World Music Awards 2004

LIVE TELECAST

SEPTEMBER 15
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What Jackson Does
Nashville Icon Offers New Set Of Pure Country

BY DEBRAH EVANS PRICE

NASHVILLE—As the release of a new album approaches, most artists begin to wax philosophical about art, life and the messages they hope to convey with their music. In discussing his new Arista Nashville album, "What's Your Song," released Sept. 7, Alan Jackson takes a more down-home approach.

"My wife said every song I write has either food or cars in it," Jackson says with a laugh. "I said, 'I write about what I like.'"

In truth, Jackson's musical contributions during his 15-year career cover a much broader range of topics. From the poignant post-Sept. 11, 2001, hit "Where Were You When the World Stopped Turning?" to the fun-loving "Chattahoochee" to the wistful nostalgia of "Remember When," his current hit love song "Too Much of a Good Thing," Jackson has continually served up songs that strike a universal chord with audiences.

His warm, heart-felt baritone and ability to write or find great songs have placed Jackson at the top of the format. He's the Country Music Ass'n's reigning Male Vocalist of the Year. (Continued on page 77)
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Alan Jackson could sing a grocery list right now and it would be a hit.

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Gary Salzman, Big Management
Chuck Taylor, Airplay Monitor
Cary Vance, Promo-Only
Garry Velletri, Bug Music
Martha Wash, Artist
AND MANY MORE!

THE BILLBOARD Q&A
Don't miss this one-on-one interview with INTERNATIONAL DJ & PRODUCER

PAUL VAN DYK

THE MAN & HIS MUSIC
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DJ TIËSTO
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Double Whammy For Florida Biz

A Billboard staff report

MIAMI—Hurricanes Charley and Frances have literally dampened Florida's music retail, radio and concert scenes. But the effects of the two storms, while widespread, did not cause any physical damages or losses.

The strongest blow fell on retail, with stores up and down Florida's coasts forced to close for days at a time.

That impact was particularly pronounced following Frances, whose lingering pace shattered much of Florida's East Coast between Sept. 2 and Sept. 6. "Any [physical] damage we had was virtually insignificant," says Anne Roman, corporate affairs counsel for Borders Group. However, she adds, "it was serious because this is a pretty big number of stores closed for more than a day."

But now the industry is watching its weather maps as Hurricane Ivan approaches the Sunshine State.

Roman says she is "watchful of the progress of Ivan. It's sort of a watch-and-wait process. We've been very successful at effectively managing this situation throughout and I don't expect anything less."

Roman wouldn't comment on sales loss numbers in the wake of Frances, but some 25 stores had to close at some point during the storm. All Borders Books & Music stores statewide were open by Sept. 8, as were all Best Buy stores.

"We are able to close very quickly and reopen with minimal damage," says Dawn Bryant, spokeswoman for Best Buy, noting that none of its stores were closed for more than a couple of days. At least four Best Buy stores were shut for Frances, compared with nearly 20 stores shuttered by Charley.

CONCERT RAIN-OUTS
Throughout the state, concert promoters canceled or rescheduled shows as Frances came to town. Initially it was business as usual toward the central Gulf Coast, with the Ozzfest making a scheduled stop Sept. 2 at the

(Continued on page 75)

Sony Ups Execs

Jenner Adds CEO Stripes; Anthony Named COO

By Brian Garrity

NEW YORK—Longtime Sony Music power brokers Don Jenner and Michele Anthony have been tapped to oversee Sony's label operations in the new Sony BMG joint venture.

Jenner adds the title of CEO of Sony Music Label Group, U.S. to his current title of president. Meanwhile, Anthony is named to the newly created position of COO of Sony Music Label Group, U.S. She also holds a corporate level role as executive VP of Sony BMG Music Entertainment.

The moves appear to solidify, at least for now, two distinct fiefdoms within Sony BMG Music Entertainment: a Sony label camp run by Jenner and a BMG label group run by Clive Davis.

The announcements also add more clarity to a still-emerging executive lineup for the newly formed company. They mark the first major personnel moves since the merger was completed last month.

As previously reported, BMG chief executive Rolf Schmidt-Holtz is the nonexecutive chairman of the board of the new company, and Sony Music Entertainment boss Andrew Lack oversees day-to-day operations as CEO.

BMG COO Michael Smellet and Sony Music CFO Kevin Kelleher retain the same roles at the corporate level of Sony BMG.

Jenner and Anthony's counterparts on the BMG side, Davis and Charles Goldstuck, are likely to continue with their current titles. Davis is chairman of BMG North America, and Goldstuck is president/COO.

In the new Sony Music Label Group structure, (Continued on page 82)

Commerce Committee Already Seeing Change

This is the second in a series of articles on the potential effects of the upcoming congressional elections on the music industry.

By Bill Holland

WASHINGTON, D.C.—Even before the November elections, significant leadership changes are taking place on the Senate Commerce Committee.

Sen. John McCain, R-Ariz., must step down as chairman under term limit rules. On the Democratic side, ranking minority member and former chairman Sen. Fritz Hollings, D-S.C., has already announced his retirement. The committee has long been important to the music, broadcast and telecommunications industries because of its jurisdiction over trade, competitiveness, communications and consumer affairs.

If the GOP holds the majority of the Senate after the elections, Sen. Ted Stevens, R-Alaska, will be in line for the chairman post at the senior Republican. Should the Democrats take back the Senate, Hawaii's Daniel K. Inouye would ascend to the chair.

Both senators are running for re-election this year, as is McCain, but in each case the incumbents face little opposition.

Stevens and Inouye have indicated their interest in the position. Stevens is stepping (Continued on page 75)
Infinity Takes To ‘Street’
Radio Chain Unveils Program To Push CD Sales

BY PAUL HEINE
and BRAM TEITELMAN

NEW YORK—Aiming to tap into new sources of original programing while offering advertisers alternatives to the fill-second spot, Infinity Broadcasting has unveiled a new marketing campaign for record labels at meetings in New York and Los Angeles.

Dubbed Infinity Street Date, the multiplatform initiative is intended to create awareness and build a buzz on new releases from marquee artists.

Pitching the concept to labels, advertisers and the press in New York Sept. 8, Infinity chairman/CEO John Sykes compared Street Date to the way a movie studio orchestrates a Friday-night “last blast” of marketing before a major film’s box-office opening. “It’s not just shameless promotion,” Sykes said. “We get great programming, and you sell a lot of CDs.”

The platform: Infinity’s 185 radio stations, clustered in the top 50 markets, with a cumulative audience of 71 million listeners. The participating label and Infinity would tailor the programming and promotional campaign to fit the individual artist, airing it on stations in the formats of the label’s choosing.

SYKES TAILORED PROGRAMMING

Street Date encompasses five different components. The first takes place the morning of an album’s release, when the artist spends two to eight hours at Infinity’s New York studio, making short individual guest appearances on the broadcaster’s major market morning shows around the country via ISDN lines.

A second facet, called Sudden Impact, is a concentrated time buy during retail impact day, placed by the record label, a music retailer or a third-party sponsor. The 15-second spots air once per hour from 5 a.m. to 9 p.m., reminding listeners that they can purchase the album that day.

A third facet is a long-form program called “The Naked Truth” that airs the weekend before or after an album’s release date. The one-hour show, patterned after VH-1’s “Behind The Music,” includes interviews with an artist and features their music. Infinity says the show could receive a minimum of 50 promos.

Another component would involve an “exclusive fantasy promotion” that goes above and beyond typical radio format and meet-and-greets. For example, winners from each participating station get a “private penthouse party” with Lenny Kravitz, including dinner cooked by his personal chef and an acoustic performance by him, in addition to tickets for his concert the next night.

There’s also an online facet to the campaign. In addition to banner ads on all participating stations’ Web sites, visitors would be able to listen to streamed episodes of “The Naked Truth.”

Illustrating the one-day reach of “Sudden Impact” at one format, Infinity executive VP of marketing Jan 21.

(Continued on page 75)

RyanKenny Ready
With New Brand
Trio Of Industry Execs Expand Their Fashion Line

BY MICHAEL PAOLETTA

Russell Simmons has done it. So have Sean “P. Diddy” Combs and Damon Dash.

Each of these entrepreneurs has successfully crisscrossed the worlds of music and fashion.

Joining the list of music-turned-fashion moguls are Ryan Glover (co-CEO of production company Noontime), Kenny Burns (former VP of Roc Music/Roc-a-Fella Records, now a partner in Studio 43) and Derek Dudley (partner in Artistic Control Management).

The musically aware trio’s Italian-designed-and-produced men’s fashion brand, RyanKenny, is readying its first full line for spring 2005.

Earlier this year, RyanKenny partnered with Dash’s Rocwear clothing company, which offers financial, design, production and retail support.

In recent years, Glover, Burns and Dudley have watched the music industry consolidate and downsize.

“Because of the state of the industry, a lot of people are looking for jobs in other areas,” Dudley says.

But it was important to all three that they keep one foot in music. “It gives us an edge on the fashion side of things,” Glover notes.

Already, artists including Usher, Jay-Z, Common and Mos Def are dressing in RyanKenny.

The spring 2005 collection—along with an ad campaign that implores men to “Grow Up”—hits such retailers as Nordstrom and Bloomingdale’s in January. Shirts and suit elements will retail for $170 to $1,000.

“This is a natural progression for us,” Burns says. “Buyers were always asking us what to pair our woven shirts with. We took that as a sign.”

Burns is referring to the line of shirts that launched RyanKenny in 2002. These were sold in trendsetting stores like Fred Segal in Los Angeles and Barneys in New York, which continue to stock the brand.

“From the beginning, quality was key,” Glover says. “We want RyanKenny to compete with the Etro’s, Gucci’s and Prada’s of the world.”

Eschewing casual sportswear (throwback athletic jerseys, baggy jeans and the like) for a high-end, decidedly more stylish sensibility, RyanKenny is, indeed, finding an audience.

Tim Bess, young men’s market specialist for Doneger Creative Services, the fashion color and trend forecasting division of the Doneger Group, credits this success to the “urban contemporary movement.”

Bess says, “The older, urban, contemporary guy in his 20s and 30s is the one out there spending the money. And while the urban sportswear customer likes slightly oversized garments, the specs for lines like RyanKenny and Sean John have slimmed down—and this appeals to both the urban and crossover customer.”

Bess expects this urban contemporary sector to blow up at retail in the next six years. “Men are dressing up,” he adds. “They’re pulling themselves together.”

Fans Like Taste Of Picnic

BY RAY WADDELL

The Firm and Clear Channel Entertainment did well enough with the debut Family Picnic jaunt that the tour will be reprised in summer 2005, possibly with nearly double the number of shows.

This year’s Family Picnic tour, featuring Static-X, TrustCompany, Soil and Arithmetic of War, along with local acts, wrapped Aug. 27 at the White River Amphitheater near Seattle.

With only six dates on the route, all at CCE amphitheaters, the trek was not overly ambitious in scope. But Gayle Boulware, the manager at the Firm who spearheaded the tour, was pleased with the outcome.

“I consider it a success,” Boulware says. “The vibe was amazing, both in front of the stage and in back.”

The top attendance on the tour was about 8,000 at the Meadows Music Theatre in Hartford, Conn. Each show was partnered with local rock radio; in the case of Hartford, it was with WCCC.

THE PICNIC VALUE

The strategy of Family Picnic, an offshoot of successful Family Values tours by such bands as Korn and Limp Bizkit in the late 1990s, was to put developing rock bands in front of good crowds at an affordable price. Tickets for the shows were $10, all general admission, with women admitted free.

CCE was a likely sponsor of the project, because a promoter of its size can afford to invest in a tour with hopes of a payoff later on. Even though Fuse and Virgin Colas were along for the ride as sponsors, Family Picnic was not a sponsor-driven event, though it may be in the future, Boulware says.

What Family Picnic did was put some young bands to work in the summer months, when support opportunities are sometimes hard to find.

“There are not a lot of tours available for mid-level or developing acts,” Boulware says. “This summer there were only Ozzfest, Projekt Revolution, Lollapalooza and Warped, and not all bands fit into these slots. There is a finite amount of opportunities yet an enormous amount of developing or young bands.”

The low ticket price allowed fans of hard music to go to Family Picnic and the higher-priced multi-act tours, Boulware says. “These are rabid music fans, and they want to go to as many shows as they can.”

Getting radio on board was a huge help, Boulware says. Some stations co-branded Family Picnic with their (Continued on page 62)
The only place hotter than Athens was Miami.

And we're not just talking about the temperature. The 2004 VMAs beat out the Olympic closing ceremonies, and became the most watched telecast in all of cable for 2004*. Thanks to all the performers and the presenters for helping us heat up Miami.

*Source: Nielsen Media Research, Galaxy Explorer. MTV VMAs vs. NBC Olympic Closing Ceremonies, 8/29/04 full program, P12-34 (000). MTV VMAs 8/29/04, 8:02-1:22p vs. all cable network telecasts, 12/29/03-8/29/04, P12-34 (000).
Holiday Over On Capitol Hill

BY BILL HOLLAND

WASHINGTON, D.C.—Shortly after lawmakers returned to Capitol Hill after recess, the fur started flying on a House committee that oversees record and movie industry matters. The Republican chairman of the House Judiciary Committee and its copyright panel decided, over the objections of Democrats, to amend a top-priority anti-piracy bill with unrelated legislation. The bill, with the amendment, was marked up and passed on Sept. 8.

The main provision of the bill, the Piracy Education and Deterrence Act, H.R. 4077, gives prosecutors the authority to go after egregious uploaders of unauthorized copyrighted files as possible felons. The bill would also require peer-to-peer services to post warning notices stating the legal dangers of file-sharing, and it provides for extra federal funds and training programs for copyright enforcement.

At the Judiciary Committee markup hearing, chairman Rep. James Sensenbrenner, R-Wis., counted on Republican votes to successfully add to the anti-piracy legislation a bill that is opposed by Hollywood.

The add-on bill, the so-called Family Movie Act, H.R. 4586, would allow companies to remove scenes of sex and violence from movies and offer a “clean” version for sale without fear of prosecution for copyright infringement. Companies that employ the ClearPlay software, which can be used for such filtering purposes, are now involved in lawsuits filed by directors and film studios.

The amended bill was put forward by Rep. Lamar Smith, R-Texas, chairman of the Judiciary Subcommittee on Courts, the Internet and Intellectual Property. It now goes to the House for approval.

The day before the markup, the two top Democrats on the committee, Reps. John Conyers Jr. of Michigan and Howard Berman of California, wrote to Sensenbrenner and Smith to ask them to reconsider.

“IT is troubling that now that [H.R. 4077] is virtually finalized, you are contemplating on a unilateral basis to add the controversial and unrelated clean film measure,” the two Democrats wrote. “While H.R. 4077 will be a non-controversial initiative, H.R. 4586 retains significant opposition from members and industry and could jeopardize the passage of H.R. 4077.”

As amended, the bill may hit Hollywood studios against movie directors, insiders say. As much as the studios disapprove of H.R. 4586, the film and music industries want the tougher anti-piracy standards. Therefore, they might choose to allow the amended H.R. 4077 to proceed to the House floor without any further lobbying against it.

In other music-related government news, proponents and opponents of the Induce Bill met Sept. 7 at the Copyright Office to hammer out an amended draft version that focuses liability on “mass-infringing” P2P services.

The Copyright Office forwarded its recommendations to the Senate Judiciary Committee Sept. 9.

The Induce Bill, S. 2560, would enable artists and labels to sue P2P networks that profit by “inducing” consumers to illegally share protected copyrighted works.

(Continued on page 75)

Industry Remembers Capone

BY LEILA COBO

Last month, Tom Capone became the most-nominated Brazilian in the history of the Latin Grammy Awards. With five nods to his name, Capone, one of Brazil’s most prominent producers, was catapulted into international consciousness.

But the morning of Sept. 2, just hours after Brazilian artists Maria Rita and Skank picked up Latin Grammys for albums he produced, Capone died of injuries following a motorcycle accident in Los Angeles.

Capone, whose real name was Luis Antonio Ferreira Gonçalves, was flown back to Rio de Janeiro, Brazil, where he was buried Sept. 6. “As far as the Brazilian musical scene today, he was the most successful Brazilian producer,” Warner Music Brazil president Claudio Condé says.

Although Capone was only 37 years old, he had worked with such prominent Brazilian artists as Gilberto Gil, Milton Nascimento, Raimundos, Barao Vermelho, Nando Reis, Mariana Monte, Carlinhos Brown and Luciano.

In addition to working as an independent producer, Capone was director of A&R for Warner Music Brazil.

“It’s a huge loss for Warner and for Brazilian music,” Condé says. (Continued on page 75)

Event To Showcase 7 Acts

The acts have been selected for the Billboard Who’s Next showcase event during Advertising Week in New York. Advertising Week—a new event celebrating the impact of advertising and media on American life—will take place Sept. 29-30 at locations throughout the city (Billboard, Aug. 14).

The Billboard showcase will be held Sept. 21 at the B.B. King Blues Club & Grill. The live show, co-produced with the White Entertainment Group, will provide an opportunity for up-and-coming artists to perform for an invitation-only audience of advertising and media agency personnel.

Performing will be country artist Billy Currington (Mercury), Latin singer/songwriter JD Nataha (EMI Latin), rock band The Dambuilders (Epic), urban artist Trey Songz (Atlantic), guitarist Kali King (Epic), alternative rocker Aslyn (Capitol) and singer Susie Sue (Epic).

Billboard will also host a panel, “Earnings Opportunities in Music Marketing & Advertising,” Sept. 23 at the Museum of Television & Radio. The session will feature EMI Music Publishing chairman/CEO Martin Bandier; Deutsch Inc. managing partner/executive creative director Kathy Delaney; Sony Music senior VP of strategic marketing Chris Hamer; Gregg Lowerman, president of Aware Records and A-Squared Management; and Ken Schlager, executive editor of Billboard.

Admission to the panel is free, but seating is limited. To register, contact Joe Knau at 646-654-4634 to reserve your seat.

NEWS L INE

The Week In Brief

Attnet and its parent, Brilliant Digital Entertainment, have filed a civil suit against the Recording Industry Asso. of America and others, alleging the breach of “TrueNames” patents that are used to identify digital files. The suit names as defendants RIAA CEO Mitch Bain-wol, former CEO Hilary Rosen and president Cary Sherman, as well as Media Sentry, Overpeer and Overpeer parent Loudeye, companies that heard of 11 peer networks e-mail, or download media files. Kinetic’s patents allow digital files to be uniquely identified via tags called “hash identifiers.” Attnet licensed the patents in 2002 and has since developed business partnerships with Kazaa and other P2P companies.

The RIAA has reportedly used spoofing in its efforts to fight P2P networks that enable the sharing of unauthorized music files. The suit claims that the trade group’s actions violated Kinetic’s patents. In an e-mail, Overpeer CEO Marc Morgansbrant states, “We vigorously deny these claims and find them to be completely baseless and without merit.” RIAA representatives could not be reached for comment by press time.

RealNetworks’ recent 94 cent download promotion for its RealPlayer 10 Music Store generated more than 3 million paid downloads in three weeks, according to the company. For a typical week in August, Real, which typically charges 99 cents per song download, would not reveal sales figures for a typical three-week period but says there was a “four-fold increase in the number of users.”

The promotion began Aug. 17 and ran through Sept. 6 to promote Harmonix, a new technology that makes tracks from the RealPlayer Music Store compatible with Apple Computer’s iPod and more than 100 other portable digital music players.

Scott Ryan, RealNetworks VP of music services, says album sales—which were discount-priced at $4.99 during the promotion—increased “significantly” during the event.

“There were more buyers who purchased more tracks, with more tracks purchased per each transaction,” Ryan says. “If the industry wants to encourage album sales, lower prices appear to,” he adds (see story, page 49).

On Sept. 8, the RealPlayer Music Store began featuring the Rolling Stone Top 10 Hot List, a mix of tracks that includes 40 cent selections compiled by the magazine’s editorial staff. The inaugural Rolling Stone list includes Beastie Boys’ “Triple Trouble,” Kevin Lyttle’s “Turn Me On,” Sleater-Kinney’s “Off With Your Head” and tracks by Maroon5, Ray Charles and Nelly.

Scott Bakeriee

Scottish alternative rock act Frances Ford won the 2004 Nationwide Mercury Prize with its self-titled debut album.

The annual music industry award recognizes the U.K. or Irish album of the year. It was presented Sept. 7 at the Grosvenor House Hotel in London to the 11 panel of 15 representatives, who chose the winner from a 12-album short-list announced July 20. A total of 180 albums were entered for the 2004 award.

“Frances Ford” was released in February on indie label Domino. It had been a joint favorite to win the award with LockedOn’s 6979 Recordings release “A Grand Don’t Come For Free” by U.K. garage act the Streets, according to bookmaker William Hill.

Tom Ferguson

Online rental company Netflix is reportedly negotiating with TiVo, manufacturer of TiVo digital recorders, to allow Netflix subscribers to download movies from the Internet to a TiVo device, according to Newsweek magazine. Newsweek says the deal could close by Sept. 10.

Netflix has long planned to provide electronic delivery of movies. The company previously announced it would launch such a service in 2006. Netflix also plans to offer subscribers the option of downloading movies from its Web site as part of a regular subscription. TiVo has also announced plans to deliver unique content to its subscribers. A Netflix/TiVo system would require users to have a broadband connection and subscriptions to both services.

Jill Kipnis

Fuse has teamed with Maxim magazine for initial episodes of new late-night series “Fuse’d.” The half-hour show will spotlight music-industry trends and artists. The series is part of Fuse’s new late-night programming block. After Party, which launches Oct. 4, is part of that block. Fuse will also debut music video show “After Party Video Hour” for hip-hop and rock clips.

Carla Hay

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MONDAY

- Times Square Celebration of America's Favorite Ad Icons Tony the Tiger®, Mr. Peanut®, Miss Chiquita®, Mr. Clean®, and other legendary advertising icons kick off The Week with a grand procession from Times Square to Madison Avenue and 50th Street
- Grand Central Terminal Exhibits Never-before-seen public exhibits celebrating the works of The Ad Council, The Partnership for a Drug-Free America®, The Ballyhoo of Broadway, and the famed I ♥ New York® campaign
- Madison Avenue Advertising Walk of Fame America's favorite ad icons and slogans are revealed for the first time as voted by the public via Yahoo! and USA TODAY
- Fluid Battle of the Ad Bands Advertising and rock and roll collide at Irving Plaza with a new-age version of an old-time "battle" to benefit New York City public schools

TUESDAY

- TV Land Presents Legends of Madison Avenue Advertising's leading creatives take the stage at the Museum of Television & Radio for a panel discussion moderated by The New York Times advertising columnist Stuart Elliott
- Billboard “Who’s Next” Music Showcase Celebrating the centrivity of advertising and pop music. Live music event at BB King's featuring cutting-edge talent handpicked by the major labels
- Creativity No Spot Short Film Festival Featuring original short films produced by advertising industry professionals. Winners to air on the Independent Film Channel (IFC)
- Panasonic Ideas for Life Keynotes Where are the advertising and media industries heading? What's the next “Big Idea?” Madison Avenue’s leading luminaries reveal their fearless forecasts

WEDNESDAY

- ESPN Celebrates 25 Years of great sports advertising and remembers other all-time favorites — from Joe DiMaggio and Mr. Coffee®; to Yogi Berra and Yoo-hoo®; to Joe Namath and Hanes; and to Michael Jordan and Nike
- Kellogg’s Leadership Breakfast Advertising industry leaders start their day with Tony the Tiger® and friends at the Grand Central Terminal exhibits
- The New York Times Celebrates Broadway Live noontime performances by stars from Broadway's biggest musicals at Grand Central Terminal
- Yahoo!/OMD Internet Deprivation Study Results Released How would our lives be impacted if the Internet went away? We’ll find out as findings from a brand-new study commissioned for Advertising Week in New York City are released

THURSDAY

- Smokey Bear's 60th Birthday Celebration America wishes happy birthday to one of advertising's most beloved and important icons, Smokey Bear, with a celebration at Grand Central Terminal
- Forbes Highlander Leadership Cruise Advertising and media leaders take to the high seas for a cruise in New York Harbor on the famed Forbes Highlander
- Central Park Concert A celebratory concert in historic Central Park

FRIDAY

- Advertising Futures Public school outreach program with campaign pitches produced by New York City high school students
- Advertising Week in New York City Closing Ceremony The week closes at Vanderbilt Hall

For more information about each event and a complete schedule, visit www.advertisingweeknyc.com.
Muddying The Waters

A federal appeals court decision that a two-second sample of a recording infringes the sound recording copyright is making industry lawyers drop their jaws in disbelief.

If this ruling sticks, hip-hop artists and producers will feel the pinch to their share of earnings and may back away from using recognizable samples—as documented in this week's Page 1 story. But that's not the only red flag that lawyers see in the ruling.

Noting that federal copyright law didn't protect sound recordings until 1971, the court wrote that "there is a large body of pre-1971 sound recordings that is not protected and is up for grabs as far as sampling is concerned."

The court, one lawyer says, seems to encourage producers to "sample like crazy." But that ignores state laws that protect many older recordings.

So while declaring open season on vintage recordings, the court is over-


ing the much myths the waters.

The court is turning copyright law on its ear by carving out an exception for sound recordings.

works like compositions, photographs and artwork is not infringement. For example, using a small corner of a work of art in a collage is not an infringement of the original work.

In its ruling, it was trying to simplify the law for those engaged in digital sampling. In fact, it has muddied the waters by giving greater protection to the sound recording than the composition.

That's hardly the way to make life simple for anyone in the music industry—especially young producers working in home studios.

Still, many in the industry will applaud this decision. It appears to extend greater protection for rights holders so they try to collect fees and stop other from using unauthorized samples.

But the ruling, with its unprecedented turns and twists, can hardly be seen as encouraging creativity.

And that's bad news for everyone.

— Susan Butler and Ken Schlager

New Work By Living Legends Deserves Place In Format

Adult R&B: Keep It Real

Ain't Nothing Like the Real Thing" is a legendary "Motown song written by the late Marvin Gaye and Tammi Terrell. The title also expresses what I would like to say to programmers of adult R&B stations that primarily play R&B oldies and today's current hits made famous by the late Terrell. However, after a dozen years of hearing the hits of the '60s and '70s over and over again, the audience is getting tired of the same old songs.

Thankfully, certain satellite radio programming scouts the R&B vaults for obscure vintage album cuts, and by doing so, issue a challenge to broadcast stations to step up and vary their playlists.

While the adult R&B audience is aging, it is by no means old. This generation, which created the first and largest LP-buying market, still has a great affinity for the "real thing"—that is, new music by the stars of its era who are still in good voice, as well as newcomers who are vibrant, entertainers.

Several record companies, including Columbia, Blue Note, Music World, Trump, Cash Money and Def Soul Classics, have been aggressive in filling a hole in the market by releasing new albums from such living legends as Prince, Patte LaBelle, Stevie Wonder, Bootsy Collins and others.

With Teena Marie's "La Dona" (Cash Money Classics/UMI) debuting at No. 6 on The Billboard 200 in May and selling 75,000 units in its first week, it is clear that a significant market exists for this type of product. However, adult R&B stations' approximately 1,200 spins per week of its "Still In Love" may severely limit her potential for crossover formatting and continued significant sales.

Prince's "Musicology" (NPG/Columbia/ Sony Music) has gone platinum because of his unique sales strategy: He includes the album in the purchase price of a ticket for his current concert tour. Adult R&B stations and their advertisers should note that while other tours are only 50%–60% of capacity, Prince's tour is selling out every date.

Clearly, there is a market, and there is no denying that the audience has the money to satisfy their tastes. The Adult R&B format should consider include long overdue legends like Anita Baker and the O'Jays are delivered to you stations, then give them the multiplicity of spin they deserve.

Let's celebrate the current and the past recording contributions these living legends make to America—the world's greatest source of R&B music.

Remember, "Nothing like the real thing, baby."
Fogerty Familiar With Déjà Vu

BY RAY WADDELL

John Fogerty's new album, appropriately titled "Déjà Vu All Over Again," projects an air of familiarity, typified by Fogerty's distinctive voice, guitar and melodic instincts.

But the subject matter, particularly the title cut, which serves as the first single, is firmly placed in the here and now.

Released Sept. 14 on Geffen, "Déjà Vu" is the first album in seven years for Fogerty, a Rock and Roll Hall of Famer known by many as the driving force behind late-1960s rock stalwarts Creedence Clearwater Revival.

Sporting a melody reminiscent of classic Creedence fare, the "Déjà Vu" single's lyrics draw parallels between the war in Iraq and Vietnam.

The subject is close to Fogerty's heart.

"Most guys my age made a promise to ourselves as the Vietnam War was winding down that our country would never do this again—at least I did," Fogerty tells Billboard. "I thought the book was closed on that. But about a year ago when everything was heating up to go to Iraq, I thought, 'Uh-oh, this is probably folly.'"

