3-2-1 Relaunch!
Biz Debates Effectiveness Of High-Profile Reissues

BY ED CHRISTMAN

NEW YORK—The Oct. 5 reissue of Usher's 6-month-old album "Confessions" with a bonus DVD, new tracks and artwork is one of the most closely watched marketing stories of the season.

The project represents perhaps the most ambitious relaunch of an album since the practice came into vogue several years ago.

Once seen as a mechanism to reinvigorate albums that did not meet sales expectations, reissues are now being used to buttress sales of....

Stern's Sirius Shocker
Jock Jumps To Satellite, Says Music's In The Mix

BY TAMARA CONNIF

Music radio programming has a new champion: Howard Stern.

Not only will Stern take his infamous talk show to Sirius Satellite Radio beginning in 2006, the "shock jock" plans to launch three Stern-branded channels to showcase music, comedy and new talent.

"Music is so much a part of what I do. I'm about rock'n'roll," Stern tells Billboard. "With what's going on in this country and the war in Iraq, music is more...

AT&T's Twist On 99 Cents

BY SCOTT BANERJEE

SAN FRANCISCO—AT&T Wireless has given U.S. music fans the ability to purchase 99-cent songs using a mobile phone.

But don't hang up yet.

While purchases can be made by phone, the tracks cannot be downloaded to the handset itself.

Still, the mMode Music Store, launched Oct. 4, is an important step toward creating an iTunes-like user experience on mobile phones.

"The immediacy of the mobile music...

obie bermúdez
todo el año

The young storyteller presents another of his captivating hit singles in "Todo El Año."

The heartfelt ballad is the title-track of Obie Bermúdez's highly anticipated new album - the follow-up to his award winning 2003 Latin debut "Callejones," which was certified Latin Gold by the RIAA.

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In stores on November 2nd...
#1 BILLBOARD TOP 200
#1 AUSTRALIA
#1 CANADA
#1 JAPAN
#1 SINGAPORE
#1 UK

GREEN DAY PRESENTS AMERICAN IDIOT

PRODUCED BY: ROB CAVALLO & GREEN DAY
MIXED BY: CHRIS LONG-ALGE
MANAGEMENT: PAT MAGNARELLA, Mosaic Media Group

*Album ranked #1 on the Billboard Top 200 Albums Chart for the week of 10.9.04*
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13 The Beatles: Ringo Starr and Paul McCartney to release new albums. 
16 Higher Ground: Sony Legacy releases the complete recordings of Isaac’s family band, the Isaacs, finds harmony in its Gaither Music Group debut, “Heroes.”
17 Jazz Notes: Alice Coltrane reconnects with her jazz legacy on “Translinear Light.”
18 Touring: Billboard names the finalists for its inaugural Backstage Pass Awards, recognizing acts, venues and professionals who excelled during the touring year.
20 R&B: McDonald’s enlists Destiny’s Child as a global partner in its “I’m Lovin’ It” brand marketing campaign.
24 Latin Notes: “El intimo” will be El General’s last album as he focuses on producing his children’s TV show, “Wakatela Club Place.”
29 Country: The Del McCoury Band returns to the winner’s podium at the 15th annual International Bluegrass Music Awards. 
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QUOTE OF THE WEEK

"Videogames have become the radio of the 21st century." — TOMMY TALLARICO

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EVENTS CALENDAR


Billboard Music Awards. Dec. 8 at the MGM Grand Arena, Las Vegas. Information: 646-654-4660

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FOR REGISTRATIONS AND MORE INFORMATION


Early bird conference registration $395 by October 22nd. Awards ceremony tickets $175.
Europe Upload Attack 6 Nations Sue P2P Site Users

BY JULIANA KORANTENG and EMMANUEL LEGRAND

LONDON—In a one-day transcontinental blitz, the International Federation of the Phonographic Industry initiated 459 legal actions Oct. 9 against music uploaders.

The IFPI says it is "the largest single wave of lawsuits to be announced outside the U.S. regarding illegal peer-to-peer site activity. The lawsuits cut across Europe: 100 cases have been launched in Austria, 174 in Denmark, 50 in France, 100 in Germany, seven in Italy and 28 in the United Kingdom.

It is the first time that the music industry in the United Kingdom, France and Austria has instigated such procedures. Cases have already been brought up in Italy, Denmark and Germany.

According to the IFPI, the number of cases launched so far in Europe now exceeds 500 in six countries. The IFPI says the cases are aimed at uploaders who put hundreds of copyrighted songs on file-sharing networks and offer them to P2P users without authorization from the copyright owners. Kazaa, Groster, Bearshare and WinMX are among the services used by the uploaders targeted by the lawsuits.

The IFPI adds that the defendants, who face either criminal or civil suits, are "likely to face compensation payments averaging several thousand euros."

Legal action was instigated in the United Kingdom by the British Phonographic Industry trade association and in France by trade body SNEP with collecting society SCPP. In both countries, awareness campaigns earlier this year warned P2P users of the consequences of illegal downloading.

(Continued on page 72)

Azoff’s Latin Link Manager Forms JV With Asensi

BY LEILA COBO

In an effort to help Latin acts "realize their full potential," veteran managers Alejandro Asensi and Irving Azoff have linked to create a new management company.

AA Music Management, based in Los Angeles, is a joint venture between Asensi, who handles Mexican superstar Luis Miguel, and Azoff, who represents Christina Aguilera, the Eagles, Jewel, Seal, Van Halen and Babyface through his company and music management.

"Every other part of the business is consolidated, and if the consolidation of management will help artists get more of their fair share, then I'm all for it," Azoff says.

The first artist under AA will be Luis Miguel, who is slated to release his next album Nov. 9 on Warner Music. In addition, Azoff music will continue to handle Aguilera. AA will represent her in the Latin market, coinciding with the release of her Spanish-language album next spring.

But majorandom is not a requisite for the AA roster, Asensi says. "We're looking for real artists," he says. "That's the criteria. Not that you've sold so many albums or you've reached No. 1 in so many markets. The idea is to have a well-consolidated management company that helps the artist in his career and in gaining exposure."

Azoff adds: "Our dream is to find somebody and break them."

The creation of a new management company (Continued on page 15)

Fairy Tale Week For BVMG

BY MELINDA NEWMAN

LOS ANGELES—Heigh ho, heigh ho, it's off to the bank Buena Vista Music Group goes. When chairman Bob Cavallo took over Walt Disney Co.'s BVMG six years ago, all divisions now under him—except music publishing—were losing money.

This year, for the first time, all four labels and music publishing operate in the black, Cavallo says. Norewhere is the turnaround more clear than on the Billboard 200 this issue: BVMG snags the top two spots, as well as 11 other positions.

Rascal Flatts, which is signed to BVMG's Nashville-based Lyric Street, is only the second country group (following the Dixie Chicks) to reach No. 1 on The Billboard 200.

The trio's "Feels Like Today" sold 201,000 copies, according to Nielsen SoundScan. It is the first No. 1 on the chart for 2-year-old Lyric Street. "It's a wonderful thing to make a (Continued on page 73)
New Era For MTV Networks

Tofller, Graden Get Expanded Roles Under Chairman/CEO McGrath

BY CARLA HAY

NEW YORK—With several changes in its New York-based management, MTV Networks looks poised for a new era of leadership.

Chief among those changes is the promotion of Van Tofller from MTV Networks president to MTV Networks Group president. He fills the position previously held by Judy McGrath, who was promoted to chairman/CEO of MTV Networks earlier this year (Billboard, July 31). In his new position, Tofller will oversee MTV, VH1, MTV2, CMT and Logo. He continues to report to McGrath.

In addition, Brian Graden has been promoted to MTV Networks Music Group president of entertainment/Logo president. Graden was MTV/VH1 president of entertainment, and in his new position he reports to Tofller. Graden will be responsible for MTV Networks’ music channels, including MTV, MTV2, VH1, CMT and their respective spinoffs. Under the new management structure, VH1 president Christina Norman and CMT executive VP/GM Brian Philips will also report to Tofller.

Tofller tells Billboard “that he would like to see more performance shows on the company’s music channels. ‘I’m really excited about ‘Mash-Ups.’ We’ve been looking for a show that could reach the level of ‘Unplugged.’”

“Younger Brother” is a series that Tofller says will debut on MTV later this year, will feature acts from different genres performing together to create new versions of their songs (Billboard, June 26).

MTV Networks’ other management changes (Continued on page 59)

You’ve Got Tracks

UMG Sends Radio Digital Singles

BY PHYLLIS STARK

The record industry’s eventual conversion from shipping physical singles to radio to providing them digitally takes a leap forward this month with the debut of Promos Only MPE (music protected by encryption). Along with it comes the potential for a whole new set of rules for airing material—more control for radio stations and more moves to generate additional revenue for record companies.

When Promos Only announced in July that it had signed a deal with Universal Music Group to securely deliver digital singles to U.S. radio stations for all of UMG’s imprints. The planned August launch was delayed two months as the companies ironed out the details and fine-tuned the technology.

The Promos Only MPE system was rolled out during the National Assn. of Broadcasters Radio Show Oct. 6-8 in San Diego. The companies have begun a soft launch, cyber-delivery singles from such UMG acts as Eminem, Hoobastank, Lionel Richie, Saliva, Gwen Stefani and U2 to radio stations.

“We clearly see this as the future,” says Vinny Freda, Promos Only’s Cana-“DCE Gets Central Europe Foothold”

Euro Indies Lower The Gold Bar

BY EMMANUEL LGRAND

LONDON—European record companies now have two album sales certification systems—the existing IFPI Platinum and the new Impala Silver, Gold and Platinum awards.

The latter have been created by European independent labels’ organization Impala. The former was launched by international trade body the International Federation of the Phonographic Industry in 1996 and recognizes shipments in excess of 1 million units in Europe.

Impala’s awards are based on lower sales levels than IFPI’s Impala silver will be given for shipments of 30,000 units, gold for 250,000 and platinum for 500,000. Shipments of 1 million will be awarded platinum certifications.

By launching its own pan-European sales certification system, Impala expects to build greater awareness for indie releases and celebrate the success of indie labels.

London-based Belga Group chairman Martin Mills says the IFPI platinum certifications “are restricted to IFPI members and most Indies are not part of it. Independents have different sales targets than majors. For majors, 30,000 units might not be much but for many Indies, this is a success and they can earn £100 per unit. The jump to 250,000 is more significant and it is an achievement that should be recognized.”

Mills says it is “not an anti-IFPI award, it is just a process that is better suited for Indies.”

IFPI outgoing chairman/CEO Jay Berman says: “I wish them luck. What we were trying to do [in creating the IFPI Platinum] was give a sense of albums selling over a million, which is quite unique. And we don’t intend to change that.”

The decision to create the certifications was made at an Impala board meeting Sept. 30 during the Popkomm trade show in Berlin. The certifications committee was led by Alison Wenham (Impala VP and chairman/CEO of British Indies association AIM), Patrick Zelnik (Impala VP and President of French indie association IFPI) and (Continued on page 59)

CCE Gets Central Europe Foothold

BY RAY WADDELL

In an effort to strengthen its network across the continent, Clear Channel Entertainment Europe has embarked on a major buying spree, acquiring five concert promotion companies in Central and Eastern Europe the week of Sept. 27.

The acquired businesses include Laslo Hegedus’ Multimedia Concerts in Hungary; Serge Grimaux and Robert Robert’s KirchInterkonzerts in the Czech Republic; and Steven Todd and Hubert Stajniak’s Odyssey in Poland (Billboard, Sept. 30).

(Continued on page 59)
"RESTA IN ASCOLTO"
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New Label Is Strictly Digital
DMI Will Distribute Product Exclusively Online

BY SCOTT BANERJEE
SAN FRANCISCO—Digital Musicworks International is looking to establish itself in the independent music sector with a new label that is using digital distribution exclusively.

Releases from the Sacramento, Calif.-based label can’t be found at the local record store. Instead, DMI has distribution deals with iTunes, Napster, Real Music Store, Sony Connect, MusicMatch, towerrecords.com and MSN Music Store.

DMI has a roster of more than a dozen acts, including rock/pop veteran Dwight Twilley and a new band Red Light Music, which includes ex-Candelbox singer/songwriter/guitarist Peter Klett.

DMI CEO Mitchell Koulouris says the label’s online-only distribution model gives artists “freedom to release more music with improved creative license and flexibility, as well as optimized distribution and transparent royalty reporting.”

Koulouris notes the low cost of online distribution reduces risks when bringing artists to market. By forgiving physical retail, he says, the label can better spend its resources on marketing, promoting and developing artists.

Web site that allows artists to “sell-track” their sales.

“Our billboard contract is based on track delivery—so many tracks with so much frequency,” Koulouris says.

DMI, he adds, will ultimately include a “diverse mix” of established artists and previously unsigned talent.

Gartner2 analyst Mike McGuire says, “If you look at the tumult in the conventional music industry, [DMI] is an interesting proposition for artists.

Quarterly updates and transparency will be powerful and attractive to a number of artists.”

The label’s marketing efforts will include radio, Web, print and e-mail advertising, as well as “blogging” partnerships with media companies and “strategic alliances with technology companies,” according to Koulouris.

DMI’s lead investor is real estate magnate Alex Spanos, owner of the San Diego Chargers football team, who has put $1 million behind the label. That represents about half of DMI’s seed funding. The label hopes to raise an additional $15 million through a second round of financing to close in June 2005.

The label’s executive staff includes former Capitol Records GM Roger Mayer, who serves as senior VP of marketing and promotions; and senior A&R consultant Ronnie Montrose, who is VP of A&R. Koulouris says the staff should reach 45 people by spring 2005.

McGuire cautious that the label will face a challenge in breaking above the competitive “noise” of Internet marketing: for this reason, he says, DMI “may be better served to hit an audience that’s in the hundreds of thousands or even the tens of thousands or less.”

Top Execs To Gather At Digital Entertainment Confab

Top executives from industry-leading companies such as Sony, AOL, Napster, MusicMatch and others will debate the future of digital entertainment and its impact on content creation and distribution next month at Billboard’s inaugural Digital Entertainment Conference & Awards.

Presented in association with Digital Media Wire, DECA will bring together industry thought leaders from more than 70 companies connected to music, electronic gaming and film. It will take place Nov. 4-5 at the Tom Bradley International Center on the UCLA campus in Los Angeles.

Highlighting DECA will be “A View From the Top,” a session focusing on corporate strategy, moderated by Billboard co-executive editor Tamarra Conniff.

The panel will feature Phil Wiser, the Sony Music veteran recently named chief technology officer for Sony Corp. of America; Bill Wilson, senior VP/CMO of AOL Entertainment and one of the architects of the Internet giant’s entertainment strategy; Dennis Modugno, chairman/CEO of MusicMatch, the music services and iBookse software company set to be sold to Yahoo; and Napster chairman/CEO Chris Corog. A leading proponent of portable subscription technology, Corog in the last year has boldly transformed a CD-burning software company into a pure-play digital music services operation.

Innovation, entrepreneurship and business development in digital entertainment will be a recurring theme at DECA.

Digital entrepreneur Sean Blackley will be the first-day keynote speaker. Blackley, co-creator of Microsoft’s XBox game platform, is an agent with Creative Artists Agency, where he helps guide and execute CA’s strategy for representing videogame developers.

Other industry leaders will take part in sessions covering digital music, the mobile market, videogames, next-generation radio, new film/TV technologies, digital-rights management and the politics of digital entertainment.

Participants will include Shahid Khan (Bearington Point), Jim Griffin (Cherry Lane Digital), David Leibowitz (Ch Poltemac), John Hogan (Clear Channel Radio), Steve Schmurr (Electronic Arts), David Bedecarras (MGM), Jack Schief (NASCAR), Sean Ryan (Real Networks), Jay Cohen (Usibof), Lee Abrams (XM Satellite Radio), David Goldberg (Yahoo) and Andy Villanakis (Zing).

The event will close Nov. 5 with the first DECA awards show and dinner in the Grand Horizon Ballroom at Covel Commons in Sunset Village, on the UCLA campus. Awards will be given in 30 categories. A panel of judges will choose the winners.

To register for the conference, call 323-822-0036 or visit digitalentertainmentawards.com for more information.

Industry veteran Eric Doctorow has been named COO of independent home video company Ventura Entertainment Enterprises.

Doctorow will oversee the entertainment and distribution divisions and will manage Ventura’s numerous distribution deals with companies including BET Home Video, Fox Television, Razor & Tie, Showtime and Tokyopop.

Previously, Doctorow spent nearly 30 years at Paramount Pictures’ Motion Picture Group; he was president of worldwide home entertainment when his tenure ended. Most recently, he served as COO of videogame publisher THQ.

After nine years together, Britney Spears and her manager, Larry Rudolph, have terminated their business relationship by mutual consent. Spears’ representatives did not return calls about new management for the artist, whose greatest-hits set comes out Nov. 16 on Jive.

MELINDA NEWMAN

For the second week in a row, “IndieCUE” legislation co-sponsor and Judiciary Committee chairman Orrin G. Hatch, R-Utah, pulled the bill, S. 2660, from the list of items to be marked up by the committee Oct. 7. Hatch’s decision further shrinks chances that the contested bill will make it to the Senate floor for a vote before Congress adjourns after an extended session Oct. 9.

BILL HOLLAND

Warner Music Group says it wants to return $350 million to its investors.

The money—which is earmarked for the equity shareholders that led the acquisition of the company from Time Warner—will be funded out of excess cash in a one-time payment. WMG will not incur additional debt to make the payment, and will use the money to fund its partnerships with the credit agreement with its bondholders to allow for the return of capital.

WMG says its cash balance grew from $421 million to $519 million between May 31 and Aug. 31. The company is projecting $300 million in cash on hand as of Nov. 30—assuming it completes the payout.

BRIAN GARRITY

Loretta Lynn has filed a lawsuit to regain the copyrights to some of her biggest hits, including “You Ain’t Woman Enough.” “You’re Looking at Country” and signature song “Coal Miner’s Daughter.” The suit, filed in Davidson County Chancery Court in Tennessee, seeks to void a 1966 contract that Lynn signed with Nashville-based Sure-Fire Music.

When Lynn signed her writer’s deal, the publishing company was owned by Grand Ole Opry stars the Wilburn Brothers. Doyle Wilburn died in 1982 and Teddy Wilburn sold his half last year.

“In the 1966 agreement, it was agreed upon by Sure-Fire and Loretta, that there be a change in ownership, the contract would become null and void,” Lynn’s manager Nancy Russell says. “We’re looking to enforce that the agreement said.” Sure-Fire had no comment.

DEBORAH EVANS PRICE

The Country Music Assn. is moving its annual CMA Awards show to New York’s Madison Square Garden in 2005. It marks the first time the event will be held outside Nashville. The 39th annual CMA Awards will be telecast Nov. 15 on CBS. The CMA Awards will return to Nashville in 2006 for their 40th anniversary.

DEBORAH EVANS PRICE

Twentieth Century Fox has joined the Blu-ray Disc Founders Group, Fox is the first major studio to collaborate on Blu-ray’s high-definition DVD format outside of Sony Pictures, whose parent company Sony Corp. is one of Blu-ray’s developers.

The Blu-ray format is competing with Toshiba/NEC to become the HD format of choice and to be endorsed by all of the major studios. Both HD groups have announced product launches, with Toshiba/NEC hardware expected in the United States by early 2005 and Blu-ray machines anticipated at the end of next year.

JILL KIPNIS

Warner Bros. Records Nashville is launching a comedy imprint, WBR/Jack Records. Los Angeles-based manager J.P. Williams will be CEO.

Warner Bros. comedians Jeff Foxworthy and Bill Engvall will join the WBR/Jack roster, as will new signees Larry the Cable Guy and Ron White.

The four are well-known from the Blue Collar Comedy tour, which has spawned a movie and a TV show that airs on the WB and Comedy Central.

The new label’s first release will be Engvall’s “A Decade of Laughs,” due Oct. 26.

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concerts west
Remembering ‘That Voice’

BY JAY JAY FRENCH

I first heard “that voice” while scrolling through the AM stations in my mother’s old table radio during the last week of January, 1963. I was sick, had stayed home from school and was bored out of my mind with watching TV. That evening, I asked my mom what station was good to listen to, but she had no suggestions. It was then that I heard the song and voice that changed my life. 

The song was “Hey Paula” by Paul & Paula, and the voice was Scott Muni telling me that it was the new No. 1 on 77 WABC. “What did that mean? Who selected it? What other numbers were there? I just had to know. I spent every waking hour for the next week listening to WABC. Each night, “Scotts” told me that the new survey was coming the following Tuesday.

When Tuesday arrived, I took the cardboarding back from my dad’s laundered shirt and copied the title of every song from 20 down to No. 2. Scotts’ voice boomed that the No. 1 song was again “Hey Paula.” I suspected that this was a world vote, but I wasn’t sure.

This scenario played out every Tuesday for six successive weeks. Each week I waited to hear “that voice” tell me that the world proclaimed “Hey Paula” its No. 1. And then, on the seventh Tuesday, “that voice” told me that something had changed. “Hey Paula” wasn’t No. 1 anymore. It had been replaced by “He’s So Fine” by the Chiffons. My theory of a permanent “world No. 1” song was destroyed.

I was devastated. I told my mom that I had to get the song back to No. 1. She suggested we go to a record store. The closest one was on 107th Street and Broadway. I walked in and asked the little old lady behind the counter if I could buy the record “Hey Paula.” When she said yes, I asked, “If I buy the record, will it go back to No. 1?” She gave me a look of hope and replied, “Maybe, son.”

That was enough for me. I was hooked on radio and rock’n’roll. Listening to Scotts do the countdown was a ritual for the next nine months. And then the mother of all sociological phenomena occurred: The Beatles.

I knew about rival AM stations WMCA and WINS, which had Murray the K, the fifth Beatles, but I didn’t care. I got all my Beatles news from Scotts.

I smuggled a transistor radio into Boy Scout camp (yes, the Boy Scout experience leads to a desire to be a cross-dressing rock musician) in the summer of 1964 so I could hear the Beatles, Beach Boys and all the new Mortown music and listen to “that voice” deliver the survey every week.

This went on until 1966, when it was announced that Scotts was leaving. Before I had time to grieve, I heard that he was going to a new station on the FM dial that would play free-form radio. That was my time to leave AM top 40 as well. I went over to WOR-FM and shortly thereafter switched again to the new WNEW.

I can’t begin to imagine how much Scott Muni influenced my record purchases. His afternoon show was a ritual during my high school years.

Through the years, I have often been asked, “What was it in your career that gave you the feeling that you made it?” The answer is simple. Twenty-one years after I first heard “that voice” talk to me, I heard “that voice” talk about me. It announced, “Here’s something new from Twisted Sister. It’s called ‘We’re Not Gonna Take It.’

AC/DC said it best: “It’s a Long Way to the Top (If You Wanna Rock ‘n’ Roll).” Scott Muni started my journey. Thanks, Scotts.

Jay Jay French is founding guitarist of Twisted Sister.
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E. A. Zu-sy

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Jason Calton, Dionysian Productions
Marty Diamond, Little Big Man Booking
Ken Fermaglich, The Agency Group
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Christopher Mayers, Superyacht Productions
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John Page, Comcast Spectacor/Wachovia Ctr
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Scott Richman, AOL Ticketing
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Stewart And McDonald Raise Their Standards

Artists Record New Volumes Of Classic Tunes

BY MELINDA NEWMAN

LOS ANGELES—During the past two years, old tunes have breathed new life into the careers of Rod Stewart and Michael McDonald. Now, both artists return to the musical well this month for a new round of classics.

Stewart releases his third volume of standards Oct. 19 with "Stardust... The Great American Songbook, Vol. III" (J Records), while McDonald releases "Motown 2" (Motown) Oct. 26 in the United States.

"It Had to Be You... The Great American Songbook," released in 2002, has sold 2.6 million copies, while "As Time Goes By... The Great American Songbook, Vol. II," which was released last year, has moved 2.1 million units. These are Stewart's top sellers since 1993's "Unplugged...And Unseated," which has sold 3.4 million copies.

McDonald's "Motown," released in 2002, has sold 1.3 million units, making it the biggest album of his solo career.

All figures are according to Nielsen SoundScan and are for the United States only.

Earlier this year, Stewart told Billboard that "As Time Goes By" would definitely be the last in the series. But he now jokingly says "I'm a lying bastard" when asked why he said there won't be another standards collection.

