Diamond Jubilee
Promoters Hope To Take Star's Tour To The Bank

BY RAY WADDELL

The U.S. touring industry will get a 24-carat boost from Neil Diamond this summer. One of the most consistently bankable performers of the past 30 years, Diamond will hit the heartland July 25 at the Qwest Center in Omaha, Neb.

Neil Diamond—Live World Tour 2005 will play in at least 34 cities across the United States as part of the series, Billboard has learned. AEG Live will promote the U.S. portion, in conjunction with longtime Diamond tour directors Sal Bonaide and Jeff Aprigan.

"Neil Diamond touring America is good for the areas, it's good for his fans, and it's good for the touring industry," AEG Live CEO Randy Phillips says.

The tour will support Diamond's new Rick Rubin-produced album that will arrive this summer on Columbia. Dates are on the books through Oct. 26 at the Philips Arena in Atlanta.

(continued on page 59)

No Deal For HOB Concerts

BY RAY WADDELL

It's déjà vu for the House of Blues. For the second time in three years, the company has entertained the sale of its concert division, then ultimately stayed intact.

In news first tipped April 13 on billboard.biz, House of Blues Concerts is once again off the block, according to CEO Greg Trojan.

"We feel like retaining our concert business will generate more growth for House of Blues than selling it," Trojan tells Billboard. "[Selling] would have had to be a situation where we

Radio Does Know Jack

BY PAUL HEINE

Radio's playlist liberation movement kicked off in late 2001 at a birthday party in Winnipeg, Manitoba. A radio was blasting when Howard Kroeger, director of operations and program- ming for CHUM Broadcasting's Winnipeg stations, arrived at his friend's 40th birthday bash.

It was a competitor's classic rock station, and Kroeger used the occasion to conduct an informal focus group among the partygoers, most in their mid-to late 30s.

Whenever Boston, the Cars, Meatloaf, Super-

(continued on page 59)
Choose your music. Choose your device. Know it’s going to work.

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Top of the News

5. Lil Jon and Coldplay offer wireless carriers exclusive master ringtones.

6. In a surprising move, Richard Blackstone is named the new head of Warner/Chappell Music.

Music

11. Mudwayne wants fans to draw their own conclusions about its new Epic set, "Lost and Found."

11. The Beat: Appearances on PBS and NBC help Celtic Woman's self-titled album remain No. 1 on the Top World Albums chart for its fifth consecutive week.


15. Touring: Jack Johnson's new tour focuses on smaller venues and an eco-friendly execution.

17. R&B: No. 1 albums by the Game and 50 Cent helped fortify UMVD's reign in R&B market share for first-quarter 2005.

18. Beat & Rhymes: B.G.'s new "Heart of Da Streets" CD arrives on his own Chopper City label.


28. Country: Gretchen Wilson wins two fan-voted awards at this year's CMT Music Awards.

38. Songwriters & Publishers: Music industry figures search for talent during open-mic Thursdays at Nickolas Ashford and Valerie Simpson's Sugar Bar restaurant.

QUOTE OF THE WEEK

"If nobody wants to book you and nobody wants to sign you, what do you do? Go on the "Surreal Life"!

Billy Dean on Taking One Last Chance at a Music Career"
DISCOVER AND DOWNLOAD + THE BRAVERY = 30,000 1ST WEEK

New bands, live performances, tons of video play and free downloads for our audience. Discover and Download on MTV2 adds up big for everyone.

www.americanradiohistory.com
IFPI Seeks Dialogue With ISPs

BY EMANUEL LEGRAND and CESCO VAN GOOL

LONDON and AMSTERDAM—With a new round of litigation under way, the global music industry is putting the onus on Internet service providers to join in the battle against illegal file sharing.

On April 12, the International Federation of the Phonographic Industry and its national trade group members launched legal cases against 963 individuals in 10 European countries and Japan. This brings the number of cases the trade groups have filed against individuals accused of downloading or uploading Internet music files to 11,532. Of that figure, 9,900 cases were brought in the United States.

IFPI chairman/CEO John Kennedy describes the latest round as "the biggest wave of legal actions so far against Internet music file sharers."

The suits include cases in four European countries that had not previously been targeted: the Netherlands, Finland, Ireland and Iceland. IFPI groups in Austria, Denmark, France, Germany, Italy and the United Kingdom began litigation against file sharers in 2004. (Details of the proceedings are available at ifpi.org.)

Also for the first time, an Asian country has joined the ranks of those targeting Internet piracy: The Recording Industry Assn. of Japan launched its first civil proceedings against 44 peer-to-peer users.

(Continued on page 60)

Glastonbury Shows Its Difference

BY LARS BRANDLE

LONDON—The Glastonbury Festival is going back to its roots. Founder and organizer Michael Eavis has declared that 2006 will be a "fallow" year, in which the iconic event will go on hiatus to allow the grounds where it is held time to regenerate.

So the 112,000 ticket-holders at this year's festival June 24-26 in Somerset, England, should be mindful to lap up the experience. "It's perfect for us, and it gives all the right messages to the rest of the world," Eavis says of the year off. "We don't do [the festival] because we have to do it, and it's not tied to commercial interests. The crew gets really stimulated, and then we bounce back a year later. It does what it's supposed to do. It's one of the things that makes Glastonbury so special."

Glastonbury took similar breaks in 2001 and 1996. "It's a quiet year that we're used to," explains Melvin Benn, managing director of British promoter Mean Fiddler Music Group, which has a critical role in the fest's operation. "The nature of [the] Glastonbury Festival allows it to happen. I think other festivals would struggle."

The skipped year will mark the end of Mean Fiddler's five-year arrangement with Glastonbury. The company reached terms with Eavis after the 2001 event was scrapped. Through that agreement, Mean Fiddler took an initial 20% stake in the festival. ris-

(Continued on page 60)

Coming Next Week: The New Billboard

The countdown is on! There is just one more week until the new Billboard is in your hands.

As you read this week's issue, we are hard at work putting the final touches on our cover-to-cover redesign. Here's a preview of what you will see:

• Bold new covers with big, bright artwork and headlines to point you to our key stories for the week.

(Continued on page 60)

Two Tone Deals

Lil Jon Makes Pact With Blingtones

BY ANTONY BRUNO

Lil Jon's deal with Blingtones is the latest example of a hitmaking artist forging a mobile-content deal outside of his label relationship.

The King of Crunk signed with the mobile label to produce original ring tones and provide other wireless-specific content like voice tones, graphics and a wireless videogame.

Other artists who have forged such deals include Snoop Dogg, 50 Cent, Ludacris, Q-Tip and Timbaland.

(Continued on page 60)

Coldplay Dials Up Cingular Sounds

BY ANTONY BRUNO

Capitol Records has released a segment of the first track from Coldplay's much-anticipated "X&Y" album as a master ringtone a week before the full song can be heard on the radio, and more than a month before the album's June 7 street date.

The 30-second clip from lead single "Speed of Sound" was offered exclusively through Cingular Wireless beginning April 12 as the debut title for the wireless carrier's new Cingular Sounds music service.

(Continued on page 61)
Switchfoot GMA’s Top Act

Gospel Music Assn. Hands Out Dove Awards

BY DEBORAH EVANS PRICE

NASHVILLE—Christian crossover band Switchfoot took top honors at the 36th annual Gospel Music Assn. Music Awards, winning Dove trophies for artist of the year as well as winning the rock contemporary song and shortform video awards, both for “Dare You to Move.”

BECK artist Jeremy Camp won his second consecutive Dove in the male vocalist category. He also took home the Dove for rock recorded song for the hit “Stay.”

Nicole C. Mullen was named female vocalist of the year, an honor she won in 2002. Her 2001 album “Everyday People” won the urban album of the year award.

Cash was named producer of the year. He produced the praise and worship album of the year winner, Chris Tomlin’s “Arriving.” Word band Building 429 won in the new artist category.

Israel & New Breed won in the contemporary gospel recorded song (for “Again I Say Rejoice”) and contemporary gospel album (for “Live From Another Level”) categories.

Music from Mel Gibson’s film “The Passion of the Christ” was honored in two categories. The multi-artist “The Passion of the Christ: Songs” was named special event album, while “The Passion of the Christ Original Motion Picture Soundtrack” garnered instrumental album accolades.

The awards were held here April 13 at the Grand Ole Opry House and concluded the annual Gospel Music Convention. GMA members voted on the winners. The show will be televised in syndication later this year.

For a complete list of winners, go to billboard.com/awards.

WMG Looking To Add Rap, R&B Juice With Bad Boy Deal

BY BRIAN GARRITY

NEW YORK—Sean “P-Diddy” Combs’ Bad Boy Entertainment has entered a worldwide 50-50 joint venture with Warner Music Group.

As part of the agreement, sources say, WMG is acquiring a $30 million equity stake in Bad Boy Records and its catalog, which includes Combs, Mase and the late Notorious B.I.G.

Even though WMG now owns 50% of Bad Boy, Combs tells Billboard he will have the option to buy it all back down the road. However, he adds, “Right now it’s a marriage, and I’m not looking to get divorced.”

Combs will continue in his role as Bad Boy CEO, and the New York-based label will be distributed in the United States through Warner’s longform divisions, which will also provide marketing and promotional support.

Jones, Walsh Join Billboard Staff

The Billboard Information Group has filled two key positions on the New York editorial team, just in time for the launch next week of the billboard redesign (see story, page 3).

Jones joined the staff April 12 as R&B/hop-hop editor for Billboard Radio Monitor and staff writer for Billboard. On April 18, Chris M. Walsh comes aboard as associate editor of billboard.biz.

Jones will cover the hip-hop beat for Monitor and Billboard and their respective Web sites. She will also author the weekly Beats & Rhymes column in Billboard and play a key role in the Billboard R&B/Hip-Hop Conference & Awards. Jones reports to Billboard co-executive editor Ken Schlager and Monitor editor-in-chief Scott McKenzie.

Jones joins from Rolling Out Urbanstyle Weekly, where she has been managing editor and entertainment publication’s Philadelphia edition since November 2002. She joined Rolling Out in June 2003 as a senior staff writer at the publication’s Atlanta headquarters.

Jones’ bylines also have appeared in Billboard.com and in R&B Magazine. She holds a bachelor’s degree in English from Clark University in Atlanta.

Walsh comes to Billboard from the Verve Music Group, where he has served as new media and strategic marketing coordinator since October 2003. In this role, he managed Web sites for the label and its artists and wrote Verve-related news stories. Since November, he also has been a reporter for US Weekly, covering celebrity and pop culture events.

Before joining Verve, Walsh was the product manager/music for San Francisco-based digital jukebox firm Ecast. He also held a series of administrative posts with Virgin Records America, including A&R production coordinator. He holds a bachelor’s degree in business administration from Providence College in Rhode Island.

A LOOK AHEAD

‘Mimi’ To Debut Over ‘Rainbow’

BY KEITH CALIFIELD

Go ahead and call it a comeback. Mariah Carey is on course to land her first No. 1 album on The Billboard 200 since 1995—and with her biggest opening week ever.

First-day sales of Carey’s new “The Emancipation of Mimi” (RCA/Arista) suggest that her eleventh studio album could surpass 350,000 units, easily placing it at No. 1 on the big chart.

With a busy promotional schedule during release week—including visits to “Good Morning America,” “TRL,” “Live With Regis and Kelly” and “Late Show With David Letterman”—chart projections suggest Carey’s number may rise even higher.

Her last No. 1, “Butterfly” (Columbia/Sony Music), bowed with 235,000 in 1997. Her 1999 set “Rainbow” (Columbia/Sony Music) holds the record for the singer’s biggest opening week, having bowed at No. 2 with 325,000 units.

Also looking for a record-breaking sales week and chart bow is Ludovin, as its “Lost and Found” (Epic/Sony Music) could do upwards of 150,000 units, ensuring the Richmond, Va.-based artist a Top 10 debut. The act’s last album, “The End of All Things to Come,” started at No. 17 with 79,000 units in 2002.

Garbage’s fourth effort, “Bleed Like Me” (Altar/Caroline), may sell as much as 75,000 units in its first week. If that number holds, the group will earn its first top 10 album. The set’s single, “Of You,” has already gone top 10 on the Modern Rock Tracks chart.
Thanks to:
THE USED and
MY CHEMICAL ROMANCE
For Tearing it Up
in Niagara

Watch MTV2 soon for the video of the Used / My Chemical Romance collaboration "Under Pressure" shot at the $2 BILL, dedicated to the victims of the tsunami. A portion of the proceeds from the download of that track will be donated to musicforrelief.org
N.Y. Broadens Copyright Protection To Older Works

BY SUSAN BUTLER

NEW YORK—The protective arms of the law in this state are embracing recorded music, extending copyright to older recordings made anywhere in the world—even if they have fallen into the public domain over time.

Drawing the legal spotlight away from the ongoing battles over digital distribution and shining it on restorations and reissues, the New York State Court of Appeals held April 5 that sound recordings not covered by federal copyright law—those produced before Feb. 15, 1972—are protected until Feb. 15, 2067, by the state’s common law (the law created by the courts through legal precedent), the court said.

As a result, such historical recordings as the 1930s classical performances of Yehudi Menuhin, Pablo Casals and Edwin Fischer that were made in England by songwriters/artists at Warner/Chappell Music in New York without permission of the copyright holder, even when they are public-domain recordings in the country where they were recorded.

The opinion came nearly three years after Capitol Records filed suit in the U.S. District Court in New York against (Continued on page 60)

Warner/Chappell Head Named
Richard Blackstone Will Replace Departing Les Bider

BY SUSAN BUTLER

NEW YORK—Warner Music Group is taking another step toward reshaping its future, tapping Zomba Music Publishing president Richard Blackstone as the next chairman/CEO of Warner/Chappell Music.

Blackstone will take the reins from Les Bider, who announced Feb. 17 that he will depart when his contract expires in December (Billboard, Feb. 26).

As the group readies its initial public offering, executives declines to discuss their plans because of the regulatory quiet period.

Many publishers and lawyers tell Billboard they are surprised that long-time Warner/Chappell president Richard Shomaker was not elevated to the post. He weathered many changes during the last year, they say.

When WMG’s ownership was in play and it was acquired by the Edgar Bronfman Jr.-led group, it “cut the legs out from under the publishing group,” sources say.

In contrast to the other major publishers that signed high-profile deals in the last year, there were no big signings of songwriters/artists at Warner/Chappell.

The publisher could not spend money to compete in the market, sources say, and its staff was cut to the bone.

Having New York-based Blackstone marks a change, these observers say. It signals a likely desire by WMG chairman/CEO Bronfman to shift the publisher’s West Coast operations to New York and to bring in “new blood.”

‘UNIQUE BACKGROUND’

Blackstone joined Zomba in 1989
(Continued on page 61)

RIAA Suits To Hit Students

BY BILL HOLLAND

WASHINGTON, D.C.—As if the Internet wasn’t enough of a piracy challenge for the record business, now the Recording Industry Assn. of America has to turn its attention to the even more efficient university network known as Internet2.

The RIAA announced April 12 that it is targeting college students who use Internet2 to illegally download music.

In all, 465 students at 18 colleges across the country will be slapped with copyright-infringement lawsuits. Officials said students are using Internet2’s file-sharing application known as “2hub” to illegally get music on “a massive scale.”

“This next generation of the Internet is an extraordinarily exciting tool for researchers, technologists and many others with valuable legitimate uses,” RIAA president Cary Sherman said.

Yet, we cannot let this high-speed network become a zone of lawlessness where the normal rules don’t apply,” Sherman said of students mistaken-ly viewed 2hub as a safety zone, adding: “We punctured that perception.”

The RIAA said it has evidence of 2hub infringement at another 130 schools in 41 states. While these schools were not included in the initial round of lawsuits, Sherman said letters are being sent to each university president.

The letters will alert them to the illegal activity occurring on their campuses on both Internet2 and centralized piracy servers often set up by students on a college’s local area network.

Although evidence of infringing activity on 2hub is extensive, the RIAA is limiting the number of lawsuits to 25 per school at this time.

According to the RIAA, in a one-time tracking capture in March, the students being sued were sharing more than 1.5 million total files—music, video, software—including more than 930,000 music files.

The RIAA claims that defendants in this latest round of suits have, on average, 2,900 illicit files, 2,600 of which are MP3 files.

(Continued on page 61)

Island Def Jam Music Group chair- man Antonio “L.A.” Reid announced April 13 that the company has formed a 50-50 joint-venture deal with Russell Simmons’ latest company, the Russell Simmons Music Group.

Simmons, who will head RSMG, has named King Shah Productions/Chocolate City Music founder Tony Austin president of the new operation. Initial signings include Reverend Run (a former member of Run-D.M.C. and Simmons’ brother) and R&B sister group En Vogue.

Since co-founding the Island Def Jam Records two decades ago, Simmons has branched out into film, TV, fashion, broadband and food/beverage businesses.

EchoStar Communications’ Dish Network must honor a contractual obligation to carry a new music-video network from Vivendi Universal and Universal Music Group, a U.S. District Court in New York has ruled. The court issued a mandatory preliminary injunction April 14, ordering EchoStar to restore the channel as soon as possible. Litigation is still pending. The ruling paves the way for UMG to be the first music company to launch its own music video channel. EchoStar is the second-largest U.S. satellite TV service, with more than 10 million subscribers.

In one of a series of music division promotions at the William Morris Agency, David Snyder adds head of music operations to his previous title of head of the AC department. The Los Angeles-based 15-year WMA vet was the architect of the first computerized booking system used by an agency to organize and track national concert tours.

The agency also upped two senior VP’s, Marc Geiger and Tony Goldberg. Geiger was named head of contemporary music. The co-creator of the Lolapalooza tour, he co-founded Artist Direct in 1996 before joining WMA in Los Angeles in 2003. Goldberg was named head of the international department.

He joined WMA in 1998 as West Coast head of digital business.

All report to WMA Worldwide head of music Peter Grosslight, who says he orchestrated this restructuring following the retirement of his longtime WMA Music partner, Richard Rosenberg, last year.

MusicNet, the digital music service formed by several music labels to jump-start the online-distribution market, has been purchased by New York-based private equity firm Baker Capital. MusicNet provides the back-end technology for music services run by AOL, Trans World Entertainment, Virgin Entertainment Group’s Virgin Digital and HBO. According to Baker Capital, MusicNet will continue to provide services as an independent company.

Terms of the deal were not disclosed.

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Chicago-based rock label Victory Records has renewed its contract with New York-based Red Distribution. Victory had filed offers from nearly every major distributor. Victory’s deal with RED was due to expire at the end of July. The two have worked together since 1996. Sources indicate that the new deal is not long-term. Victory founder Tony Brummel and a Red representative declined to comment.

Hiring New York-based R&B label Jam & Lewis, founder Tone Lewis is leaving the company.

Plans to replace Lewis include former J&M producer, writer and mixer Kool John.

Word Label Group is licensing its catalog to Myrrh Records. Founded in 1972 as a division of Word Records, Myrrh was discontinued in 2000. It had been home to Amy Grant. The resurrected Myrrh will focus on worship music and expects to release new product later this year.

Former Korn member Brian “Head” Welch and actor Stephen Baldwin have formed Livin’ It Records. The New York-based label, which is seeking distribution, aims to release music later this year.

Baldwin will promote Livin’ It through his “extreme sports ministry” of the same name. The ministry is part of Christian organization Palaufest Productions.

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TODD MARTENS

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Dueling DRM Does Not Help Digital Market
Stop Throwing Stones

Apple Computer has recently been waging a back-and-forth battle with the hackers who created PyMusique, a solution that strips Apple’s FairPlay digital-rights-management technology from any track bought from iTunes. But just this past February, Steve Jobs contacted major record labels directing them to a blog containing a hack method for the new Napster to Go service.

That Jobs would make a point of highlighting a competitor’s legal weakness is puzzling, given the shaky DRM ground on which Apple stands. The PyMusique solution is hardly the first shot at cracking Apple’s DRM code. Some existing files on the school network strip the FairPlay DRM protection from iTunes-purchased files, such as that found at hymn-project.org. Additionally, there are several ways for iPod owners to grab entire music libraries from iPod to iPod in a fraction of the time it would take to download them.

The digital music industry remains in its formative stages, generating excitement and innovation from the music and technology industries alike and engaging a growing number of consumers. For every DRM solution created, there is someone working to defeat it.

And as interest in digital music grows, Apple can expect additional hackers to target the closed iTunes/iPod system. Initiatives like PyMusique and hymn-project.org exist not because of a desire to steal music, but rather because consumers demand the ability to play copyrighted music on any device or system they want, just like they can with CDs.

So long as the flexibility of authorized digital music is inhibited, some consumers will not have any usages other technologies to break that protection to exercise what they consider their usage rights.

What is it they say about people who live in glass houses? This is not the time to point fingers; the consumers’ security holes will be when they can better use plugged-up downloads.

