The Great Label Debate

INDIES vs. MAJORS:
Developing Acts Face Tough Choices

BY TORD MARTENS and MELINDA NEWMAN

LOS ANGELES—Before they made the jump to Atlantic Records in 2004, the members of Death Cab for Cutie thought long and hard about leaving Barsuk Records. But after six years of deliberation, and the ultimate satisfaction of the band's success in its decision, manager Jordan Kurland grants that there has been a twinge of remorse.

"I can't be lying if I didn't admit that after I saw Bright Eyes debut in the top 10, I didn't think, 'Ah, we should have done that... But we're having a great time.'"

(Continued on page 64)

The indie route has led Bright Eyes' Conor Oberst, left, to a top 10 bow and Death Cab for Cutie's Ben Gibbard to a major-label deal with Atlantic.

IFPI Lawsuits Fit P2P Battle

BY JULIANA KORANTENG

LONDON—Courts across Europe could not be sending a clearer message: Unauthorized file sharing is illegal, and violators must pay up. Trade body the International Federation of the Phonographic Industry and its various national groups have initiated more than 700 copyright infringement lawsuits against file sharers in the United Kingdom, Denmark, Germany, Austria, Italy and France.

In recent weeks, several cases brought to European courts have led to settlements or (Continued on page 65)
BEFORE HE WAS A LEGEND, HE WAS A BREAKER.

"The success he [John Legend] is having with his debut is just reassuring to us because it proves that people want real music—good music. Great song writing and singers still resonate above the rest. The AOL Music audience and The Breakers program are a perfect barometer of this activity, and certainly were a big force in exposing Get Lifted to music lovers. —Lisa Ellis, General Manager of Sony Urban Music"

INTRODUCING AOL BREAKERS spring 2005

Acceptance (Columbia)
The Bravery (Island)
Keyshia Cole (Interscope)
Shooter Jennings (Universal)
Brie Larson (Casablanca)
Brooke Valentine (Virgin)

Each quarter, AOL Music handpicks newly signed artists and crowns them AOL Breakers, introducing them to our 22 million music fans. That's one helluva starting fan base. Keep your eye on this spring's breakout stars.
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QUOTE OF THE WEEK
"I agree that we will treat this as a one-off, because this album is the one off our shelves."

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Billboard To Honor Pair Of Latin Icons
Special Awards Planned For Solís, Guerra

BY LEILA COBO
MIAMI—Two of Latin music's biggest stars and most highly regarded contemporary singer/songwriters, Marco Antonio Solís and Juan Luis Guerra, will receive special honors at the 2008 Billboard Latin Music Awards.

Solís will receive the Billboard Latin Music Award, which is bestowed to commemorate an outstanding artistic career. He is the top finalist for this year’s Billboard Latin Music Awards, competing in eight categories. Solís’ most recent album, “Razón de Sobera,” debuted last fall at No. 1 on the Billboard Top Latin Albums chart.

Guerra will be honored with the Spirit of Hope Award for his work with his Juan Luis Guerra y 4.49 Foundation in his native Dominican Republic. He is also a multiple finalist for the chart-based honors, vying for three prizes for his album “Para Ti” and single “Las Avispas.”

Both are slated to attend the 16th edition of the Billboard Latin Music Awards, which will air live April 28 on the Telemundo network from the Miami Arena.

Solís’ Lifetime Achievement Award stems from his 20-plus years in music, first as the lead singer/composer of Los Bukis—Mexico’s premier romantic group—and later, as a soloist. Since beginning his solo career in 1995, Solís has placed 12 titles on the Billboard Top Latin Albums chart, including four No. 1s. The most recent, “Razón de Sobera,” debuted at No. 1 last year.

(Continued on page 65)

VU Shows Turnaround; Cuts Key To UMG Gains

BY EMMANUEL LEGRAND
Vveendi Universal released its 2004 financial results March 10, showing a turnaround. At the company’s music arm, global market share and operating income are up and margins have increased.

VU’s music division Universal Music Group posted an operating income of $38 million euros ($452 million), a fivefold increase in profits from $76 million euros ($937 million) in 2003. UMG’s revenue reached 4.9 billion euros ($6.7 billion), which it kept in line with 2003 revenue, while the market at large has been contracting.

Cash flow from operations improved 63% to 755 million euros ($1.01 billion), while earnings before interest, taxes, depreciation and amortization jumped 75% to 742 million euros ($933 million)—matching performance levels not seen since 2000.

“We made a significant amount of cost-cutting,” UMG chairman/CEO Doug Morris tells Billboard. “It basically came out of marketing.”

The company slashed its expenses in everything from co-op advertising to inventory management, radio promotion and video expenses and plowed more money into A&R.

UMG claimed 10 albums with sales of more than three million units worldwide in 2004—double the number of three-million-plus sellers in 2003.

In its financial report, VU says UMG’s “excellent operating performance was partly offset by higher amortization costs.”

(Continued on page 62)
Investors Eye Publishing, Catalog Assets

BY BRIAN GARRITY

NEW YORK—Dubious near-term growth prospects for the piracy-battered major labels are not stopping a rising tide of capital from flowing into the music industry at large.

At the Billboard Music & Money Symposium, held March 3 at the St. Regis here, finance specialists and music executives said that while recording companies are still struggling to find their footing in the digital age, investors are placing increasingly higher premiums on publishing and master catalog assets.

A growing number of private equity investors, eager to put money to work, are looking at acquisition plays and roll-up strategies in music—in particular, in the fragmented publishing business.

“The money is starting to flow,” said John Rudolph, CEO of Aspen, Colo.-based advisory firm Music Analytics, in a session on the valuation of music assets. “There are a lot of interested parties, a mix of strategic players and private money [in the market].”

“Buying content, although today it may seem expensive, ultimately will be cheap,” said Jay Bobert, former president of MCA Records and co-founder of IRS Records. Bobert is running a private equity-backed group looking at music acquisition opportunities. “It’s like buying real estate in the right place. It’s a matter of your ability to survive the storms.”

Bobert cited the Thomas H. Lee and Bain Capital investments in Warner Music Group as the prime example of the trend. “Even though their performance, in terms of market share and in terms of revenue, may not be what they were hoping for, the intrinsic value of the catalog they bought was ultimately a bargain,” he said.

Michael Sukin, a leading entertainment attorney and principal of New York-based Sukin Law Group, said the WMG deal gave private equity funds a model for investment—something that had been lacking.

There were a few chuckles, but it was mostly all business March 3 when Loeb & Loeb’s John Frankeneheimer, left, interviewed Sony BMG’s Andrew Lack at the Music & Money Symposium.

“Upfront money for a song is growing in value and gaining more importance,” Sukin said.

Also fueling investor interest: the increasing legitimization of digital channels. Buyers are encouraged not only by emerging sales of downloads, subscriptions and ringtones, but also by the ability to market and distribute content more cheaply, according to Rudolph. The potential of the Internet to empower sales from the independent sector is making that part of the business more attractive to buyers.

“The challenge, Rudolph pointed out, is that most music deals available to private equity investors are not nearly the size or scale of the WMG deal. As a result, buyers need to be willing to finance more creative roll-ups that involve a number of smaller deals.

Investors also need strong stomachs for risk and volatility. Despite a growing digital business, the music industry’s near-term profitability potential remains shaky, as CD sales continue to sputter.

Attitudes said that while the recording industry showed signs of stabilizing in 2004, the business will be grappling with the challenges of CD burning and peer-to-peer piracy for the foreseeable future.

“Until we find a way to protect content, there is no way to drive growth,” Sony BMG Music Entertainment CEO Andrew Lack said in a keynote Q&A session with Loeb & Loeb co-chairman John Frankeneheimer.

Lack said the gains the industry has made during the last year have largely been through cost-cutting rather than an improved CD business.

Lack called the CD “tired” and stressed the need for a secure physical configuration that merges audio and video to help buoy the flagging industry.

While Sony BMG and others are making strides in blending audio and video with the new DualDisc configuration (see story, this page), the security aspect remains elusive. Lack said development and deployment of a winning copy-protection solution is still two to three years away.

**VISUAL OPPORTUNITIES**

As a result, Lack said, Sony BMG is looking to branch into visual entertainment opportunities to diversify its revenue streams.

“I don’t think adding tour, merchandising and artist management is the answer,” Lack said. “I do think that with our artists, producing films, making TV programs and creating programming online is an opportunity.”

(Continued on page 62)

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**Stringer’s Global Challenge**

**Exec Takes Reins At Sony Corp.; What’s In Store For U.S.?**

BY BRIAN GARRITY

NEW YORK—The entertainment industry is already chattering about Sony BMG CEO Andrew Lack’s prospects to take Howard Stringer’s place as the head of Sony Corp.’s U.S. entertainment operations following Stringer’s appointment to succeed Nobuyuki Idei as Sony Corp. chairman/CEO. But no immediate changes are expected in Sony’s U.S. structure.

Stringer is retaining control of the company’s movie and music businesses—at least for now. In addition to his new role at Sony Corp., he will continue as chairman/CEO of Sony Corp. of America and vice chairman/COO of Sony Entertainment Business Group.

The entertainment division’s management structure is the least of Stringer’s concerns, analysts say. They note that his most pressing issue as CEO will be improving Sony’s performance in the struggling consumer electronics business.

The company, once synonymous with cutting-edge products like the Walkman and the Trinitron TV, is facing formidable rivals in everything from portable music players and video games to flat-screen TVs.

“His big job is answering the question, How do you compete against Apple and Microsoft? They’re the new competitors,” media analyst Harold Vogel says.

Vogel says that it is integral that Stringer and his team “un-Balkanize” the company’s engineering fiefdoms to ensure that its hardware and software divisions work in harmony with each other.

The company is already taking steps in that direction in the portable digital entertainment space, where it

---

**DualDisc Interest Rising**

BY ED CHRISTMAN

NEW YORK—DualDisc, fueled by a spate of releases from Sony BMG Music Entertainment Group, continues to pick up momentum in the market.

Nearly one-third of the sales of Warner Music Group’s “O” (U.S. Epic) came from the hybrid format, while Jennifer Lopez’s “Rebirth” (Epic) is expected to show similar results.

“We are seeing some excellent sales from the DualDisc,” says Dave Adler, executive VP of Los Angeles-based Virgin Entertainment Group North America. Of Lopez’s album, he says, “We offered customers the choice of both the regular version and the DualDisc. Some customer who had bought the regular version came back and wanted to exchange it for the DualDisc.”

Rob Perlisky, president of Maritta, Glenside-based Value Music, says DualDisc is doing “exceptionally well. We don’t have enough of it.”

While Sony BMG is aggressively releasing product in the format, “we encourage other majors to come in.”

(Continued on page 62)
Virgin Unplugs Electronics Arm

BY ANTONY BRUNO

Virgin Electronics is closing its doors after parent company Virgin Management decided to abandon the consumer electronics market.

The company, which made portable digital music players and accessories, is the first major casualty in the increasingly competitive digital music device field.

"Virgin has decided to exit the electronics business and will no longer develop or sell consumer electronics products," Virgin Electronics CEO Greg Wooko says.

Virgin Management is the parent entity that oversees all Virgin-branded companies, including online music retailer Virgin Digital, Virgin Megastores and Virgin Music. Each Virgin company is independently operated. Virgin Electronics recently relocated to San Jose, Calif., from New York as part of a repositioning effort. It was previously known as Virgin Pulse.

Virgin Electronics employed 15 people full time in San Jose. It outsourced its manufacturing activities to partners in China.

The company manufactured several models of digital music players, including 128MB and 256MB flash-based devices and a 5GB model introduced as a competitor to the iPod Mini. Virgin Electronics also featured headphones and a minispeaker system for its players.

Company officials say the shutdown will begin immediately.

“We were all disappointed by the decision,” Virgin spokeswoman Melanie Sventy says. “The [Virgin Electronics] team has done a commendable job; but it is no longer a core focus for our group.”

Wooko said previously that he envisioned offering an end-to-end Virgin-branded music delivery service that integrated a Virgin online music store with a Virgin-branded device. Although similar to Apple Computer’s strategy, Virgin’s plan featured devices that could play music from other stores—supporting the WMAs.

“It’s very hard to separate devices from services. It’s part of what makes Apple’s iPodiTunes thing so convenient,” Gartner G2 research director Mike McGuire says. “The folks trying to replicate that pairing have not been able to create a product/service package that is perceived by consumers as compelling.”

Virgin, as well as Sony, Microsoft, Dell and Wal-Mart, all have strong consumer brands but have done little to promote their digital music services or devices. The exception is Napster’s $30 million ad campaign launched during the Super Bowl.

“Mind share and getting people to understand legitimate services is crucial in this new market,” McGuire observes. “The other guys are going to have to do what Napster is doing. You have to throw some money down. You’ve got to do basic blocking and tackling and raise awareness that you exist.”

D.C. Vets To Head IP Task Force

Former Ashcroft Staffers Will Lead DOJ’s Efforts Vs. Piracy

BY SUSAN BUTLER

As part of the U.S. Department of Justice’s commitment to aggressively enforce intellectual-property rights, Attorney General Alberto Gonzales announced the top two members of the Intellectual Property Task Force March 9.

D. Kyle Sampson, deputy chief of staff/counsel to the attorney general, will chair the task force. Assistant U.S. attorney Arif Ali Khan will serve as vice chairman/executive director.

Sampson replaces David Israelite, who left the DOJ last month to become president/CEO of the National Music Publishers’ Assn. Former Attorney General John Ashcroft created the task force in March 2004 to examine the department’s efforts in dealing with IP theft, including copyrights, patents, trade secrets and trademarks. After examining all aspects of the issue—from enforcement and legislation to international coordination and prevention—the task force released a report one month before Ashcroft resigned last November, recommending ways to protect intellectual resources (Billboard, Oct. 30, 2004).

Sampson tells Billboard that first on his agenda is selecting other high-level DOJ officials to serve on the task force. Once the members are in place, they will work together to implement the recommendations.

Sampson was most recently counsel to Ashcroft and previously served in the White House as associate counsel to the president.

Alikhan served under Ashcroft as the task force’s executive director/chief counsel and was instrumental in producing the report. He will leave his current position as chief of the Cyber and Intellectual Property Crimes Section at the U.S. Attorney’s Office in Los Angeles to work in the Office of the Deputy Attorney General in Washington, D.C.
After some serious consideration and one amazing demo of a track called "Irish" by a local kid named TJ Zindle, I decided to throw my hat into the ring and produce/engineer and release some quality Western New York music for all to enjoy. Enter the 2003 formation of Good Charlemange Records and the signing of three Buffalo bands: Last Conservatoire (which features Zindle), the Juliet Dagger and Riel.

In an age when technology allows us to promote, distribute and nurture acts through the Web as well as financially intelligent traditional avenues, it seems crazy not to give it a shot. Good Charlemange opened a small office in Buffalo to deal with the hands directly. I brought on Greg Bill of Kataphonic Records to help out in Los Angeles, and then I headed back to New York state to begin the process of recording three records simultaneously between my studios in Los Angeles and in Buffalo.

All the art and graphics for the first Good Charlemange release were handled by my wife, Miyoko, with the help of artist-photographers Wendy Marvel and Bob Musse1 and Grammy Award-winning designer Brian Grunert. Gargarin Distribution out of Minnesota handles the distribution.

Still, we needed to address our relationships with the groups. All of Good Charlemange's deals are partnerships after all. It only seemed fair after all these years of telephone book-sized record deals.

I'm part of a team with these folks now: we're in it together. I invest my time and effort, and I ask them to do the same equally. If the Internal Revenue Service should look into this concept.) The recording budgets for our projects are a bit more flexible. Since I'm studio owner, we didn't sign a record yet for $12,000 and $15,000—Buffalo's not an expensive place to be. We've hired some indie stylists to work the songs to radio: AAM and Planetary Group for college promo and Could Be Wild and FMQB for commercial. We're not looking to take down the giants, just looking for some folks to hear our stuff.

Before signing these groups, I had made sure they had the desire to get out there and make it work. A lot of the Goo Goo Dolls' success through the years can be directly attributed to shaming hands and kissing babies before and after the shows. We discussed this concept at length with the bands. We'll have these guys out touring through 2007.

The bands have played a successful showcase at the Whisky in Los Angeles, prompting more interest from labels and sparking a growing industry-wide focus. Our goal is to advance in any manner that comes along: maybe to get one or all of our hands signed to a major or, preferably, to get an imprint deal or a major handle. Let's not let this good thing go. All of the big boys. Either way, we'll be making history.

Robby Takac is bassist for the Goo Goo Dolls and owner of Good Charlemange Records.
Idol Still Has Plenty To Scream About

When Billy Idol hits the stage at Stubbs' at the South by Southwest Music Conference March 16 in Austin, he is sure to show some of these young whippersnappers how it's done.

Idol's performance is to promote his first album of original material since 1993's "Cyberpunk." On March 22, Sanctuary releases "Devil's Playground." Its first single, the "Rebel Yell"-sound-alike "Scream," hit No. 7 on the Billboard Heritage Rock chart.

The rest of the album synthesizes Idol's many styles, ranging from punk to rockabilly to straight-ahead pop. For "Playground," he reunited with longtime producer Keith Forsey. But he admits that some folks pressured him to pick a more current producer as a way "to update the story," such as when Morrissey linked with Blink-182's Green Day producer Jerry Finn for his recent album "You Are the Quarry."

"I think if it works and it's right for you, that's fantastic, but it can be the biggest mistake of your life to get rid of a friend who's going to have your back," Idol says. "As far as I'm concerned, this is really our lives in this record." Sanctuary appealed to Idol because, unlike other label executives who, he says, kept telling him "what a Billy Idol album is, and then I'd want to punch them out." Sanctuary head Merck Mercuriadis simply asked, "Will you make me a great Billy Idol album?"

In the intervening years since "Cyberpunk," Idol says he had many dark days, including ones when he questioned if he would ever make another album. "That thought would go through my mind, and I didn't want to believe it and I didn't want to dwell on it," he says. "I had to prove it wrong, prove it to myself. It's been so great to show that life's not over. I have a few more years of kicking ass."

All Things Ozzy: Early purchasers of Ozzy Osbourne's March 22 boxed set, "Prince of Darkness," will get a little bonus: The initial pressing of the set will include a buy-one-get-one free coupon for this summer's Ozzfest, valued at $40. To redeem, just go to the Ozzfest.com Web site and punch in the code on the coupon.

The Epic four-disc set covers Osbourne's solo years. It includes a disc of new recordings by Osbourne of his favorite tunes by other artists. We love his cover of the Rolling Stones' "Paint It Black," and the rest is brilliant. Look for it now.

Queen of the Stone Age Ready to Rule Rock Again

QOTSA tapped into the post-millennial modern rock zeitgeist with their 2002 breakthrough "Songs for the Deaf," a collection of brutally loud, utterly thrilling songs sequenced with mock DJ voice-overs for nonexistent radio stations. Everything seemed to fall into place for the Josh Homme-led band, which has been quietly building a dedicated fan base since 1998. With the Foo Fighters' Dave Grohl playing drums and former Screaming Trees frontman Mark Lanegan taking the microphone for several tunes, "Deaf" became a skim-dunk for rock aficionados. The single "No One Knows" rocketed to No. 1 and stayed there for four straight weeks on the Billboard Modern Rock Tracks chart. That's to the band's newfound radio support and non-stop touring, "Deaf" sold more than 922,000 copies in the United States, according to Nielsen SoundScan.

However, QOTSA's charmed run seemingly crashed to a halt in February 2004, after Homme dismissed bassist Nick Oliveri, his longtime friend, from the band, and Lanegan said he was bowing out to focus on his own music. So it's more than a pleasant surprise that the first voice heard on the new album "Lullabies To Paralyze" is Lanegan's, and that QOTSA is still wielding the manic energy and unpredictable persona so often attributed to the gloated, bald and bare-chested Oliveri. The set arrives March 22 via Interscope; first single "Little Sister" climbed to No. 2 on Modern Rock Tracks in just seven weeks.

"This isn't an album about Nick," Homme insists of the set, which sees Alain Johannes stepping in for Oliveri amid an extended residency at the drums.

(Continued on page 11)
Natalie Grant has known her share of music-business turmoil. Prior to signing with Curb Records, she was on the Benson label just before it closed, then signed with Pamplin only to see that label shutter as well. On March 22, Grant will issue her second Curb project, “Awaken,” which is already getting attention thanks to the poignant single “Held.”

Grant, one of the nominees in the female vocalist category for the Gospel Music Assn. Awards on April 13, says the album’s title is a reflection of herself. “This record is a picture of my whole life,” says Grant, who either wrote or co-wrote six of its 12 cuts. “I’ve been figuring out who I am, what I’m doing here, what my purpose is, and I felt like I really had an awakening.”

TV might seem an unlikely source to inspire an epiphany, but Grant credits “Law & Order” with giving her the new sense of mission when she saw an episode about human trafficking. “It was a light-bulb moment… I never thought television would change my life. I started to learn about the issue and decided I wanted to go to a foreign country to see what was happening.”

She went to India in July with an organization called Shared Hope International. She then came back and started the Home Foundation in December.

Grant’s foundation plans to build a medical clinic in India, and she has decided it’s a priority to raise awareness of human trafficking.

“It’s an unbelievable, growing problem,” says Grant, who is haunted by the memory of a young girl held in a cage in India. “There are some Third World countries that actually have it in their tourism brochures that you can get underage children.”

“Awaken” contains music that reflects Grant’s new sense of purpose. She says a DJ once told her that she could always be counted on to deliver feel-good songs. He was complimenting her, but the comment did not help Grant.

“I thought, ‘Is that all I am? Is that all my music is? Happy, feel-good, smile, sulatey, don’t really-mean-a-hill-of-beans music?’ I thought, ’I’m glad people can have fun and escape from their reality, but if I’m giving my life to this, I want to have music that if somebody is going through the most horrible moment in their life, they know that there’s a song that I have that they could grab hold of like an anchor. I feel like this record has those songs on it.”

“Held” is that type of track and is being heralded as a career song for Grant. It was written by North Carolina-based songwriter Christa Wells, who witnessed close friends battle cancer and the loss of a child. “She just was left with more questions than answers, and God gave her this song,” Grant says.

“There may be things that happen that we’ll never understand and never have an answer for,” she continues. “My faith does not protect me from pain, but it provides me with peace. God did not promise that life would be easy, but he did promise that he would hold us through it. I really believe this is going to be a comforting message. I hope my music helps people face reality with hope.”

Grant is headlining a tour for the first time this spring with guests Jon Lovik and Trevor Morgan. Grant also has a book coming out this fall, “The Real Me: Becoming the Girl God Sees.” Later in the year, she’ll embark on the Revolve tour, a nationwide conference designed for girls in grades seven through 12.

NEWS NOTES: Bubba Smith has been tapped as the director of Daywind Music Publishing. A veteran executive with 25 years in the Christian music industry, his résumé includes stints in A&R, music publishing and record production. Most recently, he produced music for the film “The Fighting Temptations.” Sources say Family Christian Stores senior music buyer Bob Rush is leaving the retail chain for a post at Provident-Integrity Music Distribution. Meanwhile, former LifeWay Christian Stores music buyer Darrell Hodges joins Provident-Integrity, as does longtime Word Distribution staffer Dean Arvidson, who will work with the Integrity product line.
Hendrix Heirs Win U.K. Battle Over Live Album

Worldwide rights in live concert recordings are becoming hazier as a U.K. court weighs in on the issue. Unlike U.S. courts that recently held unconstitutional the federal anti-bootlegging laws—which protect performers’ rights in live concert performances—a British court interpreted a 1989 law to protect a performer’s rights in recordings of a 1969 concert in Sweden.

The High Court of Justice in London on Feb. 24 held Purple Haze Records and Lawrence Miller liable for infringing the rights of Experience Hendrix in recordings of the Jimi Hendrix Experience’s 1969 Konzerthaus performance in Stockholm. In January 1969, a Swedish broadcasting organization filmed and recorded Hendrix’s concert with permission. Last year, U.K. indie label Purple Haze released CDs of the concert, claiming rights through an assignment from attorney John Hillman, who claimed rights from Yameta.

According to the court, Hendrix was co-managed at the time of the concert by Michael Jeffrey, through Yameta, and Andrew Chrandler. Yameta entered a written management agreement with Hendrix in 1966. Portions of the contract between Hendrix and Yameta quoted in the court’s opinion make it appear that the agreement was a failed attempt to include production, employment and other broad rights. For instance, Hendrix appointed Yameta to be his manager, yet he granted it exclusive rights to his performances in the entertainment field. The company was entitled to a 40% share of gross payments made to Hendrix, but was excluded from receiving royalties from recordings or publications under the manager’s control.