"Déjà Vu" aside, war and politics are not prevailing themes on the album. "I really wasn't intending to make a controversial or political record," Fogerty says. "I'm a very happy man. I'm not angry."

Indeed, while the record rocks on such cuts as the punishing 'She's Got Baggage' and hard rock anthem 'In the Garden,' the quieter, more light-hearted moments, like the gentle romance of 'I Will Walk With You' or the humble domesticity of 'Honey Do' and the jaunty 'Rhubarb Pie,' are some of its most compelling passages.

"I'm a rock'n'roll musician, and at the time I was growing up, the first order of business for rock'n'roll was to have fun," Fogerty says.

LONG TIME COMING

Despite the long break since his last album, 1997's "Blue Moon Swamp," Fogerty maintains he is "always working on music." But life—

(Continued on page 14)
Mullens’s Music Seeks ‘Everyday People’

When Nicole C. Mullen began working on her new Word Records release, “Everyday People,” she knew exactly what she wanted to reach.

“I wanted to make sure that it was something that spoke to and for the everyday person, whether you were here in the United States or in Africa,” Mullen says. “I wanted to make sure I highlighted the everyday hero that we easily pass by. It could be the mom who birthed you or it could be the neighbor next door to you or the person you smile at in the mall.”

Mullen’s all-inclusive attitude, combined with her powerhouse vocals and songwriting chops, has made her one of the industry’s most successful artists. She was named SESAC’s songwriter of the year in 2001, and has nabbed six Gospel Music Assn. Dove Awards, including 2002 female vocalist of the year. She also won Dove in 2001 for songwriter of the year and song of the year for “Redeemer.”

Mullen says she had resolved to title the album “Everyday People” even before she decided to cover the Sly & the Family Stone classic. “I heard it on a car commercial or something and really I didn’t know it,” she says. So she looked up the lyrics on the Internet and realized it was “a great way to say what I say all the time about how we of different cultures and colors need to get together and live in peace.”

Mullen is hoping to spread that message beyond the Christian music community. “I wanted to make sure [this album] was something that I could take to a broader audience,” she says, “but the Christian industry is my base and always will be.”

Though there were no firm plans at press time, there’s a possibility that Word’s parent company, Warner Bros., might take a single from the album to R&B adult radio. In the meantime, Word is promoting the Sept. 14 release via a street-week promotional tour, a print advertising campaign and media exposure.

The label is working three songs to gospel radio, according to senior VP of marketing and artist development Mark Lusk, who says the album also has potential singles for the Christian AC, adult R&B and hip-hop formats. “The album’s [potential] audience is diverse.”

The album was produced by Mullen, her husband David Mullen, Tommy Sims, James “Big Jim” Wright (Mariah Carey), Andrew Ramsey and Shannon Sanders (India.Arie). Funk legend Bootsy Collins is a special guest on the cut “Message for Ya.”

“Bootsy used to go to church in Cincinnati,” says Mullen, who connected with Collins when he came to a concert. “He put some guitars and bass and vocals and keyboards and all kinds of stuff on it. He definitely brought the love to the track.”

Booked by Creative Artists Agency, Mullen hits the road this fall to support the record and bring awareness to International Needs Network Ghana, an organization working to free Tukrosi slaves in the country. “They showed me this video of what they did, and I was just so hopeful that in this day and time slavery still exists. The dollars we take for granted can do so much more in another place to help somebody else toward a life of freedom.”

SIGNINGS: Joyce Martin has signed with Scott McReynolds of Vertical Entertainment for management and the J. Roberts Agency for booking. Martin, known for her work with Dove Award-winning trio the Martins, recently embarked on a solo career with “Diamonds on Dusty Road,” a Spring Hill Music album produced by Phil Naith. The single “This Is My Prayer” recently went to Christian AC and inspirational radio.

Nashville-based Pinnacle Entertainment has signed a deal with Provident Distribution to release product in North America. Pinnacle was launched in 2003 by Marc Harris, known for his work with BeBe & CeCe Winans, Amy Grant and Vanessa Bell Armstrong.

Continued from page 13

including a new baby daughter and a couple of cross-country moves—got in the way of making a new recording.

And though the new album’s 10 songs clock in at just over 34 minutes, Fogerty believes it is a fully realized work.

“I feel like [the record] does have what it needs,” he says. “It might not if you’re holding a stopwatch. [Hollie 1984 album] “Centerfield” was just five seconds short of being 35 minutes. These were just the songs I had, and it felt done.”

Fogerty doesn’t think an artist necessarily has 20 great songs in him for one recording project. “As a songwriter and producer of my own record, I tell myself it’s impossible to have 20 good songs,” he says. “A record is a presentation, not a reality show.”

The length of the record doesn’t seem to be an issue for Geffen, which will price it at $9.49 wholesale/$13.98 suggested retail as part of Universal Music & Video Distribution’s JumpStart program.

“We believe this is an amazing piece of work he put together,” says Paul Kremer, head of marketing and public relations for Geffen. “It’s not about size, it’s about quality.”

The team at Geffen believes the record will attract old and new fans. “John has a very solidified base, and we want to make sure we hit it,” Kremer says. He says Geffen is targeting triple-A classic rock radio, and an ad campaign will include TV, print and radio buys.

“We’ll do everything we can to garner the attention of John’s audience, but given the strength of the single, we think we’ll be able to attract a whole new audience,” Kremer says.

Radio is starting to take notice. “It’s the best of both worlds,” says Dave Benson, PD for KFOG San Francisco, a triple-A station that jumped on the single early.

“This is a new John Fogerty song with a very contemporary message that feels like one of the most popular Creedence songs you could imagine,” Benson explains. He adds that the song’s message is “a very popular sentiment in the Bay Area.”

Mark Hudson, rock and pop buyer for Trans World Entertainment, says he is receiving positive feedback from his stores. “We poll our stores every week about upcoming releases, and this one is coming back with a pretty good buzz,” Hudson says. “[Fogerty’s] profile must be a little higher because of the political aspects of the song and exposure from the [Vote for Change] tour.”

Fogerty will be backed by Bruce Springsteen & the E Street Band on his Vote for Change dates, which begin Oct. 1.

“IT’s going to be a ball,” he says. “I don’t know exactly what songs I’m going to do or how many, but this will be the first time Bruce and I have appeared onstage together, outside of privately in a small club or at a benefit.”

Following that tour, the Creative Artists Agency-booked Fogerty will embark on solo dates.
Small Print Can Lead To Big Disputes

It's no secret that negotiating contracts for the entertainment industry can be tricky. As rights are licensed and sub-licensed throughout the world and companies merge or acquire other companies, a simple phrase like "at source" or a definition of "company" can make the difference between receiving thousands of dollars or being liable for millions.

These contract provisions come into play when someone who holds rights to an artistic property will be paid a percentage of money received by the other contractual party, such as 50% of gross or net receipts. Although many lawyers define "gross receipts" as that amount of money received by the obligated company, a couple of examples show why this may not be enough to protect the parties involved.

In the 1970s, a British artist who wrote songs for his band signed a record deal and a publishing contract with the same independent U.K. company. He assigned his song copyrights to the publisher, who agreed to pay him 50% of all fees the company "sister" U.S. publisher to license and collect royalties in the United States for the U.K. catalogue of songs. They entered an arm's-length agreement, meaning the terms were the same as those customarily made between unrelated companies.

Years later, the major U.S. publisher licensed one of the songs for use in a national TV commercial for a large sum of money. The U.S. publisher sent 50% of the license fee to the U.K. publisher per their agreement.

The U.K. publisher, per the songwriter's agreement, then shared what it received with the songwriter. The result was that the major effectively received 75% of the fee (50% in the U.S., 25% in the U.K.), and the songwriter received 25%—not the 50% he anticipated when signing his deal.

This songwriter could have been protected from this result if his contract simply stated that his 50% share of license fees would be calculated "at source," meaning 50% of the amount received by the U.S. publisher—where the money was first received from the third party. Many publishers agree to include this provision.

The film industry does not use the term "at source," but the concept is the same in deals made for those with cloud. Such a contract provision is at issue in a pending litigation. The Saul Zaentz Co. acquired rights to the J.R.R. Tolkien works "The Hobbit" and "The Lord of the Rings," according to a lawsuit filed Aug. 18 in Los Angeles Superior Court. Zaentz optioned certain theatrical motion picture rights for the "Rings" trilogy to Miramax Films.

(Continued on page 62)
Frisell Samples Vinyl For Nonesuch Set

You can't box Bill Frisell in. Arguably the top jazz guitarist of the day and invariably the most emulated six-stringer by up-and-comers, the indefatigable Frisell has enjoyed immense critical acclaim while thoughtfully and whimsically following his intuition. Beginning with his 1982 ECM Records debut "In Line," he has recorded jazz-fueled albums ranging from avant-rock to country to pastoral folk. Now he has tossed up a new curve ball. "Unspeaking," released Aug. 24, is a thoroughly entertaining

album of dance-friendly, sample-strewn songs. Produced by Hal Willner, who mans the turntables and triggers the samples, the CD is Frisell's 19th for Nonesuch Records. After a series of quieter releases, Frisell gets funky yet atmospheric here and even revisits the rock snarl of earlier albums, especially on the soul-infused "White Fang." He enlists 858 Strings—the trio of Jenny Scheinman (violin), Eyvind Kang (viola) and Hank Roberts (cello)—as guest performers. "This is something I've been wanting to do for 20 years with Hal," Frisell says, talking between sets at the Village Vanguard in New York. He was in the midst of a brilliant two-week stint of angular free-speech jazz in drummer Paul Motian's trio that also features saxophonist Joe Lovano. "The first time I appeared on a recording was with Hal on his 1981 tribute to Nina Rota," he says. "Since then I've worked on more than 30 of his albums." Frisell was visiting Nonesuch's New York offices when Willner was discussing the production of a new Laurie Anderson project with label president Robert Hurwitz. "Bob asked me what my next record was going to be, but I told him I hadn't figured it out yet," Frisell recalls. "He suggested working with Hal, so that was cool." Several years ago, Willner, as musical director of "Saturday Night Live," scooped hundreds of obscure vinyl albums NBC was tossing from its music library. Frisell says sampling those discs became like a new instrument for Willner. "When we started working on the project in L.A., Hal shipped out hundreds of those LPs and kept pulling them out as we tried to figure out how to collaborate," Frisell says. "We didn't begin with a plan but worked out a process of bringing the samples and my guitar together. Then toward the end I wrote the string parts. That's when I was able to say, 'Now it's my record.' "

Some of the unusual samples Frisell and Willner use include pieces of "Twisted Soul" by G. Rock and C. Brill, "Sound of Crickets" by Mac Gillar and "Shock Treatment Background No. 1" by Trevor Duncan.

BIG EASY HORN BLAST: Twentysomething trumpeter Maurice Brown celebrated the release of his fine premiere CD, "Hip to Bop," Aug. 28 in front of a packed house at the Snug Harbor Jazz club in New Orleans. The young Chicago native has been based in the Crescent City for the last few years, engaging in jam sessions, holding forth at Snug Harbor every Tuesday night and impressing the locals. Among his admirers are jazz elder Ellis Marsalis, who penned the disc's liner notes. "This year I decided to invite Maurice to make a guest appearance with my group at the annual Jazz and Heritage Festival in New Orleans," he writes. "The audience response was nothing short of sensational." "Hip to Bop" released Aug. 31 on the artist's own Brown Records, features eight originals ranging from classic bop and funk to electronic with a wah-wah trumpet display on the title track.

Currently the album is available only on Brown's Web site (mauricebrown.net) and New York record store NYCD's site, nycd-online.net.

THREE DOT LOUNGE: The Whole Drum Truth jazz residency program takes place Sept. 15-18 at Yale University in New Haven, Conn. The inaugural event showcasing the role of drums in jazz features a four-drummer concert Sept. 17 with program leader Tootie Heath and his time-keeping cohorts Jimmy Cobb, Ben Riley and Ed Thigpen at Sprague Memorial Hall...Tenor saxophonist Michael Brecker received an honorary doctor of music degree Sept. 3 from Berklee College of Music at the Boston school's fall convocation.
In the heat of the Memphis summer, every year, they come. Legions of Elvis Presley fans arrive in this city for Elvis Week every August to celebrate the life that ended on Aug. 16, 1977, and the legacy that lives on.

But this year was different. This year, the fans also found their way to Memphis one month earlier, not to remember Elvis' end, but his beginning.

On July 5 in Memphis, Elvis' followers celebrated the 50th anniversary of the recording of his first single, "That's All Right," at Sun Studio.

For Elvis' record company and for the keepers of his flame at Elvis Presley Enterprises in Memphis, the 50th anniversary is part of a campaign that includes polished reissues of classic audio and video performances.

For his fans, the anniversary reminded one and all that, yes, still, Elvis lives.

OUR ICON IN CHIEF
But which Elvis?
For when we speak of Elvis, our icon in chief, we could be speaking of many Elvies.

We speak of the hillbilly cat, the lean, raw and hungry young Southern Man who cut those tracks for Sam Phillips' Sun Records down on Union Avenue.

Or do we speak of the courteous young man who did his duty to serve his country when he was drafted into the Army at the peak of his early fame, in 1958?

We may speak of the handsome Hollywood hunk who averaged three movies a year from 1961 to 1967. Some were even memorable.

Or, when we picture Elvis, do we see the black-leather-jacketed singer whose Dec. 3, 1968, live TV performance restored some of an almost unfathomable amount of lost credibility and pride?

(Continued on page 30)
BMG Reaffirms Presley’s Status

BY MIKE LEVIN

Joe DiMuro was just another Elvis Presley fan when he took over responsibility for the King’s catalog almost two years ago as executive VP of BMG Strategic Marketing Group.

Today he is a patron. Not many executives use words like “mythological Greek god” to describe their artists. This year, DiMuro and his team have reaffirmed Presley’s status in the pop pantheon, coordinating the release and marketing of three CDs and two DVDs that anchor a tribute to Presley and the birth of rock’n’roll.

FOURTH QUARTER PUSH

The releases celebrate the 50th anniversary of Presley’s first recording session at Sun Studio on Union Avenue in Memphis on July 5, 1954. The titles will receive renewed promotion at retail going into the key fourth quarter.

This year’s campaign started in March with “Elvis: Ultimate Gospel,” which reintroduced fans to the only genre in which Presley won Grammy Awards.

Then in June came the remastered “Elvis at Sun” and the definitive “Memphis Celebrates 50 Years of Rock’n’Roll,” a 21-track commemoration of the genre’s roots that includes two Presley tracks and tunes from Carl Perkins, Jerry Lee Lewis, Aretha Franklin and B.B. King.

Two expansive DVD sets, also released in June, highlight Presley’s effect on pop culture. The three-disc “Elvis: ’68 Comeback Special” covers every moment from rehearsal to finished product of, arguably, the most important event in the King’s career; and the two-disc “Elvis: Aloha From Hawaii” re-creates the 1973 concert that was originally broadcast to 1.5 billion people around the world.

“Most of these are seminal performances—Elvis unfettered, so to speak,” DiMuro says, “When you have a premium product like this, you have to focus not only on sustaining the legacy now but for many years to come.”

There’s a back story that helps define the whole project, and it’s only partly about a Memphis son who, according to the Recording Industry Assn. of America, became the country’s biggest-selling solo artist 27 years after his death. Presley’s enduring worldwide popularity contributed mightily to this sales success. But so did the decision by Elvis Presley Enterprises and RCA Records—which has been part of BMG Entertainment since 1986—to relaunch the King’s musical catalog.

The effort began in 1989 with the creation of an international team charged with drafting a new sales strategy. Its first task: locating Presley’s original session tapes. Tackling that challenge were lifelong Presley fans and researcher Ernst Mikael Jorgensen, then a BMG executive in Europe, and Roger Semon, then marketing manager for BMG in the United Kingdom and now a BMG consultant and COO of Sanctuary Records Group.

The first result of their work was Grammy-nominated, five-CD boxed set “The King of Rock’n’Roll,” released in 1992 to critical acclaim.

That release gave BMG and EPE a whole new way of approaching Presley’s repertoire.

Semon says, “This systematic approach allowed both parties to identify and isolate the best audio sources and evaluate unreleased performances for future strategic exploitation.”

But releasing more records was not the solution. In 2001, there were 350 different Presley audio titles bouncing around the market, each with varying themes and sound qualities.

THE WOW FACTOR

BMG reduced its available Presley catalog to 50 titles and began planning a release schedule that would renew the “wow” factor among fans and retailers. The concept of “Elvis: 30 #1 Hits” was born. Producing the CD was no simple task—Presley’s U.S. and U.K. chart-toppers far exceeded 30 tracks, and most of the masters were very old and recorded in mono and three-track. Some were stored in boxes that hadn’t been opened in years.

But the album, released in 2002, recaptures the energy and integrity of Presley’s original recordings with remarkable success.

(Continued on page 30)
ON JULY 5, 1954

HE WALKED INTO
SUN STUDIO
AT 706 UNION AVENUE.
WHEN HE WALKED OUT,
HIS WORLD AND OURS WERE CHANGED.
50 YEARS LATER...HE'S STILL

CONGRATULATIONS ELVIS ON 50 YEARS OF ROCK 'N' ROLL

BMG STRATEGIC MARKETING GROUP & ELVIS PRESLEY ENTERPRISES, INC.

A Family Franchise

BY MIKE LEVIN

The legacy of Elvis Presley is in good hands. A few years after his death in 1977, Presley's estate and rights to his music and likeness came under the control of a trust and board of trustees, headed by his ex-wife, Priscilla. With it came a business plan to manage the King's memory and music available to a fan base that held Elvis close to its heart, both during his life and after his death.

Jack Soden was there in Memphis from the beginning, helping Priscilla and other trustees create accessibility to all things Elvis. Soden helped form Elvis Presley Enterprises when the artist's daughter, Lisa Marie Presley, turned 25 and took control of the trust in 1993. He became president soon after.

Now involved in activities that range from licensing to charitable foundations, EPE is a large private company, yet it remains as close-knit as the clan Elvis always kept within his reach.

"It's fabulous being part of the family and helping represent the franchise," says Joe DiMuro, executive VP of BMG Strategic Marketing and the man in charge of Elvis' music catalog.

During the past two years, Soden and DiMuro have overseen a renaissance of Presley's audio and video output at a time when his music had lost a sharp focus. During a hectic year celebrating the 50th anniversary of rock 'n' roll's birth in Memphis, Soden talked with Billboard about EPE's role in maintaining Presley's legacy.

How did you become involved with EPE?

I had the good fortune of being invited to help Priscilla Presley and the co-trustees of Elvis' estate develop a plan to open Graceland for tours in 1982. That early success really laid the foundation for what became another chapter in the story of Elvis' continuing place in popular music and culture. Without Elvis' legacy, there would have endured no breach in the music business. Graceland definitively provided a unique place for fans to experience Elvis the man.

Elvis' fans have always been integral to maintaining his legacy. How important are they to EPE's business operations, Graceland and licensing?

Our success has grown to where we employ more than 400 people, and each part of the business supports the other. For instance, even if Graceland just broke even, it would remain critically important as a support for music, licensing, publishing and other things. Licensing is very fluid. The constant is our demand for quality, and over time, tastes and trends change. Merchandise at Graceland and worldwide springs from the same goal of providing Elvis fans with tangible tokens of an intangible experience. At the heart of it all, though, is always the power of the music.

(Continued on page 2E)

Elvis Catalog
An Evergreen

BY JIM BESSMAN

The songs Elvis Presley recorded appear regularly in films, TV shows, advertisements and, increasingly, in nontraditional outlets through the work of Chrysalis Music Publishing and Cherry Lane Music Publishing.

Elvis Presley Music (BMI) and Gladys Music (ASCAP) are two catalogs that contain many of the songs Presley performed, notes Gary Hovey, VP of entertainment and publishing for Elvis Presley Enterprises.

Lisa Marie Presley owns 50% of the catalogs, while 25% is owned by the estate of Julian Aberbach and 25% by the estate of Jean Aberbach, Hovey explains. The Aberbach brothers, who co-founded the Hill and Range music publishing company in 1943, signed a publishing deal with Presley early in his career and established Elvis Presley Music and Gladys Music, which was named for Presley's mother.

Chrysalis Music administers the 50% share of the catalog Lisa Marie owns and the 25% share Julian Aberbach's heirs own. Cherry Lane administers the 25% share Jean Aberbach's heirs own, Hovey explains.

WHERE IT ALL BEGAN

Cherry Lane began its administration of the catalog Jan. 1, 2001. The term of the initial agreement was three years, Cherry Lane president Aida Gurwitz notes. The deal was subsequently renewed earlier this year for an additional five years.

Chrysalis Music reached its agreement to administer the majority of the catalogs in early 2002. Former Chrysalis president Leeds Levy, who struck the deal, said at the time: "It really is an honor to represent it here, because this [music] is where it all began in pop music — and it touches every genre."

Kenny MacPherson, who succeeded Levy as president of Chrysalis Music, notes that the company "works very closely with Gary Hovey and his team at EPE as well as Belinda Aberbach on behalf of the Julian Aberbach estate. Gary and Belinda have daily contact with Jessica Hobbs [senior director of sync licensing] and Jane Venton [director of sync licensing] in coordinating or promotional activities on behalf of the catalog."

The Elvis catalogs exceed 670 songs, including hits by such (Continued on page 29)

Elvis Online

Additional stories for this Elvis Presley Spotlight are available exclusively on Billboard.biz/elvis.

• Guitarist Scotty Moore accompanied Presley on that day in July 1954 when he recorded "That's All Right" at Sun Studio. Moore looks back in an interview with Billboard contributor Craig Rosen.

• Ernst Mikael Jorgensen, a lifelong Presley fan and BMG consultant, describes his role in recovering lost master tapes and leading the research effort that helped revitalize Presley's recording catalog. Jorgensen is profiled by Alanna Nash, author of "The Colonel: The Extraordinary Story of Colonel Tom Parker and Elvis Presley" (Chicago Review Press).

• Bluesman Arthur "Big Boy" Crudup wrote "That's All Right," the song that became Presley's first single for Sun Records. Alanna Nash explores the story behind the song that launched Presley's career.

• International promotion and sales have been key to the success of the revitalization of the Presley catalog. U.K.-based contributor Paul Sexton reports on the King's appeal around the globe.
Thank You...
Thank You Very Much

for allowing us
to have been part of your team
for all these years.
The King Of Crossover's No. 1 Hits

Elvis Presley wasn't just the king of rock'n'roll. As his Billboard chart history attests, he also was the king of crossover.

Early in his career, before radio formats segmented American music, some of Presley's greatest hits—"Hound Dog," "All Shook Up," "Let Me Be Your Teddy Bear" and "Jailhouse Rock"—hit No. 1 on the Billboard pop, country and R&B singles charts.

Presley retains the record as the No. 1 artist of the rock era, with the Beatles ranking No. 2, according to "Joe Whitburn's Top Singles: 1955-2002." Presley is also the No. 1 solo male artist.

The re-release of "That's All Right," Presley's first commercial single, gave the singer yet one more No. 1 ranking as it topped the Hot 100 Singles Sales chart in the July 3 issue.

Here's a recap of Presley's No. 1 singles and albums in the United States, prepared by Billboard associate editor/chart manager Keith Caulfield.

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**No. 1 Pop Singles**

<table>
<thead>
<tr>
<th>Title</th>
<th>Chart Debut</th>
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<tbody>
<tr>
<td>&quot;Heartbreak Hotel&quot;</td>
<td>March 3, 1956</td>
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<tr>
<td>&quot;I Want You, I Need You, I Love You&quot;</td>
<td>May 26, 1956</td>
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<tr>
<td>&quot;Hound Dog&quot;</td>
<td>Aug. 4, 1956</td>
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<tr>
<td>&quot;Don't Be Cruel&quot;</td>
<td>Aug. 11, 1956</td>
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<tr>
<td>&quot;Love Me Tender&quot;</td>
<td>Oct. 20, 1956</td>
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<tr>
<td>&quot;Too Much&quot;</td>
<td>Jan. 26, 1957</td>
</tr>
<tr>
<td>&quot;All Shook Up&quot;</td>
<td>April 6, 1957</td>
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<tr>
<td>&quot;Let Me Be Your Teddy Bear&quot;</td>
<td>June 24, 1957</td>
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<tr>
<td>&quot;Jailhouse Rock&quot;</td>
<td>Oct. 14, 1957</td>
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<tr>
<td>&quot;Don't&quot;</td>
<td>Jan. 27, 1958</td>
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<tr>
<td>&quot;Hard Headed Woman&quot;</td>
<td>June 30, 1958</td>
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<tr>
<td>&quot;A Big Hunk O' Love&quot;</td>
<td>July 6, 1959</td>
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<tr>
<td>&quot;Stuck On You&quot;</td>
<td>April 4, 1960</td>
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<tr>
<td>&quot;It's Now or Never&quot;</td>
<td>July 18, 1960</td>
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<td>&quot;Are You Lonesome To-night?&quot;</td>
<td>Nov. 14, 1960</td>
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<tr>
<td>&quot;Surrender&quot;</td>
<td>Feb. 20, 1961</td>
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<tr>
<td>&quot;Good Luck Charm&quot;</td>
<td>March 17, 1962</td>
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<tr>
<td>&quot;Suspicious Minds&quot;</td>
<td>Sept. 13, 1969</td>
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<tr>
<td>&quot;A Little Less Conversation&quot;</td>
<td>July 13, 2002</td>
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<tr>
<td>&quot;Rubberneckin'&quot;</td>
<td>Sept. 27, 2003</td>
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<tr>
<td>&quot;That's All Right&quot;</td>
<td>June 26, 2004</td>
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**No. 1 Country Singles**

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<tr>
<td>&quot;I Forgot to Remember to Forget&quot;</td>
<td>Sept. 17, 1955</td>
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<tr>
<td>&quot;Heartbreak Hotel&quot;</td>
<td>March 3, 1956</td>
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<tr>
<td>&quot;I Want You, I Need You, I Love You&quot;</td>
<td>May 26, 1956</td>
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<tr>
<td>&quot;Hound Dog&quot;</td>
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<td>&quot;Let Me Be Your Teddy Bear&quot;</td>
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<td>&quot;Jailhouse Rock&quot;</td>
<td>Dec. 29, 1957</td>
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<td>&quot;Moody Blue&quot;</td>
<td>June 25, 1977</td>
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<td>&quot;Guitar Man&quot;</td>
<td>Jan. 17, 1981</td>
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**No. 1 R&B Singles**

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<tr>
<td>&quot;Hound Dog&quot;</td>
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<tr>
<td>&quot;All Shook Up&quot;</td>
<td>April 6, 1957</td>
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<tr>
<td>&quot;Let Me Be Your Teddy Bear&quot;</td>
<td>June 24, 1957</td>
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<tr>
<td>&quot;Jailhouse Rock&quot;</td>
<td>Oct. 14, 1957</td>
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<tr>
<td>&quot;Wear My Ring Around Your Neck&quot;</td>
<td>April 21, 1958</td>
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**No. 1 AC Singles**

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<tr>
<th>Title</th>
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<tbody>
<tr>
<td>&quot;Can't Help Falling in Love&quot;</td>
<td>Jan. 13, 1962</td>
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<td>&quot;Crying in the Chapel&quot;</td>
<td>May 1, 1965</td>
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<tr>
<td>&quot;Such A Easy Question&quot;</td>
<td>July 3, 1965</td>
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<td>&quot;I'm Yours&quot;</td>
<td>Aug. 28, 1965</td>
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<tr>
<td>&quot;The Wonder of You&quot;</td>
<td>May 23, 1970</td>
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<td>&quot;You Don't Have to Say You Love Me&quot;</td>
<td>Oct. 24, 1970</td>
</tr>
<tr>
<td>&quot;My Boy&quot;</td>
<td>Feb. 8, 1975</td>
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**No. 1 Country Albums**

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<tr>
<td>&quot;Aloha From Hawaii Via Satellite&quot;</td>
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<td>&quot;Elvis: 30 #1 Hits&quot;</td>
<td>Oct. 12, 2002</td>
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**No. 1 Pop Albums**

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<td>&quot;Elvis&quot;</td>
<td>Nov. 10, 1956</td>
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<tr>
<td>&quot;Love Me Tender&quot;</td>
<td>July 22, 1957</td>
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<td>&quot;Elvis' Christmas Album&quot;</td>
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<td>&quot;G.I. Blues&quot;</td>
<td>Oct. 31, 1960</td>
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<td>&quot;Something for Everybody&quot;</td>
<td>July 10, 1961</td>
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<td>&quot;Blue Hawaii&quot;</td>
<td>Oct. 23, 1961</td>
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<tr>
<td>&quot;Roustabout&quot;</td>
<td>Nov. 14, 1964</td>
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<tr>
<td>&quot;Aloha From Hawaii Via Satellite&quot;</td>
<td>Feb. 24, 1973</td>
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<tr>
<td>&quot;Almost&quot;</td>
<td>Mar. 1, 1965</td>
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<tr>
<td>&quot;Charmed Life&quot;</td>
<td>Aug. 15, 1965</td>
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<td>&quot;One Hundred And One Dalmatians&quot;</td>
<td>Dec. 29, 1967</td>
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<tr>
<td>&quot;The Trouble With Girls&quot;</td>
<td>Nov. 14, 1966</td>
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**Aloha From The Movies: Elvis On DVD**

BY JILL KIPNIS

Elvis Presley had many memorable performances throughout his career—some on stage, some on film. Here's a selective guide to his movies and documentaries available on DVD.

