. “I thought if other guys can get away with writing about double-entendres, I’ll put this record out, knowing I wouldn’t get any airplay save for black clubs and black music festivals. Then, my goodness, they started playing it on the radio.”

Among the stations playing the record is adult R&B KJLH Los Angeles.

Dispossessed by traditional blues fans because of his music’s soul infusion, and likewise by soul fans because of his blues vise, Ealy found more receptive audiences in Europe. “At home I couldn’t do anything, but in Europe they love me,” he says.

Indie aficionados here and overseas, however, are no doubt aware of his four albums released through Ichiban Records. “Stand Up in It” is the second album on his own label. Ichiban Records. Distribution is through Stax veteran Al Bell’s A.R.E. Distribution (Billboard, Sept. 27, 2003).

Ealy, who moonlighted as a lighting maintenance technician while raising his family, jokes that if a bulb blows out in a venue or on a marquee, then he’s your man. Having worked such gigs, he’s grateful for the response to “Stand Up in It.” “If I’m to be a one-hit wonder, I’ll do it,” he says.

(Continued on page 42)
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Rhythm & Blues

Continued from page 40

thank God for the hit. As the young people say, 'I ain't scared.'

INDUSTRY NOTES: Stephanie Mills secures Lightyear Entertainment as the distributor for “Born for This.” Her first new R&B album in 13 years (Billboard, Feb. 28) is available on Mills’ label, J M Records.

Bow Wow is the honorary chairman for SummerMix. The Sports/Entertainment Day camp for inner-city teens is celebrating its 25th anniversary. Sponsored by Coca-Cola, Caesars Palace and Amtrak, SummerMix is produced by Miles Ahead/International Ass’n of African-American Music.

THE WRIGHT STUFF: Angelic. Undercooked, those adjectives pop up frequently in reviews of Syreeta Wright’s musical career. The singer/songwriter died July 6 after a two-year struggle with bone cancer. She was 58. Services were held July 13 at First A.M.E. Church in Los Angeles.

Although best known for her 1980’s duet with Billy Preston, “With You I’m Born Again,” Wright was the former wife of Stevie Wonder. Their tune-filled professional alliance was prolific, dovetailing with Wonder’s evolution from teen prodigy to R&B icon. The ex-Motown secretary’s lyrical and/or vocal talents graced such Wonder works as “Signed, Sealed, Delivered I’m Yours” plus the album-defining “Morning Song.”

Wright also shined brightly on her own. Of the six albums she recorded for Motown, the first two are best remembered. They are the critically acclaimed “Syreeta,” released under the MoWest imprint in 1972, and 1974’s “Stevie Wonder Presents Syreeta,” which musically depicts the couple’s relationship from love/marriage/divorce/enduring friendship. Wonder produced both sets.

These two true singing and songwriting all are about. Both albums were recently repackaged on one disc, “Syreeta,” available through Hip-O Select/Motown Universal Music Group.
Vene Gets Guerra For A Christian Disc

BY LEILA COBO

MIAMI—In a one-off deal designed to boost the visibility of bachata star Juan Luis Guerra and Vene Music, Guerra will release a Christian album on Vene Music Aug. 31.

Guerra remains signed to indie label Karen Records, but the worldwide arm of his new album, “Para Ti,” belong to Vene, the independent label arm of entertainment company Venevision Internacional. Guerra signed the deal directly with Vene president Luis Villanueva.

The move marks the first solo artist release from Vene, a year-old label that had previously put out compilations and concept albums. “We are now developing acts, and we’re starting with an artist of the stature of Juan Luis Guerra,” Villanueva says. Although Guerra is not signed to Vene, Villanueva adds that the association for the one album will raise Vene’s profile and allow it to develop other acts. Already signed to Vene is Héctor Montaner, one of the sons of singer/ songwriter Ricardo Montaner. His album will be released by the end of the year.

SECULAR MARKETING

Despite the Christian content of “Para Ti,” the album will be marketed as a secular album, according to Vene marketing director Fidel Hernández.

“We don’t want to go by the book,” says Hernández, who was previously managing director of Karen Records. Hernández cites the path set by Christian star Marcos Witt, whose latest album was successfully marketed by Sony to secular accounts.

“Juan Luis is not an act that we can label only as a Christian act,” Hernández says. “The fact that he recorded a Christian album doesn’t mean he’ll stop making the music he has made before.”

In fact, Villanueva describes “Para Ti” as a typical Guerra release in its use of bachata and other tropical rhythms. It is the album’s lyrical content that differentiates the release.

“Las Avispas,” the first single, will go to radio in the coming weeks. Guerra is credited with popularizing the Dominican Republic’s traditional bachata music with a wave of successful albums, including “Bachata Rosa” (for which he won a 1991 Grammy Award for best tropical album) and “Aireto.” His hits include “La Bilihrrubina” and “Burbujas de Amor.”

Villanueva says he is not certain how the project will reach Christian outlets. But, he says, the album’s marketing”

Mexico Says ‘Yeah Yeah Yeah’ To ‘Za Za Za’

One year ago, Osskar “Lobo” was the owner and DJ at what is politely known as a “gentleman’s club” in Veracruz, Mexico. Today, Lobo is a star, thanks to the success of “Za Za Za” (Mesa Que Mas Applauda), a song he wrote to excite patrons at his club, Climax. The track is No. 11 this week on Hot Latin Tracks while the album “Za Za Za,” out on Musart/Balboa, has steadily climbed the Billboard Top Latin Albums chart to its current No. 10 position.

The tune was recorded by Lobo’s group, Climax, which comprises Lobo, rapper Mr. Grillo (aka Sergio Castellanos) and DJ Lapi (aka Silvano Alvarez). “Za Za Za” is a party song, set to a saucy merengue beat that invites patrons to loudly cheer and applaud. The table that cheers the most “gets the girl.”

“The song was written exclusively to egg people on at the club,” says Lobo, who complements Climax’s performance with a throng of dancers who “move like shakers,” in his words. “I believe in miracles. I believe in spirituality,” he adds. “But I can’t begin to explain how I feel, because this song attracted people I never imagined.”

It could have all stayed within the confines of his club in Veracruz, but word-of-mouth stepped in. Last December, Lobo recorded the track, along with two others, and distributed them as MP3s to distribute to loyal patrons on his club’s first anniversary.

Three months later, the track was spinning on Mexican radio stations. Lobo was interviewing with national news outlets and then labels came calling. At that point, “Za Za Za” was widely pirated, and Lobo was desperate for a deal. One label gave him an appointment “25 days after our initial conversation,” he says. Another, Musart/Balboa, offered to sign him immediately and put out an album within one week. Lobo agreed and signed his publishing with Edimusa. Musart’s publishing arm.

The album is a collection of equally danceable tracks that Lobo, who is also a musician, has penned through the years. The set was released in Mexico in April. The label claims sales of nearly 200,000 copies there.

The album was released in June in the United States. Nielsen SoundScan reports sales of 12,000 copies. Balboa president Valentín Velasco says it has sold much more, fueled in part by a $5.99 price tag. The price, Velasco says, is designed to be competitive with the Mexican product, which can be easily imported, and to dissuade customers from buying pirated copies.

The song’s appeal shows no signs of abating. Cover versions have been recorded by Liberación and Banda Real de Oro.

As for Lobo, he is preparing for a U.S. promotion trip and is already thinking about another album, along the same lines as “Za Za Za.”

“They’re happy songs,” he says. “Songs to make you forget everything.”

PEPE SWITCHES GEARs: After only one year with Univision Records, Pepe Aguilar has switched labels again. Sony Music announced July 13 it had signed Aguilar. His first album under the new deal is “No Soy de Nadie,” which is slated for release at the end of August.

Prior to joining Univision, Aguilar was signed to Musart/Balboa.

FERNÁNDEZ BARES HEART: Alejandro Fernández’s upcoming album, “Corazón Abierto,” is slated for release Sept. 7 on Sony Music. The disc, produced by Kike Santander and Aureo Baqueiro, will be Fernández’s first pop album since “Me Estoy Enamorando.”

Fernández, who is represented in the United States by Creative Artists Agency, will launch a tour in the fall. He also stars in the film “Zapatita,” directed by Alfonso Arau, which is expected to be distributed in the United States later this year.
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Keeping Faith, Faithless Crosses Over

BY MICHAEL PAOLETTA

For several months, numerous dance/electronic acts—BT, Moby, D:Reyez, Paul Van Dyk and the Crystal Method among them—have voiced their concerns over the war in Iraq.

U.K. electronic dance outfit Faithless is the latest to join in the chant. The response has been overwhelmingly positive.

Faithless’ politically— and spiritually—charged fourth studio album, “No Roots,” provided the group with its first No. 1 album in the U.K. and No. 2 in the U.S.

According to Kenan, the album’s early success benefited from lead single “Mass Destruction” and its accompanying video.

“The video has been extremely effective in catching the audience’s imagination,” Kenan says.

In the United States, where “No Roots” arrives July 20 on Cheeky! Arista, “Mass Destruction” has been embraced by several modern rock stations and MTV.

In fact, MTV has put the Dom & Nic-lensed video into heavy rotation. For Tom Calderone, executive VP of music and talent programming for MTV, MTV2 and MTVU, adding the video was a no-brainer.

“A video like this gets a dialogue going with our audience,” Calderone says. “If it fits in with a lot of the news we report and our ‘Choose or Lose’ campaign.

He adds that it is a “cool time musically, with artists giving us think pieces.”

To illustrate, he points to recently added animated, political videos from Chronic Future and Badly Drawn Boy.

Calderone finds “Mass Destruction” the most interesting of the three videos. “The lyrics and visuals match up with what’s going on in the world today,” he says. “[The video] shows kids fighting on the playground—whoever has the most toys wins.”

Calderone and others believe this could be the song—and album—to truly break Faithless in the United States.

“We’ve sold several copies of the import version of ‘No Roots,’ says scene would like if they had the opportunity to hear the music. “When people hear Faithless, they want it,” he says. “Their music goes way beyond dancefloors.”

Which helps explain the early adds at key modern rock radio stations, including WHFS Baltimore, KROQ Los Angeles, KNDD Seattle, KITS San Francisco and WAFZ Charleston, S.C.

Such stations “jumped on the song before we mailed out a promo CD,” says Matt Shay, VP of marketing and A&R at J. “The same thing happened with the video at MTV.”

So, now, Shay says the label is playing catch-up. Remixes of “Mass Destruction” have been delivered to club and mix-show DJs, as well as to the iTunes Music Store. The album has been sent to college radio.

The New York Times ran a major piece on Faithless, and USA Today and other publications have confirmed articles on the band.

“We are connecting all the dots,” Shay says.

For Shay, such activity “says a lot about the power of this song—lyrically, musically and visually.”

And like Shay, the core members of Faithless—Sister Bliss, Maxi Jazz and Rollo Armstrong—did not see this coming.

“To say we’re surprised is far too small a word to cover the shock and astonishment we’re feeling,” says Jazz, the band’s MC. “We gave up on American radio and video a long time ago. We always thought that, outside the club scene, Faithless would go undetected in the U.S.”

But Jazz adds, “of all the songs I’ve written, if one were to break big in America, I would want it to be this one. The current global situation is too important to ignore.”

Classically trained pianist/club DJ Bliss concurs, adding, “Though we knew we were taking a risk with Mass Destruction, we also knew it was a very necessary song to make. In the end, we may have captured the zeitgeist.”

Joining the trio on “No Roots” are vocalist 1SK and Armstrong’s sister, No. 2SK, as well as Jayna Simone, by way of sampling.

“This is our most homogenous album,” Bliss says. “We made it as one piece of music.”

Throughout, Faithless deals with the human condition. “The global situation was changing daily while we were making this album,” Jazz says. “We kept asking each other, ‘Where’s it going on here?’ We realized that each one of us is in such great danger.”

“The biggest weapon of mass destruction is inaction,” he adds. “We’re not at rest until you get what you want.”

Additional reporting by Emmanuel Legrand in London.

New Compilation Rubrubs WB Hits The Right Way

We cannot stop playing Cuica’s Brazilian-spangled remix of Maria Muldaur’s 1974 top 10 hit, “Midnight at the Oasis.” Its sunny, disco-laced rhythms are tailor-made for the lazy, hazy days of summer.

This is the type of postcard-perfect remix that, if you didn’t know better, you might think was the original version of the song.

The tune’s new musical bed—concocted by Cuica’s Pete Herbert and Simone Serrillia—sweetly surrounds Muldaur’s blues-linged vocals.

This rubrub is one of many high-lights on “Warner Bros. Remixes Vol. 1,” due Aug. 31.

Other choice cuts include Nicotine’s “Larson’s Love” (remixed by Nic Jodoin), Gary Wright’s “Dreamweaver” (“Supreme Beings of Leisure), America’s “Ventura Highway” (Depeche), Rod Stewart’s “Do Ya Think I’m Sexy” (Halou) and

Charles Wright’s “Express Yourself” (Moean Worker). The lead single, Philip Steir’s mix of Seals & Crofts’ “Summer Breeze”

By Michael Paoleotta

is making headway at radio.

Special mention must be made to Warner Bros. and exec producers Steir and Leah Simon, who did not feel the need to deliver an album of point-by-numbers, peak-hour remixes by big name, over-used DJs/producers. For that, we can all be thankful—and grateful.

THE FORCE IS BACK: Many dance

enthusiasts hold a special place in their hearts for Nancy Nova. For them, Nova and FX Records have released “The Force,” a collection of the singer/songwriter’s hits— and misses.

For those who need a refresher course, here goes: In the late ’70s and early ’80s, Nova scored a handful of club hits, including most notably “The Force.”


Of course, a track like “Where Do We Go From Here?”—from “The Force”—gorgeously recalls such pre-1981 fare as the Giorgio Moroder-produced “Number One Song in Heaven” by Sparks.

Throughout, purists will surely revel in the original recordings,

which have been remastered, but, thankfully, not remixed.

By the way, Nova is not simply

resting on her laurels. She is nearly finished recording a jazz album, which will begin working on an electronic/dance set.

GLOBAL HAPPENINGS: Dance music fans who find themselves in Amsterdam Aug. 7 are encouraged to attend Dance Valley. The day-long festival will have 15 stages, which means a variety of sounds will be heard.

Confirmed DJs include Sasha, Hybrid, Ferry Corsten, Paul Oakenfold, Deep Dish, Sander Kleinenberg, Jeff Mills, Dave Clarke, Kevin Saunderson, Chicks on Speed and Lucien Foort.

Elsewhere, PremisMusic is a new music conference with a focus on independent and like-minded labels. The event, which coincides with Popcomix, takes place Sept. 30- Oct. 2 in Berlin. For info, log on to premismusic.com.

Interested in opening for international DJ John Digweed? If so, you need to enter the Next Big Thing.

The contest is open to all U.S.-based, nonprofessional house music DJs who do not earn the bulk of their income from DJ’ing.

In addition to opening for Digweed, the winner will receive a prize package that includes DJ recording gear and 150 tracks from beatport.com.

For rules and an official entry form, log on to futuremusic.com.
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<td>GOODBOY WANTED TO BE MORE A LIFE</td>
<td>Stacie Orlov</td>
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<td>THERY STREES</td>
<td>Jumpers &amp; Jokers</td>
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<td>ARISTA/RADIO boost</td>
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<td>AIRWAY</td>
<td>L.M. Glaude/ATLANTIC</td>
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<td>THEIR RJUMPS</td>
<td>Mix It Up/Remixed</td>
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<td>JOHNNY VICOUS</td>
<td>Original Pirate Movie</td>
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<td>THE STREETS</td>
<td>Queso</td>
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<td>MARIAH CAREY</td>
<td>The Remixes</td>
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<td>VARIOUS ARTISTS</td>
<td>Third Anniversary Collection: Ultimate Disc</td>
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<td>VARIOUS ARTISTS</td>
<td>Pink Panther's Penthouse Party</td>
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**Billboard Hot Dance Singles Sales**

**Billboard Hot Dance Radio Airplay**

**Billboard Top Electronic Albums**
Lynn, Smith Carry Flag At Americana Awards

Loretta Lynn and Mindy Smith are the top nominees for the 2004 Americana Honors and Awards show, to be presented Sept. 24 by the Americana Music Assn. Lynn’s Interscope album, “Van Lear Rose” (produced by Jack White of the White Stripes), and Smith’s Vanguard set, “One More Moment,” are each nominated for album of the year. They are joined in that category by Rodney Crowell’s “Fateman’s Right Hand” (DMZ Columbia) and Slaid Cleaves’ “Wishbones” (Philo). Lynn and Smith earned three nominations each, while Crowell and Cleaves scored two each.