Other contract terms the court quoted would never pass by a U.S. artist’s legal rep today.

The management company permitted Hendrix only to take a vacation for four consecutive weeks and on U.K. public holidays at times approved by the manager. It also required the singer to be rock ’n’ roll legend to rehash as “the manager shall see fit,” provide himself with “suitable music and instruments,” to “dress in a befitting manner” and “conduct himself soberly.”

In reviewing this agreement, the court recognized that Hendrix “in a sense delivered himself ‘body and soul’ to Yameta for its durations.” However, the court refused to recognize any rights of Yameta in Hendrix’s recordings or performances.

It held that the purpose of the agreement was “to enable and entitle” the company to further the interests of Hendrix, Yameta did not obtain intellectual property rights generated by Hendrix, but simply the right to a percentage of all gross payments made to Hendrix.

While the contract was broad enough to allow the company to require Hendrix to enter recording contracts and to allow Yameta to enter such contracts on Hendrix’s behalf, the court noted, it did not entitle Yameta to sell his services to third parties “and pocket 100% of the proceeds for itself.”

Aside from the contract, Purple Haze and Miller argued that Experience Hendrix did not have the right to prevent them from making and selling the CDs.

In 1969 when the concert took place, performers did not have the right under English law to sue someone over the unauthorized sale of recordings, they pointed out, with only one exception not relevant to this case.

The court disagreed with them, noting that British copyright law in 1969 gave performers, and anyone claiming rights in recordings of the performances, authority to prevent others from manufacturing and distributing recorded performances without consent. This act extended these rights to performances that occurred before that date.

Better yet for Experience Hendrix, when this law was changed and expanded in 1996, the British provided rights to certain performances that occurred in any country within the European Union.

As a result, the court granted Experience Hendrix a summary judgment, issuing an injunction against Purple Haze and Miller—the company’s “controlling mind.”

Experience Hendrix’s U.K. barrister, Richard Arnold, and soliciters, Nick Valder and Patrick Gardiner, call this decision groundbreaking. Janie Hendrix, president/CEO of Experience Hendrix, says the company “will make every effort to safeguard Jimi’s legacy.”

As for the U.S. cases, the federal government is appealing the District Court decision in New York that held the federal anti-bootlegging civil law unconstitutional. The Recording Industry Assn. of America is filing an amicus brief.

Paul Stanley, Gene Klein (aka Gene Simmons) and their Kiss Catalog have not appealed a District Court decision in Los Angeles that held the federal anti-bootlegging civil law unconstitutional. The case is still pending on other claims, and the decision is not binding on other courts.

A legal summary of the U.K. court’s opinion is available to Entertainment Law Weekly subscribers at entertainmentlawweekly.com.

Queens

Continued from page 9

“I didn’t want this to be a ‘breaking up is hard to do’ album,” Homme says. “That’s just boring.”

Similarly, Homme says he tuned out the pressure of following up “Deaf” by indulging his “selfish bastard” side in the studio and inviting such guests as Shirley Manson and the Distillers’ Brody Dalle to join the fun.

“I kind of have to assume that the reason ‘Deaf’ succeeded is because I didn’t focus on it ahead of time,” Homme says. “If I did that now, I’d be making a mistake.”

Thus emboldened, the core group, which also features multi-instrumentalist Troy Van Leeuwen, completed recording for “Lullabies” in just five weeks. Homme enthuses that a number of tracks were captured in one or two takes, including the sinister riff “The Blood Is Love.”

“Those types of things are proud moments,” he says. “I hear us listening to each other. No one makes a move alone. Even ‘Little Sister’ is one completed take. You can hear it almost breaking apart at the end, where there are some cool mistakes. Man, I love that stuff.” Homme’s songs are produced by Board Stiff/RBM; various companies handle the other band members’ publishing.

Highlights include Gibbons’ signature Southern-fried licks on the dirty blues strut “Burn the Witch” and the one-two gut punch of “Medication” and “Everybody Knows That You’re Insane.” The band also takes a stylistic left turn on closer “Long Slow Goodbye,” a surprisingly direct lament that ends with an out-of-character appearance by the Main Street Horns.

These nuances are what keeps attracting new listeners, according to manager Stuart Sobol of the Firm: “I think people are really into the way things are coming out for this record.”

Fans will find a behind-the-scenes look at the making of “Lullabies” via a DVD that will be included in a limited-edition pressing of the set. Also featured are exclusive videos that Homme commissioned for “Some things in the Wolf” by Chapman Baehler and “Everybody Knows That You’re Insane” by Terry Richardson.

“My goal was to be end up having a little movie to go with every song on the record,” Sobol says. “How awesome would it be to eventually have a DVD of videos of every song, all of which are so cool and uniquely different?”

BACK ON THE ROAD

But first and foremost is getting the band back in front of live audiences. A two-month North American club tour that begins March 15 in Austin sold out almost immediately, according to Sobol. QOTSA will spend June and half of July in Europe playing headlining dates and festivals and will return to North America in September for a three-month run in larger venues. The band is booked by the William Morris Agency.

On the eve of the album’s release, the band will release for the first time 400 fans who pre-order the disc at the Virgin Megastore in New York’s Union Square. Sobol says a similar event is on tap for April 15 in Los Angeles but declined to discuss details.

QOTSA’s official Web site, qotsa.com, has also received a much-needed overhaul, aligning its new design with the album’s mysterious vibe. After the new year, adventurous Web surfers were rewarded with pre-view clips hidden throughout the site, while tantalizing news items ensured that fans would keep returning.

“The idea was, if you peek through the trees, things may look normal, but when you pay attention, it’s a lot more creepy,” Interscope head of new media strategic marketing Courtney Holt says.

And while “Little Sister” has been a quick hit on radio and such video outlets as MTV2 and Fuse, Homme says the true arbiter of its success is his own satisfaction.

“The album is already a success to me because I really love it,” he says. “If someone came up to me and said, ‘You suck and I use your record as a coaster,’ that would never anger me, because I know I got what I needed from it.”
Road Puts Yellowjackets In Another ‘State’

The last Yellowjackets CD, 2003’s “Time Squared,” was released after a five-year studio hiatus. The bicoastal quartet made up for lost time by following it up in a mere two years with “Altered State,” set to bow March 22 on Heads Up International.

Like its predecessor, the new album is an elastic outing of music that is straight-ahead and fusion, composed and improvised, imaginative and adventurous.

“The band chemistry makes for a collaborative effort,” says keyboardist Russell Ferrante, who founded the group 25 years ago with bassist Jimmy Haslip. (Saxophonist Bob Mintzer came aboard 15 years ago, and drummer Marcus Baylor joined in 2000.) “We’re four equal guys who love working together. We surrender our personal agendas to the group agenda.”

Since Ferrante and Haslip reside in southern California and Mintzer and Baylor live outside New York, the Yellowjackets developed the music for “Altered State” while on the road the last two years.

Baylor wrote two songs for the set, one melodic, the other abstract. Mintzer wrote five, Haslip contributed two, and Ferrante brought four to the mix, including three that experiment with time signatures.

“I wanted to set up unusual rhythmic motifs,” says Ferrante, who developed the mysterious and whimsical “Hunter’s Point” in its time.

The CD cover art is by pop-art painter Peter Max, who became a fan of the band in recent years. The act sent him rough mixes, then he not only developed the images but devised the set’s title.

The Yellowjackets have settled into the Heads Up stable after self-producing and self-releasing their 2001 two-CD live recording, “Mint Jam.” Ferrante says, “We’re really happy here and have a lot of respect for [label head] Dave Love, who’s a real fan of the music.”

Heads Up is celebrating its 15th birthday, with label debuts of three established musicians—Najee, Michael Brecker and Walter Beasley—scheduled for later this year.

In related news, Haslip produced the double-CD “The Big Picture” (Burning Down the House Records), the second album by one of Los Angeles’ top jazz ensembles, Shapes. Included in the group are keyboardist Roger Burn, harmonica player Tolak Ollestad and woodwinds player Andy Suzuki. The straight-ahead-meets-fusion album, which was released March 8, features guests Ferrante and guitarist Robben Ford.

MINGUS AMONG US: While the Mingus Big Band continues to draw crowds to its weekly Tuesday showcase at Iridium in New York, the Mingus Orchestra bids farewell March 17 to its longstanding run at Fez.

The club is closing, but the orchestra that celebrates the legacy of Charles Mingus is not skipping a beat. One week later, on March 24, the group, directed by Mingus’ widow, Sue Mingus, starts a weekly gig at nearby Joe’s Pub.

“Our intention is to try to bring back late-night jazz,” says Mingus, who has kept her husband’s complex and magical music in the public eye with three repertory bands, including Mingus Dynasty. “Our motto is: Did you really come to New York to go to bed at 11? The 11:30 show will be the early show, and the 1:30 show will be the red eye, with French toast and pancakes served. And since we’re near [New York University], we’ll charge students a $5 cover.”

Mingus also plans to launch an as-yet-unnamed label that will release music by her three working groups and previously unissued material by her late husband.

THREE DOT LOUNGE: New York’s New School University presented its annual Beacons in Jazz Awards Feb. 22 at a gala dinner at the Pierre. Awardees included Ruth Brown, Jimmy Heath, Hank Jones and Dr. Billy Taylor. Presenters included Ahmet Ertegun, Jon Faddis and film director John Waters; performers included Geri Allen, Vanessa Rubin, Clark Terry, Bill Charlap and Junior Mance... Saxophonist James Carter, pianist Cyrus Chestnut, bassist Reginald Veal and drummer Ali Jackson have recorded “Gold Tunes,” a hip collection of interpretations of tunes by 90s alternative rock band Pavement. The CD, the first to be issued on Brown Brothers Recordings, is tentatively scheduled for a June 16 release.

www.nanamoskouri.net – booking@opus-stuttgart.de

Jazz Notes
By Dan Ouellette
douellette@billboard.com
Motley Crue Reunion Rules

The Road: Who Knew?

BY RAY WADDELL

In a blockbuster that few in the industry saw coming, the reunited Motley Crue will end up playing well over 100 dates in 2005.

A dozen shows into a 50-date North American run, the Crue is doing either sellout or near-sellout business. And the band just announced another 57 shows in North America, with Europe sandwiched between (billboard.biz, March 1).

Few expected the tremendous success. Gun-shy from a brutal 2004 season in which many acts did not perform up to expectations, promoters were not exactly lining up for the Motley Crue reunion—especially since the band had not toured in years, leaving promoters without a recent track record to examine.

 Managed by Allen Kovac at Tenth Street Entertainment and booked by Dennis Arfa and Pete Papalardo at Artists Group International, the band owes plenty to arenas who were willing to come to the table with open minds and open checkbooks. “It was the bands who funded and helped make this happen when the promoters wouldn’t step up,” Kovac says.

Promoters eventually did step up, including AEG Live, Clear Channel Entertainment, Jack Utsick Presents and Frank Brothers. But Kovac is particularly proud of the in-house arena promotions.

“This was very refreshing, because we found them to be much more open to innovative, integrated marketing plans that were proposed,” he says. “We would come to them with ideas, and they would say, ‘Let’s do it.’”

Buildings also took initiative with their own promotions. Global Spectrum and McFarlane Toys teamed to offer concertgoers at five Global-managed venues the chance to win a set of Crue action figures and a pair of tickets (Billboard, Jan. 22).

“We sat down with artist managers to develop a strategy,” Global Spectrum COO John Page says. “This can work when we can get cooperation.”

The Crue’s early success may help ease concerns that 2005 will be a repeat of last year’s touring travails.

“This tour was not only for great Motley Crue but, as the first major tour of 2005, it’s great for the business,” Papalardo says, “especially with every one coming off such a horrific year.”

The first U.S. leg wraps May 1. The band will then play Europe and pick up again in North America July 26 and play until mid-October under the Carnival of Sin tour banner.

For the first month of the summer run, the Crue will join several other hard rock bands, among them Sum 41 and the Exies, for a larger package in select cities.

Summer shows will play a mixture of arenas and amphitheaters. Following the second North American leg, the Crue will play Southeast Asia, Australia and Japan.
Gov't Issues Report On Nightclub Safety

The National Institute of Standards and Technology released a 660-page draft report March 3 containing 12 fire-safety recommendations for nightclubs.

The report is the result of the Feb. 20, 2003, fire at The Station nightclub in West Warwick, R.I., during a Great White concert. The fire killed 100 people and injured 200 more.

The NIST spent two years studying the tragedy. Among its recommendations for all nightclubs are the use of sprinkler systems, restrictions on the use of flammable materials and better exits so people can evacuate buildings during emergencies.

The agency says the goal of the report, rather than to place blame, is to "recommend improvements in the way people design, construct, maintain and use buildings to increase both occupant safety and structural integrity."

According to a press release, three factors played a primary role in the tragedy: the flammable nature of the building and its contents, an inability to suppress the fire early and exits that could not handle the large group of people trying to leave at once.

Several states, including Rhode Island, have instituted changes in codes in the wake of the fire.

The report has until April 1 to offer input before the draft becomes the finished report. The NIST has posted the report on its Web site, nist.gov/inst.

NO MORE FIDDLIN': The appointment of veteran U.K. promoter Rob Hallett, formerly of the Mean Fiddler Organization, to run AEG Live’s international operations (Billboard.biz, March 2) will give AEG Live an immediate boost in its efforts to produce tours in Europe. AEG Live has quickly emerged as a leading tour producer. Last year, the company produced more than 800 international tours by North American artists.

“We need Rob for a number of reasons,” AEG Live president/CEO Randy Phillips says. “We’re in the real-estate development business over there, and we needed a guy who knows the live entertainment business. On the other hand, artists are always asking us for international tours, not just North America, so we need someone on the ground in Europe.”

Hallett will also be part of the development team creating new arenas and other concert venues throughout Europe, including projects currently under way in London and Berlin.

BUFFETT BLOWOUT: Jimmy Buffett & the Coral Reefer Band quickly sold out two shows March 5 at Citizens Bank Park in Philadelphia.

More than 90,000 tickets to both shows, set for Aug. 25 and 27, sold out in 90 minutes through New Era Tickets, the ticketing subsidiary of Comcast-Spectacor. Tickets cost $46 and $96, plus service charges.

BACK TO THE GARDEN: The building formerly known as the FleetCenter in Boston will now be called TD Banknorth Garden through a 20-year deal between arena owner Delaware North and TD Banknorth. The deal grants TD Banknorth exclusive naming rights to the 19,600-seat arena through 2025.

TD Banknorth will also receive exclusive on-site signage, branding and advertising rights, significant hospitality and ticket opportunities, and an online presence on the venue’s Web site.

Financial terms of the deal were not disclosed, but published reports put the value at about $6 million per year. Installation of interior and exterior TD Banknorth Garden signage will begin in July, with completion expected late in the year.

The arena opened in 1995 to replace the old Boston Garden, home of the NBA’s Celtics and NHL’s Bruins.

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The arena opened in 1995 to replace the old Boston Garden, home of the NBA’s Celtics and NHL’s Bruins.
Industry Direction: SXSW
Annual Austin Event Is Land Of 1,000 Showcase Acts, People, Panels, Parties

BY CRAIG ROSEN

The evolution of the South by Southwest Music & Media Conference, in many ways, reflects that of the music industry at large.

Launched in 1987 as a place for artists to showcase for labels in the related environs of Austin, the conference began with an independent-entrepreneurial focus.

By the 90s, bloated by major-label spending, the event became a high-profile launching pad for those companies’ priority acts. Some felt that new and unsigned acts took a back seat.

But the cutbacks and consolidation among the majors in recent years have brought SXSW back to its indie roots. And in some respects, it has taken the same path as veteran music executives like Michael Caplan and David Katznelson. Both are former major-label A&R executives who now run successful indies.

“It used to be very much about scouting bands, and when I was an A&R person that was obviously very important,” says Or Music president Caplan, formerly senior VP of A&R for Epic. “Now it’s become more like a place to promote your bands. As a label owner and president, it’s becoming quite the cultural thing. I evolved, and it evolved.”

The return of SXSW to its indie origins is just fine with industry veterans like Katznelson who have been attending the festival on and off for more than a decade.

“Once you’ve been there, you have some kind of sacred knowledge,” says Katznelson, a former Warner Bros. VP of A&R who now runs the indie Birdman Recording Group. “The bands are getting more diverse again. There were a couple of South by Southsides where I saw a hell of a lot of Goo Goo Dolls wannabes, and that’s not what you go to South by Southwest for.”

And that shift is just fine for the festival’s organizers.

INDIE CORE

“We’re pretty indie at our core,” SXSW music conference coordinator Andy Flynn says. “The original vision for this was to present the music business that happens in between New York and Los Angeles. I think we’re continuing the original vision of the conference. With the 90s we had a great deal of involvement from the majors, which has waned with the contracts and consolidation over the years.

While this year’s confab may not include a panel as cleverly named as last year’s “Clear Eye for the Indie Guy,” there are plenty of sessions and panels that will discuss topics of interest to indie-minded artists and executives.

Among them is “Indie Labels Come A-Courting,” which will feature indie-label heads and representatives—including Eric Speck, owner of Ace Fu Records; Jeff Price, co-founder of SpinArt; Martin Hall, publicist from Merge; and Phil Waldorf from Misra—discussing the process by which they sign bands.

There are also several panel discussions set for the festival’s opening day, March 15, that will focus on management, touring and booking, merchandising, legal matters and radio.

On the same day, “Accounting for Digital Sales” will offer newcomers insight into the burgeoning digital download business. A panel, tentatively titled “Indies in Today’s Marketplace” (including Lesley Bleakley, CEO of Beggars Banquet and Or Music’s Rock & Roll Star.”

Flynn says of Stichtler’s experience, “We thought that would be an appropriate way to promote the distilling and developing artists among our registrants.”

While some attendees feel the panels offer a wealth of information, others prefer SXSW for its abundance of lively networking.

“Overall numbers are up across the board, in terms of the number of acts showcasing,” SXSW creative director Brent Grulke says. “In terms of those actual involvement, [that] hasn’t appreciably changed. What has changed is that the majors have a much splashier and larger presence and spent a lot more money when they were financially healthier.

“What you see now is a lot of the indies have a larger presence and are taking up some of that slack,” he says. “Acts that may not have beenommakers for major labels in the past are now big stars for indie labels.”

AN ABUNDANCE OF ACTS

At last year’s conference, more than 1,200 acts performed. “You can learn an awful lot watching a great band you’ve never seen before,” says Gerald Cosloy, co-founder of Matador Records. “You will learn substantially less watching a bunch of music biz jerk-offs with no public speaking skills and hale for 90 minutes.”

SXSW’s Swanston naturally does not agree with such statements.

“There’s a lot of people that posture and say, ‘Oh, well, I just come for the parties. I’m not really here to do business.’ That’s just posing,” he says. “People come here ultimately because there’s business going on, whether it’s on the spot or relationships that develop over years. That’s why people come. Where that business takes place can be in a panel, at a showcase, at a party, in the hotel elevator.”

Jonathan Cargill, owner of indie label Secretly Canadian, is one executive who appreciates SXSW as the ultimate networking opportunity.

“What keeps me coming back, everyone I know or need to know is there, concentrated in one city for a week,” he says. “In terms of networking, finally meeting someone, that’s the place to do it.”

Flynn adds, “We really make an effort to serve our registrants. It’s surprising year after year, the number of first-year people that come to SXSW. We’re always mindful that there’s a good chunk of our registrants and our business is coming from people who are new to the business. So year after year we look to feature the best of the indie labels.”

“I don’t know if this whole phenomenon is operating under the radar anymore. It’s an institution in and of itself, with the Matadors and the Sub Pops. It is an established route for artists these days.”

Fact File:
South By Southwest Music & Media Conference

What: An annual international gathering of the music industry with a focus on artist development, featuring panel discussions, key speakers, a trade show and an extensive live music festival

Where: Austin
When: March 16-20
Who: An estimated 9,000 attendees representing all facets of the music business

Web: sxsw.com

Cargill: Networking

This report launches the Billboard Underground series that will focus on all aspects of independent music throughout the year. Coinciding with the South by Southwest Music & Media Conference, for the first time, Billboard has determined which are the top independent albums, imprints and labels across its multiple chart genres, based on a recap of those charts for the 12-month period that concluded with the Jan. 29, 2005, issue. The chart-toppers in those recaps appear on page 19. More in-depth recaps are available at billboard.biz/independentrecaps.
Confab A ‘Passionate’ Event

BY CRAIG ROSEN

The South by Southwest Music & Media Conference expects to attract some 9,000 attendees this year when it takes place March 16-20 in Austin. Having weathered a few lean years in the aftermath of Sept. 11, 2001, attendance returned to previous highs with more than 7,000 registrants in 2004. When the number of band registrations are added in, the figure swelled to 8,000 last year.

“More than probably the rise and fall of record sales, like most events in the world, we were hurt by 9-11,” says Roland Swenson, SXSW co-founder and managing director. “A lot of people just didn’t want to get on a plane, not because they were afraid of getting hijacked, but they were afraid of getting stuck somewhere. Overall the last few years people are more willing to travel and business has picked up too, so we’re on an upswing.”

What keeps attendees coming back and makes Austin an important destination for ambitious music-minded newcomers?

“I think there is a human need for contact with your peers, that’s the primary, or even primal, reason for an event like ours succeeding,” Swenson says. “South by Southwest creates this highly charged atmosphere of people that have similar interests and passions. They come here and go and hear all these great acts, have a great time, and they meet people that can be important to them in their business endeavors. It’s pretty compelling stuff.”

And then there’s the music.

LAUNCHING PAD

“We’ve had a string of hits over the last few years, starting the year when we had the White Stripes, then we had Norah Jones, who were just starting to be recognized and really took off after their shows here,” Swenson says. “We’re not taking credit for that, but the perception that South by Southwest was the place where you can learn about acts early was cemented once again by those situations.

Another draw is the event’s impressive string of keynote speakers. This year former Led Zeppelin frontman Robert Plant will have the honor. There are also provocative panels. A discussion about the merits of the Grateful Dead ranks as one of Swenson’s personal favorites. “It was a draw,” he says of the verdict on the Dead’s artistic worth, but the panel was an overwhelming success. “I never saw people so worked up in a room. It was a vigorously argued point.”

Music conference coordinator Andy Flynn is particularly excited about the panel “Young & Over the Hill: A&R After 30,” set for March 17, “That’s going to be real interesting,” he says. “David Katzenelson of Birdman is moderating that. It was his idea. It’s going to address the life span of an A&R person. Legendary Sire Records head Seymour Stein will join Katzenelson on the panel.

“When you grow older you get more knowledgeable about the music industry, about how the business side and art side are supposed to work together in a very positive way, and how to help artists make their records,” Katzenelson says. “But obviously as you grow older you aren’t as much a part of the scene. How does that change your relationship to music? I always thought that was a really interesting concept.”

Texas Goes Global

BY PAUL SEXTON

With each year, the South by Southwest Music & Media Conference—taking place March 16-20 in Austin—continues to draw an increasing number of attendees from outside the United States, boosting its international focus.

By mid-February some 300 international acts were set to perform, reports SXSW consultant Tracy Mann of MG Ltd. That means non-American acts will account for about 25% of the showcases. International registrations this year are up about 40% over last year, Mann says.

The U.K. presence at this year’s SXSW is its most extensive yet, while Canada and France will send their largest delegations to date. Canada has doubled its showcase scorecard, and France has expanded from presenting one or two acts to a double-digit number this year.

Japan’s delegation is as large as previous years. Other countries represented, and ranked by the number of artists they have showcasing, include Sweden, Ireland, Finland and New Zealand. Also represented onstage in 2005 will be Germany, Italy, Spain, Malta, Iran, Nigeria, Uzbekistan, Mexico and Colombia.

The Australian Trade Commission has recognized the potential for export growth in music by backing a vastly increased SXSW presence in recent years.

Australian coordinator Phil Tripp says the 2002 event had 25 registrants and five bands showcasing; both figures doubled in 2003, and by last year (Continued on page 20)
NEW SOUNDS. NEW PLAYERS. AS ANI AS EVER.