"Sales were so compelling," says Tom Carson, executive VP/GM for J/Arista Records, adding that the two albums have sold 10 million copies worldwide. "Also, Rod has been on tour, and he's

(Continued on page 14)
Who Owns Rights To Artist’s Speaking Voice?

Don’t expect to see Ludacris on the street when he hear him shout, “Answer your phone right now!” It’s just a voiceline, the subject of a brewing industry debate.

As popular music becomes a favorite cell phone add-on, aggregators are reaching out to the industry, negotiating rights and royalty rates. To license compositions for monophonic and polyphonic ringtones, they go to music publishers. For master ringtones, they deal with publishers and sound-recording owners, normally labels.

But who grants permission to use an artist’s speaking voice? Do labels hold rights to the rap? A search for answers to these questions begins with contracts, copyrights and publicity rights.

Technology has frequently forced rights holders and licensees to re-examine their dealings. For example, shortly after videocassettes were developed, Paramount Pictures was sued for releasing the movie “Medi-un Cool” on home video. The license for a piece of music in that film did not address distribution by means of a new technology.

When the court held that video distribution infringed the music publisher’s copyright, companies quickly updated contracts to include the right to distribute through all media “now or hereafter known or developed” or similar language.

In the case of mobile technology, labels and artists’ representatives are re-examining contract provisions pertaining to a single attribute—an artist’s speaking voice.

Some labels are claiming they hold rights to artists’ voices—even when artists are not performing songs. A couple of contract clauses may include these rights: one defining recording rights and another granting promotional rights. Labels often hold exclusive rights to artists’ services to record their performances of musical compositions. But when is an artist rapping a lyric or simply making a statement? When does a recitation become a composition?

Some artists also hold special rights to their voices. Under “right of publicity” laws, anyone with a recognizable voice may prevent others from using his or her voice for commercial reasons. Labels recognize this right in their recording contracts. After investing money to build an artist’s career, labels do not want others to benefit by using the artist’s name or other attributes to promote products. Therefore, the deals typically include the label’s exclusive right to use the artist’s name and likeness—and sometimes his or her voice—to promote the recordings.

Are voicelines promotional uses of the artists’ voices? Further, if recordings include rights to speaking voices, could they also cover an artist’s voice-over work for movies and commercials? While laws and contracts can guide discussions between artists and labels, ultimate decisions will most likely be based on the parties’ negotiation skills and bargaining power. The earlier these issues are resolved, however, the sooner all parties can embrace a technology that consumers seem to want.

LITIGATION UPDATE: The music publishers represented by the National Music Publishers’ Assn. plan to continue their fight against peer-to-peer distributors Grokster and StreamCast by seeking review from the Supreme Court.

On Aug. 19, a federal appellate court in San Francisco held that the companies were not liable for contributory copyright infringement by their users. The publishers plan to file the petition in October.

Elsewhere, the controversial federal court decision over the right to sample a couple of seconds from a sound recording is under challenge by No Limit Films. The company filed a petition Sept. 21 with the Sixth Circuit Court of Appeals, requesting that either the three-judge panel in Nashville or the 13 appellate judges in the Circuit for the Seventh Circuit rendered the decision.

The Recording Industry Assn. of America filed an amicus brief supporting the petition.

In addition to the specials and appearances on morning shows, daily talk shows and late-night programs, both labels will be heavily targeting radio. J is servicing “What a Wonderful World” to AC stations, and Stewart will be featured on a number of syndicated radio programs.

AOL, Clear Channel and Infinity’s AC stations are going to Stewart’s, Oct. 18, performance at the Apollo Theater in New York. The special will air as a 60-minute version on AOL, Music Live and as a 90-minute version on radio stations. The concert will air Oct. 29 in 2,500 Walmart stores. Stewart is also AOL’s artist of the month for November.

For McDonald, the second time is definitely sweeter at radio. Although cuts from “Motown” received some airplay, “I WANNA BE DOWN” until a TV commercial for MCI featuring his version of “ Ain’t No Mountain High Enough” began airing that AC radio got behind the album.

And now, “our biggest problem is getting ‘Ain’t No Mountain High Enough’ on the radio cause we can get the new song on,” Kronfeld says.

This issue, “Ain’t No Mountain High Enough” rises to No. 6 on the AC chart, marking its 50th week on the list, while “Reach Out, I’ll Be There” is the chart’s highest debut, at No. 34.

Both artists’ managers are looking for corporate tie-ins to boost their clients.

ON THE ROAD
McDonald is touring through October with Hall & Oates, who are also releasing an album of classic soul tunes this fall. McDonald will do solo dates through the rest of the year.

The success of “Motown” has led to playing bigger venues than he has since he was a member of the Doobie (Continued on page 16)
company by industry veterans, including someone of Azoff’s mainstream stature, was applauded by Latin executives, who have long cited management as a major problem in the Latin music industry. But privately, many express concern that the reality of the Latin marketplace does not conform to the expectations of mainstream managers.

“I’ve always said, ‘You guys have champagne tastes and we have a beer budget,’” one executive says, citing the case of a major new act whose Anglo manager expected initial shipments of 1 million units, unheard-of for a Spanish-language act in the United States.

“It’s apples and oranges. We just don’t have that broad sales base to justify these expenses,” the executive adds.

Azoff says the need for higher financial commitments from labels is one of the reasons why AA was created.

“We’ll make the labels make [budget commitments] comparable,” he says. “That’s why artists need us. When you look at the ratings of radio and TV stations in Spanish, those ratings are huge. And there’s no reason why those records can’t sell more. And one of the reasons they don’t sell more is because they require marketing which requires more money.”

This attitude encourages some observers.

“If the notion is that with their joint power they can bring to the table interesting strategies and allies, that’s fantastic,” one executive says. “But if it’s only about putting more pressure on the label to invest more money, well, that’s a tough one.”

Although there are few non-Latin managers in the Latin world, they have represented some of the biggest stars in the genre, including Shakira (Freddy DeMann and now, Ceci Kurzman), Marc Anthony (Tommy Mottola) and Ricky Martin (Benny Medina). And last year, two well-regarded mainstream executives—Jerry Blair and Rich Issacson—linked to create Puerte, a management and marketing company that handles Roselyn Sanchez, among others.

By the same token, the blend of Latin and non-Latin is not entirely new either. Enrique Iglesias, for example, is represented by a Latin manager, Fernando Giaccardi, at the Firm, the diversified Los Angeles entertainment company.

In addition to seeking greater funding for their artists, Azoff and Asensio say they’ll look to maximize their artists’ opportunities at a global scale.

However, Asensio says this does not mean Luis Miguel will record in English in the near future.

“This company wasn’t created so Luis Miguel could record in English,” Asensio says. “He has received proposals to do so for many, many years, and he’ll do it when he wants to.”

Meanwhile, Azoff declines to comment on published reports that he is planning to merge his company with the Firm.
Many country radio programmers are familiar with Sonya Isaacs from her tenure on Lyric Street Records, Disney's Nashville-based country label. These days, Isaacs is getting a chance to introduce her friends in country radio to the rest of her family band as the Isaacs' new album, "Heroes," is getting a multiformat push from Gaither Music Group.

"I intend to call up my buddies and say, ‘Give it a listen,’" Isaacs says of the single "Peace," a beautiful Leslie Satcher-penned ballad that is being worked to country radio. "[Producer] Don Cook played it for us in his office and, when we heard that song, right away we knew Don got what the Isaacs were about.”

"Heroes" is the first Isaacs release on Gaither Music Group, a new label launched last fall by Southern gospel patriarch Bill Gaither.

“They’re fantastic singers and their harmony is unbelievable family harmony. They blend so well and work so well together,” Gaither says. "Secondly, [sisters] Sonya and Rebecca are becoming fantastic writers. "Heroes" is a great song."

The album streemed Aug. 24, debuting at No. 19 on the Billboard Top Christian Albums chart. No. 31 on Heatseekers and No. 45 on Top Country Albums, marking the group's first appearance on all three charts. Sales have been buoyed by an Isaac TV special airing multiple times on the PAX network and a syndicated radio special produced by Ron Huntsman Entertainment that featured special guests Cook, Gaither and Ricky Skaggs.

"We’ve been in this small little world of gospel music. Now, breaking into different genres of music is overwhelming," matriarch Lily Isaacs says. "Gaither Music Group is so awesome because they are giving people an opportunity to hear us in different markets."

Lily admits the Isaacs' sound is hard to classify. "We aren’t the normal bluegrass band, and we’re not really Southern gospel," she says, though the band has found fans among both those audiences during a career that has included the release of more than 20 independent albums. "I don’t think we’ve yet come up with a way to define what we do," Sonya says, "which I think is a good problem because that makes you unique. I don’t think we have to fit into one particular genre of music. It can work in the country section and the bluegrass field and definitely the Southern gospel [genre]. Parts of it even have a contemporary feel to it."

"Heroes" marks the first time the Isaacs worked with Cook, whose production credits include Brooks & Dunn and Alabama.

"We have produced most of our own stuff in the past, so any time you get a producer involved, I feel sorry for them automatically because families don’t hold back when it comes to opinions," Sonya says with a laugh. "But he seemed very comfortable with our family ways and he was great.”

Four of the album’s tracks were written by Sonya and Rebecca, including "If That Don’t Make You Want To Go," the title cut and "You and Mine," a poignant song about wanting to bear the burdens of those you love. Sonya alone penned "Great Is The Reward." The sisters have had their songs recorded by other acts, including Gold City, Jeff & Sheri Easter and Trisha Yearwood.

The family band featured Lily on vocals, son Ben on upright bass and vocals, Sonya on vocals and mandolin; Rebecca on guitar and vocals; and Rebecca’s husband, John Bowman, on guitar, banjo, fiddle and vocals. Mary, the daughter of Jewish Holocaust survivors, began her career in New York doing theater and folk music, releasing a 1968 folk album on Columbia as part of the duo Lily & Maria. In 1970, she married Joe Isaacs, a Kentucky-bom banjo player. The two became Christians and began performing bluegrass gospel music. The children joined the family act in the mid-1980s, and the Dove Award-winning group has built a successful career in gospel and bluegrass circles.

Booked for the last decade by Harper and Associates, the Isaacs tour extensively, frequently performing with Gaither on his multiracial Homecoming tours. "The Best of the Isaacs," a DVD feauring performances from various Gaither events, is currently available at retail. In August, they traveled with the Gaither entourage to Israel to film an upcoming DVD project (Continued on page 17)
Coltrane Writes Herself Back Into Jazz Scene

For the past two decades, Alice Coltrane believed her time in the jazz spotlight was over. “I’ve felt strongly for quite a long time that the guys in the next generation should be carrying on the musical legacy,” says the 67-year-old Los Angeles-based keyboardist/bandleader, who has triumphantly re-emerged after a quarter-century retirement. “I didn’t plan this. I’ve actually surprised myself.”

Coltrane, widow and former bandmate of saxophonist John Coltrane and mother of rising star saxophonist Ravi Coltrane, broke her jazz silence with a compelling new disc, “Translinear Light,” released Oct. 5 on Verve. Produced by Ravi, the album features Alice delivering an 11-track package of originals, “Trane gems like “Leo” and “Crecent” and spirituals from the Christian and Hindu traditions. In addition to her lyrical prowess on piano, Coltrane marvels on Wurlitzer organ with her singular bent-note, double-reed-like improvisations.

The seed of the album was planted in 1998 when Ravi convinced her to join him onstage at New York’s Town Hall. “My son has been asking me to record an album since then,” Coltrane says. “He kept telling me that people everywhere were asking about me. So it was Ravi’s persistence that got this done.”

On board for the sessions are Ravi and his brother, alto saxophonist Oran Coltrane; drummers Jack DeJohnette and Jeff “Tain” Watts; bassists Charlie Haden and James Genus; and the San Anantam Ashram Singers, who are members of the Vedantic Center Alice founded in 1975.

After sideling herself from jazz in the late ’70s to pursue a Hindu spiritual life, Coltrane says the time is right to be returning to her roots with new material. She says that given all the time that went into the recording, it is “appropriate” to support the CD with live shows, as yet unscheduled.

As for a studio encore, she says, “That’s a possibility. I’m considering the idea.

MONTEREY’S MAJESTY: In its 47th consecutive year of presenting its multivenue party at the Monterey County Fairgrounds, the Monterey Jazz Festival once again showed why it is the summer-closing jazz classic. With open-air shows and club-like stages, the fest crammed a full package of top-drawer jazz artistry into three days, Sept. 17-19.

Friday night’s shows were punctuated by superlative drumming. San Francisco spark-plug vocalist Kitty Margolis showed off a spirited new band, fueled by Allison Miller’s talisman-like punch at the Night Club. Nearby, at Dizzy’s Den, drummer Dave King’s entertaining bash energized the Bad Plus, followed by eight-string guitarist Charlie Hunter in another prime outing with his trio, featuring combustible drummer Derek Phillips.

Meanwhile, on the main arena stage, Jack DeJohnette, the festival’s showcase artist, laid down grooves and accents alongside wonderfully unpredictable vocalist Bobby McFerrin.

Saturday featured standout sets by blues singer Bettye Lavette, drummer Anthony Brown with his brilliant Asian American Orchestra and clarinetist Don Byron, who unveiled his lyrical-to-lively Ivey-Davy Trio comprising DeJohnette and pianist Jason Moran.

Sunday featured standing-O sets by vocalist Luciana Souza with pianist Ed Simon (Night Club) and violinist Regina Carter (Dizzy’s Den). Carter is serving this year as the MJF education program’s first year-round artist in residence.

The highlight of the festival was pianist Marian McPartland, who appeared in conversation with actor/director/MJF board member Clint Eastwood on Saturday afternoon at Dizzy’s Den, then thoroughly engaged the audience crowd on Sunday night with her wit and pianistic expertise in a trio setting and with three duo piano partners: Moran, Lynne Arriale and Bill Charlap. Her duet with Moran proved exhilarating.

With Eastwood, McPartland told stories from her fabled history as the Grand Dame of Jazz and joked about her career longevity. (She recalled how critic Leonard Feather in the early ’50s wrote that she had three strikes against her: being British, white and a woman.) McPartland played a few tunes and even coaxed Eastwood to play the keys, including his romantic tune “Doe Eyes” from his film “The Bridges of Madison County.”

MONK’S BEST: For 17 years, the Thelonious Monk Jazz Competition has showcased top-notch new talent vying for a grand prize of $20,000 in scholarship funds as well as an opportunity to score a record deal. This year’s winner, announced Sept. 13 at the Kennedy Center in Washington, D.C., is vocalist Gretchen Parlato, a Los Angeles native who now resides in New York. Competition judges included Dee Dee Bridgewater, Kurt Elling, Al Jarreau, Quincy Jones, Flora Purim and Jimmy Scott.

THREE DOT LOUNGE: On Oct. 12, legendary pianist Joe Sample releases his first solo disc, “Soul Shadows” (Verve/PRA). … The same day, Cuban pianist Omar Sosa delivers “Mulas,” his new sextet project on Oldies.

Higher Ground

Continued from page 16

slated for release next Easter.

SIGNINGS: Southern gospel trio Greater Vision has re-signed with Daywind Music Group. The act joined the Daywind roster in 1997.

Apostrophe Records, launched by Jaci Velasquez last spring, has signed Grand Prize. The Boise, Idaho-based rock band includes lead singer/acoustic guitarist Luke Caldwell, electric guitarist Steven Harder, bassist Tony Caruso and drummer Nolan Mather. The band’s debut album will be released Jan. 25, 2005.

NEW BIZ: Industry vet Cheryl Anteau has launched Southside Entertainment, a Franklin, Tenn.-based company specializing in artist management, consulting, touring marketing and other functions.

Anteau spent the last four years at Alabaster Arts, where she worked with acts Gimmy Owens, Sarah Kelly and the Paul Colman Trio. Anteau also spent five years at True Artist Management.

Her new venture will also offer day-to-day artist services including travel, financial, Web site/fan club administration and show advancement on a project-by-project basis.
Security, Dough-Re-Mi Top AMC Agenda

BY RAY WADDELL

SNOWBIRD, Utah—Funding and security issues converged as hot topics at this year’s Arena Management Conference. Produced by the International Assn. of Assembly Managers, the conference was held at the Snowbird Resort near Salt Lake City, Sept. 18-22.

The funding issue was the focus of a session titled “Building Your Business Case for Facility Capital Investment,” presented by Jeff Campbell Ph.D., chair of the Facilities Management program at Brigham Young University. Campbell advises arena managers to reconcile themselves to one truth: “There will never be enough money.”

FACILITIES AND FINANCES

One of the main reasons, he says, is a disconnect between the financial and facility management professions.

“Being a CFO is not an easy job,” Campbell points out. “You have to keep the business viable and do things to grow and expand.” Campbell believes facility managers may need to adjust their perception of what business they are actually in. “I see us moving closer to becoming facility asset managers,” he says. “We have to look at the entire lifecycle of our facility to make good decisions.”

In terms of capital funding, a recent BYU study indicates that for most buildings start-up costs represent only 17% of the total cost of ownership of an arena.

“More and more, our facilities are expected to be multi-functional, and because of their tremendous cost, there is a push to make them last longer,” Campbell explains. “We have to become key strategic partners with CFOs and CEOs.”

Both external pressures (economy, industry trends, competition, security) and internal pressures (changing strategy, technology, funding culture) affect capital funding for facilities, according to Campbell.

“The smarter companies seem to be able to identify economic trends and have a game plan in place to weather the storm,” Campbell says. “You have to be nimble and flexible to adapt. In terms of internal competition, there is only so much money in the pot, so we have to position ourselves so we’re prepared to compete internally.”

Campbell suggests arena managers create a capital needs analysis database that helps anticipate future funding needs.

“One of the challenges we face in capital budgeting is we generally don’t have any credibility,” he says. “We don’t have a holistic system that gives us concrete numbers. Historically we find that less than 5% of businesses can give their CFO or CFO this kind of information.”

Security issues since Sept. 11, 2001, have changed the funding game. “We’re seeing a large shift of funds coming from other places and going towards security,” he says.

In a session called “Security Issues After 9-11,” Mark Glaser, regional VP for international security firm Contemporary Services, addressed today’s intense safety and security environment for venues.

EMPHASIS ON SECURITY

The evolution of security has taken on a new face since 9-11,” he says. “Training, implementation of plans and staffing levels have all increased.”

Spending more on security is a necessity, not an option, according to Glaser. He asks, “What is the price of not doing it? You don’t want to jeopardize safety to save a few bucks.”

Communication between all players in an event is crucial, Glaser says, including the promoter, venue staff, security and public safety officials. “Don’t hoard information,” he says. “The promoter plan must fit within the framework of the security plan and vice versa. Everything has to mesh.”

Toward that end, Glaser suggests “meetings, meetings, meetings.” Gathering metrics, having the right people in place to develop budgets, keep clients, vendors and subcontractors informed.

Even after the target is “hardened,” a perimeter is in place, searches have been conducted, and entry points controlled, an emergency plan must be in place.

“How do you and your staff recognize an emergency? Who makes the decision to evacuate, if necessary? Know the plan, practice the plan,” Glaser says.

Arena managers should work through all ideas and suggestions, internally and externally. “Pool your internal resources,” he says. “Outside resources include FEMA, the Department of Homeland Security, and your local joint terrorism task force [FBI and local law enforcement].”

According to Glaser, the four “D’s” of a safe venue are “deter, detect, defend and devalue. Take a look at your plan and poke holes in what you’re doing. Don’t be afraid to throw up a red flag.”

Best Buildings

In the venue categories, buildings are ranked by gross from primarily music events.

Top-grossing arena

Madison Square Garden, New York

Wachovia Center, Philadelphia

Arrowhead Pond, Anaheim, Calif.

Top-grossing small venue (capacities less than 6,500 people)

The Colosseum at Caesars Palace, Las Vegas

Radio City Music Hall, NYC

Temple Hoyne Buell Theatre, Denver

Top-grossing amphitheaters

Tweeter Center for the Performing Arts, Mansfield, Mass.

Tommy Hilfiger at Jones Beach Amphitheatre, Wantagh, N.Y.

Tweeter Center at the Waterfront, Camden, N.J.

Top-grossing club

House of Blues, Chicago

House of Blues, West Hollywood, Calif.

B.B. King Blues Club & Grill, New York

Top festival (based on reported gross)

Bonnaroo Music Festival, Manchester, Tenn.

Download Festival, London

Jamboree in the Hills, Morristown, Ohio

Top tour

Madonna’s Re-Invitation tour (produced by Clear Channel Entertainment)

Prince’s Musicology tour (produced by AEG Live)

Shania Twain’s Up tour (various promoters)

Top boxscore event (based on dollars grossed by acts in the top 25 tours)

2004 Touring Conference
South Africa Shows Its Tour Potential

South Africa is coming into its own as a concert market. R.E.M. will begin its first tour of the country March 3, 2005, in Cape Town (billboard.biz, Sept. 23). The band will play the coastal city of Durban March 8 and Johannesburg March 10. The tour will be promoted locally by Big Concerts.

The region’s other major promoter, Tommy Quinn at Real Concerts, says the South African market is undergoing a resurgence. The country’s concert scene has been increasingly active during the past decade, since years of apartheid-induced boycotts were lifted.

Still, Quinn says, the venue situation in South Africa is not ideal. “Very few venues here were built specifically for music. We still use velodromes, sports venues and things built for other purposes.”

The Dome in Johannesburg is one of those repurposed venues, though Quinn says it “does the job.” In September, 50 Cent played a Dome concert with local rap and hip hop artists Zola and Kabelo for Johannesburg’s Arts Live festival. The concert also marked the 10th anniversary of democracy in South Africa.

All these concerns were dealt with, Quinn says, with a payday in the $500,000 range. Parties on both sides of the equation were satisfied, and the concert came off incident-free, with a crowd of almost 15,000 at the 19,000-capacity venue.

“Imconfident [that] when the final numbers come in there will be a surplus of money, which will point toward the next event,” Quinn says. “But this wasn’t a business venture to see how much money could be made. The rewards exceed finances, he adds. “I’ve been promoting in this market for close to 20 years, and you couldn’t put a value on what this concert meant to the city.”

Younossi and Quinn think the concert market in South Africa is poised for growth.

“It’s nice to see, that years in, people now have a chance to see what they want to see,” Quinn says. “You definitely have a growing market. The facilities are getting better, and the production companies are up to what can be produced anywhere in the world. And for rap music in the region, Quinn says, “I don’t think hip-hop has had a positive experience in South Africa in the past, or vice versa. 50 Cent delivering like he did gave rap back some of its credibility here.”

Younossi says Violator and Emmel will continue trying to expand international markets for hip-hop acts. “We understand that you only get one chance to build a market like this,” he adds.

Emmel, meanwhile, is having success with Banks and another young rapper out of the 50 Cent camp, Young Buck. Both artists are booked on 50 Cent’s G-Unit label. They are on separate fall tours in support of their respective debut releases.
Destiny’s Child Latest Partner In McDonald’s Brand Campaign

BY GAIL MITCHELL

BEVERLY HILLS—Destiny’s Child is the newest member of the McDonald’s family.

The fast-food chain has enlisted the R&B trio as a global partner in its “I’m Lovin’ It” brand-marks-of-campaign. A principal component of the multi-dimensional deal is the company’s sponsorship of the group’s next world tour.

The Destiny Fulfilled and Lovin’ It tour kicks off in April 2005. Encompassing at least 70 cities, it will include stops in the United Kingdom, France, Germany, Spain, Japan, Australia, Brazil, the United States and Canada.

The partners announced their plans Oct. 6 at a press conference at the Regent Beverly Wilshire Hotel. Destiny’s Child members Beyoncé, Kelly Rowland and Michelle Williams were on hand, along with McDonald’s executives.

The partnership launches officially next month when Destiny’s Child films a commercial for a annual fundraiser World Children’s Day (Nov. 20). The trio will serve as global ambassadors for the event, which benefits the Ronald McDonald House Charities and other children’s causes.

“We have been a part of many charities that were so inspiring,” Beyoncé said. “Now we get to do this on the road. Sometimes you can get caught up in what you’re doing and lose sight. Helping to change lives is important for us.”