"Elvis: '68 Comeback Special—Deluxe Edition DVD"

Presley's first TV special, originally simply titled "Elvis," aired Dec. 3, 1968, on NBC. At this point, Presley had not performed before a live audience in seven years. The program launched his return to live concerts, and this performance has been called one of the greatest moments in rock history. "Elvis" was NBC's top-rated show of the season, with 42% of the TV viewing audience, according to Elvis Presley Enterprises. Originally released on DVD in 2000, the original, one-hour version was released June 22 by BMG Strategic Marketing Group. It was produced by EPE.

The three-DVD, seven-hour set (priced at $49.98) features the original broadcast version of the special, two jam-session concerts and a producer's cut of the music video "If I Can Dream."

"Elvis, Aloha From Hawaii—Deluxe Edition DVD"

Presley filmed this performance Jan. 14, 1973, at Honolulu International Airport, and it was broadcast live worldwide to countries, including Australia, South Korea and Japan.

According to EPE, a whopping 51% of the TV viewing audience in the United States tuned in April 4, 1973, when NBC aired the special. In total, an estimated 1.5 billion people from 40 countries saw the performance, according to EPE. A version of this concert was also released on DVD in 2000, BMG released the new, uncut edition June 22. It was produced by EPE. The two-disc set (priced at $29.98) features the original American broadcast version of the show, the complete concert that was adapted for the special and the complete rehearsal concert.


These six films, released between 1963 and 1969, made their DVD debut Aug. 3 from Warner Home Video. Presley starred in more than 30 feature films during his career, and these are some of the highlights from the 1960s.

"It Happened at the World's Fair"—set at the 1962 World Fair in Seattle—was his second film for MGM, following 1957's "Jailhouse Rock." It features 10 hit songs, including the gold record "One Billion Heart for Sale."

"The Trouble With Girls" co-stars Vincent Price, John Carradine and Dabney Coleman and includes the songs "Almost" and "Swing Low Sweet Chariot."

Each DVD, priced at $14.97, includes a remastered digital transfer and a trailer gallery. (Continued on page 28)
50 years ago

Elvis Presley recorded
"That's All Right" at Sun Studio in Memphis, Tennessee and Rock 'n' Roll was born.

BMG Distribution is very proud to commemorate this milestone in music history and pay tribute to one of the most important recording artists of our time.

Long live The King of Rock 'n' Roll!
WE HOPE WE LOOK SO GOOD AT 50.

THANKS, ELVIS, FOR KICKIN’ OFF THE ROCK ‘N ROLL ERA.
IT’S ALL RIGHT.

SLAM! MEDIA GROUP
TV, FILM & VIDEO...FOR TODAY’S MUSIC BUSINESS
slammediagroup.com

Franchise
Continued from page 22

Another part of EPE’s mandate seems to be about attracting a new generation of Elvis fans.

Since the mid-1980s we have continually introduced Elvis to younger audiences. We make the introductions, and the rest happens without much more of a push from us. Elvis just grabs people with his charisma, good looks and, of course, his music.

In the 1980s and 1990s, we made videos available to the Disney Channel and VH1, and now those kids are in their 20s and 30s and they’re buying records and DVDs and coming to Graceland in droves.

We were lucky [to be included in 2002’s] “Lilo & Stitch” movie and soundtrack, and because of that we have 8-, 9- and 10-year-olds who are dyed-in-the-wool Elvis fans.

In recent years, BMG has done a terrific job with marketing and new releases. We had a huge hit with “A Little Less Conversation,” because Nike used it in its World Cup advertising campaign, and then the song [was remixed by JXL, and it] caught on in dance clubs all over the world. Let’s face it: Elvis is all about the music, and it appeals to all demographics and cultures.

Elvis’ daughter, Lisa Marie, also appeals to youth. What is her role as EPE’s chairman?

She definitely puts a young face to the Elvis legacy. She is her own girl, and younger audiences absolutely love that.

Lisa has a really full life, her own music career and she’s a devoted mother. She doesn’t want to be involved in day-to-day operations, but her influence is very powerful. She’s involved in aligning Elvis toward products and projects that reflect what she feels will create the right image.

Her reaction to him is often different from the rest of us; it’s very personal, because Elvis is her dad. There’s a real benefit to all of us from this type of personal sensitivity.

Is Elvis’ growing presence on the Internet another way of creating a personal connection?

Elvis.com is a dream marriage between Elvis and his fans, especially worldwide.

(Continued on page 27)
Franchise

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We had the good fortune of not trying to create too much of a commerce engine with the site and avoided a lot of the disappointment that happened when the tech bubble burst in the late 1990s. We built eplus.com up slowly, concentrating on content, and now we have nearly 1 million unique visitors a month. The average length of stay on the site is 15 to 16 minutes, compared to the industry average of about two minutes.

What kind of access will fans get from EPE's upcoming TV special and book?

You're referring to the project currently called "Presley by the Presleys." The initial focus was on a general anthology approach for the TV project. But with a lot of very creative input from David Saltz, who is directing the special, this far more unique concept emerged. The title pretty much says it all. It will involve Priscilla and Lisa on a personal level and also include Patsy Presley, who was Elvis' first cousin and one of his closest friends. She has never done interviews or written books before. Altogether, it will present new, rich territory.

The purpose behind this project is to unravel more of Elvis' background—where he came from, what influenced him, maybe help explain why he made some of the choices he did. The companion book is being written by David Dalton, and it will draw from the many photos, transcripts and documents that are housed in the Graceland archives. Both projects are still in flux, so we haven't set final release dates yet.

Is there a tie-in with the upcoming CBS TV miniseries?

There is no direct tie-in, other than the fact that it is possible because of the continued growth of interest in Elvis Presley.

The CBS miniseries will be a four- to six-hour biopic that will focus mostly on the early part of Elvis' career. It focuses on the rags to riches, melding of black and white music, and it's set in a period that saw so much cultural change. It probably will not be ready before late 2005 or early 2006.

If it's done well, it could contribute greatly to the Elvis legacy. If it's done poorly, it could set things back a little. Biopics are always a challenge. For instance, who plays Elvis? Can you imagine trying to find the kind of person who can, or would even try, to replicate the personality, the talent, the sensuality, that Elvis had?

Is there also a documentary?

Also on our radar is a full-blown documentary that can stand as a serious contribution to American music history. We envision a multiple-segment, Ken Burns-type documentary that could tell the whole Elvis story, free of the commercial demands that have to appeal to one demographic or another.

Elvis' father, Vernon, and his manager, Col. Tom Parker, were both pack rats, so the Graceland archives contain tens of thousands of photographs, documents and materials that will support the effort. This project is not even in the pipeline yet, so its completion is a long way off.

What about other possible projects?

There's the ongoing work with Joe DiMuro, Vicky Sarro (VP of product development and marketing) and the whole group at BMG Strategic Marketing. They are doing some great things with the masters, and I think we'll see more worldwide successes like "Elvis: 30 #1 Hits."

At Graceland we hope to add expanded exhibits and would like to build a much larger Heartbreak Hotel that would include entertainment venues, convention facilities and a meeting space.

Elvis is so associated with Las Vegas that if we can do the right thing, we can create another place for fans to connect. When Elvis returns to Las Vegas, it has to be a total experience from top to bottom, and it has to be great.

Considering that close to half of Elvis' albums are sold outside the United States, the international market must present a huge opportunity for EPE.

Definitely. "Elvis: 30 #1 Hits" sold two-thirds of its total units outside the United States. Of course, we believe the United States will continue to be a strong and growing base, but considering recent trends, we would have to say the world is our oyster.

(Continued on page 28)
Franchise

Continued from page 27

In places like England and Australia, Elvis' following is so strong that we're exploring everything from themed hotels to permanent and traveling exhibits to offices. Also, technology is opening new doors. Japan and the Scandinavian countries are already far ahead of us in cell phone applications and content. We're working with Diggit Entertainment in those areas right now.

In general, working with BMG is important too, because they have such a strong worldwide distribution network in place.

What's the biggest challenge EPE faces in maintaining Elvis' image?

There's the broad-based challenge of demonstrating relevance, but that seems to be taking care of itself nicely. Fifty-three percent of all visitors to Graceland are 35 years old or younger. That's a great statistic.

But there are irritating challenges, like the lingering overweight caricature of Elvis and the frustration we feel when we see someone else use the word—statement that Elvis was prejudiced and that he ripped off black music.

Right from the beginning, Elvis continually explained that all of his early influences and heroes were black musicians and artists. He never took credit for creating rock 'n' roll. He said it was R&B with a new name, and he was just doing it his way.

As for being prejudiced, his friends—many black friends—would tell you that just wasn't true. If Elvis were alive, he would want to set that straight most of all.

What is the most intriguing part of your job?

Being part of EPE and the responsibility of preserving the legacy of Elvis Presley is just a joy, because we do make so many people happy. There are so many different facets to Elvis' story—and so many different constituencies for the music—different tastes, nationalities and cultures—and we're the caretakers. The gardener analogy comes to mind. We plant new seeds, do the weeding to protect it and preserve its unparalleled beauty. But in the end, it's the original garden that flourishes. For EPE, it's always about Elvis, his legacy and the music.

DVD

Continued from page 24

"Elvis—A 50th Anniversary Celebration"

This project celebrates Presley's 50-year legacy in music, TV and film, starting from his first step into Memphis' Sun Studio on July 5, 1954. It features clips from his varied career, as well as interviews with Tom Jones, Glen Campbell, Kenny Rogers, ZZ Top, Suzi Quatro, Neil Sedaka and others. Koch Entertainment Distribution released this $14.98 documentary DVD June 8.

"Jailhouse Rock"

WHV released the "Jailhouse Rock" DVD in 2000. Presley's third film premiered Oct. 17, 1957, in Memphis and was released nationally that November. Presley plays Vince Everett, a man serving a one-year sentence for manslaughter, who is introduced to the record industry by his cellmate, a former country singer. Everett ultimately becomes a huge star. The role is considered one of Presley's top performances as an actor. The "Jailhouse Rock" production number is known as the grandfather of music videos, according to EPE. The title is available for $19.98.

"Elvis—That's the Way It Is: Special Edition"

"That's the Way It Is," released by WHV in 2001, was a documentary culled from Presley's first concert tour since 1957. The nine-city tour ran in mid-September 1970. MGM filmed the project, which includes concert performances and footage from the recording studio and rehearsals. The DVD (priced at $19.98) features a behind-the-scenes documentary and highlights of Presley's career. The film debuted at the box office in November 1970 when Presley was on a subsequent eight-city concert tour.
of “Elvis: 30 #1 Hits,” the use of his song “A Little Less Conversation” in Nike’s World Cup advertisement and the subsequent chart success of that song’s remix by JXL.

Among the noteworthy placements of Presley songs cited by the publishers are the use of “A Little Less Conversation” as the theme song for NBC’s “Las Vegas” TV series and in the trailer for the “I Spy” movie and the use of “Rubberneckin’” in a Toyota commercial.

Songs from the Presley catalogs in recent films include “Devil in Disguise” (“Black Hawk Down”), “All Shook Up” (“Big Fish”), “It’s Now or Never” (“The In-Laws”) and “Viva Las Vegas” (“Looney Tunes: Back in Action”).

The placements most cited for introducing a new generation to Elvis are the five songs—including “Can’t Help Falling in Love,” “Stuck On You” and “Hound Dog”—in Disney’s hit movie “Lilo & Stitch.”

DIGITAL ELVIS

Executives at Chrysalis and Cherry Lane note that songs from the catalogs now are licensed for ringtones, karaoke, videogames, digital downloads, toys and games, as well as more traditional uses.

“The next time you see someone bopping to the sounds of their iPod,” Gurwicz says, “don’t be surprised if they are shaking to Elvis.”

MacPherson adds: “We continually strive to have good communication with the other administrators of the catalog at Cherry Lane, in both the copyright administration and licensing areas. Both companies believe in strong communication in these respective efforts to maximize the exploitation and protection of the catalogs.”

Elvis Pressings Vital To Vinyl Co.

BY DEBORAH EVANS PRICE

“We like to say ‘Elvis never left the building.’” says Cris Ashworth, president of United Record Pressing, a Nashville company contracted by BMG to manufacture Elvis Presley product on vinyl.

Ashworth prides himself on his company’s long-standing relationship with the King’s music. A large portion of his warehouse is filled with Presley paraphernalia that has been part of the vinyl releases the company has done through the years. One of the most recent packages was the vinyl version of the chart-topping “Elvis: 30 #1 Hits.”

“We manufactured 10,000 double albums,” says Ashworth, who purchased the plant in 1999. “And of course, we’d always like to press a few more. Every year we always seem to have a run on Elvis.”

Ashworth employs 38 workers running two shifts at the company, which has been around since 1962.

“We’ve got a 24,000-square-foot warehouse behind us. I have shelving and racking, and I’d say 80% of what’s on those shelves is Elvis, and that’s just raw material components—sleeves, jackets, inserts, and on and on.”

Beyond vintage recordings, the company has manufactured vinyl product by Alan Jackson, the Notorious B.I.G., and other current acts, but Presley remains a perennial favorite. “Quality is timeless,” Ashworth says of Presley’s eternal appeal. “You know it when you hear it.”
Elvis
Continued from page 17

Maybe we think of the 1973-‘Aloha From Hawaii’ Elvis, appearing on another TV special seen by more than 1 billion people around the world. Or do we speak of the erratic Sun King of Las Vegas and Hermits King of Memphis, worshipped by many yet isolated from all—a near-joke again until his death at 42 proved his decline was no joke at all?

THE MAGNA CARTA OF ROCK

Which Elvis?
Musically, everyone has their preferences. Agreed, the Sun sessions were a historic event akin, perhaps, to the signing of the Magna Carta.

But “Suspicious Minds” in 1969: Now that’s a great record. And even later throwaways—“Patch It Up” from “Elvis: That’s the Way It Is,” a cover of Anne Murray’s “Snowbird” on the underrated “Elvis Country”—showed that the older King, despite losing speed on his fastball, could still throw a wicked curve and change-up. But it’s more than music that makes Elvis an ever-present part of our cultural life. He is our icon in chief. Only drag queens and Kennedy assassination buffs—now there’s a whole wild combo—still find symbolic meaning in Marilyn Monroe. A handful of film critics lament the early passing of James Dean. Marlon Brando lived long enough to kill his own mystique. But Elvis—who else had such a long, ubiquitous run as everything from a bylinehead doll to an imagined face on Mount Rushmore?

John Lennon is mourned, Kurt Cobain lamented. Jerry Garcia missed, but the ache they left has more to do with their art. Elvis transcends art, as anyone who has seen one of those silk day-glo portraits of the King or sat through “Fun in Acapulco” for the eighth time will tell you.

“Elvis has left the building” were the words spoken at the end of every Elvis Presley concert. The pageantry had ceased. The show was over. There would be no encore, no autographs, no backstage laying of the hands to heal the sick or raise the dead. Now the phrase “has left the building” has entered the American lexicon. But Elvis has not left the building. The idea of Elvis, the icon in chief, surpasses his worldly accomplishments. There are nearly as many movies featuring Elvis imitators as there were movies starring Presley himself. His life has lent itself to serious biography (Peter Guralnick’s two volumes), intellectual hatchet-jobs (Albert Goldman’s “Elvis”) and essays that view American history through the prism of Elvis (Greil Marcus’ “Mystery Train”). He appears in hundreds of works of fiction—some of which were even meant as fiction—and hundreds of memoirs of the “I Was Second Cousin of Elvis’ Weekend Gardener” variety.

There are songs about Elvis, the best being Jimmy Webb’s “Elvis and Me,” which nails the frustration many felt during Elvis’ later years. Second-best: George Jones ruminating on a lost romance while devoicing the contents of an Elvis commemorative Jim Beam whiskey bottle in “The King Is Gone (So Are You).”

Of course, Elvis Presley has been officially dead since that summer day in 1977. But no sooner had Elvis died than he began his final act. Contemporary rockers try to channel Elvis’ spirit by paying homage to his image as much as his music. The art direction of the Clash’s 1979 masterpiece “London Calling” copies (right down to the ink color) the cover of Elvis’ first RCA album. A new two-CD retrospective by underappreciated British band The Fall is titled “50,000 Fall Fans Can’t Be Wrong: 39 Golden Greats,” a joking twist on “50,000,000 Elvis Fans Can’t Be Wrong—Gold Records Vol. 2,” the 1960 LP compiled to keep the base saturated while Elvis got back to civilian life.

An English teacher at a junior high school recently asked her eighth-grade students on behalf of Billboard: Who was Elvis Presley? Does he matter? If so, why?

The school, located in Queens, N.Y., may have more different nationalities among its student population than any other school of similar size on earth. So the students’ answers reflect a kind of global awareness, or lack thereof. Here are some of the responses:

“I created the heart and soul of rock, so he’ll always be thought of as king. But his music is outdated, he’s dead and no one really cares.”

“Out with the old, in with the new…World!”

“Elvis is still important, because he was one of the first people to discover hip-hop.”

“OK, so Elvis didn’t exactly invent hip-hop. Although if he were a teenager today, Elvis would arrive in a musical package called something like EAP & the TCB Crew or EP & the Memphis Posse—or in a Christian boy band called, let’s see, Graceland.

And that’s the thing about Elvis that makes him a powerful presence in the 21st century: We can imagine him as anything, anywhere.

We can imagine celebrating the 100th anniversary of the Sun sessions, which will be repackaged in the form of audio brain implants, a continuing revenue stream for what people will refer to as “the Label”: BMG/EMI/Sony/Universal/Warner/EMI/ChannelNiacom, a division of, oh, Sub Pop/Razor & Tie Industries, perhaps.

And all those years from now, the feeling will still be the same: Elvis died, but when you think about it, may have been the shortest death ever recorded.

Wayne Robbins, a longtime pop writer and critic, reviewed Elvis Presley’s 1971 concert at McNichols Arena in Denver for the weekly Boulder Express. He is a copy editor at Billboard.

BMG
Continued from page 18

“30 #1 Hits” gave Presley his first No. 1 pop album in Billboard in nearly 30 years and sold more than any of his releases in recent memory: some 9.5 million units worldwide, according to BMG. In 2003 came “Elvis: 2nd to None,” which has sold more than 2 million units worldwide, according to the label.

With DiMuro’s arrival at BMG Strategic Marketing two years ago, the renaissance of Presley’s catalog continued. The 50th anniversary of rock ’n’ roll was tailor-made for celebrating Presley’s legacy, and the momentum of “30 #1 Hits” had fans wanting more. But DiMuro knew how important it was to also bring a younger audience into the fold.

“The fan who already knows Elvis loves him for the music and the sexuality during his performances,” DiMuro says. “We need a younger audience to help sustain Elvis’ legacy, and younger fans need to see him at his best.”

This meant assembling the best A&R team—Jorgensen and compilation executive Rob Santos—and using technology to pull every note and side of audio and video catalog.

The campaign also involved coordinating with EPE on advertising, events and media placements like Elvis Radio, which broadcasts 24 hours a day from Graceland on satellite radio outlet Sirius. Presley grabbed more headlines July 5 with a 100-station worldwide radio simulcast of “That’s All Right” from Sun Studio.

“Marketing Elvis is much smoother now after the repositioning,” EPE president Jackoden says. “We couldn’t be happier with BMG for reaping in the catalog.”

EPE, meanwhile, has licensed rights to create Presley mer

(Continued on page 31)
BMG
Continued from page 30

chandise to some 120 companies worldwide. About 90% of those are in the United States.

The merchandise includes such products as Wurlitzer's limited edition Elvis Presley jukebox, Stern Pinball's game that plays Presley's songs, and Elvis Presley action figures from McFarlane Toys.

Album sales per release have skyrocketed, although it's difficult to accurately count Presley's worldwide album sales through the years.

In January, at a press event on the grounds of Graceland, RIAA chairman/CEO Mitch Bainwol confirmed Presley's status as America's best-selling solo artist with U.S. sales of slightly less than 120 million units.

WORLDWIDE APPEAL
To truly understand Presley's commercial impact, however, his appeal in most of the world's markets outside the United States must be considered.

BMG says 40%-50% of Presley's sales come from outside America (including 66% of the sales of "30 #1 Hits"). It is a phenomenal accomplishment, especially considering the only times Presley officially performed outside the United States were five concerts in Canada in 1957.

"When I took over the project, I really learned what the man means to pop culture around the world," DiMuro says. "Marketing in the United States sets the benchmark, but international markets are vital to our strategy."

And the repositioning and re-packaging of Presley's legacy is far from over.

The Presley family's intimate look at his life is scheduled for release next year through a book and a TV special under the working title "Presley by the Presleys." Following on its heels is a CBS TV biopic. In addition, BMG and EPE are coordinating the soundtracks to Broadway musical "All Shook Up" and theatrical film "Elvis Has Left the Building."

DiMuro also mentions concept records, tributes or duets similar to the one Natalie Cole did with her late father, Nat "King" Cole.

"We have this huge catalog of repertoire," he says. "As long as we can create a compelling angle, no idea gets dismissed instantly."

These days, with interactive technology at fans' fingertips, modern-day mythology is easy to pass along. What's not easy is creating a marketing campaign for a Greek god.

Fortunately for BMG and DiMuro, Elvis Presley was once flesh and blood.

The producer, cast and crew of "The Elvis Story" Show salute the man who started it all 50 years ago.
BY LARS BRANDLE

LONDON—A British government-backed task force has published a survey of the country’s grassroots live music scene that it plans to use as a benchmark to gauge the impact of new licensing regulations.

The regulations are intended to make it easier for small venues to present live music. According to the Aug. 25 report “Live Music Scene—The Verdict,” the country’s small venues together hosted about 1.7 million concerts during the past year, and the potential for growth will exist for years to come.

The report was the first major project of the Live Music Forum, which the government’s Department of Culture, Media and Sport established in January to monitor the impact of new licensing laws for live entertainment.

The forum includes representatives from the music industry, the Arts Council, local authorities, small venues and government. Of the 1,577 small venues in England and Wales that research firm Mori polled for the survey, about 47% reported having staged live performances at least once during the last year.

While expectations were high that the report would portray a vibrant live scene, LMF chairman Peargal Sharkey says he was nonetheless impressed by the scale of its findings.

“The results were quite staggering. I was really taken by surprise,” Sharkey says. He himself forged a successful international recording career as frontman for ‘70s Irish punk band the Undertones, who were initially signed to Sire and then EMI, and later as a Virgin-signed solo artist in the ‘80s.

“HUGE APPETITE FOR LIVE MUSIC”

Almost one-fifth of the surveyed venues reported staging live music “regularly” (at least twice per month), while 55% of venues that put on live music said they did so because customers demand it.

“It think it’s quite fair to say there’s a huge appetite for live music” out there,” Sharkey says. “I thought that it would be huge, but I didn’t think it would be that extreme. That’s an incredibly positive thing for the live music industry and the music industry in general.”

The study focused primarily on pubs, clubs, student unions, restaurants and other small venues where the new laws were expected to have the greatest effect. Venues whose “core business” is live music were not involved in the project.

Culture, Media and Sport Minister Richard Caborn says the survey also revealed that many venues have not yet considered staging live music.

“We need to encourage them to do so and show them that the licensing changes will make staging live music easier, so that they are ready to embrace the new law when it comes in next year,” Keith Ames, communications officer of the Musicians’ Union, welcomes the findings but highlights the need for a system to communicate to venue owners the law’s implications.

“We must ensure that licensees, promoters and events organizers are fully informed as to the opportunities available,” he says.

The new law will eliminate the controversial “two in a bar” rule, an exemption under the Licensing Act of 1964 that allowed up to two performers to play without a license. Critics of the old system complained that it restricted the opportunities of entertainers and failed to protect local residents from noise nuisances.

The outdated system also was mired in red tape. Venue operators had to apply for a live-music license through a magistrates court, and fees varied greatly around the country.

This system will be replaced with a single, flexible license combining public entertainment and alcohol. The new laws also pave the way for flexible opening hours for premises, with the potential for license-holders to run their venues 24 hours a day, seven days a week.


The survey results are intended to help measure changes brought about by the act. The LMF will repeat the polling next year, then compare the results with the first survey.

“The report will give us focus for what we’re looking at — the size, scale and volume of [the live scene]. And when we come back in a year and a half, we have something to compare it with. It gives us ambition,” Sharkey says.

“Wouldn’t it be nice to push the 1.7 million [annual gigs] to 2 million? [That’s] the sort of thing we hope it can do.”

At the end of the LMF’s life span, in mid-2006, it will issue a report to the British government reviewing what impact, if any, the new licensing regulations have had on live music. Further, the forum will make recommendations for developing and expanding live music and to make it more accessible.

**HOB Developing Smith, Others On The Road**

BY RAY WADDELL

When it comes to artist development, House of Blues is putting its money—and marketing muscle—on the line.

HOB’s Emerging Artist program, with help from partner Sirius Satellite Radio, is positioned to be a big factor in breaking new acts.

One has to look no further than Mindy Smith’s next outing or such recent successes as Jason Mraz and Gavin DeGraw.

When Smith begins her tour Oct. 1 in Asheville, N.C. (billboard.biz, Aug. 25), she will play bigger rooms for the biggest paychecks of her fledging career.

More important, Smith will be the beneficiary of “a huge shot in the arm marketing-wise,” says Kevin Morrow, senior VP at HOB and a point man in its artist development efforts.

HOB is presenting Smith’s tour in support of her Vanguard debut, “One Moment More.” Plus, she will be featured in October on Sirius’ “House of Blues Emerging Artist of the Month” radio series.

“We pick one emerging artist a month, and their content is put on Sirius radio,” Morrow explains.

“Beyond that, we throw in about $100,000 worth of marketing to promote the band or artist.”

Morrow oversees several HOB tours each year dedicated to emerging artists, and he says Smith fits right in. “We feel she will be a star, and we’re throwing all of House of Blues’ marketing assets behind her.”

Those assets include a marketing relationship with Entertainment Weekly, video content in HOB clubs, posters and point-of-purchase materials at retail and venues, e-media support and street-level marketing.

“We buy the entire tour and promote or co-promote in each city,” Morrow says.

Aside from Mraz and DeGraw, the program’s past successes include Maroon5, Hootie and the Blowfish.

“Last year we had Gavin DeGraw open for Maroon5,” Morrow says. “And this year we did the entire country with Gavin as a headliner. This is an example of taking a kid nobody really knows from zero to headlining and filling our clubs.”

Sometimes HOB’s participation includes matching a sponsor with an act, as it did for the Maybelline New York Chicks With Attitude tour and Liz Phair (Billboard, Aug. 14), and for Verizon Wireless and Jet.

The 29-date Smith tour will play such venues as the Trocadero in Philadelphia (Oct. 5), B.B. King’s Blues Club in New York (Oct. 9), the Recher Theatre in Baltimore (Oct. 10), House of Blues in Chicago (Oct. 24) and the Boulder (Colo.) Theatre (Oct. 28), before wrapping Nov. 7 at the House of Blues in Los Angeles.

This will be Smith’s first national headlining tour. Charlie Mars and Garrison Starr will join her in several markets.

Smith is managed by Casey Verbeck at Partners in Music and booked by Jay Williams at the William Morris Agency. Both, along with Vanguard president Kevin Welk, were involved in orchestrating the tour.

“We all sat down and came up with some cool marketing ideas,” Morrow says. “It was a real leap of faith for all of us, but we really believe Mindy could be the triple-A or country version of Norah Jones.”

Williams says the tour’s guarantees and venues are not necessarily larger than those Smith would command at this stage in her career without the HOB support. The real value, he agrees, is in the marketing.

“The rooms were picked [by] us and House of Blues together, based on her albums sales in these markets,” Williams explains. “[HOB] gives us a well-coordinated national advertising campaign, working hand in hand with the local promoters and clubs to make sure these advertising dollars are used wisely.”

HOB’s artist-development efforts have multiple benefits. “All of our clubs need content,” Morrow says. “As record companies have been consolidated, fewer and fewer bands are being developed. As the pool of artists gets depleted, it affects us at the club level.”

And ultimately, at the amphitheater and arena levels. “We have to be involved in developing acts to get them to the next level,” Morrow says. “It takes a cooperative effort, from the labels, the managers, the promoters and the artists, to break through.”
Two veteran Nashville promoters, Steve Moore and Marcie Allen Cardwell, are back among the independent ranks through separate start-ups.

Moore has resurrected his Moore Entertainment brand after a stint as a promoter/event producer at TBA Entertainment.

Moore left TBA shortly after the company was acquired by a group led by Irving Azoff (Billboard, April 24).