"masterful at painting in the blues and grays of everyday emotion... great songs of love and alienation." — Spin Magazine

"Knuckle Down is arresting from the get-go." — Harp Magazine

"...very few artists of her stature are willing to make records of this nature: uncompromising, personal, and fiercely noncommercial. There's a quiet beauty in many of these songs that resonates more vividly than countless power chords." — Boston Globe

"...could be the radio breakthrough DiFranco has long avoided." — Rolling Stone

SPRING/SUMMER TOUR DATES

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www.righteousbabe.com 1-800-ON-HER-OWN
Global

Continued from page 16

there were 110 attendees and 20 showcasing acts.

Music industry trade group the British Phonographic Industry is coordinating the participation of a number of other national and regional trade organizations and media partners under the banner ‘UKonthis’ (Billboard, Feb. 12).

The BBC will be heavily represented at the event, with showcases sponsored by Radio 1, Radio 2 and 6 Music, all of which will broadcast extensively from Texas. MTV2 will mount another live event in its first SXSW sponsorship.

BBC Radio 2 and 6 Music controller Lesley Douglas says: ‘I’m confident our coverage this year will bring the best of SXSW to the U.K.’

The BPI’s fellow trade bodies Assn. of Independent Music, British Music Rights, British Underground, Phonographic Performance Ltd. and U.K. Trade and Investment will all support the British invasion of Austin, which UKTI music export promoter Phil Patterson describes as ‘the largest-ever program of British events taking place in Austin.’

Paulina Aholas, director of Music Export Finland, says the country will again be well-represented in Austin. “There’s growing interest in Finland toward South by Southwest,” she notes, “so that reflects the interest and ambition there is in Finland toward the U.S. market and exports in general.

“The fact is that SXSW is not only a great window to the U.S., but also to the European market. European agents and A&R [people] flock to see what’s buzzing, and we have many examples of bands that have seen the benefit in Europe of a successful showcase at SXSW.”

Music Export Sweden managing director Christer Lundblad says his organization is “merely a platform for Swedish artists to act from. The majority of the work will have to be carried out by them—that makes sure the people they really want to reach are present during the showcase, and following up afterwards. In other words, doing what they always do to promote their act.”

Robert Tilli of the Dutch Rock & Pop Institute, noting that SXSW has “become more and more international,” says Dutch artists and delegates have been attending the event for about 10 years, with “five to seven bands each time.”

Tilli says the event is valuable not only for building a U.S. profile but also for international networking.

Heating Up

Continued from page 18

retro soundtrack to an indie-rock dance party where a playlist might include Motown hits, the theme from ‘Harvey Five-O’ and Grandmaster Flash. Flans, samples, guitars, new wave baselines and a rapping lead singer who goes by the name of Ninja add to the sassy festivities. Released on London-based Memphis Industries, the album is available as an import in the United States, but the band’s SXSW showcase will boost its chances for a U.S. deal.

Micah P. Hinson

The 2004 debut offering from 22-year-old Texan Micah P. Hinson was a startlingly haunting affair, a 13-song collection of Southern folk psychedelia. With backing band the Earlies, Hinson’s songs are graced with a mini-orchestra, but each instrument’s appearance is fleeting. Be it a carnival-like accordion or a redemptive keyboard, the musicianship serves only to echo the flurry of emotions. The album, ‘Micah P. Hinson and the Gospel of Progress,’ was issued on Britain’s Sketchbook Records to rave reviews. It will surface in the United States through a licensing arrangement with Chicago’s Overcoat Recordings. Hinson’s SXSW showcase precedes U.S. tour dates with Damon & Naomi and Crooked Fingers.

L’Altra

With its third album on Milwau-kee-based Heffley Records, L’Altra has perfected a gorgeously haunting interplay between electronics and guitars. The keyboard-programmed sounds glide like a dream through melancholy and suitness, and a wash of guitars keeps the proceedings from getting too sleepy. That also applies to the group’s vocals, while their lyrics offer a voyeuristic look into a relationship. Each of the band’s live shows tends to be a little different, as the lineup depends on who is available. Since the duo of guitarist/vocalist Joe Costa and keyboardist/vocalist Lindsay Anderson have spent little time on tour, the act’s Austin performance is a must-see.

Little Birdy

West Australian band Little Birdy is fronted by Kaly Steele, the 20-year-old daughter of Luke Steele of the Sleepy Jackson. The group hit the top five at home last October with “BigBig-Love,” released by Eleven Music, and the act is at the forefront of this year’s SXSW presence from West Australia. Phil Tripp, coordinator of the Australian Trade Commission, says the region has become a “rich nurturing ground” for artists because of the regional government’s support for contemporary music. West Australia is also home to major Australian acts the John Butler Trio, which returns to SXSW this year. Immediately after playing in Austin, Little Birdy and the Butler trio will appear in an Australian showcase March 23 at the Mercury Lounge in New York.

M.I.A.

Rapper M.I.A. was born Mathangi Arulpragasam in London’s Hounslow district, to parents from Sri Lanka. The family returned to its homeland when she was 6. After a turbulent early life because of that country’s political unrest, she settled in south London. Her album ‘Arular’ was released in North America in February; its scheduled U.K. street date is April 4. Before heading to Texas, M.I.A. played nine British gigs supporting fellow rapper Roots Manuva. Her rap style has strong English elements as well as flavors of her Sri Lankan and Indian upbringing, and has attracted considerable rational and international press attention, from The New Yorker to Fader magazine.

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The Rev. Green: Taking Flight Again

BY GAIL MITCHELL

There's Al Green. Then there's the rest of the world.

That fact is clear right from the start of the interview. Before the first question can be fired off, the Rev. Green's timeless falsetto takes control, exuberantly rendering “Nobody But You,” one of 12 tracks on his March 15 Blue Note release, “Everything's OK.”

Indeed it is. Because there's nothing quite like having Al Green sing to you over the phone. And there's nothing like hearing him wax enthusiastically about his latest teaming with longtime producer/mentor Willie Mitchell. The pair made news in 2003 when they reunited for Green's Blue Note debut, “Can't Stop” (Billboard, Nov. 22, 2003). Green's first secular album with Mitchell at the helm since 1976, it has sold 271,000 units, according to Nielsen SoundScan.

“I'm playing some of the new album now,” Green says from his Memphis home base. “This ain't something we wrote 20 years ago and put out. This is happening now. This is fresh cream.”

Green wrote or co-wrote all the tracks, save for the soul/pop standard “You Are So Beautiful.” He is published by Al Green Music (BMG).

Also on hand for the singer's return engagement at Memphis' Royal Studios were backing vocalists Donna Rhodes, Charlie Chalmers and Sandra Rhodes (aka Rhodes/Chalmers/Rhodes) and bassist Leroy Hodges. Additional musicians include the eight-piece New Memphis Strings.

Eager to riff freestyle rather than formally answer questions, Green takes flight again. This time he is singing his new single, the scorching, soul-barbing love ballad “Perfect to Me.”

Green adds “Rev.” to his billing on “Everything's OK.” But he deftly deflects questions about his ongoing sacred/secular balancing act by talking about his parishioners.

“A lot of members of my church [Full Gospel Tabernacle]: Every mother in the church ought to know what ["Perfect to Me"] means,” Green says between turns. “The mothers started smiling and moving around, but they wouldn't look at the pastor. But you can fool me.”

Gifted his recent pairing with Queen Latifah on her version of “Simply Beautiful,” Green says he considered doing another duet for the new album. ”But Mr. Mitchell just kept on cutting.” Green quips, “He never did take me seriously. He just laughed because he wants us to think he's getting senile.”

LIFESTYLE PUSH

Similar to its approach two years ago, Blue Note will focus on lifestyle marketing for the album in major markets like New York, Los Angeles, Atlanta and Chicago. The label is hiring street teams like Shreded Marketing to target such gatherings places as hair salons, restaurants, bookstores, hotels and boutiques, as well as retail outlets. Giant Step will oversee Internet promotions and tastemaker mailings featuring album samplers.

“Many of today's R&B and hip-hop stars are familiar with Al,” Brooks says. “Queen Latifah did one of his songs ["Simply Beautiful"] on "The Diana Ovwu Album "."

In addition to its major-market campaign, Blue Note is servicing “Everything’s OK” for in-flight programming and to all digital service providers on street date. In February, the label distributed a digital player previewing four songs, accompanied by an EPK. Also slated are appearances on AOL, LATE SHOW with David Letterman, “The Ellen DeGeneres Show,” “The Tonight Show With Jay Leno” and “Tavis Smiley.”

I can’t speak for anyone else, but I for one am jazzed about R&B right now. Real musicians and meaningful songs appear to be heeding the public's clairion call in 2005. It's not just about established artists like Usher and Alicia Keys; a host of beginners and intermediates are also part of the movement.

Some names you have seen in these pages, like R&B/pop success story John Legend, “American Idol” champ Fantasia and nine-week Billboard Hot 100 king Mario. Then there are upcoming sophomore sets from such talents as Vivian Green, Tweet, Goapele and Fem and long-awaited albums by such vet's as Faith Evans and Stevie Wonder. And that's not even counting newcomers like Raul Midon, Raheem DeVaughn and Bobby Valentino.

Speaking of Legend, a collaborator on his acclaimed Good Music/Columbia/SUM debut, “Get Lifted,” has secured his own publishing pact.

Producer/songwriter Dave Tozer inked a worldwide co-publishing agreement between his Toztunes Publishing (BMI) and Famous Music Publishing, a division of Via-com's Paramount Pictures.

Tozer hooked up with Legend after moving to Memphis from his native South Jersey. They have been collaborating for six years—beginning with their first meeting, when they jammed on songs by Wonder and Smokey Robinson.

Among the eight tracks Tozer co-wrote on Legend's album are “I Can Change,” featuring Snoop Dogg, and the Kanye West-produced “Let's Get Lifted”; on the album's international version, Tozer's co-writes include “Money Blown,” on which he played guitar and bass and provided drum programming.

Tozer describes his songwriting style as “soulful and on the organic side. I like to mix classic R&B/soul with hip-hop and rock.”

“Stay With You,” another “Get Lifted” cut Tozer co-wrote and produced, is slated to air on an upcoming episode of UPN's “Kevin Hill.” In the meantime, Tozer is working with RCA singer Heather Headley and rapper Consequence, who is signed to West's Good Music.

URBAN PROGRESSION:

For those wondering what's up with R&B/hip-hop over at Warner Bros., the answer lies in a sampler the label is distributing. “The Progression of Urban Music” features 14 selections from current releases and upcoming projects like those of Trillville, Lil Scrappy, DJ Quik and Joey Breeze. There are some tasty peeks at new R&B projects as well, including Tony “T-Hussle” Husle, Earl Turner, Souljah Boy and Cruna.

Hussle comes to Warner Bros. by way of Tone Struck Records, which has inked a long-term agreement with the major. Under the deal, Warner Bros. will provide the indie with marketing, promotion and distribution.

Tone Struck is owned by Stan Sheppard and Lee Ford. Handling day-to-day operations are GM Gina Dacumos, senior VP of marketing Andre Holloway and marketing director Donal Holloway.

“There's a lot of strong R&B out there,” Warner Bros. senior VP of urban promotion Cynthia Johnson says. “And a lot of hip-hop is being based on R&B sensibilities. It's good to see artists coming out who are real musicians and proud to be who they are. Like John Legend singing with just his piano, that's it.”

Calling to mind his Warner Bros. predecessor, Prince, Hussle plays every instrument on his debut, “Sex, Freaky, Electric,” due in second-quarter 2005.

Musicians Get ‘Real’; Tozer Lands Publishing Deal

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Calling to mind his Warner Bros. predecessor, Prince, Hussle plays every instrument on his debut, “Sex, Freaky, Electric,” due in second-quarter 2005.

Touring kicks off in early May at the House of Blues in Chicago. Various West Coast dates are planned for June. Green—who's manager and booking agent is Marshall Reinack at the William Morris Agency—will travel to Europe for festival dates in July. “Everything's OK” will be released internationally March 14.

One aspect of the 2003 campaign that will not be repeated is a lead-single video. The clip for “I Can't Stop,” directed by the Hughes Brothers—Allen Hughes, aired only on VH1. “Perfect to Me” rises to No. 2 on the Billboard Adult R&B chart this issue. The label is working the project to urban (through Virgin), triple-A (EMI Music Collection) and college radio (Spector).

Described by one writer as a counselor to people on their love lives and religious lives, Green says he has never thought of himself in that light. He does, however, acknowledge his special gift.

“God gives every man a gift, and nobody can take that gift. Who would have thought that Al, a country boy from Arkansas, would get to live twice—in this life and the world to come—and send [God's] messages to the whole world?”

Rhythm & Blues
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**Rhythm & Blues**

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American Urban Radio Networks R&B/Hip-Hop Conference is putting down stakes in a new locale: Atlanta. The InterContinental Hotel Buckhead will be the site of some hot happenings Aug. 3-5. Stay tuned for news about workshops, panels and the Billboard R&B/Hip-Hop Awards show.

**MUSICAL NOTES:** Succeeding himself at the top of The Billboard Hot 100 last week, producer Scott Storch is a man on fire. After spending nine weeks at the top of that chart with Mario’s “Let Me Love You,” Storch revisited No. 1 with 50 Cent’s “Candy Shop,” featuring Olivia. Storch has also worked with Beyoncé, Terror Squad and Dr. Dre, among others.

On the Storch production docket are projects with Olivia, Fat Joe & Nelly, Avont and Tony Braxon. Managed by Derek “LA” Jackson of Hustla Foundation, Storch is also developing rap duo 216 for Hustla/Universal.

**INDUSTRY BRIEF:** Jive Records’ Kells joins the roster of Ewing-Wonder/Sanctuary Urban Management.

**TUBE NOTE:** The fifth annual BET Awards take place June 28 at the Kodak Theatre in Hollywood, Calif. The ceremony will also help mark the cable network’s 25th anniversary.

**CONDOLENCES:** To the family, friends and colleagues of industry veteran and former Billboard Radio Monitor national advertising manager Hank Spahn, Grace, his wife of more than 35 years, passed away Feb. 28. Services were held March 5 in New Orleans.

Spahn himself suffered a stroke awhile ago and has not been able to work. If you would like to send cards or donations, write to him at 7300 Ibeak Street, New Orleans, La. 70126.
Soca Battles Pirates Of The Caribbean

BY PATRICIA MESCHINO

PORT OF SPAIN, Trinidad—The bit tersweet state of Trinidad and Tobago’s music industry was in evidence here at the most influential annual event for soca, calypso and steel band music. The T&T Carnival, which concluded Feb. 8, highlighted the best and worst of what’s happening with the rich musical heritage that comes from this tiny island nation.

On one hand, soca (calypso’s fast paced derivative) is enjoying its greatest international popularity to date among a non-Caribbean fan base, thanks to crossover hits by Kevin Lyttle and Rupee. (Neither hail from soca’s birthplace, T&T.) Yet local music industry continues to combat piracy and is engaged in an ongoing crusade for its indigenous music to secure greater airplay at home and for royalty collections here and abroad.

Although Carnival is officially a two day festival held on the Monday and Tuesday preceding Ash Wednesday, it is actually a season that commences right after Christmas. It encompasses a series of calypsos, soca and steel (drum) band concerts and a mind-boggling array of musical and masquerade competitions throughout Trinidad and its smaller sister island Tobago, with many events taking place in Trinidad’s bustling capital, Port of Spain.

According to Kenny Da Silva, chairman of the government-appointed National Carnival Commission, his organization was given approximately $10 million to stage an assortment of Carnival 2005 activities. The Carnival, which celebrates the veneration of the so-called calypso monarch (won this year by Chalkdust); the high anticipated steel band contest Panorama; and the climactic parade of masquerade bands, which winds its way through the streets of Port of Spain on Carnival Tuesday and attracts more than 300,000 participants.

These and several other Carnival events pumped an estimated $150 million into T&T’s economy.

Soca singers, calypsonians and several steel bands continue to release new CDs at Carnival time, when sales and airplay for local music are at their peak. At Carnival’s conclusion, most of T&T’s radio stations return to playback dominated by hip-hop, R&B and dancehall reggae.

October 2004 saw the launch of Trinidad’s all soca/calypso radio station Trini Bashment 91.9, owned by soca artist Leroy Jover. Whether it will significantly increase local record sales throughout the year remains to be seen.

Despite the influx of music, however, Rhythms Records, located at Trinidad’s Piarco Airport, estimates its sales of Carnival’s most popular releases at 1,000 units each. They include David Rudder’s “Electrica” and the “Soca Switch” compilation, featuring the Carnival 2005 Road March winning song, “Dead or Alive” by Shirwane Winchester.

**FIGHTING BACK**

If the soca recording market is relatively small, it is because rampant piracy curtails its potential sales base. Here, aggressive street-corner salespeople hawk illegal releases at $3.30, a fraction of the price of their legitimate counterparts ($20).

This translates into heavy financial losses for the music’s creators, particularly at Carnival time. Some artists, such as the venerable former calypso monarch Shadow, refused to record this year, protesting the T&T government’s indifference toward piracy.

Others have developed their own strategies to counteract this scourge. Soca superstar Machel Montano, for example, holds anti-piracy meetings at malls throughout Trinidad where fans can meet him and his band XStatik. Buy their CDs and receive free autographed posters and other promo items.

His approach is yielding positive results: Montano’s 2005 release “The XStatik Experience” has already sold an estimated 5,000 copies, while his 2004 release, “The XStatik Parade,” has exceeded sales of 10,000.

“We fight the pirates but also woo the fans. We encourage them to buy legitimate CDs and reward them with merchandise,” explains Lisa Montano, the artist’s mother and manager. “Pirated CDs have a small window of time, and that’s right at Carnival time. But Machel’s CDs tend to sell well beyond the season, so people will seek the legitimate copies.”

International calypso and soca promoters faithfully attend Carnival to experience the season’s musical highlights and book the most successful artists for concert dates and performances at an estimated 60 T&T patterned carnivals throughout the United States, Europe and the Anglophone Caribbean.

Soca’s most popular acts—aluminum pan player Montano, Bunji Garlin, Maximus Dan and Winchester and his band Traf—spend a significant portion of the year outside of Trinidad, working this international circuit, which begins just weeks after Carnival and winds down in early October. That is when the artists return home and begin work on their releases for the following year’s Carnival.

Simeon Sandiford is the founder of Sandiford Electronix, a Trinidad-based label that specializes in steel bands but also has steel pan/jazz fusion, calypso and other indigenous T&T genres in its vast catalog. He views soca’s international appeal as a significant opportunity for T&T’s artists, producers, publishers and record labels to adopt an approach in accordance with international music industry standards.

“Our artists go to carnivals in Barbados, Jamaica, New York, Miami, Toronto, London, all these places, and what revenue is coming back here?” asks Sandiford, who is a former director of the Copyright Organization of Trinidad and Tobago.

“The music is being played, but we are not getting money coming back into COTT. That is the criteria in looking at a new music industry here. You have to collect your royalties. We have some agreements in place, but the artists must look after their own interests and COTT should monitor these carnivals and make sure that the people have licenses to play our music and that the money comes back home.”

**Latin Music Conference Chats Up Chayanne**

How hard is it to stay on top of the heap for nearly 20 years? We’ll ask Chayanne, who takes center stage during the Q&A session at the upcoming Billboard Latin Music Conference & Awards.

The Puerto Rican singer will see his “Desde Siempre” (Sony) released March 29. The set is a compilation of romantic hits.

One of Latin music’s biggest stars, Chayanne has recorded 11 studio albums as a soloist since 1984. Two of them peaked at No. 1 on the Billboard Top Latin Albums chart; four reached the top 10. In addition, he has had eight No. 1s on the Billboard Hot Latin Tracks chart.

Beyond its musical accomplishment, Chayanne has been at the forefront of artist endorsements, securing deals through the years with such major brands as Pepsi, Lay’s and Dentyne. A recent worldwide tour hearted by American Airlines and Visa (the latter company provided support outside of the United States) and presented by Vivo in the States.

Chayanne is also an actor. He has starred in multiple soap operas and made his film debut in the lead role of “Dance With Me.”

**Latin Notes by Leila Cobo**

**THAT’S DOPE: Warner Music Latina is the latest label to make an overt bid for the urban Latin marketplace. Earlier this month, the company announced a deal with Dope House Records that calls for Warner to distribute and market Dope House releases and also make some of its catalog available for streaming. Dope House’s more hardcore roster, which includes SPM and Juan Gotté, is a departure from the reggaeton and urban regional street credibility, which is very important for us,” says Illego Zahaba, president of Warner Music Latin America. “What we’ll contribute is distribution and marketing to reach mass radio.”

Zahaba is also banking on the first release under the new deal, the new album by Gotté, due in April. The first single is a remake of Juan Carlos Calleón’s “La Incondicional.” Another track is a collaboration with regional Mexican band Grupo Pesado.

While Gotté’s album is 70% Spanish and 30% English, some releases will tilt in the other direction. In those cases, Zahaba says, Atlantic Records will work the releases instead of Warner Music Latina.

**WARNER REVAMPS WEST COAST:** In other Warner Music Latina news, the label has made some changes in its West Coast operations.

Jorge Sanchez, formally Los Angeles office coordinator, has been promoted to West Coast radio promoter. He will service all pop and regional Mexican radio stations in California and Arizona.

Chris Martinez, who was former WEA West Coast department, is appointed to the newly created position of label manager/radio promoter for hip-hop. He will be based in Los Angeles.

**Hugo Garza** will occupy the new post of label manager/radio promoter for regional Mexican based in Texas. Claudia Sandoval continues as West Coast publicist.

All report to Albert Ramirez III, who is appointed director of promotions and marketing for the West Coast, Texas and Chicago. He reports to marketing VP Angel Kaminski, who is based in Miami.

**IN BRIEF:** Sources say Mexican media giant Grupo Televisa will probably announce the launch of a music label by year’s end. Televisa sold Fonovisa Records to Univision in April 2002. Televisa did not have any comment.
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**LATIN POP ALBUMS**

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**TROPICAL ALBUMS**

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**REGIONAL MEXICAN ALBUMS**

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Music Dance

Web Clip Buoy Novelty Song

BY MICHAEL PAOLETTA

One novelty song was omnipresent throughout Europe in summer 2004: “Dragostea Din Tei.”

Dueling versions of the energetic dance-pop track battled territory by territory, with the version by O-Zone winning at No. 1 on the year-end Eurochart Hot 100 Singles survey after spending 12 weeks in the chart’s pole position from June to September.

The rival version, by Romanian-born/Italian-based TV star/singer Hanzuci on Italian label Universalis, ranked No. 9 on the year-end tally. Originally issued on Romania’s Media Services label, O-Zone’s “Dragostea” was internationally licensed by Italian independent dance-label Time, which then licensed the track to labels around the world, including Jive in the United Kingdom, Island in Germany and Ultra in the United States.

Last fall, Ultra released the original Romanian version of the bubbly track, followed one month later by a newly recorded English-language version, with vocals by Lucas Prata. Both versions—which appear on O-Zone’s “DiscOzone” album—went nowhere fast on this side of the Atlantic.

That is, until a homemade video of the track—innocently created by 19-year-old New Jersey native Gary Brohma—began appearing on several Web sites late last year. The buzz became so loud that NBC’s “Today” invited Prata and Dan Balan (formerly of O-Zone) to perform the song on the show last month.

Following this performance, Ultra sent a Today Show Mix of the song—now titled “Dragostea Din Tei (Ma Ya Hi)” by Balan featuring Prata—to radio.

The original version, penned by Balan, is published by EMI Music Publishing Romania. The English version was written by Balan and Prata, whose songs are handled by 150 Lafayetted Music/Lookeluge Songs (ASCAP).

These days, many are wondering if the Prata-fueled, Valentin-remixed version will be as popular here as the original Romanian version was around the world.

“I’m hanging on to my seat belt these days,” Ultra president Patrick Moe says. He acknowledges that the song “is nailing the record” for eight months without much success.

“Now, we’re trying to break it bigger.”

Recently, Ultra signed off on a request from “Jimmy Kimmel Live” to use the song as a recurring theme song. The track is also a hit at Apple Computer’s iTunes Music Store, where it has been No. 1 on the dance page.

“The video is giving the song a second life here,” says Nashville-based club DJ Ron Slomowicz, who believes people are responding to the video’s “do-it-yourself approach and the sense of it being an inside joke.”

Perhaps it is too much of a joke for some stations. “We didn’t attach ourselves to the record too much because it was too novelty,” WKTY New York music director Skyw Walker says. “We’re just using it if the audience was ready for one of these.”

That said, Walker says the station is still “up in the air” about adding the track. “We’re keeping an eye on it.”