During the next 18 months, Dest-}

iny’s Child will also participate in a variety of “I’m Lovin’ It” marketing tie-ins. These will encompass radio, TV, print and the Internet, as well as special restaurant merchandising and other promotions.

Larry Light, McDonald’s executive VP/global chief marketing officer, said the company’s slogan “represents energy, passion and a forever-young spirit. Destiny’s Child is a natural fit.”

The announcement precedes Columbia’s Nov. 16 release of “Destiny Fulfilled,” the follow-up to the trio’s 2001 set, “Survivor.” That same day, the label will reissue What’s the 411?, the group’s debut album, “Do You Know,” with new tracks “Amazing Love” and “Good to Be Here.”

McDonald’s launched the world-}

wide “I’m Lovin’ It” campaign 13 months ago with Justin Timberlake and other artists.

Destiny’s Child joins a roster of McDonald’s partners that includes teen idol Justin Timberlake and Latin balladeer Alejandro Fernandez. The Williams sisters have served as ambassadors of the Ronald McDonald House Charities. Fernandez’s McDonald’s-sponsored tour kicks off Nov. 18.

Bill Lamar, McDonald’s USA chief marketing officer, also announced the launch of a line of branded sportswear—including throwback jerseys—in association with the company’s all-American high-school basketball team. In addition, McDonald’s relaunches its Monopoly game promotion with Best Buy Oct. 12.

Garrett Takes His Songwriting Seriously

Sean Garrett, co-writer of the hot Destiny’s Child’s single “Lose My Breath,” is definitely on a roll. The 26-year-old Hilco songwriter has become quite familiar with the phrase “No. 1,” thanks to co-writing chart-topping singles by Usher (“Yeah!”) and newcomer Ciara (“Goodies”).

Currently working with Jennifer Lopez, Garrett this year alone


notched collaborations with Kanye West, Bon Jovi, Ricky Martin, Janet Jackson, 112, Christina Milian and Mario Winans. Not too shabby for a former mortgage broker who initially entertained notions of being an R&B vocalist himself.

As a 17-year-old living in Europe, Garrett signed a recording contract with Arista BMG. A few years later, he returned stateside for a Warner Bros. deal that later fell through. That’s when his mother “made me get a degree in business,” he says. Her death, however, prompted a reality check. “I asked myself, ‘What am I living for if I’m not doing what I want to do?’” Garrett recalls.

That question launched weekend writing jaunts and an eventual move to Atlanta, where Garrett signed with Island Def Jam chairman Antonio “L.A.” Reid’s Hilco.

Garrett earned his first formal credit on a Motown single by Latif, “I Don’t Want to Hurt You.” Among the songs he has written recently is “Soldier,” which will be the second single on Destiny’s Child’s forthcoming album, “Destiny Fulfilled.” He is managed by Shakir Stewart.

Garrett describes himself as a “very emotional guy” who loves to write that emotion beats up when the songwriter—who cites Diane Warren and Babyface as influences—decreases the industry’s lack of respect for his craft. “So many hustlers get into the music business and thought it was like selling drugs,” Garrett says. “Yes, it is a hustle, but the product is a very sensitive area and people lose sight of that.”

“The music industry,” he continues, “needs hot songs and complains about not having hot songs. And that’s because people pay all this money for tracks but don’t want to pay the songwriters.

That’s why we have strong tracks but weak songs—because of the [lyric]s. The industry would have bigger, stronger hit records if it paid more attention to the songwriter. You don’t sing along to the track, but to the song. The more that’s ignored, the worse it will get.”

MUSICAL NOTES: Red Entertainment has signed Bar-Kays for representation. The group is best known for such hits as “Souled Out” and “Freak Show on the Dance Floor.” Bar-Kays’ 23rd album, “The Real Thing,” is available through Al Bell’s A.R.E. (Artist Relationship Enterprises). Red Entertainment also handles R&B/funksters Gap Band and Cameo.

Speaking of Cameo, rocker act Korn’s new single is a cover of Cameo’s “Word Up.” DaMizza of Baby Bee Entertainment is wrapping up a remix.

Other onstage collaborations included Nas and his father, Olu Dara, on a bluesy hip-hop version of “Bridging the Gap,” Pat Joe and Grandmaster Flash performed “South Bronx” in tribute to KRS-One. During an homage to DJ Kool Herc and DJ Hollywood, Fresh was joined by Kid Rock, Grandmaster Flash, DJ Premier and Big Boi.

Chic, Sugar Hill Gang and MC Hammer performed the show’s closing set, a medley of “Good Times” and “Rapper’s Delight.”

At the ceremony, the honorees sat together in the ballroom’s balcony. Shakur’s sister, Sekywa (Continued on page 22)

RHYTHM & BLUES

By Gail Mitchell
gmitchell@billboard.com

ANTHRAZ'S SCOTT IAN, LEFT, AND PUBLIC ENEMY'S CHUCK D: BRINGING THE NOISE.

20

www.billboard.com • www.billboard.biz

BILLBOARD OCTOBER 16, 2004

www.americanradiohistory.com
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<thead>
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<th>ARTIST</th>
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**Sales data compiled from a national subset of Billboard's R&B/Hip-Hop charts.**

**Nielsen SoundScan**

**Billboard**

**October 16, 2004**

**Billboard Top R&B/Hip-Hop Albums**

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**Sales data compiled from a national subset of Billboard's R&B/Hip-Hop charts.**

**Nielsen SoundScan**

**Billboard**

**October 16, 2004**

**Billboard Top R&B/Hip-Hop Catalog Albums**

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Records with the greatest appreciation are indicated with *. ** denotes titles monitored with Arbitron listener data.
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**Latin Pop Albums**

1. **AMY** - "La Nina De La Mochila Azul Vol. 1"
2. **ADAN CHALINO SANCHEZ** - "Mis Veredas Amigos"
3. **GUARDIANES** - "El Guacho" (Mul6-)
4. **GUARDIANES** - "El Guacho" (Mul6-)
5. **GUARDIANES** - "El Guacho" (Mul6-)
6. **NICKY BERNARD** - "El Guacho" (Mul6-)
7. **NICKY BERNARD** - "El Guacho" (Mul6-)
8. **NICKY BERNARD** - "El Guacho" (Mul6-)
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18. **NICKY BERNARD** - "El Guacho" (Mul6-)
19. **NICKY BERNARD** - "El Guacho" (Mul6-)
20. **NICKY BERNARD** - "El Guacho" (Mul6-)
21. **NICKY BERNARD** - "El Guacho" (Mul6-)
22. **NICKY BERNARD** - "El Guacho" (Mul6-)
23. **NICKY BERNARD** - "El Guacho" (Mul6-)
24. **NICKY BERNARD** - "El Guacho" (Mul6-)
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26. **NICKY BERNARD** - "El Guacho" (Mul6-)
27. **NICKY BERNARD** - "El Guacho" (Mul6-)
28. **NICKY BERNARD** - "El Guacho" (Mul6-)
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**Greatest Gainer**

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**Hot Shot Debut**

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<td>Fantasía o Realidad</td>
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Scenes From The Summit

Nightly parties were an integral element of the 11th annual Billboard Dance Music Summit, held Sept. 20-22 in New York. Highlights included the Recording Academy/BPM soiree and the first Dance Music Hall of Fame induction ceremony.

The Dance Music Hall of Fame held its inaugural induction ceremony Sept. 20 at the Spirit club. Among those honored were producer Giorgio Moroder, singer Donna Summer, Dance Music Hall of Fame (DMHOF) president Tommy Entertainment founder Tom Moulton and DJ Larry Levan. Pictured between, from left, are Tommy Boy Records founder Tom Silverman, Billboard dance senior writer/reviews editor Michael Paoletta, Robbins Entertainment VP of A&R John Parker, Next Plateau president Eddie O'Loughlin, Artemis president Daniel Glass and Robbins Entertainment founder Cory Robbins. (Photo: Ron Stomolowicz)

Trutone Mastering Labs, Bug Music, Remixeria, Oracle Entertainment and MediaPal hosted the second annual NYC Music and Media Schmoozfest. The Sept. 22 event, held at Trutone's New York location, brought together the worlds of film, TV, advertising, music and fashion. Pictured, from left, are dot dot dot Records president Ramon Wells, Billboard dance senior writer/reviews editor Michael Paoletta, Trutone GM Adrianna Rowatti and Oracle Entertainment founder Debra Eriksen. (Photo: Ramon Wells)

Dance Music Hall of Fame inductee Giorgio Moroder, center, is flanked by DJ/producers Danny Tenaglia, left, and Danny Howells. (Photo: Michael Paoletta)

Pro Motion, 19 Recordings and Fly Life Marketing hosted a sunset cruise Sept. 21 aboard a Circle Line ship. The guest of honor was singer Emma Bunton. DJs Frankie Knuckles and Hector Romero manned the turntables for the three-hour cruise. On dry land after debarking, from left, are singer Lea-Loriën, Knuckles and singer Nicki Richards. (Photo: Ramon Wells)

To celebrate the new Grammy Award category for best electronic/dance album, the Recording Academy and BPM magazine, along with AOL, Music and M-Audio, hosted a night of electronic music superstars Sept. 21 at Crobar Nightclub. DJs for the evening included Paul Van Dyk, David Morales, DJ Rap, Ken Jordan of the Crystal Method, Alex Gold, Kevin Hedge of Blaze and Sasha, who is shown in the DJ booth. (Photo: Haim Baragi)

All The Best From Kylie And Robbie

On Nov. 22, Parlophone in the United Kingdom will issue Kylie Minogue's "Ultimate Kylie." The two-disc set, which spans nearly 18 years, spotlights all of the singer's British top 40 hits, including seven No. 1s and two new offerings ("I Believe in You," "Giving You Up").

"I Believe in You," the set's lead single, was co-written by Minogue and Scissor Sisters' Jake Shears and Baby Daddy. It is scheduled for a Dec. 6 release.

"We had so much fun and are very proud of what we came up with," says Shears, who produced the track with Daddy. According to Shears, "I Believe in You" is not the type of track that fans of Minogue or the Scissor Sisters would expect from either act. "But that," he notes, "is a good thing."

Indeed. An ever-so-short snippet of the track recalled "Impossible Princess"-era Minogue as seen through the eyes of Giorgio Moroder.

Also releasing a best-of collection in the United Kingdom is Robbie Williams, whose "Greatest Hits" arrives Oct. 18. The Chrysalis set includes two new cuts: "Misunderstood" and lead single "Radio." The latter, which the artist co-wrote and co-produced, is a gorgeous dance-rock track (think the Human League crossing wires with Gary Numan).

"Misunderstood," by the way, is featured in the film "Bridget Jones: The Edge of Reason," which arrives in theaters next month.

More across-the-pond news:

Daniel Bedingfield's sophomore album, "Second First Impression," is due Nov. 1 from Polydor. It is preceded by the Oct. 25 release of first single "Nothing Hurts Like Love." Expect a U.S. release next year.

THE DOTTED LINE: Def Mix Productions has licensed David Morales' new artist album, "2 Worlds Collide," to Ultra Records for the world, excluding Italy (Airplane Records), Spain (Blanco y Negro), Japan (JVC) and Mexico (Univision). The CD arrives in most European markets later this month, while Ultra will release it Nov. 30 in the United States. This issue, lead single "How Would U Feel" featuring Lea-Loriën reaches No. 2 on the Hot Dance Club Play chart. A new Peter Rauhofer remix of the track will be sent to club DJs in two weeks.

Additional reporting by Keith Caulfield in Los Angeles.
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<td>Christina Milian</td>
<td>Secret Love</td>
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<td>4</td>
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<td>5</td>
<td>The Breakfast Club</td>
<td>Loophole</td>
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<td>6</td>
<td>lil Kim</td>
<td>Mia Amore</td>
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<td>7</td>
<td>Da Brat</td>
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<td>Missy Elliott</td>
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**Power Pick**

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**Top Electronic Albums**

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**HOT DANCE SINGLES SALES**

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**HOT DANCE AIRPLAY**

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**HOT DANCE CLUB PLAY**

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**Vets Repeat At IBMA**

**BY DEBORAH EVANS PRICE**

LOUISVILLE, Ky.—Bluegrass veteran Del McCoury won his ninth entertainer of the year award at the 15th annual International Bluegrass Music Awards Oct. 7 at the Kentucky Center in Louisville. McCoury and his band also netted the album of the year accolade for “It’s Just the Night.”

The awards show is the highlight of the International Bluegrass Music Assn.’s World of Bluegrass trade show and festival, held Oct. 4-10. The sold-out awards show was hosted by Alison Krauss and Dan Tyminski of Union Station, taking their second consecutive turn at the podium.

Larry Sparks won his first award in the male vocalist category, a victory that was especially sweet as Sparks is celebrating his 40th anniversary in bluegrass music. This year also marked a milestone for Doyle Lawson & Quicksilver. The group celebrated its 25th anniversary and picked up a fourth consecutive vocal group of the year trophy.

Perennial favorite Rhonda Vincent garnered an unprecedented fifth win in the female vocalist category. Vincent also won song of the year for “Kentucky Borderline” from her Rounder album, “One Step Ahead.” Vincent wrote the song with Terry Herd of the Bluegrass Radio Network and Sirius Satellite Radio, who was named IBMA’s broadcaster of the year.

Ricky Skaggs & Kentucky Thunder won for the sixth time in the instrumental group category. Blue Highway received its second award for gospel recorded performance of the year for the Rounder album “Wondrous Love.” Blue Highway’s esteemed dobro player, Rob Ickes, took home its seventh trophy in the dobro player of the year category.

Several other musicians added to their crowded trophy cases. Mountain Heart’s Adam Steffey took home his third accolade for mandolin player. Missy Raines picked up her fifth trophy for bass player of the year. Veteran J.D. Crowe, a Bluegrass Hall of Honor inductee last year, received his second banjo player of the year honor.

Michael Cleveland, who won the instrumental album award, was also named fiddler player of the year, his third win in that category. Bryan Sutton received his third trophy in the guitar category.

The recorded event of the year was the Universal South album “Lion Lovin’ Lover: Songs of the Louvin Brothers.” Produced by Carl Jackson, the tribute to Charlie and Ira Louvin featured performances by Emmylou Harris, James Taylor, Vince Gill, Merle Haggard, Ronnie Dunn, Patty Loveless, Larry Cordle, Dolly Parton, Marty Stuart and Pam Tillis, among others.

The 2004 IBMA Bluegrass Hall of Honor inductees were Curly Seckler and the late Bill Vernon. The emerging artist honor went to King Wilkie.

The awards were broadcast live on Sirius and syndicated to radio stations in more than 200 U.S. markets and 14 foreign networks. For a complete list of winners, visit billboard.com/awards.

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**Christian Country Nominees**

**BY DEBORAH EVANS PRICE**

NASHVILLE—Clifton Jansky, Josh Turner, Del Way and the Fox Brothers are the top nominees for the 10th annual Christian Country Music Assn. Awards. Turner and Lisa Ryan will co-host the awards Nov. 4 at Nashville’s Ryman Auditorium.

Jansky earned five nominations: entertainer, male vocalist, song, songwriter and music evangelist of the year.

The Fox Brothers, Turner and Way each received four nods. The Fox Brothers were recognized in the entertainer, vocal group, comedy act and pioneer award categories. Turner’s hit, “Long Black Train,” earned him nominations in the song and video of the year categories. He is also nominated as songwriter and mainstream country artist of the year. Way received nods in the entertainer, male vocalist, songwriter and music evangelist categories.

The awards show will be telecast live on the Great American Country cable channel, and will receive additional airings on its syndicated affiliates. The awards show is the centerpiece of the Christian Country Convention, a four-day event featuring seminars and talent showcases.

The awards are voted on by the membership of the organization. For a complete list of nominees, visit billboard.com/awards.

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**Broadway To Cash In On ‘Ring Of Fire’**

Johnny Cash may never have starred on Broadway, but one of his hit songs is headed for the Great White Way.

A No. 1 hit for Cash in 1963, “Ring of Fire” is taking on a new life as a musical celebrating Cash’s life and music.

The show is currently in development for a U.S. national tour to get under way next fall, with the aim of landing on Broadway in 2006. Auditions were recently held in New York and will be held in Nashville this month.

“Ring of Fire” features more than 40 of Johnny and June Carter Cash’s songs, including the title tune, which was written by Carter Cash and Merle Kilgore. Johnny and June’s son, John Carter Cash, is the show’s musical director.

Pat Meade and Phoenix Productions are producing the show after the family gave them the theatrical rights to Cash’s musicalcatalog. Tony Award winner Richard Maltby Jr. will direct “Ring of Fire.”

The show is now known as “The Grand Ole Opry presented by Cracker Barrel Old Country Store.”

The multiyear deal ensures immediate financial terms were not disclosed.

For its money, Cracker Barrel gets promotional mentions on the syndicated radio show “America’s Grand Ole Opry Weekend” and on the TV show “Grand Ole Opry Live,” which is telecast on the Great American Country cable network in the United States and on CMT Canada.

Additionally, the deal calls for Cracker Barrel to get presenting sponsor identification in show programs and tickets, among other perks.

Cracker Barrel has more than 500 restaurants in 41 states.

ARTIST NEWS: Loretta Lynn will be honored with a BMI Icon award at the performing rights organization’s 52nd annual country awards, set for Nov. 8 in Nashville. Lynn was selected for the honor for her “enduring influence on generations of music makers,” according to BMI. She has been a BMI songwriter for 45 years.

Previous BMI Icon honorees include Dolly Parton, Bill Anderson, Brian Wilson, Chuck Berry, James Brown and Little Richard.

In other news, Emerson Drive has been dropped from the DreamWorks Records Nashville artist roster after two albums. Also out is newcomer Danielle Peck.

SIGNINGS: Actor John Corbin has signed a recording contract with Nashville-based indie label Broken Bow Records. He has already recorded three sides for his debut album with producers D. Scott Miller and Tara Novick.

Corbin is best-known for his roles in the film “My Big Fat Greek Wedding” and on the TV shows “Sex and the City” and “Northern Exposure.” Broken Bow’s roster includes Joe Diffie, Sherrie Austin, Lila McCann and Craig Morgan.

Rounder Records band Malibu Storm has signed with Buddy Lee Attractions for booking.

Big Tractor Music Publishing has signed Clint Ingersoll to its songwriter roster.
<table>
<thead>
<tr>
<th>Week</th>
<th>Artist</th>
<th>Title</th>
<th>Label</th>
<th>Weeks at No. 1</th>
<th>Peak Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Rascal Flatts</td>
<td>The Longest Time</td>
<td>BMG/REPRIEVE</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Kenny Chesney</td>
<td>The Road and the Bridge</td>
<td>Capitol/EMI</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Tim McGraw</td>
<td>Live Like You Were Dying</td>
<td>MCA/PolyGram</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>Gretchen Wilson</td>
<td>Here For The Party</td>
<td>Sony/Reprise</td>
<td>2</td>
<td>4</td>
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<tr>
<td>5</td>
<td>Big &amp; Rich</td>
<td>Horse Of A Different Color</td>
<td>Warner Bros.</td>
<td>1</td>
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<td>6</td>
<td>Alan Jackson</td>
<td>What I Do</td>
<td>Capitol</td>
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<td>7</td>
<td>Brad Paisley</td>
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<td>8</td>
<td>Kenny Chesney</td>
<td>When The Sun Goes Down</td>
<td>Capitol</td>
<td>1</td>
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<tr>
<td>9</td>
<td>Jimmy Buffett</td>
<td>License To Chill</td>
<td>MCA</td>
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<td>9</td>
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<td>10</td>
<td>Tim McGraw</td>
<td>Live Like You Were Dying</td>
<td>MCA/PolyGram</td>
<td>1</td>
<td>10</td>
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<td>11</td>
<td>Kenny Chesney</td>
<td>The Road and the Bridge</td>
<td>Capitol/EMI</td>
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<td>11</td>
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<tr>
<td>12</td>
<td>Rascal Flatts</td>
<td>The Longest Time</td>
<td>BMG/REPRIEVE</td>
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<td>12</td>
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</table>

**Greatest Gainer:**
- Rascal Flatts
- Kenny Chesney
- Tim McGraw

**Notes:**
- The Longest Time by Rascal Flatts is at No. 1 for the third consecutive week.
- June Carter Cash's Greatest Hits Volume I is at No. 1 for the second week.
- Country Roads by Tim McGraw is at No. 2 for the second week.
- Greatest Hits Volume II by Alan Jackson is at No. 3 for the second week.
- Greatest Hits II by George Strait remains at No. 4 for a sixth week.
- The Essential Willie Nelson by Willie Nelson is at No. 6 for the second week.
- I'm Glad You're Mine by George Strait is at No. 7 for its second week.

**Certification:**
- Sixth of the Million Ways by Garth Brooks and Trisha Yearwood is certified Platinum.
- The Show by Shania Twain is certified Gold.
- Check Yes or No by Tim McGraw and Faith Hill is certified Gold.
- Greatest Hits by Alan Jackson is certified Multi-Platinum.

**Certifications:**
- Gold: 500,000 units
- Platinum: 1,000,000 units
- Multi-Platinum: 2,000,000 units

**Additional Notes:**
- Nielsen SoundScan data is provided for tracking album sales in the United States.
- Billboard charts are compiled based on album sales, streaming, and promotional activity.
- Chart positions are exclusive to albums with sales in the United States.