Moore has drifted in and out of the corporate entertainment world. He came to Nashville as GM of the Pace-owned Starwood Amphitheatre in Antioch, Tenn. He left PACE and formed Moore Entertainment in 1992, which TBA acquired in 2001.

Since 1996, Moore has retained the rights to produce the annual New Year's Eve bash at Nashville's Gaylord Entertainment Center. Headliners have included Tim McGraw, Kenny Chesney, and Toby Keith. Last year's event with Keith and Willie Nelson grossed $870,000 and sold out at 14,336.

Projects for Moore include involvement in the upcoming CMT-sponsored Keith Urban tour, which begins Oct. 8 in Muncie, Ind., at Emer's Auditorium, and Dolly Parton's Hello, I'm Dolly tour, which hits the road Oct. 14 at the Bi-Lo Center in Greenville, S.C. Moore's new number is 615-742-4905.

Meanwhile, Cardwell has formed MAC Presents, an independent talent buyer and event sponsorship firm (Billboard, Sept. 11).

Cardwell resigned earlier this month as president of live-event producer MAD Booking & Events in Nashville, a company she founded five years ago (billboard.biz, Aug. 9). Laura Valente, formerly VP in MAD's Atlanta office, was named president.

Cardwell says that, while she was presented with opportunities to join other companies following her resignation from MAD, she opted to go independent anew.

“I interviewed with several different companies, but I had so many clients that I decided to go forward with MAC Presents,” she says. “I want to keep it small so my clients the attention they want.”

Cardwell founded MAD Booking (which stands for Marcie Allen Does Booking) in May 1995. The company now produces such weekly summer concert series as Bridgeview Dancin’ in the District in Nashville, Aquafina on the Bricks in Atlanta and McDonald’s Sessions at Mermaid in the Washington, D.C., market. MAD also produced the Virgin College Megatour, a national tour headlined by Michelle Branch.

Cardwell says MAC Presents will focus on college booking, tour sponsorships and talent buying for festivals and special events. She will work out of her home and can be reached at 615-269-4905.

TRAVELIN’ BAND: John Fogerty is looking forward to being backed by Bruce Springsteen & the E Street Band for his upcoming Vote for Change tour.

“The bottom line for me, I want people to go out and vote, to exercise this true gift we have as Americans,” Fogerty tells On The Road.

And while he firmly believes the tour has the potential to impact votes, he prefers to focus on the music. “Especially being an American, my job as a musician is to play the best music I can,” he says.

“I really hope these [Vote for Change] shows are completely about the music,” he continues. “I come from the 1960s and to me there was nothing more boring than watching Abbie Hoffman get ostage and talk about politics.”

Following the Vote for Change tour, Fogerty will begin a headlining tour in support of his new Geffen release, “Deja Vu All Over Again.” At that point, “I’m just a working musician, pushing my record,” he says (see story, page 13).
Dead Heat For No. 1 Summer Anthem

BY RASHAUN HALL

Summer anthems. Every year has at least one. It’s the song that, no mat-
ner where you go or what you do, you can’t escape hearing its familiar
refrain. The summer of 2004 is no dif-
ferent . . . or is it?

This year’s summer anthems—Lil’Flip’s “Sunshine,” Terror Squad’s “Lean
Back” and Juvenile’s “Slow Motion”—have captured the ears of radio listen-
ers nationwide.

“These songs were huge for us,” WWPR (Power 105) New York PD
Michael Saunders says. “There’s not much difference between Power and
the rest of the country. Juvenile is a Southern artist, and I’m surprised it is
doing so well across the country. It is a testament to music being universal . . .
It doesn’t matter what region it comes out of—good music prevails.”

Still, while the tracks by Lil’Flip, Terror Squad and Juvenile have
attained success, no single has taken hold as the anthems of 2004, a la 50
Cent’s “In Da Club” last year.

“Honestly, a lot of it is timing,” KKHT (Hot 107) Memphis market-
ing and promotions director Mo Bet-
ter says. “Summer is always about that record that is a summer anthem.

This year everyone was trying to find that. There hasn’t been that one
takeover record.”

Saunders agrees. “It still comes
down to the song. A song like ‘In Da
Club’ was a phenomenon and does not
happen every summer. It just happens
every now and then.”

STILL A SUCCESS

Despite the lack of a “takeover
record,” each of these singles has done
very well for its act and label.

For Sony Urban Music, “Sun-
shine” has been a bright spot, since it
introduced Lil ’Flip to a much
broader audience.

“We wanted to show his diversity as an artist,” senior VP of urban pro-
motions Rodney Shealey says. “We didn’t want a phenomenon like him.
If you look at the two singles—‘Game Over’ and ‘Sunshine’—you can really
see his range.”

“Sunshine” has racked up 42,475
rotation changes as of this issue, according to Nielsen Broadcast Data Systems.
We were building off of the momentum of ‘Game Over,’ so we
wanted to move quickly on the next single,” Shealey says. “We didn’t want
‘Game Over’ to go away before we had ‘Sunshine’ set up.

“Radio was still reluctant to play the
single] because it was such a
departure,” he adds. “It started slow,
and although the rotation changes
weren’t what we hoped for, we
showed perseverance.”

“Sunshine” and [T.I.’s ‘Let’s Get
Away’ are examples of ideal summer
records that you can hear at your fam-
ily cookout or blaring [in] your local
park,” WMBI (103.5 The Beat) Miami
PD Dion Summers says. “Those
records just have that vibe that identi-
ifies with this time of year.”

Mo Better attributes the success of “Sunshine” to Lil’Flip’s going against the
grain.

“The only reason the song caught on
is because no one else was making that Ja
Rule/Ashanti-type record,” he says. “‘Game Over’ is the only one else
wanted to touch.”

Universal scored a one-two punch in
this summer with “Slow Motion” on the Cash Money/Sprint and “Lean
Back” on SRC. Both singles have
topped Airplay Monitor’s R&B/hip-hop
airplay chart.

According to Universal Motown sen-
or VP of promotion Michael Horton,
each single had its own unique setup
that led to its success.

For “Lean Back,” that meant “a
combination of a lot of factors,” Hor-
ton says. “We had an incredible video,
an incredible track and it was a new
dance. It was also really banging in the
clubs.”

Horton adds that Terror Squad
founder Flo Joe “did his part too. His
relationships helped a lot. With a Fat
Joe record, there comes a certain level
(Continued on page 36)

Saadiq Saadiq’s forthcoming album,
“Rahsaan Saadiq As Ray Ray,” retains
the self-described “gospeldelic” feel of its last
studio set, “Instant Vintage.” However, the
singer/songwriter/producer emphasizes the
Oct. 5 release was recorded with his fun
side in mind.

“This one is more aggressive, more radio-
friendly,” Saadiq says. “It’s one of those good,
Saturday-playing records.”

Born Charlie Ray Wiggins in Oakland,
Calif., Saadiq titled this album after his child-
hood nickname. The first two tracks span off
the Pookie Entertainment/Navarro project are

“Rifle Love” and “Chic Like You” (pronounced
“chick”). The former features Saadiq reunions
with his brothers, Tony! Toni! Toné! cohort
Dawn Robinson and Lucy Pearl colleague
Dawn Robinson.

Additional collaborators include Babyface,
Battletat, Le’Andra Sanders “Sun” Manning,
Kelvin Wooten, Michael Angelo Saulsberry
and Y&T R&B newcomer Jedra Moses.

Saadiq promises a new Tony’s album is
on the way, and a set from fellow artist Pookie is
due in early 2005. He is also talking about
touring with Mos Def.

In the meantime, Saadiq is working on
what he calls the “Pookie Blue Room” proj-
ect. He describes its musical style as “more
artistic but not neo-soul, with more of a
European feel.”

A slew of other projects have also been
keeping Saadiq busy. You can hear his work on
Jill Scott’s newly released Hidden Beach
Recordings CD, “Beautifully Human—Words
and Sounds Vol. 2,” Sony Urban Legacy’s
Isley Brothers remix set, “Taken to the Next
Phase (Reconstructions)”; and Moses’ debut,
“Complex Simplicity.”

Saadiq also penned two songs, “Show Me
The Way” and “Love Together,” for the new
Earth, Wind & Fire album. The long-talked-
about set is due in October from Mathew
Knowles’ Sanctuary Urban Records Group.

Saadiq joins Musiq and other artists in
working with the venerable act.

At first I said no,” Saadiq recalls about the
EW&F invitation. “Working with legendary
groups can be such a risk. I didn’t want to be
responsible for making them sound wack.
But we did it, and I’m proud of these tracks.”

According to his opinion of what’s shaking
lately on the R&B/hip-hop front, Saadiq
says, “There’s good energy out there, thanks
to artists like Kanye West and Lil’ Flip. More
cats from the South and Midwest are in the
trenches working together. That’s why you
can see Flip, David Banner and other camps
really coming up. I love that type of energy.
Their hustle is different than the R&B cats
who don’t get together [as much] to do stuff,
especially on the indie side. But I still love
the grind.”

MUSICAL NOTES: With their Best of Both
Worlds tour kicking off Sept. 30, R. Kelly and
Jay-Z, sources say, are in the midst of record-
ing a follow-up to their 2002 collaboration of
the same name.
## September 18, 2004

**TOP R&B/HIP-HOP ALBUMS**

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### Greatest Gainer

- **ANKR** (44 points) by **Trouble (14)**

### Greatest Sopper

- **TI** (Down 16)

**TOP R&B/HIP-HOP CATALOG ALBUMS**

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<td>LAURIE HILL</td>
<td><strong>Miseducation of Laurier Hill</strong></td>
<td>8</td>
<td>A&amp;M</td>
<td>9</td>
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</table>

### Greatest Gainer

- **ANKR** (44 points) by **Trouble (14)**

### Greatest Sopper

- **TI** (Down 16)
Anthem

Continued from page 34

of respect and interest that you don't get with an unproven artist."

Horton has stuff worked with Fat Joe to map out a single strategy, which proved to be beneficial. The

single has amassed 55,807 detections thus far.

"Joe put all laid out in his mind," Horton says. "He wanted to set up the album with 'Yeah Yeah Yeah' as a street record at mix shows, and then go with 'Lean Back' as the first radio single. While we knew this would bang, we thought the big single would be the next single, 'Take You Home'.

"From the very beginning, I thought 'Lean Back' was going to be a big R&B record as well as a top 40

record. No one doubted that," he adds. "We just had to make sure we executed it properly."

The execution seems to be a success, as radio quickly gravitated to the single.

"Lean Back" is a No. 1 record for us," Mo Better says. "Some of our mixers thought it was too East Coast for us and they didn't like the tempo down here, but the single is as catchy as hell."

Summer adds, "All three singles have had success on [our] station, but obviously 'Lean Back' was a Miami no-brainer. Pat Joe and the Terror Squad get instant love and respect on the streets of Miami—they can do no wrong."

NO SLOWING DOWN

While "Lean Back" seems to be getting all the attention now, "Slow Motion" has been the biggest single at the format this summer. To date, the single has received 85,122 detections. Not bad for a song that, Horton says, was first considered a regional hit.

"Stations in New Orleans began playing the single the week the album was released," Horton recalls. "That was around the time of ["Slow Motion" featured artist] Soulja Slim's death. It began to spread throughout the South, and that's when we really picked up the ball and ran with it."

The success of these singles has gone beyond the R&B/hip-hop format; all three have charted on the mainstream top 40.

"Hip-hop is mainstream," Shaley says. "So much so that if you have a great top 40 department like we have, you can have success at that format. However, you can't be at top 40 or rhythmic without a good record. We knew it was about a big record."
### Latin Pop Airplay

<table>
<thead>
<tr>
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<th>Artist</th>
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<tbody>
<tr>
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<td>No Me Vas a Pagar</td>
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<td>Disa</td>
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<tr>
<td>3</td>
<td>Mi Boca</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
</tr>
<tr>
<td>4</td>
<td>Te Quiero</td>
<td>Natalia Jiménez</td>
<td>Sony Discos</td>
</tr>
<tr>
<td>5</td>
<td>Enamórate</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
</tr>
<tr>
<td>6</td>
<td>Te Perdone</td>
<td>Andrés Calamar</td>
<td>Sony Discos</td>
</tr>
<tr>
<td>7</td>
<td>Mi Gatito</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
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<td>8</td>
<td>Dejame en el mundo</td>
<td>El Choco</td>
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<td>Te Asumo</td>
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<td>Te Quiero</td>
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### Tropical Airplay

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<td>EMI Latin</td>
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<td>ALEJANDRO HERNANDEZ</td>
<td>EMI Latin</td>
</tr>
<tr>
<td>3</td>
<td>COMO PUDE ENAMORARME</td>
<td>JUANES</td>
<td>EMI Latin</td>
</tr>
<tr>
<td>4</td>
<td>NO ME QUIERO ôNAMORAR</td>
<td>ROSALÍA RAMÍREZ</td>
<td>Sony Discos</td>
</tr>
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<td>5</td>
<td>ME DEJO A VOCARTE</td>
<td>JUANES</td>
<td>EMI Latin</td>
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<td>6</td>
<td>TE PERDONE</td>
<td>ANDRES CALAMAR</td>
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### Regional Mexican Airplay

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<td>JOAN SEBASTIAN</td>
<td>Sony Discos</td>
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<td>Me Dejaste a Perderte</td>
<td>ALEJANDRO HERNANDEZ</td>
<td>EMI Latin</td>
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<tr>
<td>3</td>
<td>Te Asumo</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
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<td>Sony Discos</td>
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### Hot Shot Debut

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<tr>
<td>Fuego</td>
<td>Mario Sabido</td>
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<tr>
<td>Mis Manos</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
</tr>
<tr>
<td>Dime Que Hay</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
</tr>
<tr>
<td>Te Quiero</td>
<td>De La Gente</td>
<td>Disa</td>
</tr>
<tr>
<td>Mi Boca</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
</tr>
<tr>
<td>Se Me Olvidaste</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
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<tr>
<td>Ya Te Quiero</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
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<td>Te Quiero Los Que No Me Dejes</td>
<td>Daddy Yankee</td>
<td>Sony Discos</td>
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<tr>
<td>Me Dejaste a Perderte</td>
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<td>EMI Latin</td>
</tr>
<tr>
<td>Tu Dejaste a Perderte</td>
<td>ALEJANDRO HERNANDEZ</td>
<td>EMI Latin</td>
</tr>
</tbody>
</table>

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Compiled from material made available at airplay supplied by Nielsen Broadcast Data Services. Radio TrackService: A panel of 18 stations (1290am; 18 FM). Nielsen Research Corporation. Station airplay supplied, 24 hrs. a day, 7 days a week. Songs receive by audience impressions. **New**: if song is new to chart. **Break**: if song is breaking into chart. **Hot Shot**: if song is in top 40 of station's audience impressions. **EACH**: if song has reached each of the top 10 stations. **Removal**: if song has fallen out of top 10 stations. **Re-entry**: if song has returned to top 10 stations. Records below the top 30 are removed from the chart after 15 weeks. *Weeks on Chart (WOC)*: 00. **Advan Media** 2000. Inc. All rights reserved.
<table>
<thead>
<tr>
<th>Week</th>
<th>Top Latin Albums</th>
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<tr>
<td>1</td>
<td>1. GRUPO CLIMAX</td>
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<tr>
<td>5</td>
<td>29. JAVIER SOLIS</td>
</tr>
<tr>
<td>6</td>
<td>36. JAVIER SOLIS</td>
</tr>
<tr>
<td>7</td>
<td>43. VARIOUS ARTISTS</td>
</tr>
<tr>
<td>8</td>
<td>50. VARIOUS ARTISTS</td>
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**Latin Pop Albums**

- **1. PEPE AGUILAR**
- **2. MARCO ANTONIO SOIS & JOAN SEBASTIAN**
- **3. MARCO ANTHONY**
- **4. LAS VUELTAS**
- **5. VARIOUS ARTISTS**
- **6. VARIOUS ARTISTS**
- **7. FRANCO DE VITA**
- **8. JAVIER SOLIS**
- **9. VARIOUS ARTISTS**
- **10. VARIOUS ARTISTS**

**Tropical Albums**

- **1. JUAN LUIS GUERRA**
- **2. MARK ANTHONY**
- **3. MARCO ANTONIO SOIS**
- **4. VARIOUS ARTISTS**
- **5. VARIOUS ARTISTS**
- **6. VARIOUS ARTISTS**
- **7. VARIOUS ARTISTS**
- **8. VARIOUS ARTISTS**
- **9. VARIOUS ARTISTS**
- **10. VARIOUS ARTISTS**

**Regional Mexican Albums**

- **1. JAVIER SOLIS**
- **2. VARIOUS ARTISTS**
- **3. VARIOUS ARTISTS**
- **4. VARIOUS ARTISTS**
- **5. VARIOUS ARTISTS**
- **6. VARIOUS ARTISTS**
- **7. VARIOUS ARTISTS**
- **8. VARIOUS ARTISTS**
- **9. VARIOUS ARTISTS**
- **10. VARIOUS ARTISTS**
Festive Summer

Now in its seventh year, dance WKTU New York’s Beatstock touched down Aug. 21 at the PNC Bank Arts Center in Holmdel, N.J., and Aug. 22 at the Tommy Hilfiger at Jones Beach Theater in Wantagh, N.Y. The shows spotlighted dance music veterans and newcomers. Among those performing were Deborah Cox, Reina, Sugarhill Gang, Grandmaster Flash, Despina Vandi, Motorcycle, Danzel and the Roc Project. Shown backstage at Jones Beach, from left, are Ultra Records artists Vandi, Jes of Motorcycle and Danzel. (Photo courtesy of Ultra Records)

On Aug. 7, 65,000 dance/electronic enthusiasts from around the world made their way to Velsen, Holland, for Dance Valley. The day-long festival featured 15 stages and more than 150 DJs and artists. Highlights included sets by Hybrid, Ferry Corsten, Carl Cox, Armin van Buuren and Pako & Frederik. Shown taking a quick break from his DJ set, is international star Paul Oakenfold. (Photo: Carl Saytor)

Chicago Mayor Richard M. Daley proclaimed Aug. 25 Frankie Knuckles Day. The city’s Department of Cultural Affairs held a street-dedication ceremony, which was followed by Alderman Madeline Hailbock honoring the Grammy Award-winning DJ/producer. Later, as part of the DJ Series/Chicago Summer Dance in Grant Park, Knuckles manned the turntables for 5,000 dance enthusiasts. Shown, from left, are State Representative Ken Dunkin, Hailbock, Knuckles and Alderman Walter Burnett. (Photo: Gregory T. Angelo)

Clothier, Dance Acts Are A Good Fit

Hip clothing company Ben Sherman is no stranger to the dance/electronic community. The fashion brand has worked with several acts, including Felix da Housecat and the Crystal Method.

Recently, Ben Sherman partnered with photographer David Yellen to produce On the Verge, an artist-centric photo series that made its debut at the launch of the new Bloomingdale’s store in New York’s Soho district.

Talent featured in the series included TV on the Radio, Princes Superstar and Spalding Rockwell.

Now, the elegant yet sexy photo of Spalding Rockwell (shown at right) is the center of a Ben Sherman ad campaign, which debuted in the September issue of lifestyle magazine Nylon.

The timing could not be better: Spalding Rockwell’s sophomore album, “Kate” (Defend Music), arrives Sept. 21, and the act was featured on Armand Van Helden’s recent top 10 Billboard Hot Dance Club Play chart hit, “Hear My Name.”

For Spalding Rockwell’s Mary Louise Platt (aka ML) and Nicole Lombardi, partnering with a company like Ben Sherman made perfect sense.

“It’s a great opportunity for us,” Lombardi says. “They’re a cool brand that embraces cutting-edge artists. ML and I are grateful that Ben Sherman—particularly [Ben Sherman entertainment marketing manager] Dana Dynamite—supports up-and-coming artists. It’s a very tastemaking company. There is a great synergy between us.”

That synergy was heightened during the Magic Marketplace apparel trade show, held Aug. 30-Sept. 2 at the Las Vegas Convention Center. Platt and Lombardi worked closely with Ben Sherman. The duo capped off the four-day event with a live performance at Ben Sherman’s party at the Hard Rock Hotel.

The previous week, Spalding Rockwell performed at the MTV Video Music Awards pre-party at club Mint in Miami.

“Kate” finds the musically feisty duo merging elements from its 2003 punky debut “Daughter,” its electroclash jam (“White Cotton Panties”) and the Van Helden track.

“We’re just being true to ourselves,” Lombardi says of the duo’s dance-rock music foundation.

“Sure, it may make it more difficult to find a scene that you fit into—but we wouldn’t have it any other way.”

Beat Box.

By Michael Paoletta

The former Two Tons O’ Fun and Weather Girls member—who, through the years, has been featured (credited and not) on hits by Black Box, C+C Music Factory, Seduction and Todd Terry—returns with the gospel-blessed “You Lift Me Up.”

Wash is self-releasing the song on her new label, Purple Rose, which is being distributed by various one-stops, including Downtown 161 in New York. Produced by Michael Hearn, who penned the track with another disco veteran, Linda Clifford, “You Lift Me Up” is tailor-made for Wash’s powerhouse voice.

In a sea of progressive house and trance tracks, “You Lift Me Up” is the type of classic-sounding, soulful house track that truly stands out. And there is power in that—just ask Frankie Knuckles and David Morales, who are enjoying much global success with “Matter of Time” and “How Would You Feel,” respectively.

Sing hallelujah, indeed.
### HOT DANCE SINGLES SALES

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<tr>
<td><strong>NUMBER 2</strong></td>
<td><em>Flawless (Remix)</em></td>
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<tr>
<td><strong>NUMBER 3</strong></td>
<td><em>Turn Me On</em></td>
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<tr>
<td><strong>NUMBER 4</strong></td>
<td><em>If I Close My Eyes</em></td>
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<tr>
<td><strong>NUMBER 5</strong></td>
<td><em>Way To Make Ya</em></td>
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</tr>
<tr>
<td><strong>NUMBER 6</strong></td>
<td><em>Lola's Theme</em></td>
<td>6</td>
</tr>
<tr>
<td><strong>NUMBER 7</strong></td>
<td><em>How Do You Know</em></td>
<td>7</td>
</tr>
<tr>
<td><strong>NUMBER 8</strong></td>
<td><em>It's About Time</em></td>
<td>8</td>
</tr>
<tr>
<td><strong>NUMBER 9</strong></td>
<td><em>Let's Get It Started</em></td>
<td>9</td>
</tr>
<tr>
<td><strong>NUMBER 10</strong></td>
<td><em>Get Up Stand Up</em></td>
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### HOT DANCE RADIO AIRPLAY

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<tr>
<td><strong>NUMBER 2</strong></td>
<td><em>If I Close My Eyes</em></td>
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<td><strong>NUMBER 3</strong></td>
<td><em>Way To Make Ya</em></td>
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<td><em>Get Up Stand Up</em></td>
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### TOP ELECTRONIC ALBUMS

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<td><em>Louie Devito's Dance Factory, Vol. 5</em></td>
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<td><strong>NUMBER 2</strong></td>
<td><em>Scissor Sisters</em></td>
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<td><em>Paul Oakenfold</em></td>
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<td><strong>NUMBER 4</strong></td>
<td><em>The Streets</em></td>
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<td><strong>NUMBER 5</strong></td>
<td><em>Various Artists</em></td>
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<tr>
<td><strong>NUMBER 6</strong></td>
<td><em>A.B. Quintanilla III Presents Kumbia Kings</em></td>
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<tr>
<td><strong>NUMBER 7</strong></td>
<td><em>The Happy Boys</em></td>
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<tr>
<td><strong>NUMBER 8</strong></td>
<td><em>Vic Latino &amp; David Waxman</em></td>
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</tr>
<tr>
<td><strong>NUMBER 9</strong></td>
<td><em>Just Be</em></td>
<td>9</td>
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<tr>
<td><strong>NUMBER 10</strong></td>
<td><em>Where &amp; Falls</em></td>
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*Notes: Values listed are based on Nielsen SoundScan data for the week ending September 18, 2004. Nielsen SoundScan collects data from retail points of sale, which may not necessarily reflect overall sales.\[\text{www.americanradiohistory.com}\]*
Skaggs Back With ‘Brand New Strings’

BY JIM BESSMAN

NEW YORK—After several years spent exploring the roots and branches of bluegrass music with his recordings, Ricky Skaggs is satisfying his critics with an album of new material. “Brand New Strings” is due Sept. 28, on the artist’s Skaggs Family Records label.

“One of the things that makes it special is that there are so many first-time recorded songs,” Skaggs explains about the album, which is credited to Skaggs and his bluegrass band Kentucky Thunder.

“Since I came back to bluegrass [after a mainstream country career], I’ve been redoing a lot of old chestnuts by Bill Monroe, the Stanleys, Flatt & Scruggs and people like that because my heart’s so into educating young kids out there and letting them know where the music came from, who the founders and shapers were,” he continues. “But I also taught criticism from modern bluegrass musicians and writers who wanted me to do an album of all new material.”

The turning point for Skaggs was the song “A Simple Life,” from his 2003 album “Live at the Charleston Music Hall.” “I literally read the lyrics off the music stand, and then it wins the Grammys for best country performance by a duo or group with vocal. It blew me away and gave me the idea of doing new songs,” he says.

Skaggs describes “A Simple Life,” written by Mac McAnally, as “A Music Row song” that encouraged other Nashville writers to send songs his way.

Heartbound Songs (ASCAP) writer Skaggs’ contributions include fiddle tune “Monroe Dancin’.” The song was inspired by his fond memory of Bill Monroe dancing to his fiddle playing at a bluegrass festival when Skaggs was 16. Skaggs also wrote “Appalachian Joy,” originally penned for a since-nixed Disney animated project.

According to Skaggs Family Records GM Stephen Day, “Brand New Strings” could well go three singles deep, starting with “Spread a Little Love Around,” which is being worked at country, bluegrass and Americana radio outlets. It will be followed early next year by “Enjoy the Ride” and then “Love Does It Every Time.” The latter features harmony vocals from Skaggs’ wife, Sharon White.

“We’ve put together a team to work radio,” Day says, citing Nashville promotion companies Grassroots and Songlines, which are working the project to the country and American formats, respectively. They will support Skaggs Family’s own efforts at bluegrass radio.

Six of Ricky’s seven albums for Skaggs Family have received Grammy nominations, and five have won,” Day notes. “So this is going to be a fun record to market.”

Brian Smith, VP of store operations for Atlanta-based retail chain Value Central Entertainment, looks forward to working again with Skaggs Family.

“We did in-stores with Ricky for his last two albums and intend to pursue them again,” he says. “He’s always very receptive to retailers, which is different from many artists of his stature and surely testament to his work ethic and belief in his projects. So we view him as a true partner in every sense.”

Will Labels Open ‘Pandora’s Box’ With Paid Spins?

Last week, country programmers were given the chance to air their views on the controversial topic of paid spins.

In this issue, the plan was to give labels a chance to respond. The heads of promotion for every Nashville label were asked to participate. Most declined.

In fact, just five would even agree to talk, and four of those did so only on the condition of anonymity. The rest either ignored an interview request or declined to comment with comments like “I wouldn’t touch that topic with a 10-foot pole.”

One sent an e-mail calling the subject “dangerous territory.”

While some have concerns about the ethics of legal paid-spin programs that some radio groups and syndicators offer, most seem more concerned with what is happening on trade secrets.

As one VP of promotion puts it, the attention this subject has received in recent weeks “shines a light on the underworld of our business, and that’s a little scary.”

But syndication and paid spin programs are already a strategic part of plans to get a record to the top of the charts and hold it there. Despite concerns expressed by label executives and radio, many heads of promotion feel they already live in a world where they have to buy spins to compete.

“You almost have to do it,” says the head of promotion for one of Nashville’s smaller independent labels. “I really run it smartly you have to do it to a degree to protect your record at certain benchmarks on the chart.”

“Promotion Records” VP of national promotion Kevin Herring says, “It’s not like this is a big game of poker. We all know where most of the bodies are buried to dig up spins, where the syndicated shows are. It’s just a matter of whether you want to spend the money.”

One VP of promotion says he has never purchased a paid spin, and that puts him at a disadvantage with his competitors.

“I’m certainly not faulting anyone, but I can see now I’m getting hurt. If I don’t start buying those things, it’s going to affect me at some point, and that’s not right,” he says. He is among those who fear the practice will escalate and have repercussions on the charts.

“Why would we bother to find good [music] if we’re just going to buy our way on?” one promotion exec asks. “Where does it go from here? If you look down the road six months or a year from now, what’s the validity of the charts at that point?”

Herring shares those concerns. “If we all make a mockery of the charts that are supposed to be a tool, what use are they going to be?”

It’s not hard to see what pushed promotion executives to start considering paid spins as a valid tool.

“Promotion staffs in this town get put in an awkward position in that our artists and their managers want No. 1 records,” Herring says. “A lot of people have ‘whatever-it-takes’ mentalities and attitudes.”