Sure, Napster has taken a shot at Apple with its “Do the Math” advertising campaign touting the benefits of a subscription service over the pay-per-download model. But that is a legitimate debate on an emerging issue that is being discussed throughout the industry.

By all means highlight and compare on the differences in your user interfaces, your music discovery capabilities, your value proposition, even the devices you support. But the real trick is to compete on who has the best protection only serves to cut the entire digital music industry in a negative light.

—Antony Bruno

Letters

Indie Retail Vs. Starbucks: Another Voice

I am mystified by the naïve remarks in Michael TenBrink’s letter in the April 2 issue regarding Naverick Records’ decision to give Starbucks an exclusive on the Alanis Morissette album. In his letter, TenBrink calls Jerry Ramler of Trans World Entertainment “shrewd and unwise” for deciding not to stock the new album and pulling older product.

Let me assure you that Trans World Entertainment is notalone in its decision to pull all product by artists who enter exclusive sales ventures. We are an independent music retailer servicing the northeast corner of Colorado. We have managed to find success for almost 13 years now, but there are artists who will never find us in our store. If you are looking for a Rolling Stones or Elton John CD, for example, you will have to look elsewhere.

TenBrink seems to sum up our actions as a form of “a sore loser” or “playing the grassy knoll.” Well, he has one thing right: We are sore about such blatant arrogance from record companies that have forgotten how much of an impact “regular retail” (to quote Guy Oseary) has on album sales. In a time when albums are packaged with one, maybe two great singles, it is the music retailer who encourages and secures the sale of an album.

What an unfortunate time we have stumbled upon when the companies whose product we are promoting no longer have confidence in us to sell their product. Is the battle at Starbucks giving "Yell who" albums tracks that are really great or why that album is worth every penny of its price tag?

As for TenBrink’s implication that by pulling our product we are ignoring the wants of our customers, I assure him that our customers and their wishes are at the heart of every decision we make. We try to inform customers as to why we don’t carry certain products. Every customer we have talked to supports our decision.

You see, the closest Starbucks is a two-hour drive from our store, and it’s a little longer than that to the nearest Best Buy. Our staff and customers are opposed by the notion that the only people buying CDs live in select bigger cities.

In response to TenBrink’s comment that stores are giving up revenue, I fail to see that. When we inform customers why we don’t carry certain CDs, 99% of the time they leave the store with a CD from a different artist. Our customers don’t want to wait six weeks for product, and the truth of the matter is that in six weeks they will probably be interested in someone else anyway.

As far as coming up with “fresh” and “creative” ways to promote albums, we are constantly working to better ourselves. TenBrink suggests that we “unhappy retailers ... with labels and artists” to get our own exclusives.

Well, Michael, we are one of hundreds of thousands of sole independent music retailers in the country. Do you think there is a record company that would be interested in an exclusive with us? One store in the middle of the country?

It seems like every week we read about another music store throwing in the towel. We hope to be in this business for many years to come. Here at KC’s Tapes and CDs, we have a great love and respect for the artists and record companies and we are not “getting beat at our own game.” We are simply fighting for our chance to play the game.

Celeste Delgado-Pelton
Partner-manager, KC’s Tapes and CDs
Sterling, Colo.

Let your colleagues know what’s on your mind. Send letters to Ken Schlager, Executive Editor, Billboard, 770 Broadway, 6th Floor, New York, N.Y. 10003, or e-mail to letters@billboard.com. Include name, title, address and phone number for verification. Letters should be concise and may be edited. All submissions published shall become the sole property of Billboard, which shall own the copyright in whole or part, for publication.

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Celtic Woman’s A Sophisticated Lady

“Celtic Woman,” the self-titled collection from four female Irish singers and a violinist, is the latest non-traditional music offering to capture people’s attention. The album tops the Billboard Top World Albums chart for the fifth consecutive week. Driven by repeated airings of a 90-minute PBS special and the group’s appearance on NBC’s “Today” on St. Patrick’s Day, the title has sold 40,000 copies, according to Nielsen SoundScan.

Similar to such projects as the 5 Browns and Il Divo, Celtic Woman appeals to an older fan base that learns about new music through press and TV more than from radio.

“Celtic Woman,” which features ensemble and solo performances of traditional Irish and contemporary melodies, streeted March 1 in the United States on EMI-Manhattan Records. In a deal similar to the one EMI made with Robbie Williams, the label participates in all revenue streams, including CD, DVD, ticket and merchandise sales. EMI vice chairman David Munns struck the joint venture with Irish indie label Celtic Collections.

Celtic Woman will launch the first leg of a summer tour July 20 in Cleveland. It is presented by Clear.

(Continued on page 14)

Nalick’s ‘Day’ Has Come

BY MARGO WHITMIRE

More than a year in the making, the bravely emotional “Week of the Day” by Columbia newcomer Anna Nalick hits stores April 19.

The 21-year-old has steadily toured since the album’s completion, holding her own alongside such artists as Gavin DeGraw and labelmate Ari Hest with a resonant voice and lyrics wise beyond her years.

“For me, music has diminished the intimidation factor in meeting anybody,” Nalick says. “I’ve learned that anybody really is approachable because we’ve all experienced falling in love and gone bad.”

The album was originally slated for

(Continued on page 14)

NEWFOUND ACCEPTANCE

Mudvayne Stirs Broader Reaction At Rock Radio

BY CHRISTA TITUS

During a telephone conversation with Billboard, Mudvayne drummer Matt McDonough makes this pronouncement:

“I have to file my official disclaimer,” he says. “At some point in this interview, and it’s probably already happened, I have told you at least one lie.”

McDonough’s comment isn’t as straightforward as it seems, and that’s exactly his point.

“It’s important to remember that there are no rules,” he explains. “There is no right answer to a question in an interview. There’s no right way to write a song. There’s no rules for what we’re doing. As an artist, I think it’s exciting for us as a band to explore and to have the freedom to go into the space, to turn the lights on and to look around.”

Indeed, the metal band prefers keeping things open-ended so people can draw their own conclusions about its music on its new Epic set, “Lost and Found,” which streeted April 12. (A DualDisc of the album was released simultaneously.) Even though such plain-spoken lyrics as “There’s no voice in freedom” or “Turn off the radio/tune off the TV” seem to be direct mandates, McDonough and vocalist Chad Gray say that isn’t the case.

“We don’t want to tell people what anything’s about, really. I think it takes something away from the listener,” Gray says. “Like handing you a box wrapped up and telling you what’s in it before you open it.”

McDonough adds, “We have enough respect for our audience to give them the opportunity to think for themselves. We’ve never wanted to think of ourselves as being arrogant enough to know or to think that we could tell people what they should be thinking about or what they should assume songs are about. We leave it ambiguous.”

“Lost and Found,” produced by the band and Dave Fortman (Evanesence, Superjoint Ritual), already has a solid single at radio, “Happy?” It is No. 2 on the Mainstream Rock Tracks chart and No. 17 on Modern Rock Tracks.

(Continued on page 45)
Gospel Music Week Of Awards

One of the highlights of Gospel Music Week was the ASCAP awards dinner that honored its top songwriters and publishers April 11 at Nashville’s Richland Country Club. Jeremy Camp was named Christian songwriter of the year.

The Matthew West hit “More,” penned by West and Jason Houser, was named song of the year. It was published by West One Music, Word Music, and Extreme Writers Music.

EMI CMG Music Publishing garnered the honor for Christian publisher of the year. The company had a banner year with such a banner hit as “There’s Gotta Be More to Life,” “All I Need,” “Don’t Move,” “It Is You,” “King,” “Open Skies” and “Presence.”

4HIM was presented with a special award in recognition of its 15th anniversary and vast collection of hits. During their tenure together, group members Mark Harris, Marty Maguire, Kirk Sullivan and Andy Chrisman have churned out such classics as “Ibasics of Life,” “Center of the Mark” and “For Future Generations.”

In an industry where personnel changes are a common occurrence, 4HIM’s Dove Award-winning lineup has remained consistent. ASCAP assistant VP Dan Keen praises the group for supporting the Christian songwriting community by recording outside material in addition to supplying its own hits.

During the evening’s activities, West and Nichole Nordeman introduced songs from their new projects. Nordeman’s “Brave” bows May 24. West is still in the studio working on the follow-up to his Universal South debut, “Happy.’

Earlier that day, the Gospel Music Assn. presented its annual GMA Special Awards at the Monday Morning Love Brunch held with the Compassion International and World Vision shared the Impact Award.

Compassion is a child development organization that began partnering with Christian artists in 1990 to provide information during concerts that has spurred people to sponsor children in 23 countries. World Vision originated in the 1950s to help children orphaned in the Korean War. In addition to child sponsorship programs, it aids communities with water programs, health care education and agricultural and economic development.

The Lifetime Achievement Award was presented to the Stellar Awards. Founded by Don Jackson, CEO for 32 years of Central City Productions, the annual TV special honors the top artists in gospel music. The Grady Nutt Humor Award was presented to lark,news.com. Launched by Joel Kilpatrick in 2003, the site is considered to be the leading source of Christian satire.

The Outstanding Mainstream Contribution to Gospel Music Award honored Mel Gibson and “The Passion of the Christ.” The epic film that depicts the last 12 hours of Jesus’ life was released Feb. 25, 2004, and has grossed more than $511 million.

Tim Hughes received the International Award. Hughes is a worship leader with the organization Soul Survivor and has penned such popular worship songs as “Here I Am to Worship,” “The Beautiful One” and “Jesus You Alone.” The Scott Campbell Radio Award was presented to John Hull, VP of operations at KSBJ Houston, a three-time recipient of the GMAs large-market radio station of the year accolade. The Bob Gregory Award was presented to Jim Hoge, president/COP of WPOZ Orlando, Fla.

CATCHING UP WITH SMEKOE: In two short years, Smokie Norful has become one of the top artists in gospel music and one of the most visible artists in any genre.

The Grammy Award winner co-hosted the Gospel Music Assn.’s GMA Music Awards April 13, was recently featured on BET’s “Celebration of Gospel” and performed at the Trumpet Awards and NAACP Image Awards—not to mention that he has been all over gospel radio with his current hit “I Understand.” His new DVD, “Nothing Without You,” streets June 21.

How does Norful feel about all this? “I literally wasn’t surprised, because I’ve learned to expect great things from God,” says Norful, a preacher’s kid who grew up playing music in church.

“Of course, on the first go-round, it blew my mind. It was absolutely overwhelming the favor that he has received on my ministry. [The success of] that first CD and the second one was equally as overwhelming and exciting. By the time we got to this third release, I just said, ‘God, keep doing what you do.’”

Norful’s 2003 debut, “I Need You Now,” has sold more than 445,000 units, according to Nielsen SoundScan. The follow-up EP, “Limited Edition,” has scanned 191,000. Current effort “Nothing Without You” has sold 169,000 since its October release.

Retailers are expecting brisk sales from Norful’s DVD, and he is excited about its release. “People weren’t there that night [of the recording] to see Smokie Norful live, up close and personal,” he says of the DVD. “It wasn’t a concert—it was a ministry experience, and that’s what they are going to see.”

Norful praises EMI Gospel for the cutting-edge quality of the DVD and says it elevates the message he tried to convey on the audio release. “People get the CD and it moves people and ministers to people . . . and shares the word of God through my songs,” he says. “But what really, really excites me is for them to be able to visually experience God without encumbrance.”

Unlike music recorded for CD in which there is much more structure, Norful says a live DVD offers more freedom. “Time limitations and restraints, those were lifted; it literally was, ‘Let’s worship and enjoy God!’ I’m excited about sharing that with the world.”

Norful recently launched a production venture, Triune, based in Chicago. The first release by Darriel Petties is due in July and will come through EMI Gospel. Norful produced the project. He says of Petties, “He has a phenomenally anointed choir out of Memphis, and he’s a minister as well as a vocalist.”

Another project Norful is excited about is the church he is starting in Chicago. “We’ll actually start in June having Bible fellowship on Tuesday nights, and the name of the church will be Victory Cathedral,” says Norful, who plans to continue his music career. “That was one of the things I wrestled with. I don’t want to give up the music, it’s a passion. I love this. I can’t breathe without this, and then I don’t want to give up the word, because that is the reason for the music.”
Composer Stucky Wins Pulitzer Plaudit

The winner of the 2005 Pulitzer Prize for music, announced earlier this month, is 55-year-old Kansas native Steve Stucky, whose Second Concerto for Orchestra was premiered in March 2004 by the Los Angeles Philharmonic and music director Esa-Pekka Salonen.

The winning work, commissioned by the LAP, is in three movements. "The first movement is titled 'Overture (With Friends),'" Stucky says fondly. "The names of Frank Gehry, Esa-Pekka and other friends, as well as those of composer colleagues dead and alive, are embedded in the movement in code. It really represents an artistic family tree for me," he observes.

"I have a feeling of connecting with tradition that's become more and more satisfying to me as I grow older. "In that way," Stucky continues, "This work means more to me than other things I've written. It's very nice, then, to have this piece in particular be recognized by the Pulitzer jury."

Stucky has had a close relationship with the LAP for 16 years: he currently serves as the orchestra's consulting composer for new music. "The work with Esa-Pekka and the LAP is so satisfying," Stucky says. "I've been listening to them evolve as an ensemble, and hearing Esa-Pekka's style on the podium progress, for many years. Although I certainly enjoy working with other orchestras, the Los Angeles players are the model that I carry in my head. They're part of my artistic personality."

While continuing his work in Los Angeles and frequently conducting the LAP, New Music Group as well as his own Ensemble X, Stucky has taught at Cornell University in Ithaca, N.Y., since 1989.

Stucky notes, "As of now, there aren't plans to record the Second Concerto for Orchestra," adding that despite the financial challenges of recording an orchestral piece in the United States in this era, he hopes that the Pulitzer win provides impetus for such a project. Recent recordings of Stucky's work include a collection of his chamber music played by the Cassatt String Quartet and Ensemble X, released by Albany Records in 2004. The vocal ensemble Chanticleer included his Cradle Songs on its Grammy Award-winning album "Colors of Love," released in 2000.

Although this was the first year that jazz, film scores and musical theater works were eligible, the other Pulitzer finalists were familiar names: Elliot Carter, for his piece "Dialogues," and Steve Reich, for "You Are (Variations)." Nonesuch is recording Reich's piece with the Los Angeles Master Chorale, to be released this summer.

HETHERWICK'S BIG PLANS: Earlier this month, Sony BMG announced details about the emerging face of its recently formed classical division. Led by president Gilbert Hetherwick, it is called Sony BMG Masterworks.

Although this name has great resonance for classical music aficionados, it recalls CBS' beloved classical music label that was folded into Sony in 1969.

This historical resonance is intentional: Hetherwick notes that the new division will have a renewed commitment to core classical music. "We want to reach as broad a market as possible," he says, "but we are going to focus on real, traditional, classical music.

He adds, however, that his company will continue to produce some crossover recordings "that make sense," citing cellist Yo-Yo Ma's "Obrigado Brazil" albums as a successful model. Sony BMG Masterworks will also be responsible for Broadway reissues, as well as new recordings of cast albums and orchestral film scores.

Hetherwick describes the company's current artist-roster objectives as selective. "We're aggressively looking for new artists," he observes, "but we're not aggressively signing." Where Hetherwick plans to be more expansive is on the reissues side of the business. He also envisions making at least part of Sony BMG Masterworks' archives available for download. "That's the future of the catalog," he says. "The current situation, in which there are so many wonderful recordings in the vaults that are unavailable to music lovers, is a real shame."

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The Beat
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Channel and PBS.
In addition to the Irish community, Celtic Woman appeals to an older music fan. “This appeals to the same audience as Sarah Brightman,” EMI Classics & Jazz president/CEO Bruce Lundvall says. “It’s the sophisticated adult audience. The project is very musical, but it’s not corny.”

Manhattan Records senior VP/co-GM Ian Ralfini believes the DVD will ultimately be the top money-maker from the varying revenue streams since it allows fans to relive the concert experience. He adds that should “Celtic Woman” become the phenomenon that “Riverdance” became (the two share a musical director), Manhattan and its partners will explore such merchandising options as perfume or clothing lines.

PBS will air the special again in June and August. Manhattan is supporting the CD and DVD through TV commercials and circular ads, and is in discussions with fellow EMI label Narada about distributing the CD/DVD to lifestyle outlets.

The album will come out in the rest of the world in early 2006.

GOOD U2 MORNING: “Good Morning America” will kick off its summer concert series with U2, which will make its first morning TV appearance. The Irish lads won’t actually be in New York’s Bryant Park, where the performances usually take place. Instead, the “GMA” team will travel to a stop on the band’s Vertigo tour. They will interview the band and select three songs to air May 20 and two more to air May 21 on the weekend edition of “GMA.”

“U2 is the biggest act in the world; it’s completely viable that we’d do something different,” producer Mark Bracco says of the decision to air live concert footage rather than have the act perform in person. “For [a band] like U2, they can break some of the rules.”

Other artists confirmed for the series include Shakira, Santana, Missy Elliott, Clay Aiken, Keith Urban and Avril Lavigne.

A Lotta Soul: Leo Burnett USA has launched an artist-in-residence program. On a quarterly basis, the Chicago-based ad agency will bring in musicians, songwriters and producers to brainstorm. It has enlisted the help of Los Angeles-based music publishing company North Star Media to enlist talent.

The first act selected for the program was Collective Soul, which spent three days at the agency, meeting with 10 creative teams for such clients as Kellogg’s and Disney. The idea is that the meetings will generate use of existing catalog from the act or spur new material for upcoming spots. Collective Soul is in continuing discussions with the agency on projects.

Leo Burnett is giving us the marching orders in terms of the music we bring in, such as something cutting edge or something Latin,” North Star founder Ron Sobel says. “They’d really like to find high-profile acts, but the idea is to streamline the process, and part of our mandate is to bring the new and emerging artists as well.”

Nalick
Continued from page 11

release last October. Columbia Records Group chairman Will Botwin says the label decided to delay the record and build awareness through Nalick’s performances.

“We really started our campaign last summer,” he says. “We’ve showcased her in concert situations, conference rooms, clubs and to music supervisors. Whenever she plays, she gets people on her side.”

Nalick had written eight of the 11 tracks on the album before signing to Columbia. She partnered with production duo Christopher Thorn and Brad Smith—foundings members of Blind Melon—and Tori Amos producer Eric Rosse to take the tracks from conception to reality.

When she listens to the record now, Nalick says, “it might as well be in my head still, because it sounds exactly like what I imagined.”

The singer has already built a film and TV presence: First single “Breathe (2 A.M.)” was featured in a recent episode of CBS’ “Joan of Arcadia.” The track can also be heard in the Touchstone Pictures film “A Lot Like Love,” which opens April 22.

“We felt [TV and movie audiences] would be her most likely first fanbase,” Botwin says. “You can’t rely on just traditional radio anymore.”

But radio is taking notice of Nalick’s building story. “Breathe” is proving popular among adult top 40 audiences, as it steps 11-10 on the Billboard Adult Top 40 chart this issue.

Columbia executive VP of creative marketing and promotion Charlie Walk says the label considers Nalick a multiformat artist. Columbia looked to her strongest airplay markets to format a regional cup-sleeve campaign at high-traffic coffee chains featuring a photo of Nalick and information about the album.

“It was very organic,” Walk says. “We have been building up word-of-mouth strategically since last September. We really wanted a buzz on her going into the release date.”

The effort paid off. According to Columbia, there have been more than 3,000 prereaders going into the release of “Wreck of the Day.”

“We’re going to have a very aggressive retail presence with this album,” Botwin says. “There’s going to be a very healthy ship out and price-and-positioning in major retail accounts.”


Nalick has drawn comparisons to artists ranging from Fiona Apple to Paul Simon, and that’s fine with her. “I’ve never been compared to anyone I don’t like,” she says. “I’m a new artist, and people need a way to explain my music to other people.”
Los Angeles— Jack Johnson’s career could easily be summed up with the shipfaring mantra “steady as she goes.”

First building a fan base by touring small venues, the former champion surfer went on to open for Ben Harper at theaters and amphitheaters in 2003. A start headlining tour featuring G. Love and Donavon Frankenreiter last year has paved the way for a large-scale, 33-date headlining trek that will start Aug. 1 at the Verizon Wireless Theater in Houston. The tour also features ALO and Matt Costa.

“He had sold over 100,000 albums before he got played on the radio,” says Tom Chauncey, Johnson’s brother. “What will also set the tour apart is a guy who writes songs and plays acoustic guitar, and has ultimately developed his own category. Now, this is the largest U.S. tour Jack has done to date, both in terms of venue sizes and number of markets played in a consecutive time period.”