**Source:** Billboard Top Country Albums, October 16, 2004.
<table>
<thead>
<tr>
<th>WEEK OF ISSUE</th>
<th>ARTIST</th>
<th>TITLE</th>
<th>PRODUCER (SONGWRITER)</th>
<th>IMPRINT &amp; NUMBER/PROMOTION LABEL</th>
<th>PERM. POSITION</th>
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<tr>
<td>10/16/2004</td>
<td>Pat Green</td>
<td>DONT BREAK MY HEART AGAIN</td>
<td>Republic/Universal/Arista Nashville</td>
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<td></td>
<td>Sugarland</td>
<td>BABY GIRL</td>
<td>A&amp;M</td>
<td>32</td>
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<td></td>
<td>Big Rich</td>
<td>HOLEY WATER</td>
<td>Warner Bros.</td>
<td>33</td>
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<td></td>
<td>Katrina Elam</td>
<td>NO END IN SIGHT</td>
<td>Universal South</td>
<td>34</td>
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<td></td>
<td>Josh Gracin</td>
<td>NOTHIN TO LOSE</td>
<td>Warner Bros.</td>
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<td></td>
<td>Trent Williams</td>
<td>DIXIE ROSE DELUXE'S</td>
<td>Word Alive</td>
<td>36</td>
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<td></td>
<td>Billy Dean</td>
<td>LET THEM BE LITTLE</td>
<td>Capitol</td>
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<td></td>
<td>The Jennings</td>
<td>GETAWAY CAR</td>
<td>MCA</td>
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<td></td>
<td>Catherine Britt</td>
<td>THE UPSIDE OF BEING DOWN</td>
<td>Curb</td>
<td>39</td>
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<td></td>
<td>Rachel Proctor</td>
<td>WHERE I BELONG</td>
<td>Redneck Waltz</td>
<td>40</td>
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<td>Emerson Drive</td>
<td>NOVEMBER</td>
<td>DreamWorks</td>
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<td></td>
<td>Clay Walker</td>
<td>JESUS WAS A COUNTRY BOY</td>
<td>RCA</td>
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<td></td>
<td>Caroline Rain</td>
<td>IM NOT SCARED</td>
<td>Curb</td>
<td>43</td>
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<tr>
<td></td>
<td>Jeff Bates</td>
<td>LONG, SLOW KISSES</td>
<td>Warner Bros.</td>
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<td></td>
<td>Dusty Drake</td>
<td>IM THE WORKING MAN</td>
<td>Warner Bros.</td>
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<td></td>
<td>Mark Chesnutt</td>
<td>THE LORD LOVES THE DRINKIN MAN</td>
<td>Atlantic</td>
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**HOT SHOT DEBUT**

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<tr>
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<tr>
<td>PARTY FOR TWO</td>
<td>Shania Twain With Billy Corrigan &amp; Mark McGee</td>
<td>RCA</td>
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<td>TRYING TO FIND ATLANTIS</td>
<td>Jamey Johnson</td>
<td>Capitol</td>
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<td>AINT DRINKIN ANYMORE</td>
<td>Kevin Fowler</td>
<td>Drift Off</td>
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<td>HEAVEN</td>
<td>Los Lonely Boys &amp; Buddy Greene</td>
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<td>SAWDUST ON HER HALO</td>
<td>Tracy Lawrence</td>
<td>Word Alive</td>
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<td>YOU DONT BELIEVE IN ME</td>
<td>Shelly Paolillo</td>
<td>Word Alive</td>
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<td>RIDIN WITH THE LEGEND</td>
<td>Keith Bryant</td>
<td>Curb</td>
<td>47</td>
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<td>I LOVE NASCAR</td>
<td>Cindy &amp; Carl Inskeep</td>
<td>Word Alive</td>
<td>48</td>
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<tr>
<td>IF I COULD ONLY BRING YOU BACK</td>
<td>Joe Diffie</td>
<td>Word Alive</td>
<td>49</td>
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<td>ALL I EVER NEEDED</td>
<td>Mark Chesnutt With Jessica Andrews</td>
<td>Word Alive</td>
<td>55</td>
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<td>THAT CHANGED ME</td>
<td>Chad Brick</td>
<td>Country Road</td>
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<td>INSTRUMENTAL</td>
<td>Gary P. Nunn</td>
<td>Word Alive</td>
<td>57</td>
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<tr>
<td>REVENGE OF A MIDDLE-AGED WOMAN</td>
<td>Tracey Byrd</td>
<td>Word Alive</td>
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**TOP BLUEGRASS ALBUMS**

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<tr>
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<th>IMPRINT &amp; NUMBER/CODING DISTRIBUTING LABEL</th>
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<tr>
<td>Alison Krauss &amp; Union Station</td>
<td>SoundScan</td>
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<td>Ricky Skaggs &amp; Kentucky Thunder</td>
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<td>BRAND NEW STRING</td>
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<td>Old Crow Medicine Show</td>
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<td>D.C.M.S.</td>
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<tr>
<td>Steve Ivey</td>
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<td>BEST OF BLUEGRASS GOSPEL</td>
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<td>Vars Arts</td>
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<td>BLUEGRASS LEGENDS</td>
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<td>Younder Mountain String Band</td>
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<td>MICHAEL I. THOMPSON</td>
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<tr>
<td>Peter Rowan &amp; Tony Rice</td>
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<td>THE TRpoon'S GRANDFathers</td>
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<td>Various Artists</td>
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<td>LEGENDS OF BLUEGRASS</td>
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<td>Melonie Cannon</td>
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<td>MELONIE CANNON</td>
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<td>Various Artists</td>
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<td>Picture Of Tobiy Teeb</td>
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<tr>
<td>Various Artists</td>
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<td>Bill &amp; the Gospel Shakers</td>
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<tr>
<td>Rhonda Vincent</td>
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<td>BILL GRIFFITH PRESENTS: A GOSPEL BLUEGRASS HOMECOMING VOLUME TWO</td>
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<td>Rhonda Vincent</td>
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<td>BILL GRIFFITH PRESENTS: A GOSPEL BLUEGRASS HOMECOMING VOLUME TWO</td>
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</tbody>
</table>
ALBUMS

Edited by Michael Paoletta

POP

► JESSE MCCARTNEY
Beautiful Soul
PRODUCERS: various
Hollywood 2061-62470
RELEASE DATE: Sept. 28
“Beautiful Soul” has all the right ingredients to catapult 17-year-old Jesse McCartney into teen idol territory. It mixes one part Justin Timberlake, one part Aaron Carter and a dash of guitar riffs. Then, such heavy hitters as Desmond Child (Clay Aiken, Bon Jovi), Andreas Carlsson (Britney Spears) and Matthew Gerrard (Hilary Duff) work their musical magic. Simply said, “Beautiful Soul” is a perfect blend of soulful grooves, infectious pop-rock and some very catchy vocals. The highly endearing title track, which is the set’s lead single, is complemented with mainstream audibilities. And with a number of equally potent follow-up singles (“Because You Live,” “What’s Your Name,” “Why Don’t You Kiss Her?”), it’s likely this album and other McCartney will also become a household name.—AK

► THE USED
In Love and Death
PRODUCER: John Feldman
Reprise 44870
RELEASE DATE: Sept. 28
Just as it did with its platinum debut, Utah’s The Used continues to straddle the line between street credibility and mainstream success. The act’s sound veers between raw screamo (lead single “I (I Woke Up)”) and more polished material (the string-laden “Lunacy Fringe”). Yet the Used connects on both ends. The four-piece, led by alter-nately throat-shredding and crooning vocalist Bert McCracken, remains diverse enough to play Ozzfest, the Van Warped Tour and Project Rockit tour but still writes purely pop songs like “Cut Up Angels,” which has a similarity to earlier track “The Taste of Ink.” In addition to the aforementioned songs, highlights include “I Caught Fire (In Your Eyes)” and the moving ballad “All That I’ve Got,” which was written about McCracken’s dog.—BT

► NANCY SINATRA
Nina Simone
PRODUCERS: various
Attack/Sanctuary 84729
RELEASE DATE: Sept. 28
Nina Simone’s daughter Lee Hazelwood made her a 1960s chart mainstay. Now, a younger generation of fans might well return her to the airwaves. Songs on her self-titled album range from first single “Let Me Kiss You,” which is penned and vocally backed by Michael Rice, to her interpretations of Bono and the Edge’s “Two Shots of Happy, One Shot of Sad,” a saloon song originally written for her father. Among other highlights in a splendid set are Calexico’s south-of-the-border-styled “Burnin’ Down the Spark,” Jackson Cokker of Pulp’s Phil Spector-sounding “Don’t Let Him Waste Your Time,” Steven Van Zandt’s Rottenties’ “Baby Please Don’t Go” and the psychedelic “Bosssman,” whose co-writers include daughter AJ and son-in-law Matt Azzarto.—JB

► BLUES EXPLOSION
Damage
PRODUCERS: various
Blues Explosion/Sanctuary 06076-84720
RELEASE DATE: Sept. 28
Jon Spencer Blues Explosion’s first formal collaboration with a producer — Steve Jordan, for 2002 set “Plastic Fang” — yielded the trio’s most focused, clear-sounding and bright set. Returning under a new name and label affiliation, Blues Explosion now has one foot in the more disciplined world of “Plastic Fang” and the other in the ultra-lowdown and dirty electric blues that marked earlier recordings. While Jordan-produced tracks like “Burn It Off” and “Mars, Arizona” recall the very accessible “Plastic Fang,” collaborations with Dan the Automator, David Holmes and DJ Shadow lend new sounds and arrangements to the band’s enduring affinity for low-end sonic loogie. Along with the scratching and loops of the Shadow-produced “Fed Up and Low Down,” Chuck D lends a hip-hop vibe to the funky “Hot Gos,” trading vocals with Spencer. JSBE fans will recognize this rechristened and evolving Blues Explosion and are very likely to enjoy it just as much.—CW

► LENONON
Career Suicide
PRODUCER: Jeff Ringle
John Galt Entertainment 80238
RELEASE DATE: Sept. 7
Alt-metal artist Lennon shocked her tongue in her cheek when she named this set “Career Suicide.” She obviously knew how people would react: Who follows a buzz-worthy rock debut (“10:20 Saturday Morning”) with an album that has only piano for accompaniment? In a word, Lennon. By stripping down previously released tunes like “Couldn’t Breathe,” she proves the strength of her songwriting and gives the music a new dimension. “Feeling,” “Uncertain” and “I’m Moving” are more moving than the original, and “Jacob” and “I Hear” are also poignant. Her voice is mature and sensual beyond her twenty-somethings years, lending credence to lyrics like “I’m looking for the beauty/in which you never saw in me.” By refusing to be blind, bold and brainless, Lennon has not made a fatal mistake. In fact, she is very much alive and thriving.—CLT

► COLONEL CLAYPOOL’S Bucket of BERNI Dowd
The Big Eyeball in the Sky
PRODUCER: Les Claypool
Prawn Song P5R0006
RELEASE DATE: Sept. 21
With a name like Colonel Claypool’s Bucket of Bernie Dowd, it is certain that whatever this band has up its sleeve, it’s not a play-by-numbers attempt at mainstream popularity. (The group’s moniker is the result of sticking each member’s name in title.) On “The Big Eyeball in the Sky” Primus vocalist/bassist Les Claypool joins guitarist Buckethead, drummer Brian “Bacilos” Marita and keyboardist Bernie Worrell for an odyssey that defies musical convention (and, in some lyrical cases, rational sense). Bringing together a bass icon like Claypool with two groove masters and an eccentric guitar guru, this birthed a sound described as “70’s circus-funk.” Witness “Buckethead - ‘Junior’ - ‘Jackalope’ and ‘Scotty Taylor,’ their psychedelic swirls and sputtering funk. The political tones of the aforementioned “Junior” and...

—Ignorance Is Bliss— weigh in on the political climate: No Bush lovers here. And “Tyranny of the Hunt” deserves a spin for taking an absurd urban legend to an even more outrageous conclusion.—CLT

R&B/HIP-HOP

► GUERRILLA BLaCK
Galaxy
PRODUCERS: various
Virgin 27423 5 81786
RELEASE DATE: Sept. 28
Fans of 2Face, the hot-house B.L.C. and Ice-T can savor a fresh aural rendition of that old-school flavor with Guerrilla Black’s debut album, “Guerrilla City.” The West Coast newcomer kicks off his album by sharing his musical and personal upbringing on “Hearts of Fire.” The streetwise anthem to Guerrilla Black’s Los Angeles-area hometown, “Compton,” incorporates Jamaican beats and ad-libs by Bernnie Man. Other heavyweight guests include Mario Winans, Nate Dogg and Jazz Pha carry Guerrilla Black’s baritone into several hip-hop styles. Such musical variety, coupled with skillfully played humor and bigwig contributions, weaves a unique character into the album. The gorgeous beats of “Guerrilla City” and “Yes Sir” wonderfully reflect musical memories of days gone by.—SL

COUNTRY

► NITTY GRITTY DIRT BAND
Welcome to Woody Creek
PRODUCER: U No Who
DPS 7839
RELEASE DATE: Sept. 28
The classic Nitty Gritty Dirt Band line-up convened at Jimmy IBotson’s Umami studio in Woody Creek, Colo., to record the bulk of the veteran act’s latest effort. The result is accurate Dirt. The outfit has lasted more than three decades by effectively blending elements of folk, bluegrass, roots music, rock and country—all on display here. “Walakin’ in the Sunshine” and the gorgeous “Jealous Moon” boast feel-good vibes and crystal-clear Jesse Hanna vocals. The band-country-roots–queerly righteously on “Forever Don’t Last,” and John McEuen’s banjo draws a rau-cous’ grass’ take on the Beatles’ “Get Back.” Elsewhere, “She” is a soulful, gospel-tinged ballad, “Party on the Mountain” is a backwoods boogie and “Any Love But Our Love” recalls mid-70’s Eagles. Dirt showcases its considerable virtuosity on the haunting instrumental “Midnight at Woody Creek” and the great, grand sweep of his at the height of its powers in the Rockies.—RW

LATIN

► BACilos
Sirena
PRODUCERS: Tom Capone, Juan Vicente Zambrano, Bacilos
Warner Latina Music 61864
RELEASE DATE: Sept. 28
Following a Grammy Award for best Latin pop album for its last project, (Continued on next page)

CONTRIBUTORS:
Jim Bessman, Leila Cobo, Gordon Ely, Deborah Evans Price, Sarah Han, Katy Kroll, Jackie McCarthy, Gail Mitchell, Michael Paoletta, Chuck Taylor, Bram Teitelman, Christa L. Ittus, Anastasia Toloukas, Phillip van Veck, Ray Waddel, Christopher Walsh. ESSENTIALS- Review by the editors to denote special attention on the basis of musical merit and/or Billboard chart potential. REDDITWS—Recommended albums of special artistic, archival and commercial interest and featuring the works of 1 or more artists. PRS — New releases predicted to hit the top half of the chart in the corresponding term. CRITICS’ OPINES (#): New releases, regardless of chart potential, highly recommended because of their musical merit. All albums commercially available in the United States are eligible. Send album review copies and sketch review copies to Michael Paoletta (Billboard, 770 Broadway, 6th Floor, New York, N.Y. 10003) or to the writers in the appropriate bureaus.

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BILLBOARD OCTOBER 14, 2004
“Caraculina,” Bacilos returns with an ear-throwing recording, and socially conscious lyrics that put New York center stage. It’s a challenge for listeners used to slicker pop. But the album is no means brooding. Although some songs, including “La Odda,” are lyrically overbearing, Bacilos has humor in its arrangements—full of typical instrumentation—and in its often wire-cracking instrumentation. “Ex Mexicana,” for example, set over traditional banda and Colombian instruments, is totally wonder- ful while Guadalupe Perdida,” sung with guitar and percussion, is a direct reference to the tradition of Latin troub- eadors. While “Sinterguarena” may not have a huge radio hit like Bacilos’ prior single, “Mi Primer Millon,” it is cohe- sive and consistently satisfying.—LC

**CLASSICAL**

**ANDRAS SCHKIF & MIKLOS PERNYI: Beethoven’s Complete Music for Piano and Cello**

**PRODUCER:** Manfred Eicher
**ECM New Series 1819/20**
**RELEASE DATE:** Sept. 28

Spacious, gracious, richly colored and finely etched. These are the watch- words for the pianist and cellist Miklos Pernyi’s survey of Beethoven’s music for piano and cello, which includes the seven sonatas, stately slow-waltz “Hallelujah” (“Judas Macabaeus”) and an absolutely charming set of variations based on Mozart’s opera “The Magic Flute.” The deep lyricism that both artists bring to this music is an absolute delight, and certainly these are two performers that play at the top of their games. There are some interpretatio- nal surprises, like the ferocity with which they dig into the introductory “Allegro Ma Non Tanto” of the A Major. Op. 69 sonata, and the perspicacity of the following “Scherzo.” But the vigor and strong interpretive commitment with which they greet even the most familiar

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(Government)
Soraya Salutations
Latin singer Soraya, left, met with and performed for Colombia's president Alvaro Uribe Sept. 16 at the presidential residence in Bogota. Soraya, a native of Colombia, won the best singer/songwriter album Latin Grammy Award this year for her self-titled album on EMI Latin.

Hill Of An Honor
The Recording Academy honored Natalie Cole, U.S. Sen. Hillary Rodham Clinton, D-N.Y., and U.S. Rep. Mary Bono, R-Calif., for their contributions to the music community and American culture during the fourth annual "Grammys on the Hill" event Sept. 9 in Washington, D.C. Cole, left, is pictured with Academy president Neil Portnow, who gave a keynote speech advocating Senate passage of the Inducing Infringement of Copyrights Act, which would hold liable companies that profit from encouraging others to commit copyright infringement.

Now, Hear This ... HAWK NELSON
Artists to Watch
The self-professed Beatles fans in Hawk Nelson may be changing their tune thanks to the Oct. 10 episode of the NBC series "American Dreams." The Canadian punk rock band appears on the show as the Who, performing the legendary band's hit "My Generation." Hawk Nelson lead vocalist Jason Dunn says the group developed an appreciation for the Who because of the TV gig. "They are so awesome," he says. "I really like their music a lot." Many folks are saying the same about Hawk Nelson, whose Tooth and Nail Records debut album, "Letters to the President," was released in July. The album's "Like A Racer" was played on the WB show "Summerland," while "California" is featured on the "Wai-Mant Back to School" CD sampler. Dunn says the band's name was inspired by a PlayStation 2 game. "I always used that name and joked around with it for years. When we were naming the band, we decided to use it," Hawk Nelson hits the road this fall opening for Sanctus Real. The 30-city tour also features Seven Places and Ever Stays Red. "We'll be playing in areas that we've never played before and getting to know people. That's going to help a whole lot," Dunn says. Hawk Nelson will also visit radio in support of the band's latest single, "Every Little Thing," currently getting spins on Christian rock and top 40 stations.

CMT Outlaws
Tanya Tucker, left, and Kid Rock, right, are pictured with CMT executive VP/CM Brian Phillips backstage at the CMT Outlaws concert. The event, which took place Sept. 7 at Nashville's Gaylord Entertainment Center, will air Oct. 29 as a two-hour concert special on CMT. Other performers included Hank Williams Jr., Gretchen Wilson, Big & Rich, Jessi Colter, Metallica frontman James Hetfield, Montgomery Gentry and members of Lynyrd Skynyrd. (Photo: Rick Diamond/WireImage.com)

EXECUTIVE TURNTABLE

RECORD COMPANIES: EMI Music Latin America in Miami appoints Ed McCardell VP of business affairs. He was director of business affairs at Sony Music International.

EMI CMG Label Group in Brentwood, Tenn., names Leigh Ann Hardie VP of strategic initiatives. She was VP of artistic development at the company. In addition, EMI CMG promotes Nick Barre to VP of artist development, Michael Bianchi and Sarah Richmond to directors of artist development and Vanessa Yma to artist development manager. Barre was director of artist development, Bianchi and Richmond were artist development managers and Yma was executive assistant.

PUBLISHING: ASCAP in Los Angeles promotes Jennifer Knoppfler to associate director of membership for pop/rock. She was membership coordinator.

DISTRIBUTION: RED Distribution in New York elevates Rob Kordish to VP of information systems and technology. He was director of management information systems.

CONCERT PROMOTION: Palace Sports and Entertainment in Auburn Hills, Mich., ups Beth Knowlton to booking/marketing coordinator. She was box office customer service manager.

MUSIC VIDEO: MTV2 in New York appoints Carol Eng senior VP of programming and development. She was senior VP of original programming at MTV.

PRO AUDIO: Manhattan Center Productions in New York names O'Blie O'Brien studio manager. She was studio manager at Edison Recording Studio.

Universal Audio in Santa Cruz, Calif., promotes Erica McDaniel to director of sales and Sophia Wardlaw to sales manager. McDaniel was sales manager and Wardlaw was administrative assistant.

MUSIC MAGAZINES: Blender in New York promotes Craig Marks to editor-in-chief. He was editor.

ENTERTAINMENT LAW: LaPolt Law in Los Angeles names Elena Occhipinti counsel. She was an attorney at Palmer Investments.

RELATED FIELDS: The Recording Academy in Santa Monica, Calif., appoints New York-based Kelly Connaughton East regional director and promotes Megan Clarke to senior director of information technology and David Konjoyan to senior director of creative services. Connaughton was executive director at the Henry Mancini Institute. Clarke was chief of technology and Konjoyan was senior director of publications.

Canadian Country Music Assn. in Toronto elevates Jan Cody to president. She was marketing director.

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Digital Hollywood Tackles Online Music Marketing

BY JILL KIPNIS

LOS ANGELES—One of the best ways to extend the reach of digital music services may be to partner with traditional music retailers. That was the feeling of some participants at the Digital Hollywood conference Sept. 27-29 at Loews Santa Monica Beach Hotel.

"Right now, most music is sold at retail," MusicNow co-founder and president Gary Cohen said. "We can do co-marketing with retailers. This is how people will start to buy digital music."

Cohen noted that Circuit City—which purchased MusicNow this year—sells MusicNow download cards at its stores.

Similarly, David Goldberg, VP/GM of Yahoo Launch, said that an online service can give back to brick-and-mortar retailers.

"We work with Target on the Launch New Artists promotion," Goldberg said. "They feature eight new artists a month in stores. Target traditionally didn’t sell new music."

Though these partnerships are expected to help consumers adopt new ways of accessing music, the music industry is still testing methods to make the message clearer.

PERSONALIZATION IS KEY

Digital music providers believe that if they differentiate themselves from the prominent digital service—Apple Computer’s iTunes—consumers will eventually explore music online.

"Until someone markets as much as Apple does, it will be hard to compete."

(Continued on page 36)
Hollywood

Continued from page 35

Napster COO Laura Goldberg said. However, she noted that “people will choose the service that is personalized to their taste.”

Many panelists agreed that consumers will ultimately be drawn to a service that caters to their musical preferences, much like a particular radio station or retail store.

“Most people want to be suggested to,” said Amanda Marks, senior VP of eLab Universal Music Group. “They will keep coming back if you hit the sweet spot.”

Nicci Broom, “music evangelist” for CNET Networks’ music.download.com, pointed out that the limited promotion space on iTunes’ Web site means “other businesses will help people discover music.”

A number of online services already play a role in launching new artists by focusing on their consumers’ potential interest.

Yahoo’s Goldberg, for example, said that when Launch featured a promotion on then-new band the Darkness, album sales rose 40%. Digital downloads jumped 100% on other sites, he said, even though Launch does not offer downloads.

SUBSCRIPTION MODELS

Digital聆听ers are also discussed how best to market subscription plans.

“Like the birth of cable TV, it’s a hard message to get across,” Marks said. “But 3 million people are paying for subscriptions already, and they can’t take the music off of their computers yet.”

Price will be a big factor in introducing the concept.

Christopher Allen, senior VP of strategic planning for MusicMatch, believes that subscriptions should cost $10-$15 per month.

Napster’s Goldberg countered that the range is likely to be $15-$20. “In the next 12 to 18 months, we really need to talk about price,” she said. “The short-term issue is the device.”

Interoperability has been a huge industry talking point during the last year. Participants said the successful introduction of machines that will rival Apple’s iPod and will easily work with various online digital services is ultimately up to the consumer electronics industry.

Many agreed with the assessment of Napster’s Goldberg that “there will be a Microsoft camp and an Apple camp.”

Taking advantage of digital space

One idea panelists believe that record labels still need to get more involved in the digital space.

“The record industry needs to take a different look at its business,” said Ken Hertz, senior partner at Goldring Hertz & Lichtenstein, a Beverly Hills, Calif., law firm specializing in entertainment. “The industry should have been encouraged to monetize new technology.”

Hertz added that after a band breaks, “other businesses then leverage that content. Labels need to be in [those] other businesses. They were making a lot on CD sales, so they got out of the touring business and other arenas in the past.”

Tommy Tallarico, president of videogame postproduction company Tommy Tallarico Studios, observed that labels seem to be stuck in old ways of thinking.

“They should be hiring marketing people,” he said.

One area that might be ripe for labels is branded media marketing.

Online auction site eBay, for example, works continuously with movie studios, labels and TV channels on branded promotions. It has teamed with Universal Music Group for onsite promotions, said Chris Fraic, head of entertainment strategic partnerships for eBay.

Fraic noted that branded promotions like the one it put together recently with Fox’s film division could benefit labels.

In the Fox promotion, eBay displayed trailers of “I, Robot,” and auctioned props from the movie. Later, eBay visited more than 50 college campuses to offer a free screening of “I, Robot” and to give students information about the site.

Tallarico believes labels should also take better advantage of videogame promotions.

“Videogames have become the radio of the 21st century,” he noted.

“More people spend the most hours playing videogames than watching TV and listening to music.”

However, Tallarico added that the industry lacks a standard for artist deals. “Right now, the videogame industry is the Wild West.”

Piracy

Continued from page 35

example, discs remained in suitcases or duffel bags. The sight of a police car sent vendors scurrying, quickly cleaning their product under parked cars.

Customers were deterred, however, following the vendors’ purchase of pirated products.

“The New York City Police Department is dedicated to stemming the tide of sales of counterfeit goods on our city streets,” NYPD detective Walter Barnes says. “The department established a separate and distinct unit whose sole focus is discovering and dismantling the pirating organizations at their roots. Members of this unit work in concert with representatives of the recording and movie industries to continuously improve our detection and preventive methods.”

Technology, which has allowed for rampant online theft of intellectual property, is still employed to devastating effect in the physical world. Malcolm and Buckles acknowledge.

Given the ease with which CDs and DVDs can be burnt, they say, distribution and promotion business models offer more hope than arresting individual vendors.

“All any of us could be a producer of CDs or DVDs,” Buckles says, citing new PCs that can burn CDs or DVDs. “If somebody’s going to burn them at night and set up a stand in the subway, it’s going to be difficult to stop. There aren’t enough of us; there aren’t enough police. Our strategy is largely aimed at trying to deal at the mass-production level and to keep this on the lowest scale possible.”

A QUESTION OF QUALITY

Not surprisingly, a pirated copy of Usher’s “Confessions” delivered audio on a plain CD-R that was identical to its legitimate release. The CD’s jewel case includes a paper front and back cover, the latter bearing the Arista logo, bar code and text, ironically including the message “unauthorized duplication or rental is a violation of applicable laws.”