Another head of promotion at an independent label agrees. “This is a smoke-and-mirrors business, and a lot of people are measured by what they can achieve on the chart.”

While Herring admires MCA Nashville’s recent strategic use of paid spin programs to help propel Reba McEntire’s “Somebody” to No. 1, he also hopes “it doesn’t open a Pandora’s box on what the new benchmark is to get No. 1 records.”

Herring says there has to be a pay-off beyond a chart position to make these programs worthwhile. “If the money you spend is directly responsible for you selling more records, I don’t think there’s anything wrong with that. That’s what we do. We sell records. If it’s done just to pound your chest, I don’t know if that makes sense.”

Another head of promotion agrees. “The only advantage of [spin programs] is that you accomplish something on the chart,” he says. “The disadvantage is you’re buying in an overnight hour where nobody’s going to hear it and you’re not going to get anything out of it other than a chart position.”

While paid spin programs are a hot topic right now, one head of promotion thinks they are just a small symptom of the escalating cost of doing business for promotion departments in recent years.

“It’s all a part of this business that is not about the music anymore,” he says. “It’s about radio’s bottom line and affecting chart position and keeping a record alive long enough to find out if you even have [a hit].

“I hate what our industry has come to,” he adds. “I don’t know how we’re going to overcome it and get back to doing business for the right reasons.”
## Top Country Albums of September 18, 2004

The table below lists the top country albums for the week ending September 18, 2004, as reported by Billboard. The table includes artist names, the album title, peak position, and sales data as compiled by Nielsen SoundScan.

<table>
<thead>
<tr>
<th>Artist/Group</th>
<th>Album Title</th>
<th>Peak Position</th>
<th>Sales Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim McGraw</td>
<td>Tim McGraw</td>
<td>#1</td>
<td>69,000</td>
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<tr>
<td>Gretchen Wilson</td>
<td>Gretchen Wilson</td>
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<tr>
<td>Big &amp; Rich</td>
<td>Big &amp; Rich</td>
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<tr>
<td>Jimmy Buffett</td>
<td>Down South</td>
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<tr>
<td>Brad Paisley</td>
<td>Lucky</td>
<td>#5</td>
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<tr>
<td>Kenny Chesney</td>
<td>No Shoes, No Shirt, No Problems</td>
<td>#6</td>
<td>39,000</td>
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<tr>
<td>Terri Clark</td>
<td>Greatest Hits 1994-2004</td>
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<tr>
<td>Keith Urban</td>
<td>Golden Road</td>
<td>#8</td>
<td>30,000</td>
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<tr>
<td>Toby Keith</td>
<td>Shock 'n Y'all</td>
<td>#9</td>
<td>29,000</td>
</tr>
<tr>
<td>Sara Evans</td>
<td>Come On Strong</td>
<td>#10</td>
<td>26,000</td>
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<tr>
<td>Alan Jackson</td>
<td>Greatest Hits Volume II</td>
<td>#11</td>
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<tr>
<td>Trace Adkins</td>
<td>Comin' On Strong</td>
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<td>Steve Earle</td>
<td>The Revolution Starts...Now</td>
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<td>Martina McBride</td>
<td>Martina</td>
<td>#14</td>
<td>21,000</td>
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<tr>
<td>Randy Flatts &amp; The Redmen</td>
<td>Over Me</td>
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<td>Cleo T. Judd</td>
<td>Bipolar And Proud</td>
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<td>Dierks Bentley</td>
<td>Dierks Bentley</td>
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<td>Soundtrack</td>
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<td>Andy Griggs</td>
<td>This I Gotta See</td>
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<td>Lonestar</td>
<td>Let's Be Us Again</td>
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<td>Dwight Yoakam</td>
<td>The Very Best Of Dwight Yoakam</td>
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<td>The Notorious Cherry Bombs</td>
<td>The Notorious Cherry Bombs</td>
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<td>Shreddy</td>
<td>Sweet Right Here</td>
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<td>The Very Best Of Randy Travis</td>
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<td>Conway Twitty</td>
<td>25 Number Ones</td>
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<td>Shania Twain</td>
<td>Up!</td>
<td>#31</td>
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<td>Various Artists</td>
<td>Songs Inspired By The Passion Of The Christ</td>
<td>#32</td>
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<td>Ron White</td>
<td>Drunk In Public</td>
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<tr>
<td>Tim McGraw &amp; The Danghellace Doctors</td>
<td>Tim McGraw &amp; The Danghellace Doctors</td>
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<tr>
<td>Jeff Foxworthy</td>
<td>Have Your Loved Ones Speared Or Neutered</td>
<td>#35</td>
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<tr>
<td>Dixie Chicks</td>
<td>Top Of The World Tour Live</td>
<td>#36</td>
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</table>

## Top Country Catalog Albums of September 18, 2004

The table below lists the top country catalog albums for the week ending September 18, 2004, as reported by Billboard. The table includes artist names, the album title, peak position, and sales data as compiled by Nielsen SoundScan.

<table>
<thead>
<tr>
<th>Artist/Group</th>
<th>Album Title</th>
<th>Peak Position</th>
<th>Sales Data</th>
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<tbody>
<tr>
<td>Larry the Cable Guy</td>
<td>Larry the Cable Guy</td>
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<tr>
<td>George Strait</td>
<td>Greatest Hits</td>
<td>#2</td>
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<tr>
<td>Soundtrack</td>
<td>O Brother, Where Art Thou?</td>
<td>#3</td>
<td>57,000</td>
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<tr>
<td>Shania Twain</td>
<td>Come On Over</td>
<td>#4</td>
<td>56,000</td>
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<tr>
<td>Kenny Chesney</td>
<td>Greatest Hits</td>
<td>#5</td>
<td>54,000</td>
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<tr>
<td>Kenny Chesney</td>
<td>Greatest Hits</td>
<td>#6</td>
<td>53,000</td>
</tr>
<tr>
<td>Tim McGraw</td>
<td>Tim McGraw</td>
<td>#7</td>
<td>51,000</td>
</tr>
<tr>
<td>Rascal Flatts</td>
<td>Set This Circus Down</td>
<td>#8</td>
<td>49,000</td>
</tr>
<tr>
<td>George Strait</td>
<td>Greatest Hits</td>
<td>#9</td>
<td>48,000</td>
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<tr>
<td>Martina McBride</td>
<td>Greatest Hits</td>
<td>#10</td>
<td>47,000</td>
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<tr>
<td>Montgomery Gentry</td>
<td>Montgomery Gentry</td>
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<tr>
<td>Tim McGraw &amp; the Danghellace Doctors</td>
<td>Tim McGraw &amp; the Danghellace Doctors</td>
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<tr>
<td>Willie Nelson</td>
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<td>Hank Williams Jr.</td>
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<td>Rodney Atkins</td>
<td>Greatest Hits</td>
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<td>Tim McGraw</td>
<td>Tim McGraw</td>
<td>#16</td>
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<td>Toby Keith</td>
<td>Shock 'n Y'all</td>
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<tr>
<td>Hank Williams Jr.</td>
<td>Greatest Hits</td>
<td>#18</td>
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<tr>
<td>Alan Jackson</td>
<td>Greatest Hits</td>
<td>#19</td>
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<tr>
<td>John Denver</td>
<td>Greatest Hits</td>
<td>#20</td>
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<tr>
<td>Brooks &amp; Dunn</td>
<td>Greatest Hits</td>
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<td>36,000</td>
</tr>
<tr>
<td>Randy Travis</td>
<td>Greatest Hits</td>
<td>#22</td>
<td>35,000</td>
</tr>
<tr>
<td>George Strait</td>
<td>Greatest Hits</td>
<td>#23</td>
<td>34,000</td>
</tr>
<tr>
<td>Tim McGraw</td>
<td>Tim McGraw</td>
<td>#24</td>
<td>33,000</td>
</tr>
<tr>
<td>George Strait</td>
<td>Greatest Hits</td>
<td>#25</td>
<td>32,000</td>
</tr>
<tr>
<td>Toby Keith</td>
<td>Shock 'n Y'all</td>
<td>#26</td>
<td>31,000</td>
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</tbody>
</table>

**Additional Information:**
- Nielsen SoundScan sales data is compiled from retail sales, streaming, and other digital formats.
- The charts are based on sales data from Nielsen SoundScan, which includes sales from chain stores, mass merchandisers, music stores, Online music retailers, and other sources.
- The charts cover the entire country and are not limited to specific regions.
- The charts are updated regularly and reflect the most current sales data available at the time of publication.
### Billboard Hot Country Singles & Tracks

**September 11, 2004**

<table>
<thead>
<tr>
<th>#1 TITLE</th>
<th>PRODUCER (SONGWRITER)</th>
<th>WEEKS AT #1</th>
<th>PEAK POSITION</th>
<th>ARTIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>DAYS GO BY</strong></td>
<td><strong>KEITH URBAN</strong></td>
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<td>2</td>
<td><strong>LIVE LIKE YOU WERE DYING</strong></td>
<td><strong>TOM McGRAW</strong></td>
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<td>3</td>
<td><strong>GIRLS LIKE TOO</strong></td>
<td><strong>TERRY CLARK</strong></td>
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<tr>
<td>4</td>
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<tr>
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<td><strong>SHE THINKS SHE NEEDS ME</strong></td>
<td><strong>ANDY GRIPS</strong></td>
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<td>6</td>
<td><strong>SUNS IN THE BUCKET</strong></td>
<td><strong>SAK EVA</strong></td>
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<tr>
<td>7</td>
<td><strong>TOO MUCH OF A GOOD THING</strong></td>
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<tr>
<td>8</td>
<td><strong>I HATE EVERYTHING</strong></td>
<td><strong>GEORGE STRAIT</strong></td>
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<td>9</td>
<td><strong>I GO BACK</strong></td>
<td><strong>KENNY ROYAL</strong></td>
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<td><strong>WHISKEY LULLABY</strong></td>
<td><strong>BRIAN PASLEY</strong></td>
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<td><strong>STAYS IN MEXICO</strong></td>
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<td><strong>THAT'S WHAT IT'S ALL ABOUT</strong></td>
<td><strong>BROOKS &amp; DUNN</strong></td>
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<td><strong>RASCAL FLATTS</strong></td>
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<td>14</td>
<td><strong>IF NOBODY BELIEVED IN YOU</strong></td>
<td><strong>JOE NICHOLS</strong></td>
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<td>45-46</td>
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<td>15</td>
<td><strong>ROUGH &amp; READY</strong></td>
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<tr>
<td>16</td>
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<td><strong>LOU NAVARRO</strong></td>
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<tr>
<td>17</td>
<td><strong>HOW AM I Doin'</strong></td>
<td><strong>DICKS BENEDIT</strong></td>
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<td><strong>NOTHING BUT THE RADIO</strong></td>
<td><strong>MCA AVANTGARDE</strong></td>
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<td><strong>JULIE ROBERTS</strong></td>
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<td><strong>HELPFUL BEAUTIFUL LIFE</strong></td>
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<td><strong>THAT'S COOL</strong></td>
<td><strong>JONI STONE</strong></td>
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<tr>
<td>26</td>
<td><strong>THE WOMAN WITH YOU</strong></td>
<td><strong>KENNY CHESNEY</strong></td>
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<tr>
<td>27</td>
<td><strong>LOOK AT US</strong></td>
<td><strong>CLAYSON TEAGUE</strong></td>
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<td>28</td>
<td><strong>ROCKIN' WITH THE LEGEND</strong></td>
<td><strong>STEVE PATTON</strong></td>
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<td>29</td>
<td><strong>I LOVE NASHA</strong></td>
<td><strong>CLINT BLACK</strong></td>
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**SEPTEMBER 18, 2004**

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<tr>
<th>#1 TITLE</th>
<th>PRODUCER (SONGWRITER)</th>
<th>WEEKS AT #1</th>
<th>PEAK POSITION</th>
<th>ARTIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>FEEL MY WAY TO YOU</strong></td>
<td><strong>KAELIN KENDRICK</strong></td>
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<tr>
<td>2</td>
<td><strong>HEY GOOD LOOKIN'</strong></td>
<td><strong>JIMMY BARNES</strong></td>
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<tr>
<td>3</td>
<td><strong>JESUS WAS A COUNTRY BOY</strong></td>
<td><strong>PATRICK WILSON</strong></td>
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<td><strong>WHAT SAY YOU</strong></td>
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<td>5</td>
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<td><strong>CRAIG WALKER</strong></td>
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<td><strong>TERRY GARNER</strong></td>
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<td><strong>JON IVEY</strong></td>
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<td>8</td>
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**Top Bluegrass Albums**

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<th>TITLE</th>
<th>ARTIST</th>
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<tbody>
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<td><strong>ALISON KRAUSSE + UNION STATION</strong></td>
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<td><strong>OLD CROW MEDICINE SHOW</strong></td>
<td><strong>OLD CROW MEDICINE SHOW</strong></td>
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<td><strong>STEVE VIEY - THE LEGEND OF BLUEGRASS</strong></td>
<td><strong>STEVE VIEY</strong></td>
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<td><strong>VARIOUS ARTISTS - GOOD OLD BRUSH</strong></td>
<td><strong>VARIOUS ARTISTS - GOOD OLD BRUSH</strong></td>
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<td><strong>VARIOUS ARTISTS - BANJO WEEK</strong></td>
<td><strong>VARIOUS ARTISTS - BANJO WEEK</strong></td>
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<td><strong>VARIOUS ARTISTS - PICKIN' ON KATHY CRISSELL</strong></td>
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<td><strong>VARIOUS ARTISTS - MOUNTAIN HEART</strong></td>
<td><strong>VARIOUS ARTISTS - MOUNTAIN HEART</strong></td>
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<td><strong>VARIOUS ARTISTS - EARL SCRUGGS &amp; THE MANLY BOYS</strong></td>
<td><strong>VARIOUS ARTISTS - EARL SCRUGGS &amp; THE MANLY BOYS</strong></td>
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<tr>
<td><strong>VARIOUS ARTISTS - JIMMY VANCE</strong></td>
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**Top Country Singles Sales**

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**Billboard Hot Country Singles Sales**

**SEPTEMBER 11, 2004**

**SEPTEMBER 18, 2004**

**www.billboard.com** - **www.billboard.biz**
ALBUMS

Edited by Michael Paolleta

POPE

SOUNDTRACK

Resident Evil: Apocalypse
PRODUCERS: Various
Roadrunner 168 618 242
RELEASE DATE: Aug. 31
Taking a hint (from last year's successful soundtrack to "Freddy vs. Jason" [not to mention the original "Resident Evil"]), Roadrunner has assembled an impressive collection of music that follows the sequel to the zombie flick starring Milla Jovovich. Since the film's teenage-male-target audience is likely the same as that of the metal and goth soundtrack, it's a win-win situation for them and the bands. Roadrunner's winning strategy is to include the song tracks to spotlight its artist roster. To that end, Killswitch Engage's "The End of Heartache" and Slipknot's latest single, "Vermillion," are among the highlights. Also included are remixes of songs by A Perfect Circle and Bob Zombie. And goth fans will be pleased to see R. 4.o. on "Is or Them" and HIM's previously released "Join Me in Death."—BT

LAMB OF GOD

Ashes of the Wake
PRODUCER: Machine
Epic ER 90702
RELEASE DATE: Aug. 31
Any metal purist wary of Virginia's Lamb of God making the move to a major label can relax—"Ashes of the Wake" is one of the purest heavy metal albums of the year. Randy Blythe's powerful, growling voice is anything but melodic. The band, led by guitarists Mark Morton and Willie Adler, play pit-rousing riffs in the vein of Pantera and Slayer that hit on a vocoder assisted by Less, Stainton's trio of last fall's Headbangers Ball tour and this summer's Ozzfest have proved that it can aby back up its performance. Many of the lyrics have a decidedly political lean, with Blythe bellowing about "bombing to set the people free" and "oil for the machine," while the instrumental title track features a spoken-word segment by a Marine. The latter song also features guest solos from former guitarists of Megadeth and Testament, essentially serving as a passing of the metal torch.—BT

MASTODON

Leviathan
PRODUCERS: Matt Balleys, Mastodon
Reprise RR661
RELEASE DATE: Aug. 31
The near-constant time on the road since the release of its stunning 2002 debut album, "Remission," seems to have paid off for Atlanta's Mastodon. The sophomore full-length "Leviathan" shows the band maturing and growing yet remaining true to their uncompromising brand of technical progressive metal. A concept album based on H. G. Wells' "The War of the Worlds," "Leviathan" spotlighting more singing, as opposed to mass-shouted choruses. It also features music that is almost straightforward "Blood and Thunder," "Iron Tusk" and the crushingly heavy riffs that close "Seabreast."). While Mastodon has been compared to Rush and pre-Black "Metallica," it goes a few steps further than the latter band on 14-minute epic "Hearts Alive." The group even finds time to cram a country lick into a song ("Megalodon"). "Leviathan" is a must-have for any prog-metal fan's collection. The band's participation in this fall's Jocerge Music Festival tour should bring Mastodon to the ears of many that desire to hear them.—BT

THE LIBERTINES

The Libertines
PRODUCER: Mick Jones
Round Trade 0607683250
RELEASE DATE: Aug. 31
Looking to build on the momentum established by their first album, "Up for Brakclt," the Libertines keep the great vibes going with a more revealing, self- styled sophomore set. Often compared to such bands as the Strokes and the Vines, the Libertines made their album debut during the nu-garage movement two years ago and established themselves as one of the top rock acts in the United Kingdom. Since then, the band has fallen on rough times, with lead singer Peter Doherty dealing with a much-publicized drug addiction. With such issues splashed across tabloid headlines, the band hit the studio to record a highly personal album reflective of Doherty's struggles. The result is raw and emotional. "Can't Stand Me Now" revolves around the roller-coaster friendship between Doherty and guitarist Carl Barat; it is one of many high points here. Less anti-establishment and more reflective, "The Libertines" is a fine snapshot of a tumultuous period in the life of the band and the world around it.—RT

R&B/HIP-HOP

THE FOREIGN EXCHANGE

Connected
PRODUCER: Nicolas
BBE BBE0047
RELEASE DATE: Aug. 24
As the daughter of successful songwriters/producers Buddy Cannon, Melodie has had an inside track on much of the latest in the genre. But when she worked for the Foreign Exchange's aptly titled "Connected," a collaboration of bands, vocalists, a crack blues studio band and top-tefent material from some of Nashville's A-list tunesmiths make for a winning debut. Cannon's voice has bite

and range, whether on rolling uptempo fare like "Nothing to Lose" and "Westbound Train." more subtle cuts like the Mataca "Bargor"/"Ologie gratis" and "Tennessee Road." The disc's producers contribute the easy rolling "I Feel You Every- where," and they team with John Scott to get the good time "You Took You So Long." "Nobody Hops a Train" has style and substance, while "Pass the Handling of the Medical and more "Whiskey Lullaby" takes a backseat to no one. Cannon also expresses a vocal depth and confidence on "I'll Be Back." In total, this is a perfectly satisfying piece of work. Distributed in the United States by Lyric Street.—RW

MUSICAL REVIEWS

CARLOS VIVES

El Rock De Mi Pueblo
PRODUCERS: Carlos Vives, Emilio Estefan Jr., Sebastian Krys, Andres Castro
EMI Latin 72435-78306
RELEASE DATE: Aug. 31
How far can you take rulat7as? Carlos Vives appears to be the Columbian-rooted music as far as it can go, aggressively merging it with blues and rock. The resulting album is more folk-based, yet more modern, than Vives' past recordings. Perhaps this is because most instrumental parts were recorded live—or because Vives' vocals are an integral part of the ensemble.

LL COOL J

The Definiton
PRODUCERS: various
Def Jam 800029399
RELEASE DATE: Aug. 31
How do you keep things fresh when you're an MC on your 11th album? If you're LL Cool J, you team up with Timbaland to create a host of party-ready, female-friendly tracks. That's what the veteran rapper-turned-actor has done with "The Definiton." Lead single "Head- sprung," a kinetic anthem, has been embraced by radio and the clubs. "I'm About to Get Her" finds LL harnessing his inner Jay-Z. Pro- duced by Teddy Rilev, the acoustic guitar-tined track, which features R. Kelly, is eerily reminiscent of "Fiesta." LL again aims at the ladies on "Hush." This smooth, melodic, midtempo groove, featuring 7 Aurelius, is tailor-made for LL's mature and sexy lyric. The rugged, electro-hu "Move Somethin'", squarely targets dancers. Light on filler, "The Definiton" proves that, after 21 years in the industry, LL is as relevant as many of his contemporaries.—RH

REGGAE

LADY SAW

Strip Tease
PRODUCERS: various
VP 1071
RELEASE DATE: Sept. 14
While Beenie Man may profess to be the king of the dancehall, few would argue that Lady Saw is indeed the queen of the subgenre. Being one of the few females in dancehall to con- sistently make her mark, Marion "Lady Saw" Hall continues to do just that on this, her seventh overall set. Lead single "Loiter," which features Sustro Mase, is the dancehall equivalent to TLC's "90s smash "Scrubs"—with equally infectious results. Borrowing a popular rhythm from Beenie Man's "Dude," Saw takes a similar "I don't need a man" approach with "Man Is the Least." She doesn't iterate with the tune on the reggae-"I've Got Your Man." Much of the appropriately titled "Tom Foolery" is the same sexually explicit lyrics set over infectious rhythms. That said, the red-hot disc should heat up the fall.—RH (Continued on next page)

MELONIE CANNON

Mango
PRODUCER: Buddy Cannon, Ronnie Bowman
Skaggs Family Records 68909
RELEASE DATE: Aug. 31
As the daughter of successful songwriters/producers Buddy Cannon, Melodie has had an inside track on much of the latest in the genre. But when she worked for the Foreign Exchange's aptly titled "Connected," a collaboration of bands, vocalists, a crack blues studio band and top-tefent material from some of Nashville's A-list tunesmiths make for a winning debut. Cannon's voice has bite

verses and beats over the Internet. The result is soulfully serene, tailor-made for hip-hoppers more interested in Monet than Moet. "Sincere" will have heads nodding and minds being whisked away to a 70s rock party. Songstress YVON and alongside Phonte on this sweet tale of hip-hop love. "On "Nic's Groove," Nicolay crafts a madcap backdrop, over which Phonte and Little Brother cohort Big Pop trade verses. Other highlights include "Comte Around," "Von tours" and the emotive "Be Alright."—RH

BILLBOARD

SEPTEMBER 18, 2004

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WORLD

MANU DIBANGO

The Rough Guide to Manu Dibango
PRODUCERS: various
World Music Network 1144
RELEASE DATE: Aug. 31
Manu Dibango is one of the greatest jazz musicians in the history of African music, and this retrospective pulls 13 tunes from 26 years of recording (1966-1992). Sax man Dibango, a native of Cameroon, has lived and per- formed all over Europe and Africa, and his stellar musicianship has been a cornerstone of the African art scene for years. A film taking a look at his career as a gifted player, Dibango has flourished in all forms and found inspiration in everything from soccer, ska and hop to Afrobeat, makossa and pygmy music. For a taste of the sound that initially made him famous, check out "Makossa"—Blowing featuring Bill Laswell and Herbie Hancock. This disc is an update of Dibango's 1973 monster Afrojazz/funk hit "Soul Makossa." For the past 40 years, Dibango has been a guiding light for African jazz musicians. It's high time we celebrate his contribution with such collections as this one.—PVY

COUNTRY

KEITH CAUFFIELD, LEILA COBO, DEBORAH EVANS PRICE, RASHAUN HALL, DAN OUELLETTE, MICHAEL PAOLETTA, CHUCK TAYLOR, BRIAM TEITELMAN, RAYMOND TORRES, PHILIP VAN VLECK, RAY WADDELL. ESSENTIALS: Reissues denoted by the review editor to choose special attention on the basis of musical merit and/or Billboard chart potential VITAL. ESSENTIALS: Revised albums of special artistic, archival and commercial interest and outstanding collections of works by one or more artists. PICKS: [®]. New releases predicted to hit the top half of the chart in the corresponding format. ORIGINS: Notes on original recordings, preferred artists of chart potential, highly recommended because of their musical merit. All albums commercially available in the United States are eligible. Send album review copy and singles review copies to Michael Paolleta (Billboard, 770 Broadway, 6th floor, New York, N.Y. 10003) or to the writers in the appropriate bureau.
BLUES

- BILL PERRY
  Raw Deal

PRODUCER: Papa Chubby

Billed Pig 5093

RELEASE DATE: Aug. 31

Blues guitarist Bill Perry's third album for Blind Pig is certainly a fiery affair. Papa Chubby stepped in to produce and he has honed the hard edge of Perry's blues-rock sound. The opening track, "Bluesman," has a down-and-dirty arrangement that gives Perry all the room he needs to air out a nasty lead guitar that quite deftly references Hendrix. Indeed, there's an echo of that icon in a few of Perry's solos, but that's mainly a sign of Perry's good taste. When he drops into more standard slow blues ("Live On"), his lead guitar is markedly different, but equally moving. Two of Perry's numbers "Cowtown Blues" and "Give Me Money Runs Out" and Bob Dylan's "You've Got To Serve Somebody" are wisely chosen and powerful. "Raw Deal" is poised to help Perry establish a more recognizable sound, which is his principal need at present. — PVY

JAZZ

- CHARLIE HADEN
  Land of the Sun

PRODUCERS: Charlie Haden, Gonzalo Rubalcaba, Bob Camero

Verve B0002887

RELEASE DATE: Aug. 31

Bassist Charlie Haden's 2002 CD of duos, "Nightmost," won the Grammy Award for best Latin jazz album. It was a disc of balladic love songs from Cuba and Mexico. He follows that with "Land of the Sun," a fine collection of songs from three Mexican singer-songwriters, primarily José Sabre Marroquín, whose daughter gave Haden a portfolio of his tunes, rarely heard north of the border. Haden and/or pianist Gonzalo Rubalcaba imaginatively renders these beauties with care and creativity in a serene setting with a superb supporting cast that includes trumpeter Michael Rodriguez and saxophonists Miguel Zenón and Joe Lovano. Those who criticize Haden for making "sleepy jazz" in recent years fail to comprehend his commitment to the beauty of melody. That is fully revealed here on such lyrical Marroquín jewels as "Alfaraza" and "Canción a Paola," as well as on Agustin Lara's "Solamente Una Vez," a song that Frank Sinatra adopts. "Nocturne," won the Grammy for Haden's daughter, "You Belong to My Heart." — DOO

CHRISTIAN

- VARIOUS ARTISTS
  The Passion of the Christ Songs

PRODUCERS: Tom Cook, Mark Joseph, Gregg Wattenberg, Steven Lerner

Lost Keycord 60150-13105

RELEASE DATE: Aug. 31

This is the third official soundtrack to be issued in conjunction with Mel Gibson's "The Passion of the Christ." Arriving at the same time as the film's DVD release, "The Passion of the Christ Songs" features 12 new tracks inspired by the film. A musical melting pot of country, pop, gospel, and rock, the album also offers recordings by Lauren Hill, Big Dismal, F.O.O., MxPx, Charlotte Church, Belle Winans and Angie Stone. Former Creed vocalist Scott Stapp is on the lead single, "Relearn Love." Top Christian artists Steven Curtis Chapman, Bert Millard (Mercyme) and Mac Powell (Third Day) team for "I See Love." The sole country cut, Brad Paisley and Sara Evans' "New Again," is the most emotionally riveting moment here. — DEP

VITAL REISSUES

JEFF BUCKLEY
  Grace: Legacy Edition

REISSUE PRODUCERS: Steve Berkowitz, Mary Golub, Jerry Rappaport

ORIGINAL PRODUCER: Andy Wallace Columbia C3/92881

RELEASE DATE: Aug. 24

If any album deserves a 10th-anniversary reissue treatment, it's Jeff Buckley's "Grace." Along with Nirvana's "Nevermind," it set the tone for much of the '90s. Anchored by Buckley's incredibly expressive voice and guitar playing, the album spanned the rock, folk and blues genres and influenced countless bands. Buckley's plaintive vocals and yearning lyrics were given additional emotional resonance upon his drowning in 1997, making "Grace" his only proper full-length album. In addition to a remastered edition of the Legacy Edition, the upcoming bonus disc also includes some previously unreleased material. While the highlight is "new" original track "Forget Her," it is fun to hear Buckley tackle songs by Screamin' Jay Hawkins, Hank Williams and MC5 as well. Also included is a third disc, which includes a DVD of the making of the Landmark album, and five music videos. — BT

DVD

KYLIE MINOGUE
  Bingo Love/Live Capitol 997941

RELEASE DATE: Sept. 7

To mark the release of her new album, "Bingo Love," Kylie Minogue staged a one-night-only concert at London's Hammersmith Apollo last November. The 14-song spectacle was stocked with tracks from the electro-hued album (including singles "Slow" and "Red Blooded Woman") and catalog hits ("Can't Get You Out of My Head," "On a Night Like This"). Watching the disc, one can't help but wonder why this extravagant show was not part of a mammoth tour. Still, we'll take the DVD and its bonus features, which include a telling behind-the-scenes documentary (Minogue musing on the show's choreography, for example) and three music videos. — KC