Chauncey expects that a show without bells and whistles will have widespread appeal in the packed summer touring season. To avoid the glut of summer show on-sales, he says tickets for most of the tour stops were available as early as March 20.

His latest album, “In Between Dreams” (Jack Johnson/Brushfire/Universal), is his fastest-selling yet with sales of 606,000 units, according to Nielsen SoundScan. The set bowed in March on The Billboard 200 at No. 3 and sold 229,000 copies, his best sales week ever.

The album’s first single, “Sitting, Waiting, Wishing,” has spent three weeks at No. 1 on Billboard Radio Monitor’s Triple-A chart.

Johnson’s last album, “On and On,” has sold 1.2 million units, peaked at No. 3 on The Billboard 200. Chauncey says that choosing the right venues for Johnson’s new tour, however, did not necessarily equate with reaching the most people.

“Maintaining outdoor facilities with a priority to keep the experience as intimate and special as possible,” he explains. “In certain markets, we purposely chose smaller venues where the vibe is exceptional over larger options.”

Jodie Hochwart, marketing manager for the 6,500-seat Idaho Center Amphitheatre in Nampa—host of Johnson’s Aug. 12 stop—says her venue is perfect for the performer’s “laid-back feel. We have a thriving 25-34 age demographic here that just wants to sit outside on a Friday night, have a drink and listen to Jack.”

Hochwart notes that the $35 tickets have been selling steadily since the show’s March on-sale, and that the date will likely sell out.

Similarly, Bill Hartnett, VP of events and entertainment for the 8,000-seat Starlight Theatre in Kansas City, Mo., says his venue’s Aug. 26 date is “on pace to probably sell out. He’s an artist who had good management and toured the right way. He’s become successful by building his audience slowly.”

Apart from generating interest through early on-sales, Johnson’s engagements prior to the tour will bring added attention to his summer dates.

In addition to performing April 13 and 16 at the Kukua Festival, a benefit for the Kukua Hawaii Foundation, which works to preserve Hawaii’s natural environment, he will appear April 26 at the New Orleans Jazz Festival and April 29 at the Beale Street Music Festival in Memphis.

Johnson will also tour Europe and Japan in May. He’ll return to the States for a June 11 appearance at the Bonnaroo festival in Manchester, Tenn.

Tour promotion has focused on print and radio advertising, according to Don Strasburg, senior talent buyer for Chuck Morris/Bill Graham Presents, and Emmanuel Patterson, senior talent buyer for House of Blues Concerts Canada. Straburg’s Aug. 24 date at Red Rocks Amphitheatre in Denver sold out, and the Patterson’s Sept. 17 show at the Molson Amphitheatre in Toronto, the tour finale, is more than 85% sold.

There wasn’t a lot of competition with other summer shows when it went up, but I don’t think that had anything to do with these ticket sales,” Patterson says. “People just dig a vibe, folk show.”

Venues and promoters say that Johnson’s partnership with 1% for the Planet is a boon, rather than a challenge.

“That will be appealing,” Idaho Center’s Hochwart says. “How can it not be? We all want our planet to be in the same form that it is now.”

Widespread Panic’s Small-Venue Trek A Big Deal

BY RAY WADDELL

If there ever was a time for Widespread Panic, it could be the summer of 2005.

The band has just returned to the road after an 18-month, self-imposed hiatus, and for the legions of Spreadheads (as its fans are known), it has been a welcome return.

“We’re just glad to be back, glad people haven’t forgotten us,” Panic bassist Dave Schools says.

As they say in the South, “Forget, hell.” Panic’s return kicked off with three sellouts March 24-26 at the Fox Theatre in Atlanta. The Clear Channel Entertainment-produced Georgia homecoming for Panic grossed $318,814 and drew more than 14,000 people.

The Fox gigs were the first in a series of multiples by the band at small venues this spring. Panic will then play the Bonnaroo festival June 11-12 in Manchester, Tenn., followed by more summer dates, beginning with three nights June 24-25 at Red Rocks Amphitheatre in Morrison, Colo.

The intensity surrounding the small-venue shows has been high.

“I would say it’s like getting back up on a bucking bronco,” says Schools, whose most ardent fans place themselves squarely in front of him in the “Schools zone.” “The amount of preparation you can do to get back up onstage after this amount of time and play in front of Widespread Panic fans. That first night at the Fox, I’ve never experienced anything like it.”

Buck Williams, the band’s longtime co-manager and talent, has been equally impressed.

“These shows have been over the top,” Williams says. “The enthusiasm and excitement of the fans and the band are both at all-time high.”

That is saying something for a band known for its fanatical following. Panic has a working onstage arsenal of more than 350 songs and will not repeat a tune within a three-concert span. The band says it has never repeated a set list.

“It feels better now, with this new generation of the band,” Schools observes. “I think the break did us all a world of good.” George McConnell, a longtime friend of the band, replaced founding guitarist Michael Houser, who died in 2002.

Such onstage flexibility inspires fans to attend multiple shows. “It’s not unusual for a fan to go to 20-25 shows a year,” Williams says. “And, after more than a year off the road, many fans found the small capacity of the initial return shows off-putting.”

“We had some backlash in Atlanta because we had about 90,000 requests for the first day that we could not accommodate,” Williams says.

“A lot of people have asked why we’re playing these small venues, and the reason is twofold,” Williams adds. “We did it for the fans, so they could get closer to the band. And we did it for the band, so they could get their chops back and feed the beast.”

Many of the early shows have been recorded and digitized and are available for download at nugs.net for $10.95. After the Atlanta shows, 17,000 downloads were given away in one week as a special band promotion.

Panic has released 15 CDs and five DVDs. The “Live at Oak Mountain” DVD on Sanctuary has been certified gold. During the band’s hiatus, four live CDs were released, all on Sanctuary.

PROMOTE US OR ELSE

The fervor surrounding Panic’s return to the road will propel it to the top-grossing band in the band’s 18-year history. Williams says, “Every single date we’re getting into the percentages,” he says, adding that the band works with a variety of promoters.

“We work with everyone,” Williams says. “But there are a few promoters we work with [for whom] this is their last chance to prove they get it with this band.”

Asked to explain, Williams says there are unique qualities to promoting a Panic show, mostly knowing how, where and when to put it on sale. Promoters also need to understand Panic’s fans and the correlation between the tickets, fans and the venues. He’s not just about putting a show on sale.

Williams has little patience for cookie-cutter promotions, particularly when it comes to radio. “Some people need to look at how they bid tickets and dollars to generate momentum,” he says, adding that he puts “zero value” in Web promotions and ticket giveaways that “have nothing to do with our show.”

Much of the widespread nature of Panic’s following is the result of a savvy and sophisticated approach to marketing, and Williams and his staff probe every aspect of a given promotion.

“If a station doesn’t play Widespread Panic, I’m not interested in [a ticket giveaway] promotion,” Williams says. “The promoter can buy a 60-second spot we have preproduced.”
Music

Megadeth Has Big Plans For Tour

Megadeth founder Dave Mustaine will launch a six-week festival tour in late July boasting two stages of music. Joining Megadeth on the main stage for Gigantour will be Dream Theater, Fear Factory, Dillinger Escape Plan and More, with more bands to be announced.

The Gigantour is produced by Mustaine, along with Benchmark Entertainment and the William Morris Agency. Keith Sarabian is the responsible agent.

"This tour is Dave's brainchild," says Kevin Gasser, a partner in Benchmark. "The timing is right, and we were able to find some great artists to come on the road with us. We wanted it to be a diverse show musically, rather than one subgenre."

The tour ups the metal quotient on the road this year, as Gigantour joins such hard rock acts as Clear Channel Entertainment produced Ozzfest, and the Sounds of the Underground tour, promoted by House of Blues. There are also several mega-metal fests, including Locoobuzzoos in Pittsburgh, Mass., and Louder Harder Faster in Allentown, Pa.

Such a busy metal slate speaks to the vitality of the genre. Gasser says, "It's a trend that isn't reflected by radio. Kids find a way to discover this music on their own, and they're very loyal."

Final routing for the tour has not yet been confirmed, although it is expected to hit amphitheaters and arenas in major North American markets. Tickets will be about $35.

Megadeth will be touring behind its latest album, "System Has Failed," which debuted last September at No. 18 on The Billboard 200. Dream Theater will utilize Gigantour to support its new album, "Octavarium," due June 7 on Atlantic.

Various promoters will work with the tour. "We want to work with people that are experts in their mar- kets," Gasser says. "If we can draw 12,000 people in a city, then we don't want to play a 20,000-seat venue. If that means playing indoors, we go indoors."

Gasser, a former agent at Creative Artists Agency, and former Hollywood Records A&R guy, John Dee, formed Benchmark three years ago in Los Angeles. Management clients include Maxxwell, Eels... And You Will Know Us by the Trail of Dead, Mark Lanegan, Chris Stills and Caleb Kane.

DOUBLE WHAMMY: There are some great double bills on tour in 2005, including Don Henley/Steve Nicks, Judas Priest/Queensrÿche and Tom Petty/Black Crowes. Add another to the list as Los Lonely Boys will be joined on the Brotherhood tour by Ozzfest, beginning in early May. The tour includes Clear Channel's first bill, making for as strong a contemporary Latin package as will be on the road in early summer.

The outing starts May 3 at the Dodge Arena in Hidalgo, Texas, and will include a hometown show for Los Lonely Boys May 5 in San Angelo, Texas, at the RiverStage. Dates are on the books until Aug. 20 at the Bonnaroo Festival in Highland, III.

TRIPLE DOUBLE: Brooks & Dunn will join forces with Big & Rich and the Warren Brothers on the Drees Wild tour this summer.

The 32-date tour launches Aug. 6 in Dallas at the Smirnoff Music Center, and wraps Oct. 30 in West Palm Beach, Fla., at the Sound Advice Amphitheatre.

The trek will be produced by Brian O'Connell, Nashville-based VP of Clear Channel Entertainment.

Brooks & Dunn are managed by Clarence Spalding and booked by the William Morris Agency. Spalding says the idea of Brooks & Dunn-headlined duo tour is something they've considered for some time. "This year seemed the right year to do it," Spalding says. "Big & Rich have sold a couple million records, and I think they will bring a totally new audience into our fan base."

Tickets will go on sale May 18.

GIGANTOUR
UMVD Rules R&B, Rap

BY GAIL MITCHELL

Further stretching its lead, Universal Music & Video Distribution continues to significantly outpace its competitors on the R&B and rap albums arena. UMVD commanded a 43% market share in R&B for first-quarter 2005. That is a gain of nearly eight percentage points over the 35.5% share UMVD accumulated during the same period in 2004.

The company’s rise is even more impressive on the rap front. UMVD jumped from 11.1% to 59.4% from 43.1% in 2004. (Rap album sales are included in the R&B total.)

UMVD’s performance was no doubt spurred by its No. 1 release from its Interscope division: rap newcomer The Game’s debut (“The Documentary”) and 50 Cent’s sophomore set (“The Massacre”). Also under the UMVD banner is Baby Bash, whose “Super Saucy” debuted at No. 7 on Top R&B/ Hip-Hop Albums. Fourth-quarter 2004 releases that are still gaining strong include Ludacris’ “The Red Light District,” Eminem’s “Encore,” Destiny’s Child’s “Destiny Fulfilled,” and Akon’s “Trouble.”

Sony BMG earned a 27% market share in R&B, thanks to albums by Mario, Omarion and Jennifer Lopez—not to mention notable 2004 debuts by John Legend, Ciara and Fantasia and Usher’s 26-weeks-and-counting chart ride. On the rap side, however, Sony BMG is fourth with a 7.5% share.

Independent labels locked down second place in rap with an 18.9% share, versus last year’s 14.8%. Bolstering the first-quarter 2005 tally were TVT with Lil Jon & The East Side Boys’ 2004 sophomore studio album, and No. 12, the Diplomats, Layzie Bone and Bizzy Bone. The indie sector moved from 9% to 10% in R&B to claim fourth place.

Holding down third place in R&B (11.3%) and rap (9.9%) is WEA. The company remained steady in R&B, among the artists who released product in the first quarter was Missy Elliott’s protégée Tweet. Her second album, issued March 22, debuted at No. 2 on Top R&B/Hip-Hop Albums. In rap, WEA lost three percentage points. However, its Asylum division notched a top-five hit on Top R&B/ Hip-Hop Albums with the Geto Boys. Among WEA’s earlier-issued strong sellers were T.I., Trick Daddy and Lil Scrappy/Trizzilla. WEA’s upcoming spring/summer slate includes newcomers Leela James and Cruna as well as Elliott, Jennifer, Yolanda Adams, Sean Paul and Fat Joe.

EMI Music Marketing was in fifth place in R&B (8.2%) and rap (4.4%). The company stayed even in R&B, with newcomer Brooke Valentine debuting at No. 3 with her March 15 album, and the Rev. Al Green coming in at No. 19. However, EMM lost ground in rap, sliding from a 9.9% market share in 2004. Industry observers will no doubt be keeping an eye on Virgin during the second quarter as Jermaine Dupri—newly appointed president of the label’s urban division—ramps up his release slate.

BET Gets Real With Fatty Koo

Fatty Koo. That colorful moniker belongs to the latest group of young talents seeking a music career.

The Columbus, Ohio, quintet’s travels in the music business are the subject of a new BET reality program, “Blowin’ Up! Fatty Koo.” It is the first original series from the network’s program development division, headed by VP Robyn Lattaker-Johnson.

The unscripted, 30-minute drama will unfold in 13 weeks, beginning April 21 at 9:30 p.m. EDT/PDT. It is billed as a chronic of real people concentrating on their music business—no their trappings of show business—no mega studio, no penthouse, no bling bling.

Fatty Koo’s sound blends R&B, hip-hop, jazz, Latin and pop. The group has a leg up on many fledgling acts, having signed a contract with Sony Urban/DAS/Columbia Records.

Its debut album, “House of Fatty Koo,” is due July 12, right after the series finishes. First single “Bedazzled Beat”—written by group members Eddie B (20 years old), Gabrielle (17), Valure (20), Marya (18) and Ron (17)—is the theme for the 2005 NBA playoffs.

Executive producers of “Blowin’ Up!” include DAS owner and Academy Award winner David Sonnenberg (“When We Were Kings”), S.A. Baron of Orion Entertainment and Gary Fisher, senior VP of video promotion and TV programming for Columbia Records.

“BET seemed like a natural fit for the group and the music they were creating,” Fisher says. As for why this particular reality-based music show will stand out from the crowd, Fisher offers one reason: It is not manufactured.

“This isn’t a series created in the halls of Columbia Records with bling and major producers,” he says. “First and foremost, the music stands out. Second, these are real, likable people: it’s easy to get sucked in who they are and what they are about.”

“Blowin’ Up!” is one of five original series BET introduced this month at the NCTA national cable convention in San Francisco and at the network’s Upfront ‘05 presentation to potential advertisers at the Kodak Theatre in Hollywood. Among the others is “BET Late Night,” a half-hour show featuring interviews, sketches and musical performances.

MUSICAL NOTES: Congrats to Faith Evans and Capitol Records on the success of her set “The First Lady.” It notched her best first-week sales and best chart outings: No. 1 on Top R&B/ Hip-Hop Albums and No. 2 on The Billboard 200 (see Over the Counter, page 49).

After releasing her first studio album in four years, the Los Angeles-based Evans says she has other projects on her plate. These include a fitness DVD, an accessories line and a sitcom based loosely on her life.

Vanessa Thomas signs with Worldwide Management in New York. Her album “A Woman’s Love” is available on Soluna Records. Thomas has wrapped production on “Just Because I’m Leaving,” an album of unreleased tracks by her late father, Rufus Thomas. She and siblings Carla and Marvell are coordinating a touring tribute to their dad, set for a May kickoff.

A four-CD retrospective of legendary label Cameo Parkway will hit shelves May 17 via ARKCO Records. “Cameo Parkway 1957-1967” celebrates the diverse indie that issued records by Chubby Checker, Bobby Rydell, Bob Seger, Patti LaBelle & Her Blue Belles, Dee Dee Sharp, the Five Stairsteps and Bunny Sigler.
B.G. Is All Heart On Upcoming Set

This issue's column was written by Rhonda Barak in Atlanta.

Former Cash Money mainstay B.G. says he always keeps an ear to the ground. He sets out to prove that with his latest CD, "Heart of Da Streets," due May 24 on his own Cargo City Records, distributed by Koch. First single is "Where Da At."

"I wanted to reach the same people whom I've always reached out for," B.G. says. "My fan base is mainly the streets. As long as I make the streets happy, I'm happy."

"It's like I say in one of my songs: 'A body can't operate without a heart.' So I feel like I'm the heart of the streets. I keep the streets bumping with my music. If I stop, then the streets are going to stop bumping."

B.G. (originally known as Baby Gangsta) grew up in the Uptown section of New Orleans. Before he reached his teens, he caught the attention of brothers Ronald "Slim" Williams and Bryan "Baby" Williams, who signed him to their fledgling Cash Money label. Often credited with launching the Cash Money Millionaires, B.G. first drew national attention with his 1999 single "Bling Bling."

CROOKED 1 SEES STRAIGHT: Former Death Row rapper Crooked 1 has been hunkered down in the studio with producer Scott Storch (\r\nBeyoncé, Fat Joe, Mario), working on an album set to drop July 12. "B.O.S.S. Music (Beginning of Something Serious)" will come out through Treacherous/Universal Records.

The rapper is also reading a tell-all DVD, "Life After Death Row." It will be released in conjunction with the new CD and a mix tape, "Young Boss, Vol. 1."

SIRIUS ABOUT MUSIC: Sirius Satellite Radio has kicked off a weekly mix show hosted by legendary DJ Grandmaster Flash—the man best known for blending rock, pop, jazz, and R&B in his hot mixes. The "Flash Mix" will air Saturdays from 2 p.m. to 5 p.m. on channel 61, beginning April 15.

Grandmaster Flash says his show will mirror the style he pioneered in the early '70s. He will also kick in some music history.

"I'll be talking about the use of samples," he says, "as well as what certain songs mean, where they came from and playing what I feel. I'm calling out to all the artists throughout the world to send me their stuff because this is going to be an amazing mix!"

NELLY SCHOLARS: Nelly and Fillmore Street Brewery (manufacturers of the noncarbonated energy drink Pimp Juice) have announced the winners of the PIMP (Positive Intellectual Motivated Person) Scholars Program ("Beats & Rhymes." Billboard, April 9). Howard University student Bryan Hughes and St. Louis University's Joyce Jackson each won a $5,000 scholarship.

2004's "Life After Cash Money."

While recording "Heart of Da Streets," B.G. did venture too far from the Chopper City family. "I didn't get any featured guests because I really wanted to push my own artists and make sure I set them up properly," he explains. "I basically kept my Chopper City boys: little brother Hakim, Sniper and 5th Ward Weeble. I just got in the lab and made a hot street album."

B.G.'s albums include 1993's "True Story" (reissued in 1999), and the 1997 releases "Chopper City," "It's All On U, Volume 1" and "It's All On U, Volume 2." The prolific rapper was also a member of Hot Boys with Juvenile, Lil Wayne and Young Turk. The group's albums include "Get It How U Live" (1997) and "Guerrilla Warfare" (1999). B.G.'s 1999 album "Chopper City in the Ghetto" debuted at No. 9 on The Billboard 200 and No. 2 on Top R&B/Hip-Hop Albums. It was bolstered by first single "Cash Money Is An Army," but it was "Bling Bling" that sent the set soaring.


B.G. is the subject of the second season of "I'm The Man," a documentary television series to be released on DVD and online. The show, produced by B.G. himself, follows the rapper as he navigates the music industry and personal life. B.G. has also worked on several film projects, including "The Boondock Saints" and "Soul Plane." His personal life has been the subject of intense media scrutiny, with multiple arrests and convictions for various offenses.

B.G. has also been involved in various philanthropic efforts, including the "B.G. Is All Heart" campaign, which raises funds for various non-profit organizations. He has also been an advocate for education and is involved in several initiatives aimed at promoting literacy and access to learning resources.

Despite his controversies, B.G. remains a prominent figure in the music industry, continuing to release music and engage with fans through various platforms. His influence on the music industry continues to be felt, with his work inspiring and influencing many artists and fans alike.

- End
UMVD Claims Half Of Latin Marketplace

BY LEILA COBO

Universal Music & Video Distribution went from being the third-largest distributor of Latin music in 2002 to the top distributor in 2003. It now accounts for more than half of all Latin music sold in the United States.

According to first-quarter figures released by Nielsen SoundScan, UMVD had a 53.2% market share of all Latin albums distributed in the United States. That is up from 45.3% for the same period in 2004, and more than double the market share of its closest competitor, Sony BMG, which had 21%.

UMVD’s numbers are the continuation of its market-share growth that began in 2002, thanks to a distribution deal with Univision Music Group. When distribution of Univision’s Fonovisa Records fell under UMVD in 2003, the distributor shot to the top of the Latin market.