Sons Of San Joaquin Win Top AWA Prize

Sons of the San Joaquin, Bren Hill, Bellinda Gail and Jim Harms were among the top winners at the American Country Entertainment Awards held July 15 at Will Rogers Memorial Auditorium in Fort Worth, Texas. Sons of the San Joaquin took home the top prize for entertainer of the year. The top Western music male vocalist title went to Hill, a Universal Recording artist, who was named top Western music vocalist for his album, “Let’s Put the Western Back in the Country.”

Nichols

Continued from page 5

from playing acoustically at the Lower Broadway rib joint Rippy’s in Nashville to opening for Alan Jackson across the street at the Gaylord Entertainment Center arena and on the road.

A JURY OF THEIR EARS

All this, and the critical acclaim that came with it, might logically lead to pressure from Universal South and Nichols himself to equal if not surpass “Man With a Memory.” Not so, Nichols says.

“The label has been very understanding and hands-off as far as the creative process,” he says. “They were involved in song selection, but let [producer] Brent Rowan and [me] go into the studio again and work it out.”

Nichols says the responsibility for selecting songs lay with a “committee of six”—himself, Rowan, manager John Lytle, Universal South senior partners Tony Brown and Tim Dubois and A&R director Mike Owens. If even one of the six didn’t like a song, Nichols didn’t record it.

“Everybody’s got great ears, so it gives us a greater chance of keeping great songs,” he says.

Nichols credits Owens with uncovering the title track, a Bobby Bradnock-penned song recorded by Waylon Jennings in 1972 with haunting Vietnam War references. “It blew me away and socked me in the gut,” Nichols says. “We wanted to pay tribute to Waylon, but it also has a great visual quality to it, which I like in songs.”

He also singles out “No Time to Cry,” written by Iris DeMent. “Merle Haggard recorded it in 1996, but with the events in my life in the last couple years, it’s as if I wrote it, and that’s why I put it on. It’s my most personal moment, reflecting the death of my father and other things going on around me that I had no control over.”

An EMU Music Publishing writer affiliated with SESAC, Nichols co-wrote one song on the set, “What’s a Guy Gotta Do.” He had a hand in writing three songs on “Man With a Memory.”

“[He and I] just go on the road trying to promote the singles, on ‘Man With a Memory’ that there just wasn’t a whole lot of time,” he explains of his sole credit on “Revelation.”

TV GUIDED

Nichols, who is booked by Creative Artists Agency, is playing the festival and fair circuit this summer and looking for a major tour hook-up for the fall. But Universal South GM Van Fletcher says TV is the essential marketing tool for the new album.

Street week found Nichols in New York performing on “Good Morning America” and “The View” and being interviewed on “CNN Headline News,” CNNFNN’s “The Biz” and the Music Choice Network. Other TV appearances include “On-Air With Ryann Seacrest” and “Jimmy Kimmel Live,” followed by ESPN’s “Cold Pizzas” Aug. 4.

Also of the week of release, the label bought TV spots on CMT and Great American Country to promote the album. This followed the label’s TV release of the video to first single “If Nobody Believes In You” to these and other video outlets. The single, which went to radio in March, is No. 22 on the Hot Country Singles & Tracks chart this issue.

“The main reason for all the TV is letting the public know Joe’s got a new record out,” Fletcher says. “Even with the great press he’s gotten in the past, he hasn’t really performed on live TV very much. So that’s the biggest strategy to start with, and so far it has been successful.”

Fletcher notes that Universal Southern ran radio advertising in Nichols’ top 25 markets and “won it before you can buy it” radio promotions. A July 1 satellite radio “tour” had Nichols doing live interviews with 92 stations.

Online activity has included a concert performed for Sessions@AOL and a Yahoo Launch promotion.

TRUE TO ARTISTRY

But all the promotion is unnecessary, Fletcher suggests.

“This guy will be making records for the next 20 years without you or me or anyone else, and that’s what makes it worthwhile,” he says. “He’s an artist similar to Merle Haggard and George Strait and Alan Jackson: They continue to do the music they started out with and still believe in—not what the trend was at the moment, or what might have been quicker-hit type songs. They stayed true to artistry, and that’s why Joe looks to his music, keeping very true to himself. He’ll win out in the long term.”

George King, PD at WMQ Washington, D.C., concurs. “The whole album reminds me of Merle Haggard, not only in that Joe has such a great voice, but in the lyrics to his songs and the way he sings them. He hears four or five singles on it, and it’s been in my truck ever since I got the advance.”

Nichols mentions Haggard in listing his influences, which also include Strait, Randy Travis and Keith Whitley.

“I’m doing the music I grew up on,” says the Rogers, Ark., native. “I’m very proud of the commercial and critical success, but it’s just a product of Brent and myself making music like we heard growing up and [spent] our money on. It’s what we wanted to make and just happens to be traditional.”

Lynn was named best Western music song. Perennials favorite Dave Alexander was named top Western swing female vocalist. Christine Mims was named top Western swing male vocalist.

The Desperados took the top for top Western swing band with “We’re Proud Dubya’s From Texas,” penned by Cindy Walker and Shelby Lee Alley Jr. and recorded by the River Road Boys, won best Western swing song. Jimmy Mac’s “Sweet Sentiment” was named top Western swing album of the year. Bobbi Flores was named top Western swing instrumentalist.

Dennis Gries’ “Son of a Gun” won the award for best cowboy poetry album of the year. The awards also honored radio stations that support Western music as well as others involved in Western arts. The show concluded the AWA yearly gathering, held July 9-13 at the Doral Tesoro Hotel.

For a complete list of winners, go to billboard.com.
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<td>Patient Man</td>
<td>000114/RLG</td>
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**Billboard Top Country Albums**

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**Billboard Top Country Catalog Albums**

**Sales Data Compiled by**: Nielsen SoundScan

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ALBUMS

Essential Reviews

JIMMY BUFFETT

License to Chill

PRODUCERS: Michael Udy, Mac McNally

Mailboat/RCA 82876-62270

RELEASE DATE: July 13

Tropical troubadour Jimmy Buffett interprets some of his favorite songs and offers up a few new originals. At the same time, he takes into the recent trend of contemporary country singers taking to the beach. He enlists many of them here, including Kenny Chesney, Pat Green, and the boogie title cut. Toby Keith on the ornerly Will Rimbrough track “Piece of the Ornery”.

Regina Belle

Lazzy Afternoon

PRODUCER: George Duke

Peak PKD-8524

RELEASE DATE: July 13

Regina Belle is well-known by the R&B/Pop rank and file. She has scored two No. 1 R&B hits (“Baby Come To Me,” “Make It Like It Was”). She also picked up a Grammy Award for “A Whole New World,” her No. 1 pop duet with Peabo Bryson. Like many veteran artists/performers, Belle has decided to mine the R&B/Pop/Broadway classics vault. The result, “Lazzy Afternoon,” is a vocally and musically tantalizing recording that unequivocally delineates the difference between more singer and talented songstress. Delivers fresh interpretations, Belle’s sparkly vocals and sharp phrasing transport listeners to another time and place. Songs closely identified with such icons as Frank Sinatra and Otis Redding (“Fly Me to the Moon,” “Try a Little Tenderness”) become her own. A rendering of Harold Melvin & the Bluenote’s “The Love I Lost,” which introduces Earth, Wind & Fire’s “For the Love of You,” is worth the album’s coat alone. —GM

The F-Ups

The F-Ups

PRODUCER: Bryon Arens

Capital 92326

RELEASE DATE: July 13

The term “punk-pop” is an oxymoron: One would think that punk would resist pop music. The punk often feels like a marriage where both parties fight for dominance, but perhaps the F-Ups have found a more compatible union. The group hasn’t quite developed their songwriting chops—there’s a lot of repetition here—but its high-school-themed tunes will please the Sum 41/Blink-182 crowd, and its stories are amusing. “Lazy Generation” and “I Don’t Know” are joyous odds to slackrocker. “Screw You” is self-explanatory. The best is “Crack Ho,” the story of a trailer park babe whose life centers on getting high. Since its lyrics have already earned a parental advisory sticker, don’t expect the F-Ups to achieve top 40 airplay any time soon. You’re more likely to find them on Fuse, where their song “Look at Your Son Now” was included on the channel’s Oven Fresh segment. —CLT

MINISTRY

Houses of the Mole

PRODUCER: Allen Jorgensen

Sanctuary 00607-84678

RELEASE DATE: June 27

Count Ministery among the acts that are ticked off at President Bush. The evolving lineup led by Allen Jorgensen is as nihilistic and hostile as ever on “Houses of the Mole.” The band targets the commander in chief in “No W” and “Wrong.” Speech snippets (about terrorism) from Bush interniverse also surface, with “No W” incorporating the dramatic opening of “Carmina Burana” into the track’s speed-metal aggression. The anti-war stance of the lyrics explains the pounding, militant feel of the Metallica-reflect “Waiting,” with the cry “ramming speed” from the movie “Ben-Hur” tossed into the mix for added flavor. Ministry also employs its fondness for samples on “WTV,” a furious assault filled with chatter from TV programs and commercials. “Mole” goes full throttle until “World” and “WKVD”: here, the band leans toward the industrial and melodic. Final track “Worm” verges into dance territory. Although it refers to suicide, despair and a phone call to a crisis hotline, its harmonica-filled loop is bluesy and stimulating. —CLT

R&B/HIP-HOP

Nina Sky

PRODUCERS: Various

Next Plateau/Universal 00002739

RELEASE DATE: June 29

Twins Nicole and Natalie comprise the Puerto Rican duo better known as Nina Sky. The twosome’s first single, “Move Ya Body”—a combination of Lisa Lisa & Cult Jam and Mary J. Blige—began finding its way onto radio playlists in the spring. Featuring reggae toaster Jabba, the infectious track, now a crossover hit, employed the popular-cum-poor riddim as a backdrop for the pair’s serenade about meeting Mr. Right at a party. No one-hit wonder, Nina Sky teams with R&B legend Betty Wright on “You Deserve.” The band, produced by the Jetsons, interweaves classic and new R&B sounds. Other highlights include “What Time” and “Turn Me On.” —RH

Dance/Electronic

Geri Halliwell

Blew!!

PRODUCERS: Geri Halliwell, Magoo

Fenway Recordings FEN20035

RELEASE DATE: July 13

In the early ‘80s, New York bands like Liquid Liquid messed with people’s minds by creating a dance-rock hybrid that owed as much to punk as it did to disco and funk. Fast forward to now, and such bands as !!! and Geri Halliwell are gleefully repeating the process. To be fair, though, “Blew!!!,” the third album from the Australian trio, is spiky good fun. The title track recalls mid-80s New Order, while “We Got Venom” is the twisted sister of Kernkraft 400’s electro-house jam, “Zombie Nation.” Fans of the Clash and ESG (think “Rock the Cashhawk” and “Moody”) will find much to admire in the “Newwave Machine.” Throughout, the beats are excited, the guitars vicious and the vocals in your face. Ideal for that next house party. ADA handles distribution for Fenway in the United States. —MP

World

Shyani Ngcobó

Introducing Shyani Ngcobó

PRODUCER: Ben Mandelson

World Music Network 101

RELEASE DATE: June 29

Shyani Ngcobó is a vocalist/acoustic guitarist from South Africa. He is a master of maskanda, a musical dance particularly popular among Zulu migrant laborers. The guitar picking on these tracks is fascinating and somewhat reminiscent of the guitar style associated with the chimurenga brand of Zimbabwe. The singing (which includes rapidly spoken passages) is, like the guitar, somewhat trance-like in its tone and circularity. The album’s 14 tracks are minimalistic in arrangement, consisting mainly of guitar, voices and hand claps, with the occasional violin, whistle, drums or concertina. Ngcobó also performs the song “Sevelina” on the gogongo, a small instrument the size of a toaster, wood, nails and wire. As unusual as this zulu axe sounds, it’s just another weapon in the maskanda’s breast. As the restrictions of apartheid fade, we’re hearing fresh, original music from previously unknown South African bands. Shyani Ngcobó is well worth world music fans’ attention. —PPV

(Continued on page 54)

Contributors:

Essentials: Releases deemed by the review editors to deserve special attention on the basis of musical merit and/or Billboard chart potential. (VITAL REGISSORS): Released albums of special artistic, archival and commercial interest and outstanding collections of works by one or more artists. PUKS: ( ) New releases predicted to hit the top half of the chart in the corresponding format. CRITICS’ CHOICES ( ) New releases, regardless of chart potential, highly recommended because of their musical merit. All albums commercially available in the United States are eligible. About album review copies and singles review copies to Michael Poletta (Billboard), 710 Broadway, 6th Floor, New York, NY 10013 or to the writers in the appropriate bureau.
JAZZ

**VITAL REISSUES**

**THE NOTORIUS B.I.G.**

**Ready to Die**

**PRODUCERS:** various

**BAD BOY/Universal** 80002852

**RELEASE DATE:** July 13

“I was a dream...” is one of the most durable tracks on the Noto-

riorious B.I.G.’s debut set. “Ready to Die.” Ten years later, this par-
ticular lyric from the song “Juicy” rings pro-

foundly true as Bad Boy/Universal re-

leases a remastered version of the classic album that made the Brook-

lyn, N.Y.-based rapper “as powerful now as it was then.” The violent but thou-

ght-provoking lyrics of “Suicidal Thoughts,” “They Don’t Love Me,” and the hit track were enhanced by the haunting pro-

duction of Lord Finesse, Darnell Scott and Easy Mo, respectively.