In this issue, without much radio airplay, “Dragostea” resides at No. 74 on the Pop 100 and at No. 73 on the Hot Digital Songs chart.

According to Nielsen SoundScan, the track has been steadily increasing in digital sales during the past five weeks; it has totaled more than 32,000 paid downloads.

“It seems that every day something big is happening with this record,” notes Moe, who has Brohma and his video to thank.

DOING THE NUMA NUMA

In Brohma’s video—which debuted online at newgrounds.com in December and has since spread to other sites—Brohma is shown lip-synching to the song’s original version while doing what he calls the “Numa Numa Dance.” Throughout, with arms flailing and head bobbing to and fro, Brohma remains seated. The video has received more than 2 million hits at newgrounds.com alone.

Unbeknownst to Brohma, he has become a one-man marketing and promotion team for Ultra. Indeed, the song’s sideshow success may lie in his hands—or in his quirky, humorous video, as it were.

“Brohma is the first to admit that all the attention has caught him off guard. ‘I’m surprised by what’s going on,’ he tells Billboard. ‘I never saw what I was doing, when I was making the video, as something that could be used to help promote the record.’

He says he was simply fooling around with a song that a friend had sent him, “it was me being spontaneous,” he says, “I didn’t set out to do anything, really. It’s pretty weird what’s happened since.”

None of this is lost on Prata, whose radio interviews and club bookings have increased since the start of the year. Signed directly to Ultra, Prata agreed to sing the English version because he thought it might help to break him in the United States and Europe. Apparently, he thought right.

“There is more activity on my Web site [lucasprata.com] as well as message boards devoted to me and the song,” he says. “I’ve been getting calls from journalists around the world. You can’t buy publicity like this if you try.”

For Prata, whose career is managed and booked by Nene Musik’s Ruben Martinez, the timing could not be better. His second Ultra single, “And She Said,” arrives next month. “Sure, ‘Ma Ya Hi’ has helped launch me,” Prata notes, “but I have my own music and a solo career to back it up.”

Martinez is also booking Brohma for special appearances.

Meanwhile, Balan, who left boy trio O-Zone—which hail from the eastern European republic of Moldova—it is now in New York where he is shopping demos of his new, still-nameless English-language rock band.

“I’m going back to my rock roots,” says Balan, who prior to O-Zone was a member of rock band Inferials. “But I will do what’s needed of me to make ‘Dragostea Din Tei’ bigger in the U.S.”

Whether it hits the U.S. jackpot remains unclear. Pointing to Los Del Rio’s “Macarena” and Lady Gaga’s “The Ketchup Song (Hey Hah!),” respectively, Slomowicz succinctly offers, “Sometimes [international] novelty records are huge here, and sometimes they’re not.”

Tiësto Tops America’s Favorite DJ Tally

Dance/electronic magazine BPM will officially announce the results of its annual America’s Favorite DJ contest in Miami during the Winter Music Conference (March 22-26).

Sponsored by Scion, the listing is a who’s who of talented and revered DJs. And while we await the complete tally, we are able to share with you the top 10 winners.

Not surprisingly, Tiësto and Paul Van Dyk, who were both incredibly visible behind the turntables/CD decks this past year, take the No. 1 and No. 2 spots, respectively.

They are followed by, in descending order, Paul Oakenfold, Sasha, Deep Dish, Bad Boy Bill, John Digweed, Ferry Corsten, Christopher Lawrence and Mark Farina.

A quick glance at the top 10 DJs reveals a truly global experience, encompassing the Netherlands, Germany, the United Kingdom, the United States (Chicago, San Francisco and Los Angeles) and Iran.

It also reveals an old-guard sensibility. Because these DJs have been around for years—releasing CDs and touring—it makes it much more difficult for younger turks to crack into this top DJ tier.

“Tiësto and Paul have been dominant forces for a long time,” BPM publisher and founder David Ireland says. “As trance music becomes more commercially successful, they keep themselves at the top.”

Of course, with electronic music currently reinventing itself—thanks to bands like Bloc Party (see story, page 31), the Killers, Elkind and the Bravery—such DJs will likely have to work much harder to remain on top.

Consider it a win-win situation for all: DJs won’t be able to rest on their laurels, and those of us on the dancefloor will (we hope) be rewarded with musically diverse sets.

Voting for America’s Favorite DJ 2005 took place Oct. 1, 2004-

January 2, 2005, at BPM’s Web site, djmixed.com. To avoid “voter hijacking,” BPM required all voters to provide a valid e-mail address, which was then used as part of a two-step voting confirmation process. BPM marketing director Matt Colon says.

Staying with BPM, the magazine, along with Rockstar energy drink, recently began a search to find the best up-and-coming female DJ in the United States (Beat Box, Billboard, Jan. 8).

Well, the winner of the Beauty and the Beats competition—selected by judges DJ Rap, Reid Speed and DJ Colette—is Champagne, Ill.-based J-Phil, whose skills beat those of finalists Catherine Jade of New York and DJ Solange of Chicago.

While we applaud all the winners, it sure would be swell to see a female DJ’s name in the top 10 of the America’s Favorite DJ survey. Next year, perhaps?”

FRENCH KISS: Fave DJ/Remixer Dimitri From Paris has been named Chevalier de l’Ordre de Arts et des Lettres by the Ministre de la Culture et de la Communication for his outstanding creativity and contribution to the French culture abroad.

By the way, to be named “chevalier” (or “knight”), one must be at least 30 years old and be a distinguished figure in his field for at least 10 years. Dimitri so deserves
Music Country

Keith: The DreamWorks May Be Over

BY PHYLLIS STARK

NASHVILLE—Whether he’s serious or simply negotiating in public, Toby Keith surprised attendees at the recent Country Radio Seminar here by saying that he might leave DreamWorks Records, the label where he has had his greatest success.

During a March 3 Q&A that served as the seminar’s keynote speech, Keith revealed that he may go elsewhere or even start his own label when his DreamWorks contract expires.

Keith started his career at Universal, and was bounced to several different imprints at the company before leaving for DreamWorks, where he became a superstar. Last year, DreamWorks merged with Universal, putting Keith back under the label group where he started. Since the merger, he said, it’s back to “all that corporate bullshit... The other day I had my first A&R meeting in 20 million albums.”

But, he said, “it’s different this time, because the first time I didn’t have any power. Now I’m a brand name... so there’s a lot more compromising on their part.”

Looking toward the future, Keith said he will be “re-focusing my energies on other areas.” Getting his own label, he said, has been “talked about,” including the possibility of an imprint under the Universal Music Group umbrella.

In addition to his upcoming DreamWorks album, “Honkytonk University,” due this spring, Keith said he has one album left on his contract and that he’ll begin recording that album in July. Asked at a later panel about Keith’s comments, UMG Nashville co-chairman Luke Lewis said Keith “might go somewhere else or [he] might start a record company... To that I say, ‘Good luck.’ The track record of artists running record labels is not that good.”

Keith also said he’s planning to start a “big-time” publishing company, and hopes to sign 10-15 writers.

Another tidbit he revealed was that he will perform live via satellite from Baghdad for the Academy of Country Music Awards telecast, set for May 17.

OPTIMISM AHEAD

At a panel of major-label heads, much optimism was expressed for the future of the format. Country’s recent sales successes, Lewis said, means “our corporate parent realizes [big revenue in] mail order the first time in five or six years.” He said that success reaffirms their investment in Nashville and takes the pressure off the Music Row divisions a bit.

“It had gotten a bit shaky there for a while,” he added. “They were getting jumpy on us.”

But Sony Music Nashville president John Grady spoke of a downside. When a Nashville division sells 4 million copies of a new artist’s album, as Grady’s team did with Gretchen Wilson, executives at the New York parent “wonder why you can’t do that every time.”

Asked about the ongoing payola investigation by New York state Attorney General Eliot Spitzer, the label heads’ public take on it is that it is good for the industry.

“It makes us all pay attention,” Lewis said. “Some of the lines, over the years, got blurred.” He noted that the investigation has caused radio and labels to re-evaluate how they do business with each other. “I don’t think that’s a bad thing at all.”

Lewis added. “It’s prone to discourage us from saying ‘Let’s make a deal’ to each other. We shouldn’t have that relationship.”

But when specifically addressing the use of legal paid spins that helped Reba McEntire land a No. 1 single last summer while simultaneously riling up the entire country music community, Lewis was unapologetic. While acknowledging the incident “got everybody a little nitty,” Lewis also said he was “kind of proud of it.”

“We’re not trying to reinterpret the Bible,” he added. “There’s a game in play. There hasn’t been a moment in time when charts haven’t been manipulated. Was this a blatant example? Sure.” Lewis also asked radio, “Why do you care if somebody games a record into No. 1?”

CONVENTION CAPSULES

• KTTV Springfield, Mo., OM Brad Hansen noted at a panel on indecency that even innocuous lyrics can cause listener complaints in this post-Janet Jackson environment. According to Hansen, Arista Nashville sent some radio stations a new version of Phil Vassar’s current single, “I’ll Take That As a Yes (The Hot Tub Song),” with the words “French kiss” changed to “long kiss” because of a “push back” from listeners.

During that same panel, KFDF Wichita, Kan., OM Beverlee Brannigan expressed concerns that the current indecency debate is potentially challenging free speech. “It’s a short distance between keeping words off the radio and keeping content off the radio,” she said. “I find that frightening.”

• Diamond Rio was the surprise recipient of the Country Radio Broadcasters’ Humanitarian Award. Last year’s winner, Brad Paisley, presented the award tonight. Paisley said the band had been told it was there to present the award to Arista Nashville VP of promotion Bobby Kraig. “When I heard that, I laughed like you’re laughing now,” Paisley quipped. “Giving radio money is not a charity, Bobby.”

• Final attendance for this year’s CRS, held March 2-4 at the Nashville Convention Center, was 2,701. That is a 10 percent increase over last year’s seminar, according to the CRS, which organizes the event.

Goodwin’s Family Puts It All On The Line For Her

Carly Goodwin wanted to be a country singer so badly that her family literally bet the farm—or in this case sold their ranch—to find her dreams.

Jaded industry types who have seen stories like this one all the way through to the bitter end once too often may find this sad. But Goodwin insists this is a story of inspiration and hope. A story about a family’s faith in her.

The 28-year-old artist and her mother, Gail Goodwin, used the money from the sale of their Montana vacation home, Dreaming Bear Ranch, to finance their label, Dreaming Bear Music, with the full support of Carly’s younger brother.

Gail, who previously had a career in real estate, manages her daughter’s career from her Californi- na home. She also runs the label and its publishing arm.

Despite having no prior experience in the music business, the Goodwins are working harder on Carly’s career than the staffs of some major labels work on their superstars, and they are learning as they go.

“My mom was very smart in asking everyone she encountered what they knew,” Carly says of their learning curve. “Everyone wants to share their story and has good advice to give. They’ll sit down with you and tell you how it is.”

Last October, Dreaming Bear released the talented singer-songwriter’s debut album, which sounds as professional and as good as most of today’s major-label releases. While working the project to radio themselves, the Goodwins are also hoping to use it as a calling card to land a major label deal.

“I want to reach the most amount of people as possible, and I think a major label is the way to do that,” says Carly, who is in the pre-liminary stages of trying to set up label meetings.

She is unusually confident for her age. “I know I can sell records,” she says. “I have the talent and the drive.”

Carly says her ignorance of the business may have helped her and Gail make some inroads. “A lot of people told us when we started that the approach we were taking would work for us because we were too naive to know that it wouldn’t,” she says. “We had so much perseverance.”

Though she has yet to dent the Billboard charts, Goodwin has garnered some airplay across both formats, and last week worked a fan base through her free shows at military bases and a widely circulated audio postcard of her song “Baby Come Back Home.”

Unfortunately, she’ll have to work for an unfeathered performance for the first two months while working part-time jobs and trying to get her music career going.

Since then, she and Gail have enlisted some well-known names in their cause.

Her self-titled album was produced by Music Row veteran Carl Jackson, who won a Grammy Award in 2003 for producing best country album winner “Loretta Lynn’s Losin’—Songs of the Louvin Brothers.” Goodwin met Jackson through a friend of her grandparents.

The Bayside Entertainment-distributed album also includes a duet with Willie Nelson on his classic “Crazy.” Goodwin has already performed with him at several high-profile shows, including Farm Aid last September. Carlo was introduced to Nelson by Dandallion Sceese, the legendary Harrius, Pa. Hall of Famer, who runs the Grand Ole Opry.

Carly describes the album as “real country music. It uses traditional production but talks about things that are real and positive.”

She says that’s the sound she wants to stick with. “I’ve been classically trained from the time I was 7 with voice lessons,” she says, but “country is always where my heart is.”

Regardless of her hard work and do-it-yourself approach to her career, Carly has no regrets. “I’m really glad we did it,” she says. “It has been hard, and it has been so rewarding.”

Although Carly says she has to show significant sales, the Goodwins have already launched a charity, the Beautiful Way Foundation, whose mission is to fund the dreams of others that will have a positive impact on their communities. The song for which the foundation is named is named “A Beautiful Way,” will be released to country radio as a single in April. More news on this can be found in order to get,” Carly says. “I want to make [the charity] an integral part of my career.”

www.americanradiohistory.com
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<th>Artist</th>
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<td>THAT'S WHAT I'M TALKING ABOUT</td>
<td>Jason Aldean</td>
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<td>BLESS THE ROAD</td>
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<td>MY GIVE A DAMN'S BUSTED</td>
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<td>SONGS ABOUT ME</td>
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<td>Bobby Pinson</td>
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<td>PICKIN' WILDFLOWERS</td>
<td>Keith Anderson</td>
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<td>DONT WORRY 'BOUT A THING</td>
<td>Shania Twain</td>
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<td>IT'S A HEARTACHE</td>
<td>Trick Pony</td>
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<td>IF SHE WERE ANY OTHER WOMAN</td>
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<td>RESTLESS</td>
<td>Alison Krauss &amp; Union Station</td>
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<td>THE GOOD LIFE</td>
<td>Trent Willmon</td>
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<td>NOT ME</td>
<td>Ken Thomas Featuring Vince Gill And Emmylou Harris</td>
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**HOT SHOT DEBUT**

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<tr>
<td>THE MIDDLE OF NOWHERE</td>
<td>Brian McComas</td>
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<td>THE BUMPER OF MY S.U.V.</td>
<td>Cheyenne Jackson</td>
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<tr>
<td>SOMETHING LIKE A BROKEN HEART</td>
<td>Haunted Heart</td>
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<td>ALABAMA</td>
<td>Grass Ranger Orchestra</td>
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<td>ONE RELIEVER</td>
<td>Diamond Rio</td>
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<td>GO EASY ON ME</td>
<td>Lila McCann</td>
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<td>SOMEWHERE BETWEEN TEXAS AND MEXICO</td>
<td>Pat Green</td>
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<td>MAKING MEMORIES OF YOU</td>
<td>Keith Urban</td>
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<td>NOTHIN' BUT COWBOY BOOTS</td>
<td>Blue County</td>
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<td>TWO HEARTS</td>
<td>Anna Jones</td>
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<td>I WANT A COWBOY</td>
<td>Reba McEntire</td>
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<td>HILLBILLIES</td>
<td>Kixx Band</td>
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<td>HOT APPEALING</td>
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**TOP BLUEGRASS ALBUMS**

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<td>Alison Krauss &amp; Union Station</td>
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<td>BAREFOOT</td>
<td>Sugarland</td>
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<td>THE BUMPER OF MY S.U.V.</td>
<td>Cheyenne Jackson</td>
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**TOP COUNTRY SINGLES SALES**

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<td>BABY GIRL</td>
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AMOS LEE

**NEW & NOTEWORTHY**

*AMOS LEE*  
**PRODUCER:** Lee Alexander  
**Blue Note** 72344 97930  
**RELEASE DATE:** March 1  
*Philadelphia, a long and storied music tradition.* Folk-soul troubadour Amos Lee now adds his own chapter to that history with his self-titled debut. Derived of all the balls and whistles that clutter many of today's overproduced albums, the set serves as a simple showcase for Lee's melancholy yet deeply emotive tenor. For example, the bluesy "Black River" takes you to the heart of a man who wants nothing more than to have the waters of the river wash his sorrows away. Lee at his somberest, best on the gut-wrenching "Arms of a Woman." Following in the tradition of legends Ray Charles and Bill Withers, he encompasses the pain, passion and power that love has over a man with an ease that is uncompromising and rare. Other highlights include the midtempo groove "Seen It All Before" and "Give It Up." Like labelmate Norah Jones, Lee proves that real emotion and true artistry are not always wasted on youth.—**RH**

**POP**

**JOHN BUTLER TRIO**  
**SUNRISE OVER SEA**  
**PRODUCER:** John Butler  
**Lava** 938904  
**RELEASE DATE:** March 15  
*The American music media has been sending off flares for months to signal the impending arrival of John Butler Trio's U.S. debut. "Sunrise Over Sea," and with good reason. Anyone who doesn't enjoy country, blues or folk will be surprised and then gladly seduced by this Australian threesome's acoustic cross-polllination of these genres, because the group's home-inspired sound also embraces pop's upbeat and accessible nature. Appalachia infuses the brew with heady flavors on redemption song "Damned to Hell," the pensive "Bound to Ramble" and the urgent "Mist." Because of their rhythmic complexities, pieces like "There Will Come A Time" and organic dance numbers "Company Sin" make listeners forget that only three people are performing. Who wants it?—**CLT**

**IVY**  
**IN THE CLEAR**  
**PRODUCERS:** Andy Cline, Adam Schlesinger  
**Nettwerk America** 6700 30398  
**RELEASE DATE:** March 1  
*New York trio Ivy is likely tired of winter—what else would explain the positively spring-like vibe that permeates "In the Clear?" On their fourth album of original material, bandmates Dominique Durand (the sublime voice), Andy Chase (who moonlights with Durand in another trio, Paco) and Adam Schlesinger (of Fountains of Wayne) create lush layers of beautiful pop music. Like British counterpart St. Etienne, Ivy deftly merges melancholy tales of the heart with happy-go-lucky beats. This is most evident on "Think About You" and "Tell Don't Talk," which are both deliciously spirited. The same is true of the more downtempo "I've Got You Memorized," which sounds like a long-lost outtake from Andrea True Connection's nearly 20-year-old disco album "More, More, More." For some "60s-flavored rock, go directly to "Corners of Your Mind." As for a dreamy Cocteau-like infusion, stay salivating over "Nothing But the Sky." The euphoric "Feel So Free" closes the album on a beautifully psychadelic high.—**MP**

**KATHLEEN EDWARDS**  
**BACK TO ME**  
**PRODUCERS:** Colin Gripp, Pierre Marchand  
**Rounder** 11143-10677  
**RELEASE DATE:** March 1  
*Two years after her debut release, "Faster." Canadian singer/songwriter Kathleen Edwards delivers "Back to Me," a gorgeous collection that is equal parts country and rock, joy and (more often than not) pain. Indeed, Edwards heart has surely been broken more than once by those who wear "buckle-down boots," have "a bloodshot gaze" and "talk so sweet." For whatever reason, it's easy to repeat the same mistake twice when in love. So expect Edwards' well-told tales—especially "What Are You Waiting For?" and "Old Time Sake"—to resonate with many. Smack dab in the middle is "Summerlong," a buoyant song about hoping that love lasts longer than the official start (Memorial Day) and end (Labor Day) of summer. With the bittersweet last cut "Good Things," Edwards comes to the very clear realization that good things come when you "stop waiting around" and "stop looking." In other words, when you heed the advice of the album's title.—**MP**

**CROOKED FINGERS**  
**DIGNITY AND SHAME**  
**PRODUCERS:** Martin Freeway, Eric Banke  
**Merge** mrg249  
**RELEASE DATE:** Feb. 22  
*It's so easy to like a band that has lyrics like "Why does everybody always act so tough." When all anybody wants is to find a friend," Crooked Fingers is tender and affable, and there is zero shame in their lead single "Dignity and Shame." Former Archers of Loaf frontman Eric Bachmann is four albums into his Crooked career, and this new one is his best. His voice has thankfully improved from record to record; like grain alcohol, it's Griffin and eye-opening, well-suited for Crooked Fingers' pop-folk tangents. Filling in the storied narratives are fanfares of trumpet, lap steel and upright bass. No song on "Dignity and Shame" is disposable. Much of them are challenging, and all of them have soul.—**RH**

**DANCE/ELECTRONIC**

**JOHN DIGWEED**  
**FABRIC 20**  
**PRODUCERS:** Various  
**Fabric** 80260 03923  
**RELEASE DATE:** March 8  
*International DJ John Digweed is well-known for leading clubgoers on long, dark progressive house journeys. With "Fabric 20," he takes dance/electronic enthusiasts on a tour of sorts. Sure, there are intensely deep moments here, but Digweed offsets them with decidedly uplifting jams, most notably Martin Solveig's indefatigable "Rocking Music" and Slam's "Lie To Me." The inclusion of Josh Wink's wickedly funky mix of Infusion's "Better World" is simply icing on the cake. This time out, Digweed reveals himself to be a DJ who has ready and willing to push music made for dancefloors into the future. In the process, minds will hopefully be opened. Fabulous is distributed in the United States by Studio.—**MP**

**LATIN**

**SORAYA**  
**EL LADO DE MI**  
**PRODUCERS:** Soraya, Sebastian Krys  
**EMI** 73700  
**RELEASE DATE:** March 1  
*Do you make the mistake of describng Soraya as a mellow, acoustic singer/songwriter? In her follow-up to "So2," the Colombian comeback album after a bout with cancer, she presents herself not only as assertive, but hard-rocking. With help from producer Sebastian Krys, who has a penchant for the gritty soul of the Brazilian S-3 group, Soraya comes across as even more defined: the melodic, infectious "Son De Las Manos," hot on the heels of her most inspired "Dignity and Shame." Former Archers of Loaf frontman Eric Bachmann is four albums into his Crooked career, and this new one is his best. His voice has thankfully improved from record to record; like grain alcohol, it's Griffin and eye-opening, well-suited for Crooked Fingers' pop-folk tangents. Filling in the storied narratives are fanfares of trumpet, lap steel and upright bass. No song on "Dignity and Shame" is disposable. Much of them are challenging, and all of them have soul.—**RH**

**WORLD**

**ELLA LEYA**  
**Russian Romance**  
**PRODUCER:** Ella Ley  
**B-Elite Music** 807700 02  
**RELEASE DATE:** March 8  
*Inside the packaging of Ella Leya's "Russian Romance" is a picture of the artist (Continued on page 34)
**SINGLES**

Edited by Michael Paoletta

**R&B/HIP-HOP**

➤ **ASHANTI FEATURING 7 AURELIUS**

*Don't Leave Me Alone* (3:33)

**PRODUCTS:** Seven Aurelius, J. Gotti

**WRITERS:** A. Douglass, S. Aurelius, L. Lorenzo

**ASCAP; BMI**

**DIRECTED:** Black Caviar

**CD (provo)**

Ashanti’s new album, “Concrete Rose,” debuted at No. 2 and No. 7, respectively, on the Top R&B/ Hip-Hop Albums and the Top 15 of The Billboard Hot 100. The follow-up single, the soul- Wesleyed “Don’t Leave Me Alone,” penned and produced by the same folks responsible for “Only U,” is well-pooled to repeat the process—particularly if the lead single from the artist’s verbal footprint. Like its predecessor, “Don’t Leave Me Alone”—with co-lead and backing vocals by Jare 7 Aurelius—gained its fair share of sexual innuendos, but this time around, Ashanti proudly displays herneider side. So don't be surprised if it becomes the unofficial new anthem of the co-dependent set.—**MP**

➤ **ANTHONY HAMILTON I’m a Mess** (3:46)

**PRODUCTS:** Cedric Solomon

**WRITERS:** Anthony Hamilton, C. Solomon, J. Smith

**PUBLISHERS:** various

**SOUL/FUNK**

So Do It/Zomba SCSO-67584 (CD pro)

Anthony Hamilton strikes a direct hit on the third single from his popular debut album, “Come From Where I’m From.” You can’t help but feel every drop of sorrow that he wrings out of this lost-love ballad. His rough-and-ready vocals paint an indelible picture of a man trying to find himself as deeply as the latest love that’s missing soul mate. Further delineating the scenario: a call-and-response exchange between Hamilton and his own soulful Greek chorus, contemporary without compromising his retro roots. Hamilton remains proof that heartache can still hold its own in a seemingly all-hip-hop world.—**GM**