UMVD’s first-quarter performance accompanied a new leadership of its Latin operation.

Earlier this year, UMVD VP of Latin sales and marketing Gustavo Lopez left the company to helm Machete Music, an urban music label launched by Universal Music Group.

His duties at UMVD were split between Nydia Laner, senior director of Latin sales, and Jesus Naranjo, director of Latin sales. Laner is supervising all wholesale and retail accounts, while Naranjo oversees one-stop accounts, which are mostly Latin.

The split works, Laner says, because it gives more concentration in each class of trade, and, when there is somebody focusing just on those accounts, it helps maximize the opportunities.

The split is particularly noteworthy in the Latin market, she adds, because one-stop accounts make up a substantial portion of the business.

Naranjo says UMVD’s Latin operation “has been parallel, both in the mainstream and one-stop accounts. Our structure is set up for both.”

Fueling that growth is Univision’s domination of the Latin market, and the reggaetón and duranguense movements, which continue to see a rise in sales that first started last year. UMVD has largely handled distribution of both genres. The top-selling reggaetón album so far this year is Daddy Yankee’s “Barrio Fino” (El Cartel/VI Music), which UMVD distributes.

“The year before, reggaetón was on the map, but it wasn’t embraced by a lot of the domestic accounts,” Laner says. “And little by little, one by one they’ve been opening up to it. Whereas before it was just on the East Coast, now it’s all over the West Coast, and big accounts have come forth. I think this year will mark the big explosion of reggaetón at retail, and also continue with” duranguense.

Laner also predicts a strong year for música de tierra caliente, another regional Mexican subgenre, and for Latin music DVDs.

UMVD’s big releases for the second quarter include new albums by Banda El Recodo (Fonovisa) and Aventí (Univision) and a greatest-hits set by Marco Antonio Solis (Fonovisa).

Tañón A ‘New Woman’

BY LEILA COBO

After recording for Warner Music Latina for more than 10 years, merengue/pop star Olga Tañón is placing her bets on a new label.

The artist’s new album, “Una Nueva Mujer,” is her first under Sony BMG. It will be released April 19. Tañón says the title—which means “A New Woman” in English—represents more than just her new label deal.

“I’m also the first artist signed by Sony BMG’s Latin arm,” Tañón says during a phone interview with Puerto Rico. “I’m a new woman because I’ve been writing, and I took on the task of learning new things as a mother.”

Tañón, who hails from Puerto Rico, has also opened a recording studio in Miami, Nuestra Musa. It is a partnership with producer José Luis Morín, who co-wrote two tracks on “Una Nueva Mujer” with Tañón and produced seven of the album’s 12 songs.

All of these elements have raised expectations for the album. It is Tañón’s first studio recording since 2002’s “Sobrevivir,” which has sold 64,000 copies, according to Nielsen SoundScan. That was followed by 2003’s “Puro Fuego,” which mostly featured new versions of older material. It has sold 30,000 units.

But those sales figures weren’t nearly as robust as those of previous albums by the four-time Grammy Award winner, who is widely considered to be the queen of merengue with more than 4 million albums sold worldwide, according to her label—and the first merengue star to delve successfully into pop.

This time around, hopes are high for Tañón to reclaim her status as a top-selling artist.

“When they are solid artists with an important track record, [they] always have good prospects,” says Angel Carasco, Sony BMG senior VP of A&R for the Latin American region.

Because Tañón has been out of the spotlight for some time, she is more heavily involved with promoting the project than in the past.

Selena’s Appeal Still Strong

Propelled by the huge success of the Univision TV network special “Selena Vive!,” EMI Music U.S. Latin has put an increased push behind the CD and DVD releases of the show.

According to Nielsen, “Selena Vive!,” which aired live on Univision, was followed by a 35.9 Hispanic television index rating, which translates into 3.9 million viewing households. It is the highest rating ever for a Spanish-language TV special.

The three-hour show included an introduction by Jennifer Lopez, who plays the role of the legendary film “Selena,” and performances by Thalía, Banda El Recodo and Paulina Rubio.

“The demand from customers and bayers has been great,” says Jorge Pino, president/chairman of EMI Music U.S. Latin.

The CD will be released May 10, the DVD in June. A TV campaign kicks off May 3.

The album has 12 tracks, including two previously released Selena songs. Mexican singer Ana Gabriel performs the first single, “Tu Sólo Tú.” The album will be available as a solo CD and as part of a CD/DVD combo.

It will be the last in a series of recordings released this year to commemorate the 10th anniversary of Selena’s death. This issue, there are five Selena titles on the Billboard Top Latin Albums chart, including “Unforgettable,” a four-disc CD/DVD boxed set that debuted at No. 18.

In addition, five Selena tracks are among EMI’s top 10 downloads for the week ending April 9.

According to Pino, two songs, “Dreaming of You” and “I Could Fall in Love,” are the labels’ top-selling downloads for first-quarter 2005 as well as year-to-date (which covers the period between April 1, 2004, and March 31, 2005). For the week ending April 9, the two songs continue to head the list.

“Selena legacy continues unbridled,” says Pino. “And what we were able to see in the concert is that her fan base is made up of older and younger people.”

RUBIO ON THE ROAD: Pop artist Paulina Rubio will launch the U.S. leg of her Pau Latina tour with an April 29 concert at the Nokia Theater in Dallas. So far on the trek, Rubio has played more than 30 cities in Mexico and Central and South America. In the United States, 25 concert dates are planned for the six-week arena and theater run. East Coast dates are expected to be announced in the coming weeks.

The Talent Agency is booking the tour.

“Pau Latina” (Universal Music Latino) was released more than a year ago, but it continues to produce singles, the most recent being “Mía.” (Continued on page 26)
Exciting Highlights

**The Billboard Q&A**

CHAYANNE

Presented by Heineken

- Mario Domm
- Facundo Monty
- Roy Tavaré

**ASCAP Acoustic Showcase**

**Reggaetón Nights**

Presented by Bullseye Productions with performances by Locos Por Juana, Lunytunes, Queenie, La Sinfonia & Sucio

- JD Natasha
- Monterosa
- Si Señor

- Ivy Queen
- Crooked Stilo
- Grupo Climax

Hosted by

- Natalia Villaveces
- Jorge Bernal

**CTV Pre Launch Preview Party**

- Didier
- Funkbunka
- GQ

- Heman Gamboa
- Sacha Nairobi

**Heineken Happy Hour**

With performances by Glory, Rayito and ...

- El Guapo
- Eduardo Osorio
- Xarah

- David Torrens

**MTV Español Welcome Cocktail Reception**

**3rd Annual Billboard Bash presentations & performances by Billboard Latin Music Awards finalists**

**RB Records Showcase**

- Cuba Viva
- JO-L
- Danilo Parra

**Panelists & Film Q&A**

With Fernando Trueba

Production in Motion: A live session with A.B. Quintanilla & Cruz Martinez

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Billboard

Ricardo Companioni
Billboard

John Eschevarria
Universal Music Latino

Abbe Frank
Nielsen Entertainment

Regia Gonzalez
Music Choice

Eddy Jaca
Universal Music Latino

Sergio Lopes
EMI Music Latin America

Shirley Maldonado
Sirius Satellite Radio

Geoff Mayfield
Billboard

Marya Meyer
LARA5

Alvivb Crooked Stylo

Daddy Yankee

Hector E Bambino

Ivy Queen

Pitbull

Flavio Morales
Mun2

Brad Navin
The Orchard

Mayna Nevarez
Nevarez Communications

Gregg Ogorzalec
Napster

Carlos Perez
Sony BMG Music

Alfonso Perez Soto
Warner Music

Susan Roberts
UMVD

Luís Samra
Wireless Latin Entertainment

Miguel SierraFala
emusiclatino.com

Mark Stollman
Stollman & Grubman

Nancy Wagner
Nielsen Entertainment

Les Watkins
Music Reports

Yotuel

Orishas

and more!
**Billboard Top Latin Albums**

**LATIN POP ALBUMS**

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**TOP LATIN ALBUMS**

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**REGIONAL MEXICAN ALBUMS**

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**GREATEST Gainer**

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**BILBOARD APRIL 23, 2005** www.billboard.com • www.billboard.biz
Notas
Continued from page 21

In other Rubí news, inspired by the success of the feather-adorned skirt she wore for her duet with Pitbull at the MTV Latin America Awards last October, Rubí and her personal designer have designed a “tutu Pau” skirt. The artist has already worn different versions of the plumed tutu on three national TV performances. The clothing is scheduled to go on sale this summer and initially will be sold via Rubí’s Web site, paupower.com.

OPEN FOR BUSINESS: Former Universal Music Latino national TV manager Monica Escober has launched her own PR and production company. Miami-based Palene Entertainment is a partnership among Escober, pub- licist Eliana Nieto and sound engi- neer/producer Carlos “Xokol” Sánchez. Palene will focus on develop- ing and implementing marketing campaigns and branding alliances.

Elite Management Group, a new management, booking and PR firm, has been launched with the help of numerous artists and promot- ers, including Ednita Nazario and Henry Cárdenas. Somoza, formerly with Estefan Enterprises and the Crossrider Agency, has worked with Thalía, Julio Iglesias, Paulina Rubio and Shalim.

In their early years, the Gardelos were perceived merely as pat-on-the-back prizes from the industry to its favorite, best-selling artists.

Today, the consensus of artists and audiences is that the Gardelos are the most important prize in the country’s music business.

Prior to the Gardelos, a group of journ- alists tried to organize a music awards show with the ACE Awards, but the experience lasted only a couple of years. Later, national newspaper Clarín organized its own awards honoring the entertainment business, but nothing was dedicated expressly to music. Although the awards previously aired live on Canal 13, Argentina’s second- largest TV network, this year they aired live on Telefe, the country’s most- watched network.

According to José Luis Lombardo, marketing director of Warner Music Argentina, artists’ support for the awards has grown each year.

“Leaving the record companies out- side of the voting process has given true transparency and let no suspicions of hidden agendas,” Lombardo says. “They still have to understand that it is necessary to attend without knowing if they win or not.”

Lombardo adds that he received dozens of calls from artists interested in performing live or knowing the results beforehand. But finding out the winners is impossible, because voting takes place through a secure page on CAPIF’s Web site. The last day to cast votes was April 7, but votes are tallied up until the day before the awards.

IMPACT ON RECORD SALES
Argentina’s economic woes make it difficult to rely on television money on sales, but Salcedo and Lombardo agree that it is more clearly evidenced in the rising popularity of new artists, such as pop act Airbag and electronic tango group Bajo Pando’s Tango Club.

“Acts such as Bersuit Vergaratá have already reached multiplatinum status,” Salcedo says. “But sales of many tango recordings on independ- ent labels, like FFPA, have widened.”

Both the nominations and the awards are used as marketing and promo- tion tools. Two years ago, many albums were embargoed with a sticker noting they were award winners, but the country’s recent recessions make it impossible to detect any reflection on sales. This year, many radio stations organized contests and gave increased airplay to nominated songs.

“The constant [striving] for per- formance in these awards has only one final goal,” Salcedo says. “And that is to show that these are the true awards of the music community in Argentina, and not the record industry.”

Available at the band’s Web site (venushum.com) and Apple Com- puter’s iTunes Music Store, “Super- heroes” includes “Fighting for Love,” a song the threesome wrote with JJ Abrams, the creator of hit TV shows “Lost” and “Alias.”

“Fighting for Love” first appeared on the 2004 DVD “Alias—the Com- plete Third Season.”

According to Stream, “Super- heroes” is the perfect bridge “between our first album and our next one. It takes off where Big Beautiful Sky left off.”

The band has completed a hand- ful of tracks for the new album, which Miracle calls an electronic- acoustic album.

Miracle tells Billboard that he and his bandmates are striving for an electronic-sounding record using all acoustic sources. “No oscillators or strict synthesizer patches in the studio,” he says. “Just guitars and human sounds, like a hand hitting a table.”

Stream adds, “It’s like that old- school cooking concept: Use what’s in your cupboard.”

Venus Hum will self-release the album later this year—that is, if a larger label doesn’t come along and snatch it up.

Music Latin

Gardel Awards Shine A Little Brighter

BY MARCELO FERNANDEZ BITAS

BUENOS AIRES—The Gardel Awards, Argentina’s annual celebration of its regional music, entered its seventh year May 17 reverting rules and newfound credibility and respect throughout the music community.

Organized by the Chamber of Rec- ord Producers (CAPIF), the April 13 awards, which took place at the Gran Rex Theater, honored artists in 30 cat- egories, including two new fields: music DVD and recording engineer.

The evening’s big winner was Vicen- tico, with four awards, including song of the year for “Los Caminos de la Vida.”

Pop artist Diego Torres and rock group Bersuit Vergaratá each won two awards, the latter taking home album of the year and the Golden Gardel Award for “La Argentinidad al Palo.”

Torres was also presented with the personality of the year award, a special honor given for the first time last year and voted on by a special committee.

Apart from the winners, the Gardelos’ sustained success underline their importance as a marketing and sales tool, and as a reflection of a healthier music community. Plus, the awards’ voting process has given them a new- found credibility.

“For the past two years, the voting committee has been truly independent from the record companies, whose staffs can no longer vote,” CAPIF exec- utive director Gabriel Salcedo says. “There are now 1,500 voters that include artists, producers and journalists of every musical genre. The result was clearly reflected last year, where many performers were signed to small independ- ent labels and more than 80% of the nominees attended the ceremony—an unheard-of proportion in [the awards] history.”

Music

Venus Hum Sings Some New ‘Songs’

YOU CAN DANCE: In October, Reprise/ Warner Bros. artist Esthero topped the Billboard Hot Dance Club Play chart with “O.G. Bitch,” which went top 10 on the Hot Dance Singles Sales tally.

Now, the label is readying remixes of the Canadian artist’s “Fastlane” (ft. Big Kenny and the General), which in its original version inter-
### HOT DANCE SINGLESALES

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**Title**, **Artist**, and **Week** are all linked to their respective pages in Billboard for more information.
Bucking For The Buckle
Gretchen Wilson Wins Two CMT Video Awards

BY PHYL LIS STARK

NASHVILLE—Gretchen Wilson was a top vote getter at the 2005 CMT Music Awards, held April 11 at the Gaylord Entertainment Center here.

Wilson took home two of the evening’s nine fan-voted awards: breakthrough video of the year for her debut clip, “Redneck Woman,” and female video for “When I Think About Cheatin’.”

Just one video, “Whiskey Lullaby,” won two awards. That clip earned its performers, Brad Paisley and Alison Krauss, one of CMT’s distinctive belt-buckle style trophies for collaborative video of the year. Rick Schroder, who directed and starred in the clip, won the belt buckle for video director.

Keith Urban won the evening’s top prize, video of the year, for “Days Go By.” Kenny Chesney won male video for “I Go Back.”

Rascal Flatts and Tim McGraw each won awards but weren’t on hand to accept them. Rascal Flatts won the duo/group video prize for “Feels Like Today.” McGraw’s “Live Like You Were Dying” was named video of the year. Toby Keith’s “Whiskey Girl” won in the category of hottest video.

As previously announced, Loretta Lynn was honored with the Johnny Cash Visionary Award, which was telecast live on CMT and hosted by Jeff Foxworthy. Lynn was lauded live by Reba McEntire, Martina McBride and Wynonna, Faith Hill and others.

The evening’s performers included Chesney, McEntire, Dierks Bentley, Alan Jackson, Urban, Keith, Paisley and Big & Rich.

One musical highlight: a gathering of three Wilsons as Gretchen Wilson performed “Crazy on You” with its originators, Ann and Nancy Wilson of the rock band Heart.

And following a long absence from the music scene, Trisha Yearwood made a surprise appearance performing her new single, “Georgia Rain.”

Life Is A ‘Little’ Bit Better For Billy Dean

Before it became the year’s surprise success story, Billy Dean thought his new album might be his last.

A consistent hitmaker throughout much of the ’90s, Dean had fallen from view after his deal with Capitol ended in 1998. As his career was tanking, Dean also was grappling with personal demons. Dean had earned four gold albums, won awards, acted on TV shows like “Wings,” and “One Life to Live,” and after a divorce—dated actress Crystal Bernard. When that life dried up, Dean suffered what his bio refers to as “humbling personal and career breakdowns,” as well as financial setbacks and a close call with a nervous breakdown.

“If nobody wants to book you and nobody wants to sign you, what do you do? Go on ‘The Surreal Life,’” he wondered.

During this time, things got tight financially. Dean, who had grown up poor, dreaded ending up there again. “I had a lot of property that I kept selling and selling. It brought back fears of living how I had to live as a kid. . . . I was starving at that life again thinking, ‘God, how could I have

“I literally bet the farm on this album,” he says. “It was really scary, but I didn’t know any other way to put an exclamation point on my career.”

Dean knew this album would either reintroduce him to the country format or be his swan song. But he vowed to show that he still had some good music left in him.

Then a funny thing happened. As Dean and his manager, Doc Gonzales, hit the road in an SUV promoting the album by radio themselves, a group of stations began playing tracks from the album. Dean’s cover of John Denver’s “Thank God I’m a Country Boy” began climbing the “Billboard” Hot Country Singles & Tracks chart, peaking at No. 27.

That got the attention of Curb Records, which signed him to a new deal and helped him land a top 10 hit with “Let Them Be Little,” the song tur- boxed Dean’s March 29 release of the same name to a No. 8 debut on Top Country Albums last issue with first-week sales of more than 18,000 copies, according to Nielsen SoundScan.

Meanwhile, Dean has also rebuilt his life, focusing on being a devoted father and finding new love with a schoolteacher, whom he will marry May 7. He has moved from a house
done so well, and now I’m getting ready to possibly lose it all. I didn’t want to feel like a failure. It was very nerve-wracking.”

It had been seven years since his last album and nine since his last radio hit. Faced with uncertainty about whether his career was over, but wanting to take another shot, Dean decided to record and produce the album “Let Them Be Little” on his own, emptying his bank account in the effort.

he refers to as “the Pondersosa” to a modest Nashville home.

He credits radio for his comeback. “Like many people, Dean was under the impression that radio had gotten to the point where all playlist decisions were dictated at the corporate level. “Then I got out there and found [programmers] still have the power and freedom to play what they want for their market,” he says.

The Curb deal, which is for more than one album, surprised him. “I really didn’t expect it to get picked up by a record label,” he says of the album, for which he had more mod-

est expectations. “I had hoped I might be able to get into some of those dot-com business things that were popping up in Nashville and take a more grass-roots approach.”

Still, he had been waiting for his chance to get back into the business. “The whole time I’ve been on the sideline, raising kids and watching the industry like this merry-go-round, wondering, ‘Where and when do I jump in?’”

Dean has updated his sound, which he describes as “rock’n’roll bluegrass.” “I hired a rock drummer, a rock bass player and an electric guitar player,” he says. “And then I went and got the virtues of bluegrass on the wood and wire instruments,” he says. Among the new instruments, “Billy the Kid.”

“It’s been about a seven- or eight-year effort to try to get my own house in order and myself in order,” he says. “But doing that has changed the quality of my work. A good quality of work results in a good quality of work.”

Despite the painful times, Dean says the upshot of his recent experiences is that he has grown close with his kids and learned “not to let my career define whether I’m a successful human being.”
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ALBUMS

Edited by Michael Polletta

NEW & NOTEWORTHY

MARSHA WAINWRIGHT
Martha Wainwright
PRODUCERS: Martha Wainwright, Brad Ross
Zoe/Rounder 1063
RELEASE DATE: April 12
On her self-titled, full-length debut, Martha Wainwright succeeds so well that so many baby-voiced female singers have failed. Though accenting the vulnerability her vocals naturally possess, she manages to work up a lot of homemade and naturalized sentimentality. Across these 13 songs, she proves she is a vibrant and creative member of a formidable musical family that includes brother Rufus (who duets with her on “The Millionaire”), mother Kate McGarrigle, and father Loudon W. Louden’s drumming on “B.M.F.A.” (short for “bloody motherfucking asshole”) or more likely will draw the most initial reaction for its explosive spiritual release, the rest of Martha’s Jon Brion-inflected melodic folk is equally ripe with wry emotion that simmers (“These Flowers,” “Who Was I Kidding?”) and occasionally boils over (“Ball and Chain,” “Factory”).