On other hits, B.I.G. also knew the importance of displaying his sen-

sitive side (the gangsta love song “Me & My Bitch”) and the aforementioned autobiographical “Juicy.” Now enhanced with an accompanying DVD, “Ready to Die” is a firm reminder that the album’s rapper is no longer with us, his dream of creating classic music remains. —RH

**SINGLES**

**Burban Brothers**

**Beautiful Night**

**PRODUCERS:** David Castell, Vaden Lewis, Tariq “Les” Watters

**WRITER:** T. Bentley, V. Lewis

**PUBLISHER:** not listed

**Kirtland/ThompsonPRO 183** (CD promo)

The Burban Brothers’ line-up was formed by ex-Toadies lead singer Vaden Todd Lewis and drummer Tariq “Les” Watters. Their upcoming debut album, The Burban Brothers’ line-up was formed by ex-Toadies lead singer Vaden Todd Lewis and drummer Tariq “Les” Watters. Their upcoming album, A New Beginning, is scheduled to be released on July 13 with their single “Beautiful Night.” The song, which features a catchy, melodic hook, showcases the band’s unique sound and is expected to be a hit. —MP

**BRITNEY SPEARS**

**Outrageous**

**PRODUCERS:** Tristar, Penelope Magniford

**WRITERS:** R. Kelly

**PUBLISHERS:** Zomba/R. Kelly

**PRODUCERS:** Vibe 2963 (CD promo)

The new release from Britney Spears, Outrageous, is set to hit stores on July 13. The album features 11 tracks, including the lead single “Outrageous,” which was written by R. Kelly and produced by Tristar and Penelope Magniford. The album is expected to be a major hit, with fans eagerly waiting to hear Britney’s new sound. —CT

**RAY CHARLIE HUNTER TRIO**

**Friends Seen and Unseen**

**PRODUCER:** Lee Townsend

**RECORDING:** Roadog 51539

**RELEASE DATE:** July 13

Recalling his debut as a leader more than a decade ago, guitarist Charlie

Hunter steps out in a trio, with John Ellis on tenor sax, bass clarinet and flute as well as drummer Derek

Phillips (both alumni of Hunter’s quintet). Standout tracks on “Friends Seen and Unseen”-feature the silky

grooves of “Go for the Love.” The sultry, drunken

sway of “Lulu’s Crawl”; and the rolling
groove of “My Son the Hurricane.” But perhaps the best cut is “Swooter’s Where It’s At,” which features Hunter’s guitar sounding like an organ in a set-

ting that is as worshipful, reverent

and joyful as the listener could ever

hope for. The album’s playing is

classic, with each of these players

playing their part in creating the

timeless, soulful, and beautiful sound

that is the hallmark of Charlie Hunter. —AT

**THE WILLIAMS SISTERS**

**Power in the House**

**PRODUCER:** Ron Fair

**RECORDING:** Brunswick/MEMI/EMI
gold 71896

**RELEASE DATE:** July 13

The Williams Sisters, who achieved widespread fame in the 1980s, are back with their latest album, Power in the House. The album features 11 tracks, including the lead single “Stand Out.” The song, which features the Sisters’ signature harmonies and powerful vocals, is expected to be a hit. —B

**BILBOURD PICKS**

**JAZZ**

**SINGLES**

**NEW & NOTEWORTHY**

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gold 71896

**RELEASE DATE:** July 13

The Williams Sisters denied the gospel top 10 in 1996 with their indeb
debut album, No One Else. Now, armed with this head-spinning return, they are well-
paced to storm again. Proud pro-

ducers of unabashedly classic gospel, the sisters deliver 11 new songs of fiery intensity and breathtaking

artistry. “Power in the House” is a dazzling dis-

play of everything that is timeless in gospel’s roots and traditions. The title

song and “Never Lost a Fight” reel and

rock relentlessly. “My Change” is a soul-bench kind of thing while “Run

This Race” swings with amazing grace. Consider this a flawless return to form by an act that’s been missing in action for too long.—GE
AOL Rocks Wal-Mart

ISP Promotes Broadband With Concerts Aired In-Store

BY BRIAN GARRITY

NEW YORK—America Online is stepping up the reach of its music programming through a new distribution relationship with retail giant Wal-Mart.

More than 2,600 Wal-Mart stores across the country will televise AOL Music’s original Broadband Rocks concert events on the Wal-Mart Television Network—an in-store TV system operated by Premiere Retail Networks.

The regularly scheduled AOL Music broadcasts will be shown on select Friday nights throughout the year.

The program, known as “AOL Rocks Wal-Mart,” kicked off July 2, with the broadcast of a recent Broadband Rocks performance by Avril Lavigne.

AOL will serve its next installment Aug. 27 with a performance by Josh Groban.

“This is one of many ways we utilize the Wal-Mart Television Network to deliver nonstop entertainment to our (Continued on page 57)

A concert special that Josh Groban filmed for Sessions@AOL will air in Wal-Mart stores in August. The show is a part of the ‘AOL Rocks Wal-Mart’ program.

PWC Sees Light Growth For Music

BY ED CHRISTMAN

NEW YORK—By 2008, digital music distribution will account for 12.5% of the industry’s global market, or $4.2 billion in revenue, according to projections in a new study by PriceWaterhouseCoopers.

The study, “Global Entertainment and Media Outlook,” covers the music, movie, TV, radio, book, sports, videogame, theme park, newspaper and magazine sectors.

PWC study found the global music industry had revenue of $30.5 billion last year. PWC predicts this revenue will grow by a 2% compound annual rate to $33.5 billion in 2008 (Billboard, July 10).

The study expects broadband penetration and wireless telephone markets to grow exponentially, helping to drive digital sales.

Broadband penetration is expected to increase almost fourfold from the current 82 million households worldwide to 320 million by the end of 2008.

The study also breaks down the numbers by region. U.S. broadband penetration will more than double in five years, from 21.6 million households in 2003 to 54 million by 2008. In the Europe/Middle East/Africa region, broadband is expected to grow from 18.3 million households to 81.4 million, in the Asia-Pacific region from 37.6 million households to 169.3 million and in Latin America/Canada region from 4.5 million to 14.2 million.

PWC estimates there were 1.18 billion global wireless phone subscribers at the end of 2003. It predicts that number will reach 2 billion by the end of 2008.

The study logs 148 million U.S. wireless subscribers at the end of 2003. The number is projected to reach 191 million by 2008.

In the other regions, Europe/Middle East/Africa had 385 million subscribers, which should grow to 470 million; Asia/Pacific had 510 million, which should more than double to 1.1 billion; and Latin America/Canada had 117 million, which should grow to 220 million.

The study projects that the videogame business, which earned $2.2 billion in 2003, will surpass the music industry by 2006 with $36 billion in revenue, on its way to $55.6 billion by 2008. The videogame sector will grow at an annual compound rate of 20.1%, compared with music’s meager 2% pace.

IN THE MOVIES

For the music business, the PWC study tracks worldwide revenue of $753 billion in 2003 and expects the industry to reach $1.108 trillion by 2008.

Of the 2003 total, the U.S. portion is $34.3 billion, which is expected to grow to $48.6 billion by 2008. Video sell-through is the largest component of the $34.3 billion, with revenue of $15 billion, while rental and box office each account for $9.5 billion.

Sell-through in the United States is expected to grow to $24.5 billion and box office to $12.5 billion by 2008, while rental is expected to shrink to $7.7 billion.

In Europe/Middle East/Africa, the movie business generated $22.6 billion last year. Of that, sell-through accounted for $12.8 billion; rental, $5.2 billion; and box office, $4.6 billion. By 2008, the study predicts, the region’s total movie market will be $36.9 billion.

In the Asia/Pacific region, the study counted $13.3 billion in film industry revenue in 2003. Box office was about $4.2 billion; sell-through, $3.4 billion; and rental, $5.5 billion. By 2008, the total is expected to be $17.3 billion.

In Canada/Latin America, the movie sector garnered $4.7 billion in 2003. The study projects that revenue will grow to $6.5 billion by 2008.

The PWC study tracks the global entertainment and media industries to total revenue of $1.23 trillion in 2003. That figure is expected to grow to $1.67 trillion by 2008.
Guns N’ Roses vocalist Axl Rose has been outgunned, legally speaking, by Los Angeles indie label Cleopatra Records.

A federal judge has denied a request by Rose and former members of GNR for an injunction barring Cleopatra’s release of an album by Hollywood Rose, an early incarnation of the L.A. hard rock band.

In June, Rose and ex-bandmates Slash (real name Saul Hudson) and Michael “Duff” McKagan filed suit against Cleopatra, charging that the album “Hollywood Rose: The Roots of Guns N’ Roses” constituted trademark infringement and unfairly competed with GNR’s recently released greatest hits compilation. (Ironically, Rose had also tried to block the Gelfen hits collection, without success.)

The Cleopatra album contains demos recorded in 1984 by Rose, future GNR guitarist Izzy Stradlin, drummer Johnny Kreis and guitarist/bassist Chris Weber, whose parents paid for the session. Weber was later replaced by Slash, and Hollywood Rose morphed into GNR. Weber sold his rights to Cleopatra, whose Deadline Music imprint released the album June 22.

The day before the album’s scheduled release, GNR filed an emergency motion for a temporary restraining order and preliminary injunction. U.S. District Court Judge Gary Allen Feess denied that motion, saying that GNR had unreasonably delayed its request and failed to make a case for such extraordinary relief.

A 30-page order entered July 6 indicates that Feess was similarly unmoved by GNR’s arguments for an injunction.

He wrote, “At this stage of the litigation, serious doubts exist as to the merits of GNR’s claims and they have not shown that the balance of the hardships in this particular case tips so strongly in their favor that preliminary injunctive relief is warranted.”

QUITE A SEQUEL: We don’t know many people who have successfully shifted from the punk rock side of the recording industry into investment banking, but that’s exactly what Epitaph Records head of sales Ron Coleman has done.

Coleman entered Epitaph July 9 to take a job as a financial consultant at Smith Barney in Claremont, Calif. He had been with the Los Angeles punk label for seven years.

Epitaph is looking for a replacement for Coleman. In the interim, his assistant Lisa Wool will handle sales for the label.

ROUND TWO: Fat Wreck Chords on Aug. 10 will issue “Rock Against Bush Vol. 2,” the instant sequel to its highly successful election-year compilation (Billboard, May 1).

The 28-track set will include unreleased songs by Green Day, the Lawrence Arms, Lagwagon, Bouncing Souls, Sick of It All and No Use for a Name, among others, plus contributions from No Doubt, Foo Fighters, Sleater-Kinney, Bad Religion, Flogging Molly and the Dropkick Murphys.

Like the first volume, the second set will include a bonus DVD of politically oriented material.

The first “Rock Against Bush” compilation, released April 20 by the San Francisco-based label, rose to No. 1 on the Billboard Top Independent Albums chart and has sold 101,000 units to date, according to Nielsen SoundScan.

Fat Wreck Chords is distributed by RED.

REVOLVING EMPEROR: Revolver USA in San Francisco has signed Austin-based Emperor Jones Records to an exclusive distribution pact.

On Aug. 23, the 9-year-old punk-oriented label will release a vinyl-only album by Tia Carrera, the powerful Austin trio (and not the similarly named actress/singer Tia Carrere) that raised some sand at this year’s South by Southwest Music Conference.

Albums from Akron, Ohio’s Black Mayonnaise and Houston’s Rusted Shut are scheduled for September. “Hall of Mirrors,” a compilation featuring Kinaski, Acid Mothers Temple, Bardo Pond and other psych-noisemongers, is due in the fall.

Emperor Jones’ catalog of more than 50 titles includes albums by such other well-known Austin acts as I Love You But I’ve Chosen Darkness and the Crack Pips.
Musicland Wrestles With Distribution Switch

The Musicland Group is having a major hiccup as it transitions from its Franklin, Ind., distribution center to its new warehouse, Deluxe Media, in Pleasant Prairie, Wis.

In the short term, Minneapolis-based Musicland is asking major vendors to do more drop shipments and is said to be turning to other wholesalers—including Alliance Entertainment, VPD and Baker & Taylor—for product.

Most suppliers say they are willing to help the company work through its problems, but a minority of vendors are nervous. “The chain’s buying is down significantly, and you wonder if it’s the supply problem or a cash problem,” one head of an independent distribution company says.

Another distribution executive says returns are up dramatically, and Musicland stores do not have proper inventory levels.

And still another labels Musicland a “train wreck.”

But a senior distribution executive with one of the majors says the merchant has “a lot of cash tied up in inventory in the [Pleasant Prairie] warehouse that they can’t get out to stores.” He thinks Deluxe is causing the problem.

Musicland vice chairman Danny Yarbrough says the company’s finances are in “good condition.” But he acknowledges that “there are bumps in the transition, and there are always when you make this kind of move. In some cases, the problems have been more than we or [Deluxe] anticipated.”

Yarbrough cites issues with sorting systems as one reason for product returns. Deluxe sometimes could not get the systems to recycle product and return it to inventory. He emphasizes that the distribution changeover is causing the “return situation.”

One major-label distribution exec adds, “At any time you change distribution there is going to be a problem. But the good news is, [Musicland has] kept us in the loop on it. The thing we like about them is they bring up issues before we do. We are very pleased with Musicland and have no issues with them. Their business with us is growing.”

Before it took on Musicland, Deluxe’s main functions were video manufacturing and fulfillment. Now it finds itself dealing with a whole different animal. In addition to CDs and DVDs, Musicland stocks a wide array of product including guitars, guitar picks and portable home electronics. Deluxe is trying to get a handle on all these categories.

Musicland and Deluxe ran extensive tests in preparation for the switchover, but they could not anticipate every challenge, Yarbrough says. “We are working through the systems issues and the problems we have, and things are improving greatly,” he says. “While we thought we would have the transition settled by the end of June, we expect to be set by the end of this month.”

GOOD BUY: Best Buy, one of the few large chains that still pays a lot of attention to the labels’ desire for micromarketing opportunities, is cutting its field marketing/buying staff from 11 people to six. In addition to buying local acts, the field team helps Best Buy stay on top of regional differences in taste, making sure the chain has stock on breakout titles.

The field staff is a resource for labels when they cannot afford to buy into the chain’s national marketing programs or when those programs don’t make sense for a specific project.

The Best Buy regional staff also covers ordering and advertising and helps stores stay on top of music merchandising.

Now that the remaining members of the team have larger territories to cover, some label execs express concern that records could fall through the cracks. But a majority welcomes the change, because they will have to make fewer phone calls to get the coverage they need.

Best Buy executives were unavailable for comment.

OOPS: Last week I reported that Epitaph is switching its music distribution from Koch Entertainment Distribution to the Alternative Distribution Alliance, which Warner Music Group owns. WEA will handle Epitaph video titles.

AOL

Continued from page 55

customers during their shopping trip,” says Troy Steiner, marketing director for Wal-Mart Stores Inc.

Evan Harrison, VPGM for AOL Music, says that in partnering with Wal-Mart, AOL is looking for the concerts to be “true local events” for music fans.

The Wal-Mart relationship is the latest in a series of moves by AOL to use its music programming at retail to sell consumers on the value of its high-speed service, AOL for Broadband—a key to its strategy for long-term survival.

Earlier this year, AOL inked a promotion deal with Music Monitor Network—a coalition of nine independent retail chains—to install AOL-branded kiosks in more than 100 stores around the country.

THE BROADBAND UPSSELL

AOL is hoping that it can use the programming showcase to motivate music fans to either upgrade from dial-up Internet or to become new broadband subscribers.

AOL currently tiers its content offers, allowing access to the full suite of its music programming online to broadband subscribers. Dial-up users can access only selected clips from features like Sessions@AOL.

In addition to the Wal-Mart and Music Monitor deals, AOL Music is selling compilation CDs of its Sessions@AOL programming through retail, and selling individual tracks from Broadband Rocks and Sessions programming through Apple iTunes.

The Fuse cable TV network is airing a new Sessions@AOL special every Tuesday in July. AOL is also sponsoring a summer concert series in New York that will spotlight acts featured in AOL Music’s new-artist program, “Breakers.” All concerts will be taped for the AOL Broadband Rocks concert series and broadcast at a later date, exclusively for AOL for Broadband members.

Additionally, AOL is making select original AOL Music content—music videos as well as Broadband Rocks live concerts and Sessions@AOL in-studio performances—available for free to Time Warner Cable high-speed Internet customers in more than 20 markets.

As AOL attempts to cast the widest net to pull in new customers, perhaps the biggest beneficiaries of the strategy are the labels and acts that are getting increased exposure for new albums.

Kevin Twitchell, head of sales for RCA Music Group, notes that making available a concert performance like Lavigne’s to millions of Wal-Mart consumers is “a great way to keep the momentum going.”
Sundance Boosts DVD Output, Builds Brand

BY JILL KIPNIS

LOS ANGELES—Independent films on DVD continue to enjoy a sales boom. Instead of the fizzle that can occur just weeks after a blockbuster DVD debuts, independent projects are generating steady volume over time, retailers say.

Sundance Channel Home Entertainment is hoping to ride that wave. After almost two years in the video business, the company is targeting its marketing strategy at retail, where it aims to create independent DVD destinations.

“We want merchandisers to use the Sundance brand as a calling card for independent film,” says Mike Haney, VP of Sundance’s home video arm. “Once you have a good number of titles in the marketplace, you can carve out unique space at retail for our products and other independent DVDs.”

Sundance’s lineup of titles for the latter half of 2004, which boasts strong foreign and diverse themes, may bring it closer to its goal. Sundance, which Showtime Entertainment distributes, has only released 10 titles since it launched in 2002.