**ROCK**

➤ **CAESARS Jerk It Out (3:04)**

**PRODUCTS:** Jordan Ahlund

**WRITER:** J. Ahlund

**PUBLISHERS:** Universal-PolyGram International abo Ted Logan Publishing (ASCAP)

The band, formed in 2001, has been building a following on the strength of their self-titled debut album, released last spring on the road with Sigil Group through May. Shadows Fall will be one of the bands on tour, alongside The Executioners, for a fall tour. The band is one of the bands that's been growing in popularity in recent months, with their hard-hitting sound capturing the attention of fans across the country.—**BT**

**SHADOWS FALL Inspiration On Demand** (3:32)

**PRODUCTS:** Zeuss, Shadows Fall

**WRITER:** Shadows Fall

**PUBLISHER:** Is that a Banana in Your Pocket (SEASAC)

Century Media CMR 011 (CD pro)

Morton, an ex-member of Shadows Fall recently notified its first appearance on the Active Rock chart with “What Drives The Weak,” the first single from its third Century Media album, “The War Within.” The group is poised to hit the chart again with “Inspiration On Demand,” its most melodic single yet. Remixed by Brian Maslow and mastered by George Marino, the new mix is more polished than the album version. Ryan Brown’s vocals are cleaner than usual throughout most of the song; guitarist Matt Bachand gives him an assist on the chorus. Lead guitarists Don Descall and Mitchell offer excellent dual lead guitar work as well. Veterans of Ozzy and the Headbangers, they5

**BLOG**

David Ball’s “Happy With the One I’ve Got” (3:17)

**PRODUCTS:** Wood Newton

**WRITERS:** R. Bishop, W. Newton

**PUBLISHERS:** Weightless Cargo Music; Sony Music Entertainment (BMI)

“Jerk It Out” was first released as a single in 2003, it was little more than a blip on the modern rock radar. What a difference two years makes. The song has been given a new lease on life thanks to the ubiquitous ads for Apple Computer’s iPod Shuffle. Why it wasn’t a huge hit two years ago is anyone’s guess. The energetic, Farisa organ-fueled song fit right in alongside the garage-rock leanings of the White Stripes and the Strokes, and the band’s Swedish lineage put it in the same geographical and musical category as the Hives. Now that more people than ever have heard the fun song with visions of Apple’s Shuffle dancing in their heads, it’s a perfect time to revisit it. “Jerk” has been newly mixed, giving it a sonic sheen and added oomph. This iPod remix will be included on the band’s forthcoming album, “Paper Tigers.”—**BT**

**COUNTRY**

**DAVID BALL Happy With the One I’ve Got** (3:17)

**PRODUCTS:** Wood Newton

**WRITERS:** R. Bishop, W. Newton

**PUBLISHERS:** Weightless Cargo Music; Sony Music Entertainment (BMI)

The self-proclaimed “Song of the Year” has been a huge hit for the band, with over 5 million copies sold worldwide. The song is off the band’s upcoming album, “Love and Rain,” which is set for release in April. Ball’s deep, soulful voice and catchy hooks have made him a favorite with country fans across the country. The song has been featured on numerous national TV shows and in ads for major brands. Ball’s tour dates are sold out, and he is in high demand for live shows and festivals. The future looks bright for David Ball and his music career.—**GM**

**REVIEWS**

**VIVIAN GREEN Gotta Go Gotta Leave** (Tired) (4:36)

**PRODUCTS:** Jules Brevine, James Poyser, Kevin Patrick

**WRITERS:** V. Green, J. Brevine

**PUBLISHERS:** Sony/ATV (ASCAP); VSG Tun尼斯; junebug/spade

Sony Urban Music/Columbia CSK 51586 (CD pro)

The dissolution of a relationship can be a painful and tumultuous time. Vivian Green testifies to that on her critically acclaimed 2002 debut, “A Love Story.” She covers the same ground here, but with her upcoming sophomore set, “Vivian.” But whereas “Emotional Rollercoaster” and her previous selections from “A Love Story” carried a brooding, jazz-infused tone, “Gotta Go Gotta Leave” finds a bolder—and lyrically playful—Green. The singer’s writer’s earthy, worldly wise voice deftly conveys the blame that lies at both parties’ feet, with a self-effort that’s not just self-empowerment that awaits on the other side of the painful decision. The story of love gone wrong unfolds against a melodic backdrop of contemporary R&B/funk.—**GM**
Comedy Albums Stand Up To Be Counted

BY BRAM TEITELMAN

Name that recording act: Released on an independent label in 2003, this act's first album has flown under the radar, quietly approaching 200,000 copies sold and appearing frequently on the Top Independent Albums and Heatseekers charts. The Postal Service? Not quite.

"Harmful If Swallowed," comedian Dane Cook's debut on Comedy Central Records, has sold 199,000 copies since its July 2003 release, according to Nielsen SoundScan. The set's success is a prime example of the resurgence of comedy albums.

"More than ever right now, there's a lot of voices in comedy that are strong," Cook says. "You've got Mitch Hedberg and Dave Attell; the Blue Collar Comedy Tour is kicking ass. There's a lot of different styles of comedy out there. People are going out to shows and supporting live comedy. It's a great time for some of these comics to be pulling out albums."

One of the catalysts is Comedy Central. The cable network's label of the same name, distributed by Alternative Distribution Alliance, was started in 2002 by Jack Vaughn. "There wasn't a lot of competition in the space then," Vaughn says. "There are some micro-indies that are doing it, and major labels occasionally venture into the comedy business, but comedy records really don't sell the kind of multiples that majors are interested in."

Vaughn, a former investment banker, had been running his own swing-oriented indie label, Slimstyle. But his fondness for Comedy Central turned on a switch.

"I was a huge fan of the network and put together a proposal to run Comedy Central Records, and they liked it," Vaughn says. The first release was a compilation of material from the cable network's "Crank Yankers" show. The label then signed Jim Breuer, Lewis Black, Attell and Cook.

Vaughn was a fan of Cook but was unsure how "Harmful If Swallowed" would do, since the comedian was still relatively unknown despite selling 5,000 copies of the album at club shows.

"Jack told me that he loved the album and that he wanted to help bring the comedy album back, because it hadn't had much life in it lately," Cook recalls. Since Comedy Central rereleased Cook's album with bonus material and a DVD, it has consistently sold upwards of 1,500 records per week.

"I had my biggest month ever in February," Newbury Comics buyer Larry Mansdorf says of "Harmful If Swallowed." "It has been pretty consistent since it came out, but at Christmas, it just took off and hasn't really slowed down since. It has been in our top 30 since the beginning of the year."

One of Comedy Central's biggest advantages is its ability to market the label through the channel.

(Continued on page 37)

Universal Brings The Kids To DVD Unit

Lions Gate Veteran Glenn Ross To Head New Family Division

BY JILL KIPNIS

LOS ANGELES—The family DVD business is booming, and Universal Studios Home Entertainment is tapping into it.

The company just launched Universal Studios Home Entertainment Family Productions, a division that will develop, produce and acquire family products for direct-to-DVD and TV.

Industry veteran Glenn Ross, who exited Lions Gate Entertainment's Family Home Entertainment division this year (Billboard, Feb. 12), has been named GM/Executive VP of Universal Family.

The formation of Universal Family makes sense, USHE president Craig Kornblau says, because "a significant piece of the booming $24 billion home entertainment business is focused on the family. DVD players are starting to reach kids' bedrooms. It seemed like an appropriate time to launch this focused effort."

Ross helmed such family DVD series as Hot Wheels, Rescue Heroes and the highly successful Barbie franchise. He says there are few areas in the direct-to-DVD world that are "hungry for product like kids and family. Most of the new technology—players in cars, handhelds—that plays linear programming is aimed at kids and families. Part of our strategy is to create programming for those devices. It's one of the few areas in video that is evergreen."

The new unit is expected to debut product in 2006. Exact projects have not been announced, though some titles were in development before Ross' appointment.

All of USHE's family projects will now fall under the Universal Family banner. Additionally, Universal Cartoon Studios will report directly to Ross.

"Our goal is to create franchises," Ross explains. "It's to the retailers' advantage, too. There will be the opportunity to have merchandising and licensing programs with these titles. We'll make sure there is TV exposure and maybe toy elements. It's a long-term commitment."

Ross will directly oversee the day-to-day operations of Universal Family and will work closely with Kornblau in development and acquisition.

More studios would be wise to get involved in the family sector, Ross advises.

"If you look at most studios, what you'll see is that growing organically is difficult if you depend on your theatrical releases," he says. "We'll look inside our library, but we really want to throw the doors open to rights holders. We're not looking for quantity, we're looking for quality."
Mapping A SXSW Route To Must-See Indie Acts

By this column hits, most readers will be busy preparing for the South by Southwest Music Conference. To that end, here are a few notable indie label showcases to put on your schedule. Given the space limitations, no one should be offended if they are not mentioned.

Since a number of attendees will likely kill time waiting in line to see such buzz acts as M.I.A. and Kaiser Chiefs, I want to refrain—as much as I can—from pointing people in the directions of events already generating heat.

So, let’s start with Wednesday, when London’s Bella Union will have Bikini Atoll and Midlake at Friends. The latter presents psychedelic-folk rock that recalls Mercury Rev, and Bikini Atoll draws on gothic atmospheres and Sonic Youth-like guitars.

There’s also the Suicide Squeeze showcase at Emo’s Jr. with new wavers Headphones and the experimental/electro noise rock of Hella, as well as Sub Pop’s night at Emo’s Main Room. Italian duo Jennifer Gentle will please anyone needing a Syd Barrett fix, and the far-from-unknown Sleater-Kinney will also appear. The trio’s upcoming “The Woods” is easily its best effort.

I’m not willing to wotch for every act on the Frenchkiss Records bill Thursday at the Whisky Bar, but the Hold Steady’s upcoming “Separation Sunday” is a killer record, falling somewhere between Camper Van Beethoven and Cheap Trick. Plus, I’m pretty sure it’s the only act at SXSW with a song that references Chicago writer Nelson Algren.

Elsewhere, SpinArt presents indie-pop darlings the Bears and the quirky hipster rock of Clem Snide at Exodus, and Lookout Records has a solid night at Friends with keyboard-driven Communique and toe-tapper the Oranges Band. Show up early for a punchy rock’n’roll blast with the Like Young.

On Friday, Polyvinyl has the retro rock of Saturday Looks Good to Me and Of Montreal’s baroque pop at Friends. Meanwhile, Touch & Go and Jade Tree will split a night at Red Eyed Fly, presenting Melons mainstay Sally Timms, the dancy synth-rock of Supersystem and emo hero Pedro the Lion.

Also, Hefy Records has L’Altra (see story, page 20) and the soulful electronica of Telefon Tel Aviv at Copa. Hydra Head will present must-see instrumental metal act Pelican with Isis at Emo’s Annex. On to Saturday, when Definitive Jux presents the fiery political rap of the Percepticons and the under-appreciated Rob Sonic at Emo’s Main Room.

Fenway Records has a fine rock’n’roll lineup with the Love Scene and Read Yellow at the Pecan St. Alehouse. Finally, Fil.Mujereno has the instrument-swapping, whacked-out pop of Menemena at Red Eyed Fly.

CAROLINE NEWS: New York-based Caroline Distribution has re-upped its exclusive U.S. distribution process with other labels to move through the system.

Further, the distributor will soon offer “more intense” marketing services to its labels, Williams says. For an additional fee, Caroline will help plot a label’s full marketing campaign. At the start, at least one full-time staffer will be dedicated to the service.

YEPP’S ROCKING: Yep Roc Records in Haw River, N.C., has lined up an impressive spring/summer release list with recent signings of veteran acts. First up is the debut release from Heavy Trash, the duo of Jon Spencer and Matt Verta-Ray (Speedball Baby). The self-titled garage-rock effort is due April 19.

In May comes the latest from adored duo the Go-Betweens and alt-country artist Robbie Fulks. The Go-Betweens’ “Ocean’s Apart” is due May 3, and Fulks’ “Georgia Hard” will arrive May 17.

Finally, this summer the label will release the latest from former Hüsker Dü and Sugar guitarist/songwriter Bob Mould. Tentatively titled “Body of Song,” the album appears to be on target for late July. It has been indicated that the set is more rock-oriented than Mould’s electronic-heavy 2002 effort, “Modulate,” which came out on his own Granary Music.

WRONG KAT: In my Feb. 26 column, I mentioned singer-songwriter Kat Parsons, who funded the recording of her album by raising $14,000 from her fans. Her last name was listed incorrectly. To learn more about Parsons’ story, visit her Web site, katparsons.com.

FOR THE RECORD: Due to an editing error, a profile of Babeygrand Records in the “Power Players, Music Innovators” report in the March 12 issue contained incorrect distribution information. The label goes through Koch Distribution.
**DVDs Rock At Best Buy; Alanis Irks Retail**

Best Buy says it will cut down on CDs and videogames and ratchet up its commitment to DVDs and digital entertainment. The Minneapolis-based company revealed that when it announced preliminary results for the fiscal quarter and year ending Feb. 26. During its fiscal fourth quarter, Best Buy said, revenue rose 9% to $24.7 billion. It attributed the increase partly to a 3.1% gain in comparable-store sales for its domestic operation.

Last year, Best Buy issued fourth-quarter guidance of $1.36-$1.61 per diluted share; it now anticipates earnings at the lower end of that range. For the fiscal year, Best Buy reported sales growth of 12% to $27.5 billion, with domestic sales of $24.7 billion and international sales of $2.8 billion. The company posted a 4.3% comparable-store gain. Reviewing its guidance of $2.80-$2.90 per diluted share, the company anticipated finishing the year at the low end or below that projection.

Moving to product mix, the company said consumer electronics accounted for 39% of its quarter’s sales. For the quarter, that category enjoyed a high-single-digit gain (probably between 7% and 9%) in comparable-store sales. Home office equipment, representing 11% of the quarter’s sales, had a low-single-digit gain in comparable-store sales for the quarter. Appliances, which accounted for 6% of the year’s sales, enjoyed low-double-digit growth in same-store sales.

Entertainment software, however, suffered during the quarter, posting a low-single-digit decline. Within the category, which represents accounts for 21% of the year’s sales, DVD was the star performer for the quarter, as it experienced high-single-digit growth in same-store sales.

CD sales suffered a low-double-digit decline for the quarter. Consequently, Best Buy announced, it will launch tailored CD and DVD assortments in many of its stores. In addition, it will shift a portion of its CD floor space to DVDs by expanding its digital entertainment offerings.

Best Buy also noted that its exclusive Elton John DVD was certified 12 times platinum by the Recording Industry Assn. of America.

Best Buy shares closed March 9 at $53.15. It announced its preliminary results before the March 9 opening bell. The stock dropped 2.8% that day, to $52.40. Its 52-week range is $43.87-$62.20.

Best Buy did not return a call for comment.

**‘JAGGED’ SITUATION:**

Alanis Morissette’s re-released “Jagged Little Pill” is slated to be available exclusively at Best Buy for the first six weeks of release, and Maverick Records CEO Guy Oseary was quoted in last week’s Billboard cover story on the album as saying, “Best Buy will understand it’s a one-off.”

But retailers wonder if Oseary understands that their definition of “one-off” may differ from his. Best Buy’s sales of Warner’s “Jagged Little Pill” will be close to median sales for the genre, says Jerry Kamiler, divisional merchandise manager for music at Albany, N.Y.-based Trans World Entertainment.

Trans World will not be carrying the new version of “Jagged Little Pill,” nor will it continue to stock the original version, according to Kamiler. “It’s not the sort of album that will be a hit for us,” Kamiler says. “It’s really going off the long mile.”

**John Kunz, owner of Austin-based Waterloo Records:**

wonders why Maverick didn’t follow the model of “Genius Loves Company” by the late Ray Charles: Starbucks helped Concord Records pay for the making of the album, but the coffee merchant rejected it at the same time other retailers did. “I think [Maverick] would have been a lot smarter to go everywhere and still be in 5,000 Starbucks.” Kunz says.

One label executive says he understands why they feel the need to do so. “What I don’t understand,” he adds, “is why the labels want to put me at a competitive disadvantage.”

To add fuel to the fire, since Starbucks helped finance the making of the record, it apparently owns a piece of it or its revenue and gets a slice of all sales. For Starbucks to profit from the sales of a hit record, Kamiler says, is “really going off the long mile.”

**COMEDY CENTRAL TO LAUNCH THE MORISSETTE ALBUM EXCLUSIVELY**

Several retailers are working with Comedy Central to launch the Morissette album, but will probably bury it.

But why would any of them on their plans, is they are to carry the Morissette album—but with no discount or prominent positioning.

“The Ray Charles model is the right model,” says Joe Nardone Jr., VP of Wal-Mart, Pa.-based Gallery of Sound, which has 11 stores.

The Morissette model “puts you in hostile territory,” he continues. “Most indie retailers will carry the album but will probably bury it.”

And how will big boxes like Target, Best Buy and Wal-Mart react to the exclusives? That remains to be seen.

INTERLINKED ALLIANCE: Source Interlink announced this month that it has completed its merger with Alliance Entertainment.

According to a company statement, the combined operations had revenue of $13.5 billion in 2004. They had about 2,500 employees and more than 1 million square feet each for distribution and manufacturing.

On the closing date, Source Interlink issued 26.9 million shares to Alliance Entertainment stockholders, which means the company has 53.8 million shares outstanding. The stock closed March 9 at $12.07, up from $11.40 Feb. 28, the day before the merger was completed. The stock’s 52-week range is $8.39-$13.58.

In related news, Source Interlink announced that it has a new $200 million credit agreement to cover the existing credit facility from Wells Fargo Foothill that expires Oct. 31, 2010.

HOWDY PARTNERS: CMT and Wal-Mart Stores have announced a partnership to promote music and other entertainment products across multiple platforms.

Wal-Mart is expected to get exclusive content from CMT, which is part of MTV Networks. It is unclear if the retailer would also use that content for exclusive merchandise opportunities. The partnership includes on-air promotion from CMT and support from the companies’ online affiliates.

The companies are exploring the possibility of expanding the partnership to include other MTV Networks music services.

**Comedy**

Continued from page 35

“The network is a great resource and allows us to be target-effective with cost-effective advertising,” Vaughn says.

“They give a great place to alert potential buyers by having the network,” Mansdorf notes. “There’s plenty of consumer awareness that goes on because they pound the releases once they hit the stores.”

Another tactic the label has employed is to include a DVD with most releases, which it began doing after getting clearance from the network. Cook pushed Comedy Central to include a DVD with his album, stressing that the network owned all of his appearances on it. “There was some discussion over whether people would want older material,” he says. “But good comedy has a [long] shell life.”

Aside from promoting releases on the network and the network’s Web site, the label spends at retail. “Comedy sections are usually in the checkout in the back of the store,” Vaughn says. “So I spend money to put the records in the new-release sections, listening stations and endcaps.”

In addition, the label hires street teams and uses Web marketing on some releases. Vaughn says word-of-mouth is responsible for many sales as well.

**COOK STRIKES BACK**

Comedy Central’s biggest priority for the year is, not surprisingly, the next Cook album, “Retaliation,” due June 7. Other priorities include a D.L. Hughley album that will coincide with his hourlong TV special in May and Black’s second album for the label. It has also signed comedian Kyle Cease.

“The thrust of the year is going to be the promotion of the Dane Cook record,” Vaughn says. “We’re spending a huge amount on on-air and magazine advertising and retail and street teams. Unlike other labels, we don’t do on-air or three-month pushes. Our campaigns last a year or more.”

Though it is a more-so-called red-neck humor than it does Comedy Central titles, Hastings has seen sales of comedy albums picking up as well, according to Bryan Everett, director of music operations for the Amarillo, Texas-based chain. “Comedy is a very important genre for us, particularly blue-collar comedy,” he says.

“[Comedy] seems to be a growing genre,” Mansdorf says. “People are paying attention again.”
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DVD Keeps Things Busy

Digital Sales May Be Increasing, But Discs Are Still Very Necessary

BY CHRISTOPHER WALSH

After years of illegal downloads that have battered the music industry, legitimate digital distribution finally has gained significant momentum. In its Digital Music Report released in January, the International Federation of the Phonographic Industry reported more than 200 million legal downloads in the United States and Europe in 2004, along with a growing ringtone, mobile download and ringback market.

During that period, the number of online music retailers more than quadrupled. Apple Computer's iTunes Music Store and iPod digital audio player led the way. Since its April 2003 launch, iTunes reached and quickly surpassed one milestone after another, announcing its 250 millionth download—and an average of 1.25 million per day—Jan. 24. As of year-end 2004, the company reported more than 10 million iPod sales, with shipments of 4.58 million in the last quarter alone.

By 2010, the IFPI report predicts, digital distribution could account for 25% of global music sales, with the market share for physical CDs declining.

So why are media replicators smiling?

For many reasons, actually. Yes, legitimate digital distribution of music is surging (and piracy has by no means been extinguished). Yes, consumers are clearly taken by mobile audio and the ability to create ever-changing playlists and transfer music.

But even as the CD gradually declines, the now ubiquitous DVD is keeping replicators very busy and will continue to do so, while new formats promise many years of continued growth.

The industry rollout of the DualDisc format (Billboard, Feb. 5), a CD/DVD hybrid, will further fuel the replication business if the format catches fire. Sony BMG introduced its first DualDisc titles last month, following releases in the format by the Warner Music Group and 5.1 Entertainment.

The growth and business potential of DVD replication will be among the topics addressed at the Recording Media Forum, which will be held March 14-16 near Palm Springs, Calif., by the International Recording Media Assn.

"In the third quarter alone, approximately 340 million DVDs were shipped, a 59% increase over the same period in 2003," IRMA president Charles Van Horn told attendees of IRMA's annual Management Summit, held in December 2004 in New York.

"In the same third-quarter period," Van Horn added, "almost 6.6 million DVD players were sold, bringing the total since launch to 110 million players in North America and a household penetration of 63 million. Forty-two percent of U.S. DVD homes have two or more players."

(Continued on page 40)
DVD
Continued from page 39

Happily for record labels, sluggish CD sales are largely offset by sales of music DVDs. In 2004, according to U.K.-based research firm Informa's "Global Music Forecasts," music video sales grew an estimated 26.3% to £2.7 billion, led by music DVDs. Informa projects 17.6% growth in 2005 and an average annual growth rate of 9.4% to 2010.

At the IRMA summit, Jim Bottoms, president of research at consultancy company Understanding & Solutions, reported that some 17.4 billion CDs and DVDs were replicated in 2003.

"We're still seeing growth in the overall video business," Bottoms said. "And if you just take the DVD part of that, we're looking at some 40% expansion in shipments to the retail trade in 2004. What we are absolutely not seeing is the business plateauing and starting to turn down."

"I can't stress enough," he continued, "that we're still seeing room for growth in the DVD market.

Independent musicians have been making and marketing their own CDs for years, as the tools of record production have become affordable. Now the same do-it-yourself ethic is taking root in the world of filmmaking.

Tony van Veen, VP of sales and marketing for Disc Makers, notes his company's exclusive partnership with Film Baby that gives indie filmmakers an online outlet for their work.

"Independent filmmakers, on a micro level, are only now starting to really take to making their own films, since the gear required has become affordable enough to do the DIY thing," van Veen says.

Digital distribution, for all the anxiety it has created for the music industry, may even benefit physical formats, some replicators say.

Pete Scires, president of Universal Manufacturing & Logistics, is circumspect, but doesn't equal the steep rise in legitimate digital distribution with the demise of physical media.

"Electronic distribution is like any new format," Scires says. "It's going to go through the same life cycle where not much happens for a while, then there's a huge surge, and then it begins to level off. We're obviously in the second phase, the steep jump.

"Will it or won't it cannibalize physical units?" Scires asks. "We are not really seeing many signs of that. What we're seeing right now is, we're not seeing measurable signs of cannibalization."

Meanwhile, sales of videogames, largely distributed on physical discs, continue to grow. Titles like "Grand Theft Auto: San Andreas" and "Halo 2" led the way to a record 248 million units sold in 2004.

"We look for the demand of the PlayStation 2 to remain relatively constant year over year," says Mike Mitchell, executive VP/GM of Sony DADC, "but we certainly predict the transition to the next PlayStation platform beginning to occur now. We're seeing the console game platform and high-density, or DVD-ROM, being in the 20% or greater range of the total. It's important to us, because we view the PlayStation format as 'our other studio.'