ROB THOMAS
Something to Be
PRODUCER: Matt Serletic/Melisma/Atlantic 83723
RELEASE DATE: April 19
Much has been made of Bob Thomas’ solo debut—particularly that it shows various musical sides of the Grammy Award-winning Matchbox Twenty frontman. His debut single “Lonely No More” is a certified pop hit. In this issue, the ultra catchy, Justin Timberlake-shingled track, which peaked at No. 2 on the Adult Top 40 chart, hits the top 10 of The Billboard Hot 100. It is one of many

YO-YO MA & THE SILK ROAD ENSEMBLE
Silk Road Journeys: Beyond the Horizon
PRODUCER: Steven Epstein
Sony Classical SK 93962
RELEASE DATE: April 5
Five years ago, superstar cellist Yo-Yo Ma began bringing together master musicians from across Asia to create the Silk Road Ensemble, a group that explores and celebrates the interconnected and yet unique musical traditions of the countries along the ancient trade route known as the Silk Road. In their third recording collaboration, these virtuosos present a beguiling array of new works and arrangements of traditional music. Each piece is so vibrantly realized in bright colors and finely textured details that they are nearly cinematic in themselves. Particularly wonderful are the piquant improvisation “Oasis,” led by Chinese musicians Wu Tong and Wu Man; the epic, romantic sweep of Persian vocalist Kayhan Kalhor’s “Mountains Are Far Away”; and the yearning, haunting sound of Azerbaijani vocalist Alim Qasimov in “Kor Arab.”

ROB THOMAS
Something to Be
PRODUCER: Matt Serletic
Melisma/Atlantic 83723
RELEASE DATE: April 19
Following its promising 2002 Super Pop debut, “Make Up the Breakdown,” Hot Hot Heat has graduated to major league with its integrity intact. It isn’t like the band had a ton of indie cred before—just a knack for crafting catchy rock numbers on some 20 modern rock hit “Bandages.” Ele- vator continues this trend, mixing the band’s 80s influences with clever lyrics that lift it above the “garage band” tag it was initially saddled with. Mostly fun and upbeat, “Ele- vator” features 15 tracks in slightly more than 33 minutes, with many songs (including lead single “Good Night Goodnight”) clocking in at roughly two minutes. Song titles like “You Owe Me an I” and lyrics like “Maybe I’m a little slow or just consistently inconsistent” show off Hot Hot Heat’s wit, while “Middle of Nowhere,” “Jingle Jangle” and the title track showcase the band’s melody. Fans of retro rock and pop should take “Elevator” for a ride.

BILLBOARD HOT HEAT
Elevator
PRODUCER: D. Sandy Sire 48988
RELEASE DATE: April 5

R&B/HIP-HOP

PORTFOLIO
Lost and Found
PRODUCERS: Dave Fortman, Mudvayne
Ek 90784
RELEASE DATE: April 12
Mudvayne has proved to be one of the more successful metal bands of the new millennium, raking up gold records for its previous two releases. The band was initially lumped together with Slipknot because of both groups’ propensity for wearing costumes and makeup. However, for this go-round, Mudvayne has shed the makeup and nicknames to prove it can stand on its own without the gimmicks. Guess what? Mudvayne remains standing. In fact, lead single “Happy” is their highest-charting rock track to date. Fortunately, while denying a fresh image, the band has made its most generic album yet. Mudvayne is undeniably talented and has a distinguishable sound—thanks to Chad Gray’s vocals and the band’s complex rhythms—but there’s little to distinguish “Lost and Found” from past efforts. Lead track “Dettagli” sounds like a retreat of its first hit, “Dig,” and short of “Forget to Remember” and the melodic “Fall Into Sleep,” the album is, while not terrible, not very memorable, either.—BT

LISA MARIE PRESLEY
Now What
PRODUCER: Eric Rosse
Capitol 00072
RELEASE DATE: April 5
It’s telling that the first single Lisa Marie Presley’s sophomore set is a cover: “Dirty Laundry” was a hit for Don Henley in 1983. As a hidden bonus track, she also remakes the Ramones’ “Here Today, Gone Tomorrow.” Some- times, she manages to produce lackluster versions of both. Despite hitmaker Linda Perry co-writing half of the album’s original tracks, something is missing. “Now What” is well-produced and often catchy (“I’ll Figure It Out”), but there’s nothing distinctive about it. If Elvis’ daughter is pondering her next career move, perhaps she should consider a new direction.—KK

SOUNDTRACK
Diary of a Mad Black Woman
PRODUCERS: various
Rowdy Entertainment/Motown 80004615
RELEASE DATE: April 19
Tyler Perry’s “Diary of a Mad Black Woman” scored No. 1 box-office kudos. Judging by the mesmerizing performances here, the movie’s soundtrack deserves to do equally as well. It’s filled to the brim with diverse stylings that will have you frequently punching the repeat-play button. India, Ariana, Monica, Natalie Cole and other mar- quate names from the worlds of R&B, pop and gospel cut loose on a cogent collection that unleashes a maestros of emotions. Arie’s soulful “Pray Me” opens the proceedings. Her moving delivery is echoed at various turns by fellow contemporaries Angie Stone (“Different Directions”), Talib Kweli (“Things I Collected”) and Heather Headley (“ Ain’t It Funny”). Meanwhile, R&B/vs-pop/otel “(I Wanna Love Again)” and Patti Labelle (“I Wanna Be Free”) nearly steal the show, Not to be counted out is former R&B hitmaker Cheryl Peppsi Riley on the illuminating “What If God Was One of Us.”—GM

DANCE/ELECTRONIC

BEAT WATT
Buzzin’ Fly Volume 2: Replumbing Music for the Modern Soul
PRODUCERS: various
Astralwerks ASW 06303
RELEASE DATE: April 5
Two years ago. Everything but the Girl’s Ben Watt established Buzzin’ Fly Records so he could release house music he deemed noteworthy. Judging by the label’s success in underground clubs, DJs and enthusiasts appreciate what Watt is discovering—the latest of which is his sublime collaboration with British MC Estelle, “Pop a Cap in Ya Ass,” included here. For his second Buzzin’ Fly CD, he blends the old and the new. Highlights include offerings from Justin Martin (“Le Boom”), Manox & Françoise (“Five Seasons”) and Unity (“I Love You”). This CD’s subtitle indeed sums up the set best.—MP

WORLD

NIYAZ
Niyaz
PRODUCERS: Azam Ali, Loga Ramin Torikan, Carmen Rizzo
Six Degrees 657036 1110
RELEASE DATE: April 19
Niyaz is the meeting of three major artists—Azam Ali, the sublime vocalist of Vas; multi-instrumentalist Loga Ramin Torikan of Anzom; and Carmen Rizzo of Silk Road Ensemble. The 10 songs on their self-titled project are based on Sri mystical poetry. All songs in Parsi and Urdu, and the Farsi poems were taken from the work of the famed Jalaluddin Rumi. Sufi poetry—and the contemporary music that draws on it—is known for its esoteric quality, but the arrangements here have a greater sonic density than, say, the recordings of legendary Sufi vocalist Nusrat Fateh Ali Khan; and the emphasis is on groove rather than prolonged jangs. The Niyaz vibe is an alluring combination of medieval Persian and Indian tradition and forms that are staple of the art. Ali’s vocals are wholly evocative of another world and another time; which creates a very wonderful ten- sion with Torikan and Rizzo’s inspired instrumental textures.—PPV

JAZZ

DIANE SCHUUR
Schuur Fire
PRODUCER: Oscar Castro-Neves
Concord Picante 2264
RELEASE DATE: April 5
Following her self-titled, full-length, collection of Latin-tinged tunes with the Caribbean Jazz Project features David Ramsey on vocals and guitar/ trumpet/keyboard. Brazilian guitarist Oscar Castro-Neves produces and performs. While the concept of the Latinization of Schuur initially seems suspect, overall the experiment succeeds. Rather than do straight covers of new songs like Moby’s “Porcelain” and Stevie Wonder’s “The Way You Do the Things You Do,” Schuur goes with more of her own to the writers. While many of her more artists.

CONTRIBUTORS: Jeim Besman, Keith Caulfied, Gordon Ely, Deborah Evans Price, Barry A. Jeckell, Katy Kroll, Gail Mitchell, Daniel Quellen, Michael Polletta, Bram Teitelman, Christa L. Titus, Anastasia Tsilioudis, Philippe Van Vleck, Ray Waddell. ESSENTIALS: Reviews deemed by the editors to be of special interest and to deserve attention. CRITIC’S CHOICES (•) New releases, reviews of chart potential, highly recommended because of their musical merit. All albums commercially available in the United States are eligible. Send album review copies and singles review copies to Michael Polletta (Billboard, 770 Broadway, 6th floor, New York, N.Y. 10003) or to the wrists in the appropriate colors.
GOSPEL

**THE MIGHTY CLOUDS OF JOY**

**In the House of the Lord . . . Live in Houston**

**PRODUCER:** Sanchez Harley

**EMI Gospel 78473**

**RELEASE DATE:** April 12

After 44 years and 35 albums, the Mighty Clouds of Joy—undeniably one of gospel's greatest four-souls—resur-
face with a new label, a hit producer, stirring material and the steady rolling, often rocking quartet groove that they have had a definite hand in shaping. Ellington in the 1930s ideal song. Joe Ligon's vocals and presence are as commanding as ever. “ Been Good To Me” and the title song rock with some Bob and steam for the group's new No. 1 disco smash, “Mighty High” (now titled “Ride the Mighty High”), kicks with a sex appeal that died 30 years ago. Add yet another gold star to one of the longest winning streaks in modern music. **GE**

VITAL REISSUES

**BILLIE HOLIDAY**

The Ultimate Collection **PRODUCERS:** various

**Hip-O/Verve/Osborne/Time Warner**

**75021**

**RELEASE DATE:** April 5

Bob Marley, Jimi Hendrix and B.B. King have been profiled by Universal Music Enterprises' decade-long “Sound Vision” series. Joining that illustrious lineup is jazz legend Billie Holiday, who would have turned 90 this year. This double-CD retrospective and DVD provides an intriguing and comprehensive look at the woman nicknamed “Lady Day” by biographerauthorized by Young, CD-wise, the package includes audio highlights of the singer-songwriter's career that have already appeared on similar earlier collections: “Strange Fruit,” “God Bless the Child,” “Don't Explain” and “My Man” (Mon Homme). Still stellar in their own right, these songs become even more compelling thanks to the accompanying DVD spotlighting Holiday's unique and influential stylings in film and TV clips. Long before the superstar pairing of Usher and Alicia Keys, there was Holiday with the legendary Duke Ellington in the 1935 video film “Bessie.”

**DVD**

**ELVIS COSTELLO & THE IMPOSTERS Club Date—Live in Memphis**

**Eagle Vision EV30112**

**RELEASE DATE:** April 9

Eagle Rock Entertainment's debut release in its “Club Date” DVD series is a doozy. It stars Elvis Costello & The Imposters, with special guest Emmylou Harris, and was recorded live before 250 fans at the Hi Tone Cafe in Mem-
phis. The knockout live set contains tunes from Costello's latest album, “The Delivery Man,” and concert staples like “Radio Love” and “Alison,” the latter paired with “Suspicious Minds” in a tac
to nod to Memphis’ other Elvis. Harris, who appears on the new album, shines on seven songs including a tender version of Johnny Cash's “I Still Miss Someone.” Bonus material includes more Harris duets and a fasci-

**MODERN ROCK**

**MUSE**

Stockholm Syndrome (4:03)

**PRODUCERS:** Muse, Rick Costey, Sa
fajery, Dennis Smith

**PUBLISHERS:** M. Bellamy, C. Wolsentheman, D. Howard

**PUBLISHER:** Taste Music

**WARMER BROS. 101512 (CD promo)**

This MUSE re-recording is an English trio. Muse, another push with “Stockholm Syndrome,” a cut from 2003 album “Absolution,” which contained such hits as “Hysteria” (I Want It Now) and “Time Is Running Out.” “Absolu-
tion” wasn’t released until March 2004 in the United States. “Stockholm Syndrome” will likely capture some

**SINGLE**

Edited by Michael Paletta

**POP**

NIKKA COSTA Till I Get To You (2:52)

**PRODUCERS:** Justin Stanley, Nikka Costa

**WRITERS:** Stanley, Costa, C. Ross

**PUBLISHERS:** Little Mama Music (ASCAP); Mushroom Music: Spaceskull Music (ASCAP); Wiggled Music (BMI)

**Virgil 19283 (CD promo)**

It has been a quite long time since we last heard from the ultra funky Nikka Costa. Her last album, the critically acclaimed “Everybody Got Their Some-
ting,” has shifted a modest 250,000 units in the United States since its 2001 release, according to Nielsen Sound Scan. Vernon Drift of “Busted” in 2004 graced the pinstriped powerhouse’s forthcoming album, “can'tneverdied-ness,” out May 24. The track is a stomping funk number with a fun singalong chorus and clever alphabet-

**BLACK EYED PEAS Don't Funk With My Heart (4:03)**

**PRODUCER:** Will I Am

**WRITERS:** various

**PUBLISHERS:** various

**A&M IMPRINT 14160-ZIN02 (CD promo)**

During the past two years, the Grammy Award-winning Black Eyed Peas have rode a wave of success with such hits as “Where Is the Love?” and “Hey Mama.” Now, here comes Don't Funk With My Heart,” the first sin-

**TEARRA MARI Make a Girl Feel (3:49)**

**PRODUCERS:** Sean Garrett & The Co-Stars

**WRITERS:** various

**PUBLISHERS:** various

**RCA/OCTAGON 70306 (CD promo)**

R&B newcomer Tearra Mari is already being touted as “the young princess of the R&B.” The 17-year-old Detroit native is also one of the first singers under Def Jam's Carter-helmed Def Jam. Over a pul-

**R&B/POP-HIP-HOP**

**TEARRA MARI Make a Girl Feel (3:49)**

**PRODUCERS:** Sean Garrett & The Co-Stars

**WRITERS:** various

**PUBLISHERS:** various

**RCA/OCTAGON 70306 (CD promo)**

Read the article on the Billboard web site at www.americanradiohistory.com

**DEP**

DANCE

PLUMMET 50 Ways to Leave Your Lover (2:55)

**WRITERS:** Shawn “Shaka” Schulte, Eric B.

**PUBLISHER:** P Simon

**PUBLISHER:** Shucka Entertainment Publishing (ASCAP); Dirklight Music (BMI)

**Mercury MRN-02593 (CD promo)**

This talented trio burst onto the scene with the hit but hit, but this and this stunning follow-up proves that success was no fluke. Propelled by the powerhouse vocals of Jennifer Net-

**COUNTRY**

**SUGARLAND Something More (3:35)**

**PRODUCER:** Garth Fundis

**WRITERS:** K. Hall, J. Nettles, K. Bush

**PUBLISHERS:** Greater Good Songs; Jennifer Nettles Publishing (ASCAP); Dirklight Music (BMI)

**Mercury MRN-02593 (CD promo)**

This talented trio burst onto the scene with the hit but hit, but this and this stunning follow-up proves that success was no fluke. Propelled by the powerhouse vocals of Jennifer Net-

**BILLBOARD**

APRIL 23, 2005

www.americanradiohistory.com
UMVD
Still On Top

But Industry Sees Q1 Sales Decline

BY ED CHRISTMAN

NEW YORK—Powered by a strong release slate and its controversial JumpStart program, Universal Music & Video Distribution held a commanding lead in U.S. market share at the end of the first quarter.

For the three months ending April 3, UMVD garnered a 31.8% share of total album sales, up more than five percentage points from its share in the corresponding period last year, according to Nielsen SoundScan.

In the current-albums market, its lead is an even more impressive 35.7%, overshadowing Sony BMG Music Entertainment Sales by more than nine percentage points. UMVD also captured the lead in the R&B, rap and Latin albums categories, while Sony BMG shared the largest share of country albums (see stories, pages 17, 21 and 28).

If the first-quarter Nielsen SoundScan data are any indication, the U.S. music industry this year will give back all of its gains from 2004; U.S. album sales were down 8.1% compared with first-quarter 2004.

However, the Nielsen SoundScan Web site presents a "comparative weekly and cumulative sales" table that shows album sales down 6.8%. "That figure (Continued on page 34)

30 Cent’s ‘The Massacre’ is Universal Music Group’s best-selling album for the year so far.

DVDs Get Más Popular With Latinos

BY JILL KIPNIS

LOS ANGELES—No one is denying the sizzling potential of the Latino market for DVDs. To reach this fast-growing population, however, home video companies must make a concerted effort to release more quality product, create targeted marketing campaigns and communicate more closely with retailers, participants said at the DVD en Español conference held April 5 at the Wyndham Bel Age Hotel here.

"The category is still at an early stage," said Julio Noriega, film division manager for Venetian International Films. "We need efforts to grow the category. There’s a lack of knowledge about what is available, and we may have lost some of our consumer base due to titles of poor quality." Participants said other challenges include knowing when it is appropriate to subtitle or dub DVDs and how to market mainstream titles to the Latino audience. After much trial and error, a base of knowledge is starting to emerge among studios and retailers.

AMAZING NUMBERS

According to Adriana Olivarez, director of media research for Univision Television Group, the Hispanic population in the United States grew 58% between 1990 and 2000. This year, it will reach 30.3 million, and it is projected to grow to 33.2 million in 2010, 37.6 million in 2015 and 41.7 million in 2020.

DVD player penetration among Latinos who speak Spanish is 84%; about 8 million Spanish-speaking households own DVD players.

Of particular note is the number of DVDs Latinos purchase and rent compared to the rest of the population. In the last three months, Olivarez said, on average Hispanics purchased 6.3 DVDs and rented 10, while non-Hispanics purchased 5.5 DVDs and rented 8.1.

Representatives from major studios, including Buena Vista Home Entertainment and Warner Home Video, said Latinos comprise 10%-15% of DVD purchasers.

To reach this entertainment-hungry population, a targeted marketing campaign is key.

"The Latino market is not a niche, but a country," said Concepcion Lara, senior VP of Ventura Distribution’s Studio Latino. "We’ve committed resources to help retailers move the category forward. We go to conferences, do TV and radio promos and offer consulting expertise."

Warner Home Video VP of multicultural sales Antonio Sosa said retailers need to have more Spanish signage and expand their selection of Latino-oriented product in the appropriate markets.

Noriega added that studios and retailers need to consider the differences in the Latino population from one region to the next. "You can’t just put the content on any shelf," he said. "Some titles that aren’t as strong are being brought out.) (Continued on page 35)
Redeye Lights Up Deal With Fire Records

Fire Records is one of the latest signings in a busy 2005 for Redeye Distribution. The U.K., label launched in 1986 but had fallen under the radar by the mid-90s. Its catalog includes releases from such acts as Pulp, Blue Aeroplanes and Television Personalities.

"I thought it would be a good idea to get 36 bands to turn each part of the poem into a song," he recalls. "Label compilations are so weak that we thought we'd do something interesting, and as we don't have 36 bands on the roster, we just started asking all of our favorite bands. We tried to get as many people onboard influenced by Joyce as we could.

Nicholls says Fire is working with the Joyce estate. The project does not yet have a release date.

Fire's roster includes psychedelic folk duo Puerto Muerto, ambient rock act Bark Psychosis and pop oddity War Against Sleep. For the United Kingdom only, the label will reissue Neutral Milk Hotel's "On Avery Island" album. In the U.S., Redeye recently obtained exclusive U.S. distribution for Los Angeles-based pop label Eenie Meenie, Philadelphia rock imprint Steel Cage, Chicago dance label Pulseback and Seattle's spirituality/world music-oriented Anja Records.

Eenie Meenie, which has released albums from Apples in Stereo side projects Ulysses and the High Water Marks, is planning a tribute to electronic act Dimension 5 dubbed "Dimension Mix." Beck, Stereolab and eels are among those slated to participate.

In addition, Redeye reached an agreement with producer Daniel Lanois to distribute his debut album, "Acadian," and the previously Internet-only "Rockets" collection of outtakes and live cuts.

NEW AT NAVARRE: New Hope, Minn.-based Navarre recently signed a handful of labels, led by New York-based Tomato Music, which has the rights to a number of early Townes Van Zandt releases. The label is planning to issue the soundtrack to the documentary "Be Here to Love Me: A Film About Townes Van Zandt."

Additionally, Navarre picked up hip-hop labels 8 Ways Entertainment, owned by veteran Memphis rapper 8 Ball, and San Francisco-based Get Low Entertainment, run by JT the Bigga Figga. Navarre also signed San Francisco urban label the Mint, home to popular Bay Area duo Christion.

Others in the distributor's latest crop include Sunrise, Fla.-based groove label Neurodis, rock label Papoose and Sacramento, Calif.-based Digital Musicworks International, previously an online-only operation.

Navarre Entertainment Media VP/GM Bob Freese says his company is not done making up. "We've geared up and staffed up here, from college reps to a direct-sales force, and we've introduced full marketing services to all of our labels. That's helping us with the labels we're talking to. People need more than just a distributor these days. It's very clear that we're growing, and we want more labels."