This year, however, the company is releasing one title per month.

Haney says with weak new-release showing fan base for independent film in the past four or five years fueled Sundance’s “aggressive approach” to acquiring high-profile, broader-based titles.

“We have five releases in October, all major titles,” Haney says. “We think that if we get the name of an independent film or get Oscars or other kudos, we’re trying to acquire talent-heavy titles that are great Saturday-night entertainment, but also keep things on the edge.”

The independent DVD genre is certainly seeing an upswing in many of its categories. For example, the number of foreign-language DVDs released in the United States rose from 502 in 2002 to 836 in 2003, according to the DVD Release Report. That is an increase of 65%

This year, 413 foreign-language DVDs were released as of July 2.

Direct-to-DVD titles, which include many independent film projects, have also proliferated. The DVD Release Report logged 1,086 such titles in 2002 and 1,583 in 2003, a 25% increase.

A total of 638 direct-to-DVD releases have come out this year through July 2.

The DVD Release Report does not specifically track independent DVD projects.

Upcoming Sundance releases include romantic comedy “Seeing Other People” (Aug. 17), starring Jay Mohr, Lauren Graham and Julianne Nicholson. The DVD ($26.99) will include writer and director commentary, deleted scenes and behind-the-scenes extras.


Other upcoming Sundance DVDs include “The Tesseract” (Oct. 26), a thriller that stars Jonathan Rhys-Meyers; “Rick” (Nov. 9), a dark comedy starring Bill Pullman, and “Soho Square” (Dec. 14), a British mystery.

“We want buyers to see that we are committed to regular product flow,” Haney says. “Buyers can now start to form an affinity with the brand.”

RETAIL PLANS

Sundance wants retailers to start building sections within their stores that showcase independent films, using its plus-title release slate as a centerpiece.

One chain picking up on this idea is Los Angeles-based Virgin.

“We have a promotion going on now, primarily driven by [Sundance DVD] ‘Die Mommmie Die!’,” Virgin senior purchasing manager Bart Saunt says. “We’ve got 12 films that [share a rack] with the title, all of them Sundance. You need that critical mass of 12 or 15 titles to do a brand promotion. It now starts to make sense.”

“Die Mommmie Die!,” ($24.99), a comic soap opera starring Jason Priestley, was released June 29. Saunt says Virgin will continue to support Sundance product in similar promotions.

“Sundance is a bit of an industry now,” he adds. “You have the festival, the cable channel and now the DVD line. You know what you are getting with a Sundance film.”

Saunt also notes that it is beneficial for retailers to stock these kinds of DVDs because not everybody is looking for titles like “Spider-Man.”

“DVD has encouraged people to collect movies a little bit more and to look beyond the blockbusters,” he says. “With independent films, it’s not about getting it on day one. These aren’t hit-driven, but they can do a great deal of volume over time.”

Sundance is currently working on similar promotions with an unspecified number of video and mass-merchant retail chains, Haney says.

Though Sundance’s upcoming titles are not likely to sell millions of copies, Haney is optimistic about their sales potential.

“Our of our titles have clearly outperformed what our projections were,” he notes. “If you size them up with other titles that were similar, we have done heads and shoulders better. These new five titles are a next step in the evolution of the kind of product we have released.”

Haney says Sundance will continue an aggressive acquisition strategy for its home video division, though it will “fill up the pipeline for the sake of pumping product into the marketplace.”

“We acquire from film festivals and the marketplace,” Haney says. “We have the luxury of having a well-known acquisitions team and are able to get our hands on a lot of sources. However, it is easy to find quality product. Most DVD releases aren’t as good as they are.”

The company also plans to treat each DVD title as a stand-alone project, mounting unique promotion campaigns on a title-by-title basis.

Columbia TriStar To Distribute Discovery Titles

Columbia TriStar Home Entertainment has signed an exclusive distribution deal with Discovery Communications.

Columbia will have distribution rights to all programs on Discovery Channel, TLC, Animal Planet, Travel Channel, the Science Channel, Discovery Wings Channel, Discovery Home Channel, Discovery HD Theater and Discovery en Español.

The companies have not yet announced the effective date.

COLUMBIA TRISTAR HOME ENTERTAINMENT

“We are finishing out our agreement with a prior distributor, Artisan,” says Sharon Markowitz Bennett, senior VP of Discovery Consumer Products, a division of Discovery Communications.

“We had conversations with several distributors,” she says, “and felt that Columbia TriStar’s expertise and our position with real-world content made for a great marriage.”

Marshall Forster, Columbia TriStar’s executive VP of home entertainment in America, adds that the companies are discussing the first titles to be released under the deal. “Marketing the titles will be a joint effort,” he notes. “We think Discovery’s product line is very diverse and will appeal to retailers from Barnes & Noble to Walmart and Best Buy.”

COLUMBIA TRISTAR

HOME ENTERTAINMENT

“The Cine-Manga book has such exclusive features as a foreword, notes and commentary written by the band members,” says Takashi Tanaka, executive VP/chief planning officer. “We found that there was a gap with kids being able to use DVD players. We’re specifically focusing on family-friendly titles.”

Moore says the company plans a large rollout in 2005 for its FastPlay-enabled Disney discs.

MANGA PARK: Linkin Park’s DVD single for “Breaking the Habit” (July 27, Warner Bros., $19.99) brings together two elements of the Japanese comic world, anime (animation) and manga (comic books and graphic novels).

Those who buy the DVD can view the song’s anime music video alongside a 48-page manga book that incorporates images from the video and expands on the video’s themes.

The Linkin Park book is manga publisher Tokyopop’s first foray into the music world. The company is an imprint of Tokyopop’s Cine-Manga imprint, a line of books related to film, TV and sports properties.

“We’ve been wanting to start a new line of music manga books,” Moore says. “We found that there was a gap with kids being able to use DVD players. We’re specifically focusing on family-friendly titles.”

The band had such a personal vision for this and really participated in the creative process. That is something there in terms of media complementing each other.

The Cine-Manga book has such exclusive features as a foreword, notes and commentary written by the band members.

THE PSYCHEDELIC FURS: On the heels of their VH1 special, released in 2001, The Psychedelic Furs have created a DVD single for their hit song “Love My Way.”

The DVD single, “Rock With the Psychedelic Furs” (July 13, Epitaph, $19.99), features “Love My Way” as well as a new song, “The Heart ska.”

The disc also includes a behind-the-scenes look at the band and the music video for “Love My Way.”

The single comes out June 29.

The disc also includes a behind-the-scenes look at the band and the music video for “Love My Way.”

aed

By Jill Kipnis

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BILLBOARD JULY 24, 2004

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### Top DVD Sales

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<th>Principal Performers</th>
<th>Rating</th>
<th>Week At Number</th>
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<td><strong>Cold Mountain</strong></td>
<td>WALT DISNEY HOME ENTERTAINMENT/BUENA VISTA HOME ENTERTAINMENT</td>
<td>Julie Law, Nick Kroll</td>
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<td><strong>Cheech &amp; Chong's The Unauthorized Story</strong></td>
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<td><strong>The Others</strong></td>
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<td><strong>They Call Me Tater Salad</strong></td>
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<td>Scott Mechlowicz</td>
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### DVD Video Game RENTALS

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*For the week ending July 24, 2004.*
EXECUTIVE TURNTABLE

PEOPLE ON THE MOVE

RECORD COMPANIES: Island Def Jam Music Group in New York names Laura Swanson senior VP of publicity and artist relations. She was senior VP of publicity and artist relations at Arista Records. Capitol Records in Los Angeles names Ken Lucck VP of promotion. He was head of pop promotion at Maverick Records.

Sony Urban Music in New York appoints Joseph Burney VP of gospel A&R. He was director of A&R at Verity Records.

Concord Records in Beverly Hills, Calif., names Deb Rosner director of licensing and special markets. She was account manager at Opus 1 Music Library.

PUBLISHING: Spirit Music Group in New York promotes Justin Kalifowitz to senior director of A&R. He was director of A&R.

Curb-Magnatone Music Publishing in Nashville appoints Jeffrey J. Nelson creative director. He was national account manager at Zomba/Provident Music.

DISTRIBUTION: Handleman Co. in Troy, Mich., names Angelique Strong Marks VP/corporate legal counsel. She was an employment law litigator at Detroit-based Hardy, Lewis & Page.

RADIO: Cox Radio promotes Roger Allen to operations manager of its San Antonio stations and names Gary Spurgeon VP/marketing manager of its Jacksonville, Fla., stations. Allen was PD of oldies KONO-AM-FM San Antonio, and Spurgeon was VP/marketing manager of Regent Broadcasting’s Erie, Pa., stations. Modern rock WBCN Boston names Dave Wellington PD. He was PD of modern rock KXTE Las Vegas. Modern rock WBZY and mainstream rock WKLS Atlanta appoint Jeff McMurray PD. He was morning host at modern rock KTBI Houston. Mainstream top 40 KRQ Tucson, Ariz., promotes Ken Carr to PD. He was assistant PD/music director.

INDEPENDENT PUBLICITY: Webster & Associates Public Relations in Nashville appoints Kathi Atwood senior publicist of media and public relations and Kerri Janssen manager of operations. Atwood was director of media and public relations at AristoMedia, and Janssen was head of operations at Carter & Co.

RELATED FIELDS: Warner Bros. Pictures in Burbank, Calif., promotes Jodi Levinson to senior VP of business affairs. She was VP of business affairs.

Backbeat
People/Places/Events

Celebrating Racial Tolerance
The Foundation for Ethnic Understanding held a benefit June 23 in Los Angeles. Among the prominent figures who attended were, from left, FFEU founder/president Rabbi Marc Schneier, Clear Channel Entertainment chairman/CEO Brian Becker, FFEU chairman Russell Simmons, veteran music executive Clarence Avant, music mogul Steve Rifkind and the Rev. Run of Run-D.M.C. (Photo: Ed Krieger)

Now, Hear This ...
A.C. NEWMAN
Artists to Watch
Who is A.C. Newman? The singer/songwriter also known as Carl Newman has spent most of his nearly decade-long career living in the shadows of the bands he fronts—most recently as Neko Case’s counterpart in the acclaimed Canadian indie rock collective New Pornographers. But now the musician is finally emerging as a marquee name in his own right, thanks to a newly released solo album that is generating major critical praise: “The Slow Wonder,” on Matador Records, is 34 minutes of power-pop bliss subversively tinged with punk and glam-rock sensibilities. It evokes everything from “A Cold Day In Paradise”-era Elvis Costello to Joe Jackson circa “Look Sharp!” to the best moments of early Ben Folds. Fans of the New Pornographers’ lauded releases—2000’s “Mass Romantic” and 2003’s “The Electric Queen”—will recognize Newman’s eclectic handwork. He wrote the bulk of the material for those two albums, and the value of his New Pornographers output is made all the more evident by his new solo tour. Newman can rip through piano stompers (“On The Table”), air-guitar-inspiring rocked (“Miracle Drug”) and Broadway-style crooners (“Come Crash”) all in a matter of minutes. His North American tour runs through late August, European dates are set for the fall.

Welcome To Fantasy Island
Velvet Revolver was part of the all-star lineup of Maxim’s Fantasy Island Weekend concert event, held June 26-27 at the Borgata Hotel in Atlantic City, N.J. The Darkness, John Mayer, Hoobastank, Fountains of Wayne and Silvertide also performed. Pictured, from left, are Velvet Revolver bassist Duff McKagan, drummer Matt Sorum, vocalist Scott Weiland and lead guitarist Slash. (Photo: Dimitrios Kambouris/WireImage.com)

Tanya’s Pet Project
Country singer Tanya Tucker visited Planet Hollywood in New York June 15 to sign copies of CMT Books’ “Music Row Dogs and Nashville Cats,” about country music stars and their pets. Tucker is prominently featured in the book, written by Karen Will Rogers and Laura Lacy, who were also on hand at the signing. (Photo: Theo Wargo/WireImage.com)

Hitmaker From Holland
Dutch singer Marco Borsato recently drew 500,000 people to his three-week series of 18 concerts in the Netherlands and Belgium, including six sold-out dates at the Rotterdam Arena. Borsato has sold more than 300,000 copies of his DVD-only “Zien,” which sold more than 30,000 a minute and is also available in North America as a DVD at Best Buy, Circuit City and among five other titles. Borsato’s album “Poezen” sold more than 500,000 in the Netherlands. Borsato is scheduled to perform in the United States in early fall.

Backbeat

Edited By Carla Hay

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www.americanradiohistory.com

BILBOARD JULY 24, 2004
Acts Face U.S. Border Bumps
Canadian Bookings Suffer

BY LARRY leBLANC

TORONTO—Increased immigration and security restrictions imposed by the United States since Sept. 11, 2001, are making it less feasible for world music acts to tour Canada.

U.S. immigration restrictions are significant. They can range from delaying the issuance of working papers to blocking Cuban-based musicians from entering the country. Sources say artists from Central Asia, the Middle East and northern Africa receive more scrutiny from U.S. immigration than those from other regions.

As world music acts face these difficulties, booking U.S. dates becomes problematic. And the possibility of last-minute U.S. cancellations makes it more troublesome for Canadian festivals to book such acts.

“Many tours are anchored to dates in the States, and that makes it tougher for us to book,” says Kerry Clarke, associate producer of the Calgary Folk Music Festival. “Sometimes you don’t book because you think there might be a problem with the U.S. dates.”

The Canadian festival circuit is heavy on world music but is essentially limited to summer weekends. World music acts therefore reduce their touring costs by booking other Canadian and U.S. dates.

Doug Simpson, artistic director of the Vancouver Folk Music Festival, says, “Before 9/11, a number of us had begun to work with American presenters. Now the time lines are so long for artists entering the United States that it has created challenges for us.”

Foreign musicians working in the States must have signed contracts with their employers six to eight months in advance of applying for nonimmigrant work permits. After they file their applications with the U.S. Bureau of Citizenship and Immigration Services, processing can take 110 to 150 days. Work permits can be expedited through a 15-day process that costs $1,000.

Simpson cites the steps he took to

(Continued on page 65)

New U.K. Indies Mine Music City

BY PAUL SEXTON

LONDON—A pair of Nashville-based singer/songwriters have inspired two British record industry veterans to start independent labels.

Former Mercury U.K. managing director Howard Berman launched Mesmerizing Records, distributed in the United Kingdom by Vital, for the June 1 release of Lari White’s “Green Eyed Soul.”

“As soon as I heard the opening bars of first album track ‘Nothing but Love,’ Berman says, ‘I knew she was an artist I wanted to work with.”

Meanwhile Dave Robinson, who co-founded seminal new wave label Stiff Records in 1976, is starting Shell Records to issue Sandra McCracken’s “Best Laid Plans.” Nova will distribute the Aug. 9 release in the United Kingdom through Pinnacle.

Shell licensed the Ameriana/rock-tinged set for Europe from McCracken. The singer has been selling it chiefly at U.S. gigs and through her Web site, sandramccracken.com.

Berman left Mercury in January 2002. He re-emerges as a label boss while also enjoying new success as an artist manager with British R&B quartet the 111. That act’s single “On My Knees” (featuring Ghostface Killah), released by Sony-marketed label Streetside, hit the U.K. top five in May.

“I’d always planned to put something out myself,” Berman says, “but it took two and a half years before it came to fruition.”

Berman’s involvement with White recalls his championing in the United Kingdom of Shelby Lynne and her 1998 Mercury release, “I Am Shelby Lynne.”

(Sandra McCracken says her Shell Records contract is ‘a fair deal, which is surprisingly rare.’

(Continued on page 64)

China Collects For Copyrights

BY KAISER KUO

BEIJING—The Music Copyright Society of China, China’s sole performing-right organization, has ramped up its efforts to collect from hotels and other facilities playing copyrighted background music.