Camcording—videtaping a motion picture from a theater screen—is the primary method of creating pirated DVD’s. Packaging can make a pirated DVD resemble legitimate product. However, the unlabeled discs inside two separately purchased packages delivered picture and sound quality varying from mediocre to terrible.

To address camcording, Malcolm says, MPAA investigators attend professional screenings and, each opening weekend armed with magnetometers and night-vision goggles.

He cites a recent seizure of a copy of “Resident Evil—Apocalypse” camcorded at a Loew’s cinema in New York. The MPAA also launched a program with the National Assn. of Theatre Owners offering monetary rewards to theater employees who catch audience members engaged in the act of camcording.

Eighteen states and the District of Columbia have explicit anti-camcording statutes, according to Malcolm. “The Senate passed what is referred to as the ART [Artists’ Rights and Theft Prevention] Act,” he says. “And there’s a companion bill in the House, House Resolution 4177 [the Piracy Deterrence and Education Act], which passed Sept. 28.” In both the House and Senate bill is a provision that will make camcording a federal felony.
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Retail

Trans World Chief Bullish On Industry Turnaround

At Trans World Entertainment’s 19th annual fall conference, held last month in Saratoga Springs, N.Y., chairman/CEO Bob Higgins delivered an upbeat outlook to his troops. Higgins pointed out that at the previous year’s meeting, the agenda had focused on ensuring that the company delivered a strong fourth quarter to cap a turnaround year.

“That’s just what we did,” Higgins said, according to excerpts from his speech supplied by the company to Billboard. “This year, the challenge and the opportunity . . . is to build on that foundation and take Trans World to the next level.”

The convention’s theme, appropriately, was “Putting It All Together.” During the last few years, the company has struggled, but the plan is to improve those areas, he added.

Moving on to the digital world, he noted that downloading will not become a large percentage of the music business until 2006 at the earliest. The chain is preparing for that development.

“During the fourth quarter, we will be setting up three test stores that will allow customers to buy a download through [listening and viewing stations] and have it e-mailed to their homes,” Higgins said. “We also plan to test in-store CD burning in these stores at the same time.”

In closing his speech, Higgins noted that the number of Trans World competitors has dropped significantly through the years as other specialty retailers failed to match the company’s success.

“This leads me to what you and your team can do to continue to differentiate us from the competition,” he told his employees. “A store in the best location with the best inventory selection will not succeed if it isn’t managed properly. You and your management team are the most important members of our team.”

GROWING BOLD AGAIN: Trans World isn’t the only chain that sees a good future ahead. Mike Dreese, CEO of Newbury Comics, says the chain’s big goal is to begin expanding again.

“We have been moving side-ways for two years economically, but it looks like this year we will have a record year,” Dreese tells Retail Track.

About four months ago, the chain began to seek new store opportunities. It plans to open two or three stores this year and four or five in 2005.

“The chain, which plans to stay in New England, will probably move into Connecticut for the first time. “We are taking a page out of the Wal-Mart book and looking at smaller markets,” Dreese reports.

Such markets could support smaller Newbury locations (in the 3,000-square-foot range), he said, and they would carry lower rents. But Dreese notes that New England’s “lower” rents are astronomical compared with the rents in the Southwest and Midwest tertiary markets that Hastings Entertainment favors.

Dreese points to several reasons for the renewed optimism that is fueling the company’s growth plans. Music has stabilized, he says, and the company’s CD profit margins are up 1%-2%. Also, the chain is seeing “significant success” with DVDs.

“We are getting a lot better at trend merchandise,” Dreese adds. “There are many weeks where we are up 30% or 40%. Our trend people blew away their goals.”

INTERPOL AMBITIONS: Check out the ambitious marketing effort behind Interpol’s new Matador Records album, “Antics.” The band and label set up five temporary Interpol-related gallery spaces to support the Sept. 28 release. In addition to store sales in Los Angeles, London and New York that opened in September, the band will rent spaces in Paris and Berlin later this fall.

It’s a take-a-chance, let’s-throw-out-the-cookie-cutter move. The storefront spaces will contain everything from “limited-edition poster sets and space design/art prints to a custom neon sign to 10 band-commissioned short films,” according to the label.

Beggars Group/Matador national sales director Rusty Clarke says the spaces also stock various Interpol-related merchandise, including a limited-edition boxed set of 7-inch singles.

AND THE ENVELOPE, PLEASE: Universal Music & Video Distribution has been named vendor of the year by Best Buy, according to Universal Music Group. This marks the third time in the last four years that UMVD has won that award.
Gabriel’s Music Clips Get DVD Remix

BY EMMANUEL LEGRAND

LONDON—Peter Gabriel has made some of the most groundbreaking clips of the video era. Now fans will get a chance to study his work with “Play,” the British artist’s first career-spanning DVD collection. The 23-track set includes such videos as “Sledgehammer,” “Red Rain,” “Biko,” “Digging in the Dirt,” “Shock the Monkey,” “Games Without Frontiers” and “Don’t Give Up,” remixed in 5.1 surround sound.

“It is wonderful to be able to release this material with new mixes,” says Gabriel, who oversaw the remixing in his Real World studios with Canadian producer Daniel Lanois. “The surround sound puts people at the center of the sound, rather than squeezing them in a stereo world.”

The set is due Oct. 25 on Warner Vision worldwide, except North America, where it will arrive Nov. 16 through Warner Special Marketing/Rhino.

Frank Brunger, VP of international marketing and sales at Warner Vision, says the DVD will be released in more than 40 territories. The company will support it with TV, radio and print advertising in some countries. “There will be comprehensive campaigns in all the major markets,” Brunger says.

He adds that Gabriel will be participating heavily in the DVD’s promotion. “Most artists do not get involved in the promotion of their DVDs,” Brunger says, “but Peter Gabriel is very much involved and this is a major benefit.”

The DVD project allowed Gabriel and Lanois to get reacquainted. They worked together on two of Gabriel’s albums, 1986’s “So” and 1992’s “Us.” “I haven’t worked with Daniel in 10 years, and we get on very well,” Gabriel says. “He is really passionate and tends to push people further than where they want to go.”

Gabriel says the remixes will offer consumers the opportunity to listen to his repertoire with new ears. “Daniel is doing mixes that sometimes sound better than the originals,” he adds.

REVEALING THE FOUNDATION

Lanois is a fan of the 5.1 technology. He says it allows listeners “to discover the different layers of sound. It’s almost like revealing the architect’s plans—you can really appreciate the foundation. My work with Peter always had some kind of visual sense. It is kind of a fun thing to play with. It gives a more panoramic and cinematographic sound.”

“It feels great to work on material I did not originally work on,” Lanois adds. “I enjoyed these [songs] a lot.”

Ray Still, London-based executive producer of “Play” at Warner Vision, is also enthusiastic. “What Lanois has done in terms of sound is simply extraordinary,” he says.

Still says working with Gabriel on the singer’s “Growing Up Live” DVD added, according to Gabriel. “We won’t touch the better ones,” he says, “but on some others we will have new material.”

Each video has a short introduction that includes “making of” footage and/or comments from Gabriel. Fans can also customize and save their own 18-video playlist.

“IT is a rare pleasure to work with an artist who has consistently shown a considerate eye for audiovisual works,” Still says. “He is one of [a] handful of artists whom you associate with image as much as music.”

Bonus material ranges from videos for “Modern Love,” “The Nest That Sailed the Sky” and a 2004 live version of “Games Without Frontiers” to trailers for prior Gabriel video releases “Secret World Live” and “Growing Up Live.”

Gabriel says the process made him look back at all his videos. His favorites are “Sledgehammer,” “Mercy Street” and “Digging in the Dirt.”

“You’re not always about budgets. There are some small-budget videos I did that I really like. Sometimes it is good to be restrained by time and budget—it forces you to be creative.”

“Because I feel good to work computer-generated images, ‘Sledgehammer’ has a funky feel to it,” he adds. “Technology can produce perfect stuff, and we humans are good at imperfection. I like to see the evidence of human touch.”

Additional reporting by Jonathan Cohen in New York.

Anchor Bay Partners Up For Doc DVD Label

Anchor Bay Entertainment and documentary production company CameraPlanet have launched a joint-venture DVD label called FeatureDoc.

The label will release eight titles by the end of 2005, according to Anchor Bay brand manager Kim Kisner, with eight to 12 releases each subsequent year. “Documentaries are an up-and-coming area for home video,” Kisner says. “This is a good partnership because we can be on the experts on the distribution end of it, and CameraPlanet is out there acquiring and making films. We will also handle advertising and marketing.”

Steven Rosenbaum, CEO of CameraPlanet, says signing a distribution deal was the “last missing piece in the puzzle. It became clear to us over the last two years that one of the places that there wasn’t an aggressive player was in DVD. We went out and talked to a lot of distributors. Anchor Bay has this ability to understand niche audiences.”

The first release under the deal is “Staffers,” a look at this year’s Democratic National Convention. The $24.98 project, available Oct. 26, is presented in six 22-minute episodes.

The next FeatureDoc project, “With All Deliberate Speed,” explores the historic Brown v. Board of Education Supreme Court decision. It will premiere in January 2005 for $19.98.

Other upcoming titles include “Dog Days,” a project about dog owners in New York.

DVDS OFF THE TABLE: DVD residuals will not change under the new three-year contract between the Directors Guild of America and the Alliance of Motion Picture and Television Producers.

In a statement, DGA president Michael Apted said, “After careful consideration and intensive research, our view is that this is the right issue at the wrong time for our Guild. Residuals for our members have grown from $36 million in 1984 to $225 million in 2003, he continued, “Since 2000 alone, home video residuals for our members, including DVD, have grown from $29 million to $53 million, a 45% increase. In fact, in the last year alone, our members’ home video residuals have grown by 35%.”

The DGA did not disclose the new residual rate it was considering.

DVD residuals are one of the primary issues in the stalled negotiations between the Writers Guild of America and the AMPTP (Billboard, Jan. 24).

EXTENDED ‘LORD’: The extended edition of “The Lord of the Rings: The Return of the King” (New Line Home Entertainment) will be available Dec. 14. The $39.99 four-disc set will feature numerous extras, including commentaries, documentaries and design galleries.

New Line will also bundle all three “Lord of the Rings” extended editions in a special slipcase. Consumers who already own the series’ other extended-edition DVDs can send away for the case through an offer inside the extended “Return of the King.”

Matt Lasorsa, senior VP of marketing for New Line, says “there are no additional incentives” to buy the extended DVDs together. The package is the same price as the three titles purchased separately.

A limited-edition “Return of the King” DVD gift set ($79.92), also available Dec. 14, will include a sculpture of Minas Tirith (capital of Gondor) and a fifth disc focusing on Howard Shore’s music.

THIS AND THAT: Queen Latifah’s Flavor Unit Films has inked a deal to produce exclusive direct-to-DVD urban films for Paramount Home Entertainment. The releases will include drama, action, romance and comedy titles. Latifah is not expected to act in any of the projects.

MGM Home Entertainment is promoting upcoming releases with two newly launched Web sites. Mgmhit.com will provide home-video release information, while the more consumer-oriented mgmholiday.com will promote the company’s gift-oriented special editions and holiday titles.

Ventura Entertainment’s UrbanWorks video label has acquired the rights to Bill Cosby’s “Fat Albert and the Cosby Kids” TV series through a deal with U.K.-based Entertainment Rights. The first releases, due Dec. 14, are “Fat Albert and the Cosby Kids” ($14.99), which contains five classic episodes on one disc; and four-disc set “Fat Albert’s Greatest Hits—The Ultimate Collection” ($49.99).
SPARS Sets Agenda For Next 25 Years

BY CHRISTOPHER WALSH

NEW YORK—This year marks the 25th anniversary of the Society of Professional Audio Recording Services.

From an informal gathering during the Audio Engineering Society convention in 1979 to a national organization through which facilities can navigate a fast-changing and turbulent recording industry, SPARS has evolved to mirror and address the contemporary environment.

Outgoing SPARS president Jeff Greenberg, CEO of the Village Recording Studios in West Los Angeles, attended the New York SPARS chapter’s monthly meeting Sept. 30, as did incoming president Andrew Kautz, of Emerald Entertainment in Nashville.

SPARS has spent much of the past year defining itself and its mission, beginning with the new administration of Greenberg and the 2003 appointment of managing director Paul Gallo.

“We realized that SPARS, like the industry in general, needed to adapt to the changing business,” says Greenberg, who will step down as president following the 117th AES Convention, later this month (see Studio Monitor, this page).

“But SPARS is a great brand that has been around now for 25 years,” Greenberg continues, “and we are really dedicated to promoting and defending the interests of people in the professional recording industry. There’s a bunch of young, hot operators who are running studios that everybody aspires to work at.”

Kautz adds, “At Jeff’s suggestion, we have changed our planned presence at the convention from a business panel to a mentoring session. Our hopes are that we can better interact on a one-on-one level with studio owners, operators and students to give advice or just share experiences in a less formal, less one-sided manner.

SPARS membership is open to individual engineers and anyone else involved in professional recording. Greenberg notes, “A common organization where you can keep abreast of key industry issues and network with industry partners can give you tremendous insight into the future of your own business.”

Manufacturer Solid State Logic and Guitar Center’s GC Pro division spoke, which included a presentation of SSL’s AWS 900 workstation controller. GC Pro distributes the product.

Record AES Registrations Reflect Recovery

The state of the music recording industry—which is slowly emerging from a long slump marked by falling rates, Chapter 11 filings and studio closings—will be reflected in the Audio Engineering Society’s 117th convention, set for Oct. 28-31 at the Moscone Center in San Francisco, where the convention is likely to see attendance and exhibitor figures approaching or surpassing previous records.

“Everything’s looking very good,” AES executive director Roger Furness says. “We have over 400 exhibitors at the moment, and we always get more toward the end. We’re pretty close to the highest number we’ve ever had, which is very encouraging. And we’re expecting over 18,000—a very good turnout—to come to the show.”

The preconvention registration statistics reflect reports of an industry on the upswing, at least for recording facilities that have survived a four-year downturn. “It shows not only people’s belief in the AES,” Furness says, “but also [that] the industry is gradually returning to its former self.”

As noted in this space last week, broadcast and surround sound will be amply represented at the convention by workshops, technical tours and tutorials, as well as manufacturer exhibits.

Broadcast is certainly one area where audio is expanding, with the AES convention committee chairman John Strawn explains, “and surround is very much happening across the world now. We wanted to bring a lot of surround into this show, so we’ve got three rooms equipped for surround sound. [Loudspeaker manufacturers] Genelec and Meyer have donated surround systems, so people can use them as part of presentations.

Surround sound, as carried on DVD, Super Audio CD and broadcast, is one medium that audio professionals should always keep in mind. Though future engineers and producers, working in private digital audio workstation-based environments, may not benefit from the apprenticeship experience offered by commercial studios, a wealth of experience has been compiled in several books.

Copy Control Fades In Japan
Labels Turning Away From CCCDs

BY STEVE McCLURE

TOKYO—Copy protected CDs look to be on the way out in Japan. Leading Japanese independent Aves—which in March 2002 was the first label here to release copy-controlled CDs (CCCDs)—has begun scaling back the number of titles it puts out that carry the technology. The label released its first new titles without copy protection Sept. 23.

Sony Music Entertainment Japan, a subsidiary of Sony, has also been taking a different approach. Sony announced in November that it will begin phasing out CCCDs this month and will omit copy protection from all new releases by Nov. 17. (SMEJ is the market leader, with a 2003 share of 16.2%, according to the International Federation of the Phonographic Industry.)

The news has been well received in Japan, particularly among music merchants.

"For retailers, CCCDs have been a lot of trouble, especially in terms of our relations with customers," Tokyo-based Tower Records Japan vendor-management manager Takeshi Ishii says. He adds that the comments board on Tower's Web site (towerrecords.co.jp) receives complaints regularly from customers who experience problems with CCCDs.

SMEJ began releasing CCCDs in January 2003, and many other Japanese labels followed the example set by the major and Aves.

Sony declines to comment on its decision. Aves said in a statement that it will "be exercising more flexibility in deciding whether or not to use copy-control measures for each new CD." The record company notes that copy control has proved unpopular with some artists, label personnel, music critics (who have claimed that the technology reduces sound quality) and CD rental stores.

"Retailers had to start tracking which albums were copy-controlled, because when the Japanese version was controlled and the import wasn't, there was often a heavier demand for imports," the source says. "Ultimately, [CCCD] was hard to hold together unless all the labels were doing the same thing, and it has become clear that wasn't likely to happen."

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Industry sources suggest that the upcoming launch of the iTunes and MSN Music download services in Japan has prompted labels to rethink their CCCDs practices.

The Japanese recording industry's recent use of legal action against file-sharing services and software developers has also been cited by insiders as a major factor in convincing the labels to turn away from copy control. Most agree that such activity has raised public awareness of intellectual-property issues.

The Aves statement notes that copy-protected tracks cannot be burned onto CDs or transferred to portable devices. It says that as music players like the iPod become more popular, the label "must be able to meet the demand for new ways of enjoying music."

Sources suggest that most Japanese record companies will follow Aves's and Sony's lead. However, Toshiba EMI says it will continue to release CCCDs. "CCCDs are supported under the global strategy of the EMI Group," a company spokesman says.

BMG, meanwhile, "continues its support for CCCDs in some regions of the world," according to a BMG spokesperson. "However, [in Japan] we have never supported this format. A number of our imports from the [European Union] in particular have been CCCDs, and this has caused problems with retailers and buyers."

Universal Music K.K. says it has released only two CCD titles to date, while Warner Music Japan has released nine, the most recent in November 2003.

"In keeping with Warner Music Group policy, our company decided in September that we will not release any more CCCDs," a WMJ spokesperson says.

The Recording Industry Assn. of Japan has local heavyweights have issued 3,000 CCCD titles since March 2002.

Canadian Country Acts See More Doors Opening

BY LARRY LeBLANC

TORONTO—For decades, working in Nashville has been the ultimate goal for Canadian country artists and songwriters, and many have relocated or worked there since the 1970s. Yet some now say they are seeing increased opportunities in their homeland as well.

This shift, however, comes at a time when there is resistance by major labels based in Canada toward signing country acts. Sony Music Canada singer Adam Gregory is the sole domestic country artist signed directly to a multinational.

Meanwhile, a wave of acts from Canada's independent labels—Doc Walker, Beverly Mahwood, J.R. Vatour, Jason McDuff, Sean Hogan, Aaron Pritchett and the Corb Lund Band—has broken nationally in the past year.

"There's more new country talent at a higher level in Canada than there has been in years," BMG Music Canada director of national promotion Warren Copnack says. "Independent artists are doing a fabulous job in developing talent."

"Canadian country has a new identity," says Toronto-based booker Julien Paquin of Paquin Entertainment Agency. "There's a midrange level of artists that didn't exist three years ago."

Understanding this emergence is country rock band Doc Walker's Oct. 3 victory over such leading domestic acts as Nickelback, Sarah McLachlan and Nelly Furtado in the fan-voted top entertainer category at the Western Canadian Music Awards. The Portage la Prairie, Manitoba, band—has broken nationally in the past year.

"There's more new country talent at a higher level in Canada than there has been in years," BMG Music Canada director of national promotion Warren Copnack says. "Inde-
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**Hits of the World is compiled at Billboard/London.**

**NEW = New Entry  RE = Re-Entry**
The Ariola/BMG act—consisting of Kathleen Aerts, Kristel Verheye and Karen Dumen—has shipped more than 4 million units in the Benelux countries since 1999, according to the label. The single “Liefdeskapitein” preceded the Sept. 6 release of “De Wereld Rond.” The song spent 15 weeks in the top 75 in Flanders between July and September. “K3 has become a quality brand for the kids,” Brussels-based BMG product manager Philippe Coppens says. “The girls have been very popular and we are very happy with the result.”

MARK MAES

guitarist Ry Cooder won a Grammy Award. That album, “Talking Timbuktu,” was released internationally by London-based World Circuit and by Hannibal in the United States.

World Circuit releases are distributed in North America by Nonesuch/Warner and internationally through various partners. The reissue precedes an as-yet-untitled collaboration with Malian doors player Toumani Diabate. Produced in Mali by World Circuit founder Nick Gold, this set is due in 2005. It will be Toure’s first new album since 1999.

Individual new albums by Dibate (with his band, the Symmetric Orchestra) and Toure will appear on World Circuit in 2005.

NIGEL WILLIAMSON

ROOM SERVICE: The chart performance of Berlin duo 2raumwohnung marks the successful introduction of BMG’s new price structure in Germany.

2raumwohnung’s third album, “Es Wird Morgen” (It-Sounds/BMG), debuted at No. 2 on the Sept. 7 Media Control chart. The act, which combines electronic dance music with romantic lyrics, is named for the two-room apartments common in the former East Germany.


Under BMG’s new pricing, “Es Wird Morgen” is available at three price points in three types of packaging.

Despite 2raumwohnung’s success, Humpe complains that local repertoire is under-represented on German radio.

“What is at stake is our identity and our intellectual heritage,” she says. “Radio has a cultural obligation, which it has been breaching on a massive basis.” WOLFGANG SPARR
COPENHAGEN—EMI Music Denmark has hit pay dirt with the sophomore set from border-breaking rock quintet Saybia. Now the label is gearing up to take the album to a broader international stage.

The Danish band’s second effort, “These Are the Days” (Capitol), was released Sept. 13 in Denmark, the Netherlands, Belgium, Switzerland and Norway. The 10-track set opened the Danish chart at No. 1, shipping gold (25,000 units). It also debuted in the Dutch top 10 and the Norwegian chart No. 5.

“It’s the biggest project EMI Music Denmark has seen in many years and a high priority for EMI Continental [Europe],” says EMI Music Denmark manager of international exploitation Ole Mortensen, who is based in Copenhagen.

Saybia’s 2002 EMI debut, “The Second You Sleep,” drew comparisons to Coldplay, but the new set has been described as having more of an American pop-rock sound. U.S. producer Tchad Blake (Pearl Jam, Travis, Sheryl Crow) helmed the album.

“When we write no style in mind,” Saybia frontman Soren Huss says, “Maybe the American sound came to the surface during the mix.” Internal pressures almost led the band to break up after the success of its debut, Huss says. “But now we’ve rediscovered the band spirit. We also discovered Neil Young.” He adds that during those periods, the band listened to “Harvest” and other Young albums.

Saybia’s debut earned it a solid fan base at home and abroad. EMI says more than 300,000 units shipped were sold outside Danish borders. That success won the quintet a European Communion Border Breakers Award, presented at the MIDEM trade fair this year in Cannes (Billboard, Jan. 24).

EMI hopes to build on the sales of the first album by using the same marketing techniques. “We’re still doing it the old-fashioned way,” Mortensen says. “It’s a traditional marketing strategy: promotion, concerts and close cooperation between promoters and the label.” The new album will be released in Germany and Austria Oct. 10. “We have high hopes for Germany,” Mortensen says. “We sold 10,000 (Continued on page 56)
Doing Fine Down Under

Local Artists Push Biz Forward In Australia

BY CHRISTIE ELIEZER

SYDNEY—When the Australian record industry gathers Oct. 17 at the Sydney Superdome for the annual Australian Recording Industry Assn. awards, executives can look back on a challenging year for overall music sales. However, they will also applaud 2004 as a strong period for domestic artists, debut albums, the emerging digital music business and new partnerships with consumer product companies.

Local artists accounted for 27% of the wholesale value of music sold in Australia during the first six months of this year, up from 18% the previous year, according to ARIA. Sales of debut releases—from both international and domestic acts—rose 14%.

Two ARIA nominees, Delta Goodrem and Jet, are among the year’s best-selling local acts on the international scene.

Goodrem’s “Innocent Eyes” (Sony Music Entertainment) has sold 2.5 million worldwide and Jet’s “Get Born” (EMI) has sold 2.2 million, according to their respective labels.

Back home, the Australian charts welcomed debut albums from major-label acts including Pete Murray (SME), Guy Sebastian (BMG), Shannon Noll (BMG), the Cat Empire (EMI), Paulini (SME), the Dissociatives (EMI), Thirsty Merc (Warner Music) and Xavier Rudd (Universal Music Australia).