ETC.: Los Angeles-based Granite Records has reached a distribution agreement with Universal Music & Video Distribution's indie arm, Fontana. The label, formed by veteran A&R exec Dave Austin and drummer Phil Chart of Kansas, will launch its first album in June from Portland, Ore.-based singer-songwriter Geoff Byrd. A release from Caribbean-influenced trio Trinidad will follow. All releases lack U.K. promotions to entice indie music fans, retailer insound.com launched a 7-inch series this month. The first 7-inch features unreleased tracks from Virgin's recent signing ac/curtis.

UMVD

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reflects an adjustment for the 53 weeks in 2004. The extra week skews comparisons between 2004 and 2005, as the first quarter of 2004 ended March 28, and this year's first quarter ended April 3.

But good news is on the horizon in the form of digital tracks, which scanned 76.2 million units in the first quarter, up 204% from the 25 million scanned in the same period last year. Meanwhile, record sales category is showing accelerated growth, as almost every week the track total increases.

Catalog sales, down only 4.3% for the first quarter, are performing better than current-album sales, which were down 10.3%. Within retail categories, mass merchants continue to grow despite the decline of album sales. That store sector enjoyed a 3.6% gain in sales compared with first-quarter 2004. Meanwhile, sales at chain stores, which include traditional music retail as well as consumer-electronics and book chains, are down 17.1%. The chains have not suffered a large batch of store closings since 2003, so executives speculate that their sales declines stem from a loss of market share in the wake of aggressive pricing by mass merchants and a reduced music SKU count as chains bring in other product lines.

White Plains, N.Y.-based Nielsen SoundScan determines market-share rankings based on point-of-sale information. It collects the data for all formats and configurations from retailers, rack accounts and other merchants (including mail-order companies and online stores). The accounts surveyed generate 85% of U.S. music sales. Based on this data, Nielsen SoundScan estimates totals for the full market.

Nielsen SoundScan calculates current-album market share by counting sales occurring in the first 18 months of an album's release (12 months for classical and jazz titles), except for those that remain in the top half of The Billboard 200.

BACK TO THE NUMBERS

UMVD scanned 46.2 million units in the United States in the first quarter, up from 42 million units in the corresponding period last year.

Some observers credit the strong release schedule for Universal Music Group, which has the best-selling album year-to-date, 50 Cent's "The Massacre," with 2.8 million scanned. Its other best sellers include the Game's "The Documentary," which has moved 1.8 million to rank No. 2, and Eminem's "Encore," which ranks fourth.

Others say UMVD's growth stems from its JumpStart program—which reduced wholesale prices on front-line albums from $12.05 to $9.49 or $10.35—gaining favor with merchants. "I definitely think that JumpStart is helping them," Trans World Entertainment chairman/CEO Bob Higgins says. "In general but UMVD has done a much better job with new releases than some of the other labels have done over the last few months."

Hastings Entertainment chairman/president/CEO John Marmaduke has a similar explanation for UMVD's success. "It's an equal weighting of their roster and their [JumpStart] program," he says.

While UMVD's competitors concede privately that JumpStart is driving gains in market share, they continue to question its profitability.

The recently merged Sony BMG placed second with a 26% share, down significantly from the two companies' combined first-quarter 2004 share of 30.2%. Sony BMG has five of the top 10 sellers so far this year, including John Legend's "Get Lifted," which has scanned 900,000 units, and Al Green's "Clarke's Breakaway" (870,000).

The indie sector picked up market share, finishing the first quarter with 18.2%, compared with 17.1% for the same time last year. Artists who had the quarter's No. 3 album, Green Day's "American Idiot," saw its share decline slightly, while EMI Music Marketing dropped from 10.8% to 9.1%.

In the current-albums market, UMVD made a big move, finishing the quarter with 35.7%, versus 28.3% in first-quarter 2004. Sony BMG's 26.4% share is down from the combined 32.3% the companies had last year.

In corporate market share for total album sales, UMVD's 31.8% will soon be affected by Fontana, the independent distribution company acquired by BMG in March. Sony BMG Music Sales Enterprise finishes second with 27.7% when scans from RED, its independent distribution arm, are added. Likewise, Digital Musicworks' share grows considerably—17.3%—when Alternative Distribution Alliance is added. EMI's share grows to 10.1% when Caroline's scans are included. Without RED, ADA and Caroline, the indie sector's share falls to 13.2%.
New Record Club Site Is Retailers’ Friend/Foe

BMG Music Service, the record-club component of Bertelsmann’s BeMusic division, recently launched yourmusic.com, which sells CDs for $5.99. Music retailers don’t know whether to be furious or ecstatic.

John Timmons, owner of Louisville, Ky.’s Easy Eats, a member of the Coalition of Independent Music Stores—says he has spent thousands of dollars on the site, routinely ordering 30 or even 60 copies of titles. Using the site as a supplier pleased Timmons greatly, because three of the majors charge merchants $12.02-$12.07 for front-line titles, and the fourth, Universal Music & Video Distribution, sells most of its top titles at $10.35 under its JumpStart program. Prices are even higher for retailers that have to buy from one-stops.

Clearly, Timmons is getting a bargain when he buys from the site, especially because it includes free shipping—and he is not the only merchant taking advantage of the fantastic offer. One executive at a large chain that buys direct from the majors tells Retail Track, “We might have to rethink our replenishment mechanisms.”

But most music retailers—Timmons included—are furious about the offer, saying it devalues the CD in the eyes of consumers.

Meanwhile, Timmons finds himself persona non grata at yourmusic.com, which has closed his accounts—at least the ones it can trace back to him. Record clubs also helped publicize the offer, which is why their pricing structure is much lower than that of traditional retail. Billboard estimates that each CD sold through yourmusic.com costs BMG Music Service $3-$3.25, including shipping, which is why the site can afford to sell it for $5.99.

Executives at the majors question the legality of yourmusic.com, because record clubs are supposed to function as mail-order houses. Operating as a wholesaler or an online retailer is viewed as a licensing violation. Sources say the BMG club’s $5.99 offer is only available online and has not been advertised in national magazines, the traditional record-club vehicle. They say this offer is worse than the onepriceCD.com offer of $9.99 per CD that BMG tried a couple of years ago.

BMG Music Service declined to comment. But sources familiar with yourmusic.com point out that it is a subscription service like NetFlix rather than a typical online store. Subscribers receive one CD a month from a ranked list they supply. They pay $5.99 monthly, even if they have not supplied a list or have already purchased all the titles on their list.

These sources also defend yourmusic.com against the charge that it is operating as a wholesaler, pointing to an on-site notice that CDs purchased from it are “intended for personal use only and not for resale or any other commercial purpose.”

In addition, one source says, the company has a weekly meeting where it pulls potential fraudulent orders to investigate. “They are trying to stop people from reselling albums,” the source insists.

But retailers and major-label execs question the effectiveness of such efforts. A senior distribution executive at one of the majors says he recently ordered 10 copies of an album from one of the BeMusic record clubs, and it fulfilled his order.

One merchant says he prefers the regular offer for BMG Music Service members anyway: When they buy one album at full price, they can get other titles for $1.99 each. On the general club site, bmgmusicservice.com, the offer does not appear to have a quantity limit. Given the shipping charge of $2.79 a unit, if a member buys 60 albums, the unit cost comes to $5.95, the merchant reports.

“I have heard that the majors are looking into the legality” of the operation, the merchant says. But a source familiar with BMG Music Service says the company notified the major labels before rolling out its subscription site. That source says yourmusic.com had a soft launch about five months ago, and then the company started spreading the word online two months ago.

While executives at some of the majors say they are considering whether to pursue litigation to remedy the yourmusic.com situation, others believe record clubs are too small to be a threat. “I don’t think the record clubs are the lightning rods they once were for retailers,” one label executive says. But a senior distribution executive has a different take: “My candid thoughts are that the majors have to figure out how we can get off the hero of re-upping for the large record-club advances.”

And what about the retailer whose e-mail helped spark the controversy? “It’s been a good thing for the industry, but as long as this is out there, I would be a fool not to be taking advantage of it.”

DVDs

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in in larger quantities than they should be.”

WHAT’S WORKING

The most sought-after DVD categories for the Latino market include children’s, action/horror and classic Spanish-language films. Growing areas include TV on DVD (mainly teletelenovelas and music).

To succeed in the market, Xenon Pictures president Leigh Savidge said, “you need to have a broad offering of feature film, TV, documentaries and more.”

Many studies try to sell these categories to retailers as potential stock for a designated Latin or foreign section. However, a number of retailers have yet to set aside such a space.

“A store-within-a-store concept would be great,” Ventura Entertainment executive VP/GM Chris Lynch said. The decision to include subtitles or dubbed depends on the genre, participants said.

Lori MacPherson, VP of brand marketing and product managing for Buena Vista Home Entertainment, said that for home video’s mainly family-oriented projects, dubbing makes more sense.

But with feature films, according to Warner Home Video VP of multicultural marketing Eva Davis, “Hispanics want to hear the movie in the language it was produced in.” She added that Warner is devoting time this year to clarifying the subtitle options on packages.

When it comes to promoting mainstream titles to the Latino audience, Davis and MacPherson agreed, campaigns on Spanish-language TV and radio are best.

Such efforts yielded surprisingly good sales among Hispanics for “Mystic River,” Davis said, and she expects a similar response when “Million Dollar Baby” reaches DVD.

The DVD en Español conference was hosted by Home Media Retailing in conjunction with the Digital Entertainment Group and The Hollywood Reporter.
IP Rights Are Focus Of 'Culture' Discussion

By Katie Hastey

NEW YORK—Jeff Tweedy believes that artists and their audiences share equal stock in a piece of music.

"Once you create something, it doesn't exist until it enters into somebody's consciousness," the Wilco frontman said. "If you listen to a piece of music, you're a part of it." Tweedy was speaking at "Who Owns Culture?", an April 7 event hosted by the New York Public Library and Wired magazine that discussed intellectual-property rights of digital music. Joining Tweedy was Stanford University law professor/author/activist Lawrence Lessig. Wired contributed editor Steven Johnson served as moderator.

Attendees as well as those who logged on to a live webcast of the event witnessed a discussion that affects musicians, their publishers and music fans.

The IP debate stretches from blogs to Congress to the U.S. Supreme Court, but Tweedy has mixed his peace with the Web. He has seen his music given to a few choice people, who then distributed it to thousands more. And he couldn't be happier.

Streaming media, digital distribution and old-fashioned word-of-mouth helped make Wilco's 2001 album " Yankee Hotel Foxtrot" a success story. The band continues to liberally embrace such methodology.

Lessig has been outspoken in his desire for less restrictive copyright law and more Web innovations. He led the legal challenge to the 1998 Sonny Bono Copyright Term Extension Act; chairs Creative Commons, a digital non-profit playground for the arts; and has authored titles like "Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity."

In one of lessig's recent columns for Wired, "Why Wilco Is the Future of America," he reiterated through Wilco's example how it is possible for bands to take control of their copyrights and release their art on the Web. Citing subscription services and open-source code as other methods of "freeing" culture, Lessig applauded the band's willingness to liberate its album, after abandoning Reprise records and releasing the shelved album themselves—for free, online.

"What struck me most was his clarity," Lessig said of Tweedy in his column. "He was a man called to a war that he couldn't believe had to be fought. Yet it isn't ideology that drives him. It's common sense." Tweedy said. "We can't win against it—it's there, and people are going to use it. But since we didn't have a label, we could do whatever we wanted."

The band gained notoriety, fans and, ultimately, the support of Nonesuch Records. The label allowed Wilco to maintain free online distribution in parallel with the CDs' commercial release. Despite most radio airplay and its online availability by the time of its release, the album enjoyed healthy sales at a time when peer-to-peer lines attacked as a pirate's island. According to Nielsen SoundScan, "Yankee Hotel Foxtrot" sold 56,000 copies in its first week and has since moved 160,000

Even with last year's Grammy Award-winning "A Ghost Is Born," Wilco continues to follow a Web-intensive model, offering prerelease streams and rarities online, allowing a wide berth for P2P fans. During the "Culture" chat, Tweedy had nothing but praise for his fans and vowed to continue his online marketing strategies for the band.

Tweedy and Lessig's greater concern throughout the discussion lay with the concept of ownership, both with the manufactured product and the hits of a digital file.

"A CD is not the same as a pair of tennis shoes," Tweedy said. "A track is just a computer file. But music is an experience, something that transcends all that."

That is the essence of ownership, he said. The listener's mind makes the music what it is.

"Kids are raised violating the law with this technology," Lessig said. He suggested that the message of legislation like the Digital Millennium Copyright Act is that enjoying too much content against the law. Lessig said young adults growing up with today's technology may conclude: "The law is an ass."

Yamaha has rescued the early 20th century paper-roll piano player piano from obsolescence and is turning it into a WiFi-enabled digital entertainment center—at 21st century prices. The Disklavier Mark IV grand piano has an 80GB hard drive and comes with a full-color, touch-screen, PDA-like WiFi remote control, labeled "the remote" and an option—10-inch, full-color, touch-screen tablet controller can operate the piano via a home network.

Unlike player pianos of yesteryear, a digital system powers the instrument. But, like any other piano, it has workable keys and strings so users can play on their own or play along with their personal music collection stored on the hard drive. In addition to MIDI files and CDs, the hard drive can store digital images as well as Yamaha's library of PianoSoft instructional software titles and karaoke software.

The remote features song directories and playlist management software, and can display digital images and song information. The larger tablet controller does the same but also displays karaoke-style song lyrics and customizable visual elements.

Music can be streamed to connected speakers and systems in multiple rooms. The system can also display lyrics, photos and videotaped piano performances on standard TV sets.

The basic model is $35,495. More advanced models that include the tablet controller are $56,495.

NewTech

Prince Jams Online

Prince has added several new tracks to his New Power Generation Music Club site, including an exclusive 12-minute rave recording taped during the NAACP Image Awards. The "Vanguard Jam" features Prince, Sheila E., Morris Day and Jerome Benton performing the new single "Satisfied," as well as "M.S.R." and "Housequake." Other site additions include the new track "GlassCutter," All songs are available exclusively via the Musicology download store at mncnmusic.com, which hosts more than 200 Prince tracks as well as other merchandise.

The latest from Yamaha’s new PianoSoft series.

No. 7: With a live AOL performance, Kelly Clarkson's "Since U Been Gone" is No. 7 on the video streamers list. The song also tops the Billboard Pop 100 chart for a fifth week in a row.

No. 6: Dave Matthews Band lands in the top 10 of the audio streams list with the AOL debut of its new single "American Baby."
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Sugar Bar Sweet On Open-Mic Night

BY JIM BESSMAN

Their own stature long established, Nickolas Ashford and Valerie Simpson are encouraging a new generation of songwriter/artists at the Sugar Bar, their restaurant/nightclub on New York's Upper West Side.

The SRO Thursday-night open-mic events, while open to all worthy vocalists (even visiting superstars like Patti LaBelle and Chaka Khan), have served as a steppingstone for aspiring singer/songwriters, some of whom have earned their own solo showcases on other nights at the Sugar Bar.

But Thursday nights have also attracted major music-industry figures who see an opportunity to groom new talent in a unique setting.

"Where else in this city can emerging artists hone their skills before a discerning audience that truly appreciates songs and singers?" asks Cherry Lane Music Publishing president Aida Gurwicz, whose company administers Ashford & Simpson's secured (via the Pullman Group) catalog.

"Nick and Val not only attract primo young and sometimes not-so-young artists with big ambitions, but also audiences not unlike themselves—musically sophisticated people who appreciate both quality and effort and who are not parsimonious with their appreciation for either or both," Gurwicz adds. "We have brought developing artists in to practice their craft."

Indeed, unless they are on the road, Ashford & Simpson are always present Thursday nights at the Sugar Bar, which is located in the same 72nd Street and West End Avenue building that houses their Hop- sack & Silk production and Nick-O-Val Music publishing companies.

Simpson, in fact, leads the backup singing for all vocalists, who are accompanied by a tight, professional house band encased in a tiny alcove at the far end of the narrow first floor. Ashford generally stays in an upstairs lounge, singing along with the rest of the room to a projection of the proceedings on a wall TV.

"It's like 'the New York thing,'" Ashford says. "If you can make it at the Sugar Bar, you can make it anywhere, because it's a tough crowd of intelligent, mature listeners who have heard a lot."

If they prove themselves worthy on a Thursday, we approach them about doing a whole night of their own," says Simpson, who herself performed new material at the Sugar Bar. She sings out Vicky Natale, a school teacher and open-mic regular who went on to win "Star Search" and then started writing her own songs.

"She was inspired to come back strong as a writer and had her own show of her own material," Simpson continues. "Covering something else is great, but they've got to come up with their own hits."

Simpson also cites singer/songwriter Ryan Shaw. "He wowed us for over an hour-and-a-half with original material," she says. "We followed the aisles dancing!"

Felicia Collins, guitarist in the CBS Orchestra (the house band on "Late Show With David Letterman," led by Paul Shaffer), also starred at a recent showcase, with original material that "was slamming and radio-ready—but radio isn't ready," Simpson says.

Ashford adds that singer/songwriter Andy Roda, formerly signed to Virgin and a "Next Big Star" runner-up, was contacted by Motown following a Sugar Bar outing.

"In the same way, we begin doing research and contact them," he says.

"The Ashford & Simpson track record as composers of Motown-era classics like ' Ain't No Mountain High Enough' and such gems performed on their own as ' Found a Cure' and 'Solid' looms large in the appeal of the Sugar Bar."

"A critical element is that the proprietors are professional recordists and songwriters," Walker says. "Feedback and advice from them is a blessing that they do extend, and because they have had successful recording careers, a host of industry representatives are always passing through who also will extend advice and sometimes even more."

Gurwicz concludes, "It's a tip throwback to a time when melody mattered and songwriters were to be nurtured and revered for their talent."

Can Labels Control DPD Statutory Rates?

What is the deal with labels and DPDs? That is the question an increasing number of publishers and lawyers, who work with artists/songwriters are asking. They are grumbling about DPD royalties—the mechanical royalties due for digital phonorecord deliveries that online music services typically include as part of all their in-royalty payments to labels for sound-recording licenses.

While labels are required to pass on the DPD royalties to publishers if the services did not license the compositions directly from the publisher, the grumblers are saying that some labels are paying publishers less than the full DPD statutory rate of 0.5 cents per song per download. Instead, they are reducing the amount according to the terms of the labels' controlled composition clauses in the artist/songwriters' recording deals.

Is this because of lack of information or different interpretations of the law? Probably some of both.

Before many artists, publishers and labels began dealing with online music services, the federal government passed a law creating DPD rights.

Congress made changes to the compulsory mechanical license provisions of the Copyright Act in 1995, when it created a digital performance right in sound recordings. At the same time, it reaffirmed the mechanical rights of songwriters and publishers for digital distribution through new technology.

The amendment defined a digital phonorecord delivery to describe the process through which a consumer receives phonorecords—copies of recorded music—by digital transmission. The delivery requires payment of a mechanical royalty to the publisher/songwriter.

The law also permits the party who licensed the right to make a DPD, typically a record label that owns or controls the master recording, to pass this right on to third parties—such as online music services—without the service having to obtain another license.

What is different about this law is the fact that Congress considered the common industry practice of including a controlled composition clause in record deals, where the artist/songwriter agrees to a reduced royalty rate for songs he or she controls.

Specifically, contracts entered after June 22, 1995, between a label and a recording artist who is the author of the composition cannot include a "rate" for the making and distribution of the musical work below that established for the compulsory license. Typically this rate is some reduced amount, such as 75% of the statutory rate.

The main exception is that a recording artist who effectively acts as his or her own publisher/songwriter may accept a lower rate if the contract is entered after the recording was made in a form readily for commercial release—not a demo.

In that case, a label could negotiate the DPD rate with an artist/songwriter who controls the publishing and licenses or sells completed masters to the label.

But why is it that some labels are supposedly not paying the full statutory rate to artists who do not fall under this exception?

Some labels and lawyer execs say the law does not make it clear whether or not it applies to the cap provision of the clause, which limits a label's obligation to pay more than 10-12 times the statutory rate, when albums are downloaded.

Also, they say that the label should not affect a label's contractual right to withhold payment of any mechanical royalties—whether for DPDs or physical goods—when the mechanical royalties actually paid to the artist/songwriter and third-party publishers on physical goods exceed the cap, permitting the label to recoup amounts paid beyond the cap from all royalties due the artist.

Whether these positions circumvent the law or are permissible remains to be seen. Compulsory license provisions in recent legislation are among the topics that federal legislators are expected to discuss this year, so there may be an opportunity to clarify the government's attempt to address industry customs.

DEEP BACKGROUND: BMI and Muzak, including its 110 affiliates, have settled on new licensing fees for Muzak's background music services. The terms, which were not released, are subject to federal court approval as part of the rate court proceeding BMI initiated in 1997. BMI VP of general licensing Tom Anastas says the deal represents a higher rate for songwriters than Muzak paid in the past.