An agreement between the MCSC and 14 four- and five-star hotels in Shanghai went into effect June 20. The hotels have agreed to pay 2.8 yuan (about 34 cents) per room per month to the MCSC, a variation from the body’s standard monthly rate of 1.75 yuan (22 cents) per bed.

“Our goal is to sign agreements with all [60] four- and five-star hotels in Shanghai this year,” a representative of the MCSC in Shanghai says. The MCSC says it intends to distribute funds collected to composers and artists according to detailed play lists submitted by the hotels.

“Supermarkets, shopping centers, office buildings and other commercial spaces playing music are all expected to comply,” says Ma Jichao, director of the MCSC’s licensing department.

This is the first performance fee agreement with hotels in Shanghai. The MCSC has had similar deals with restaurants, bars and other entertainment facilities in the city since 2001.

The MCSC is organized in provincial and municipal chapters, with each chapter responsible for ink- ing agreements and collecting fees in its region.

In the capital Beijing, for example, there have been agreements with hotels for several years. And in the central Chinese city of Nanjing, the municipal government held a press conference June 19 announcing that “preparatory work” has been done for background music fee collection.

(Continued on page 65)
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**Note:** The table above represents the top selling albums in the United States during the week of July 24, 2004, as compiled by Billboard Magazine. The data includes sales from physical and digital formats, as well as streaming and video sales. The rankings are based on a combination of sales, airplay, and streaming metrics.
London Gets Creative With New Project Plans

BY EMMANUEL LEGRAND

LONDON—The ambitious plan by the mayor here to establish the city as a global center for the creative industries is building steam.

Mayor Ken Livingstone in April announced the “Creative London” initiative, which aims to inject £500 million ($928 million) of public and private-sector funding into the creative industries—music, fashion, design, film, architecture and theater—during the next 10 years.

“We are going to showcase all these industries,” Creative London chairman Michael Fyfe says. “We will support the creative talent underground and provide support on the ground.”

Creative London operates under the aegis of the government-funded London Development Agency. Its multi-level initiatives range from an attempt to change the city’s image worldwide to community-based ventures.

One early example of the latter is a July 19 free workshop shop and a multi-level exhibitions and sales in the London College of Communication. The workshop leader, lawyer Margaret Briffa, founded intellectual copyright specialist Briffa Law.

A key element of Creative London is the establishment of “Creative Hubs” throughout the city. The hubs will provide members of the creative industries with flexible workspace, training, exhibition and networking facilities. Creative London will invest in new buildings for the hubs or make existing buildings “work more effectively,” a spokesman says.

He cites the program’s acquisition of a 100,000-square-foot building in the southern neighborhood of Brixton. Planning for the structure is “still at an early stage,” he says, “but the leading designer likely to be positioned under the music.” There could be recording facilities and rehearsal rooms, but it could also cater for film or video work, for example.

Creative London is one of a six-month investigation by a major commission for the creative industries. The commission, also chaired by industrialist Frye, reported in April that the city was “failing to achieve the international recognition it deserves” and that young entrepreneurs often struggle to secure financial and business support.

“We found that there was a lot of potential,” Frye says, “and a lot of talent not supported.”

MAJOR JOB, REVENUE SOURCE

According to Creative London, the city’s creative sector has annual revenue of more than £22 billion ($39 billion) and provides jobs for more than 500,000 people, making it the city’s second-largest employer (after financial services).

The music industry alone employs some 55,000 people in the city, according to government figures.

Creative London says the arts industries are responsible for one in five new jobs and the sector aims to create 200,000 new jobs and to increase the sector’s annual value to £82 billion ($129.4 billion). Creative London also hopes to change the city’s international profile. “London is perceived as an exciting place to be, as being staid and traditional—a city of beetles and bowler hats,” the spokesman says. “The creative energy, that buzz and liveliness within London, isn’t getting theres.”

He believes the image of London projected by tourism and international business initiatives will increasingly reflect the city’s culture of creativity. One key Creative London projects include establishing seed funds to support business growth and providing specialist legal advice on intellectual property rights at a local level. The scheme has seen more than 20 users across the creative sector.

Jazz musician Julian Joseph was an early advocate. “We need to compete with all the other major cities, especially from North America. London needs to step up. It needs to be more attractive,” he says.

“There is no shortage of talent,” Joseph adds, “and we certainly have the financial resources. We just need to help them.”

By Emmanuel Legrand

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BILLY JOEY: JAZZ ARTIST SUPPORTS THE CREATIVE LONDON INITIATIVE

01

废旧纸张再生

white: INSPIRES NEW LABEL

WHITE: INSPIRES NEW LABEL

and so heavily fisher,” Berman says. “Peter had been saying I should go to Nashville, where there was a huge reserve of undiscovered talent covering a whole range of genres. I went across, and my very first meeting was with Lati, at the studio at her house.”
**New MP3-Phone Fear**

**Korean Labels Voice Concern About MP3-Capable Mobiles**

**BY MARK RUSSELL**

South Korean record companies are threatening legal action to block sales of a new generation of MP3-capable mobile phones.

The Korean Assn. of Phonograph Producers wants to stop mobile telecommunications service provider LG Telecom from introducing its phones. The two parties began negotiating nearly three months ago under the auspices of the government's ministry of information and communication.

But the talks recently broke down, leading KAPP to announce that it would seek an injunction under the Copyright Act of 1957 to stop sales of the phones. KAPP says it has hired legal counsel to seek the injunction; however, at press time, Seoul courts reported that no injunction had been sought or granted.

KAPP says almost all MP3 files available for downloading in South Korea are illegal. Because legal downloadable services have yet to take off in the territory, South Koreans get most of their online music from illegal file sharing and streaming services.

"Most young people use MP3 players, but everyone uses mobile phones," KAPP chief of legal affairs Yun Sung-woo says. "Because Korea has such a high turnover rate for its mobile phones, within a couple of years, everyone could have MP3 phones."

Seoul-based LG Telecom claims to be the country's third-largest mobile telecommunications company, behind market leader SK Telecom and KT.

KT and SK Telecom agreed this spring to demands by KAPP and other trade groups to limit sound quality on their phones and to introduce a three-day restriction on songs, after which the files lose audio quality.

LG Telecom refuses to accept those restrictions. A company spokesman says, "Our services shouldn't encroach upon the rights of MP3 users."

LG Telecom says it has sold more than 120,000 MP3-capable handsets since introducing them in May.

The public usefulness for the devices has led KTF and SK Telecom to admit that they are considering breaking their agreements with the music industry.

"We are discussing what to do next," a KTF representative says. "But anything is possible."

LG Telecom remains committed to producing its MP3-capable phones. "According to our legal analysis, there are no rational reasons for the [music industry] to sue," LG's spokesman says. "At the same time, we'll make every effort to find a win-win solution with the music industry."

Mobile-phone-delivered music has been one of the few bright spots for the South Korean music industry in recent years.

KAPP estimates that South Koreans spent 200 billion won ($168 million) in 2003 on ringtones and mobile phone music downloads, compared with 180 billion won ($158 million) on albums.

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**Copyrights**

**Continued from page 61**

The MCSC has adopted a higher profile in the past few years as its collections have risen dramatically.

"In the last two years, our annual collections have averaged about 2 million yuan ($242,000) in Shanghai," the MCSC Shanghai representative says. "Five years ago, it was significantly less."

Nationally, Ma says the MCSC's total performance-fees collections have risen by an average of 50% each year since 2000, with the society collecting a total of 27 million yuan ($3.3 million) in 2003.

The rise is mainly because of big increases in ringtone use and royalties from background music.

The body has also been active on the legal front and in November 2003 won a 2.5 million yuan ($302,000) settlement from Chinese handset maker TCL over unauthorized use of copyrighted ringtones. The suit was heard by the No. 1 Intermediate People's Court in Beijing.

In recent weeks, the MCSC has initiated legal action against other Chinese handset makers, filing lawsuits in the same Beijing court against CECT and Capitel on similar grounds.

"The big foreign makers like Motorola and Nokia have been more respectful of copyright law so far," Ma says.

The MCSC's standard "Schedule of Fees for Performance or Use of Copyrighted Music" stipulates that hotels using recorded background music will pay 0.50 yuan ($0.07) per room per day, bars, cafés of less than 100 square meters in size will pay a daily fee of 0.05 yuan ($0.008) per square meter, restaurants, bars, cafes of less than 40 square meters of floor space will pay 0.02 yuan ($0.003) per square meter per day. Large concert venues where copyrighted music is performed will be charged 2.5% of box-office revenue per performance.

Ma notes that the society's fee schedule is sanctioned by the State Copyright Bureau. "We have the laws now," he says, "the biggest obstacle is that most people simply aren't aware of applicable laws. We need to build consciousness about music copyrights."
Account Manager-Airplay Monitor

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Carey
Continued from page 5

After Carey's deal with Sony/ATV expired and her catalog reverted to her, Renzer says UMPG “stepped up in terms of how aggressively we were chasing her.” He declined to give a dollar figure for the multialbum deal, but called it a “very significant commitment. We made a deal where we’re obviously projecting aggressively on her new studio album, but also looking at her back catalog.”

Carey’s next album for Island Def Jam (which, like UMPG, is part of Universal Music Group) is tentatively scheduled for fourth-quarter 2004. Among the producers on the set are Kanye West, Jimmy Jam & Terry Lewis, Swizz Beatz and Pharrell.

Renzer says UMPG will launch a campaign around the release of Carey’s new album to trumpet her catalog. The plan includes sending a sampler to music supervisors and ad agencies worldwide. Carey’s strongest territories are the United States, Europe and Asia. “Our synch people around the world are very excited,” Renzer says.

Carey’s music has not been widely exploited in commercials or soundtracks. Pursuing those options is something Renzer says UMPG is discussing with Carey’s manager, Benny Medina. “His first comment to me was ‘How are we going to aggressively work this catalog?’” Renzer says.

Carey released “Charmbracelet,” her debut on IDJ, in 2002. It has sold 1.1 million units in the United States, according to Nielsen SoundScan.

The singer came to IDJ following a tremendous run at Columbia Records, where she sold more than 40 million albums in the United States alone, according to Nielsen SoundScan. She was signed briefly to Virgin Records between Columbia and IDJ. The only release during that time was the soundtrack to “Glitter,” which has sold 596,000 copies.

As it becomes increasingly difficult to break artists, Renzer notes, catalogs from career artists are more valuable because of the income stream they can generate.

“You can work the entire catalog,” he says, “instead of one hit album that may be gone from the public consciousness six months from now.”

In the past several months, UMPG has signed Prince and inked long-term administration deals with Paul Simon and Emilio and Gloria Estefan.

Best Buy
Continued from page 6

year, has sold 665,000 copies.

Despite the Stones’ impressive sales figures, the group experienced a backlash for its Best Buy deal, as some retailers subsequently pulled Rolling Stones product from their shelves in protest for being excluded from selling “Four Flicks” (Billboard, Nov. 8, 2003). “Exclusive deals like this hurt the business in the long run,” says Larry Bolin, president/CEO of Norfolk, Va.-based retail chain DJS Music & Video. “At one point, independent record stores are the ones who made artists like Elton John. Boycotts like the Rolling Stones boycott last year are necessary to send a message to these artists who do exclusive deals with one retailer.”

And his representatives were unavailable for comment.

Ted Alweil, head buyer of New York-based retail chain Record Explosion, says: “Artists should stop and think before they do exclusive deals like this, because they’re cutting out people who’ve been supporting them, including their fans who don’t have access to Best Buy.”

Alweil says his company does not have plans to boycott John’s product, and he believes that boycotts in these situations are not the solution. “Why risk losing sales? That would be like cutting off our nose to spite our face.”

Arnold says in response to any possible backlash for the DVD deal with John, “I don’t think this is going to stop kids? “Just as Best Buy placed extensive advertising for the “Four Flicks” DVD set, so too will the retail chain have a prominent ad campaign for “Dream Ticket.” Best Buy operates more than 750 stores in the United States and Canada, including subsidiaries Future Shop, Geek Squad and Magnolia Video.

John’s next studio album, “Peachtree Road,” is due later this year on Universal Records.

The Beat
Continued from page 11

will be responsible for marketing and advertising the CD. No decisions have been made about future releases.

Additionally, CG Vibes is holding a contest that will award $10,000 grants to five females involved in public service. Winners will be determined by the CG Advisory Board, whose members include Latifah, Kevin Eubanks, Tammy Gray and Cherie.

DEALMAKERS: Actress Lindsay Lohan has signed with Casablanca Records. According to sources, she is already in the studio working with a number of producers on her debut for Tommy Mottola’s Universal-distributed imprint. Slated for a fourth-quarter release, the album features a number of songs co-written by Lohan, who can already be heard on the soundtracks to “Freaky Friday” and “Confessions of a Teenage Drama Queen.”


The group’s latest album released in Australia, “Sunrise Over Sea,” debuted at No. 1 and was the first independently released album to do so, according to Lava. The threesome begins a U.S. tour in late August. Victory Records, which is riding high on the success of Hawthorne Heights and Areyou, has signed the Black Maria. The hard rock band from Toronto is in the studio recording its label debut.

Secret Canadian Records has inked New York act Antony & the Johnsons. The label will release the act’s first two projects, which originally came out on Durtro Records, and will follow with a new album, “I Am a Bird Now.” The new set features Rufus Wainwright, Lou Reed and Brian Eno.

Secret Canadian has also signed Windsor for the Derby. The act has previously recorded for Trance Syndicate and Young God Records. The release date for its fifth full-length album, “We Fight Til Death,” has not been set.

Additional reporting by Carla Hay in New York.

Taking Issue
Continued from page 10

the creators of systems capable of distributing millions of copies of sound recordings (or movies) in an instant to millions of users. It borders on halting the revenue that supports the music industry as we know it today.

In contrast with Betamax, the P2P systems were created primarily to engage in substantially infringing activity. We believe there may be some “sharing” of public domain or freely traded music, the P2P systems have one draw — access to free copyrighted sound recordings.

Furthermore, the Betamax machine was conceived as a stand-alone device; control was out of the question. Certainly that is not the case with an Internet protocol.

The movie and music industries failed to present credible evidence of econ- omic harm in the Betamax case. In fact, the industry was doing better than ever. Even TV personality Mr. Rogers testified that “time shifting” would not harm his show.

Today, the severe economic harm to the music industry caused by the introduction of P2P systems is absolutely undeniable, despite tortured arguments to the contrary by P2P supporters. This argument just doesn’t fly.

Congress is also sending the message that the Copyright Law should not support technology, but should also not encourage indifference to artists. Congress should not shy away from enacting laws designed to instill respect for artists while providing proper incentive to create.

The P2P systems are responsible for creating a generation of kids expecting music to be free. The creators of P2P systems should not escape their moral and legal responsibility by simply claiming they do not “control” the infringing activity.

What kind of message is sent when Congress lets the creators of the P2P systems off the hook, while blessing the lawsuits filed against the kids? The Induce Act fixes this legislative hypocrisy.

One way or another, the technology and consumer groups should get their safe harbors. But the guts of the act should remain. The creators of the P2P systems should not be able to hide behind the Copyright Law for protection. Resolution of the P2P issue, however, will not be the ultimate panacea for artists. Many other contentious issues remain. Artists and labels, with the help of Congress, must resolve the ongoing problems of questionable accounting practices, fiduciary duty obligations and payola.

Congress is also very serious about resolving the issues of low-power FM radio and media consolidation. And new technologies like digital radio and wireless communications are already coming center stage.

Once the Induce Act is passed, Congress must continue to work with artists, labels, the technology community and consumer groups to ensure that artists are treated fairly and compensated appropriately. Passing the Induce Act is a wonderful first step.

Jay Rosenthal is legal counsel for the Recording Artists’ Coalition in Washing- ton, D.C., and a partner with the law firm Berliner, Corcoran & Lowe.