YEAR OF TRANSITION
As DVD continues to promise strong business for replicators, 2005 looks to be a period of transition.

Compared with earlier formats— the LP, cassette, even the CD—the 8-year-old DVD is just a kid. By any measurement, it has been a great success; more than once, it has rescued music retailers from an otherwise-dismal holiday season.

With that in mind, it may seem early to focus on the next consumer format that will replace the DVD. But high-definition TV, or HDTV, is a new factor in the future of media replication. Its introduction and rapidly falling price are catalysts in the development and introduction of next-generation DVD. Where the 2004 holiday season belonged to the iPod, 2005 may be the year of HDTV.

"The 2005 holiday season will be the season of flat-panel, whether it's LCD, plasma or rear-projection TVs," says Steven Baker, director of industry analysis for New York-based market research firm NPD Group. "You're going to see a huge uptake in those products this Christmas because of the pricing."

The challenge ahead, IRMA's Van Horn told the association's Management Summit, is "creating a new generation of physical media that is equal in picture quality to HDTV, that offers a better value and more engaging experience than digital downloads of movies and that is backward-compatible with existing DVD drives."

Powerful developments of two such formats, HD-DVD and Blu-ray Disc, are expected to launch toward the end of 2005.

While each offers greater storage capacity, superior image quality and stronger anti-piracy protection, replicators are compelled to devote resources to both, and one may not ultimately survive. "We'll have clients that we suspect will demand both," says Joe Mann-Stadt, executive VP of Sonopress, "so our preparation is geared that way."

More worrisome, analysts say, are a looming format war and resulting consumer confusion, slowing a transition to any next-generation format.

"Perhaps we're trying to take a step too far too quickly," Bottoms suggested at the IRMA summit. "If we were just talking about the DVD industry migrating to a higher-definition DVD industry, I would agree with that. But we're talking about an industry that is being driven in part by broadcasters and in part by TV display manufacturers who are already fueling that demand and growth."

But the recent stabilization in CD sales, the continued strength of DVD and videogame sales, and such emerging or imminent formats as DualDisc and next-generation DVD are keeping replicators busy, all despite the rapid growth of online distribution.

Predictions of physical media's demise, especially common in the early days of dotcom hysteria, were wildly overblown, though not to the surprise of industry professionals.

"If you talk to theatrical studios or record labels," Cinram International president/COO David Rubenstein says, "they'll all tell you that physical media is here for quite a long time to come, certainly for the foreseeable future. Even with those other channels, physical media is still going to be king."
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Rhino Bundles Give Downloaders A Hi-Five

BY ANTONY BRUNO

Rhino Records is introducing the digital product Rhino Hi-Five, which bundles five selected tracks from the catalog of parent Warner Music Group.

Each bundle sells for $3.61, about 27% less than the price of downloading the tracks individually, given the typical cost of 99 cents per track.

According to David Dorn, senior VP of new-media strategy at Rhino, the bundles are a “bridge product” aimed at reducing consumers’ reluctance to buy full-length digital albums.

“The majority of material sold digitally is sold by the track. Most consumers aren't interested in buying 15 tracks at one time,” Dorn explains. “We're trying to convert people from buying just one track to buying in bundles, so we created something that sits in the middle. We’re not asking them to make an enormous leap.”

To celebrate Rhino's 27th anniversary, the company on March 15 will release 27 Hi-Five bundles of such acts as David Lee Roth, America, Wilson Pickett and the J. Geils Band, with another 27 due in April.

Dorn says the bundles will be sold through all the major online stores, including iTunes, MusicMatch and Napster.

In addition, each bundle mixes popular favorites with lesser-known songs the label feels may have been overlooked. Rhino is betting that consumers will see value in buying those songs as part of a larger package for a price slightly higher than that of one track.

“It’s kind of like a digital point of purchase,” Dorn says. “We want people to know there are more songs from Aretha Franklin than ‘Respect.’”

Rhino first dabbled with the bundle strategy during the 2004 holiday season. Dorn calls the results "encouraging" but would not specify sales figures.

Rhino is expected to release 12-15 collections every month going forward. The majority will be artist-based, though some will focus on a specific theme, genre, lifestyle, holiday or special event.

According to Dorn, Hi-Five is the first of many digital exclusives Rhino is planning. "This is a true concentrated effort," he says. "We’re going to come at it with hundreds of things. Possibilities include making previously unreleased tracks available exclusively in Hi-Five bundles and allowing consumers to customize their Hi-Five collections.

The digital nature of the bundles, Dorn notes, allows Rhino to compile music without the limitations of other formats.

"We know how to make compilations. Now we’re just extending this expertise to the digital world," he says. "In the physical world, the CD had the capacity to hold 70 minutes of music, so you had to fill it up. In the digital world, there is complete and utter flexibility. The user is accustomed to buying how they want to, not how we say."
Next-Gen Victoires
Newer French Acts Dominate Award-Show Wins

BY EMMANUEL LEGRAND

PARIS—A new generation of French talent came of age at the 20th edition of the annual Victoires de la Musique awards show.

This year’s ceremony was held March 5 at the Zenith concert hall in Paris. It included no less than 24 live performances, mostly from acts who were unknown three to five years ago. The extremely dynamic, creative output we’ve seen in the past few years was reflected in [this year’s] show,” says Vincent Frerebeau, president of organizer L’Association des Victoires de la Musique and president of indie label Tot ou Tard.

“There has definitely been a transition,” agrees Bruno Lion, managing director of music publisher Peermusic France. “That trend started about two or three years ago, and we are now seeing most awards won by a new generation of acts.”

Pop artist M was the undisputed king of the evening and exemplified the new generation’s triumph. The Delabel EMI-signed M won in four of the five categories in which he was nominated. He collected awards for best male album (“Qui de Nous Deux”), live show and DVD “Les Legons de Musique.” He was also nominated for best music video, which was won by Alain Chamfort’s “Les Beaux Yeux de Laure.”

Chamfort, who EMI dropped in 2004 after disappointing sales, provided one of the evening’s notable moments. Receiving his award, he said, “In such a situation, you usually thank your...” (Continued on page 47)

M won four categories and represented the sound of a new generation of French music acts at the Victoires de la Musique awards show in Paris.

Busy Summer For Canada’s Booking Agents

BY LARRY LEBLANC

TORONTO—Canada’s booking agents are optimistic about the summer 2005 season.

“We are very early into summer bookings, and my phone is ringing off the hook,” reports agent Richard Mills at S.L. Feldman & Associates in Toronto. Jack Ross, VP of the Agency Group in Toronto, adds, “Canadians really celebrate July and August, because the rest of the year can be harsh. If you are a known Canadian band, you are working this summer.”

In contrast to the United States, where summer bookings center on act-driven amphitheater dates, Canadian bookings are dominated by weekend civic, jazz and folk festivals. Toronto’s Molson Amphitheatre is the only full-time outdoor summer venue in the country.

Also, very few domestic artists tour nationally as headliners during the summer. In truth, only a handful of Canada-based acts—Nickelback, Barenaked Ladies, Bryan Adams, Our Lady Peace, the Tragically Hip, Sarah McLachlan, Avril Lavigne, Blue Rodeo, Michael Buble and Jann Arden—could even support national tours.

“There isn’t a lot of national touring,” Ross says. “It’s more everybody playing festivals on weekends and doing community dates when they can.”

Darcy Gregoire, president of LiveTourArtists in Oakville, Ontario, concurs that national tours are a challenge in Canada, in terms of being able to “connect all of the dots.” He adds, “We still try. Harry Manx, for example, has back-to-back festivals throughout the summer, and we will try to do other dates in between.”

Among the domestic acts working extensively within Canada this summer will be Bublé, Arden, Our Lady Peace, Sam Roberts, Buck 65, Sarah Harmer, Great Big Sea, Doc Walker, the Wilkinsons and Jason McCoy. Domestic acts expected to play select concert or festival dates include Lavigne, McLachlan, Adams, Kathleen Edwards and the Tragically Hip. Regional tours by such international acts as Coldplay, Mötley Crüe and John Mellencamp are also slated.

THE FESTIVAL SCENE

Unlike in previous summers, no national package tours like Sonisphere, Roadside Attraction or Lilith Fair are planned this year.

The touring festival Edgefest ended in 2003. “We stopped doing the festivals because the amount of money going into the infrastructure for a couple days in a field didn’t make sense anymore,” says Riley O’Connor, senior VP of House of Blues in Toronto, which developed Edgefest along with S.L. Feldman & Associates.

“We should have stopped Edgefest years earlier and taken a break,” S.L. Feldman president Vinny Cinquemani adds. “The original concept in 1996 was six bands—some of which were up-and-coming bands—with a reasonable ticket price. We started going across the country in 1997, added U.S. bands like Green Day and Tool later on, and the event got priced out.”

For two decades, folk festivals have been the commanding summer force in Canada. Their contemporary clout is underscored by the domestic popularity of such (Continued on page 46)
**HITS OF THE WORLD**

**JAPAN**

**SINGLES**

1. **SAKURA**
2. **NEO**
3. **OCTOPUS**
4. **NO MORE CRY**
5. **BEAUTY**
6. **LUV**
7. **PUBLIC**
8. **TUBU**
9. **SUSANA**

**ALBUMS**

1. **AKO**
2. **SUNRISE**
3. **CRASH**
4. **THE CARPENTERS**
5. **ANTONACCI BAGIO**
6. **THE MARS VOLT**
7. **MARGARET**
8. **THE GAME**
9. **MARTS FLUVIUS**
10. **THE MARS FLUVIUS**

**CANADA**

**SINGLES**

1. **PAPER RAIN**
2. **MY BOO**
3. **ALL BECAUSE OF YOU**
4. **PARTY FOR TWO**
5. **VERTIGO**
6. **AMERICAN IDIOT**
7. **AWAKE IN A DREAM**
8. **YEAH**

**ALBUMS**

1. **SUZUKI**
2. **JENNIFER LOPEZ**
3. **LICK**
4. **CARP**
5. **THE MARS VOLT**
6. **MARGARET**
7. **THE GAME**
8. **THE MARS VOLT**
9. **MARGARET**

**ITALY**

**SINGLES**

1. **CLEPTOMANIC**
2. **GET RIGHT**
3. **WE CAN'T MAKE IT ON OUR OWN**
4. **ONLY JUST**
5. **NON BASTI TU**
6. **LIKE TOYS**
7. **SUPERSOFT**
8. **STAY**
9. **LE MAL**
10. **ONE ANGELS DREAM**

**ALBUMS**

1. **ANTONACCI BAGIO**
2. **JENNIFER LOPEZ**
3. **LICK**
4. **THE MARS VOLT**
5. **MARGARET**
6. **THE GAME**
7. **THE MARS VOLT**
8. **MARGARET**

**SPAIN**

**SINGLES**

1. **EL UNIVERSO SOBRE MI**
2. **LIFT ME UP**
3. **LIFT ME UP**
4. **SOMETIMES YOU CAN'T MAKE IT ON YOUR OWN**
5. **TRIUMPH OF A HEART**
6. **ONE ANGELS DREAM**
7. **UNVEENA**
8. **LIFT ME UP**
9. **NANCY RUBIAS**
10. **GET RIGHT**

**ALBUMS**

1. **ANTONACCI BAGIO**
2. **JENNIFER LOPEZ**
3. **LICK**
4. **THE MARS VOLT**
5. **MARGARET**
6. **THE GAME**
7. **THE MARS VOLT**
8. **MARGARET**

**AUSTRALIA**

**SINGLES**

1. **OVER AND OVER**
2. **EVE PARTS 1, 2 & 3**
3. **LATE NIGHT, EARLY MORNING**
4. **JENNIFER LOPEZ**
5. **THE KILE**
6. **ELEVENTH STEP**
7. **BEAUTIFUL SOUL**
8. **WILLIE NELSON**
9. **LADY TRASH**
10. **GET SOMETHING FROM ME**

**ALBUMS**

1. **JACK JOHNSON**
2. **PIXIES**
3. **THE DIAMOND**
4. **THE CURE**
5. **JENNIFER LOPEZ**
6. **THE KILE**
7. **ELEVENTH STEP**
8. **BEAUTIFUL SOUL**
9. **WILLIE NELSON**
10. **LADY TRASH**

**THE NETHERLANDS**

**SINGLES**

1. **NEW ENTRY**
2. **UTRECHT**
3. **VLEUR VAN DE**
4. **ONZE EEN**
5. **MULO**
6. **HAN**
7. **DIEU**
8. **MEINAN**
9. **EVA**

**ALBUMS**

1. **THE NATION**
2. **THE NATION**
3. **THE NATION**
4. **THE NATION**
5. **THE NATION**
6. **THE NATION**
7. **THE NATION**
8. **THE NATION**

**SWEDEN**

**SINGLES**

1. **LOVE**
2. **IF WE ALL**
3. **AM I THE ONLY**
4. **GOODBYE**
5. **WE WILL**
6. **YOU**
7. **WE WILL**
8. **WE WILL**
9. **WE WILL**

**ALBUMS**

1. **THE NATION**
2. **THE NATION**
3. **THE NATION**
4. **THE NATION**
5. **THE NATION**
6. **THE NATION**
7. **THE NATION**
8. **THE NATION**
9. **THE NATION**

**NORWAY**

**SINGLES**

1. **NEW ENTRY**
2. **UTRECHT**
3. **VLEUR VAN DE**
4. **ONZE EEN**
5. **MULO**
6. **HAN**
7. **DIEU**
8. **MEINAN**
9. **EVA**

**ALBUMS**

1. **THE NATION**
2. **THE NATION**
3. **THE NATION**
4. **THE NATION**
5. **THE NATION**
6. **THE NATION**
7. **THE NATION**
8. **THE NATION**
9. **THE NATION**

**SWITZERLAND**

**SINGLES**

1. **NEW ENTRY**
2. **UTRECHT**
3. **VLEUR VAN DE**
4. **ONZE EEN**
5. **MULO**
6. **HAN**
7. **DIEU**
8. **MEINAN**
9. **EVA**

**ALBUMS**

1. **THE NATION**
2. **THE NATION**
3. **THE NATION**
4. **THE NATION**
5. **THE NATION**
6. **THE NATION**
7. **THE NATION**
8. **THE NATION**
9. **THE NATION**

**NEW** = New Entry  **RE** = Re-Entry

*Hats of the World is compiled at Billboard/London.*
**Infernal Dance Tune Storms Euro Clubs**

A track by Danish dance-pop duo Infernal, "From Paris to Berlin," has been burning up dancefloors for the last three months. The title track from Infernal's 2004 album has been in the top 30 of the European Dance Traxx chart—a sales/club-play listing compiled by German research firm M.L.S.—for the past 12 weeks. Infernal is signed to Copenhagen indie Border Breakers. "I believe we could go for this summer's [European] hit," label owner Michael Guldhammer says.

Infernal's "From Paris to Berlin" has locked deals with Western and Eastern Europe and North America, says Infernal's manager, Alex Putrul of Copenhagen-based AHM.

The single has been serviced to European radio and clubs; it hits stores this spring. Mercury/Universal has licensed it for the United Kingdom, Germany, Austria, and Switzerland, with a May 9 release date. Ultra is the licensee in the United States; no release date has been set.

**STILL GOLDEN:** Forty years after its first single, "I'll Be Gone," Dutch rock band Golden Earring is back on the charts at home.

The band entered the Mega Top 75 singles chart Feb. 11 at No. 5 with a rerecording of its 1968 hit "I've Just Lost Somebody." It is the 50th Dutch chart single for Golden Earring, which broke internationally in 1973 with "Radar Love.

The new single is from the live acoustic album "Naked III," which Universal released Feb. 25 in the Netherlands. The set is available in CD and DVD versions. There are no plans yet for a wider release.

"I've Just Lost Somebody" is dedicated to a longtime Dutch fan who died earlier this year when vandals threw a burning stone through her car windshield.

**CESCOVII Cool**

**ALONE TOGETHER:** U.K. trip-hop trio Morcheeba and its former vocalist, Skye Edwards, are going head-to-head with their first releases since splitting in 2003.

Edwards has remained at Morcheeba's former record company, Warner Music, for her solo debut, "Mind How You Go," due for European release in June on Atlantic.

"I'm proud of what I did with Group's Echo imprint. Its fifth studio album, "The Antidote," is due in Europe in late May.

Warner says Morcheeba has shipped 5 million albums worldwide.

**CALEDONIAN Cool:** After compiling a long-running series of thematic albums for BMG Italy, Scottish-born jazz radio presenter Nick the Nightingale has found success as a vocalist in his own right.

Milan-based indie label Nutko, which is distributed by Edel Italy, released "Live at the Blue Note Milan" by Nick the Nightingale & the

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**COMMON CURRENCY**

A weekly scored list of albums simultaneously attaining top 10 chart status in three or more European countries.

<table>
<thead>
<tr>
<th>ARTIST</th>
<th>USA</th>
<th>EUR</th>
<th>JPN</th>
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<td><strong>AMERICAN IDIOT</strong></td>
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<td><strong>GREAT AMERICAN SONGWRITERS</strong></td>
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<td><strong>THE MARS VOLTA</strong></td>
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<td><strong>GREEN DAY</strong></td>
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**BOTTLED OUT** — The Top 40 European songs and albums, as of March 19, 2005.

1. AMERICAN IDIOT
2. GREEN DAY
3. THE MARS VOLTA
4. GREEN DAY
5. GRATEFUL DEAD
6. THE MARS VOLTA
7. AMERICAN IDIOT
8. GREEN DAY
9. THE MARS VOLTA
10. AMERICAN IDIOT
Spanish Music Exports Get Government Backing

BY HOWELL LLEWELLYN

MADRID—The Spanish music industry has won unprecedented government backing for its attempts to exert domestic repertoire.

The country’s Culture Ministry has committed itself to an initiative similar to France’s widely admired French Music Export Office, which was set up 11 years ago.

Spanish Culture Minister Carmen Calvo tells Billboard that an export office “or something very similar” will be set up within the next three years, before the end of the current legislature.

Calvo also expresses enthusiasm for France’s “cultural exception” policy to protect the national language and arts. “We are very interested in the French model,” she says, adding that she will discuss such issues at a March 7 meeting in Paris with her French counterpart. Renaud Donnedieu de Vabres.

“Spain and France are now the two countries in Europe most committed to taking solid measures to promote and protect their cultural strengths,” Calvo states.

In Spain’s 2005 state budget, 607.6 million euros ($790 million) has been set aside for cultural projects, a 9.6% increase from 2004.

The local industry has welcomed the government’s stance. “It remains to be seen what practical steps the government will take,” says Paco Galindo, corporate social director of author’s society SGAE, “but it clearly understands that culture is an industry that can be sold and exported, as well as a national trademark.”

NINTH-BIGGEST MARKET

Spain is the world’s ninth-biggest music market, according to the International Federation of the Phonographic Industry. However, the piracy rate for physical CDs stands at 25%, rising to 40% for CDs by major local artists, according to labels body Promusicaes. Industry insiders often complained that the previous conservative Popular Party government had not met its promises to tackle the piracy problem.

In contrast, the Socialist government has shown enthusiasm for aiding the music industry in the 10 months since it won power. Already this year, it has outlined a national anti-piracy plan (Billboard, Jan. 20) and promised new intellectual-property legislation.

Calvo also chaired the recent presentation of a music industry white paper commissioned by Promusicaes (Billboard, Feb. 26).

SGAE has been proposing export-based music promotion to the Economy Ministry’s foreign trade institute, ICEX, since 1990, when the society began to take a more proactive role at such trade fairs as MIDEM in France, Pop-Komm in Germany and Cubadisco in Havana.

Galindo says, “ICEX’s involvement at MIDEM and PopKomm this year marks a big quantitative and qualitative leap, and shows that the government now understands music and culture to be strategic.”

ICEX exists to promote Spanish manufactured goods and foodstuffs abroad, and attends all major international fairs to boost exports.

Calvo and her team have held several meetings with SGAЕ, Promusicaes and artists’ association AIE.

“This government recognizes culture as a factor of social and economic cohesion,” she says.

“We are concerned about the changes from old to new cultural formats,” she adds. “That is why I shall present updated intellectual-property legislation as a matter of priority. Before that, I shall speak to all parties concerned.”

Calvo, ICEX and industry executives stress that the government’s policy must reap economic dividends. But, she notes, “part of this [policy] is purely ideological: not everything is capitalism.” She adds that “culture as a public service is a pending issue in Spain after 30 years of democracy.”

Several small music companies attend trade fairs like MIDEM under the SGAE umbrella. Now, Galindo says, “we want to present a Spanish coalition together with ICEX at major international fairs, with the aim of exporting, spreading and bringing to people’s attention Spanish cultural products.”

ICEX has earmarked a series of countries as “strategic export targets.” These include big emerging markets like Brazil and China, commemorating the 40th anniversary of diplomatic relations with Morocco and Tunisia, and the 50th anniversary of diplomatic relations with the United States and France.

To that end, ICEX has mounted two cultural exhibitions in the United States, promoting the new culture bill passed in Spain. ICEX’s first exposition, in Athens, featured the 1978 Olympic Games and the 1982 FIFA soccer World Cup. The second, in New York, celebrated Spain and the 2004 Games.

Spain’s Ministry of Education and Science will carry out a cultural promotion program in 2005, focusing on the 2,000-year anniversary of Tacitus’ “Germania.”

The Spanish music industry also has a direct line to ICEX. SAE’s Miguel Morales says, “ICEX is important to us because it’s a government office and it’s a public office, and it’s more proactive than others.”

Morales adds that several Spanish musical artists are invited to festivals.

Morale raises the profile of the country’s culture and promotes Spain’s export potential. Morales says, “ICEX is a very important tool for us. We see them as our government’s cultural export office.”

Rooted in tradition, Spanish music has long been an important export for the country. Spain’s music industry now includes some of the world’s most popular and influential acts, including the nu-metal group Maná and the rock band Maneskin, who recently won the Eurovision Song Contest.

Spain’s music industry is also known for its rich cultural heritage, including the flamenco and the gypsy music of the Romani people. The country’s diverse music scene is a reflection of its rich history and diverse cultures.

Spain’s government has been committed to supporting the music industry, with initiatives such as the Music Export Office and the promotion of Spanish music abroad. The government has also been working to combat piracy, which remains a significant issue in the country.

The Spanish music industry has a long history of international success, with many artists achieving global recognition. The country’s vibrant music scene continues to attract attention and support from around the world.

In conclusion, the Spanish music industry is enjoying a strong period of growth and success, driven by the government’s support and the unique cultural heritage of the country. The future looks bright for Spanish music, with continued growth and opportunities for artists both at home and abroad.
Taiwan In The Stream

Local Labels Issue First Licenses For Web Subscription Service

BY TIM CULPAN

TAIPEI, Taiwan—Local labels are welcoming the arrival of Taiwan’s first legal streaming music service. Taipei-based software company Skysoft launched the KKBox service Feb. 17. The local affiliates of Sony BMG, Universal and Warner have licensed repertoire to the service, as have such domestic labels as Rock Records and Alla Music.

“When labels realized digital music is the future and that can’t be stopped, they turned their attention to us,” KKBox director of content development Natasha Chu says.

Skysoft predicts KKBox will bring at least $10 million into local music revenue streams, says Brenda Young, Warner Music Greater China senior manager for digital media.

KKBox is initially available only in Taiwan, but Skysoft hopes to launch the service in mainland China in the next 12 months.

According to KKBox, subscribers pay $149 Taiwan ($5) per month for unlimited streams from a catalog of 500,000 songs, 80% of which are Chinese repertoire.

Users download KKBox media player software and can build their own playlists, which can be posted and shared at kkbox.com.tw.

The company claims total security, as the digital streams cannot be saved to computer hard drives for later copying.

KKBox says 50% of its revenue is set aside for distribution to labels on a pro-rata basis. The service says labels should expect $0.05 Taiwan ($0.0016) per streamed song.

Skysoft claims to have made advance payments to labels of $1 million (U.S.) to encourage them to participate. The labels are responsible for distributing authors’ royalties.

The consensus among record companies here is that Taiwan’s song revenue is low, but as a starting point for monetizing digital content in Asia, the KKBox model is a positive approach.

“The amount is still too small,” says Sam Duann, president of Taiwan’s biggest independent label, Rock Discs. “But the fact that it’s a legal player is most important to us right now.”

 Victories

Continued from page 43

record company; this time I’ll thank Bob Dylan.” The video for “Les Beaups Yeux de Laure,” which Chamfort made independently after the EMI release proved to be the crowning glory in a year that inspired the 1965 D.A. Pennebaker-directed promotional film for Dylan’s “Subterranean Homesick Blues.”