SINGLES

Edited by Michael Paelletta

POP

★ AMBER You Move Me (3:29)

PRODUCER: Wolfram Dettki

WRITERS: W. Dettki, M. C. Cremers

PUBLISHERS: Black Scarlet (ASCAP); Marie Claire Music (ASCAP); JMCA Enterprises IMC0003 (CD single)

Violet single writer/producer Alex Eddy is eager to show off her new fall colors with "You Move Me," a composition that will shock and delight fans who have puffed to her long string of purring pop/dance hits, including "This Is Your Night," "Sexual (Li Da Di)" and "One More Night." This time around, Amber has amped the voltage to atomic proportions—with a tornado of guitars and nervous beats, an undulating "Beep Beep!" and a rump shaker that spins the listener around the siren, as she proclaims, "You take me higher and higher." Amber is obviously taking her act to a higher plane and complete the launch of her own label, JMCA, which will issue the upcoming full-length. "I'm the one you need right now," promises the singer/songwriter (due Oct. 5). A bevy of remixes, including a tribal-hued journey by Mike Cruz, will ensure club action for "You Move Me," though the song deserves its place in the mainstream spotlight. Amber is one talented lady; it's the whole world took notice.—CT

R&B/HIP-HOP

★ TEENA MARIE FEATURING GERALD LEVERT A Rose by Any Other Name (4:24)

PRODUCERS: Teena Marie, James Allen

WRITER: T. Marie

PUBLISHER: Allstar Music (BMI)

Cash Money Classics/Universal UNIR237 (307 CD single)

The second single from Teena Marie's top 10 album, "La Donna," finds the aka of Gerald Levert for a blistering slow burn. Recalling Marie's 1981 duet with Rick James ("Fire and Desire"), "A Rose by Any Other Name" is one of those all-too-rare, classic-sounding soul jams. "Baby/Your body moves/Love poetry," Levert sings. Seconds later, his singing, "No one else can hold a candle/To you/girl/Cuz you're everything I need/in my world," Marie's response: "I sang a song for you, baby/Tellin' you the world about the joy/inside my body... Cuz my world was spinning round/Until you made my life come down." A back-and-forth vocal interplay only heightens the love at the core of this beautiful song. —MP

★ CHINGY Balla Baby (3:36)

PRODUCER: Keith McMahans

WRITERS: K. Balla, V. McMahans, M. Masters

PUBLISHERS: Chingy Music (ASCAP), admin. by BMG Songs (ASCAP); Empty House Music (ASCAP), admin. by EMI Music Publishing (ASCAP)

Disturbing The Peace/Capitol 67635

After a string of breakout success with his debut single, "Jackpot" (and hit singles like "Right Thru 'Em" and "Hooliegurls"), Chingy returns with this, the lead single of his forthcoming sophomore set, "Powerballin.'" With "Balla Baby," the st. Louis native sounds more West Coast than Midwest. Chingy extols women, cars and cash over a piano-dripped track. While the subject matter isn't unique, Chingy's midwestern twang makes it easier to digest. Mainstream R&B is picking up on the single rather quickly, but it may not have the crossover appeal of his previous efforts. Either way, Chingy appears to be on a roll.—RA

AC

■ SIMPLY RED Home (3:17)

PRODUCERS: Hucknell, Lewison & Lewison

WRITER: M. Hucknell

PUBLISHERS: Steve Lewison/Pete Lewison/EMA Songs/19 Songs/BMG Music Publishing

Simplyred.com SARAMO25 (CD single)

Sonja Isaacs (formerly a solo artist on Lyric Street), sister Becka Isaacs Bowman, mother Lily, brother Ben and John Bowman turn in outstanding performance on this poignant Leslie Satcher ballad. The haunting lyric speaks of the need for peace and the struggles people go through in their search for emotional respite. This is a stunning piece of work, and veteran producer Don Cook skillfully frames the production's performances with delicate mandolins. Overall, the production is understated and appropriate to the song. Country programers are encouraged to give this "Peace" a chance.—DEP

ESSENTIAL REVIEWS

THE ISACS Peace (3:57)

PRODUCER: Don Cook

WRITER: L. Satcher

PUBLISHER: Sony/ATV/Universal; Satcher Songs (ASCAP)

Gaither Music Group SMD2585 (CD single)

This gifted family act has long been a favorite in bluegrass and gospel music circles. But with the release of "Heroes," the Isaacs' 1st album on the Gaither Music Group label, mainstream country audiences are being targeted with this exceptional single. Sonja Isaacs (formerly a solo artist on Lyric Street), sister Becka Isaacs Bowman, mother Lily, brother Ben and John Bowman turn in outstanding performance on this poignant Leslie Satcher ballad. The haunting lyric speaks of the need for peace and the struggles people go through in their search for emotional respite. This is a stunning piece of work, and veteran producer Don Cook skillfully frames the production's performances with delicate mandolins. Overall, the production is understated and appropriate to the song. Country programers are encouraged to give this "Peace" a chance.—DEP
EXECUTIVE TURNTABLE

PEOPLE ON THE MOVE

RECORD COMPANIES: J/Arista Records in New York appoints Randy Franklin senior VP of urban promotion. He was president of consulting firm RF Entertainment.

EMI Music Marketing in Los Angeles promotes Merrily Shneider to senior VP of credit and collections; Giulio Proietto to VP of finance and business development; strategic marketing; Lisa Wohl to senior director of creative and soundtracks; and Tonya Puerto to senior director of licensing. Shneider was VP of credit and collections; Proietto was senior director of finance, strategic marketing; Wohl was director of creative, film and TV; and Puerto was director of licensing, film and TV.

Motéma Music in New York appoints Eulis Cathey executive VP/CM. He was VP of promotion at N-Coded Music.

BOOKING AGENCIES: William Morris Agency in New York names Sam Shneider VP of business development, and assigns him to the T.K. McFarland, Inc./WVFJ

CONCERT PROMOTION: Palace Sports and Entertainment in Auburn Hills, Mich., promotes Mindi Kwilakowski to director of advertising. She was marketing coordinator.

House of Blues Entertainment in Cleveland appoints Dan Smith GM. He was GM at House of Blues in New Orleans.

Ford Park in Beaumont, Texas, names Allan Vella GM. He was GM of the Saginaw County Events Center in Saginaw, Mich.

Radio: Clear Channel Radio in Los Angeles appoints Greg Schoenbaum senior VP of business development and event marketing. He was a consultant.

Christian AC WFVF Atlanta names Don Schaeffer PD. He was operations director at Clear Channel Radio in Colorado Springs, Colo.

Mainstream rock WRKZ Pittsburgh names Ryan Mill PD. He was assistant PD/music director at mainstream top 40 WBZZ Pittsburgh.

Adult top 40 WMZB Memphis taps Jerry Dean as PD. He adds those duties to his title of operations manager at WMZB.

Top rock KXTE Las Vegas promotes Chris Riple to PD. He was assistant PD/music director/afternoon host.

Classical WPRK Miami names Bob Bellini operations director. He adds those duties to his titles of classic rock WRKZ Milwaukee PD and classic rock/classic hits specialist at WPRK/WRKZ parent Saga Communications.

Cool rock WDAP Kansas City, Mo., appoints Jesse Garcia PD. He was PD of country WXQX Rockford, Ill.

Country WLXX Lexington, Ky., names C.C. Matthews PD. He was director of programming at Salem Communications.

Rhythmic top 40 KTBT Tulsa, Okla., names Billy Madison PD. He was assistant PD/music director at country WYPI.

Capitol Radio Group in Springfield, Ill., appoints Valerie Knight operations manager of the company; she also receives the title of PD of classic hits WYMG Springfield.

She was PD of active rock WGIR Manchester, N.H.

Country WXQX Rockford, Ill., elevates Steve Summers to PD. He was morning host.

Music video: MTV and VH1 in New York, which is one of several local seminars presented by the Hit Promotions Summit Action Network. Other R&B/hip-hop celebrities who attended the confab included Anthony Hamilton, Lean, Layzie Bone and D12 member Bizarre. (Photo: Bill Stover)

Platinum Paisley Brad Paisley received a commemorative plaque for his 2003 "Mud on the Tires" album being his third consecutive platinum album on Arista Nashville, a subsidiary of RCA Label Group. According to the Recording Industry Assn. of America, the album shipped 1 million copies in the United States, as did Paisley's 2001 set, "Part II," and 1999 album "Who Needs Pictures." Shown at the RLG offices in Nashville, from left, are RLG A&R director Jim Catine, Arista Nashville director of artist development and marketing Cindy Mabe, Paisley, RLG chairman Joe Galante, Arista Nashville VP of national promotion Bobby Kraig and RLG executive VP Butch Waugh.

N Sync Reunion The members of 'N Sync performed together for the first time in months at the sixth annual 'N Sync Challenge for the Children charity event, which took place July 23-25 at numerous South Florida venues. The group sang the national anthem July 25 at the event's basketball game at Office Depot Center in Sunrise, Fla. 'N Sync has been on an unofficial hiatus since 2002 as the group members pursue solo projects. Pictured, from left, are Lance Bass, Joey Fatone, JC Chasez, Chris Kirkpatrick and Justin Timberlake. (Photo: Kevin Mazur/WireImage.com)

St. Louis Summit Nelly, left, joined Jadakiss Aug. 20 at the 2004 St. Louis Hip-Hop Summit at the city's Missouri Black Expo. St. Louis native Nelly hosted the event, which is one of several local seminars presented by the Hip-Hop Summit Action Network. Other R&B/hip-hop celebrities who attended the confab included Anthony Hamilton, Lean, Layzie Bone and D12 member Bizarre. (Photo: Bill Stover)

Now, Hear This... CIARA

Artists to Watch

Cinderella has nothing on Ciara. The musical dream the 18-year-old envisioned just four years ago is coming true, thanks to her first single, "Goodies." The R&B/pop crossover hit featuring rapper Petey Pablo follows in the infectious "crunk & B" footsteps of Usher's "Yeah!"/"Lil Jon and Sean Garrett, who co-wrote and co-produced "Yeah!," are among the writers who worked with Ciara on the Lil Jon-produced "Goodies." Already a No. 1 hit on The Billboard Hot 100, "Goodies" is also the title track of Ciara's debut album, due Sept. 28 on Soh/ Nuft/LaFace/Zomba. Ciara's good fortune and single-mindedness date back to high school. That was when the Atlanta-based talent decided to become a professional singer. After joining a girl group, then going solo, she landed a publishing deal at 15. However, it was her fortuitous pairing with producer Jazze Pha that jump-started her dream. He signed Ciara to his Soh Nuft label after working with her for only five days. Besides Lil Jon and Pablo, Ciara's collaborators include R. Kelly, Missy Elliott and Ludacris.

Ciara says of her enviable career trajectory, "To be a first-time artist and working with such big names is a blessing; it all hasn't fully hit me yet. But I'm ready for what can happen."
MURDOCH HARVESTS DISTRIBUTOR FOR EP

Allindies.com, the distribution arm of Kansas City, Mo.-based Harvest Media Group, has picked up singer-songwriter Alexi Murdoch’s “Four Songs” EP.

Los Angeles-based Murdoch has garnered solid airplay on local public radio powerhouse KCRW for his Nick Drake-influenced work. According to Nielsen SoundScan, “Four Songs” has sold more than 15,000 units without the benefit of formal distribution. Beyond stirring club attendees with his introspective music, Murdoch has interested TV and film music supervisors. Network series “ Dawson's Creek” and “The OC” have featured Murdoch tracks, with his song “Orange Sky” appearing on the Warner Sunset/Warner Bros. release “Music From The OC; Mix 1. ’’ "Orange Sky" was also heard in the recent film “Garden State” (although not on the accompanying hit Fox/Epic/Sony Music album).

DEEPER INTO DVD: Victory Records in Chicago has added another DVD label to its quickly burgeoning list of exclusively distributed home video companies.

Victory will now handle XDOANEX, a Los Angeles-based firm owned and operated by videographer/filmmaker Darren Doane. A veteran of more than 200 video shoots, many of them in the hardcore and punk arena, Doane has also worked with such major-label acts as Blink-182, Unwritten Law and Jimmy Eat World.

Victory's pact with XDOANEX is the second video deal the label has inked in the last month. In early August, Victory signed an agreement with Los Angeles-based AEI Home Entertainment (Billboard, Aug. 28).

GUNNING FOR THE CLUB: The Gun Club's two early-'80s albums for Blondie's short-lived label, Animal Records, may see a rerelease by Long Beach, Calif.-based Sympathy for the Record Industry.

Jaquil Pierce, sister of the band's late lead vocalist Jeffrey Lee Pierce, tells The Indies that Sympathy's Long Gone John is negotiating to bring long-out-of-print Animal sets "Miami" (1982) and "The Las Vegas Story" (1984) back into the market.

Sympathy, which is distributed by San Francisco-based Mordam Records, issued "Fair Warning," a lavish two-CD set of unreleased Gun Club material, in 1997.

In related news, the first full-length Pierce biography has finally been completed. There's an indie hook here, too. The book was written by Gene Temesy, longtime phone salesmen for Port Washington, N.Y.-based Koch Entertainment Distribution, who is a stone Gun Club fanatic.

PRETTY SWELL: Secretly Canadian in Bloomington, Ind., will rerelease the first two albums by off-kilter English punk act Swell Maps Oct. 19.

The band was one of the more interesting and chaotic products of the late-'70s U.K. punk explosion. It spawned Nikki Sudden, who went on to lead the Jacobites, and Epic Soundtracks, who became a member of Crime & the City Solution.

Secretly Canadian is reissuing the Maps’ ‘79 debut, “A Trip to Marvinville,” and its 1980 sophomore set, “Jane From Occupied Europe.” Both were originally released by Rather/Rough Trade. A new Sudden solo album, "Treasure" (Continued on page 50)

MSN STORE OPENS DOOR TO NEW PRICING SCHEME

By Brian Garrity

NEW YORK—Increasing price elasticity appears to be coming to the static 99-cent business model for downloads.

While some services like RealPlayer Music Store are experimenting with 49-cent downloads as a promotional tool, label wholesale strategies are driving others to tinker with higher prices.

Microsoft says that not all tracks for sale via its new MSN Music store will cost less than a dollar.

While 99 cents will be the predominant price per song on MSN, the company expects to charge more for some prerrelease and exclusive tracks it will offer.

MSN also says some songs longer than seven minutes will cost more than 99 cents each. The price for tracks costing more than a dollar will range from $1.39 to $3.96, depending on the wholesale price from the label.

That differs from Apple, which has been adamant about offering each track for less than a dollar.

MSN isn't offering any exclusives for more than a dollar yet, but the pricing scheme is in effect for some longer songs. Tracks longer than seven minutes that cost more than 99 cents generally cost $1.98. Some extended jazz and classical tracks cost close to $4.

The MSN policy reflects a desire by some labels to move away from one-size-fits-all model for downloads and charge higher wholesale prices for pre-street and exclusive content.

Publishing economics are also an issue. Under copyright law, the labels must pay the full, mandated per-track mechanical rate to publishers and songwriters for digital singles. Tracks longer than five minutes receive a larger publishing royalty.

BREAKING THE DOLLAR BARRIER

Microsoft isn't the first to offer variable pricing on tracks. Most notably, buymusic.com has been offering downloads at a wide range of prices since its launch last year. And all services offer variable pricing for full-album downloads, which are subject to a wider array of wholesale prices.

However, most of the market has adhered to a 99-cent price ceiling for individual downloads.

The MSN pricing strategy marks the first time a major service has acknowledged the prospect of charging consumers more than a dollar for an individual track—even if it's only a small percentage of the overall available catalog.

At the other end of the spectrum, services are finding that downloads selling for less than 99 cents can drive volume. RealNetworks recently reported that it sold a combined 1 million songs—through its RealPlayer Music Store and Rhapsody subscription service—in a single week after cutting download prices for the store and offering a free trial of Rhapsody.

Real dropped prices from 99 cents to 49 cents on its RealPlayer Music Store for a promotion that ran from Aug. 17 through Labor Day.

Meanwhile, Rhapsody sells tracks to its subscribers for 79 cents each. Users trying the service for free during a two-week promotion coinciding with the Olympics could buy tracks at the subscriber rate.
At the National Assn. of Recording Merchandisers annual convention, held Aug. 21-24 in San Diego, Universal Music & Video Distribution president Jim Urie hosted what began as an indie "town hall" meeting but wound up being for accounts of all sizes and types.

At the event, held on the convention's last day, Urie gave a vigorous review of UMVD's JumpStart program.

He noted that one factor prompting the company to launch JumpStart in September 2003 was the three-year downward curve the U.S. industry had been riding that saw it lose 31% of sales.

"We wanted to drive customers back to retail and make the CD competitively priced with the DVD," Urie said. "We hoped that JumpStart would change pricing in the industry, and that the customer could get an album for $13 to $15 and not have to lay out $20."

Another factor, he said, was that UMVD had been spending about $100 million in cooperative advertising and "$86 million of that didn't buy any media."

A final factor was the company's desire to create a level playing field for all accounts.

Urie's PowerPoint presentation included a graph that showed how JumpStart had improved economics for indie retailers buying from one-stops.

It also showed the $9.99 price most hot product carries at the big boxes.

One indie commented that he liked it better when Best Buy was losing about $1.50 per album—with the old box lot cost of $12.04—instead of making 50 cents per album, as the $9.49 JumpStart cost allows.

Urie also displayed a graph in which the introduction of JumpStart paralleled the U.S. industry's return to sales growth. He suggested that JumpStart publicity had played a role in the turnaround.

In a previous interview (Billboard, Aug. 28), Universal Music Group chairman/CEO Doug Morris cited JumpStart and the Recording Industry Assn. of America's lawsuits against unauthorized file-sharers as factors in the industry's newfound health.

JumpStart may have helped the industry head in the right direction, but Urie conceded that initially it did not work so well for UMVD. In its first four months, JumpStart was underwater; it took until February for UMVD to break even on the initiative. Urie said the company has exceeded the break-even point ever since, although he declined to say what that point is.

In addition to boosting UMVD's sales, JumpStart also helped in the costly area of returns, Urie noted. Returns are at 16.7% for JumpStart labels compared with an average of 24% for non-JumpStart labels.

One independent merchant said that the JumpStart publicity splash definitely brought people into stores looking for $9.99 records. While most merchants expressed annoyance that the initiative pressured them to sell records at an unprofitable price point, one merchant said he had turned that pressure into an opportunity. He took advantage of the JumpStart-driven retail traffic and put out any product he could for $9.99 on a speed table.

Another merchant wondered why UMVD didn't provide price protection when it first devalued product from $12.04 to $9.09 (before settling at $9.49 in JumpStart 2.0). Urie admitted he couldn't afford price protection, because it would have meant "writing a $100 million check."

Urie captured a testimonial or two from indie merchants who previously criticized JumpStart.

John Timmons, owner of Ear X-tacy in Kentucky, said, "A year ago I would have told you to shove JumpStart. In fact, I did. But now I am seeing the benefit."

Timmons said his net billing on UMG product is up 33% on a dollar basis and 49% on a unit basis; returns are down; and the store is selling more catalog than before.

The Indies

Continued from page 49

Island," arrives Oct. 5.

HAPPY TRAILS TO YOU: After 18 years at Billboard and 12 years on the independent beat, I am exiting this publication for a new gig as music editor of sister magazine The Hollywood Reporter, where I will continue to follow the vicissitudes of the indie business as part of my role.

It has been a joy and a rare privi-
**DVD Strength Proclaimed At EMX Confab . . .**

**BY JILL KIPNIS**

LOS ANGELES—DVDs are, hands down, the largest revenue generator for Hollywood.

Even though research shows that DVD sales may peak in two years (see Picture This, below), participants at the Entertainment Media Expo (EMX), which took place Aug. 30-Sept. 1 at the Renaissance Hollywood Hotel here, repeatedly proclaimed the importance of packaged media to the movie industry.

Throughout the event, there was little debate over the potential impact of video-on-demand delivery options. Instead, participants seemed more concerned about how other formats like DualDisc and high-definition DVD could change the business.

In video services, retailers and analysts say DVD will continue to be a major revenue generator for studios far into the future, even if sales reach a plateau.

Among the reasons for their optimism: 70% of consumers buy a DVD without having seen the title in theaters, Buena Vista Home Entertainment president Bob Chapek said. And according to MGM Home Entertainment president/COO David Bishop, consumers never open up to 15% of the DVDs they purchase.

Reed Hastings, CEO of Los Gatos, Calif.-based Netflix, cited Adams Media Research data that shows DVDs generating 49.5% of studio revenue, compared with 22.9% for theatrical ticket sales.

Though Hastings noted that “25 films account for half of each year’s box office,” while the other 450 films released annually “fail at some level,” he said even these less successful projects can be big on DVD.

For example, “House of Sand and Fog” (DreamWorks), which made $12 million at the box office, generated the same interest among Netflix subscribers as “Seabiscuit” (Universal), which took in $120 million. The same is true for HBO documentary “Capturing the Friedmans,” a $3.1 million film at the box office, and the $82 million business hit “Freddy vs. Jason” (New Line).

Tom Adams, president/senior analyst for Carmel, Calif.-based Adams Media Research, noted that other forms of video delivery cannot compete with DVD while the format is hot.

“The VOD concept appeared about 10 years ago, when the video industry was sagging, Adams said. Now, ‘a shelf full of DVDs is seen as better than a VOD option,’ he noted, because of the ‘collection impulse.’

**THE CLUTTER PROBLEM**

Video executives said continued retail influx for DVD and the slow adoption of VOD services like Movielink and CinemaNow bodes well for DVDs continued strength.

However, the sheer number of DVD releases makes it more difficult to get a particular title to a consumer.

“It’s all about having enough shelf space, no?” said David Bishop, president/COO of MGM Home Entertainment. “We start selling a title to a retailer early on; we show them rough footage before a film even opens in theaters.

For catalog titles, video companies have to determine whether they can generate more sales by re pricing the titles aggressively or by releasing them with marketing support.

“You need to figure out which titles are evergreen and which need protection,” Buena Vista’s Chapek says. Titles like a ‘Snow White’ or an ‘Aladdin’ need to be placed in long-term preservation by removing them from the marketplace for a time.”

In the next few years, studios will also have to contend with other formats battling for consumer dollars.

The new DualDisc, which features a CD on one side and a DVD on the other, is worrying retailers, even though it will mainly apply to music projects (Billboard, Sept. 4).

In 2003, each DVD-owning home purchased about 18.5 discs. That number could drop to about 17.5 in 2008, according to Bird.

Further, he said the rate of growth for new DVD adopters will reach a saturation point in another two years. Also, some growth is expected in video-on-demand and other download options.

Bird predicted 70% of computer-equipped homes will have a broadband connection in 2008.

Bird also questioned whether the introduction of high-definition DVD.

**. . . But Disc Purchases Likely To Level Soon**

DVD sales are growing, but how long can that upward curve continue? John Bird, an analyst for U.K.-based research firm Understanding & Solutions, says a slowdown is coming by 2010.

In a Sept. 1 presentation during the Entertainment Media Expo at the Renaissance Hollywood Hotel in Los Angeles, Bird predicted that by that year, consumers’ disc-acquisition rate will start to slow as studio catalog releases dry up.

In 2003, each DVD-owning home purchased about 18.5 discs. That number could drop to about 17.5 in 2008, according to Bird.

Further, he said the rate of growth for new DVD adopters will reach a saturation point in another two years. Also, some growth is expected in video-on-demand and other download options.

Bird predicted 70% of computer-equipped homes will have a broadband connection in 2008.

Bird also questioned whether the introduction of high-definition DVD.

sumer electronics industries are driving HD TV adoption and setting the scene for migration to HD DVD.

Bird also said he expects DVD will drive renewed growth. Consumer investment and satisfaction with regular DVD, potential format wars and an increased cost to the replication industry are some short-term factors that will negatively affect the business. However, Bird noted that the broadcast and content spent on movies will be from DVD sell-through.

**COMPLEMENTARY DEAL: New Line Home Entertainment has entered into a deal with independent film company ThinkFilm.**

New Line will have U.S. distribution rights to ThinkFilm projects that include “The Story of the Weeping Camel,” “The Agronomist,” “Bright Young Things” and “The Assassination of Richard Nixon.”

In terms of the type of films that ThinkFilms offers, it is a nice complement to our programming slate,” says Kevin Kash, senior VP of acquisitions and programming for New Line. “They have a very diverse slate that covers all types of films with all types of filmmakers.”

Jeff Sackman, president/CEO of ThinkFilm, says it is important to the company to “have broader distribution than we could generate ourselves. It’s a perfect, symbiotic fit with New Line. We offer them films that have a certain quality and edge, and they have their own projects like ‘Lord of the Rings’ and ‘Elf.’ ”

The first title New Line will distribute under the deal is “Festival Express,” a rockumentary detailing a 1970 concert series in Canada that featured the Grateful Dead, Buddy Guy, the Flying Burrito Brothers, Janis Joplin, the Band and many others. The film details the artists’ performances and offstage lives during the series (Billboard, June 4).

The acts were filmed on a customized train that took them to shows in Toronto, Calgary, Alberta; and Winnipeg, Manitoba.

The two-disc DVD ($24.98) will be released Oct. 5. Extra features include 50 minutes of previously unseen footage, interviews with tour participants and a featurette on the making of the film.

**THIS AND THAT:** The Blu-ray Disc Assn., proponents of the Blu-ray high-definition DVD format, will be including Microsoft’s VC-1 video codec technology in their specifications for Blu-ray discs. A video codec compresses video images to store them on a disc, then decompresses them when they are viewed.

Microsoft’s codec will also be used in Blu-ray’s competition, Toshiba/NEC’s HD DVD.

Target and amazon.com will exclusively sell Michael Moore DVD Collector’s Set, which streets Oct. 5 from MGM Home Entertainment. The four-disc set will retail for $29.98. It includes two previously released Michael Moore documentaries: “The Big One,” which chronicles Moore’s promotional tour for his book “Downsize This,” and a two-disc version of “Bowling for Columbine,” which is available only in this set. The fourth disc contains bonus features.
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Mongolian Acts Ready For The World
Local Music Industry Is A Work In Progress

BY MARK RUSSELL

ULAANBAATAR, Mongolia—For most people, Mongolia evokes images of Genghis Khan and his hordes galloping on horseback to conquer immense territories. But the developing Central Asian nation sports a thriving music scene, with admiring creativity, rising sales and scores of young acts.

Now those acts are looking beyond their national borders and attracting attention from the regional music industry.

"Mongolian singers have really impressed me," says Hans Ebert, Singapore-based executive director of EMI Recorded Music Southeast Asia.

Ebert has been talking with several Mongolian acts recently. "The key is to find the right musical direction," he says.

The rise of local talent is reflected in the rapid expansion of the annual Playtime rock festival, which is held here in the country's capital.

Playtime was organized in 2002 by local alternative rock act Nighttrain, one of three bands that braved the January cold for the inaugural event. Mongolian music retail chain Hi-Fi teamed with local recording studios/labels Sonor Records and Lemen Productions to organize an expanded version in 2003 that featured 15 domestic bands.

This year, they moved the festival to Aug. 20, and it drew 20 acts and 10,000 fans.

"In the early '90s, there was mostly pop music, not much rock," Nighttrain vocalist Tielsen says. "But it's changing, and a lot of good stuff is coming out."

The country's most successful contemporary act in recent years is boy band Camerton. It recorded several albums for Ulaanbaatar-based Mongol Gazaar at Myx Music Studios in Singapore.

"Camerton first came about five years ago," Myx owner Jerry Chua says. "They have the equipment in Mongolia, but they didn't have the expertise. They had done several albums but didn't like the sound. Since then, many artists have come here from Mongolia."
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*Hits of the World is compiled at Billboard/London.*

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BILLYBOARD  SEPTEMBER 18, 2004
**Star’ Estatof Rocks French Album Chart**

Steeve Estatof made a name for himself earlier this year with an explosive TV performance of Nirvana’s “Smells Like Teen Spirit” on “Nouvelle Star,” France’s version of the “Pop Idol” talent show. The singer/guitarist won the contest, and BMG released his debut album, “A Lovers,” Aug. 17 in France. Boosted by hit single “Germande,” the album reached No. 5 in the IFO/P绝e Live chart for the week ending Aug. 28.

In 2003, it has shipped 750,000 copies worldwide, according to the label, and recently re-entered the upper reaches of the Irish album chart.

"B-Sides" is intended as a stopgap before the Dubliner’s second studio album due in February 2005. Rice also recently finished working on music for the forthcoming Mike Nichols film, "Close." 

**JETS FIRED UP:** In 2002, incendiary Australian rock act the Screaming Jets called it a day after a decade-long career. But an April reunion show suggested as an off-one has led to a permanent reunion. The band is touring Australia to sellout crowds. The title track from its “Heart of the Matter” EP, released Aug. 16 by BCMG, is scoring airplay on national rock station Triple M. A retrospective DVD, “Hits & Pieces,” appeared in July from Roam/BCM. And the group is eyeing a world tour.