Juvenile
Continued from page 8

(born Tereus Gray) has parted ways with Cash Money, solidifying the reputation he built with Cash Money’s Hot Boys beginning in 1997. Juvenile struck mulitplatinum with his third solo album, “400 Degree.” The 1998 album — which has sold 4.7 million units, according to Nielsen SoundScan — spawned the hits “Hi” and “Back That Azz Up.”

He left Cash Money in 2001 amid reports of differences with co-CEOs Ronald “Slim” Williams and Bryan “Baby” Boateng. Williams has subse- quently reunited with the label in 2003. He established UTP (Uptown Project Records) in 2001 with distribution then through Orpheus/EMI.

Ronald Williams could not be reached for comment at press time.
BMG Strategic Marketing Group executive VP Joe DiMuro says, "This is a lifestyle record that embodies the show and the artists who have been on the show. There are a lot of musical references on the show that become part of the script.

The album features the new song "Living With Grace," written and performed by Barry Manilow and show co-star Eric McCormack. Phil Ramone produced the track.

BMG tells the story behind the Manilow/McCormack collaboration. "We approached Barry since he was already working with [BMG Strategic Marketing] anyway. Barry guest-starred on the show, and Eric is a huge Manilow fan. So it was easy for them to team up." McCormack and co-stars Debra Messing, Sean Hayes and Megan Mullally are featured on another track, which at press time had the title "He's Hot!" DiMuro says the song will feature a sample of Madonna's "Diesel & Fuel." Also on the album, Mullally and Carly Simon record a version of Simon's " Loving You's The Right Thing to Do." Jimmy Jam & Terry Lewis produced the new version. Another highlight is the Bacon Brothers' cover of "Footloose," a nod to Kevin Bacon (one-half of the Bacon Brothers) who appeared on "Will & Grace" and sang the song on the show. (Bacon, of course, starred in the 1984 movie "Footloose.") Previously released songs on the 15-track set include Lopez's "Waiting For Tonight," John's "The Bitch Is Back," Cher's "Gypsies, Tramps & Thieves," Britney Spears "Oops!...I Did It Again," Queen's "You're My Best Friend," and Cheryl Lynn's "Got To Be Real." The album was originally titled "Who's Your Daddy Again," but DiMuro says the show's cast and crew decided that "Let The Music Out" would be better. Marketing plans for the album include commercials that run during "Will & Grace" and other NBC shows, including a likely appearance on "Today" the week of release. BMG will also release a music video for "Living With Grace."

CASTING NEWS: Nick Lachey will appear on the WB's "Charmed" for six episodes. Lachey will play the role of Shemar Moore's love interest.

Also on the WB, new comedy series "Blue Collar TV" (which premieres July 29) will feature Sugar Hill Records' Scott Miller & the Commonwealth for eight episodes. An instrumental version of the group's "A Mess of This Town" is the show's theme.

**Programming**

NBC, BMG Out 'Will & Grace' Compilation

Name the sitcoms that have been able to attract the biggest music stars in recent years, and NBC's "Will & Grace" will probably top that list. Madonna, Cher, Elton John and Jennifer Lopez have all appeared on the show, whose unique musical sensibility is part of its appeal.

With that in mind, BMG Strategic Marketing Group and NBC Universal Television Distribution have teamed to release the album "Will & Grace: Let the Music Out!" Sept. 14, just in time for the show's seventh-season premiere Sept. 16. The makers of the album insist that it is not a soundtrack. Rather, they describe it as a companion album to the TV series.

"We approached Barry since he was already working with [BMG Strategic Marketing] anyway. Barry guest-starred on the show, and Eric is a huge Manilow fan. So it was easy for them to team up." McCormack and co-stars Debra Messing, Sean Hayes and Megan Mullally are featured on another track, which at press time had the title "He's Hot!" DiMuro says the song will feature a sample of Madonna's "Diesel & Fuel." Also on the album, Mullally and Carly Simon record a version of Simon's " Loving You's The Right Thing to Do." Jimmy Jam & Terry Lewis produced the new version. Another highlight is the Bacon Brothers' cover of "Footloose," a nod to Kevin Bacon (one-half of the Bacon Brothers) who appeared on "Will & Grace" and sang the song on the show. (Bacon, of course, starred in the 1984 movie "Footloose.") Previously released songs on the 15-track set include Lopez's "Waiting For Tonight," John's "The Bitch Is Back," Cher's "Gypsies, Tramps & Thieves," Britney Spears "Oops!...I Did It Again," Queen's "You're My Best Friend," and Cheryl Lynn's "Got To Be Real." The album was originally titled "Who's Your Daddy Again," but DiMuro says the show's cast and crew decided that "Let The Music Out" would be better. Marketing plans for the album include commercials that run during "Will & Grace" and other NBC shows, including a likely appearance on "Today" the week of release. BMG
Pop Goes The New Country

Here's something you don't see everyday: Two rookie country acts keeping company in The Billboard 200's top 10.

It has, in fact, been seven years since two Nashville-roster first-timers appeared simultaneously in the big chart's penthouse, but the Music Mafia scene continues to break through, as Gretchen Wilson welcomes her pals Big & Rich.

Wilson's "Here for the Party" advances 8-3 on a 1% gain while a 16% rise yields a new Billboard 200 peak for Big & Rich's "Horse of a Different Color," which gallops 13-6. It is appropriate these two acts share this feat, as they each appear on the other's album. Wilson has hung in The Billboard 200's top 10 for each of nine chart weeks, while Big & Rich have posted increases in all but one frame since entering the list 10 weeks ago.

Wilson's "Party" is country's No. 3 best seller in 2004 and the No. 2 best seller among country titles released this year (1.06 million copies to date). Big & Rich's "Horse" is the No. 9 best seller of 2004 (391,000).

Both have carried the mail for their record companies, too. Wilson's "Party" is the third best seller this year for Sony Music, and she is also that major's best-selling new artist. Just as Wilson is Sony's highest-ranked artist on the current Billboard 200, Big & Rich lead all Warner Music Group acts on this week's list.

Two other rookies join them in the top 10 of Top Country Albums, where Brad Cotter, second-season champ of "Nashville Star," bows at No. 4, joining "American Idol" finalist Josh Gracin at No. 10.

In the early '90s, when such artists as Garth Brooks, Alan Jackson and Billy Ray Cyrus lifted Nashville's fortunes, it was not unusual to find two or more country albums in the Billboard 200's top 10. Yet, in 2004, when country album sales have grown faster than the overall market (Billboard, July 17), this is only the third time this year that a pair of country albums have shared that real estate.

You have to go back to 1997 to spot the last time that two Nashville debut albums appeared simultaneously in The Billboard 200's top 10. At the start of that year, in the Jan. 18 issue, LeAnn Rimes' "Blue" was No. 8 while Deana Carter's "Did I Shave My Legs for This?" was No. 10.

CHEESEBURGERS IN PARADISE: How long has it been since Jimmy Buffett led The Billboard 200? That's a trick question, because he has never had a No. 1 on the chart, a career-long drought that could end next week—30 years after he first (Continued on page 72)

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Usher Keeps His No. 1 Seat

For the second time in two months, Usher succeeds himself at No. 1 on The Billboard Hot 100. In May, "Burn" replaced "Yeah!" at the top of the chart, and now "Confessions Part II" (LaFace) knocks "Burn" off its perch.

The only thing that has prevented the pole position from being all-Usher all the time since February is the one-week reign of Fantasia's "I Believe." Her lone frame on top spoiled Usher's chance to be the only act aside from the Beatles to have three successive chart-toppers on the Hot 100.

Still, Usher has been No. 1 for 21 of the last 22 weeks, extending his record as the artist with the most weeks on top in a calendar year. Each week puts more distance between Usher and second-place artist P. Diddy, who collected 19 weeks at No. 1 in 1997 when he was known as Puff Daddy.

On Hot 100 Airplay, where "Confessions Part II" also advances to No. 3, Usher pulls off the hat trick he missed on the Hot 100. He is the first artist to have three successive No. 1 songs on this tally.

On the Hot 100, "Confessions" is the 10th chart-topper on the LaFace imprint in almost 10 years. This is the first time the label has had three No. 1 titles in a calendar year.

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YOUNG GIRL: A 2-1 move on Mainstream Top 40 for "Leave (Get Out)" (Da Family/Blackground) means that 13-year-old JoJo is the youngest female singer to ever top this chart, as well as the youngest solo artist. Previously, the youngest solo vocalist to reach this survey's summit was Britney Spears, who was one month shy of her 17th birthday when she went to No. 1 with "...Baby One More Time" in November 1998.

The youngest male artist to top the Mainstream Top 40 list was Zac Hanson. He was 11 when Hanson's "MMMBop" went to No. 1.

On The Billboard Hot 100, "Leave" rises 17-13. Should this song go all the way, JoJo would also become the youngest female artist to have a No. 1 on this chart. For the last 41 years, that title has been held by Peggy March. She was 15 years and one month old when "I Will Follow Him," recorded under the name Little Peggy March, topped the Hot 100 in 1963.

"KISS ON THE LIST: Nat Stuckey has nothing to fear from the Notorious Cherry Bombs. Stuckey peaked at No. 11 on Hot Country Singles & Tracks in 1971 with "She Makes Me With a Kiss Every Morning (And She Loves Me to Sleep Every Night)." the longest title to ever grace this chart.

The Bombs (fronted by Rodney Crowell, Vince Gill and Tony Brown) debut at No. 47 with another song involving a kiss and dying. The Bombs' song is titled "It's Hard to Kiss the Lips at Night That Chev Your Ass Out All Day Long" (Universal South).

That is now the third-longest title in the history of the country chart. In second place is Ernest Tubb's 1966 single "It's For God, and Country, and You Mom (That's Why I'm Fighting in Viet Nam)."
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<td>One Monkey Don't Stop No Show</td>
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<td>Good Charlotte</td>
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<td>Another 700 Miles (EP)</td>
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<td>Warmer</td>
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<td>Live</td>
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<td>The Great American Songbook Vol. II</td>
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**Billboard** July 24, 2004  
www.billboard.com  
www.billboard.biz  
71
Over The Counter

Continued from page 69

appeared on that list. “License to Chill,” on Buffett’s own Mailboat label through RCA Label Group, appears on course to start with at least 150,000, based on first-day sales cited by retailers. Current champ Lloyd Banks fades to 164,000 this issue (down 62% from the rapper’s 433,500-unit start) while runner-up Usher drops to 131,000 (down 11%). This seems to be Buffett’s game to win.

Bank and Usher are the only artists to surpass 100,000 this issue, the first time in a dozen weeks that the chart has seen fewer than three titles at that level. Relief is on the way, though, as at least one new release besides Buffett’s looks good to open at or near that mark. The Roots’ “Tipping Point” is destined for the top 10 in the range of 95,000-100,000.

There are also wild cards in the July 13 deck: An EP from the Metallica film “Some Kind of Monster” and the soundtrack to Hilary Duff’s new movie “Cinderella Story.” Fast newsgroups suggest both would open large, but first-day numbers lead one retail watcher to project they will each start in the neighborhood of 30,000. A source close to “Cinderella” thinks it will do more like 60,000-70,000.

WHAT YOU SEE: With the Independence Day holiday subtracting July 5 as a shipping day, yielding a lean July 6 release slate and a soft sales week, Angie Stone had the setup for the best Billboard 200 run of her career. She sets that personal best at No. 14, although the new “Stone Love” does fall shy of her best Nielsen SoundScan week. This one opens at 53,000 copies, while her sophomore album launched at 27,000 when it entered at No. 22, her prior best rank, in 2001.

The cable show also lifts related band Velvet Revolver by 14%, the first gain its “Contraband” has seen since it bowed at No. 1 five weeks ago. And the first GN’R album, “Appetite for Destruction,” re-enters Top Pop Data- log with a 155% increase, its first time on that chart since April.

In a week when the same title posts the largest unit increase and the second-largest percentage hike, as GN’R’s “Greatest Hits” does, the Pacer is awarded to the album with the second-largest percentage hike. In this case, the honor goes to Black Eyed Peas, whose “Elephant” sees its second straight gain, this time a 22% uptick.

That blast, aided by the set adding “Let’s Get It Started,” push the Peas 27,16, just two slots behind its album’s best rank to date.

NICE TO COME HOME TO: In addition to stirring soundtrack sales, the Kevin Kline/Ashley Judd film “De-Lovely” has inspired a Cole Porter renaissance on Top Jazz Albums. With the film growing from 16 to 24 screens during the tracking week, its album—featuring Natalie Cole, Alain Morisette, Sheryl Crow, Diana Krall and Elvis Costello—sees a 9% gain. That pushes it 4-3 on Top Soundtracks and 77-58 on The Billboard 200.

A more traditional cast of sound stylists is featured on a trio of Porter-related albums that fill the No. 5, No. 6 and No. 7 slots on the jazz chart, each with increases. They are, respectively, tip-O’s “The Very Best of Cole Porter” (up 23%), Capital’s “Ultra Lounge: Cocktails With Cole Porter” (up 13%) and RCA Victor’s “It’s De Lovely: The Authentic Cole Porter Collection” (up 47%). Several singing greats, including Ella Fitzgerald, Dean Martin, Peggy Lee, Fred Astaire and Tony Bennett, appear on at least two of the three anthologies.
### July 24, 2004

#### Top Heatseekers

<table>
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<tr>
<th>#</th>
<th>ARTIST</th>
<th>TITLE</th>
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<tbody>
<tr>
<td>1</td>
<td>RON WHITE</td>
<td>Absolute Legend</td>
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<td>2</td>
<td>WHITE</td>
<td>Drunk In Public</td>
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<tr>
<td>3</td>
<td>ARKIE</td>
<td>The Sun, The Land, The Mountain</td>
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<tr>
<td>4</td>
<td>LARRY THE CABLE GUY</td>
<td>Lord, I Apologize</td>
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<td>5</td>
<td>THE BEATLES</td>
<td>1</td>
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<tr>
<td>6</td>
<td>PINK FLOYD</td>
<td>Dark Side Of The Moon</td>
</tr>
<tr>
<td>7</td>
<td>BOB SEGER &amp; THE SILVER BULLET BAND</td>
<td>Greatest Hits Vol. 1</td>
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<tr>
<td>8</td>
<td>KENNY CHESNEY</td>
<td>No Shoes, No Shirt, No Problems</td>
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<tr>
<td>9</td>
<td>RAY CHARLES</td>
<td>The Best of Ray Charles</td>
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#### Top Gainers

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<th>#</th>
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<th>TITLE</th>
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<tbody>
<tr>
<td>1</td>
<td>BEASTIE BOYS</td>
<td>Licensed To Ill</td>
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<tr>
<td>2</td>
<td>MINDY SMITH</td>
<td>One Moment More</td>
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<tr>
<td>3</td>
<td>JEREMY CAMP</td>
<td>Carried Me: The Worship Project</td>
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<tr>
<td>4</td>
<td>THERIY CORPORATION</td>
<td>The Outsernal Sound</td>
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<td>5</td>
<td>TIGER ARMY</td>
<td>Tiger Army III: Ghost Tigers Rise</td>
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<td>6</td>
<td>PATTI SCIALFA</td>
<td>23rd Street Lullaby</td>
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<td>7</td>
<td>UNTYNES</td>
<td>La Trajectoria</td>
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<td>8</td>
<td>BEBEL GILBERTO</td>
<td>One Moment More</td>
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#### Top Independent Albums

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<tbody>
<tr>
<td>1</td>
<td>ANA BARBRA</td>
<td>Una Mujer, Un Sueno</td>
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<tr>
<td>2</td>
<td>DAVE HOLST</td>
<td>The Best of 180</td>
</tr>
<tr>
<td>3</td>
<td>SIMON &amp; GARFUNKEL</td>
<td>The Legend Of Moondoggie Blue</td>
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<tr>
<td>4</td>
<td>STING</td>
<td>The Soul Cages</td>
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<tr>
<td>5</td>
<td>LA SANGRE DE MI Raza</td>
<td>El Fantasma del Renacer</td>
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<td>6</td>
<td>U2</td>
<td>Rattle &amp; Hum</td>
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<tr>
<td>7</td>
<td>PATTI SMITH</td>
<td>Born to Be Bored (Volume 2)</td>
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<tr>
<td>8</td>
<td>THE BEATLES</td>
<td>1</td>
</tr>
<tr>
<td>9</td>
<td>THE WHITE STRIPES</td>
<td>White Blood Cells</td>
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For the full list, please visit the Billboard website.