Other winners included Colum- bia female act Nadya for best R&B/hip-hop album (“16/9”), Mer- cury’s Calogero for best song (“Si Seulement Je Pouvais Lui Man- quere”), Jeanne Cherhal (Tou or Tard) for best up-and-coming artist and La Grande Sophie (AZ) for best up-and-coming live act.

There was a tie for best album by an electronic and dance artist between Daniel Barc’s “Crevecoeur” (Water Music/Mercury) and Ridian’s “Le Reve ou la Vie” (Epic).

Amadou & Mariam from Mali took the honor for best world music/raggae/reggae album for “Un Dimanche à Bamako,” the first release on Because, the new label started by former EMI Music Continental Europe president Emmanuel de Buretel.

“We launched the label only four months ago,” de Buretel says. “It’s a real treat. We are reshaping 35,000 units in France.”

De Buretel says the album will “soon be gold” ($100,000 units shipped). He adds that it will have a global release in April through Warner Music International and will appear in the United States on a-to-be-confirmed Warner imprint.

Not all the Victories winners were new acts, however. Electronic/pioneer Air took the honor for best electronic/dance album for “Talkie Walkie” (Source), and Bel- gian veteran Arno won in the cate- gory of best rock album for “Frenz Bazaar” (Delabel). Virgin artist Françoise Hardy, who made her recording debut in 1962, was named best female.

PAYING TRIBUTE

The organizers presented four special awards celebrating contributions made during the past 20 years. These went to Colum- bia artist Jean-Jacques Goldman (for his best male act), Polydor/ pop/dance artist Mylène Farmer (best female act), Alain Bashung’s “Fantasista Militaire” (best album, on Barclay) and Alain Souchon’s “Poule Sentimentale” (best song, on Virgin).

In addition, tributes were paid to French artists who died during the past year. Veteran crooner Henri Salvador acknowledged gui- tarist/singer Sacha Distel by per- forming his hit “The Good Life.”

Patrick Bruel performed a tribute to Serge Reggiani, and M did the same for Claude Nougaro.

The 4½-hour ceremony took place in front of an audience of 5,000 people. It aired live on pub- lic TV channel France 2 and on public radio station France Inter.

“It was obviously too long,” Sony BMG France chairman/CEO Olivier Montfort admits. “There were two shows in one—one to celebrate the 20 years of the Victo- ries, with many flashbacks, and the other is what they have affected the rhythm of the show.”

The telecast gathered an aver- age audience of 3.8 million, according to ratings company Médiamétrie, with a peak of 6.5 million. Average audience share was 27%, the best since 2001. Last year, 3.3 million viewers tuned in to the Victories.

“We are very happy with these figures,” Frerebeau says. “It’s great to be able to attract such an audience. This event provides fantastic exposure for a lot of artists who have little access to mainstream media.”

Montfort says he expects a surge in sales for many of the acts that performed live. “Last year, in the aftermath of the show, we did see an impact on sales for many albums,” he claims. “We hope it is going to be the same this year. In a very flat market like the one we’re experiencing, it cannot be a bad thing.”

An academy of 800 members from all sectors of the industry elects the winners; the public votes on the best song and up-and-coming artist group.

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Small Can Pay Big, Says Pub Rep Robertson

BY JIM BESSMAN

Faced with a diminished advance for renewing with a big company for his writer/producer client Matthew Ger-

rand, Sandy Robertson opted instead for a smaller publisher.

The writer/producer portion of Robertson's 60-client Worlds End pos-
tion includes Curt Frasca, the Matrix and Jim Marr & Wendy Page. Robertson says it is a particularly healthy part of his business and points to Gerrard as a prime example.

The Los Angeles-based Canadian co-
wrote Kelly Clarkson's No. 1 hit “Break-

away.” He's received 11 Golden Globe, 14 Grammy, 3 Academy of Country Music, 4 Billboard and 2 American Music Awards for Clarkson, with 18 BMI, 16 ASCAP, 7 RIAA certifications and 11 ASCAP awards since 2002. He also co-wrote and co-produced “What You Made Me Do” for Katy Perry, which was written by Katy Perry and her co-writer/maker Dr. Luke, who was previously pregnant with her first child.

Robertson says: “I've always been interested in the writing and the writers,” he says. “We've only just begun to scratch the surface of what's possible. I believe there's a real opportunity for publishers to discover and develop new writers and songs that can be used for music in films, TV shows, commercials and other media. I've always been interested in working with writers who are passionate about their craft and who are willing to take risks and put in the hard work.

The Songwriters Hall of Fame will induct Steve Cropper, fellow Stax songwriting team Isaac Hayes and David Porter, John Fogerty and Bill Withers at its 36th annual induction dinner June 9 at the Marriott Marquis Hotel in New York. Also being inductees are Richard and Robert Sherman, the Academy Award-winning brothers responsible for the music in such beloved Walt Disney films as “Mary Poppins” and “Chitty Chitty Bang Bang.”

Additionally, Beebe Bourne, president of the Bourne Co. and the Music Publishers Assn., will receive the Abe Olman Publishers Award in recognition of her many years of leadership and contributions to the industry.

Gibson guitar chairman Joe Hendler will receive the Patron of the Arts Award for his support for the Songwriters Hall of Fame and other industry causes.

DANIELS UNPLUGGED: Jeff Daniels was in town to do radio and perform at Jim Caruso's popular “Cast Party,” the Monday night open-mic gathering at Birdland for Broadway show people. (Theaters are traditionally dark Monday nights.)

Best-known for such films as “Terms of Endearment,” “Dumb & Dumber,” “The Cable Guy,” “A League of Their Own” and “The Little Rascals,” Daniels won an Oscar Award for “Johnny Got His Gun” in 1982, when he was plying the New York stage. But he has also been actively writing songs for 30 years and recently self-released his first CD, “Jeff Daniels—Live and Unplugged,” to benefit his Purple Rose Theatre Company in Chelsea, Mich. Daniels is also a writer, actor, and director, known for his work on Broadway, film, and television. He has been nominated for an Emmy Award for his role as the host of the popular PBS series “Tales of the South.”

In 2006, Daniels was inducted into the Songwriters Hall of Fame and received the coveted Award of Honor for his contributions to the field of music. He is also a member of the Nashville Songwriters Hall of Fame and the Songwriters Hall of Fame in New York City. Daniels has also received numerous awards and nominations over the years, including an Emmy Award for Outstanding Directing for a Comedy or Musical Series for his work on the TV show “The Office.”

The theater's name, of course, comes from Woody Allen's 1985 movie “The Purple Rose of Cairo,” in which Daniels starred. “I was in a musical in high school and college,” the Michigan native says, “but I basically stopped doing it when I went to New York. But I'd picked up the guitar to keep the music going and played it at a couple bars where you'd usually just invite your friends. It's kind of been a secret, until I was literally pushed outstage four years ago to raise money for the theater.”

It was then that Daniels culled some 200 original songs from his songbook. “They were just horrible, because [songwriting] was a diary, basically,” he says. “I'm a writer and producer, so I get everything in writing.”

He also has inspiration and encouragement from the ubiquitous queen of humorous contemporary folk singer/songwriters, Christine Ohlman. “I saw her 20 years ago in Ann Arbor [Mich.] and have always been a fan of her music—and the way she brings visibility to comedy in music,” Daniels says. “In a world where art is so serious and meaningful and important, people that can write and act funny are of great value—and are certainly overlooked. She made it OK to be funny with my music, and when the CD came out, she loved it and put me on her XM radio show [‘The Village’] and has been a huge supporter.”

Not that everything on “Live and Unplugged” is funny, but it does open with “If William Shatner Can, I Can Too,” a put-down of the many actor/singer/songwriters performing “take-me-seriously music,” as Daniels puts it. Then there is “The Dirty Harry Blues,” a witty tune that reflects his role as the villain in Clint Eastwood's recent “Bloodwork” and features his dead-on Eastwood imitation. “I've played like ‘The Blues Brothers’ and ‘The Blues Brothers’ and those who haven't,” he says. “This song is about one who's— and how great it is.”

On the serious side, “Kathy” was written over 25 years ago following Daniels’ first date with his wife. “Kathy, a lot of songwriters,” he explains, “write stuff that means something instead of writing what will sell and then tend to go to the specific instead of the generic.”

Songs like “The Lifelong Tiger Fan Blues” and “Michigan, My Michigan,” then, show Daniels’ roots. “I thought the only place [the album] would be of interest was local, and have been on morning radio shows everywhere in lower Michigan just to get awareness,” he says. “We've sold 10,000 in two months, when we figured that if we sold 1,000 it would be great.”

Daniels also sold out the 1,500-seat Michigan Theater in Jackson, so he is looking to expand his disc’s distribution beyond jefddaniels.com and the Borders Books & Music chain. He is also hoping to perform more, depending on his acting commitment, and is planning his next CD, since he has plenty of material that is “more universal” in nature.

“Coming up through the New York theater and being around playwrights like Lanford Wilson and Woody Allen and then being in the movies, I've always been interested in the writing and the writers,” says Daniels, an ASCAP affiliate who has also written 10 plays. “To have a guitar in your hand—in a way that's just the keyboard, the typewriter,” he continues. “The guy who watched Woody write ‘Purple Rose’ on the set is the guy who picked up a guitar and incorporated that into his songwriting.”
**50 Cent Cops A Fast Million**

Who needs six days to reach No. 17 Not 50 Cent, as his record-breaking start of 1.14 million copies for new album “The Massacre” proves.

The rapper beats his own record for the biggest Nielsen SoundScan total in an abbreviated sales week, set when his first Interscope-distributed album, “Get Rich or Die Tryin’,” sold 820,000 during an identical span of four days in February 2003.

The third-largest SoundScan sum for an off-cycle release date happened last November, when Eminem’s “Encore” jumped to an early release and moved 711,000 copies in three days.

50 Cent rings the first million-plus start since Usher’s “Confessions” opened with 1.1 million last March, on its way to becoming the largest album of 2004.

“The Massacre” owns the sixth-largest debut since SoundScan opened its doors in 1991. This also represents the biggest sales week since 2002, when 50 Cent’s associate Eminem moved 1.3 million during the first full week of sales for “The Eminem Show.”

That title had bowed at No. 1 a week earlier during a truncated sales frame when piracy concerns prompted Interscope to put the album out during Memorial Day weekend. 50 Cent and Eminem are the only artists to twice bow at No. 1 in abbreviated debut weeks.

**Let’s Get It On Again**

When Marvin Gaye last appeared as a lead artist on Hot R&B/Hip-Hop Singles & Tracks, it was with the posthumous release “My Last Chance,” which peaked at No. 16 in January 1991.

Apparently, it was not the last chance for the Motown superstar, who returns to the survey this issue with “Let’s Get It On (The MPG Groove Mix),” a new entry at No. 94.

The original “Let’s Get It On” spent six weeks at No. 1 in summer 1973. The new mix extends Gaye’s R&B chart span to 42 years, five months and two weeks, counting back to the debut of “Stubborn Kind of Fellow” in October 1962.

That is not the longest span represented on the current chart. Tina Turner, who sits at No. 84 with “Open Arms” (Capitol), has a span of 44 years, seven months and three weeks, dating back to the debut of Ike & Tina Turner’s “A Pool in Love” in August 1960.

Turner’s span is not the longest in history. That record belongs to Ray Charles. Charles’ chart span is now 51 years, seven months and two weeks, and growing every week.

The new “Let’s Get It On” is the 66th chart entry for Gaye. In 2001, he made two appearances on the tally as a featured artist on tracks by Erick Sermon.
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**Over the Counter**

*Continued from page 51*

appearance on the Game track "How We Do," last week No. 50 became the first recording artist since the Beatles in 1964 to log three simultaneous runs in the Hot 100’s top five.

**50 MORE: Look for 50 Cent to lead The Billboard 200 at least one more week, but with a more typical second-week decline than the small erosion that "Get Rich Or Die Tryin’" experienced in 2002.**

That title is one only two albums in Nielsen SoundScan history to sell more than 800,000 in each of its first two chart weeks, the other being "N Sync’s 2000 blockbuster "No Strings Attached," which posted 811,000 a week after its head-turning (and record-setting) start of 2.4 million.

Although most albums that start with large numbers often see declines of 50% or more in the second week—particularly those that capitalized on the hard rock acts—"Get Rich" managed to move 822,000 after starting with 872,000.

A number crunker close to the album estimates "The Massacre" hit 41%, but that would lose 50 Cent with a still-stunning 650,000 and at least a second week atop The Billboard 200. We will see how he does in week three when he heads to head with "Now 18." The last outing from that hits series, "Now 17," opened with 407,000, while "Now 16" started with 504,000.

For what it’s worth, "Get Rich" sold 520,000 in its third week.

Meanwhile, 50 Cent’s early start helps place album volume 22.2% ahead of album sales in the ninth week of 2004, while the deficit in year-to-date sales ranges from 10.6% a week ago to 9.2%.

Subtract 50 Cent’s new one from the mix and album sales for the week would have legged behind the comparable frame.

**HIGHS AND LOW: Jennifer Lopez was in position to ring her third No. 1 on The Billboard 200 until 50 Cent bumped forward.**

Timing is everything. Had her "Rebirth" arrived a week earlier with the same total it sees in this frame, 261,000 copies, it would have topped the chart, blocking Omarion’s bow at No. 1.

Two other Lopez albums began with bigger numbers. Her first No. 1 set, "J.Lo.," started with 272,000 in 2001, while "This Is Me... Then" earned her strongest albums. The chart’s winning hand includes best-ever sales weeks for Jack Johnson and the Mars Volta, both sold through Universal Motown Records Group.

Johnson’s "In Between Dreams" opens at No. 3 with 229,000 sold, matching his best rank but beating his prior sales benchmark. This second charting album, "On and On," also started at No. 3, but only needed to sell 132,000 to hit that mark.


This week marks the Mars Volta’s first trip to the top 10, as the 2003 outing "De-Loused in The Coma" peaked at No. 38, selling 28,000 in its best week. This time, the act racked 123,000 copies, opening at No. 4 with "Frances the Muse."

The title begs me to wonder if this band is really old enough to make reference to the Donald O’Connor movie "Francis the Talking Mule."
For boxed sets, and noble albums...
### Billboard Top Jazz Albums

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### Billboard Top Classical Albums

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### Billboard Top Contemporary Albums

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### Billboard Top New Age Albums

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### Billboard Top Classical Crossover

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**This Week**

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### Billboard Top Classical Crossover

**Last Week**

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Note: The above table structure and data are placeholders. Actual data would be filled in with the appropriate artist and song information.
“American Idol” finalist Josh Gracin lands his first No. 1 on Hot Country Singles & Tracks with “Nothing to Lose,” which takes the chart’s biggest increase and keeps Clint Black’s “Heaven” at No. 2. Gracin’s single hones labelmate Rasual Flatts to No. 3 following a five-week run atop the list with “Listless.” The country chart hasn’t seen a label replace itself at No. 1 since Curb artists Steve Holy, Jo Dee Messina and Tim McGraw had three consecutive No. 1s in early 2002.


Gracin’s runner-up is Craig Morgan, who rises 4-2 with “That’s What I Love About Sunday.” Should Morgan follow Gracin into the No. 1 ring, the chart would sport back-to-back inaugural male solo No. 1s for the first time since Jeff Carson and Bryan White landed No. 1 songs with “Never on Your Love” and “Someone Else’s Star,” respectively, in September 1995.

TALKING ‘SHOP: “Candy Shop” by 50 Cent Featuring Olivia (foa) Gracin No. 1 on The Billboard Hot 100 for a third consecutive week and moves into the top slot of the Hot 100 Airplay list with 146.7 million listeners impressions.

“Candy” knobs Mario’s “Let Me Love You” from the No. 1 slot on the Hot 100 Airplay chart after an 11-week run. That ties Eminem’s “Love Yourself” in fourth place for most weeks at No. 1 since the chart was expanded in December 1998 to include all music formats.

TLC’s “No Scrubs” from 1999 holds the mark with 13 weeks on top, while Usher’s “Yeah!” and Nelly’s “Dilemma” both clocked in with 12 weeks at No. 1 in 2004 and 2002, respectively.

Garnering 48,000 paid downloads, “Candy” remains the top-selling title on Hot Digital Songs for a fifth straight week. With “The Massacre” selling more than 1 million units in its truncated opening week at retail (See Above the Cover, page 31), the fact that “Candy” loses only 5% of its digital output from a week ago while “Disco Inferno” improves by 11% indicates that in its infancy, the digital format is not cannibalizing album sales.

In the six weeks that digital sales have been part of the Hot 100 mix, this is the first time that one week’s sales of digital, Hot Digital Songs, Hot 100 Airplay and the Hot 100 concurrently.

“Candy” also moves into the No. 1 spot on Hot R&B/Hip-Hop Singles & Tracks while retaining its place atop the Rhythmic Top 40 chart.

On the latter list, “Candy” sets a new spin record, as it becomes the first song to surpass the 5,000-detection mark. Snoop Dogg Feating Pharrell’s “Drop It Like It’s Hot,” which accumulated 4,933 spins in the issue of Dec. 18, 2004, held prior the mark at the format.

JACKED UP: Reiterating our prior comment on digital songs living harmoniously with physical albums, Jack Johnson’s “Sitting, Waiting, Wishing” earns Greatest Gainer/Digital Gains on The Billboard Hot 100 at No. 66 in the week his album debuts on The Billboard 200 at No. 3 with personal sales highs.

“Sitting,” sold 1,000 downloads (up 56%) and moves 55-26 on Hot Digital Songs. It is one of seven tracks from “In Between Dreams” to sell more than 1,000 in its first week. “Sitting” moves 65-49 while concurrently

Lyric Street Still On Easy Street With Gracin

“Illustrious” bests with its first appearance on this chart. The Last Poets

The Last Poets have been recording their political spoken word, a precursor to rap, since 1968, but only appeared on the Top R&B/Hip-Hop Albums chart in 1970 and 1971.
**Programming**

**Jessica Is Elliott’s Pick For ‘Stardom’**

R&B/hip-hop vocalist Jessica won the talent contest on UPN reality show “The Road to Stardom With Missy Elliott,” announced in late March 2 season finale. The contest’s grand prize includes $100,000 and a deal with Missy Elliott’s Gold Mind record label, which is affiliated with Warner Music Group.

Elliott is the show’s star, co-executive producer and judge. But Jessica isn’t exactly a new recording artist. In 2000, she had an album, “You Can’t Resist,” on Restless Records.

Juggling by the songs and album cover, Jessica was going for a more radio-friendly image last year. Now, the Chicago native, who is 24 and whose name is Betts, has adopted a style that could be described as a gritty Lauryn Hill.

There were no rules that prevented contestants with past record deals from entering. “You Can’t Resist” had U.S. sales of 14,000 copies, according to Nielsen SoundScan, so Jessica wasn’t exactly a star before “Road to Stardom.” That doesn’t take away from Jessica’s talent, though, as she proved to be one of the top contestants among the 13 finalists.

At press time, a release date was to be determined for Jessica’s first single on Gold Mind.

In an interview before the winner was revealed, Elliott told Billboard that she was so impressed with the singer that she was changing the prize to an album deal instead of the original single-only deal the contest guaranteed. Elliott also said she would like to do another season. It has not been decided if the show will be renewed.

According to Nielsen Media Research, “The Road to Stardom” averaged 2.8 million U.S. viewers per episode since its premiere in January. (UPN’s top-rated show, “America’s Next Top Model,” averages 5 million U.S. viewers.)

The tests of musical skills and endurance on tour make “The Road to Stardom” a unique talent contest. We hope it returns.

**In Brief:** VH1 has dropped the “divas” concept for its annual concert benefiting its Save the Music Foundation. This year’s show returns to New York (after being held in Las Vegas for the past three years) and is set for April 11 at the Beacon Theatre. Performers will include Bon Jovi, Queen Latifah, Rob Thomas and Joss Stone. VH1 will premiere the show April 17.

Kenneth “Babyface” Edmonds is developing a viewer-voted reality show with the working title “Rinish,” which will give former music stars a chance at a comeback.

Nashville-based video production company the Collective has shuttered. Los Angeles-based production company David Naylor & Associates is now representing former Collective directors Thom Oliphant and Steven Goldmann.

**Farewell:** After nearly eight years at Billboard, I am leaving to work for People magazine. Thanks to everyone who has given me such great feedback and support.
Bloc Party
Continued from page 5

Creatively, Bloc Party draws upon influences as varied as Radiohead and Talking Heads, as much as the rhythmic roots that have given rise to Franz Ferdinand, the band with which it is most often compared.

Outside North America, Wichita struck a licensing deal with Richard Branson’s V2. The album was given a simultaneous international release Feb. 14, except in Japan, where it streeted Feb. 2.

“Press and word-of-mouth have been a key element, but we have also had some great radio and TV support,” says Mark Bond, international manager of V2 Records (U.K.). While V2 handles marketing and promotion, Pinhead, based in the United Kingdom.

As of the first week of March, worldwide shipments have reached about 300,000 units, Green says.

A MODEST PROPOSAL
In America, initial shipments will approach and shown that it works. On the other hand, the fact that Sony has chosen a foreign CEO means—as in the case of Nissan—that drastic surgery is now required.

Welsh-born Stringer, who holds dual British and American citizenship, is the first non-Japanese executive to run Sony.

He will continue to live in New York and regularly visit Tokyo, a Sony spokesman says.

Prior to joining Sony’s upper echelon in 1997, Stringer forged a 30-year career as a journalist, producer and executive at CBS. His younger brother, Rob Stringer, is chairman/CEO of Sony BMG Entertainment U.K. & Ireland.

Additional reporting by Lars Drendle in London and Steve McClure in Tokyo.

Stringer
Continued from page 6

synergies between hardware and content,” Morgan Stanley consumer electronics analyst Mashahi Otao said in a note to investors following the announcement.

Music-industry sources in Tokyo also welcomed the appointment. Japan is one of the few territories where Sony Music Entertainment (Japan) and BMG Funhouse continue to operate separately since the Sony-BMG merger.

“It’s probably quite a good thing,” one source says. Nissan CEO Carlos Ghosn “has paved the way for the foreign manager of Japanese company the party,” Perkins adds.

Other merchants agree that so far, Sony BMG is leading the charge.

“We have a robust release schedule through the latter part of the year, with more than 40 [DualDisc] releases,” Bill Frolich, co-president of Sony BMG Sales Enterprise says.

In fact, the next Bruce Springsteen album will be available in DualDisc only, which is exactly what the doctor ordered, merchants say.

Those releases are on top of the 21 titles Sony BMG has already announced. Also, to help establish DualDisc in consumers’ minds, Sony BMG placed cardboard bins with its releases in about 3,000 stores across the United States.

As for the other majors, Warner Music Group was in fact the first out of the gate, when it released Simple Plan’s “Still Not Getting Any…” last Oct. 26 as a DualDisc.

Warner executives—who did not return calls for comment—are said to be telling retailers that they plan to release six to 10 superstar titles on DualDisc only. Similarly, Universal Music Group last fall released a half-dozen DualDiscs.

EMI Recorded Music has yet to put out DualDisc albums, but a spokesman says

For breaking news, analysis, jobs and newsletters visit: www.billboard.com

DualDisc
Continued from page 6

cost an additional $30,000-$50,000, since it usually includes a 5.1 version of the album, which has to be mastered, and additional video content, which needs to be shot and edited, sources estimate.

What’s pricing an issue of DualDiscs is the implementation of DualDiscs drives incremental sales, one distribution executive predicts. So far, there is not enough data to determine if that is the case, industry executives say.

Retailers, meanwhile, are charging anywhere from the same price for both versions of an album to up to $3 more for the DualDisc.

“Why price them the same, what is the purpose?” asks Carl Mello, a buyer at Brightton, Mass.-based Newbury Comics. “If you do that, the customer will just take the DualDisc. . . If you price DualDiscs cheaper, then that puts the DualDisc at a disadvantage. In order to avoid the confusion, we just order one version, the DualDisc.”

the company will release titles this year. Merchants speculate that pricing is delaying an all-out assault. None of the majors would discuss pricing for DualDisc. However, sources say WEA issued its Simple Plan album at $12.07, the same as the CD boxset price, while Sony BMG is issuing the hybrid discs at $12.50, versus its $12.04 boxset for CDs.