Singer Dave Gleeson says the Screaming Jets aim to reclaim a spot as a leading Aussie rock act from such younger contenders as Jet. The latter act claims to have named itself after the 1974 Wings hit, but Gleeson is丁经reunited with his brother and recently released the album, "Documents," with himself earlier this year with an explosive TV performance of Nirvana’s “Smells Like Teen Spirit” on “Nouvelle Star,” France’s version of the “Pop Idol” talent show. The singer/guitarist won the contest, and BMG released his debut album, “A Lovers,” Aug. 17 in France. Boosted by hit single “Germande,” the album reached No. 5 in the IFO/P绝e Live chart for the week ending Aug. 28.

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Mongolian

Continued from page 53

than 10,000 copies of an album.

HARSH ECONOMICS

Mongolia is a poor country, and the economics of being in a band are tough. “We use all our money to buy equipment,” Tsatsen says.

Fortunately, he adds, income from record sales and sponsorships is rising. Many Mongolian acts seek commercial sponsors, particularly to pay for recording abroad.

Music clubs dot Ulaanbaatar, from tiny dives on the fringes to more upmarket bars, frequented by expatriate foreigners, in the center. Outside the capital, many miles of grassland between tiny towns hamper touring.

On a recent Saturday evening in a small brew house in the middle of Ulaanbaatar, Nightrain played a set heavy on covers: Foo Fighters, the Cure, Red Hot Chili Peppers. At the behest of its label, Soner, the band did not play tracks from its June debut album, “Bluebird,” before the “official release concert” in August.

Like most Mongolian record companies, Soner is a hybrid recording studio/label. It is regarded as the leading music company of the 10 based in Ulaanbaatar.

Many well-known acts, however, release their music on their own labels.

“During the last few years we’ve seen many changes,” Soner director/recording engineer Bold Mashlai says. The most noteworthy of these, he adds, is that “the performers have improved artistically.”

Five-piece Nightrain formed eight years ago and has become an established name in Mongolia. “It’s hard for young bands to save up to make their own albums,” Tsatsen says. “Luckily, the studio chose us.

We Mongolians have a powerful marketing tool in the nation, although TV and radio stations have been quick to adopt modern music programming.

Everyone talks, so word gets out quickly,” Tsatsen says. “Everyone knows who you are, even after just a couple of plays on TV or radio. We sold 200 copies of the album the first week it came out.”

LOCAL RAP

The Mongolian hip-hop scene has also grown dramatically in recent years. Members of local bands estimate there were only two hip-hop music acts six years ago; now there are more than 100.

Mongolia is roughly twice the size of Texas, but its population is only 2.7 million. Despite the low population density, nearly 20,000 radio fans turned out July 10 to catch local hip-hop act Luminop playing a concert in Ulaanbaatar by British ’90s hitmakers East 17.

Dance-friendly Luminop formed six years ago. It has released three albums independently and is working on a fourth.

The band members were when they were 14, singing and dancing like Michael Jackson,” Lumino member Batkhishig Batjay says.

As the band members grew up, they adopted the new sounds of hip-hop, Batjay explains.

In the beginning, it was very hard,” he says. “Exposure was a big problem, as there was only one FM radio station and little TV. Today, there are 14 FM stations and seven TV stations in Ulaanbaatar.

MTV Network Asia has played “a couple” of Mongolian videos, according to Misha Varma, Singapore-based VP of music programming and talent and artist relations at the network. “Unfortunately,” Varma adds, “we haven’t done as much as we could or should.

Traditional performers remain popular in Mongolia, and the country’s young people retain a deep interest in older forms of music. And record executives overseas are often more interested in traditional Asian forms.

“As soon as someone says, ‘It’s an Asian version of Mariah Carey,’ or whatever, it’s like, ‘Who cares?’” Emi, Eber says.

“There is this misconception in most markets that MTV is looking for Western sounds,” Varma adds. “But if you don’t translate music to your culture, then you are competing directly with the West. Yet there is much [in Mongolia] that could cross over, particularly to China and around Asia.”
High-End Properties Stay Hot
Demand For Luxury Real Estate Surges In Entertainment Capitals

BY CATHERINE APPLEFELD OLSON

Powered by the constant demand for location, location, location, the luxury real-estate market is setting new pricing records in the major entertainment capitals of New York, Los Angeles, Nashville and Miami.

High-end properties are barely keeping pace with demand, and many are selling for significantly more than the asking price, according to real-estate agents and other sources. And rising geographic stars like Atlanta, home to many members of the music industry, are literally spreading the wealth.

"People in the [hip-hop] industry are gravitating to Atlanta for the same reason they go to Nashville for country," says Brian Williams, senior VP/director of Suntrust Music Private Banking. "We're seeing a lot of people that have dual residences in Miami and Atlanta, for example. And it's not like they're buying small condos to live in for the weekend."

And while many across the country are fretting about the specter of rising interest rates in 2005, ultra-high-end buyers seem immune to the potentially turning tide.

"Buyers spending in excess of $5 million won't feel the pinch," says Mark Wollman of Hilton & Hyland in Los Angeles. "The people who are at the greatest risk are those in the $1 million to $3 million range, who've traded up in the last couple of years and have gone to the wall in maximizing themselves out on their ability to purchase a property."

Shaun Osher, a broker at Manhattan-based Douglas Elliman Realty, says Manhattan luxury real-estate buyers generally won't feel the affect of rising rates.

"Most buyers spending $10 million and up tend to pay all cash," Osher says. "The interest rates might affect their businesses and other aspects of their income, but not real estate."

A stone fireplace anchors the great room of this Nashville home.

For those high-end buyers who do finance their purchases, the interest-only mortgage—where buyers do not put money down and pay only interest for years—has become an increasingly hot ticket since it was introduced in various markets during the past few years.

"This is a great option for songwriters or artists whose income is not necessarily uniform through the year. It enables them to realize the whole value of the substantial income they are making," Williams says.

LOS ANGELES

In Tinsel Town, "there is no shortage of buyers and no shortage of money," Wollman says. "The number of homes that have sold for more than $10 million this year is unbelievable. Everything that has been listed has sold, and many [for] significantly higher than the asking price."

Housing prices in Bel Air, Beverly Hills, Santa Monica and Malibu—where Kenneth "Babyface" Edmonds recently unloaded a $20 million estate to Dodgers owner Frank McCourt—are "going through the roof," Wollman says, particularly in the city's few gated communities. Homes in Santa Monica that last year were pushing $3 million now easily sell for $4 million.

Given current market conditions, Wollman says home-owners generally have to double the price of their existing home if they want to step up and buy at the next level. For this reason, many are staying put and pouring big bucks into renovations.

"There's a tremendous amount of remodeling and new construction by owners right now," Wollman says. "People are tend-

(Continued on page 58)

NEW YORK

Amid the residential towers of Manhattan, the sky barely remains the limit in the luxury real-estate market, as demand continues to outpace supply. Whereas individual sales of $5 million-plus were rare a few years back, today it's not uncommon for a high-end deal to bring in $12 million-$15 million, according to Osher.

"The high-end market has extended into a different stratosphere," Osher says. "Most high-end buyers have a property in other areas of the world, and you almost have to have something in New York, even if it's not a primary residence."

Aside from previously owned homes, the Manhattan skyline also boasts a high number of options in new luxury construction and conversions.

"We find [that] buyers spending $12 million on a property really like the fact that they can customize it," Osher says. "It may take another couple million to finish off the job, but in the scheme of things, they want their home to be a statement of who they are and the perception is that it adds value to the property."

For many in the entertainment industry, downtown neighborhoods are hipper—and more posh—destinations than ever before. Realtors note a growing proportion of high-end buyers moving to areas like Soho, the Flatiron district, Greenwich Village and Tribeca from such uptown locales as Fifth Avenue and Park Avenue.

"Many of the amenities—health clubs, restaurants, shopping, doorman buildings—and the quality of life that made uptown appealing are now [available] downtown. And architecturally you get spaces that are much more interesting," says Osher, who recently showed lower Manhattan spaces to Nicole Kidman and Jay-Z.
MTV brought its Video Music Awards south in August, marking the first time the event traveled outside New York or Los Angeles. A steady flow in the Latin music arena, Miami now is drawing a broader spectrum of executives and artists like newcomer Scott Stapp, former frontman of Creed, who has begun investing in real estate from his base in the city's South Beach area.

“In the past, to some extent a lot of artists were looking at Miami as a pass-through city,” says Alex Hernandez, VP of Suntrust's Miami Market Private Banking Group. “Now, in many cases, they are looking to make South Florida their primary residence, and with that comes the demand for those high-end homes.” Luxury buyers tend to look for one of two types of Miami residences, both with proximity to the water. Some are seeking the sprawling, private homes of the Sunset and Star Islands, while others are interested in the emerging market of lavish high-rise condos that offer all the amenities without the hassle of caring for a large property.

Hernandez says. “There must be at least 50 new high-end condo projects coming online next year in Miami Beach, downtown Miami and surrounding areas.”

NASHVILLE

“Here you seem to have it one of two ways,” says Molly Edmonson, chief broker at Fridrich & Clark in Nashville. “Either buyers want a piece of property that has multiple acres and what we call an ‘in-town’ property close to downtown, or they want to be out in the countryside and have 10 to 15 acres or more.”

Luxury homes in either category now cost at least $1.5 million, and often closer to $3 million, as prices have continued to swell during the past 18 months.

“Actually, this is the first time we really have a high-end market,” Edmonson says. “We are beginning to see houses priced in the $2 million-$4 million range, and they are definitely moving.”

Edmonson adds that while housing inventory costing less than $1 million is down, luxury homes exceeding $1 million are keeping pace with demand. Customization of luxury property is also on the upswing in Nashville.

“We see many instances where older houses that might be sitting on a three-acre [site] are being torn down or renovated and expanded for hundreds of thousands of dollars to add bigger and better bells and whistles,” she says.

Yet whether because of sobering economics or concerns about global security, Suntrust’s Williams notes luxury buyers are starting to rein in their interior fantasies.

“I’ve seen a trend away from the palaces,” Williams says. “There was an endless amount of money you had to build the biggest, most unique house. But people either have learned the hard way or gotten good advice from a business manager that the resale for that type of house is very questionable.”

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Sony

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Lerner reports directly to Lack. Anthony's reports to Lerner in her role as COO. She reports to Lack in her corporate role of executive VP.

Both are based in New York.

"This is not a new world for her to enter," Lerner says. "It's more a solidification that she'll be spending the bulk of her time in doing this."

Lerner and Anthony will team to oversee the management and operation of the Sony Music Label Group, which includes Columbia Records, Epic Records and Sony Music Nashville.

"Donnie and I have always worked organically and complementarily together over the past 14 years," Anthony adds. "This is really an evolution of that. Even though I was in a corporate position from 1990 until now, I've always worked closely with Donnie and the labels."

Anthony has served as president of Sony Music U.S. since April 2003.

Under his watch the company's Nashville labels have seen recent market-share growth thanks to breakthroughs from Gretchen Wilson and Bucky Covault.

Additionally, Lerner led a recent restructuring of the company's domestic operations and oversaw the creation of "shared services" departments, including Sony Urban Music, which develops talent for the Columbia and Epic label groups.

As for Anthony, she will oversee government relations, and other legislative and legal issues as executive VP on the corporate level, in addition to her label group duties.

Anthony has served as executive VP of Sony Music Entertainment since 1994. She first joined the company in 1990 as senior VP of Sony Music's domestic operations, where she established and managed the company's regional A&R offices, in addition to overseeing special projects and new business development.

Prior to joining Sony Music, Anthony was a partner in the entertainment law firm of Manatt, Phelps, Rothenberg & Phillips.

Legal Matters

Continued from page 15

The suit alleges that Zaentz's contract required payment of a percentage of "adjusted gross receipts," meaning gross receipts after certain deductions were taken. Gross receipts, per the contract, were certain monies received by Miramax. The agreement then defined "Miramax" to include several other legal affiliates, including its "sales agents, distributors and distributing licensees."

Miramax later assigned this agreement to New Line Cinema.

After Zaentz performed an audit of New Line's accounting records, the suit claims, the company discovered that New Line listed gross receipts as that amount it received from foreign distributors after they deducted their fees. Zaentz claims "gross receipts means the money the distributors received before deductions."

Picnic

Continued from page 8

own summer shows, as KISW did in Seattle with the station's annual Hoochy Day, billing the show as "Hoochy Day & Family Picnic."

"Radio realizes it's very hard to put their own shows together," Boulware says. "It's just as costly to radio to do it as the local promoter, and it can lead to tickets getting too expensive. With this tour, they don't have to put it together, they don't have to do anything except promote the hell out of it and show up."

Boulware says work on the next Family Picnic will begin soon. "It should be less difficult being the second time, because everybody has something they can look at. We'll start putting it together . . . before the end of the year."

The tour will also likely go out a little earlier in summer 2005 to avoid some of the major festival traffic. Boulware says producers are looking at a mid-June to mid-July time frame, reaching as many as 15 markets.

FOR THE RECORD

In the story "OutKast, Jay-Z Top 2004 VMA Awards" in the Sept. 11 issue, it should have noted that this was not the only year MTV did not have a host for its Video Music Awards. There was no host in 1986 or 1987.

The story "Surprising Garden State" in the Sept. 11 issue gave the wrong label information for the "Garden State" soundtrack. It is on Fox/Epic imprint, distributed by Sony Music.
Trance Writer Johnston Renews Next Decade Deal

Next Decade Entertainment has extended its exclusive songwriter and co-publishing agreement with Jan Johnston and her publishing company, Daisy Miller Music (BMI).

"We are very happy that Jan will continue to work with Next Decade," says Monica Cordon, creative affairs and licensing VP. "She is an amazing artist and a fantastic writer, not to mention a lovely person."

Next Decade president Stu Cantor adds, "The past three years have been a great adventure in a new genre of music for us." He points to Johnston's reputation as the Queen of Trance, supported by her releases with Paul van Dyk, DJ Tiësto, Cosmic Gate, BT, Svenson & Gielen and others. "Jan's recent successes have provided many other opportunities for her, so we are very heartened by her loyalty to Next Decade and willingness to continue our relationship."

Forthcoming projects for Johnston include a new Cosmic Gate collaboration, a video release and a compilation album. Additionally, she will release "Transparent" on Armin van Buuren's label, Armada Music, and will further collaborate with the Dutch trance producer on new songs for his next solo project.

PIGSKIN PREVIEW: Just in time for pro football comes the 10-CD boxed set "Autumn Thunder: 40 Years of NFL Films Music" and the five-disc "The Fan Albums: Music of NFL Films 1969-1973." They are Sept. 29. Released three decades ago, the albums track the NFL's growth and feature themes for every team.

ROYAL/DIGIDESIGN: SSL has announced the release of Digidesign Update At AES.

Before departing for a much-needed and greatly appreciated vacation, I noted in this space the fast progress of two recently introduced products sure to attract attention at the upcoming 117th Audio Engineering Society Convention, scheduled for Oct. 28-31.

Solid State Logic's AWS 900 digital audio workstation controller and Digidesign's ICON (Integrated Console) are already found in diverse studio environments around the world. The AES Convention will afford many audio professionals their first hands-on opportunity with these workstation controllers.

As these products proliferate, both manufacturers are announcing software updates to previously existing pieces in their recording/editing/mixing product lines.

AUGMENTING YOUR COVER STORY: Further augmenting the flurry of AES-related product announcements are SSL's Version 2 for the C200 digital console and Digidesign's Pro Tools TDM 6.4.1 for Pro Tools24 MIX.

The SSL C200 is a large-format digital console introduced at the 114th AES Convention, held in March 2003 in Amsterdam. Updated features in Version 2 include increased capacity—to 128 in-line channels—accomplished by adding channel DSP cards to the C200's Centaur processing core.

Additional features include the new IQ, EQ, and dynamics signal processing.

Version 2 also augments the Centaur processing core by supporting new processing rates covering 44.1 or 88.2kHz and even 192kHz sample frequencies. Version 2 further enhances the C200's performance with new multichannel panning and stem mixing capabilities.

Pro Tools 6.4.1 for Pro Tools24 MIX, the final software release to support the Pro Tools24 MIX line, adds Panther support for Mac OS X users. It also contains a subset of the new features in Pro Tools TDM 6.4 software, which currently ships with Pro ToolsHD, for OS X and Windows XP platforms.

Features include an extended fader gain in the Pro Tools mixer to +2dB, from +6dB; and support for the recently introduced Command/8 interface.
People tune in to the MTV Video Music Awards to watch outrageous spectacles, great performances and hilarious surprises. But the 2004 VMAs show—held Aug. 29 at the American Airlines Arena in Miami—was downright sedate and often humorless in comparison to what we’ve come to expect.

Maybe it was the fallout over the Janet Jackson/Justin Timberlake controversy at this year’s Super Bowl halftime show, which MTV produced. Even VMA presenter Marilyn Manson behaved himself at the awards show.

Viewers seem to be losing interest in the VMAs, as the show’s ratings dropped for the third consecutive year (Billboard, Sept. 11).

This year’s VMAs was more like a politically correct Rock the Vote special, as numerous stars lectured the audience to vote. Although some of the performances were very good (including Nelly’s matchup with Christina Aguilera), most, such as Hoots and Chaka Khan, were boring or downright awful.

Alicia Keys, the new Wonder and Lenny Kravitz, who collaborated on a cover of Wonder’s “Higher Ground,” gave us the best performance of the night.

Backstage, Keys (who won the best R&B video award for “If I Ain’t Got You”) said the collaboration was “a dream come true.” Keys also mentioned that her next project is a book of poetry and unreleased lyrics titled “Tears for Water,” which she hopes to have out later this year.

LL Cool J epitomized the shameless self-promotion typical of the VMAs, as he walked around with women wearing monitors that played his latest video, “Headstrong.” In the press room, LL Cool J repeatedly hyped his new album, single and his clothing line, James Todd Smith (his real name), which he says he launched in part to “create some jobs in the community.”

Kanye West also plugged his new clothing line, Pastel, which Rocawear Linkin Park said backstage that winning the Viewers Choice Award for “Breaking the Habit” was especially important since the band was voted on. Band member Joseph Hahn, the video’s director, added that he was “influenced by fans talking to me about things they were going through in their lives.”

Here’s hoping that future VMAs will remember what fans really want from this show: less political lecturing and more musical excellence.

SPEAKING OF AWARDS: The first VH1 Hip Hop Honors will celebrate Run-D.M.C., Public Enemy, Tupac Shakur, and Sugar Hill Gang, DJ Kool Herc, and Steady Crew, DJ Hollywood and the Graffiti Movement. The event will take place Oct. 3 at New York’s Hammerstein Ballroom, and VH1 will air the show Oct. 12 at 9 p.m. ET/PT. At press time, the announced performers were Beastie Boys, Nas, Public Enemy, Sugar Hill Gang and Chic.

Photo: Snapped Kev/William Hill Studios

Tame MTV Video Music Awards Disappoint
Everyone Loves ‘Company’

Shortly after Ray Charles signed with Concord, the label did some fast research to see what feats had been accomplished by other artists’ duets albums. With a stunning start of 202,000 copies, the posthumous “Genius Loves Company” scores the biggest opening week by any duets set since Nielsen SoundScan hung its shingle in 1991.

“Genius” not only becomes Charles’ highest-charting album in more than 40 years (see Chart Beat, this page), it also enters The Billboard 200 at No. 2, beating out strong starts by Jill Scott (No. 3, 192,500) and LL Cool J (No. 4, 173,000). “Genius” owns the largest initial U.S. shipment of any album in Concord’s 31-year history, 723,000, and the album’s start marks the biggest SoundScan week ever by any of that label’s titles. Although Frank Sinatra’s much publicized “Duets” sold 339,000 copies during Christmas week of 1993, it began with 173,500 when it entered at No. 2 eight weeks earlier.

It is fitting that Charles and Sinatra be mentioned in the same breath, for we have often seen how the death of a recording artist stirs sales increases for a week or two: From rising stars like Selena and Aaliyah, to influential artists like Kurt Cobain, 2Pac and the Notorious B.I.G., and even beloved icons like Jerry Garcia and George Harrison.

Charles and Sinatra stand in another category entirely. Call them American institutions, with the sales impact following each man’s death lasting not for days, but months.

When Sinatra passed in 1998, his “Sinatra Reprise—The Very Best of Ray Charles,” which has been on the catalog list for 13 straight weeks, earns the Greatest Gainer cup with a 22% gain (19-10). “Anthology” re-enters at No. 31 with a 20% hike, its 12th chart week in the last 13.

To be sure, the younger stars who have died in the SoundScan era notched higher numbers in the short term. In the first two weeks after Cobain’s 1994 suicide, the four Nirvana albums that appeared on The Billboard 200 and Top Pop Catalog tallied a combined 185,000 copies, while five charting albums by 2Pac rang 185,500 in the two weeks that followed his 1996 murder.

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### Artists and Albums

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Note: The table includes data on the top 50 songs, their artists, and their respective RIAA certifications. The data is derived from Billboard's Hot 100 chart and is accurate as of the date of publication.
Over The Counter
Continued from page 65

Still, in the three months since Charles died, “Very Best” and “Anthology” combined have sold 189,500 copies. Add “Genius” to the list, and those three titles alone amount to 392,000 copies sold since the beloved singer and pianist passed.

Exclude “Genius,” and the body of Charles’ catalog titles have sold 423,000 so far in 2004, 46% more than the entire run from 2002 and 2003 combined.

With Concord budgeting TV spots to coincide with the fourth quarter’s holiday season drive (Billboard, Sept. 4), “Genius” could add a substantial volume to that mix by the end of the year.

Some 550,000 copies of Charles’ albums have been sold in the U.S. since he died. That number and the new set’s historic bow are testaments to how much music became part of the American fabric during his long and influential career.

CAFFEINE LIFT: The Starbucks chain, which sells music in most of its coffee shops, joins Nielsen SoundScan’s reporting panel. Its sales show up in the Non Traditional category, which also includes sales from Internet sites and concert venues.

Concord says Starbucks added at least 40,000 units to Ray Charles’ start. Going forward, it will benefit other adult-leaning artists.

THE ENVELOPES: PLEASE: Not one, but two award shows have an impact on this issue’s sales charts, with MTV’s Aug. 29 cablecast of the Video Music Awards casting a much larger shadow than the Sept. 1 telecast by CBS of the Latin Grammy Awards.

The Greatest Gainer on The Billboard 200 belongs to VMAs performer Kanye West (48-29, up 46%). Among others who benefit from VMAs exposure: Jay-Z (108-85, the Passeetzer with a 35% gain), OutKast (102-90, up 23%), Lil Jon & The East Side Boyz (169-128, up 23%) and Alicia Keys (28-25, up 11%).

Also posting an increase of more than 20% is the Polyphonic Spree, re-entering Top Hot Tracks No. 41 with the act’s first increase since it bowed at No. 1 on that chart in the Billboard dated July 31. Usher bullets with a 6,000-unit increment after appearing on both the VMAs program and “The Tonight Show With Jay Leno.”

The biggest sum for any of the Latin Grammy participants belongs to Los Lonely Boys (No. 19, 51,000), who played with Carlos Santana.

The band grows by 7%, its first gain in three weeks. The show also delivers the Passeetzer award on Top Latin Albums to Bebo & Cigala (73-53, up 40%).

On National Public Radio’s “Morning Edition,” Her self-titled album, which has been out since April, bows at No. 3 on Top World Albums with a gain of more than 1,000%.

We have 77 various artists

Next issue’s No. 1 on The Billboard 200 could be a draw between country stars Tim McGraw and Alan Jackson. The former holds court a second week despite a 70% erosion (227,000). The latter looks like he might start in the range of 150,000-165,000, based on retailers’ first-day sales, with an outside chance of reaching 200,000.

Also looking strong from the Sept. 7 slate is the comeback by Anita Baker, who has a shot at a 100,000-copy opener.
### Billboard Top Pop Catalogs

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### Billboard Top Heatseekers

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<td>30</td>
<td>USHER</td>
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<td>NELLY</td>
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<td>32</td>
<td>JACK JOHNSON</td>
<td>Brushfire Fairytales</td>
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<td>33</td>
<td>ABBAS</td>
<td>Gold – Greatest Hits</td>
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<td>34</td>
<td>TIM MCGRAW</td>
<td>Set This Circus Down</td>
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<td>35</td>
<td>TAKING BACK SONS</td>
<td>Tell All Your Friends</td>
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<td>36</td>
<td>MICHAEL MCDONALD</td>
<td>The Very Best Of Michael McDonald</td>
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<td>37</td>
<td>SIMPLE PLAN</td>
<td>No Pads, No Helmets...Just Ball</td>
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<td>The Very Best Of Rod Stewart</td>
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<td>39</td>
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<td>41</td>
<td>THE POLYPHONIC SPEER</td>
<td>Together We’re Heavy</td>
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<td>42</td>
<td>ISRAEL AND NEW BREED</td>
<td>Live From Another Level</td>
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<td>43</td>
<td>JAVIER SOLIS</td>
<td>Tesoros De Collecion</td>
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<td>Space In Between Us</td>
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<td>CHRONIC FUTURE</td>
<td>Lines In My Face</td>
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<td>El Mundo Negro</td>
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<td>47</td>
<td>FALL OUT BOY</td>
<td>Take This To Your Grave</td>
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<td>48</td>
<td>RICKY FANTE</td>
<td>Rewind</td>
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<td>49</td>
<td>BEBEL GILBERTO</td>
<td>Bebel Gilberto</td>
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<tr>
<td>50</td>
<td>LOS ANGELES CHORAL</td>
<td>De Amores Y Recuerdos... 20 Estrofas Remembranzas</td>
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### Billboard Top Independent Albums

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<th>Number 1</th>
<th>Artist</th>
<th>Title</th>
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<tr>
<td>1</td>
<td>INSANE CONGO POSSE</td>
<td>Hell’s Pit</td>
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<td>2</td>
<td>PTT</td>
<td>The Hard Way</td>
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<td>3</td>
<td>TAYLORS PRESENT JIM JONES</td>
<td>On My Way To Church</td>
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<tr>
<td>4</td>
<td>TAKING BACK SUNDAY</td>
<td>Where You Want To Be</td>
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<td>5</td>
<td>GRUPO CLIMAX</td>
<td>Za Za Za</td>
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<td>6</td>
<td>BOYZ II MEN</td>
<td>Throwback</td>
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<tr>
<td>7</td>
<td>STEVE EARLE</td>
<td>The Revolution Starts...Now</td>
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<tr>
<td>8</td>
<td>LADY JAYE</td>
<td>Life After Cash Money</td>
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### Billboard Top Greatest Gainers

<table>
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<td>JEREMY CAMP</td>
<td>Carried Me: The Worship Project</td>
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<tr>
<td>VICENTE FERNANDEZ</td>
<td>Tesoros De Collecion</td>
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<td>TEEDRA MOSES</td>
<td>Simple</td>
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<tr>
<td>MINDY SMITH</td>
<td>One Moment More</td>
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<tr>
<td>BEBO NORMAN</td>
<td>Try</td>
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<tr>
<td>MY CHEMO, MY ROMANCE</td>
<td>Three Cheers For Sweet Revenge</td>
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<tr>
<td>JIMMY BUFFETT</td>
<td>Songs You Know By Heart</td>
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<tr>
<td>BRONCO</td>
<td>El Gigante De America</td>
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<td>GILBERTO SANTA ROSA</td>
<td>Autentic</td>
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<td>HAWTHORNE HEIGHTS</td>
<td>The Silence In Black And White</td>
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**Note:** The above table represents a snapshot of the Billboard charts from September 18, 2004, and includes sales data compiled by Nielsen SoundScan. The charts list the top albums, singles, and artists in various genres and formats, providing insights into the music industry at the time. The data is used by artist managers, record labels, and music retailers to make informed decisions about releases, marketing strategies, and business operations.
Bowling for Soup sets a new sales mark for a debut title on Hot Digital Tracks as its nostalgic-laden "1985" enters at No. 1 with 15,500 paid downloads.

Since the chart launched in July 2003, only five titles have debuted in the top spot, the most recent being Green Day's "1Fought the Law" in the Feb. 21 issue. Until this week, that track also held the record for most paid downloads by a debut single, with 13,500 buys.

Though "1985" boasts an amusing video, the high debut is somewhat surprising, as the track is gaining steadily but not spectacularly at top 40 radio. It climbs to No. 16 on the Adult Contemporary Top 40 chart and No. 23 on Mainstream Top 40.


Elsewhere on Hot Digital Tracks, Ray Charles debuts with 12 songs from his duets album, "Generous Lovers Company," which is cut shy of the whole set. With the album debuting at No. 2 on The Billboard 200 (see Over the Counter, page 65), the fear that digital singles eat into album sales has abated for at least a week.