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**Citations:**

**Notes:**
- All titles are in English unless otherwise stated.
- Sales data compiled by Nielsen SoundScan and Nielsen Broadcast Data Systems.
This document appears to be a combination of various sections, including music charts and sales data. Here is a summary of the information presented:

### Billboard Top Jazz Albums
- **Title**: Various artists - Left It All On The Dance Floor
- **Artist**: Various artists

### Billboard Top Classical Crossovers
- **Title**: Various artists
- **Artist**: Various artists

### Billboard Top Contemporary Jazz
- **Title**: Various artists - It's All Good
- **Artist**: Various artists

### Billboard Top New Age Albums
- **Title**: Various artists - Ultimate Yoga
- **Artist**: Various artists

### Sales Data
- **Unit Sales**: 21,837
- **Wholesale Cost**: 8.98
- **200,000 Sales Data**: Compiled by Nielsen SoundScan on July 24, 2004

### Additional Information
- The document contains sales data for various albums and artists, including jazz, classical, contemporary jazz, and new age genres. It also includes information about unit sales, wholesale cost, and sales data compilation.

### Notes
- The document is in PDF format and includes various sections on music charts and sales data.
- It appears to be a snapshot of sales information for a specific week, possibly for a music magazine or industry publication.

This summary provides a general overview of the content without delving into specific detailed entries, as the text format doesn't allow for detailed transcription and analysis of each entry.
Terror Squad Scares Up An R&B/Hip-Hop No. 1.

Terror Squad—consisting of Fat Joe, Remy Ma, Tony Sunshine, Propect and Armageddon—wins the crown on Hot R&B/Hip-Hop Singles & Tracks. The Squad’s “Lean Back” takes off on another 4.8 million listener impressions to bypass “Slow Motion” by Juvenile and out “Confessions Part II” by Usher from his No. 1 perch. While the posse cut has become prevalent in hip-hop with acts like D12, the Diplomats and Da Band, those groups have had a difficult time reaching the top of the R&B chart. The last hip-hop crew to record as a single entity and have a track chart in the top 17 was Irv Gotti’s the Inc. The group included Ja Rule, Ashanti, Charli Baltimore and Vita, its single peaked at No. 3 in August 2002. Not only has it become difficult for assembled hip-hop groups to hit the top of the R&B/Hip-Hop Singles & Tracks, it has also been a chore for established groups. “Lean Back” is the first hip-hop group of any kind to take the crown since Bone Thugs-N-Harmony went to No. 1 with “Crossroads” in 1996.

Gretchen Wilson’s “Redneck Woman” would have stuck out like a sore thumb on country radio two years ago but recently went to No. 1. The latest litmus test of how much country radio is willing to concede is Big & Rich. The wacky pair’s album is finding a mass audience at retail, and the duo has a coveted opening slot on the current Tim McGraw tour. Yet “Save a Horse (Ride a Cowboy),” which celebrates a drunken tryst in the bed of a pick-up truck, may be slowing down at radio, as it holds at No. 17.

OUT IN FRONT: Besides being the youngest solo artist to hit No. 1 on the Mainstream Top 40 chart with “Leave (Get Out)” (see Chart Beat, page 69), Jolo is also the first female artist to climb to the top of that list with her debut single since Avril Lavigne hit with “Complicated” exactly two years ago this week.

Jolo’s self-titled album debuted at No. 4 three weeks ago and rebounds 17-11 this issue, scoring a total of 216,000 units since its release. That is just about even with Lavigne, who opened at No. 8 and moved 220,000 units of “Let Go” in that set’s first three weeks. “Let Go” has so far sold three more than 6 million units, according to Nielsen SoundScan, and we’re certain that Jolo is hoping her career path continues to mirror that of Lavigne.

LONG TIME COMING: Known as an artist who defies pigeonholing, Lenny Kravitz enlists Jay-Z and adds a dose on Hot R&B/Hip-Hop Singles & Tracks at No. 63 with "Storm." He last appeared on that chart 10 years ago with "Heaven Help/Spinning Around Over You." Kravitz has collaborated with R&B and hip-hop artists more frequently of late, appearing on P. Diddy’s “Show Me Your Soul,” Erykah Badu’s “Back in the Day (Puff)” and on album cuts from Jay-Z’s “Blueprint 2.1” and Mary J. Blige’s “No More Drama.”

Currently bowing on chart at No. 76 is “The Closer I Get To You” by Luther Vandross and Beyoncé after receiving airplay at some R&B signals for more than a year. It also is No. 17 in its 30th week on the Adult R&B chart in sister publication Airplay Monitor.

The song appears on both artists’ latest albums but was not worked to radio until Vanders’ label, RCA Music Group, recently obtained promotional rights to the track.
Strat At 50
Continued from page 8
but he’d never done a lot of woodworking. George was into electronics but was a master woodworker on top of that, and a working musician. They were complementary.”
The Strat, as it is commonly known, evolved from the Fender Broadcaster, introduced in 1950 and later renamed the Telecaster. The Strat’s design took inspiration from its Telecaster. The Strat’s design took inspiration from its Telecaster.

“Freddie, Jamieson’s communications director, says, “We used to work together.”

Marvin said.

The debut prototype didn’t have any lower horn at all,” Carson recalls. “Freddie Tavares said, “It wouldn’t look quite so ugly if we could put a smaller horn on the bottom side. There would be a little more symmetry involved.” He was right about that.”

The Strat included a built-in “revolutionary Tremolo Action lever,” as a 1954 print advertisement described it. Fender engineer Leo Fender quickly discovered that the three-position pickup selector switch could be placed between settings, allowing the signal of two adjacent pickups to be blended simul- taneously. From there, phonograph records were born, giving birth to a new range of sounds.

HOLLY’S INFLUENCE
Buddy Holly’s appearance playing a Stratocaster at the “Ed Sullivan Show” in 1957 was momentous in the history of rock and the Strat. Holly was even bigger in England: the Crickets’ 1958 tour, along with their first album, “The Chirping Crickets,” on which the Strat was pictured, were enor-
mously influential.

“Cliff Richard’s management sent to the U.S.A. and we got a brochure from Fender,” Hank Marvin, guitarist in Richard’s group, the Shadows, recalls in “Fender Heaven,” a BBC 4 radio pro-
gram. Richard and the Shadows were England’s biggest rock stars in the ‘50s, but Cliff Richard chose the most expensive guitar, the one that looked like Buddy Holly’s guitar—a Fender Stratocaster,” Marvin said.

When it arrived a few weeks later we opened the box, and there was this wonderful-looking thing. We just looked at it for ages without even picking it up. It was like something from Mars.

“Since you put it in context, this speech marks the end of a chapter,” the source says. “AIM and the BPI remain in the same business and will continue to work together.”

THE REUNION THAT WASN’T
When he was appointed in 2002, Jamieson had a priority of reuniting the two organizations. He brought in former Music Week pub-
lisher Steve Redmond with a specific brief to bring together the two bodies. Redmond is now com-
munications director of the BPI.

The BPI and AIM held unification talks throughout 2003 until February 2004, when AIM decided to withdraw from the negotiating table.

Sources believe that AIM has ended the discussions with the BPI after its steering committee—which included the highly influential chair of BPI’s Nonexecutive Committee, Martin Mills, and Doug D’Arcy from Soundline—decided that the BPI’s pro-
posals were not acceptable.

“We thought we were talking about a merger and it was an annexion, a source familiar with AIM’s view of the talks says. Different issues were at stake. One was the representation of AIM members within the joint organization, with AIM expecting to have its own board within the AIM-BPI structure. Another was the role of Venham in the new structure. “Alison was not going to take a fight management role,” a source says.

“One can say that the Sony EMI merger is not worth commenting on when it is going to have major implications on the industry’s concentration and competitive behavior,” said Jamieson.

During his presentation, Niccol assured shareholders that inroads are being made against piracy, reit-
erating comments he made July 1 before analysts at the company’s Digital Music Day at Abbey Road Studios (Billboard, July 17).

Niccol highlighted his involvement in tackling piracy through the U.K.’s government’s new intellectual property forum. He will represent the music industry on this panel. Its first meeting is July 19.

Shareholders used the EMI meet-
ing to launch some attacks on the salaries and bonuses of the company’s top executives. In par-
ticular, the pay package of EMI

Recorded Music chairman/CEO Alain Levy was singled out.

The company’s annual report, re-
leased June 10, revealed Levy was awarded a new five-year contract with a base salary up to £1 million ($1.84 million) from £700,400 ($1.29 million) last year, not counting bonuses. His potential annual bonus has been increased from two times salary to three times salary.

Niccol countered that about two-thirds—a “relatively high proportion”—of execs have an unrestricted level of management strength.

Munn recently signed a new con-
tract with EMI.

In other business, EMI Music Pub-
lishing chairman (CEO) Martin Bandier was re-elected to the EMI board.

Sly Bailey, CEO of British newspa-
paper publisher Trinity Mirror, was elected as an executive director after taking the role at EMI April 2. Gildersleeve and EMI audit com-
mittee chair Kathleen O’Donovan were also elected as nonexecutive directors. Shareholders also learned that Harald Einsmann and Dominic Cadbury had retired from the board.

According to figures from the Interna-
tional Federation of the Phonographic Industry published last month, EMI moved up one rank in 2003 to become the world’s second-largest record company in market share. EMI’s share rose in 2003 to 13.4%, compared with 12.2% in 2002.

In its full-year financial results, issued May 24, EMI reported revenue of £2.12 billion ($3.84 billion) for the year ended March 31, down 2.5% from the previous year, with pre-tax profit slipped from £245.7 million ($462 million) in fiscal 2002 to £249.3 million ($452 million) in fiscal 2003. Its pre-tax income declined 8.7% to £163.5 million ($296 million).

Sony-BMG
Continued from page 6
ufacturing side of the industry, since Sony and BMG each own one of the two biggest CD/DVD manufacturers in Europe (DADC and Sonopress, respectively).

Similarly, Lambot is worried that Sony-BMG artists would get preferential treatment from the many media outlets owned by BMG parent Bertels-
mann or Sony’s sister company Sony Music. “We’ve had no promises of fair access,” Lambot says.

But, he adds, “under EU rules there would be little we could do for blocking the merger.”

Others have a less despondent view of an integrated Sony-BMG. Enter-
tainer lawyer Stephen Kinsella of the firm Herbert Smith says there was no mention of efficiency savings in the Brussels hearings that preceded the decision to clear the merger.

Kinsella points out that Sony and BMG, like other majors, tend to out-
source much distribution and talent spot-
ting. “There are fewer efficiencies of scale in this merger,” he says.

He adds that with the companies’ similar product and geographical over-
lapping, the combined entity may be more in the same business. “It is unlikely to have significant efficiencies in the same premises and plants. He predicts that staff cuts “will mostly be in manpower, with probably just one head office and possibly one chief executive.”

“I think the distribution and distribution access, Kinsella thinks commercial concerns will keep Sony from being restrictive with its Connect online service. “It would be like Coca-Cola only agreeing to sell in Sainsbury’s supermarkets,” he says.

In the United States, the Federal Trade Commission examines possible antitrust concerns surrounding big mergers such as this. A representative for the FTC’s antitrust division said the agency does not comment on ongoing reviews and investigations.

But sources suggest the FTC will approve the merger around the same time that the EC makes its decision.

A BMG spokesman says the compa-
Nies expect a U.S. regulatory ruling soon. Representatives from Sony were unavailable to comment on the merger.

Additional reporting by Bill Holland in Washington, D.C., and Ed Christman in New York.

For breaking news, analysis, jobs and newsletters visit: www.billboard.biz
Elvis
Continued from page 1
release it without paying royalties to the owners of the master or to the performer, or their heirs. BMG will
start losing a significant piece of its catalog income in Europe.

As that song is being hailed as some of the beginning of rock 'n' roll, the implications are that every year after
2005, more recordings that defined the genre fall into public domain.

In the United States, BMG will continue to own the rights to the sound recordings. The Copyright Term Extension Act, sound recordings are protected for 75 years from the day of recording in the United States—for post-1976 recordings, cover-
egate is artist's life plus 70 years.

In most of the European Union, the duration is 50 years after the first release of a sound recording (see table, this page).

The Elvis case illustrates the importance of the issue for record owners and the music industry. It also high-
lights the discrepancy between Europe and the United States.

WAKEUP CALL
“I regard this week's anniversary as a wakeup call and a call to arms to step up a gear or two in our campaign to lobby for a similar term in the EU,” said Peter Jamieson, executive chairman of British Phonographic Industry, in a recent speech.

Jamieson added, “The end of the sound recording copyright on the explosion of British popular music in the late '50s and '60s, not just the Bea-
tles, but many other British artists, is only a short period away. If nothing is done they will suffer loss of income not just for their sales in the U.K. but their sales across the globe.

Many recordings from the '50s and the '60s will start falling into public domain in the coming years.

Bruce Welch is bass guitarist with the group and is really the backing group for Cliff Richard. Richard's and the Shadows' copyrights will start to
expire when they hit the 50-year mark in 2009.

“This is scary,” Welch said during a 37-
date sold-out tour of the United King-
dom. "I only became aware of the sit-
uation last year...Our stuff is still
selling, and there's about 250 various compilation albums out there world-
wide. I'd like the period extended as soon as possible and 95 years sounds good to me.”

Against this background, it is not surpris-
ing that the extension of the term of duration of recording rights is the music industry's main priority on the legislative agenda in Europe.

The EU is reviewing its past directives on intellectual property, notably the EU Term of Protection directive. With this in mind, trade body the International Federation of the Phonographic Industry last year asked the European Commission for an extension of Term of Protection for producers and artists with the goal of ending the discrepancy between the United States and the EU.

IFPI chairman/CEO Jason Berman commented: “It’s remarkable that Europe, which is the source of such a rich and diverse range of musical repertoire, should offer less protection than, for example, the U.S. where the term is 95 years. There are many other markets where recordings are granted a longer term of protection than in Europe. Australia recently committed to extending its term of protection from 50 to 70 years in a bilateral trade agreement with the U.S. The EU should be doing the same in introducing a higher level of protection.”

The IFPI has started a campaign to raise awareness among policy makers and legislators on the issue. It targets EU member states, the EC and the Parliament.

“We are using any opportunity we have to highlight the issue during meetings with the commission and MEPs [members of the European par-
liament],” said Brussels-based IFPI senior communications executive Francine Cunningham.

European artists have been invited to sign a petition on term of protection. The petition states: “It makes no sense that these musical works are valued less highly in Europe than they are in many other regions around the world. Let’s do less highly than other creative works. These dif-
f erences in term of protection will also impede the development of e-commerce, as recordings streamed across the world will be subject to radically different copyright terms in each country.”

The IFPI is planning to present the signed petition at a press conference in Brussels this fall. In addition, IFPI’s affiliated organizations have been contacting their national governments on the issue.

Most of the activity will be focused on the fall when the dossier moves to the Parliament and the Council,” Cunningham said.

ONLINE INCENTIVE
Berman sees harmonization of the copyright duration as useful in regulating online activity.

“Having vastly different terms of protection in different parts of the world hampers the development of legitimate online music services,” he observed. “Public domain recordings in Europe, for example, may be distributed online from a European country into the U.S. where such acts amount to an infringement. In such cases, effective enforcement of rights may be difficult. A longer uniform term of protection would provide an incen-
tive for the development of new ways of disseminating back catalog and specialized genres online.”