INTERNATIONAL SALES CRUCIAL

Given the modest size of the Australian market, international sales remain crucial for acts from Oz. Not surprisingly, these debut acts spent time abroad setting up global releases, as did established acts like Something for Kate (SME), Powderfinger (EMI), Machine Gun Fellatio (Festival Mushroom Records), Kasey Chambers (EMI), Killing Heidi (SME) and Spiderbait (UMA).

The indies expanded further. The John Butler Trio’s third album, “Sunrise Over Sea” (Jarrah/MGM), debuted at No. 1 and is near double-platinum (150,000 units); Eskimo Joe’s “A Song Is a City” debuted at No. 2 and is platinum; and the Hilltop Hoods’ “The Calling” (Obese) was the first hip-hop indie (Continued on page 56)

New Zealand’s Domestic Sales On The Rise

BY JOHN FERGUSON

AUCKLAND, New Zealand—As a distant nation with a small population, New Zealand suffers the misconception that it is far removed from the global pop culture mainstream. But the country’s music industry is a strong one, developing its share of artists with international appeal.

And increasingly the music industry here, as elsewhere, is expanding into businesses ranging from fashion to book publishing.

THE DIGITAL LAG

One area in which New Zealand execs readily acknowledge that they lag is digital delivery of music to local fans. Record executives may have disappointed that they have yet to dip into new revenue streams generated by digital music stores and master ringtones on cell phones. But they have avoided the pitfalls of this nascent business as well.

“Being last cab off the rank in this particular area of the business is probably a good thing, as the dust is beginning to settle elsewhere and we can learn from that,” says Michael Glading, managing director of Sony Music New Zealand and president of the Recording Industry Assn. of New Zealand.

Similarly, while New Zealand hasn’t fully escaped the effects of a global downturn in music revenue, the impact has been cushioned by the continuing rise of domestic music sales.

Sales of albums by local artists accounted for just 4% of the market in 1998 but more than doubled to 9% in 2003, according to RIANZ. This year the growth has been equally impressive. In the last week of August, figures stood at a record-breaking 26%, according to RIANZ CEO Terence O’Neill Joyce.

In addition, New Zealand acts are making an impact on the international stage, which could boost their home labels’ revenue even more.

Hayley Westenra (Decca/Universal), Bic Runga (Sony Music), the D4 (Flying Nun), the Datsuns (Shock), Concord Dawn (Kog Trans) (Continued on page 52)
By Christie Eliezer and John Ferguson

The three-hour flight across the Tasman Sea between Auckland, New Zealand, and Sydney is relatively cheap, and there aren't any visa restrictions between Australia and New Zealand.

So it has always been tempting for such New Zealand acts as the La de Das in the 1960s and Dragon and Split Enz in the 1970s to leave a country with a population of 4 million for Australia, which has 20 million people.

Increasingly, Kiwi acts are seeking a global audience and making Australia their first stop. This year looks to set the record in New Zealand for the number of local acts topping its charts. By September, five domestic artists had hit No. 1—equaling the number in 1970 and 1999. And several high-profile releases are still due this year.

Total sales of Kiwi music has doubled since 1990, and domestic repertoire now accounts for 10% of the $200 million New Zealand ($133.6 million) that New Zealand consumers spend on music each year, according to the Recording Industry Assn. of New Zealand.

After testing the Aussie market through touring, some New Zealand acts have recently relocated to Australia for a short or long-term.

They include Fur Patrol (Warner/Universal), PanAm (Flying Nun/ Festival Mushroom Records), Evermore (Warner), Brooke Fraser (Sony Music), Goodshirt (EMI) and Betchadupa (Liberation).

"It definitely makes sense to be [in Australia] rather than forking out money for a plane ticket each time, but it is also good for us to be somewhere new and working in a stimulating environment," Liam Finn of Betchadupa says. (He is the son of Neil Finn of Crowded House and Split Enz fame.) "Because there is so much going on, you really have to strive hard to be noticed here, which is a good thing."

Betchadupa, which is managed internationally by Deb Klein of Spivak Sobol Entertainment, is keen to build on the buzz it created in the United States and Europe after its 2003 showcase at the South by Southwest Music and Media Conference in Austin.

Michael Gudinski, Australian-based chairman of Liberation Records, says, "We're taking a long-term credible development with them. It may take up to three albums to get the success I believe the group acts for.

Another New Zealand act that Liberation plans to work in Europe next year is Deja Voodoo.

Gudinski, who entered the New Zealand market 25 years ago when he owned Mushroom Records, is one of many Australian executives expanding operations in New Zealand.

Liberation, which is distributed by Warner Music in Australia and New Zealand, has offices in Auckland, as does Gudinski's touring company, Frontier Touring. In January, he will open a New Zealand office for Mushroom Publishing, which has signed such New Zealand writers as Neil Finn, Tim Finn, Dave Dobbyn, the Peppers, Anika Moa and Elemeno P.

The company also has a publishing relationship with Mushroom Pictures, whose next project, "Stone-dogs," will be filmed in New Zealand.

GLOBAL PARTNERSHIPS

Other New Zealand artists are benefiting from the global reach of their Australian record labels. D4, for example, is signed to Festival Mushroom Records, which has a global network of independent affiliates. D4 is distributed by Mushroom U.K. in Europe and Hollywood Records in North America and managed by veteran U.K. independent music entrepreneur Alan McGee.

Phil McRae, who founded New Zealand's Flying Nun Records, is now based in London to coordinate the activities of MC Scribe, Mint Chicks and King Kapisi and Aussies the Panics, Motor Ace and Amiel.

In the past, major labels have attempted to run New Zealand operations from Australia but those efforts have largely been abandoned.

"The two markets are quite different, so you have to be on the ground in New Zealand," says Roger Grierson, chairman of Festival Mushroom Records. "You need to be more than a dumping ground for international repertoire. You couldn't do it by remote control. The retailers wouldn't stand for it, for a start."

Veteran publisher/manager John Woodruff, managing director of Sydney-based Rough Cut Music, last year helped Auckland-based promoter Brent Eccles set up the World Series, a high-profile showcase event in New Zealand.

With funding from the New Zealand government, 20 international label, publishing and booking executives were flown to Auckland.

(Continued on page 54)
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NZ's Latest Talent Crop

Scribe, Goldenhorse, The Have Among Noteworthy Acts

• Less than a year ago, hip-hop sensation Scribe made chart history in New Zealand as the first Kiwi to simultaneously hold the No. 1 album and singles spots with “The Crusader” and “Stand-up,” respectively. The latter also debuted at No. 25 on the Australian singles chart.

This month, the Dirty Records’ Festival Mushroom Records artist returns for another tour. He will be joined by other leaders of the New Zealand hip-hop scene, many of whom teamed with Scribe earlier this year for a national tour with mobile phone company Boost.

In September, Scribe won in seven categories at the New Zealand Music Awards.

• Yulia, who was raised in Russia, came to New Zealand two years ago unable to speak English. Now the multilingual 18-year-old has recorded an album with the New Zealand Symphony Orchestra that spans Russian and Maori traditional music, as well as classical and pop.

“Yulia has made a fantastic record for the classical crossover market, and we see her as a major priority domestically and globally,” says Michael Glading, managing director of Sony Music. “We’ve sent some works in progress around the world and the reaction has been terrific.”

Yulia’s debut album, “Into the West,” has hit platinum (15,000 units) and No. 1 since its local release last month.

• In August, the remastered debut album from Goldenhorse, “Riverhead,” went to No. 1 almost two years after it was first released. Tracy Magan, managing director of Siren Records, says a slow build was always part of the strategy.

A major element of the band’s triple-platinum success has been the licensing of its biggest-selling single, “Maybe Tomorrow,” for use in a TV commercial for coffee. Because of this, the five-piece band has “really seeped into the public’s consciousness,” Magan notes.

Distributed by EMI in New Zealand, Siren is now scouting for deals in Australia and Europe. A new single comes out in November, and an Australian tour is in the works. The next album is due in 2005.

• One of the most eagerly anticipated local releases of the year, the debut studio album from the dub/soul/jazz collective Fat Freddy’s Drop, is set for release in November. It will be issued on the band’s own label, the Drop, with distribution through Rhythm Method.

Business manager Nicole Duckworth says there are already offers on the table from like-minded indies around the world, particularly in France and Germany. “The French and Germans have been very excited by the cross-genre style,” Duckworth says. “In England, though, they have been a little confused, asking, ‘Do we put this in the jazz box or the reggae box?’

• Retro rock band the Have was one of the highlights at 2004’s South by Southwest Music and Media Conference in Austin, and the group is quickly building a name for itself, despite having released only an EP.

In New Zealand the band is signed to Shock Records, which is distributed by BMG. Manager Teresa Patterson says talks are under way with Australian and Japanese distributors.

“Tracks like Jet and The Datsuns have paved the way [for the Have], and there is a good buzz building around them internationally,” notes Daren Humphries, GM of Shock Records NZ.

The band’s sound is becoming more familiar with consumers through the use of its first single, “Right On,” in TV ads that air in New Zealand and Australia. In addition, the Have has secured sponsorship deals with Red Bull and Reverse.

JOHN FERGUSON

New Zealand:
Fact File

ECONOMIC WATCH

Population: 4 million
Per capita GDP: $18,159
Economic growth: 2.4%
World Ranking in Music
Sales: 30th

REPERTOIRE WATCH

International: 83%
Domestic: 11%
Classical: 6%
Gold Award: 7,500 units
Platinum Award: 15,000 units
Chart Source: Media Sauce/Recording Industry Assn. of New Zealand (rianz.org.nz, natpop40.com)

DIGITAL WATCH

Mobile Phone Usage (population): 61%
Internet Penetration (households): 46%
Broadband Penetration (households): 4%
Source: International Federation of the Recording Industry

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release to go gold (35,000 units). Certifications are based on units shipped to retail.

Other strong indie debuts included Missy Higgins, Elephant the Music, Dallas Crane (Albert/Festival Mushroom Records), the Butterfly Effect (Roadshow), Slnkee Minx (CSR/MRA) and Cosima DeVito (CDV/NGM).

The Australian music business looks to the ARIA Awards to boost music buying heading into the holiday shopping season. Last year, much of retail’s 3.4% growth came in the second half. And as summer approaches in the southern hemisphere, record companies promise retail a strong slate of international and local releases.

Retailers need it. The first six months of 2004 saw the Aussie market shrink 8.7% in value to $237.2 million Australian ($166 million), compared with the same period last year, according to ARIA. Albums declined in value by 10.4% and singles by 8.4%.

Labels shipped more than 24.5 million audio and music video/DVD units, down 4.5% from the same period last year, ARIA reports.

Retailers are also hoping that this season of Network Ten’s reality TV series “Australian Idol” creates strong retail attention. The finale of the first series in October 2003 drew 3.3 million viewers, according to the network.

BMG Australia, the show’s label partner, sold $30 million Australian ($21 million) worth of “Idol”-related CDs and DVDs in the first six months of release. Sales of “Idol” winner Guy Sebastian’s album, “Just As I Am,” which surpassed 500,000, were a definite boost for retail at Christmas. Runners-up Noll, Paulini and DeVito also had No. 1 successes this year.

AN IDOL’S WORTH

As in other countries with “Idol”-style shows, record executives in Australia are divided over the show’s impact.

“Music is on everybody’s radar like never before,” says Denis Hanlin, chairman/CEO of Sony BMG Entertainment Australia.

“Others in the industry disagree. Michael Parris, managing director of major independent Festival Mushroom, says such shows “strange artist development. Aside from piracy and illegal downloading, the biggest threat to the music industry is mediocrity and risk aversion from records propelled by TV shows that are not going to last. Let’s not give consumers a reason to stop buying music and turn to other entertainment.”

In the retail sector, department stores, which heavily discount CDs, continue to expand market share, while local digital music services account for less than 1% of the market since their launch last December, according to ARIA.

The merger of Sony and BMG will mean fewer co-op advertising dollars for retail. Nevertheless, retail is cheered by label efforts to expand marketing to the 40-plus demographic.

In the past year, Sanity Entertainment and JB Hi-Fi expanded their market share—Sanity gained an extra 4% share after taking over the CD and DVD section of Myer department stores—but indie retail held its own through variety and service, according to industry estimates.

Record executives are weathering the ups and downs of a business in transition. On the positive side, overall sales in Australia have held compared with other major territories, music DVD continues to grow (Continued on page 52)
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missions), P Money and Scribe (both with Dirty Records/FMR) are among the diverse acts building a solid international following. And a new wave of talent is waiting in the wings. These newcomers range from such rock acts as Evermore (Warner), the Mint Chicks (Flying Nun), the Have (Shock), Goodshirt (EMI) and Betcha-
dupu (Liberation) to pop acts like Brooke Fraser (Sony Music) and Gold-

New Zealand have been soft this year. At the same time, rising mar-
ket costs and piracy continue to eat into the bottom line. Still, the
industry heads happily into the final quarter of the year.

Mark "Ash" Ashbridge, managing director of Festival Mushroom
Records, acknowledges the industry is entering a time of change and
that there may be an unsettling period ahead. Right now, though, he
says the market for local music is very buoyant. "There seem to be a lot
of record companies—both majors and independents—investing in New Zealand
music," he adds.

BMG GM Mike Bradshaw agrees. The label has reaped the benefits of
its involvement in "New Zealand Idol." The TV show's initial winner,
Ben Lummis, has topped the album and singles charts.

However, Bradshaw notes, BMG is "starting to face the same pricing
issues other territories have had to deal with [in addition to] the
impact of digital delivery. It will force us to become [more] creative
and innovative.

There is no word on when a full-
folded digital delivery service will
launch in New Zealand. Entertainment
lawyer Chris Hoogeward, founder and
director of New Zealand's only music download
operation (lamplerifer.co.nz), predicts
that a nonmusic company will eventually take the lead in the
download sector.

Telecom New Zealand, the
country's dominant communications
company, offers music streaming
services. Ralph Brayham, the
company's GM of new media and busi-

ness development, says TNZ is ready
to partner with music companies on
broadcast and 3G mobile initiatives.

Retail is also eager to embrace the
new media. Online service
Destra, which has launched a num-
ber of digital music ventures in
Australia with such music retailers
as Sanity Music, is looking to expand
into New Zealand. The

country's largest specialist chain,
Sounds, is also working on a num-er of new digital initiatives.

NEW AVENUES FOR INDIES

Meanwhile, New Zealand's
independent labels have shown that
profits can be made in other areas as well.

Digital Entertainment, which
has been the dominant player in the
local hip-hop/urban market, has
expanded into clothing. CEO Andy
Mumane estimates that 60% of the
company's revenue comes from
merchandising. But, he adds, "our
passion is still music."

Wellington-based label Loop
Recordings has adopted a truly
multimedia approach. According
to label manager Michael Tucker,
the company produced a package for
the world premiere of "The Lord of
the Rings: The Return of the King"
that was handed out to VIP guests.
It included a CD compilation, short
films, music promos and a book of
New Zealand art.

That sort of initiative helped Loop
land a deal with Australian DVD
distributor Magna Pacific, which is
looking to break into the music sector.

But the central challenge for
New Zealand, as with any small but
cultur-

turally vibrant market, remains

cracking the global market-

place.

That's where the government's
new initiative may help. The
strategy, NZ Out There, which was
developed by government-ased,
pointed task force the Music
Industry Export Development
Group, has raised expectations
among record executives.

Task force chairman Malcolm
Black, A&R director at Sony Music,
is seeking about $3 million New Zealand ($2 million) annually to
support a three-phase export develop-
ment program. The money will
help fund everything from promo-

tional visits to extended stays in
international territories.

The international music indus-
try is a highly sophisticated network
of organizations, and we are trying to
slot our acts into that existing
network," Black says.

Given this support, the
music industry is perplexed by the
government's action to amend copyright
legislation, a move that executives
say will hurt their business. The
pending law would allow format-
shifting for recorded-music con-
sumers—i.e., copying CDs onto a
computer, digital music player or
other device. A decision is expected
this month.

Nevertheless, prospects for the
New Zealand music scene look
positive. Overall, sales are on the
rise. A new industry chart was
introduced recently. And commer-
cial broadcasters have supported a
government plan to boost airplay
of domestic artists with broadcast-

ers consistently exceeding their
yearly targets.

That has been a major boost,
according to Mark Roach, owner
of Muse Records and coordinator of
the New Zealand arm of the Interna-
tional Music Managers Forum.

"I think the industry's profes-
sionalis-

m has definitely improved
across the board, and that's due in
no small part to the voluntary
music quota system for radio," Roach says. "Increased exposure for
New Zealand music has bred more
talent, and there is now a constant


Australi

Continued from page 50

and the master ringtones market is
expected to generate $30 million in
annual revenue in Australia in 2004,
according to the Australian Per-
forming Right Assn.

The downside? File-sharing con-
in

cerns warn that the singles market,
retail shelf space is tight and rising
TV ad rates increase the cost of
breaking acts.

Most publishers this year were
more pro-active in A&R and seek-

ing new income sources. APRA
and the Australian Mechanical Copy-

right Owners Society posted a com-

bined cross revenue of $146 mil-

lion AUS ($105 million), 9% in-

crease over the previous year,

including a 15% rise in general
licensing revenue.

FINDING NEW REVENUE

Meanwhile, labels found new rev-

ue sources. Sony's Händlins, for
instance, estimates that mobile con-
tent and digital downloads could be
20% of its business by 2008, and
Sony has widened artist branding to
greeting cards and artist calendars.

Festival Mushroom diverted more
marketing dollars to the Internet and
street teams, and struck marketing
and sponsorship deals with Coca-
Cola, Globe Clothing and Xbox. A deal
with EA Sports saw the Los Angeles-

based company pay to include a
bonus game with a 25 Days CD, while
New Zealand hip-hop artist MC Scribe
aired U.K. label interest after
appearing in a series of cinema ads for
Ribena, a juice drink.

Breaking the globe remains the
priority for artists and labels. "Acts
come to indies because we give them
the flexibility to make deals abroad,"
says Dave Lawrence, GM of Sydney-
based Roadshow Music, which signed
four acts this year. It has U.K. interest
in two, R&B singer/producer Israel
and soul/pop singer Jade MacLae.

But Fifa Riccobono, CEO of
Sydney-based Albert Productions,
warns that "breaking the internation-

al market is as hard as it ever was,
and more expensive."

Albert launched AC/DC and John
Paul Young in the '70s. It will take the
same approach to break its new Aussie
signing, rock band Dallas Crane, and
U.K.-based acts Breed 77 and
Happyface. Riccobono says the key elements are "good sound, good songs, great live
performances and a strong work ethic
by people who want to be successful."
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Oz Artists

Continued from page 46

2001 with “Reflector” (Wah Wah/ Roadshow), which sold 350,000 units. Killing Heidi faced such hurdles as singer Ella Hooper’s throat surgery, a sales flop with its follow-up album, “Present,” and a messy split from management that resulted in a label change.

Now the group is back with its self-titled third release on Sony Music, which it recorded in Los Angeles with John Travis. The new effort brings a return to the charts with the first single, “I Am,” which is also on the Australian edition of the “Spider-Man 2” soundtrack.

“Kiwi artists are learning,” Sony head of promotion and marketing Peter Larkin, the singer Ronson, says. “I am unlearn everything I had learned.”

Ceberano says, “made me unlearn everything Ceberano will be based in the United States in the coming year with the goal of building her career stateside, manager Ralph Carr says. The new album is expected to sell 150,000 units in Australia.

22-year-old soul singer Daniel Merriweather has opened for Justin Timberlake in the United Kingdom and is cutting an album in New York with producer Mark Ronson.

Q-Tip, Damon Dash and Roc-a-Fella rapper Freeway—one whose record Merriweather appears—rate him highly. The album will bow in Australia in February on Melbourne-based Marlin Records, and in Japan on Festival Mushroom Records/ Sony. Also, according to Marlin founder Marlon Goonawardana, there is “some serious interest” for distribution in the United States.

Christie Eliezer

Big Time

Continued from page 46

for five nights of showcases. Acts like Evermore, Goodshirt and Goldenhorse scored global label, management and booking deals as a result.

Woodruff expects a wave of New Zealand acts breaking around the globe in the next few years. Much of this is because of the strong funding that the New Zealand music scene gets from its government, he says.

“This support comes right from the top, from the prime minister, and it’s something you can’t find in Australia,” Woodruff says.

Ralph Carr, managing director of Sydney-based tour and label company Smash Music, is touring new acts signed to U.K. affiliates like Rough Trade Australia and New Zealand.

“The touring circuit between Australia and New Zealand is definitely going to grow and might include Japan in the future,” he says.

Denison predicts that presenting U.K. acts Down Under will allow him to build relationships to take more regional acts to Europe. He is setting up an office in London to boost that plan.

Adam Holt, managing director of Universal Music New Zealand, says that while he works closely with Universal Music Australia, it is unlikely the two companies would ever pool their resources on signing an act and then attempt to break the act in global markets.

“I wouldn’t ever rule it out, but each territory will always have its own priorities,” he says.

Observers note that New Zealand has a substantial hip-hop and R&B base while Australia is still dominated by the modern and alternative rock scene.

“A track won’t work in one country because it works in the other,” notes Charles Caldas, managing director of Shock Records, another leading independent label in Australia. Shock has an office in New Zealand and works with such Kiwi acts as the Datsuns and reggae band Katchafire.

Sean Coleman, managing director of Sounds, New Zealand’s largest specialty music chain, warns that there is a danger of New Zealand acts being lost in the transnational mix.

“The important thing for New Zealand is that the record companies stay independent from Australia,” he says. “New Zealand music would suffer dramatically if the business was run out of Australia.”
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Popkomm’s Sweet Sixteen

European Trade Show’s Move To Berlin Pays Off

BY LARS BRANDEL

BERLIN—Popkomm’s migration from Cologne to Berlin seems to have rejuvenated the German-based European trade show in its 16th year. Music executives polled by BILLBOARD rated the northward move a success—albeit a qualified one.

According to organizers, this year’s Popkomm, held Sept. 29-Oct. 1, attracted 15,463 paying attendees. That was up from about 10,000 last year. In total, 663 exhibitors took part this year, compared with 618 in 2003.

Reflecting the event’s established international stature, non-German companies comprised about 80% of that total. More than 1,600 companies from 41 countries registered for the event.

Popkomm is “a very good platform for our industry, particularly now that things are beginning to look a little more favorable again economically,” says Gerd Gebhardt, chairman of German label-body BPW and of the local affiliate of the International Federation of the Phonographic Industry.


GOOD IMPRESSIONS

International visitors to the conference were enthusiastic about the new environment.


The vibe was ‘happening.’ Overall, I see some similarities between the scene in Berlin [now] and when Stockholm started to be hot in the late 80s,” says Ahndt.

Sony/West Music Publishing Germany managing director Mike Weller, who is based in Berlin, praises the talent lineup at Popkomm’s showcase events. “There was a lot of very fresh music in Berlin,” he says. “[German] music is picking up again—and that’s very refreshing.”

The fate of the German market and remedies to bolster domestic music sales were central to the discussions at Popkomm. According to IFPI interim estimates, the value of German music sales in the first six months of 2004 was down 5.2% from the same period in 2003. However, the rate of decline is slowing: The annual downturn in 2003 was 19%.

In a keynote address, Universal Music Germany’s new president/CEO, Frank Briegmann, gave a frank yet relatively upbeat assessment of the domestic industry’s future. Briegmann suggested that recorded-music sales in Germany will contract by 6%-7% this year.

“We shall probably see a further slight decline in 2005,” he told delegates. “However, I expect a small improvement in the year after next.”

Maarten Steinkamp, Sony BMG chairman/CEO for Germany/Switzerland/Austria and president for Continental Europe, echoes that cautious optimism.

“In Germany are buying more music again,” he tells BILLBOARD. “That is giving us the courage to invest more in national product again.”

In other keynote speeches, MTV Networks Europe president/CEO Brent Hansen invited the German industry to show more long-term commitment to artists (Taking Issue, BILLBOARD, Oct. 9), while Apple Computer used the conference platform to announce plans to roll out its iTunes Music Store across Europe. Speaking to BILLBOARD after delivering his speech, Apple’s U.S.-based VP of applications, Eddy Cue, confirmed that the download service is on target to launch across Europe this month (billboard.biz, Sept. 29).

Elsewhere, German executives, artists and politicians debated the possible introduction of quotas for domestic music on German radio.

Hartwig Masuch, managing director of Berlin-based publisher BMG-UPA, says recent public debate has placed that issue at the forefront of the political agenda. “Over 400 German radio stations (are) under pressure to do more for national repertoire,” he says.