No other artist has placed this many songs from one album on the chart in the same week. Neil Young & Crazy Horse have nine tracks from "Greendale" debut in the Sept. 6, 2003, issue. The lone Charles track to fall short, "Hey Girl" with Michael McDonald, misses the chart by fewer than 200 downloads.

Led by his Norah Jones duet, "Here We Go Again," at No. 26, Charles' 12 tracks wind up with a total of 52,000 paid downloads for the week.

Thanks to their performances at the recent MTV Video Music Awards, several acts post strong sales gains on Hot Digital Tracks, including Terror Squad, which sees both versions of "Lean Back" gain more than 45% at No. 8 and No. 27.

HIS DAY: Keith Urban's "Days Go By" tops Hot Country Singles & Tracks with a 3-1 leap, marking the fifth time the Australian star has led this detection-based list.

Urban's single collects 4,718 spins while also bulging in second place on the Nielsen Broadcast Data Systems country audience scorecard. While "Days Go By" is the format's most-played title, Tim McGraw's "Live Like You Were Dying" reigns as the most-heard track for a 10th consecutive week. McGraw finishes with 36.1 million estimated audience impressions, while urban trails with 35.3 million.

McGraw's song is the second single to claim 10 weeks atop the listener list since we began maintaining audience statistics in early 1997. Last summer, Alan Jackson & Jimmy Buffet's "It's Five O'Clock Somewhere" set the benchmark that McGraw matched this week.

Disparate No. 1 spots the detections and audience lists have been prevalent in 2004, thanks in part to some recent No. 1s in the detections ranking that benefited from paid overnight spins.

Urban's single, which may yet achieve No. 1 audience status, is the 14th chart-topper on Hot Country Singles & Tracks so far this year, compared with nine No. 1 titles on the audience tally. During the same frame in 2003, 13 songs rose to No. 1 in detections, while 12 titles led audience.

For the entire year of 2003, 19 singles dominated the detection-based chart, while 17 reached the audience summit.

DOUBLE DIP: Rasheeda bow two titles on the Hot R&B-Hip-Hop Singles & Tracks chart, debuting as a featured artist on No. 14 on Nivea's "You Like It Like That" and with Petey Pablo on "Vibrate" at No. 87. Both tracks are on Jive-Zomba, which recently picked up Rasheeda's imprint, D-Lo Entertainment, for promotion and distribution.

"Vibrate" started out as Rasheeda's own single, which was serviced after the Jive-Zomba deal was struck to include vocals by new labelmate Cam'ron. Cam'ron was the last artist to simultaneously debut two singles on the R&B/hip-hop chart, hitting with "Hey Lady" featuring Freeway Zeezey and "Shake" featuring J.R. Writer in the April 3 issue.

Bowling for Soup is the female artist to double-debut on this chart since Mariah Carey did so in the Feb. 22, 2003, issue with "Through the Rain" and "Boy I Need You."
Florida

Continued from page 7

Ford Amphitheater in Tampa. But the tour's finale, set for Sept. 4 at the Sound Advice Amphitheater in West Palm Beach, was canceled.

The Sound Advice Amphitheater suffered downed trees and billboards and was still without power as of Sept. 8. Also canceled was the Sept.-3-4 engagement of Disney on Ice’s “Nemo” production at the Lakeland (Fla.) Civic Center. Although the venue suffered minimal structural damage, the show’s cancellation had a significant financial impact.

Allen Johnson, director of the arena, says the “Nemo” run would have been the venue’s highest-grossing ice show. The arena is trying to reschedule “Nemo” for early next year.

Other area shows were also affected. Two Sting/Annie Lennox stops have been postponed, as have a pair of Hanson dates. A Sept. 8 Van Halen stop was pushed back to Oct. 11 to allow the region to recover.

Randy McIntosh, president of Clear Channel’s music office in Florida, says he is in the process of announcing new dates for his shows.

With Hurricane Ivan bearing down and months left in the hurricane season, there are more problems awaiting. “We have other shows going on sale so we’re a little concerned about how people are going to buy [their tickets],” he says. “We’re going to move ahead and hope Ivan goes away.”

WINDS BLOW, RADIO SHINES

Surprisingly, only a handful of Central and South Florida radio stations shifted their programming from music to hurricane reports between Sept. 2 and Sept. 6. They included WKIS and WPYM in Miami; WIRK, WAYF and WPBZ in West Palm Beach; WMGF and WNUE in Daytona Beach; and WSHE and WPVC in Orlando. Although some stations lost their signal at various times during Frances’s passage, Nielsen Broadcast Data Systems logs indicate that the hurricane’s effect on most stations’ broadcasting was minimal.

However, WKIS was still operating off a generator at press time and providing regular information updates.

PD Bob Barnett reports the station went “almost wall to wall with information on preparation” Sept. 2, days before the storm hit.

He describes that day as one of “panic and chaos” in the market. “Everyone was searching for plywood, food, gas, water, etc., in preparation for the storm,” Barnett says. “I was surprised how many other stations were just playing music while almost 1 million people were in their cars searching for supplies or being evacuated.”

WKIS was off the air for about two hours during the storm. It began playing music again at midnight on Sept. 6.

Barnett says, “While live in Broward and Miami-Dade is slowly beginning to return to some sense of normalcy, hundreds of thousands of people in the listening area are still without power, so radio is the only source of information for a lot of these people.”

Barnett says Barnett was part of a team that broadcast from a local TV station and simulcast coverage on the Infinity radio cluster in West Palm Beach during the storm.

“We had an unbelievable amount of winds and rain, trees falling outside our hurricane shutters, items coming into the building, roofing materials blowing. It was insane,” he says. “The biggest problem we had was the length of time it took the storm to move.”

Hurricanes Blow, Mahan adds, “but radio shines during a crisis.”

While the Fort Myers/Naples area was relatively unscathed, the community received a flood of evacuees from other parts of Florida, causing a critical gas shortage.

WWGR Fort Myers’ airstaff gave hurricane reports twice per hour all weekend, updating people on the location of the storms and where they could purchase gas.

Beyond the stations themselves, the effects of Florida’s hurricane season was also felt on a personal level.

Bill Weller, music director at WFTL-FM, says Hurricane Ivan dropped a huge ham in his backyard. “That evening, he celebrated at a huge steakhouse.”

Capone

Continued from page 10

"Tom had a brilliant future, and he had already begun to work on international projects. He was a great talent who had immense sensibility, and he could understand everything from the purity of Maria Rita’s voice to the hard rock of O Rappa.

"Aside from being a brilliant musician, he was a very talented sound engineer," Condé adds. "That gave his productions a completely new character. That was the key." Capone was featured in Billboard Sept. 4 as remembered as a generous man whose larger-than-life personality carried over to his work and his relationships with artists. "We were totally impacted by him. He was a leader," says Jorge Villamar, singer of Miami-based trio Bacilos, whose upcoming Warn- er album Capone co-produced.

Villamar remembers arriving in Rio de Janeiro to be picked up by Capone. "Capone was brilliant and taken to a huge steakhouse.

"And then Tom shows up, looking like a gigantic Hell’s Angels guy," Villamar recalls. "We ate half a cow, drank cachaca and then we went to the studio and played him the songs, and he would say, ‘I like this. Let’s record now!’"

"That’s how the album was made," Villamar continues, "working long hours but in a party atmosphere. We would be recording, and Tom would suddenly decide to take us to this restaurant where they served this very special dish only he knew about. Then we would get back to work.""Capone was the largest and loudest industry and we would draw even more national attention as a potential race link to control of the Senate.

Should Democratic presidential candidate John Kerry lose his bid, he would return as a member of the Commerce Committee next year.

November 2004
These companies amassed libraries of ringtones which appeal to youthful wireless music fans. Another MVNO, Boost Mobile, is running promotional ads on MTV, BET, Fuse and Spike TV featuring Ludacris, Kari Kimmel and the cast of Smallville. Ringtones from the music used in the spots are available this month at boost-mobile.com.

U.S. firms spent $81 million last year on mobile music services, including the marketing of ringtones—according to market research firm Frost & Sullivan. Much of the marketing money spent in Europe and Japan, where companies last year invested $1.15 billion and $220 million, respectively.

In international markets, aggregators are building the ringtone promotions. These companies amass libraries of ringtones and created back-end platforms for carriers, then spend vast sums to build their own brands. The key, however, is developing around master ringtone clips of actual artist recordings—which come to market with a different business model. In this scenario, label fees for the music recordings and direct deals between carriers and labels have eaten into the aggregators’ share of the pie (Billboard, May 22).

This shift has reduced the emphasis on developing aggregators’ brands. Often, aggregators provide unbranded, or “white-label,” ringtones to carriers that are busy building their own brands.

In such cases, “It’s up to carriers to market these ringtone services,” says Courtney Holt, head of new media and strategic marketing at Interscope Geffen A&M.

The big U.S. carriers are beginning to go to ground. Until recently, they were mainly concerned with acquiring subscribers by mass-marketing airtime minutes and coverage plans. Now their efforts are shifting toward generating higher average revenue per user through such services as ringtones.

**AGGRESSIVE MARKETING**

Overall U.S. ringtone sales are expected to hit $300 million this year, according to Connect, a small share of the $4 billion global market (see chart). Some analysts expect the U.S. market to grow to $1 billion by 2008; more conservative estimates see the market top out between $330 million and $650 million.

While the predictions vary, ringtone marketing efforts should expand as technological advances enhance the user experience. For example, U.S. carrier networks for high-speed transmission of wireless data are catching up to their international counterparts. Additionally, faster, more sophisticated handhelds continue to flood the market.

Michael Nash, senior VP of Internet strategy and business development at Warner Music Group, says U.S. mobile technology should catch up to the rest of the world in 12-18 months. Ringtones already are paying off for companies that market aggressively. T-Mobile, for example, reports more than 11 million paid ringtone downloads in first-quarter 2004.

Meanwhile, aggregators are trying to keep their place in the value chain. Last month, Infospace Mobile rolled out two campaigns designed to promote its ringtone and SMS offerings. The campaigns featured ringtones derived from music by Janet Jackson, Brandi, Christina Milian, Beyoncé and N.E.R.D.

In those campaigns, the aggregator worked with youth marketing firm Fanscape as well as Verizon and handset manufacturer Motorola. Although the promotion used ringtones, labels said there were no master rights to the tunes. However, the campaigns were involved with marketing support via artists’ fan lists, according to Mary Stuyvesant, GM of entertainment marketing for Infospace Mobile.

The campaign featured a music artist content section on Verizon’s “Ringstore” load screen, artist Web site promotions, a street marketing team, plus Fanscape’s targeted e-mails for 30,000 Verizon subscribers and fans. A logo for the campaign appeared on the ringtone’s promotional e-mails and text messages, respectively, to opt-in e-mail lists.

Infospace says the promotions boosted Verizon ringtone downloads by 15% and 18%, respectively.

But Infospace Mobile has to be particular about where it flexes its marketing muscle, since its Ringstore brand appears only on Verizon. Other carriers use its white-label ringtone buttons. Similarly, Caroleene Schlueer, president of Faith West—whose Modtone label has deals with AT&T Wireless and Sprint—says the company’s marketing efforts are selective. This includes radio ads, street marketing teams and print ads in AT&T’s mMode magazine.

The perception that branded ringtone services like Ringstar and Modtones might be squeeze out Verizon’s menus as the carrier assumes more control over user experience on its “Verizon Now” store.

Sprint PCS, which claims to be the U.S. leader in ringtone sales, does not allow branded services on its menus. Instead, users browse its library of 3,000 ringtones by artist or genre. “This is easier, faster and a much better experience for the customer,” Sprint VP of Marketing Jean Sanford explains.

Beaton adds that Sprint has channeled much of its consumer marketing through its retail stores or via direct mail to customers, newspaper inserts and ringtone previews on spintpcms.com.

Ad spending by aggregators could increase as Japanese, Korean and European firms acquire these companies and consolidate the sector.

For example, Zingy, which was recently acquired by Japanese company For-Side, is said to be spending $250,000 monthly on the marketing of its mobile music business. This is a contrast to Zingy’s European strategy, where its marketing partner, iTouch, spends $2 million per month.

“Now that foreign companies are getting into the market, I would expect aggregators’ ad spends to be in the range of $50-$100 million in 2005,” says Ed Lang, executive VP of Digital Entertainment, which provides ringtones for AT&T Wireless, Cingular and Verizon.

**THE LABELS’ SHARE**

Whatever the means, it is in the labels’ interests to see the system grow. As master ringtone become the de facto standard for mobile music, labels should garner approximately 40% of ringtone revenue.

Labels have been most receptive to working with the mobile phone industry on marketing efforts that can be geared to new releases.

Such was the case in February, when Infospace Mobile joined AT&T, Cingular and T-Mobile to create a Valentine’s Day promotion, also timed around the Grammy Awards, for free ringtones and master ringtones from OutKast, T-Mobile expanded the promotion to include a national TV campaign. OutKast’s label, Arista, sent e-cards to Outs’ fan club members.

IGAS Holt applauds Warner Bros.’ campaign to market ringtones and master ringtones, as well as voice ringtones, in conjunction with the release of Green Day’s “American Idiot” album. Warner recently began running ads on MTV and MTV2; the tones are available through all of the major carriers.

“These are examples of working with the right carriers for the right messaging, the right marketing and the right timing,” Holt says. “You’re going to see these things become more common.”

One development expected to drive U.S. ringtone sales is the advent of short message service (SMS) purchasing, which simplifies the transaction. In July, WMG courted the belief that U.S. company to market SMS availability of ringtones on artist Web sites, posters and online banners (Billboard, July 24). Other developments might not bode well for the label in the short run: Although hand-set manufacturers are not only expanding handset memory, but also enabling users to transfer MP3 files directly onto phones from computer hard drives.

But Agnostik, the major mobile carrier, is taking a bigger movement toward major phone manufacturers targeting the iPod market, says Ralph Simon, president of the Mobile Entertainment Forum.

However, WMG’s Nash says, “We are not at a point right now where we’re focusing on these other developments and saying, ‘Wow, that’s a market killer.’”
Jackson

Continued from page 3

Since debuting in 1989, Jackson has placed singles and titles on the Billboard Hot Country Singles & Tracks chart. Of those, 38 have reached the top five and 22 have claimed the No. 1 spot, among them “Don’t Rock the Jukebox,” “Little Bitty Painted Lady,” “Where I Lay,” “Drive” (For Daddy Gene). Of the 15 Jackson album titles to hit the Billboard Top Country Albums chart, nine have been certified million-sellers.

Jackson’s attorney, Tim McGraw a fight for the No. 1 slot on next week’s Billboard 200 (see The Country Counter, page 65).

“Too Much of a Good Thing” is currently at No. 7 on the Hot Country Singles & Tracks chart. “It’s another solid Alan Jackson single,” says WUBE Cincinnati operations manager Tim Clossen. “It’s one that really grows on you.”

Clossen describes Jackson’s new album as “stone country, but that’s what you expect from A.J. Right now, nobody does that better. Alan could do a list right now and it would be a hit.”

“What I Do” is a musical feast that includes both lighter fare such as “If French Fries Were Fat Free” and “The Talkin’ Song Repair Blues” as well as such meaty tracks as “You Don’t Have to Paint Me a Picture” and “Monday Morning Church.” The latter is one of the most potent ballads in country music since George Jones’ “He Stopped Loving Her Today.”

“It’s this guy’s story of surviving his wife’s or partner’s death and how mad at God about it,” Jackson says of the song, which is the first one Nashville songwriter Brent Baster and Erin Enderlin have had recorded. “It gives me chills bumps when I hear it.”

The song was almost recorded by Lee Ann Womack, but Jackson says he’s glad he got it instead. “It’s about trying to survive after you’ve lost a loved one and just how every little thing you touch or see stirs up the memories and makes it hard,” Jackson says. It will be the next single.

[The lyric says.] She left her Bible laying there with the words. Jackson says. “I know when my daddy died, my mama still had his shaving stuff in the cabinet. She wouldn’t take it. It’s just little things like that mean a lot to you when you are connected to somebody every day.”

Though Tim Johnson wrote the title track about the challenges of making it in the music business, Jackson says, “I’ve lived all that. I’ve gotten doors slammed in my face, people telling me to go back to Georgia and work little bars with nobody there to listen to me. A lot of times when you get to the level I’m at now, people think you’re just this big star and there’s something magical about you, but really you are just the same old guy that sang in those bars 20 years ago, doing some of the same songs. People forget what you’ve [gone] through to get here.”

The song, he says, “gave me a chance to thank all these people who’ve supported my music all this time. I thought it was a really pretty song, a pretty real melody.”

Though Jackson and longtime producer Keith Stegall found some great outside songs, Jackson also wrote five cuts on the album, among them “USA Today” “Rainy Day in June” and “Too Much of a Good Thing.”

RCA Records chairman Joe Galante says Jackson’s commitment to great songs has fueled his career. “That’s the beauty of what he does,” Galante says. “Just when you think, ‘What else can he do?’ he’s come up with songs like ‘Monday Morning Church,’ ‘Rainy Day in June’ and ‘There You Go.’ He gets excited about the songs and country music.”

ALAN’S COUNTRY RECORDS

The album features guest appearances by Patty Loveless, who adds harmony vocals on “Monday Morning Church” and the Oak Ridge Boys’ bass singer Richard Sterban on “Burnin’ the Honky Tonks Down.”

The album also includes contributions by Jackson’s nephew, Adam Wright, and Wright’s wife, Shannon. They sing background on the album and contributed two songs, “Strong Enough” and “If Love Was A River,” known as the Wrights, the couple will make their debut and perform expected Jackson’s own imprint, ACR, in a joint venture with RCA Records.

While noting with a laugh that the acronym for his imprint is “RCA” spelled backwards, Jackson says, “it actually stands for Alan’s Country Records. I always wanted to have a label that could do gospel, bluegrass or whatever I wanted to do that wasn’t actually mainstream stuff like I have on Arista.”

So when Jackson renegotiated his deal with RLG two years ago, he said, “I made up my own label. They’ll distribute for me and I’ll do my special projects on there, whatever I want to do. If I wanted to sign somebody else, I could. I just like helping talented people that I feel deserve a shot.”

STRATEGIC VISION

Jon Elliot, VP of marketing and artist development, appreciates how Jackson has broadened his market.

“When you go to his concerts, not only does he have fans that have been there since he made his first record,” Elliot says, “but ‘you have young fans. He’s bridging generations and bringing in new fans as he goes along… That’s the only way you can grow.”

Media will be a key factor, as plans call for Jackson to do “Today” and “Late Show With David Letterman” during street week. Elliot says there will also be TV ads on “the core sports shows and women’s shows to try to hit a broad spectrum.”

According to Elliot, the street date was strategically chosen to take advantage of lower ad rates between the Olympics and the presidential election. “Advertising is at a premium right now,” he says. “So we’re in a good spot, because the Olympics ended and the Republican Convention has ended. We are in this tiny little window which is a good time for us to do some advertising, but the window will be closing.”

The label also took advantage of the big video screens used during Jackson’s recent tour dates to run spots for the new album, and they distributed materials about the album in the parking lots at Jackson’s shows.

“The reason why people don’t buy a new release is they don’t know it’s available,” Elliot says. “So, why not go to the people you know are spending hard-earned dollars for a concert ticket to let them know there’s a new album coming out?”

Retail is bracing for brisk sales. “We bought it as big as the last record,” says Brian Smith, VP of store operations for Value Central Entertainment. “The single is upbeat and in keeping with his past material, and they did a good video on the first single. He is certainly poised, based on the last record, to have continued leg at retail.”

Jackson says when he goes in to record a new album, he doesn’t worry about topping his previous success. “Keith and I just try to find the best songs, whether we write them or he does or whoever,” says Jackson, who is managed by Nancy Russell of Nashville-based Force Inc. and Howard Kaufman of HK Management in Los Angeles.

“I’m in a really comfortable place where I can just relax, try to enjoy it and make the record I want to,” he adds. “Hopefully somebody will like it, I’ve already had too much good luck—I can’t complain.”

Asked whether he would ever retire, Jackson laughs and says, “I don’t know what I’d retire from. I don’t work that much now. I work as few dates as I can each year. I’d like to stay at home with my family. I guess I’ll just keep going. I told somebody the other day, ‘No sense jumping off a fast-moving train. I’ll just wait until it stops.’”

Sample

Continued from preceding page

the Roots’ co-manager Shawn Gee says. Early rap acts like Grandmas Flash and Sugarhill Gang rapped their rhymes over existing music; that was the art form. Hip-hop evolved, “samples became an instrument to create new sounds, he says. Hi-Tek explains, “To be a hot producer, you have to have an ear for a different vibe.”

Some record producers create a new piece of music. Sometimes they use a sound like a snare or a kick drum that no one else may even notice in a recording. Part of their talent is the ability to find different sounds to sample. Restricting the use of samples, Hi-Tek says, is “taking away the fun.”

Is the appeals court decision a victory for labels and producers who own sound-recording rights? At first glance it appears so. On second glance it’s a double-edged sword.

Hi-Tek: ROLLING will “TAKE AWAY THE FUN”

While the decision protects labels whose recordings are sampled, it can turn those companies into defendants if their releases include samples that they did not know about and did not license from the owners. All the major labels were among the original 800 defendants sued.

For the most part, labels prefer to err on the side of caution. Ian Allen, director of sample clearance at Island Del Jam, has licensed thousands of samples in his 10 years with the company.

“My standard rule of thumb is that a sample that brings to mind the song must be cleared,” he says. “Any recording of more than a note, you have to consider licensing the sound recording.”

In the case of “100 Miles,” N.W.A originally had revealed the presence of the sample but sought only a synch license. However, it is sometimes part of a producer’s mystique not to reveal the use of a sample.

Multiplatinum hip-hop artist Cam’ron says he has work with any producer that brings me a hot beat, but you don’t always know if it’s a sample.

Like most artists, Cam’ron focuses on the music first and worries about getting rights to use the samples afterward. But problems with getting these rights affected his selection of one producer recently. Since his label was unable to clear a sample the producer used on a previous track, this “bad luck” made him pass on using that producer again.

While producers like Hi-Tek don’t believe the court’s ruling will have much affect on their work, some business managers disagree.

The decision will have “no impact on creative producers until they’ve hit first with their lawsuit,” Gee says. “Because that’s when they’ll feel it in their pockets.”

With all the bootlegging and piracy that is affecting the industry, it is no surprise to Damon Dash that companies are going to court to collect on samples. Co-founder of Roc-a-Fella Records with Jay-Z, he believes that using samples is an art form. If there are restrictions on their use, however, the producers will have to “step up the game” and become more creative without using samples. “I look for hit records,” Dash says, with or without sample.

Meanwhile, the “100 Miles” case has been remanded to the District Court for further proceedings, including a decision on whether to order a joint trial. No Limit Films could also seek a reconsideration of the decision or a review by the U.S. Supreme Court.

“We’ve just received the opinion and are conferring with our client to decide what action to take,” says attorney Bob Sullivan of Loeb & Loeb in Nashville.

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‘I Will Always Fight For What The Band Wants If I Think It’s Right’

BY PAUL SEXTON

LONDON—It has never been more difficult for a British act to break through internationally. Yet since the July 2003 release of its debut album, “Permission to Land,” on Must Destroy/Atlantic, U.K. band the Darkness has sold 637,000 copies in the United States, according to Nielsen SoundScan, and 3 million worldwide, according to Whitehouse Management, which represents the band.

Along the way, the larger-than-life band has transformed the profile of British rock on the world stage.

Manager Sue Whitehouse’s role in launching the Darkness has earned her recognition as the United Kingdom’s manager of the year from the Music Managers Forum. Whitehouse, who would receive the honor Sept. 15 at the MMF’s annual dinner in London, “She’s shown a remarkable amount of tenacity and belief in the Darkness,” says Colin Lester, joint managing director of Wildlife Entertainment, and winner, with his partner Ian McAndrew, of the MFF’s 2002 Peter Grant Award. “She’s certainly worked through the barren times and has been rewarded with deserved success for both herself and the band.”

Whitehouse was a freelance bookkeeper for artists, producers and engineers when she met the Darkness in 1997. The band was then known as Empire; it would be two years before guitarist Justin Hawkins moved up front to sing lead.

Whitehouse later accepted an invitation to work with the band. She recently spoke with Billboard about the group’s achievements.

Q: Your success with the Darkness seemed “overnight,” but you and the band paid many dues, didn’t you?

A: Success is never overnight; it’s always a slog. We just battled against all odds, building a fan base with no industry interest at all. It was word-of-mouth, especially in London. People were talking about the band, but not necessarily in a good way.

There were A&R people who loved to come to the shows and actually said to us, “This is great, but we’d never sign it.”

Now we’re prepared to take a risk. But it would have jeopardized their career. They thought it was too outrageous, too different. They were all looking for another Radiohead.

But there was no getting away from the fact that it was entertaining, and that’s what people wanted to see.

Q: If the breakthrough hadn’t come when it did, how much longer would you have persevered?

A: Until the money ran out, I suppose. I put the money in, in the early days. I was lucky to have come into a bit of family money, and then Justin used the money he had from doing the music for an Ikea ad to fund the album. We could have gone on for a while. But there were always indications that things were moving forward.

The press interest started off with [British magazine] Dazed & Confused. They did 10 pages, and that’s the point where we said, “We’ve got to release something now.” We went to Must Destroy, who were two guys with a small label who were fans.

Q: What was your attitude toward the major labels?

A: Mine was “They can come to us” [laughs].

When you’ve got to think about the rest of the world, you have that whole marketing wheel that needs to get going. You can do it independently in each territory, but then it becomes a logistical and administrative nightmare.

It’s hard enough with one company, with all the individual offices around the world. So if it had been the United Kingdom only, we would have stuck with Must Destroy.

But we got to the point where we needed more. We’re very happy we chose Korda [Marshall, now managing director of Atlantic Records U.K.]. He’s great, he still is a music man.

Then you go to America, and they see themselves as a law unto themselves. We’ve sold three-quarters of a million albums [there], which I think is great, and we have a decent enough fan base going back next time.

America destroys so many bands. The band want [U.S. success] enough, but they’re not prepared to sacrifice their sanity for it. They want to be around for a long time. When we go back with the next album we’ll make sure things are done very differently, and they’ll thank us for it eventually.

Q: Have you changed your management style as the band has become more successful?

A: I’ve had to be more of a peacemaker between the record company and the band. I will always fight for what the band wants if I think it’s right, and I don’t all the time. But I’ve had to talk them into compromising on a few things.

Tougher, maybe? I think I will be. I’ll have to be, especially in America.

Q: Have you become more involved in the past year in the affairs of the MFF and the industry in general?

A: The MFF invited me to their spring conference to do a Q-and-A session. I’d just become a member, and doing that session and seeing people in the audience—and how young some of them were and how most of them were really struggling—most managers in this business never get a shot at anything like this, and it brings home what a tough business it is.

You do think, “If there’s anything I can do to give these people a leg up…” It’s a tough business.

Q: Do managers have a strong enough collective voice, especially in fighting for their artists’ rights with record labels?

A: I think every manager-record company relationship will be different. I’m sure there are managers who feel like they’re banging their head against a brick wall, and others who have a really good relationship [with the label]. You hear horror stories of managers trying to get the best for their bands and not getting anywhere. It usually comes down to finances.

Q: Have you had to involve yourself closely in digital delivery and the rights issues involved?

A: Downloading and mobile phones are the future. There’s no getting away from it and we have to embrace it. We do want people to download, but [we also want them] to pay for what they’re getting. It’s a case of educating people.

When we first released the album we had it copy-protected, which I didn’t want. I really argued that you hear terrible things about CDs not working and messing up computers, but the record company talked me into it, saying that there was new technology that had proved to be problem-free. And, of course, the album came out and we were flooded with complaints about it not working.

Q: Do you plan to expand the Whitehouse Management roster?

A: I get a lot of inquiries from bands, but at the moment we have our hands full with the Darkness, so we’re not actually looking for anything. If something fantastic came along right now, we’d have to increase our staff to be able to take it on.

Q: Your approach seems to be accessible but low-profile.

A: It’s not a nice industry, really. I used to go to a lot of industry events and parties, but now I’m just not interested. This is our world now—it’s Darkness-land, and we’re happy here.

Sue Whitehouse: Career Highlights

1986: Takes her first music industry job, with Fine Young Cannibals’ manager John Mostyn
1994: Joins London publicity and management company Savage & Best
1997: Begins working with the Darkness when the band is still known as Empire
2003: Oversees the signing of the Darkness to Atlantic
2004: Wins Music Managers Forum’s manager of the year award

Q: How have you found the experience of taking a successful U.K. act to the U.S. market?

A: It leaves a bad taste. [After the management changes at Atlantic], the attitude became all about making a quick buck and not about building the band’s career. The album is referred to as “product,” and they don’t consider the band as people. It’s quite depressing having to deal with that.

Everywhere else we’ve done it our way. We built the band, the album was done before we did the deal [and] we kept all our independents on—negotiated them all into the deal—even down to distribution. We kept Vital on for distribution, and it worked beautifully for us.
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