Richard Constant, general counsel at Universal Music International, backed the principle of an increase in term of protection. He would be “dis-
appointed” if an extension fell short of 70 years as applies to song copyrights.

“We are hugely active in the back catalog area,” Constant said. “We would be in deep trouble if we didn’t work it, because it accounts for a large propor-
tion of our income.”

It just happens that the U.K. created the global copyright in the 50s and there’s much to lose if we stop the clock at just 50 years,” Wenham said. “There is economic value in extending copyright protection. We will add our weight to those who ask for an extension.”

Nigel Parker, joint founder and legal adviser of the Assn. of United Recording Artists, also favors an extension to 70 or 80 years as a real-
listic first step toward parity with other copyright works.

“It’s a very important issue for us because many performers live out their careers in the 50s and 60s and public domain companies cash in on music to which they made no con-
tribution.” Parker says. “Given the huge increase over the past 50 years in the importance of sound record-
ings to consumers, the law should grant performers equivalent pro-
tection to composers.”

It is anticipated that resistance to copyright term extension will come from consumer groups on the grounds that public domain reper-
toire gives the public greater access to historic material. Dissenting voices also are expected from groups usually advocating free con-
tent on the Internet.

However, the toughest challenge on term extension could be the mind-set of the E.C. One industry source says, “The usual opening position from the commission is that there is no reason to change existing laws. That's when we need to make progress on the commission through the member states and the Parliament.”

Induce
Continued from page 1
Parliament. "For recordings made before 1976, the term is 95 years from first publication or 120 years from creation, whichever comes first; post-1976 recordings are protected for the life of the artist plus 70 years."

The letter's signers include the Electronic Freedom Foundation, Ver-
izon, TiVo, Intel, Google, the Con-
sumer Electronics Assn. and Public Knowledge.

P2P United, the lobbying group representing file-sharer favorites Grokster, Blubster, Morpheus and others, also sent a letter to Hatch and the committee, claiming that Hatch is wrong in claiming the companies induce piracy.

"The astonishing claim that the kind of decentralized peer-to-
peer software developed by the mem-
bers of P2P United functions like Earth Station 5's "piracy machine" is utterly inaccurate and indefensi-
ble," the lobbying group said.

Citing the July 9 letter by oppo-
nents, Bainwil writes to senators:

"The recent letter signed by a group of interests seeking a hearing (which we too support) is a case in point. It states: "While we agree with
the need to penalize those who intentionally cause copyright infringement, we are concerned..."

Those who accept the core purpose of P2P United ought to come forth with constructive and concrete sugges-
tions, not hypothetical and periph-
eral concerns. Why? The men and women of the music community and their small and medium and other content creators—deserve action... We can't afford paralysis.""

"Ironically, he adds, "these P2P operators who hide behind the pro-
tectors of "technology" resist deploying existing technological answers to solve this problem. They resist modernization because it undercuts their business model. They refuse to go through the process."

But you can make it harder for them to resist doing the right thing—
without imposing a mandate. And that's by raising the price for not giving legitimate.
Low Sales No Problem For Latin Grammy Nominees

BY LEILA COBO

A slew of noncommercial releases, many virtually unknown in the United States, dominate the nominees for the fifth Latin Grammy Awards.

The top contender is Brazilian producer Tom Capone, who garnered five nominations, including two for record of the year. Among the nominated albums Capone worked on is Brazilian singer Maria Rita’s self-titled debut. Rita, the daughter of late singer Elis Regina, garners four nods of her own, including record and album of the year.

The other prominent multiple nominee is “Lágrimas Negras,” a blend of Spanish coplas and Cuban son by pianist Bebo Valdés and vocalist Diego El Cigala. The set receives five nominations, including record and album of the year.

“Lágrimas Negras” won a golden ticket for audiences who have never listened to flamenco,” El Cigala says. He and Valdés received three nods for their work on “Lágrimas.” Valdés earns a fourth nomination for “We Could Make Such Beautiful Music,” his collaboration with Federico Britos.

Brazilian engineer Amon Alencar, who worked on “Maria Rita,” has four nominations, including one for another record of the year nominee, “Dois Rios” by Shank.

“Maria Rita” and “Lágrimas Negras” have been very successful abroad, but many other top nominees have not found an audience. They include Robi Draco Rosa, who receives three nods for “Más y Más,” a Spanish-language track from his album “Mad Love.” The track is recorded for record, song and video of the year. The album has scanned 30,000 copies in the United States, according to Nielsen SoundScan.

Most surprising are three nominations for Kevin Johansen, an Argentine singer/songwriter whose quirky “Sur o No Sur” is nominated for album of the year. The Sony disc has sold well in Argentina but scanned only 2,000 copies in the United States.

Luana Pagani, senior VP of marketing for Latin America at Sony, expects the nominations will give Johansen “visibility and exposure he would probably not have otherwise.”

LITTLE REPRESENTATION FOR LATIN POP

The only pop act nominated in the main categories is perennial Latin Grammy favorite Alejandro Sanz, who collects four nods for “No Es Lo Mismo,” including record and album of the year.

No tropical or regional Mexican acts are in the mix.

Alternative commercial success was inverted.

In addition to Johansen and Rosa, other multiple nominees include Mexico’s Café Tacuba and Julieta Venegas. The latter has found commercial success with her album “Andar Conmigo.” The set receives three nods, including album of the year.

The best new artist nominees are perhaps the most diverse of any main category. They include urban/regional act Alwój, alternative band Superlito, poptequeño act Mauricio Paladraga (whose album has not been released in the United States), pop singer/songwriter Obie Bermúdez and Rita. Bermúdez is also up for a pop award. “I’m very thankful,” Bermúdez says, “especially because I’ve worked so hard this year.”

Some observers applaud the nominations, but others are perplexed by the choices.

“To me, the whole process is a mystery,” one music executive says. Members of the Latin Academy of Recording Arts and Sciences vote for the nominations. But, as with the mainstream Grammy Awards, a nominating committee votes on the five finalists for the general categories and for the Latin specialization categories. Nomination noncommercial acts in the general categories, another insider says, “sends the wrong message. If you tell me, ‘This act didn’t sell, but it’s an extraordinary album,’ well, that’s what it’s supposed to be. But there were a lot of things that were better, both musically and artistically that aren’t nominated.”

The Latin Grammys will take place Sept. 1 at the Shrine Auditorium in Los Angeles. CBS will air a live broadcast of the event.

Latin

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But even some indie labels are enjoying the bounty.

“For us, the year started terribly . . . terribly good,” says Valentin Velasco, president of Balboa Records.

Across the genre the boom is mainly attributed to strong new releases, better pricing strategies, more efficient marketing and promotion, increased anti-piracy efforts and a bigger-than-ever presence of Latin music in mainstream accounts.

At least some of the increase can be traced to the shift in Latin sales in the last three years from indie stores to large accounts, including mass merchants, that Nielsen SoundScan tracks.

According to mid-year SoundScan figures, U.S. Latin album sales racked up 1.4 million units from January to June, compared with the 11.5 million units in the same period in 2003.

The increase for the first six months comes on top of a full-year increase of 34% in 2003, comparing 2003 sales with 2002 figures.

“Every day we’re selling more and more units through the [mainstream] account base,” says Gustavo López, VP of Latin sales and marketing for UMDV, whose titles accounted for 46.1% of all Latin albums sold for the six-month period, according to Nielsen SoundScan. “They’ve found Latin music to be a valuable and viable segment of their mix.”

López says mainstream chains, including Wal-Mart, Kmart and Target, account for roughly 55% of its business, with Latin specialty stores making up 45%. Two years ago, those numbers were inverted.

“We’ve shown nice growth in the past three years and specifically in the past six months,” says Scott Wilson, group VP for Handleman, whose racks accounts include Kmart and Wal-Mart. “This is despite the fact that we’ve only added a modest number of stores to carry Latin in the last six months. So the increase is because more people are buying at our current stores.”

Among the labels showing growth in the past year are Univision Records, Fonosusa and Disc Productions, which constitute the UMDV-distributed Univision Music Group. Collectively, they now command more than 33% of the U.S. Latin market, up from 28.8% in 2003.

Key to their success is an increasing number of CD/DVD combo releases that offer more bang for the buck, says Dave Palacio, executive VP/COO of Univision Music Group.

Beyond the combo, Palacio says improved marketing and promotion efforts have been key in increasing sales.

“We’re doing a better job of setting up our releases,” he says. “We’ve structured our company to improve in marketing and promotion, because every little percentage counts.”

Lack of proper setup has characterized the Latin music market, where artists tend to do promotion only after an album is out. But more labels now cite early setup as an element of success.

Among them is Disa, which has seen its market share double in the past year.

“We’re going to radio early, we’re having a hit early, we’re getting sales out of the box,” Disa executive VP of sales and marketing Jeff Young told Billboard in June. “We’re taking all the key elements of a successful record and we’re setting it up.”

Retailers and distributors say they have changed as well.

“We are far more efficient than before,” says Melvek Portillo, president of Angelica’s Record Distributors in Arizona. “We’ve reduced our inventory, and we stock what we truly sell. We buy what’s being promoted. We’re very much on top of things, and we keep our clients informed about what’s going on with the product.”

TV campaigns, the says, are particularly effective in pushing sales, as is reduced pricing.

Portillo says her company’s monthly sales rose an average of 20% over last year.

A California-based indie label with its own distribution, has seen monthly sales rise an average of 25% compared with last year.

For first-quarter 2004, Balboa commanded 48.1% of the U.S. Latin market—an impressive performance for an indie.

Balboa’s surge in sales can be attributed to lower prices and an increased presence in mainstream accounts—which now make up 50% of Balboa’s business, up from zero several years ago.

Velasco says the label got a foothold in the mass-merchant market last year with its series of three-CD packs that sell for $7.50. Beyond that, he says, Balboa has slashed its wholesale prices on catalog and front-line releases an average of 30% (see Latin Notes, page 451).

FOR CONCERN-STOPS

But no one is rejoicing about the sales numbers.

Pepita Prain, VP of Los Angeles-based Prain One Stop Distributors, which also owns 20 retail outlets, traces his sales increase in part to the close in the past year of two major independent distributors, A&A and Rangell.

Prain worries about the shift ofLatin sales to mainstream accounts.

“The more you see SoundScan go up, the more you know [one-stop] are going to be treated like a second-class customer,” he says. He adds that new acts have fewer chances of getting support from the big-box retailers.

Mobileway

Continued from page 8

about $300 million per year. He believes premium SMS delivery can help the United States bridge the gap with the European market. London-based telecommunications consultancy ARC Group estimates that market to be $3.5 billion per year.

“Punching in a simple code for a specific ringing tone and having it charged to a bill is a much simpler experience than our current delivery methods,” Frieser says.

The first packaging promotion hit stores with the July 13 release of

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The Guitar Center is one of the great American retail successes of the past decade—and David Angress is a major part of the story. Since he joined Guitar Center in 1986, the Westlake Village, Calif.-based musical instruments/pro audio chain has grown from approximately $200 million in annual sales to more than $1 billion.

Today, the chain has 130 locations in 34 states and claims the largest share of a $6.9 billion U.S. market.

The Guitar Center can be traced back to a single Hollywood keyboard retailer, the Organ Center, which opened in 1959. It later became the Vox Center when it began selling the newly imported Vox line of guitars and amplifiers. By the late 1960s, it was clear that guitars, not organs, were the future of musical instrument retail, and the Guitar Center name was born.

The company’s expansion began in 1972; by 1985, there were stores in numerous cities, including two in Chicago. In November of that year, an 18,000-square-foot facility opened on Sunset Boulevard in Hollywood.

Angress, meanwhile, was building a résumé with executive positions at pro audio dealer Sound Genesis and Harman International, manufacturer of professional and consumer audio products. Today, he serves as executive VP/general merchandise manager at Guitar Center.

The chain continues to expand at a torrid pace, opening a new location approximately every month—including new flagship stores in New York and Nashville.

The Guitar Center-owned Musician’s Friend catalog and online store features more than 36,000 music products. The corporation’s American Music division, acquired in 2002, operates 19 music stores offering sales and rental of band and orchestral equipment. And Guitar Center’s recently launched GC Pro division serves recording professionals accustomed to the business-to-business relationship provided by a specialty dealer.

“David is an extremely organized, extremely prepared, very well-spoken, very well-known person,” says Andy Rossi, senior VP of sales and marketing for Fender Musical Instruments. “He always tries to do the best for Guitar Center, but he also wants it to be a win-win for the party that he’s dealing with. He understands that it’s a long-term relationship, so he’s not transactional; he’s relationship-based.”

Q: How have you managed to expand at this pace when the music products industry has been virtually flat for the last three years?

A: We’re offering a more compelling place for the customer to shop in terms of selection, pricing and other policies. But I think it’s primarily because we’ve created a place where the customers enjoy shopping. We treat them with respect, try to truly offer appropriate solutions to their problems and also create an environment they enjoy hanging out in.

Q: In an age when young people have so many things vying for their attention and dollars, why are musical instruments enduringly popular?

A: A lot of what happens with our sales is simply a reflection of popular culture. For the last few years, we didn’t have a lot of bands out there that were guitar-centric, with ‘guitar heroes’ that younger players wanted to emulate, thereby coming in to buy a guitar. Guitar business has been good, but I wouldn’t say it was the strongest driver in the store.

Over the last six months or so, our guitar business has been extremely strong. From what I’m able to find out from general conversations, it seems very strong for the whole industry. I know we have more high-school kids, for instance, wanting to hang out in our guitar department after school than perhaps at a videogame arcade. We’re finding teenage girls interested in playing guitars more than we’ve seen in the past. What’s driving that in society, I can’t tell you. But our industry is the happy beneficiary.

Q: What other trends do you see?

A: The recording business continues to be extremely strong. That is almost exclusively a computer-based area. We’re continuing to see very strong sales of computer-based multitrack recording systems and the various outboard accessories that go along with that.

The drum business is also quite strong. That’s an area that, like many others, has benefited from more modern manufacturing methodology, so that customers are able to get tremendous values at lower price points.

Q: What will the next revolutionary recording gear look like, or are we witnessing its development now?

A: Certainly going to digital and getting random access were revolutionary. I think what we’re seeing, for a period of time now, is evolutionary. Systems are continuing to get easier to use. As companies continue to go up and software developers take advantage of that, we’re continuing to get more complex and musical effects, better on-screen representations of hardware and better control surfaces.

Q: Another evolutionary step was the establishment of your GC Pro division. What was your strategy for this launch?

A: This is something we’d been doing on an ad hoc basis, store by store, around the country. But really, our business model was put together for retail foot traffic. Many professional customers expect their vendors of equipment and services to call on them, just like in any business. We want to be that company when it comes to supplying recording and high-end sound reinforcement equipment.

We built what is a fairly classic business-to-business sales organization model with the support services necessary to really take care of the customer and have them find value in doing business with us.

It was a logical extension of our business. We already had interactions with these customers but we weren’t necessarily bringing them in the retail store the way they needed to be served. We extended what we were doing at individual stores into a national organization that, city by city, is being put in place in order to serve that community nationally.

Q: How would you characterize the Musician’s Friend division?

A: Musician’s Friend is the largest direct marketer of musical instruments and related equipment. We operate it as a separate business. We’ve found over the years that just being Internet- or catalog-based doesn’t work as well as having an integrated approach. We have customers who may use the catalog to do their basic research and fact-finding, and then buy online. Or, they’ll do their research online and then talk to one of the people in our call center. Or they’ll talk to the call center and then go back to the catalog. It all integrates very nicely; it’s a very important part of our strategy.

Q: How big should Guitar Center be? What is the long-term vision for the company?

A: We have two store formats: A large-format store is roughly 18,000 square feet, and a secondary format is considerably smaller. We believe that there is room in the U.S. on the order of roughly 160, 170 of each of those formats. We only have 130 stores, so there’s still plenty of room to build out.
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