SOME CRITICISM

Not all industry visitors praised Popkomm’s Berlin debut. Some execs complained that the city’s sprawl—as compared with Cologne’s relatively compact city center—made for difficult commutes to showcases.

“Bands were playing all over the place,” Ahndt says. “People won’t spend the time and money to sit 30 minutes in a cab to see a gig.”

Paco Galdón, CEO and general manager of Fundación Autor, the promotion arm of Spanish authors society SGAE, also expresses concern about the dispersal of concerts around the city. Noting that many of their showcases were intended for both delegates and the public, Galdón complains that Popkomm organizers “did not mobilize the public to go [individual] concerts. I don’t understand why.”

He urges the organizers to consider reinstating single-stage, multi-artist, open-air concerts, “like they used to have in Cologne.”

Despite his reservations, Galdón says SGAE is interested in maintaining its links with Popkomm. He adds that Spain is eager to be the European “gateway country” in 2005, as France was this year.

French executives were represented at more than 50 concerts and showcases in Berlin. “We are very pleased that France was selected as the first partner country for Popkomm,” says Jean-François Michel, Paris-based director-general of the French Music Export Office. “[We] are convinced that the partner-country concept overall was very successful for the event.”

Additional reporting by Howell Lliveilug in Madrid.

Saybia

Continued from page 44

Saybia kicked off a series of five sold-out shows in the Netherlands Sept. 22 at 800- to 700-capacity venues. Dates in Germany and Scandinavia followed.

Capitol released a promo-only single, “Bright Sky,” in midsummer. MTV’s Nordic and Dutch outlets put the track on heavy rotation, which built anticipation for the album at retail.

“We have [high] expectations,” says Mads Molbaek, Copenhagen-based stock manager at seven-store Danish music chain GUP. “We bought a lot of units, because we expect to sell a lot in the four months up to Christmas. The album has long-term potential and should be a steady seller for quite a while, just as the first one was.”

Following its release in key markets through this month, the album will arrive in other territories through early 2005. “We’ve set up a time line with the Dunes,” says London-based Vincent Clery-Melin, Capitol and Virgin VP of marketing for Continental Europe. “We’ve got a radio strategy, touring and so on, and as much band presence as possible.

“In November,” he adds, “we’ll begin laying the groundwork in southern Europe—Italy, Spain, France—with the aim of a release in the new year. The story we generate in Europe should help releases in the U.S. and U.K. next year.”

Saybia’s first album moved 30,000 units in Indonesia, according to Clery-Melin, so a release in Asia is slated for 2005.

The act is managed by Sarah Silverstone of Copenhagen-based Silverstone Management.
BY EMMANUEL LEGRAND

LONDON—The International Confederation of Societies of Authors and Composers is poised for the biggest overhaul in its nearly 80-year history.

A steering committee, comprising CISAC’s biggest members and known internally as the G10, has been working on a proposal to change the federation’s governing statutes.

The proposal will be discussed during the Oct. 20 general assembly at CISAC’s biennial congress, to be held Oct. 18-20 in Seoul, South Korea.

The changes will lead to the “morphing of CISAC from an organization that mimics the United Nations to an organization that runs like a corporation,” according to one executive from a major rights society.

CISAC secretary general Eric Baptiste tells Billboard that important decisions will be made at the general assembly.

“The last time CISAC’s statutes were changed was in 1966,” he says.

“Since then, the landscape has changed. We have more societies from more countries. The changes are meant to bring more efficiency but also better reflect the diversity of our members.”

Central to the changes is the removal of certain executive layers.

The G10’s plan scraps the administrative council and the executive bureau and replaces them with a 20-member board, headed by an elected president and seconded by an appointed managing director.

The board will comprise at least two members from each region. “This will create a more responsive and cohesive structure that will make things happen,” Baptiste says.

Cees Verwoord, chief executive of Dutch society Buma/Stemra, is believed to be members’ likely choice for board president.

“The smart money would be on him,” one source says.

The administrative council is CISAC’s principal management body. It has more than 35 members, who are elected to two-year terms. The council chooses 13 of its members to serve on the executive bureau, which oversees administration.

CISAC is headed by a president (usually an author) and a VP, although they do not hold any executive power. A biennial general assembly elects each of them to a two-year term.

The new executive management is expected to run CISAC with a tighter rein on expenses. “One of the ideas is to stop spending obscene amounts of money on travel,” the rights society executive says.

Other changes to be discussed in Seoul concern holding the general assembly once a year and the CISAC congress every three to five years, instead of biennially.

“We will change the decision-making board. We will change the structure. We will have a general assembly every year,” Baptiste adds.

“We will change the presidency and vice-presidency of CISAC,” he says.

CISAC was founded in 1926 in France, where it still has its worldwide headquarters. It is a non-governmental, nonprofit organization.

The original intent was to unite authors and composers from around the world.

In 1966 the confederation formally created the organization structure it has today.

The congress consists of a two-day series of public debates and panels that precedes the general assembly for member societies from around the world.

This year’s congress will focus on several issues central to the future of collecting societies, according to Baptiste. He notes that it is only the second time in the organization’s history that a congress has taken place in Asia.

“This marks a recognition of the development of authors’ rights societies in the region and the serious efforts they have made to raise the bar for intellectual property,” Baptiste says. “We will have a strong Asian focus in our debates.”

Another issue to be debated is how societies representing creators can influence the political agenda in their countries in favor of their interests. Baptiste explains that decision-makers seen to be disconnected from issues important to these societies.

“Authors’ societies have to reconnect with decision-makers and better push forward their agenda. We need authorities to better understand the role of our societies,” he says.

Keynote speakers at the congress include Dan Sheeran, senior VP of international for U.S. digital media services RealNetworks, and Dale “Ty” Roberts, chief technology officer for Gracenote and the global provider of music recognition and digital entertainment services.

---

Seeger, Fogerty Rollin’, Rollin’ Down A River

“This is the guy who wrote ‘Where Do the Children Play?’” says Pete Seeger. He is pondering the fact that Yusuf Islam, who as Cat Stevens also wrote “Peace Train,” was denied entry into the United States because of—to use the words of Homeland Security Secretary Tom Ridge—“the relationship between the artist and terrorist activity.”

Seeger, who gave us “We Shall Overcome” and “Turn! Turn! Turn!,” was blacklisted in the early 1950s as a member of pioneering folk quartet the Weavers (Billboard, Aug. 20). The legendary folk singer has just been informed that the title track from John Fogerty’s new album, “Déjà Vu All Over Again,” alludes to Seeger’s nittlesome ‘60s anti-war anthem “Waist Deep in the Big Muddy.”

The Vietnam-era song is an allegorical tale of reckless military maneuvers in a Louisiana river (“We’re waist deep in the Big Muddy/And the big foot says push on!”). Controversy surrounding Seeger’s performance of it on The Smothers Brothers Comedy Hour in 1968 contributed to the TV show’s cancellation.

“It’s fascinating to see how the establishment reacts to the arts,” Seeger says, referring to the Islam flap, “but a good song is hard to keep down and can leap all barriers.”

Fogerty, meanwhile, is happy to salute Seeger and his influence on “Déjà Vu” and Fogerty’s career as a whole.

“Big Muddy” was definitely in my mind as I was completing “Déjà Vu,” Fogerty says, referring to the single. “It took several months to get that second verse. I wanted to try and measure up to what Pete has done in fulfilling the idea rather than cheating out, and I had him in mind many, many times.”

Fogerty’s verse reads: “One by one I see the old ghosts rising/ Stumblin’ cross Big Muddy/ Where the light gets dim/Day after day another momma’s crying/ She’s lost her precious child/ To a war that has no end.”

“It’s a direct descendent of what he had done,” the Cody River Music (ASCAP) writer notes. “He influenced me so much. That’s how I was able to come up with it.”

The admiration, it turns out, is mutual. Seeger recalls actually writing to Fogerty upon first hearing his 1969 Creedence Clearwater Revival riverboat classic “Proud Mary.”

“Some people sang it for the Clearwater way back 30 years ago,” Seeger recalls, referring to the Hudson River sloop Clearwater, a 106-foot wooden boat designed in the style of 18th- and 19th-century Dutch sailing vessels. Seeger helped launch the Clearwater in 1969 as a mobile classroom, laboratory, stage and forum for preserving the nation’s threatened waterways, and he has championed its mission ever since.

“I loved the tune and the recording,” Fogerty adds, “and when I found out he wrote it, I got in touch and thanked him for writing a song that people keep singing up and down the Hudson.”

Fogerty remembers feeling “extremely proud” to receive Seeger’s missive, and notes the coincidence between the name of his former band and Seeger’s sloop. “Certainly the motives are exactly the same,” he says. “I was watching TV in late 67 and saw an ad for a beer company showing a beautiful forest with a sparkling brook running through it, and then I think a government-sponsored [conservation spot] showing another creek full of cigarette butts, Styrofoam cups and trash—back to back. That’s where the ‘clearwater’ concept came from.”

Berkeley, Calif., native Fogerty actually met Seeger back in the late 50s.

“I was 11 years old,” he says, “at a Berkeley Folk Festival that Pete hosted. I actually got his autograph! He was wonderful, and I saw him dozens of times there over the years and learned so much at his knee about people like Leadbelly and songs with social conscience and intent. So Big Muddy made a big impression on me. It was such a great metaphor of going down the kind of very ill-conceived path that we find ourselves on now by appealing to blind obedience [to] authority and patriotism.”

“I had to refer to Pete’s wonderful song,” Fogerty adds. “He’s the one that taught us all how to have a social conscience as musicians and songwriters.”
Director of Sales
Billboard Radio Monitor

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MTV
Continued from page 6

Chances include appointing Larry
Divey COO of ad sales and Denmark
West executive VP of strategy and
business development.

Divey returns to MTV Networks
after serving as president of Comedy
Central, a position he left in June. West
was Microsoft’s manager of strategic
planning and investment governance,
as well as acting chief of staff for
Microsoft’s Windows client division.

Meanwhile, Logo founder Matt
Farber has been named a consultant
for MTV Networks.

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Reality shows and TV sitcoms continue to be booming business opportunities for artists looking to add new dimensions to their careers. When we first reported this trend, Eve and Lil’ Romeo were among the stars signing TV deals (Tuned In: The Tube, Sept. 20, 2003). Since then, Ashlee Simpson, Method Man and Redman have each starred in their own TV shows (Tuned In: The Tube, Feb. 7).

Now Melissa Etheridge is getting into the sitcom business by inking a deal with ABC and production company 20th Century Fox Television to produce and star in a comedy series. The still-untitled show will feature Etheridge as a lesbian music teacher who lives with her best friend, a straight man, while they raise the daughter of another friend.

Meanwhile, other artists have landed development deals with TV networks: Toni Braxton is in discussions to star in a sitcom for the WB, while Brandy and Ladies will do a comedy-oriented musical variety pilot for Fox. Both projects will reportedly draw from the artists’ own lives.

MTV, Russell Simmons and Sean "P. Diddy" Combs are in talks to do a reality series with the working title "Simmons Inc: The First Family of Hip-Hop." Combs already has a deal with MTV to star in reality show "Making the Band," which will air a new season in early 2005 (Tuned In: The Tube, Oct. 25).

Ozzy and Sharon Osbourne will have a new reality series on MTV, "Battle for Ozfest" will follow eight rock bands as they compete for a slot on Ozzy’s "Oz Fest" tour. The series premieres Oct. 25.

Meanwhile, another Atlantic Records artist, Sugar Ray lead singer Mark McGrath, has become a co-host on syndicated newsmagazine "Extra."


Ashanti and Queen Latifah will star in the ABC TV-movie "The Muppets' Wizard of Oz."...Culver City, Calif.-based production company Anassuming Content has added director Kevin Bray to its roster for music videos and commercials...Santa Monica, Calif.-based production company F.M. Rocks has signed director Sanji.
**Rascal Leads Busy Top 20**

All at once, it is a red-letter day for Rascal Flatts, for Hollywood Records and for The Billboard 200.

Not only does Rascal Flatts earn its second No. 1 on Top Country Albums, its new “Feels Like Today” also becomes its first to reach the summit on The Billboard 200. In fact, the ensemble becomes only the second country group to lead the big chart (see Chart Beat, this page).

Hollywood stands tall, as it is the distributing label for Lyric Street’s Rascal Flatts and for Buena Vista’s teen star Hilary Duff.

The latter artist enters at No. 2 on The Billboard 200 for the second time in little more than a year. This marks the first time in Hollywood’s history that it has held the top two spots on the big chart (see story, page 5). Last year, Duff’s “Metamorphosis” became the Walt Disney label’s top first chart-topper when it rose to No. 1 in its second week.

Rascal Flatts lead labelmate Duff by a score of 201,000 units to 192,000. It is the group’s best sales week to date, beating the 169,000 opener that made second album “Melt” its first No. 1 on Top Country Albums with a No. 5 standing on The Billboard 200.

**Market Watch**

A Weekly National Music Sales Report

**WEEKLY ALBUM SALES**

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**WEEKLY UNIT SALES**

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**YEAR-TO-DATE OVERALL UNIT SALES**

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**YEAR-TO-DATE SALES BY ALBUM FORMAT**

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**DISTRIBUTORS’ MARKET SHARE 08/30/04-10/03/04**

**FIRST STREET:** The debut of Rascal Flatts’ “Feels Like Today” gives the Lyric Street imprint its first No. 1 on The Billboard 200 (see Over the Counter, this page).

Rascal Flatts becomes only the second country group in history to lead this survey. The first was the Dixie Chicks, who topped the list with “Fly” in 1999 and “Home” in 2002.

**STONE LOVE:** British teenager Joss Stone first made her mark on The Billboard 200 with “The Soul Sessions,” an EP that peaked at No. 39 in May. Stone’s first full-length album, “Mind, Body & Soul” (S-Curve), is a new entry this issue at No. 11. In her native United Kingdom, “Mind” entered the album chart at No. 1.

**FIT FOR A QUEEN:** It has been almost 15 years since Queen Latifah made her debut on The Billboard 200 with “All Hail the Queen.” This issue, she appears in the top 20 of the chart for the first time, as “The Dana Owens Album” (Flavor Unit/A&M) opens at No. 16.

That beats her previous best, the No. 60 ranking of “Black Reign” in March 1994.
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For more information, visit www.americanradiohistory.com.
Top Internet Album Sales reflects physical albums ordered through Internet merchants, based on data collected by Nielsen SoundScan. Unlike most Billboard albums charts, catalog titles are included on the Internet and Soundtrack charts. **Artists** with the greatest sales gain this week. **Recording Industry Asso.** of America (RIAA) certification for net shipment of 1 million albums (Platinum). **RIAA** certification for net shipment of 10 million albums (Diamond). Numerical following Platinum or Diamond symbol indicates albums’ multiple-platinum level for that metal, and double albums with a runtime of 180 minutes or more, the RIAA multiples shipments by the number of discs and/or tapes. RIAA Latin awards: **Certification for net shipment of 18,000 units (Gold).** Certification of 200,000 units (Platinum). **MDM** indicates vinyl worldwide. [NRJ] indicates past or present Fremont label titles. [GUI] from VUI Business Media, Inc. and Nielsen SoundScan, Inc. All rights reserved.

The BILLBOARD 200 A-Z (Listed by ARTISTS)

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She and co-host Regis Philbin did a musical review in Las Vegas at the same time that the Video Software Dealers Association met for its annual convention in that city.

**On The Counter**

Continued from page 61

fun we had during the first eight months of 2004.

That said, this week sees noteworthy numbers for downloads sold of singles by 069 and Eminem on the Hot Digital Tracks list (see Singles Minded, page 68). Those flashy bows suggest that the cavalry could ride in for the rescue when those acts’ new albums arrive next month.

**REGIS SMILES**

It’s the ’90s, which meant Kathie Lee Gifford was omnipresent: magazine covers, prime-time TV specials, album releases and, of course, her morning show, “Live With Regis and Kathie Lee.”

I met Gifford at a party that was promoting an exercise video she was bringing to market and discovered two things about the woman, who was arguably America’s sweetheart at that moment: She could be an utter and charming flirt, and she and her TV partner competed intensely with one another.

She leaned into my ear and asked me about a fitness video that Philbin had done. “Regis’ video never charted, did it,” she said, more as an observation than a question. Indeed, Philbin never did own our Top Video Sales and Health/Fitness Video charts, neither would Gifford.

She had more success as a recording artist, placing four albums on Top Heatseekers, including No. 1, 15. Philbin teased her co-host when her 1993 album, “Sentimental,” competed with White Zombie.

Still, for all her exposure, Gifford never reached the top half of The Billboard 200, even with her 2000 pop album “Heart of a Woman,” a high priority for Universal Music Group chairman Doug Morris that she eagerly promoted.

But it looks like Philbin has the laugh last. Not only has his TV show thrived since America’s new sweetheart Kelly Ripa replaced Gifford, but now the frequent “Late Show With David Letterman” guest has outsold his old partner at music stores, too.

His collection of standards, “When You’re Smiling,” entered at No. 54, beating far Gifford’s career peak of No. 109.

Philbin’s album was launched with a direct-sales effort on TV, but those transactions account for only about 2,000 of the title’s 20,000-unit opener.

Philbin’s is one of several adult-leaning albums that enter the big chart. Aside from the aforementioned Queen Latifah, in which the rapper-turned-singer engages standards and pop songs, the mature brigade includes Barry Manilow (No. 47); Frank Sinatra, Dean Martin & Sammy Davis Jr. (No. 49); Phil Collins (No. 51); Chris Botti (No. 124); Sarah Brightman (No. 126); Yo-Yo Ma (No. 172); and the O’Jays (No. 193).

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*Billboard Top 40 charts and chart data that have been released as 'Week' on The Billboard charts, as part of the Billboard 200 are also included. The charts represent the most popular artists and songs according to Billboard charts. The charts also include various subcategories such as Hot 100, Hot 100 Airplay, and Hot Digital Songs, among others. The charts are updated weekly and reflect the most current data available.*
This page contains a list of records and albums, including jazz and classical music. It includes artists such as Braxton Cook, Trudy Pitts, and Yusef Lateef, along with their respective albums and labels. The page also features a chart for Top Jazz Albums and a chart for Top Classical Albums, with titles and labels mentioned. The text is a natural representation of the content as if reading it naturally.
U2’s “Vertigo” shatters the one-week sales mark on Hot Digital Tracks as it debuts at No. 1 with 37,000 paid downloads. "Vertigo" is the first track to pass the 30,000 barrier. The prior record was 27,000 downloads, set by “Yeah!” from Usher Featuring Lil Jon & Ludacris in the July 10 issue.

On the Modern Rock chart “Vertigo” rises 18-4 and registers its second consecutive gain of 1,000 or more spins. The track debuted with 1,084 detections last issue and adds one, 1,119 to its tally. Nirvana’s “You Know You’re Right” is the only other song in the history of the chart to post consecutive weeks of four-digit gains. It did so exactly two years ago this issue.

LOSE’ KEEPS GAINING: Elsewhere on Hot Digital Tracks, Eminem debuts in two places with “Just Lose It.” The explicit version enters the chart at No. 2 with 21,500 paid downloads while the censored version comes in at No. 8 with 5,850 units. “Lose” also sees gains in its second week on the Mainstream Top 40 and Rhythmic Top 40 charts.

The track moves 27-7 on Rhythmic and earns the largest one-week gain in the format’s history with a 1,639-detection jump. The spin increase boosts Eminem’s own “Without Me” which improved by 1,165 spins in June 2002. The last song to move into the top 10 of the Rhythmic chart in two weeks or less was “Jenny From The Block” by Jennifer Lopez in October 2001.

With a 33-10 move on the Mainstream chart, “Lose” sets the mark for largest jump into the top 10 in the history of the list. The track earns the second-largest gain ever at the format with a 3,740-spin leap, just short of the 2,784-detection increase “N Sync posted with ‘Pop’ in May 2001. Incidentally, ‘Pop’ was the last record to reach the top 10 of the Mainstream chart within two weeks.

THIS SUD’S FOR YOU: Sam Evans places the fourth track by a solo female atop Hot Country Singles & Tracks this year and puts the venerable RCA imprint in the No. 1 box for the first time in two years.

With a gain of 125 detections, Evans’ rick-rolking “Suds in the Bucket” rises 2-1, replacing Keith Urban’s “Days Go By” after a four-week stay in the lead. “Suds” also takes the No. 1 slot on the unpub-
ished Country Audience chart with 35.9 million listener impressions.

After a dry spell for chart-topping solo females during most of 2002 and all of 2003, the country chart has seen four ladies top the list in the past five months. Rising in the May 29 issue with Gretchen Wilson’s “Redneck Woman.” Subsequent chart-topping singles by Reba McEntire, Terri Clark and Vanessa Williams have heralded a reclamation of chart ground that country’s leading ladies ceded to their male counterparts during the past couple of years.

The four female solo downloads are the most on any one chronicle this year and are more than what appeared in all of 2001 when five such tracks made their way to the top. Only one female solo song dominated the country list in 2002. Evans’ single is the first No. 1 for her label since Tracy Byrd’s “Ten Rounds With An Ivory” led for one week in the Oct. 5, 2002, issue.

THE RETURN OF THE RULER: As his “Wonderful” continues to climb Hot R&B/Hip-Hop Singles & Tracks, Ja Rule has the Hot Shot Debut on the list with “New York,” which features Fat Joe and Jadakiss.

Elsewhere on the chart, for the second consecutive week, one title lays claim to both Greatest Gainer designations. Following last week’s airplay and sales double gain by “My Boo” from Usher and Alicia Keys, “Drop It Like It’s Hot” by Snoop Dogg featuring Pharrell matches that. The Track climbs 17-9, fueled by a jump of 21-1 on Hot R&B/Hip-Hop Singles and an increase of nearly 10 million audience impressions.

October 16, 2004

Singles Minded

Silvio Pietroluongo

Minal Patel 

Wade Jessen

wjs@billboard.com

Backwards

Sudbrooke

Viscous

Ludovic

Rhythmic

The Head and the Heart

Kerry Duane "Bunny" Hodge

Red Bank Records

Lynyrd Skynyrd

Bowing For The Sun

Elektra

Welcome To My Life

Swiss

Anika Noni Rose

Gospel

Breaking The Habit

Brian "B-Real" Belzer

B-Real

Just Like You

Columbia

I’ll Be Home For Christmas

Gunnar Hansen

Hot Shot Debut

Sudbrooke

Num

Number One Hit

Fastest Climber

From The Sun

Bruno Mars

The Sky's The Limit

Atlantic

Until It's Gone

COLUMBIA

Elton John

Epic

Dive Bar

Questlove

DEF JAM

For Tonight

Atlantic

A Day Without Sun

RNA

COC

Looking For

Verve

Knock You Down

Quiet Storm

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Tracks
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FAQs On Promo Only MPE

How are the Promo Only MPE tracks sent to radio?
Radio programmers receive an e-mail from the label notifying them that a particular single is available for download. Prior to downloading a broadcast-quality version of the track, they can also choose to preview an audio stream directly from the e-mail.

How does the station download the song?
The programmers must first install the Promo Only MPE player software (a Web browser interface) on their computer. Once installed, they can then access each track using a unique ID code that only works on the computer on which they downloaded the player.

How fast does a song download?
Twenty to 30 seconds with a high-speed connection.

Does the software work on Macintosh?
No, only PCs at this point. A Mac application is in development.

Is any additional information provided with the track besides the song title and artist?
The label has the option of sending such information as songwriter and producer credits, total time, intro time, lyrics, artist bio and artwork with the track if they choose.

What radio formats will have these digital singles made available to them?
Universal Music Group’s plans call for every format that now receives singles by mail to soon have them available digitally via Promo Only MPE.

Will the UMG labels stop shipping physical singles?
They will eventually, but there is no set timetable for that to happen and labels execs say radio will dictate when it is ready for the complete conversion to digital singles. It’s at least a year away.

Is there a support if problems arise?
Promo Only is maintaining a toll free support line weekdays from 9 a.m. to 7 p.m. ET.

Among the benefits touted by Promo Only and UMG are reduced costs for labels, quicker distribution to radio, tighter security and the ability to better control leaks and piracy. But there are also some potentially Orwellian applications that UMG executives claim they plan to use sparingly.