BMI says that after approval, it will offer the same terms to Music Choice, PlayNetwork and DIX Music, which also provide background music.

SMELLS GOOD: EMI Music Publishing has landed a worldwide co-publishing deal with Kelly Clarkson's Smelly Music (ASCAP). She co-wrote six songs on her current RCA album "Breakaway," which has sold more than 1.8 million units in the United States since its release last November, according to Nielsen SoundScan.

Clarkson co-wrote the latest single, "Behind Those Hazel Eyes," with Max Martin and Lukas "Dr. Luke" Gottwald. She has also collaborated with Kara DioGuardi, Chantal Kreviazuk, Raine Maida and others.

www.billboard.com • www.billboard.biz www.americanradiohistory.com
Germany's Echos Earn Mixed Reception

BY WOLFGANG SPAHN

ERLIN—The audience of 4,000 industry members at the 14th annual Echo Awards ceremony here Nov. 2 bore witness to the revival of domestic repertoire in the German market. However, the show's viewing figures were down from 2004, and retailers report a low-key initial reaction to this year's broadcast from consumers.

In March, labels body BVG reported a substantial slowing of the decline in the German recorded-music market: The value of the market shrank by only 4% during 2004, following four consecutive years of double-digit downturns (Billboard, March 26).

BVG hailed the renewed strength of domestic repertoire as a major factor in that performance, and senior label executives have since publicly underlined their commitment to local talent.

The theme resonated throughout the evening during the Echos. It was reflected on stage by Xavier Naidoo, frontman for Universal act Söhne Mannheims, which won the award for national rock/pop group. "Our country must seek to make German artists strong," Naidoo told the audience at the Estrel Convention Center and those watching at home.

The International Federation of the Phonographic Industry estimates that as recently as 1998, Germany was the world's third-biggest market in terms of retail value ($3.01 billion); in 2004, it was No. 5 ($2.15 billion).

Against that background, Edel Records CEO Michael Haentjes describes this year's Echo Gala as a showcase for the entire German industry. "I'm hoping to see a general gained impetus for sales," he says, "in all, also in terms of our industry's reputation.

Warner Music Germany GM Alexandre Maurus insists that the annual show has a positive effect for featured acts. "Performances by successful, 'real' artists encourage a fundamental awareness on the part of consumers," he says, "That will automatically boost sales."

Sony BMG group Silbermond won best national newcomer, and vocalist Stefanie Kloss was named German artist of the year. Both performed during the show. Hannse Canibol, co-founder and CEO of Lorenz's label, 105 Music/Sony BMG, admits to "cautiously optimistic expectations about sales after Echo."

Other German performers during the night included rock act Rammstein (Universal), pop vocalists Yvonne Jetterfield (Sony BMG) and Nena (Warner Music).

PERCEIVED VALUE

Labels have long acknowledged the value of an appearance at the Echo gala by an international act. (Continued on page 42)

Malaysian Royalties Feud Escalates

BY CHRISTIE LEO

KUALA LUMPUR, Malaysia—A dispute between the nation's collecting societies and consumer-electronics retailers has taken on a political element.

Public Performance Malaysia and Music Authors Copyright Protection service received a legal letter in January to the Federation of Malaysian Electrical Appliances Dealers Assn. (Fomeda), saying the retailers are abusing a 2002 agreement that exempts them from paying public performance royalties.

FPM collects performance royalties on behalf of record labels in Malaysia; MACP collects on behalf of authors and publishers. They issue joint licenses to broadcasters and to businesses that play recorded music in public places.

Under the 2002 agreement, arranged through the Domestic Trade and Consumer Affairs Ministry, the collecting bodies agreed to waive public-performance fees when music is used in-store by retailers to demonstrate hardware. The concession was intended to benefit small dealerships. The societies say spot-checks reveal that many retailers are using records as background music in their stores and should be paying a full license fee.

"We made concessions in allowing hardware dealers to use songs exclusively for testing in the presence of customers, but not to play songs to attract them," PPM CEO Tan Ngiap Foo declares.

Fomeda secretary-general Tan Kheng Huat challenges the warning. "The songs are used to test the hardware and not for public broadcast," he insists; he also contends that rather than seeking payment, PPM and MACP should thank retailers for promoting recording artists.

Fomeda has raised the issue with one of the parties in the coalition government, the Malaysian Chinese Assn. After it received the letter, Fomeda delivered a memorandum—signed by more than 1,000 of its members—proposing the abolition of licensing fees for the use of background music in stores.

According to Fomeda, the MCA has promised to bring the matter to the attention of the Domestic Trade and Consumer Affairs Ministry.

Any policy change would require an amendment to the 1987 Copyright Act, PPM's Tan notes. "We have the law on our side," he insists. "There's legal precedence, too."

He cites the 1988 Swedish Supreme Court ruling in Wickstrand v. FSTIM that "the performance of a short extract of a copyright work for the purposes of testing the equipment in a shop, albeit for the benefit of a single customer, but done in a way that any other customers may hear, is a breach of copyright."

The 1987 Copyright Act allows the societies to sue unlicensed retailers that play background music for damages of up to $13,160.

PPM and MACP's joint annual licenses of $158 per outlet helped the bodies raise $9.2 million during 2004.

Since 1995, they have licensed 264 consumer-electronics dealers that voluntarily applied to play background music.

According to PPM, those dealers are mainly multiples with outlets throughout the country, accounting for some 70% of the domestic consumer-electronics market.

"It's an irony that Fomeda has turned to a political party for assistance," PPM's Tan says, "since a Copyright Tribunal was set up by the government [in 1999] to deal with precisely such matters."

Tribunal members include retired civil servants, academics, lawyers and other professionals. They are appointed by the minister of domestic trade and consumer affairs.

Tan says PPM and MACP will not budge on licensing matters, as the law is clearly defined. He expects the matter to be taken up by the tribunal "in the next few months."
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NEW = New Entry  RE = Re-Entry

Hits of the World is compiled at Billboard/London.


BILLBOARD  APRIL 23, 2005

40
Austria

BELGIUM/FLANDERS

DENMARK

IRLAND

FINLAND

HUNGARY

POLAND

COMMON CURRENCY

A weekly scorecard of albums simultaneously charting in top 10 chart status as three or more leading world markets.


Billboard EUROCHARTS

Callea Builds On TV Fame Down Under

“Told myself if I was a nobody at 30, I'd go back to university,” Australian pop vocalist Anthony Callea says. At 22, Callea is well ahead of schedule. His first two singles entered the ARIA sales chart at No. 1, as did his self-titled Sony BMG debut album the week of April 9. Sony BMG Australia says it has shipped 140,000 Callea albums. Callea says, “I was starting to record my second album after the single ‘The Prayer,’ which shipped 33,000 units, according to Sony BMG. “Our plan is to have our international career in Europe later this year,” Sony BMG Australia chairman/CEO Denis Handelmann says.

CHRISTIE ELLERER

SELLING FREEBIES: Belgian rock artist Admiral Freebee followed his 2002 platinum debut by topping the Ultratop chart for Flanders on April 9 with sophomore album "Songs." (Universal).

CHRISTIE ELLERER

SINGING FREEDOM: The vocals of singer/songwriter Tom Van Laere. His self-titled debut has shipped 40,000 units domestically, according to Universal. "Songs" was released March 25 in Belgium and the Netherlands. Like the debut, it is a blend of English-language rock and country-style ballads, with rugged production by John Hanlon (Neil Young). "Songs" was recorded in Los Angeles. "Van Laere wanted to record as much 'live' as possible," Universal Music Belgium label manager Cathy Du Pree explains. "They recorded the whole band in five days."

CHRISTIE ELLERER

International release plans are not finalized.

CHRISTIE ELLERER

SWING BACK: Singer, musician and broadcaster Renzo Arbore has been entertaining Italian audiences since the 1960s. From the '70s to the '90s, he had hits on albums under the Fonti Cetera and BMG Ricordi labels. Now his love of swing music has taken him back to the Italian charts with "Vintage . . . Ma Non Li Dimostro" (Atlantic). "The double CD of standards features Arbore as singer and handleader. Guest vocalists include actress Isabella Rossellini. The album peaked at No. 4 on the FMI chart two weeks after its Jan.

28 release and has shipped gold (40,000 units). "We expect platinum (80,000) by the summer," Warner Music Italy president/CEO Massimo Giuliano says.

"Thanks to Michael Bublé, who has guested on Renzo's late-night RAI Uno) TV show, swing is pretty hot these days," Giuliano says. "Renzo has long been one of swing's standard-bearers in Italy."

A U.S. release is under consideration.

MARK WORDEN

VAN GO: "The Art of Strolling," the debut album by Danish pop-rock quartet the Blue Van, was released April 5 in the United States—11 months after it first appeared in pro forma.

New York-based TTV signed the British Invasion-influenced band to a worldwide deal in May 2004, after promo-only copies of the album—at the time titled "Beat Sellers"—began picking up airplay in Denmark and at U.S. college radio. The album was recorded for Danish indie Iceberg, which retains the Blue Van’s publishing; label president Manfred Zähringer manages the band. Songs from the album appeared earlier this year in Europe on a five-track EP, also titled "Beat Sellers." "We wanted to create a buzz all around," Zähringer says. TTV will roll out "The Art of Rolling" globally in the coming months. The Blue Van will tour Europe during the spring and summer. The band is booked in Scandinavia by Copenhagen-based Gearbox and elsewhere by the William Morris Agency.

CHARLES FERRO
BY LARRY LeBLANC

TORONTO—Canada’s leading music retailers are joining those in the United States to speak out against Starbucks’ exclusive North American deal for Alanis Morissette’s acoustic version of “Jagged Little Pill.”

Representatives of the Retail Music Assn., of Canada—who members include HMV Canada, Sunrise Records and Handleman Entertainment Canada—met with Canadian Recording Industry Assn. president Graham Henderson and the local heads of the major labels April 12 to express their opposition to U.S.-derived exclusives.

Morissette’s Maverick Records album will be sold exclusively at Starbucks’ 4,400 U.S. stores and 400-plus Canadian outlets for a six-week period starting June 13. After the exclusive window closes, the album will be available to other merchants.

“Canada was an afterthought for Maverick,” charges RMAC president Humphrey Kadaner, who is also president of the 100-store HMV Canada chain. “Canadian label affiliates have to put pressure on their American brethren to explain that Canada is a different market. If they choose to do such deals, limit them to the U.S.”

Bruce Mackenzie, senior buyer at Pindoff Record Sales, which operates the 92-store Music World chain, suggests that Canadian label executives have little leverage with their U.S. counterparts. “Their hands are tied,” he says. “This is all coming through their U.S. divisions and from the artist management.”

Canada’s music retail sector has long opposed major-label exclusives. HMV Canada, Sunrise Records and Pindoff pulled all Rolling Stones product from their stores in 2003 to protest an exclusive arrangement the band made with Future Shop/Best Buy for its “Four Flicks” DVD. Last year, HMV and Pindoff pulled all Elton John product after the artist gave an exclusive deal for a four-DVD music set, “Dream Ticket,” to the same company.

Retailers here emphasize that they will continue to oppose such U.S.-derived exclusives.

According to sources, Canada’s major-label executives are exclusively about U.S.-based deal-making, saying it chills customer relations and, because the product is sold and manufactured in the States, does not contribute to their bottom lines.

“It is our hope that the major record companies in Canada will be successful in educating their U.S. counterparts that the Canadian retail music landscape is appreciably different than that of the U.S.,” Kadaner says. “Hence, they should not apply their exclusive U.S. business model to Canada.”

“Americans don’t understand our marketplace,” says Tom Baker, buyer for Sunrise Records, which has 32 stores in Ontario.

Canadian executives at Warner Music Group would not comment on the Maverick deal, citing the quiet period for the company’s pending initial public offering.

Executives at other majors are reticent about speaking on exclusives. However, Universal Music Canada president/CEO Randy Lennox says, “We believe in complete parity for our customers. Canada is a separate country, and we need to address it as such an industry.”

Starbucks’ Morissette exclusive particularly rankles veteran Canadian retailers that have supported the Canadian singer since the early ‘90s when she recorded for MCA Canada.

When she scored her international breakthrough with the original “Jagged Little Pill” in 1995, the set sold more than 2 million units in Canada, on its way to 30 million units worldwide.

“It was the traditional retailers who broke her in the first place,” Handleman Canada VP of purchasing Ken Kozey points out. “We pushed her as a disco queen.

Most Canadian retailers have yet to decide how to handle Morissette’s new album once it arrives in their stores. But Baker vows, “If we carry it, we will not get a front rank.”

Meanwhile, Starbucks is in discussions with other artists and labels for future releases. “We are very open to featuring both established and emerging Canadian artists,” a Starbucks representative says. “Each CD agreement is unique, including the arrangements of how and where the albums are to be distributed.”

Echos
Continued from page 39

This year, Mariah Carey was one of the non-German performers, ahead of the April 4 release in Germany of her Island/Ditlam album “The Emancipation of Mimi.”

“It will be interesting to see whether [she] is able to derive any mileage from the show,” says Tom Bohne, managing director of Universal Music Germany’s domestic division.

“In the last two years, the Echo Awards have generated enormous sales for Shania Twain and Anastacia,” he adds. “[But] I doubt whether that phenomenon will be repeated this year, as many acts [featured] already had albums out for quite some time and did not perform current tracks in the Moskauer.”

Other international performers included Anastacia (the Epic singer won for best international female artist) and British singer-songwriter Katie Melua (now Epic/Drastic), who was named best international newcomer.

Melua’s album “Call Off the Search” was the biggest post-Echo chart gainer, rising from 94 to 21 on the German Media Control chart issued April 11. Louisa’s “Boheme” rose from 20 to 9, and the current albums from Silbermond, Ramstein and Sohne Mannheims also registered small chart climbs.

International award winners included Robbie Williams (EMI), named best international rock/pop artist; Green Day (Warner), named best international rock/pop group; and Eminem (Interscope/Universal), named best international hip-hop/R&B act.

Industry observers agree that a win or performance at the Echo Awards rarely has the galvanizing effect on sales that is often seen in the United Kingdom with the Brit Awards or in the United States with the Grammy Awards.

Maarten Steinkamp, head of continental Europe for Sony BMG Music Entertainment, describes the Echos gala as simply “a nice way of getting together” for the industry. “I don’t think it actually results in any increase in record sales,” he says.

Retailers’ muted reactions seem to bear out Steinkamp’s comment. “We haven’t really felt anything,” admits Cologne-based Frank Schickel, chief buyer at Saturn, which claims about 30% of the German music market. “At most, we had a small [sales] rise. TV coverage no longer has the same impact as it did years ago.”

Benjamin Spendrikowski, chief music buyer of Uelzen-based consumer electronics/music chain Mega Go, similarly reports “small” sales increases, particularly with Green Day and Lego Camera.”

Jörg Jahneke, music buyer at the Hamburg outlet of national department-store chain Karstadt, reports “traces” of the Echo effect on sales. But “all good TV shows, whether it’s the Echos, Grammys or the Oscars or [that show] Wetten Dass . . . do that,” he says.

Ratings for the live telecast by national broadcaster RTL reached 4.7 million viewers, says Gerd Gehrdt, chairman of Echos organizer the German Phonographic Academy. That is 1.5% below the 4.9 million who watched in February 2004. However, Gehrdt points to unforeseen circumstances that disrupted the evening’s viewing. During the show, news broke of the death of Pope John Paul II; RTL immediately interrupted the Echos broadcast for 30 minutes to give reports. When the network resumed the Echos coverage at midnight, its audience figure had dropped to 2.7 million.

Prior to the interrupted coverage, Gehrdt says, “the ratings curve had been moving upward, as it did last year. Following the interruption, it was simply not possible for RTL to catch up again.”

The Echo Awards are based on a mixture of sales performance and votes by an industry panel. This year, the academy donated 50,000 euros ($65,000) of the proceeds from ticket sales, sponsorships and TV fees to the German arm of the Nordoff-Robbins Music Therapy charity.

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AOL, XM Sail On A Stream

Terrestrial radio has been fending off attacks from Internet and satellite broadcasters for years. Now those two competitors are joining forces, thanks to a deal between AOL and XM Satellite Radio.

Billboard Radio Monitor top 40 AC managing editor Chuck Taylor writes that the two will launch an online radio service—as of yet unnamed—that will bring 70 XM channels and AOL already streamed 130 channels free to AOL subscribers. There will also be a programming service available to non-AOL members.

The offering, expected to begin this summer with AOL's next-generation portal, could draw 100 million users only, the companies say. XM will also integrate Radio AOL, AOL Music Sessions and AOL Music Live into its satellite service. The companies will work together to develop new programs and services for online and satellite.

WOMEN SEEK PD JOBS: Nearly 90% of radio PDs are men, according to a new study conducted by the trade group Mentoring and Inspiring Women in Radio (MIW).

Tuned In: Radio
By Marc Schiffman

AOL chairman/CEO Jon Miller called the deal “a giant step in digital media,” while XM president/CEO Hugh Panero said, “Our philosophy has always been to work with strong partners at every level, retail, automotive and now online to build awareness and subscriptions for XM.”

To give consumers a taste of the new service, 20 XM stations and all of AOL's radio stations will be available free online in the coming months. AOL and XM will co-promote their programming across their networks. XM has nearly 3.8 million subscribers, while AOL claims more than 100 million unique monthly visitors across its network of properties.

XM rival Sirius Satellite Radio has long-weathered its programming free to its subscribers at sirius.com.

THE NAME GAME: As has happened in the past with newly successful formats (classic hits, R&B oldies), the phenomenon of name-playlist-old-targeted stations personified under the names Bob and Jack (see story, page 32) has spawned numerous copycats, each with its own name. My favorite may be Ben in Philadelphia (home to Ben Franklin). Monitor's Chuck Taylor adds a new name to that roll call. Adult Top 40 WQZM (The Zone) Greensboro, N.C., flipped to a Jack-like format with the new name of Simon, as of April 11.

The station's under-construction Web site, 98Simon.com, proudly proclaims, “We play everything!” In the week before flipping, it played acts including Vanilla Ice, Queensryche, the Killers, Hoobie & the Blowfish and Tom Jones.
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NOTICES/ANNOUNCEMENTS

Song Contest

PRIZES: CDs, Distribution, Airtime, Studio Time & MORE

Agents, Managers & Labels Seeking New Talent
NextHitSong.com
Mudvayne
Continued from page 11

Epic is pleased that the song has made inroads at the latter format since Mudvayne had primarily been played at active rock. “We really feel like we’ve merged the two formats, active rock and modern rock, in that we have all these believers,” says Jacqueline Saturn, Epic VP of alternative promotion. “Some of them played a lot of Mudvayne, some of them never played Mudvayne.”

Ashley Wilson, music director at active rock KISW Seattle, thinks “Happy!” will bring Mudvayne further into the mainstream. “This song is going to really reach out to people that maybe weren’t huge Mudvayne fans,” Wilson predicts. “It’s very palatable. You [can] play it in all parts. It’s not scary. It’s very [much] what rock needed. It was just a perfect song [since] there are a lot more [ballads] at the top of the charts.”

“Happy!” continues the steady success the quarter (which also includes bassist Ryan Martinie and guitarist Greg Tribbett) has experienced since its 2000 debut on Epic. That album, “L.D. 50,” contained the hits “Dig” and “Death Blooms.” 2002 album “The End of All Things to Come” brought further acclaim with “World So Cold” and “Not Falling,” the latter becoming a heavy-recurrent on active rock stations.

“L.D. 50” has sold 712,000 copies, according to Nielsen SoundScan. “The End of All Things to Come” has sold 680,000.

Mudvayne’s makeup and costumes, which have ranged from face painting to alien masks and uniforms, also got their share of attention. Though the band is not wearing makeup or costumes for now, recent media attention about its decision has grown tiresome, considering it first dropped the dress-up props in 2003 for the Summer Sanitarium tour.

“So I don’t think we’re trying to make up for something or apologize for some big mistake that we’ve been making all these years,” Gray says. “Like, ‘Oh, you know, I don’t know what we were thinking. We were making for like four years … but here we are now, we’re a real band.’ That’s not the case.”

ELEVATED AT OZFEST

After a series of sold-out club shows in January and February, Mudvayne returned to the road March 29 for a headlining run that ends May 15. The band (which is booked worldwide by Dave Kirby at the Agency Group) is playing 1,500- to 3,000-seat venues with support by Life of Agony, American Head Charge and bloodsimple, which is signed to Gray’s BallyGat Records. This summer, the band will perform concerts in Europe, as well as join Ozfest. After headlining the tour’s second stage in 2001, it has been elevated to mainstage status.

A multipronged promotional campaign covers everything from TV appearances and print (including covers of Metal Edge and Outburn) to appearances and/or performances on satellite radio providers Sirius and XM and an online contest that will give away a set of the band’s music equipment.