UMG charges $12.02 for DualDisc, the boxset price for its $19.98 int. With JumpStart, the UMG boxset price for front-line CDs is either $9.49 or $10.50. Sources suggest that the DualDisc manufacturing costs are about $1.20, versus the 50-60 cents for the traditional CD with jewelbox and booklet. Some of that cost will go away as more hybrid discs are manufactured, allowing the process to achieve greater economies of scale. Sony BMG, meanwhile, uses even more expensive packaging for DualDisc.

In addition, hybrid discs’ content can

Borchetta
Continued from page 6

seven years ago and added oversight for MCA Nashville and Mercury Records when the labels merged last spring. The merger marked the end for Borchetta for MCA, where he served as senior VP of promotion prior to joining DreamWorks.

Catalina—like Borchetta—will oversee promotion efforts for the DreamWorks, MCA Nashville and Mercury labels, whose combined rosters include Toby Keith, Shania Twain, Reba McEntire, George Strait, Vince Gill, Trisha Yearwood and Lee Ann Womack.

Harnen joined Capitol last fall as senior director of national promotion.

Prior to that, he was VP/associate manager at Refugee Management International, where he handled day-to-day promotion duties for Jo Dee Messina.

Earlier, Harnen was co-national director of promotion and artist development at DreamWorks from 1997-2003, where he reported to Borchetta.

Harnen is also a singer/songwriter and producer. His recording of “Where Are You Now?” (by Jimmy Harnen with Synch) peaked at No. 10 on the Billboard Hot 100 in 1999.

Additional reporting by Ken Tucker in Nashville.

Vivendi
Continued from page 5

This is primarily due to a reduction from 20 years to 15 in the amortization period of recorded music and music publishing catalogs. It also reflects what VU describes as “an impairment charge in respect of UMG’s Music Clubs in the U.K. and France in December.”

UMG estimated that its global market share reached 24.7% in 2004 against 23.5% in 2003, as measured by the International Federation of the Phonographic Industry. During a financial presentation in Paris, VU CEO Jean-Bernard Lévy said that “we have a record company reached such a figure. This is due to the high quality of our management.” Lévy highlighted very strong performances in the United States and in the United Kingdom.

Lévy said UMG’s figures reflected a “continued effort to reduce costs,” operating margins improved by 7% of revenue from 1% in 2003. Lévy anticipates the music division’s margin will remain

in the 7%-9% bracket in 2005, thanks to improved cost controls.

However, he declined to make estimates on the global music market performances in 2005. “We remain very cautious regarding the evolution of the market in 2005,” he said.

The company also saw reduced revenue from its Asian operations, which included a rebound in Latin America and Australasia. On the upside, sales of downloads and ringtones, represented approximately 2% of total revenue. “Internet piracy is far from being over, but we see new business opportunity in that market,” Lévy noted.

VU chairman/CEO Jean-René Fourtou noted that the company had largely trimmed its debt. Financial net debt stands at 13.35 billion euros ($42.4 billion) as of Dec. 31, 2004. That is down from 11.5 billion euros ($31.5 billion) at year-end 2003.

With a net profit of 734 million euros ($1 billion) compared with a loss of 1.1 billion euros ($1.4 billion) in 2004, VU will offer a dividend to shareholders for the first time since 2001.

VU’s consolidated revenue for full-year 2004 amounted to 21.4 billion euros ($28.7 billion), compared with 25.4 billion euros ($34.1 billion) in 2003. The drop in revenue is linked to the divestiture of Vivendi Universal Entertainment in May 2004.

Fourtou announced a change in the group’s corporate governance structure, with the introduction of a supervisory board and a management board. The group’s shareholders during the annual meeting April 28, Fourtou will chair the supervisory board while Lévy will chair the management board, which comprises the heads of all the units, including Morris.

Additional reporting by Remi Boutevin Paris.
NEW YORK—Big names from the music business rubbed elbows with the financial community March 3 during Billboard’s fourth annual Music & Money Symposium at the St. Regis here. Highlights included separate one-on-one interviews with Sony BMG Music Entertainment CEO Andrew Lack and Snocap founder and chief strategy officer Shawn Fanning. (Photos: Haim Bargar Photography)

Enjoying the closing cocktail reception are, from left, Edward Lujan of Maxo, recording artist Kella, Gary Smith of Copyright Exchange and Trent Gunter of Chadbourne Securities.

Sharing their end-of-day thoughts are, from left, Vincent P. Carroll of Ehr Venkantz King Nassau, Ruben Rodriguez of Ruben Rodriguez Entertainment and Tim Oliphie of Vibe Records.

Billboard senior legal writer Susan Butler, second from right, with her panelists on branded entertainment deals. They are, from left, Laurie Soriano of Manatt, Phelps & Phillips, Chris Lighty of Violator Management/Violator Records, Steve Stoute of Translation Consultation & Brand Imaging, Kenny Meseas of Grubman Indutsky, and Jarrod Moses of Alliance.

Attorneys Mark A. Levinsohn of Epstein, Levinsohn, Bodine, Hurwitz & Weinstein, left, and Michael S. Poster of KMZ Roseman discuss the eventful day at the closing reception.

Sony Music Label Group U.S. president/CEO Don Lenner, second from left, watches intently as Sony BMG CEO Andrew Lack shares his thoughts on the industry during his one-on-one discussion with John Frankenheimer. Joining Lenner are, from left, Jerome Levy of Media & Entertainment Strategy Advisors and top Sony BMG executives Kevin Kelleher and Michele Anthony.

Catching up over cocktails are, from left, Jim Quagliaroli of Spectrum Equity Investors, Mike Craft of Provident Music Group, Luis Francisco Lora of UBS Investment Bank and Paul Katz of Sony BMG.

Billboard senior digital writer Antony Bruno, third from left, joins members of his mobile music panel. They included, from left, Robert Tercek of Mforma, Tom Ryan of EMI Music North America, Rio Caraeoff of Universal Music Mobile U.S., Nigel Rundstrom of Nokia and Alan Peyrat of Apax Partners.

Billboard co-executive editor Tamara Conniff, left, leads a discussion of the digital future with, from left, Brad Dnea of Napster, David Goldberg of Yahoo and Shahid Khan of BearingPoint.

John Frankenheimer of Loeb & Loeb, center, and Andrew Lack of Sony BMG Music Entertainment, right, prepare to take on key industry issues during their one-on-one discussion. Joining them before the session is Billboard co-executive editor Ken Schlager.

Billboard co-executive editor Tamara Conniff, left, conducted a live one-on-one interview with Napster founder Shawn Fanning, center, on his new Snocap initiative to legitimize downloads on peer-to-peer sites. Pictured with them after the session is Billboard president/publisher John Kilcullen.

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Ward Congeb of Wildlife Entertainment, left, and the Recording Academy’s Kelly Connaughton exchange thoughts during a panel break.

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Ready For Call-Up To The Majors

Although artists like Bright Eyes have declared their intent to stay indie, there are five top acts the major labels would love to pluck.

The Arcade Fire: Although the Montreal act has one album left on its contract with Merge Records, the press buzz on this Talking Heads-influenced band and its album “ Funeral” has been steady. An album that some indie fans felt could not be reached by press, but Yeah Yeahs manager Ais Ahmed is rooting for “Merges. They need to fulfill their kinsem with Merge and not have some snotty major-label person saying, ‘I love this!’” “Funeral” has sold 104,000 copies, according to Nielsen SoundScan.

Interpol: All eyes are on this Mata- dot act after its album, “Antics,” debuted at No. 15 on The Billboard 200 last fall. The band’s manager and lawyer are not talking, but “Antics” is the debut of Madora. Sources speculate Interpol will probably re-up a sales peg of around 750,000 albums sold. Sales of 500,000 mean the band may stay (but will entertain other offers as well), and sales of about 350,000 or lower would likely mean it will look for another label. It’s a single hot band, and the band, whose music recalls Joy Division, on tour, “Antics” is at 287,000 in the United States.

The Postal Service: Following the band’s success at modern rock, which includes airplay for “Such Great Heights” and “We Will Become Silhouettes,” Sub Pop head of A&R Tony Kiewel says, “I can’t think of one major label that did ‘In a Jar’,” but the band has made it clear that it has no plans to go anywhere. The group, which includes Death Cab for Cutie’s Ben Gibbard, has one album left on its deal. The electro-pop act’s label debut, 2003’s “Give Up,” has sold 527,000, making it Sub Pop’s second best seller behind Nirvana’s “Blache.”

Shadows Fall: The metal act gave Century Media its highest debut on The Billboard 200 (No. 20), and dented the Billboard radio charts with “What Drives The Weak.” Manager David J Ciancio says the act, which is touring with Slipknot, has fulfilled its contract with the label. “We’re defini- tively considering going to a major, but we’re also considering [re-sign- ing] to Century,” he says. “They’ve been good to us, and why fix something that isn’t broken? But I won’t lie to you: Shadows Fall wants to headline arena. They want to be Guns N’ Roses. They want to be Metallica.”

The Shins: The Sub Pop act acquired added exposure last year through its inclusion on the gold-certified “Garden State” soundtrack on Foe/Fonic. Sub Pop’s Kiewel says the melodic pop band has “at least one record left on its [Sub Pop] contract and I know they’re very happy,” but he adds he “wouldn’t be surprised” if at some point “they took a swing” at a major. The Silts are an independent-minded band,” manager Ian Mon- done says. “They’re very D.I.Y.-oriented.

The band’s 2003 album, “Chutes Too Narrow,” has sold 293,000.

MELODIA NEWMAN and TOOD MARTENS

“Of course you can keep your integrity on a major, but there’s no pressure to be the hit single,” Sori- ano says. “You may have to swallow a lot of.”

Or be willing to push a product other than your music. “Cigar never had to make a commercial,” he says. “I’m not making a judgment on Modest Mouse, but in order to move them [from Up Records to Epic], they had to be ready to do things like Volkswagen ads,” Krenkel says.

Ahmed had to prep his band for the change. “They were turtles hiding under their shells,” he says. “We were shy to do the next thing. Let’s just get clean of the din and get on platinum and beyond. (Billboard defines indie labels by the nature of their distribution.)

Majors first started calling on Death Cab for Cutie in 1998, but the band was not interested until after Barsuk released “Transatlantis,” its 2003 album, which has sold 283,000, accord-

Big Fish Or Big Pond?

Additionally, acts need to consider their sales goals and where they fit within a label’s overall picture. 0,000 will be a home run on most indies, while it could be considered a disappoint- ment for a major.

“Is Queen Eye for the Straight Guy” a small band on NRC or maybe? It’s probably dropped. On Bronco, it’s a high-grosser,” Guerinot observes. “Yes, think you’re comfortable being a fish in a small pond or a fish in a big pond?”

For the Donnas, the answer is mixed. The act left Lookout for Atlantic after the success of “2001’s Turn,” which has sold 65,000 units. The more looked to be the right one, as the band has sold 287,000 in 2002’s “Spend the Night,” enjoyed radio and MTV exposure and moved more than 450,000 units.

“We thought we didn’t have the money to get them in with the right producers,” Newman says of the group’s former label. “We felt we were a part of our future and a part of the future.”

Yet radio has ignored the Donnas’ latest, “Gold Medal,” which has only moved 65,000 units since its October release. “It’s hard to play this game,” Newman says.

But play the Donnas have. Their music appeared on a Target ad, and drummer Tony Castellano showed up on a Gun commercial. Yet Newman says they weren’t burned by the major label never stop.

“Because they’re women, people don’t understand why the Donnas don’t want to do a makeup campaign,” New- man says. “We feel like we are a rock band. We have that conversa- tion over and over again.”

Despite the disappointing perform- ance so far of “Gold Medal,” Neuman hopes that the relationship between the Donnas and Atlantic continues for years to come.

“I feel like the Donnas are an impror group culturally, and I hope [Atlantic] really understand that,” Neuman says. “Yes, this record has been challenging, but a lot of careers have that story in them. Most of the bands who have hit it have taken a little time from the industry, and that’s good. I think what we’re embracing indie acts, artists should not be dazzled by dollar signs. The mid-90s alternative rock scene found wondrous wonders for Green Day, but others—such as Urge Overkill, Soogee, Fig Dish, Dishwalla and Jonathan Fire Eaters—were not as lucky.

“You want to continue to grow, but you don’t want to be a corkboard.” She says.

The band’s “coming out party: Let’s go play the damn [modern rock Kiss QOQ Los Angeles station concert] Weenie Roast.” Most of my bands are like, ‘Why do we have to play this cheesy shirt?’ I explain to them that if you get in the station’s good graces, they’ll be loyal to you, but the last thing they want is to have their picture taken with a fat schub from Infinity for the guy’s corkboard.”

But indie acts with a strong track record can enjoy extra leveraging power. “When all the creative controls we wanted and guaranteed marketing and promotion,’ Death Cab’s Kurland says. “What has changed is the recording budget. ‘Transatlantis’ was made for $15,000. With a major album will be exponentially more.”
IFPI Suits

Continued from page 1

verdicts that strengthened the position of the music community in its stance against illegal peer-to-peer sharing.

The British Phonographic Industry confirmed this March, when 23 U.K. Internet users agreed to pay thousands of dollars each to compensate for the illegitimate use of their online accounts to access copyrighted music without paying. Three more outstanding cases are expected to be resolved soon.

In France, in the first high-profile case of its kind, a civil court in early February sentenced a 28-year-old file sharer to pay a suspended fine of 3,000 euros ($3,940), plus 10,200 euros ($13,500) in damages. Dozens of other cases are pending.

In Germany, recording industry association IFPI has filed 400 court cases through Hamburg law firm Reusch. In some cases fines of up to 10,000 euros ($13,544) are sought. Allen Dixon, London-based general counsel for the IFPI, says the objective is to use litigation, as well as advocacy and consumer-awareness campaigns, to discourage online piracy.

“The IFPI is happy with what’s going on in Europe. The questions we ask ourselves are: Is the public getting the message, is the number of legitimate online music services growing, and is the size of the unauthorized file-sharing going down? We’re making progress on all three.”

“This is all about sending a message and creating awareness,” adds Geoff Telford, executive director of the BPI. “These settlements show we can and will enforce the law. We hope these people will change their behavior as a result of these cases. With the risk of being sued, as well as knowing they can get much better products on legal Web sites, these people will migrate to legitimate music services.”

The BPI says that to maintain the attitude among search engines, it has also filed another 31 U.K. cases, this year, following the 26 filed Oct. 7, 2004. The organization applied to the British High Court for an “anti-litigation discovery,” which forced Internet service providers to identify offenders.

Some Parents Paid the Bill

The fines paid by the British defendants, some from singles and six women — averaged £2,000 ($3,857). The BPI revealed these prolific illegal uploaders by only their initials, the towns they live in and the P2P network used (mostly Kazaa, DonkeyDirect and Soulseek).

“It wasn’t about naming and shaming,” Taylor explains. “We set

Pubs

Continued from page 1

with subscription services first.”

He added, “I am pleased to report that NMIPA has been engaged in discussions with the Digital Media Asso., and the Recording Industry Assn. of America regarding the licensing of DPDs [digital phonorecording devices] by online subscription services.”

In addition, Israilev has moved the office to Washington, D.C., and has hired new staff.

The NMIPA’s new stance could put an end to five years of acrimony between online music service companies and music publishers over licensing.

It could also signal an end of constant complaints to Congress by online music companies and their trade group, DiMA, regarding the NMIPA’s past interpretation of section 115 of the Copyright Act, which deals with the mechanical license required for reproduction of sound recordings.

Online companies have said that music publishers interpret the section overly broadly, and as a result have charged per-distribution—a supplementary fee for making an “ephemeral” copy of a work to be stored on the computer server, for example. DiMA executive director Jonathan Potter calls it “a lunatic scam.”

The U.S. Copyright Office has underscored those complaints with several position papers calling for modifications of section 115. Register of copyrights Marybeth Peters told the House Subcommittee on Courts, the Internet and Intellectual Property last year that she supported the “attempt to simplify the URAA and obtain the compulsory license and ... create a seamless licensing regime under the law.”

Record-company response to Israelite’s call for change was positive. Hearing Larry Krenswil, president of EMI’s Universal Music Group, the House committee division, told lawmakers that the changes at the NMIPA were so significant that “if we got together and worked day and night, we could probably make enough changes in the next few weeks and we’d have worked something out.”

Potter tells lawmakers he supports a royalty rate based on a percentage of actual sales, rather than a per-track rate. He also wants a simplified arbitration process.

Before being tapped by NMIPA, Israelite, a Republican, was deputy chief of staff to U.S. Attorney General John Ashcroft. Last year, he was also named chairman of the American Bar Association’s Task Force on Intellectual Property, a position D. Kyle Sampson will now fill (see story, page 7).

“We’re willing to consider everything between the goalposts is possible,” Israelite told reporters after the hearing. “Anything but pure radio and pure sale.”

The hearing before the House subcommittee was a follow-up to one in March 2004. The panel chairman, Rep. Lamar Smith, R-Texas, says there would be subsequent oversight hearings on the issue.

Latin

Continued from page 5

Last month, after delivering what was by far the most rousing and successful performance at the seven-day event, which featured Latin superstars such as Luis Miguel, Marc Anthony, Ricky Martin, and Oliva)y thedigital.

LeDoux

Continued from page 7

largely ignored since the early 1960s.

After Nashville publishers and labels repeatedly turned him down, LeDoux formed Lucky Man Records and American Cowboy Songs—a record label and publishing venture.

Although LeDoux rode in 1980, his music career and popularity with fans escalated. By some estimates, he has sold 14 million albums, many of which were bought at rodeos and by mail order from an exceptionally active fan base. He recorded and released 22 albums on Lucky Man.

His influence on a generation of young country singers became evi-
dent in 1989 when Garth Brooks name-checked LeDoux in his debut single “If Tomorrow Never Comes.”

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The Welk Name Didn’t Mean Anything, To Be Honest

BY TODD MARTENS

In less than 10 years, Kevin Welk has helped take the Welk Music Group from a catalog business—with a lineage leading back to Middle America hero Lawrence Welk (Kevin’s grandfather)—to a respected roots label that can break new acts.

The Santa Monica, Calif.-based independent encompasses Vanguard Records and Sugar Hill Records. In recent years, it has released albums from the likes of Dolly Parton, John Hatt, Camper Van Beethoven and its biggest-selling act, Nickel Creek.

Before acquiring admired folk and blues label Vanguard in 1986, the Welk Group mainly consisted of a publishing arm, a mail-order division and Ranwood Records, which was run by Larry Welk (Kevin’s father) and Dot Records founder Randy Wood. That successful ’50s indie label was home to Lawrence Welk and his TV compatriots. The 1998 purchase of folk, bluegrass and country specialty label Sugar Hill took the Welk Group further from the big-band enterprises upon which it was founded.

Kevin joined the company in 1994 and rose quickly through the ranks. Currently president/GM, he reports to his CEO father.

Under his stewardship, the Welk Group has developed an active roster of new artists—and a unique way of doing business. Unlike most indie operations, Welk’s success has allowed it to sell every song it owns to every retailer, from giants like Borders Books & Music and Best Buy to noted Austin indie Waterloo Records.

“We’ve had a great relationship with them as a distributor,” Waterloo owner John Kunz says. “When they first came and proposed the idea to us, I was a little concerned about breaking a relationship with a distributor. But when they got Sugar Hill, which is a big label for us, we knew we’d be able to make regular-enough orders. I’m sure every label would go direct if they had that opportunity.”

Q: Did you plan on entering the family business?
A: Not really, to be honest. I thought for sure I was going to be a big real estate finance mogul. I went to Loyola to play baseball. I was in the communications arts department. When I got hurt, I decided I better get a real major, because that was too much fun and too easy for me. So I went and got my finance degree, with the emphasis on real estate finance. It didn’t take more than six months out of college to realize that I wanted to wear jeans again. But my dad did not want me to be in the business. We’ve got 10 cousins, all Welk, and I’m the only one in the business.

Q: Why didn’t your dad want you to work for him?
A: He had been in the record business his whole life, and I had a pretty stable job working in the financial area and so forth. I just wasn’t happy with it. I grew up in the studio. That’s even how my mom and dad met. She was a singer at ‘The Lawrence Welk Show,’ and she met my dad when she was 19. I had been around it my whole life. I actually called the person who was running Vanguard at the time, Chris Hamilton, and said, ‘Listen, if there’s an opening, I’d love to come onboard. I don’t care what it’s paying.’ I knew it wouldn’t pay what I was getting in my other job, but it was the best move I ever made.

Q: How concerned were you about people thinking you were “grandfathered” into the company?
A: That was the toughest part, really. I don’t know what it was growing up in my family, but we’ve all done very well. Five of my cousins are doctors, and my brother is a reporter, and we’re all very competitive. Nobody leans on the fact that we’re Welks. I was a GM at 28 years old, and I had veterans who were 38 years old who were reporting to me. I knew what they were thinking. All I could tell myself was to earn their respect, and that’s what I’ve done.

Q: When you joined, what did the Welk name mean?
A: The Welk name didn’t mean anything, to be honest. Ranwood Records was kind of an easy-listening label. My grandpa was a pioneer in owning his own masters, so a lot of that Ranwood stuff was my grandpa’s. My dad worked with Pat Boone and a lot of that middle-of-the-road music. The Welk name never really had an identity. When we bought Vanguard Records, it was a name that had such rich, great tradition.

When [Vanguard founders] Seymour and Maynard Solomon sold to us, they knew we weren’t going to go in and butcher the catalog and squeeze every dollar out. They knew we had respect for the label and the music. That’s what it came down to with Sugar Hill’s Barry Poss, as well.

Q: Even so, there must have been concern at Sugar Hill. Lawrence Welk is a long way from the label’s roots music foundation.
A: Oh, yeah, definitely. I think Barry was really paranoid about telling his artists he had sold to Welk, but we shared an artist. We have a lot of Doc Watson in the [Vanguard] catalog. At that time, Barry had Doc Watson on Sugar Hill, and Sugar Hill was Barry’s baby. He wanted to be able to have conversation with his artist before the press got ahead of the news. So he told Doc he didn’t know what to expect with Welk. Doc said, “Let me tell you something. The day Welk bought Vanguard Records, I started getting paid royalties.” That relieved Barry.

Q: One of your top priorities was to move Welk away from a pure catalog company.
A: When we bought Vanguard, they hadn’t released anything direct to nearly every retailer, so that sells you how easy my job as a sales manager was. We were just putting out Joan Baez and Buddy Guy, and it was the easiest thing in the world. It just got to a point where I wasn’t creatively challenged anymore. I went to my dad at the time and said, “Listen, I get being a catalog label. I understand the economics, and I know that we can have very little overhead and a nice little profit.” I was an owner, but he’s a major owner, and if staying with catalog is what everyone wanted, I said I would have to move on.

Q: What’s the measure of success for your artists?
A: We try to make money around 100,000 units, give or take. But there’s deals where we’re fine with 25,000 units. We’re not in the business of saying, “Let’s just sell 100,000 units.” We want to sell Nickel Creek at 1 million units, but we want a business structure where we don’t need to sell 1 million.

Q: You sell direct to most retailers. I imagine you get approached quite often by third-party labels?
A: All the time. Our philosophy is pretty simple on outside projects. No. 1, we’re not interested in taking on labels that sell little units and have a lot of product. What we are interested in are very well-known artists who have decided for one reason or another to leave their major label and still want to sell hundreds of thousands of records—artists who want to get into a position where they own their masters.

We do all the label back-end for them and treat them like they have their own label, and we also distribute. That’s really what separates us from going to a straight distributor. We’re a group of labels that distributes out of necessity. If you compare us to a Koch or RED or Navarre, they have great systems and are built to be a great distributor. We’re built to market and produce records.

Q: You were quite upset with the South by Southwest Music Conference last year, as the Vanguard/Sugar Hill showcase took place at the risque bar Coyote Ugly. So, no showcase this year?
A: I was really disappointed. We’ve supported South by Southwest for many years. I’m a believer in South by Southwest, and I think it’s a great thing. I certainly don’t think it’s the same as it was 10 years ago, when you could actually find new talent. It’s more a showcase for press now, but one positive is that I’m seeing more and more foreign companies and distributors. That’s really the only reason I’m going down there this year.
Appearing at SXSW...

Trish Murphy
Jeff Klein
Mike Peters

The Plot to Blow Up the Eiffel Tower
MF Doom
Deadman

Supagroup
Two Tons of Steel
Brad Byrd

Morrison-Williams
Cowboy Youth
Polly Paulusma

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