“The label has the ability to watch over a single to some degree,” Ernst says. “When a station logs in, we know which stations received the song and which ones downloaded it. We can track that.”

More specifically, Promo Only co-founder Pete Werner explains, the label can track whether the FD, the music director or an intern at a station first heard the song, because each track is watermarked with the end user’s unique identification code.

The advantage there, Ernst says, is for UMG to gauge its promotional activity. It can ask stations that haven’t listened to the song to do so and solicit feedback from programmers it knows have already heard it.

KEEP TRACKING
The MPE system can also track which users burn a copy of the song or export it into their broadcast computers for possible airplay.

Most importantly, Werner says, this tracking means that if a single ends up on a file-sharing service before its release, the company can easily figure out who leaked it to whom.

However, Ernst stresses, “we really respect privacy issues.” He notes that it is up to the individual label client to decide which information gets tracked.

While Werner says this kind of data is available, he says, “We hope not to abuse that privilege. There is no intention to call someone at radio five minutes after they’ve opened the file. We’re looking at this [information] potentially as an indicator of interest in the song.

“We’ve actually limited the amount of tracking we can do,” Freda adds. “We did not want to be intrusive to radio. We set up a two-way system. I know there’s some sensitivity there, and that is not the purpose of this.”

Promo Only is one of several companies developing broadcast single systems for radio, but it has a leg up on the others through its partnership with UMG, the top label group. Some music is well into development of its own system, which will feature many of the same features as the MPE system.

READY FOR THE COUNTRY?
But the move toward digital delivery has not been without controversy. In July, Sony’s Nashville operation made waves at country radio when it announced that by the end of the year it would stop sending singles to radio by physical means.

Country programmers immediately raised a host of objections, most centering on concerns about convenience and ease of use (Billboard, July 10). Sony is working to address these concerns, as are the executives behind the Promo Only/UMG partnership.

“Based on our analysis, radio is ready to go for this,” Freda claims. “We conducted a number of in-depth interviews... with radio stations throughout the country, and we encountered very little resistance.”

Still, Freda says, UMG will continue to mail physical singles at least for as long as it takes to gain adoption from radio, although we’re confident that this is a superior system for everyone involved.

“Everyone needs to change their business practices,” Freda says. Labels and radio stand to benefit. “From our end, we’re gaining some cost savings by eliminating manufacturing and freight,” he points out. “Radio gains a greater organization in how they maintain and archive their music.

“Possibly the greatest benefit is security,” he continues. “We will no longer be sending out thousands of unprotected CDs... and we can structure it so it’s released to all stations at the exact same time [so] it presents leaks from taking place”.

Meanwhile, the UMG’s MPE is best-known for delivering subscription-based music and music video services, including compilation CDs of new music to radio. The company is a subsidiary of EMI, which launched the MPE enterprise is Vancouver-based Destiny Media Technologies, which specializes in developing tools for distributing digital media through the Internet.

Jagger
Continued from page 5

without losing his own creative voice. It was a delicate balancing act that was sometimes complicated by the filmmakers changing and re-editing the music.

“We had a continuous loop of the movie playing to inspire us,” Stewart says. “We had to make that music that made the Alfie character somewhat likeable.”

Jagger adds, “I found that you can write songs in the same way you write songs, so I try to come up with a much broader range of stuff than I used to do.”

The Jagger/Stewart compositions have a blues shuffle or tone peppered with R&B and are crafted in such a way that they sound classic yet contemporary. They include “Old Habits Die Hard” (the first single, featuring vocals by Dave Grohl), “Blind Leading the Blind” and “Let’s Make It Up” (Billboard, June 5).

There are also instrumental tracks on the album and in the movie, including “Jack the Lad” (the theme for Law’s character), “Oh Nicky,” “New York Hustle,” “Standing in the Rain” and “Counting the Days.”

Joss Stone performs on three songs, including a remake of “Alfie,” which originally resulted in separate hits for Dionne Warwick and Cher in the 1960s. Stone also teams with Jagger and Stewart for “Lonely Without You (This Christmas)” and “Wicked Time,” a hip-hop reworking of the “Alfie” song performed with Jamaican rapper Nadirah “Nads” Seid.

Stewart says he and Jagger personally selected the other artists who performed on the soundtrack. Punk vocalist Gary “Mudbone” Cooper guests on “Darkness of Your Love,” written by Stewart, Cooper and Charles Shyer, the film’s director.

Stewart and Jagger also credit Shyer for giving them more creative freedom than most directors give composers. “Charles was very brave to let us do this type of score,” Stewart adds.

Jagger tells Billboard that “Lonely Without You (This Christmas)” was made more alluring in this regard: “It was a more attuned to that scene than any other scene in the movie, because I felt that was where the lyrics would make a difference if you got them wrong. I wrote what I felt was appropriate for the character, I didn’t compromise it.”

Many of the songs were recorded in the old-fashioned way: with all the musicians playing in the studio at the same time. The recording process at London’s Abbey Road Studios was filmed for an electronic press kit and may end up on an “Alfie” soundtrack.

“Phil Collins and Elton John have had success with their work on soundtrack albums, and Mick Jagger’s work on this album should get about the same recognition,” says Bryan Everitt, director of music operations at Aramillo, Texas-based retail chain Hastings Books, Music & Video. He predicts that the “Alfie” soundtrack will have a solid run at retail.

Jaggersays that awareness for the “Alfie” album will be complemented by new Rolling Stones releases on the market: the “Live Licks” double CD that features live tracks from the band’s 2002-2003 tour and the “Rock and Roll Circus” DVD. “Live Licks” will have a North American release of Nov. 2, while “Rock and Roll Circus” is due Oct. 12.

BUILDING A BUZZ
To create early buzz for the soundtrack, Virgin released “Old Habits Die Hard” exclusively for one day (Sept. 24) to the AOL First Listen program. Virgin executive VP of marketing Randy Miller says the single had about 150,000 streams on AOL in the 24-hour period.

A week following the AOL First Listen promotion, Virgin had a limited exclusive promotion with the AOL First Look program, which showed viewers the EPK that takes a behind-the-scenes look at making the music for “Alfie.”

Internet marketing initiatives include sending a “viral jukebox” of audio and video from the soundtrack to select mailing lists. Fans of Jagger, Stewart, Crow and Stone will be offered a discount on the Internet, and there will be an online “Alfie” campaign at the official Web sites for the Rolling Stones and Paramount.

Meanwhile, the music video for “Old Habits Die Hard” has been released to such outlets as VH1.

“We’re looking at many nontraditional ways to get the video out there,” Miller continues. “We want it in movie theaters, various video-on-demand outlets and in-store reels at music retail and lifestyle stores.”

Virgin has released two versions of “Old Habits Die Hard” to radio: one with vocals by Jagger (sent to rock formats) and the other with vocals by Jagger and Crow. The latter version of the song, which appears as a bonus track on the “Alfie” soundtrack, was released to adult top 40, AC and mainstream top 40.

“I thought it was a killer song the first time I heard it, and Mick Jagger sounds great on it,” says B.J. Harris, operations manager of adult top 40 KALC Denver. “It’s perfect for our format, and having Sheryl Crow on the song will help it appeal to a younger audience.”

KALC is also getting “lots of positive listener reaction to the song,” Harris reports. “Our format isn’t usually the type to have listeners actively calling about a song, but this is one of those songs that listeners are responding to well. The song doesn’t sound dated.”

Harris believes that “Old Habits Die Hard” being featured in commercials for the movie has helped raise awareness for the song.

“Alfie” was “a natural fit for everybody involved,” says ABC’s senior vice president of music Burt Berman, who adds: “In the 20 years that I’ve been the head of music at film studios, ‘Alfie’ has been the greatest and most fulfilling experience I’ve ever had professionally.”

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Relaunch

Continued from page 1

major hit albums. In the case of "Confessions," sources say Jive shipped 800,000 units of the new album.

"The goal is to relaunch "Confessions" as a new release, and it will be supported by a massive media blitz, with the end result hopefully a diamond album," Zomba Label Group senior VP of sales Bob Anderson says. "I am likening this to a theatrical relaurete of a classic film or a director's cut."

Anderson says that the album will be certified at 6 million units shortly, which means that Jive hopes to move another 4 million units in the United States through the holiday selling season.

MORE TITLES GETTING MADE OVER

Jive is not alone in using this tactic. Sony Music Sales Group has at least five new albums planned between now and the end of the year. Atlantic Records is relaunching Twista's "Kamikaze," which has already sold 1.7 million units, according to Nielsen SoundScan. The label is using a relaunch route with Avan's "Private Room," which is at 770,000 units.

Some are calling Blue Note's new version of Norah Jones' "Feels Like Home" - the 2003 debut album - a relaunch to instead as a limited-edition gift set.

Whatever the case, the practice of issuing new versions of albums is picking up steam in the marketplace, newsmen and label executives say.

Adding tracks to an album is nothing new. In fact, it has been happening since the 1970s, when the configuration first came into its own saleswise. Back then, it was usually done when a non-album song that was the B-side of a single took off at radio. Labels fortunate enough to find themselves in that predicament would scramble to strip the track onto the latest album from the artist.

Labels also have long been resuscitating catalog titles with previously unavailable outtakes and live versions of songs.

However, sometime in 2002, the majors began adding more than one track and sometimes new artwork or a DVD in an attempt to revitalize sales of recent albums that were not performing as expected. Somewhere along the way the trend turned into a sales tool to give new life to big-selling albums.


Enrique Iglesias' "Seven," Jessica Simpson's "In This Skin," LL Cool J's "10," Jagged Edge's "Hard," Incubus

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P2P Suits

Continued from page 5

BPI chairman Peter Jamieson said unauthorized uploaders will be sued under the United Kingdom's Copyright, Designs & Patents Act of 1988. "You never want to take legal action; it is a last resort," Jamieson tells Billboard. "It is the case that the public awareness campaign is much more powerful than simply saying 'Don't do it.' But litigation is also about helping those American companies that rely on legal action against the worst offending uploaders. I hope it will stop in those tracks the habitual offender who uploads to make a quick buck out of other people's talent."

The BPI says this is just a taste of things to come, as more cases are expected to follow.

In France, procedures were launched in June by SCPP, with a combination of civil and criminal cases.

SCPP director general Marc Guez says he anticipates the first civil cases to be judged very soon. "Civil procedures are usually quicker," he says, while it can take more than a year before a penal procedure is processed.

He adds that the number of lawsuits will be minimal. "We will proceed with as many cases as necessary, but we don't think we have to overlap," he explains. "We believe that the French public understands quickly that the Internet free-for-all is a myth from the previous century."

SNEP director general Herve Romy says the real goal is to warn consumers and turn them to legal services. "We, as an industry, are totally committed to make legitimate online music delivery a success," Romy says.

Additional reporting by Reni Bouton in Paris.
important than ever. I think there is going to be a rebirth of protest music. My station will also represent music and lifestyle. I’m going to mix it up.

Stern, with his long dark mane and constant flow of go-go dancers as guests on his show, in many ways has helped reshape the rock star lifestyle. Scott Greenstein, Sirius president of entertainment and sports, tells Billboard that while Stern has not programmed music on his talk show in the past, he has had a huge impact on culture by bringing on musical guests, being a music advocate, and above all fighting for creative rights.

Like Stern, the music industry has been affected by the Federal Communications Commission’s indecency enforcement—many songs, especially in rap and hip-hop, have to go through a stringent editing process to become “clean” enough for traditional radio. Additionally, radio programmers often shy away from politically charged music for fear of alienating listeners. Increasingly, labels see satellite radio as an avenue to reach music consumers and feel shut out of traditional radio because programming has become so restricted. In fact, earlier this year Sirius did a deal with Eminem, Shady Records and Interscope, which is expected to create a hip-hop music and lifestyle channel.

“Howard coming to Sirius is great news for the music business,” Greenstein says.

The staying on as a jock is good news, period. He says the past year had taken its toll on him. Creatively shackled by the FCC and incessant editing by current employer Infinity Broadcasting, Stern has been threatening to defect to satellite radio for most of the year.

“I was going to get out of radio,” Stern says. “I was going to get back into books and movies, reinvent myself. Then I realized that it wasn’t that I hated radio: It was the situation. This is a whole new future. It was time for me to say, ‘I am abandoning the old ways.’

Stern agent Don Buchwald, who negotiated the landmark deal, adds, “Howard has always been a leader. This is perfect for him.”

THE BUZZ AT NAB

Traditional radio certainly recognizes the threat. Stern’s Sirius deal was all the buzz at the National Assn. of Broadcasters convention in San Diego. Radio GMs and executives spewed the usual hushed tones about the implications.

Stern says he could not be happier to lead the revolution.

“This is the day satellite has become a business reality,” Stern says. “I’ve already gotten so many calls from people who want to defect. I’m going to put Clear Channel out of business.”

Stern’s five-year multi-million dollar deal at Sirius was signed Jan. 1, 2006. It has enormous implications for the 40-plus terrestrial stations that currently air his show, including Infinity powerhouse KLX-F Los Angeles; WCCC-FW Providence; KITS San Francisco; WBCN Boston; WJFK Chicago; and WJZ-F Washington, D.C.; and Stern’s WXRK New York flagship.

Specific terms of the deal weren’t disclosed, but sources say it includes pegs total production and operating costs for the Stern show—including salaries for the cast and staff, overhead, construction costs for a dedicated studio and a budget for the development of programming and marketing concepts—at about $10 million per year.

Greenstein says Stern would need to generate approximately one million subscribers paying the monthly $12.95 subscription fee to cover the costs of the deal. That many subs would generate more than $150 million a year.

Sirus has 600,000 subscribers. Rival XM’s satellite radio is at 2.1 million.

Stern’s lifestyle is arguably the most logical in radio and has migrated with the self-proclaimed “Ring of All Media” as he crossed over to such ventures as books, pay-per-view, movies and TV. Sirius is giving a reasonably safe bet that his millions of fans will follow him again and become subscribers.

Above all, the deal will help make satellite a household name. The hope for Sirius and the music industry is that this movement will translate into a huge increase in subscriptions to Sirius, as well as an important outlet to expose music.

“The most important thing is to get more music for artists who, through collection society SoundExchange, receive performance royalties from satellite radio. (Only songwriters and publishers receive royalty payments.)”

“It means more money for artists,” SoundExchange executive director John Simon tells Billboard. “The growth of satellite radio is going to grow our collective bargaining power for record companies. For the next 15 months, Stern will stay with the terrestrial radio medium that made him what he is today: ‘We at Infinity have enjoyed our years with Howard, as Stern both of us know it will be a statement. ‘We wish him well in his new foray into the world of pay subscription radio, beginning in 2006.’

Stern notes, ‘My show ratings have never been higher and my ratings are stronger than ever. I’m walking away from an empire. It’s a creative decision. Clear Channel does not pay its bills, and they don’t stand for free speech.”

But he also leaves a legacy of stations that have relied on his power to draw audience. Some have built their brand around Stern.

Infinity Broadcasting’s 27 stations that dot the map include such stations as: Atlanta (WGTK-FM); Dallas-Ft. Worth (KDEJ-FM); Houston and San Antonio (KQMT-FM); Denver (KQMT-FM); Seattle (KKNW-FM); Minneapolis-St. Paul (WCCO-FM); and Kansas City, Mo., which calls itself “Howard 93.7.” According to Infinity

**Buena Vista**

*Continued from page 5*

record that you are proud of. Then [to] see the people go out to buy it is the greatest reward,” Rascal Flatts’ Jay DeMarcus says.

“Stem’s self-titled Hollywood/ Buena Vista Records set comes in at No. 2, moving 192,000 units. Previous albums by both acts also remain on The Billboard 200.

Other debuts include Jesse McCartney’s “Beautiful Songs” (Hollywood) at No. 50 and Reg’s Philbin’s “When You’re Smiling” (Hollywood) at No. 54. Walt Disney Records is represented by a number of soundtracks.

“It’s totally sweeter that the success is across the board,” Cavallo says. Universal Music & Video Distribution distributes BMG releases.

In addition to increased album sales, Cavallo says, BMG’s bottom line has been bolstered by simple belt-tightening: “The staff is two-thirds lighter than when I first started. That means a lot of people didn’t have hard work over the last [several] years.”

BMG employees 170 people. Hollywood is also heralding the radio breakthrough of hard-rock band Candlebox, which is expected to land a No. 1 on the Active Rock chart. “So Cold” spent four weeks atop the poll. The group’s 2002 debut, “Sat- ural,” sold 224,000, while “We Are Not Alone” sold 358,000 copies since its May release.

“That’s fantastic for us,” Cavallo says. “The staff was disappointed [about] whether we could break a rock band. But it’s even more exciting.”

It’s is even more exciting because BMG also has an exclusive North America distribution deal with New York-based indie Remando Records earlier this month. The first releases will reissues of Elefant’s “Sunlight Makes Everything” and the Fever’s “Red Bedroom,” both out Oct. 26.

Future Elephant albums will come out on Hollywood Records worldwide.

IN NASHVILLE

Lyric Street president Randy Goodman joked that his staff was celebrating its first No. 1 on The Billboard 200 “by going to Disney World. But we’re going to have a suite with [Walt Disney Co. CEO] Michael Eisner, because we know he’s concerned about music.”

Goodman credits Rascal Flatts’ steady build to constant road work, including coming off its own headlining tour to tour with Kenny Chesney this summer. It’s also the first No. 1 on The Billboard 200.

Goodman also praises country radio, which still drives album sales, but regrets that the format has not responded as well as the label hoped to the title tracks.

Although it is No. 11 this week, Goodman says, “We’re having a heck of a time. Because [country radio] is so dependent on research, we won’t have a No. 1 single with this track. But to us, that fans are buying the record is the ultimate research.”

Even though releasing Rascal Flatts and Duff the same day meant the two records were competing, Cavallo says the decision was made to share street dates because of the heavy slate of superstar releases in coming weeks.

“I was in five circles this past week,” Cavallo says. “You can’t necessarily get that when some of the other monster acts are coming.”

Additionally, Disney’s fiscal year ended Sept. 30, meaning that the initial release buildup to the single was not happening. By the year just ended, and the first fiscal quarter will be huge because it will include the remainder of the holiday season. Cavallo says a multi-year contract will be coming, walking away when it expires, Cavallo says not while the going is this good. “I’ll stay while it feel good, and it feels like new right now.”

That is even more with the chance at the top an absolute certainty, Eisner has announced that he will step down in June 2006, although he is expected to leave possibly earlier.

Bob O’Coo Bob Iger is a strong candidate as his successor, Cavallo reports to Eisner and Iger.

“If Bob is the [new] boss,” Cavallo says, “it won’t affect me except that I’ll have to learn to say, ‘Yes, sir.’” He laughs and adds, “If it’s not Bob, I’ll have to see who the band is to know what to expect.”
‘It’s A Constant Fight To Educate People That Music Is Not Free’

BY PHYLLIS STARK

After a storied 46-year career at BMI, including 18 as president/CEO, Frances Preston has passed the torch. Preston will remain BMI’s president emeritus until year’s end, when she shifts into a consulting role, focusing on the company’s public policy agenda and its international relationships.

A giant in the business, Preston has long been known as a powerful friend and advocate for songwriters, performers and publishers.

Bob DiPiero, one of Nashville’s top songwriters, has been affiliated with BMI for 20 years. He says Preston is one of the main reasons he stayed loyal to the performing rights organization.

“She treated me the exact same way the day she met me, when I had one cut, as she does now,” he says. “She’s just an authentic, genuine person who’s decided to look out for the welfare of songwriters. Ultimately, she understands the heart of the squarrelly, wacked-out songwriters who bring money into this business.”

Preston has spent considerable time on Capitol Hill fighting for legislation that will assure fair compensation for writers and artists. She played a primary role in the passage of the U.S. Copyright Amendment Act of 1992, which extended copyright protection to older compositions.

But she is also famed for her charitable efforts. She continues to serve as volunteer president of the T.J. Martell Foundation.

She leaves BMI in the hands of her planned successor, Del Bryant, previously the company’s executive VP. She also leaves the organization in good financial health.

In August, BMI reported revenue of $673 million for the 2004 fiscal year, an increase of nearly 6.8% compared with the previous year. The company’s dispersal of more than $573 million to its composers and publishers in 2004 was the largest in its history.

On a recent trip to Nashville, Preston sat down with Billboard to recap her career and discuss the issues still facing the creative community.

Q: Why did you decide the time was right for you to retire?

A: The company is running, there’s a great team to carry it on and I want to spend more time with my family and pursue some other things I would like to do career-wise.

Q: BMI had an annual revenue growth rate of 9% between 1995 and 2004. To what do you attribute that success?

A: A wonderful staff of people, great repertoire, great songwriters, great composers and hard work by all of us to put the songwriter out there first and foremost.

Q: How do you think BMI will change under Del Bryant’s leadership?

A: It probably won’t differ a lot from mine, because Del has been with BMI since his very early days and we have worked very closely together. He’s very well qualified and he knows the business. He comes from a songwriter family [as the son of Felice and Boudleaux Bryant, which makes him realize even more the importance of the protection that songwriters need.

We’ve really grown up together, so to speak. I just grew older than he did. I think you’ll be seeing good, steady, exciting growth.

Q: What are the initiatives you’ve implemented at BMI of which you are most proud?

A: Technology-wise, I’ve always been very proud of what we’ve been able to do. In the copyright field, BMI leads the world in technology, and that’s been an exciting bit of growth that came out of this particular era in BMI’s life.

I know that 56% of our total revenue now comes from cable, Internet, ringtones and all of the new media, and only 44% from radio and television. While radio and television has continued to grow, it just shows that [by] going out and reaching as far as you can, you can bring in more and more. When I first took over this job, 70% of our revenue was dependent on radio and television.

Also, when I took over, there were 1.5 million compositions in our repertoire. Today we have more than 4.5 million.

Q: Did you ever imagine that things would change so much in the business?

A: My theory was [that] as new technology came along, we had to be ready to handle it in advance. We’ve always tried to stay ahead.

I think it came to me when I served on VP Al Gore’s Information Technology Committee and I saw the new technologies coming along. I came back and said, ‘We’ve got to get ahead of the game or we’ll always be chasing it.’ So that’s been our thing: to look ahead and stay a little bit ahead of where it’s going, so when it does happen, we are prepared for it.

Q: Going forward, what will be the big areas of growth for BMI?

A: The licensing of this whole new [technology] world is tremendous. The things we look at today, five years later will be entirely different. It’s just growing so fast. There are new opportunities every day for licensing music and, of course, the big, complicated world of protecting and preserving copyrights. BMI was able to stop 56 bills this year that would have affected copyrights and our ability to collect. . . . We have a very good government-relations department that really stays on top of that.

Q: What are some of the remaining obstacles in terms of protecting copyrights?

A: It seems as the new technology gets developed, they keep referring to music as “content” or “product” and they don’t look at it as a right that creators have that must be protected and must be compensated for. It’s a constant fight to educate those people [that] music is not just out there in the air for you to pick out for free, because if the creator isn’t compensated, there’s not going to be that music.

Q: Is that getting harder to do as a whole generation of people is growing up believing music is free?

A: Oh, yes. It has to start getting into the school system. When I grew up, you sang in a chorus or did something musical in school, and you knew that that piece of music you were playing had a composer, had an author and it had rights attached to it, and you learned a little bit about that. But in today’s world, every generation coming along seems to think it’s out there for their use, and they aren’t concerned about what it took to create it.

Q: What’s the most pressing issue that will be facing the performing rights organizations in the next five years?

A: We have to be on our toes to see that the works are protected.

Q: As a pioneering woman in the industry, what advice do you give other women coming up in the business?

A: Never think of yourself as a woman; think of yourself as a businessperson.

When I was coming along, there was a big issue about how you shouldn’t pour coffee for men. I, to this day, pour coffee for my staff. It doesn’t matter who pours the coffee. Women got wrapped up in issues like that, which really held them back.

There were times when I got kicked around [or] invited to [so] meetings [at private clubs] where women weren’t allowed. Things like that went on. [I] just took it in stride.

Q: What do you consider your finest achievement?

A: The growth of BMI, [especially] the growth in our technology area, which has meant more money for our composers and songwriters. During all this growth, they’ve been at the heart of it. I’ve never lost [sight of] that, nor has BMI. That’s the most important thing about the performing rights [the] songwriters and composers that you have and the works they create.
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