Setup for “Lost and Found” began last November. Epic VP of worldwide marketing Scott Greer says. The label’s street and college reps have been working in conjunction with marketing company StreetWise Concepts & Culture, owned by David “Beno” Benveniste of Velvet Hammer Management. Benveniste and Jonathan Cohen of Zen Media Group are co-consultants for Mudvayne.

The street effort launched with the track “Determined.” A video was included with the single’s sampler, and Greer says the online audio for the song was streamed more than 500,000 times before Christmas.

Benveniste says, “We’re really driven traffic to their site and driven word-of-mouth through StreetWise in a big way with the first song we put out, as well as for promotions for the band, the pre-sale and the tour … Everything that goes on with [promoting] Mudvayne, we’re involved with.”
EXECUTIVE TURNTABLE

RECORD COMPANIES: Island Def Jam Music Group in New York promotes Eric Wong to VP of marketing. He was senior director of marketing.

Universal South Records in Nashville names Matt Corbin national director of mid-Atlantic and Northeast promotion. He was director of national promotion for the Midwest. Universal South Records also ups Shane Allen to national director of West Coast and Southwest promotion and Nathan Cruise to national director for the Southeast and Midwest region. Allen was national director for the West Coast, and Cruise was Southwest regional promotion manager.

PUBLISHING: BMI in Nashville names Shelby Kennedy director of writer/publisher relations. He was A&R director at Lyric Street Records.

Kohalt Music Group in Los Angeles taps Dana Kash-Cohen for VP of creative for the United States. She was senior director of creative services at Universal Music Publishing Group.

HOME VIDEO: Ventura Entertainment Enterprises in Los Angeles appoints Bill Clark executive VP/CFO. He was senior VP of EMI.

RELATED FIELDS: Gotitus Media in San Francisco promotes Daniel O'Brien to chairman/CEO. He was CEO at Brief Original Broadcasts Entertainment production and marketing firm in the Hatchery in Los Angeles. names David Haddad executive VP of business development and Sean Gorman VP of program development. Haddad was president/COO at LivePlanet, and Gorman was development executive at Radar Pictures.

Online subscription games publisher Turbine in Westwood, Mass., names Mark Cullinan VP of business development and Tom Nichols VP of marketing. Cullinan was managing director at DICOMMI Ventures, and Nichols was director of brand marketing at Atari.

Amber Tunes In Capitol Records artist Amber Dotson, left, made her debut appearance on Great American Country's "CRL" program April 1. "CRL" host Suzanne Alexander interviewed Dotson; played her current video, "Try Anything"; and had viewers phone in inquiring about the singer's recent tour with country superstar George Strait. Dotson is working in the studio with producer Billy Joe Walker Jr. on her Capitol debut, which is scheduled for a late-summer release.

Celebrities At Caesars Celine Dion greets Elton John on Easter weekend during her performance of "A New Day ..." at the Colosseum at Caesars Palace in Las Vegas. The two resident productions of Dion's "A New Day ..." and John's "The Red Piano" account for upwards of 250 shows per year at the Colosseum.


Back To School Train drummer/composer Scott Underwood is pictured studying online at berklee.com. Underwood incorporated his newfound skills into Train's collaborative composition style. In addition, Underwood has teamed with Train bass player Charles Colin, a Berklee grad, to form experimental two-man group Foodpill. The act's debut album, "Elfix," is available at foodpill.net. (Photo: David Goggin)
Napster To Go Goes To Nashville

The fourth and final Napster to Go Cafe tour was held April 4 at Jackson's in Nashville. The event promoted the fledgling legal download service with the first industry performance by Raybaw Records/Warner Bros. Records country rapper Cowboy Troy and an acoustic performance by Vanguard Records singer/songwriter Mindy Smith. Giveaways of Napster to Go subscription music services, Napster-branded merchandise and MP3 players were also featured. Pictured, from left, are Troy Smith, Napster CEO Chris Gorog and Big & Rich's John Rich and Big Kenny. (Photo: Kay Williams)

Rock For Charity Multiplatinum rock act Simple Plan played a concert April 5 for AOL Music Live at the Troubadour in West Hollywood, Calif. The performance was in support of Keep a Child Alive, an organization dedicated to providing life-saving medicine to children and families with AIDS in Africa. Pictured, from left, are Simple Plan's Sebastien Lefebvre, Jeff Stinco and Pierre Bouvier; AOL Music executive director Jack Isquith; Lava Records GM Lee Trinck; and Simple Plan's Chuck Comeau and David Desrosiers. (Photo: Getty Images for AOL)

Now, Hear This ... ZOEgirl

Artists to Watch

Hallelujah! For the young Christian mademoiselles who feel misrepresented and disregarded by today's mainstream music, ZOEgirl's fourth Sparrow release, "Room to Breathe," is a sweet treat. Band members Chrissy Conway, Alisa Girard and Kristin Swinford formed ZOEgirl in 1999 with the desire to support female Christian tweens and teens. The group continues to fulfill its goal with the March 15 release of "Room to Breathe," which hit No. 1 on the Billboard Heatseekers chart in its second week. The title has sold 29,000 to date, according to Nielsen SoundScan. EMI CMG artist development director Michael Bianchi credits the album's success to the close relationship the band has developed with its fans through its Web site and a dedicated street team of more than 270 people. The pop/rock sounds of "Dead Serious" and "Good Girl" convey the importance of self-confidence, while the promising lyrics of "Scream" touch upon overcoming self-destructive behavior. "The main inspiration behind this album has most definitely been the fans," Girard says. "They have inspired us with their stories, letters and their struggles." ZOEgirl's original songs are co-produced by Birdwing Music (ASCAP), each of the three members maintain separate co-publishing. An exclusive track, "Be Like You," is offered as a bundle to customers who purchase "Room to Breathe" on walmart.com. A similar deal will be offered through Apple Computer's iTunes with exclusive track "Last Real Love." The group is handled by Proper Management and is on the road with Jump5, booked by Jeff Roberts & Associates.

The Art Of Giving Latin artist and breast cancer survivor Soraya put the finishing touches on a Gibson guitar she painted as part of the Designer Gibson Guitar Auction to benefit the Expedition Inspiration Fund for Breast Cancer Research. The May 3 event at the Hard Rock Cafe in Los Angeles will auction 50 Gibson Les Paul and SG Special guitars decorated by music superstars including Rod Stewart, Melissa Etheridge and Sheryl Crow. Online bidding for the specially designed Gibsons will open to the general public April 24, prior to the live auction, at juliensauctions.com.

Behind The Words Lisa Loeb shared her insights on songwriting March 21 as the featured guest at the Songwriters Studio at the Hollywood Roosevelt Hotel's Cinegrill lounge in Los Angeles. Previous guests have included songwriters Jerry Fuller and Desmond Child. Pictured, from left, are Songwriters Studio producer Denise Bradley, Music Connection magazine contributor Dan Kimpel, ASCAP senior director of repertoire and show interviewer Brendan Okrest, Loeb and guest artist Jeffrey Steele. (Photo: Curt Bisterfeld)

Saving Music Mariah Carey is pictured during the April 9 broadcast taping of "VH1 Save the Music: A Concert to Benefit VH1 Save the Music Foundation" at the Beacon Theatre in New York. Carey joined such performers as Alicia Keys, Rod Stewart and John Legend. The show airs at 9 p.m. EDT April 17 on VH1. (Photo: Kevin Mazur/Wireimage.com)
### BDS Certified Spin Awards March 2005 Recipients:

**600,000 SPINS**
- Follow Me / Uncle Kracker / LAVA

**500,000 SPINS**
- I Need You / Leann Rimes / CAPITOL / CURB / SPARROW
  - As Long As You Love Me / Backstreet Boys / JIVE / Zomba
- Scar Tissue / Red Hot Chili Peppers / WARNER BROS.

**400,000 SPINS**
- Calling All Angels / Train / COLUMBIA

**300,000 SPINS**
- Let Me Love You / Mario / J RECORDS
  - Heaven / Cielo / Los Lonely Boys / EPICTHEORECP
- I / 2 Step / Ciara Feat. Missy Elliot / LAFACE / SPARROW
- Boulevard Of Broken Dreams / Green Day / REPRISE
- Somebody Like You / Keith Urban / CAPITOL

**200,000 SPINS**
- Lovers & Friends / Lil Jon & The East Side Boyz / TVT
  - Soldier / Destiny’s Child / COLUMBIA / SONY URBAN
- On The Way Down / Ryan Cabrera / E.V.L.A / ATLANTIC
- My Place / Nelly Feat. Jhaheim / DERRITY / FO REAL / UNIVERSAL
- Send The Pain Below / Chevelle / JIVE / Zomba
- Milkshake / Kelis / JIVE / Zomba
- Hotel / Cassidy Feat. R. Kelly / J RECORDS
- I Just Wanna Be Mad / Terri Clark / MERCURY

**100,000 SPINS**
- Since U Been Gone / Kelly Clarkson / RCA
  - Caught Up / Usher / LAFACE / Zomba
- Candy Shop / 50 Cent / SHADY / AFTERMATH
- Mockingbird / Eminem / SHADY / AFTERMATH / INTERSCOPE
- Obsession / Frankie J / COLUMBIA
- Give A Little Bit / Goo Goo Dolls / WARNER BROS.
- Mud On The Tires / Brad Paisley / ARISTA
- Rich Girl / Gwen Stefani / INTERSCOPE
- True / Ryan Cabrera / E.V.L.A / ATLANTIC
- Lady / Lenny Kravitz / VIRGIN
- Get Back / Ludacris / DEF JAM / SOUTHSIDE
- Bless The Broken Road / Rascal Flatts / LYRIC STREET
- Let Me Go / 3 Doors Down / REPUBLIC / UNIVERSAL
  - The Woman With You / Kenny Chesney / BNA
  - Love’s Divine / Sean / WARNER BROS.
- Baby It’s You / JoJo / DA FAMILY / BLACKGROUND / UNIVERSAL
- You’re My Better Half / Keith Urban / CAPITOL
  - Only U / Ashanti / THE INC / DEF JAM / DIGMA
- Party For Two / Shania Twain W/ Kelly Clarkson or Mark McGrath / MERCURY
- Look What You’ve Done / Jet / ELEKTRA / ATLANTIC
- Notin’ To Lose / Josh Gracin / LYRIC STREET
- Bring Em Out / T.I. / ATLANTIC
- Notin’ Bout Love Makes Sense / Leann Rimes / CURB / ASYLUM
- American Idiot / Green Day / REPRISE
- Float On / Modest Mouse / EPIC
- Take Me Out / Franz Ferdinand / DOMINO / EPIC
- I Want To Live / Josh Gracin / LYRIC STREET
- Warning / Incubus / EPIC
- Liberate / Disturbed / REPRISE

**50,000 SPINS**
- It’s Like That / Mariah Carey / ISLAND / IDJMG
  - Truth Is / Fantasia / J RECORDS
  - That’s What I Love About Sunday / Craig Morgan / BROKEN BOW
  - O’Marrion / SONY URBAN / EPICTHEORECP
- Going Crazy / Natalie / LATTITUDE / UNIVERSAL
  - It’s Getting Better All The Time / Brooks & Dunn / ARISTA
  - Ordinary People / John Legend / COLUMBIA / SONY URBAN
  - Done / Montgomery Gentry / COLUMBIA
  - Lonely No More / Rob Thomas / MELISMA / ATLANTIC
- Okay / Nivea / JIVE / Zomba
- If Heaven / Andy Griggs / RCA
- Sugar (Gimme Some) / Trick Daddy Feat. Lil’ Kim & Ludacris / SLIP N SLIDE / ATLANTIC
- Shake That Monkey / Too Short Feat. Lil Jon & The Eastside Boyz / JIVE / Zomba
- Magnificent Obsession / Steven Curtis Chapman / SPARROW
- Anything But Mine / Kenny Chesney / BNA
- Burning Bright / Shinedown / ATLANTIC
- I Need You Now / Smokie Norful / EMERGOES Phreak
- Just For You / Lionel Richie / ISLAND / DEF JAM
- Trying To Find Atlantis / Jamie O’Neal / CAPITOL
- El Problema / Ricardo Arjona / SONY DISCOS
- U Don’t Know Me / T.I. / ATLANTIC
- Tio Vez / Ricky Martin / SONY DISCOS
- Fotografia / Juanes / UNIVERSAL LATINO
- Still In Love / Teena Marie / UNIVERSAL
- Gasolina / Daddy Yankee / VI

**www.bdsonline.com**
**The Earlier, The Better**

A superstar act in your camp has almost completed a new album. Do you drop it in or near the fourth quarter with the huge traffic it enjoys during the holiday selling season or wait for the start of the New Year? The answer depends on your goal. If your aim is to end up with one of the best-selling albums of the fourth quarter, then wait until September or later.

If, however, your artist's ego would be more satisfied with the accomplishment of owning the top-selling record of the year, a decade of Nielsen SoundScan results suggests you should consider a release date during the first six months. From 1995 to 2004, each year's best-selling album was on the market at least four months before the fourth quarter began. Of the last 10 SoundScan champs, the one with the shortest shelf life was "Nirvana's "Nevermind," which was rushed to an off-cycle street date during the Memorial Day weekend of 2002.

It is possible that an album released in the fourth quarter of one year can triumph as the top-selling set of the following year, but that has only happened once in the last six years. Linkin Park's "Hybrid Theory," which hit the market in October 2000, staged a come-from-behind rally in fourth-quarter 2001 to overtake another 2000 release, Shaggy's "Hot Shot." Aside from Linkin Park's win, an album from the prior year entered the top slot from 1995 through 1998. Two of those four—the soundtrack from "Titanic" (1998) and the Spice Girls' "Spice" (1997)—arrived in November of the previous year, but the other two had longer store lives. Alanis Morissette's "Jagged Little Pill," the 1996 champ, bowed in June 1995, and Hootie & the Blowfish's "Cracked Rear View," the king in 1995, was released in July 1994.

Tenure is not just a consideration to be a year's best-selling album, a majority of the 10 best sellers in each of the last 10 years had reached stores before July 15. The lightest yield was last year, when six of the 10 best sellers arrived before the end of June. The most seasoned top 10 are now in their 35th through 56th week (Continued on page 52)

**Market Watch**

**A Weekly National Music Sales Report**

**WEEKLY ALBUM SALES**

<table>
<thead>
<tr>
<th>Year</th>
<th>Album Sales 2005</th>
<th>Album Sales 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>9,650,000</td>
<td>8,000,000</td>
</tr>
<tr>
<td>2004</td>
<td>8,000,000</td>
<td>6,500,000</td>
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**WEEKLY UNIT SALES**

<table>
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<tr>
<th>Year</th>
<th>Store Singles 2005</th>
<th>Digital Tracks 2005</th>
<th>Change 2005</th>
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<tr>
<td>2005</td>
<td>80,000</td>
<td>6,208,000</td>
<td>4.6%</td>
</tr>
<tr>
<td>2004</td>
<td>80,000</td>
<td>5,208,000</td>
<td>4.6%</td>
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**YEAR-TO-DATE ALBUM SALES BY ALBUM FORMAT**

<table>
<thead>
<tr>
<th>Year</th>
<th>CDs 2005</th>
<th>Cassette 2005</th>
<th>Other 2005</th>
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<tr>
<td>2005</td>
<td>166,427,000</td>
<td>3,606,000</td>
<td>533,000</td>
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<tr>
<td>2004</td>
<td>153,614,000</td>
<td>949,000</td>
<td>337,000</td>
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</table>

**THE BOYS ARE BACK**

After a false start in 1995 with "We've Got It Goin' On," the Backstreet Boys began a hit streak in 1997 with "Quit Playing Games (With My Heart)." The single peaked at No. 2, their highest-charted Billboard Hot 100 entry to date. For five consecutive years, the quintet had at least one song debut on the chart every year. By the time the group took a break, it had racked up 13 chart entries, six of which reached the top 10.

"The Break" became a long one, lasting exactly 3½ years. This issue, "Incomplete" ("Jive") is the first Backstreet Boys track to debut on the Hot 100 since "Drowning" bowed the week of Oct. 20, 2001. "Incomplete," the first single from the group's June album, earns Hot Shot Debuts honors, opening at No. 55. It ranks as the sixth highest debut among the group's hit chart entries. It is the highest-debuting song on the Jive imprint this year, and the highest since Britney Spears opened at No. 53 with "Toxic" the week of Jan. 31, 2004.

**GOING UP: "Elevator"** takes Canadian indie-rock outfit Hot Hot Heat to new heights on The Billboard 200. The album is a new entry at No. 34, besting the No. 146 peak of the band's first set, "Make Up the Breakdown," in August 2003. "Breakdown" was issued on Sub Pop, while "Elevator" is on Sire. "Elevator" is the highest-debuting and highest-charting CD on Sire since November 1994, when Madonna's "Bedtime Stories" debuted and peaked at No. 3.

**This Time It's Personal**

I've written about countless chart spans in this space, for artists as well as songwriters, producers and labels. Now it is time to write about a more personal span.

Chart Beat was initiated by Paul Grein in the March 28, 1981, issue of Billboard. As a reader, it was the first thing I turned to each week, never thinking that one day I would be writing the column.

Paul penned the column for 11 years and nine months. When he exited, I was asked if I'd be interested in taking over. Except for the week of my father's funeral, my column has appeared in every issue of Billboard for the last 12 years, three months and two weeks, giving Chart Beat a total span of 24 years and one month, a good run by any standard.

This is the final Chart Beat to appear in the print edition of Billboard. The column will continue online at billboard.com. For those who already check the Web site every Friday to read Chart Beat Bonus, you'll be able to read Chart Beat even earlier, as the column will normally be posted at midnight on Wednesday.

It has been a privilege to be a part of these pages for such a long time and I look forward to writing the cyber edition of Chart Beat for years to come.
Over The Counter
Continued from page 49

10 of 1995-2004 happened in 1996, when all 10 had reached stores before July, including five that were released in the prior year. Other than that, there were three weeks when no one or none of the top 10 albums were pre-July releases (1997, 2002 and 2003), two when there were eight (2000 and 2001), and three when there were nine (1995, 1998 and 1999).

While seniority counts in the year-end best sellers, youth is served when you examine the 20 biggest albums during the fourth quarters of the last 10 years. In all but one of those ten years, a majority of the 20 best sellers of a closing quarter arrived between September and the end of the year.

The one exception was 1999, when half of the top 20 from that year’s fourth quarter arrived before September, with two of those 10 from earlier years. Otherwise, albums released during the last four months of a year account for no less than 12 of a fourth quarter’s top 20 in each of the last 10 years. In three of those years, 15 of the last quarter’s top 20 arrived no earlier than September.

There were eight pre-September releases in the top 20 for two of the last 10 fourth quarters (1998 and 2000), six such exceptions in three of them (1996, 1997 and 2001) and five in two other years (1995 and 2001).

The wild card of SoundScan’s 14-year history is Shania Twain’s 1997 set “Come On Over,” an example of patience which, more than any other album, proves the old industry maxim, “It’s not where you start, that counts, but where you finish.” “Come On Over” had the rare distinction of notching top 10 weeks on The Billboard 200 during the holiday selling seasons of three different years—a claim that even Michael Jackson’s 29 times platinum “Thriller” cannot make—yet Twain’s album was never the top seller of any year or any fourth quarter.

The album’s fact—never even spending a single week at No. 1 on The Billboard 200, yet “Come On Over” has sold more than any other set in SoundScan history. Its 15.3 million copies date back earlier successes of the runner-up, Maritess’s “Pill,” by almost 1 million copies.

FAITH ON HIGH: 50 Cent is on course to have the top-selling album of 2005, repeating a feat he accomplished two years ago. He holds court on The Billboard 200 for a sixth week. For now, he withstands the biggest sales week ever by R&B queen Faith Evans, but it looks like 50’s streak will be interrupted next.

Week (see A Look Ahead, page 6).

With a start of 157,000 copies, Evans enters the big chart at No. 2 and Top R&B/hip-hop Albums at No. 1, career peaks on both lists. Her prior best Nielsen SoundScan week happened in 2001 when “Faithfully” sold 101,000, topping out at No. 2 on the R&B/hip-hop chart. Her previous Billboard 200 peak was No. 6 for the 1998 title “Keep the Faith.”

Also earning a career best on the big chart is a true keeper of faith: gospel star Donnie McClurkin, whose bow at No. 12 also represents his strongest SoundScan frame (52,000). His 2003 outing, “Donnie McClurkin ... Again,” owned his prior bests (No. 31, 37,000).

In between Evans and McClurkin is a new entry for the daughter of a man who was known to record gospel music, as Lisa Marie Presley debuts at No. 9 with 56,000 copies. Her media rollout included “The Oprah Winfrey Show” and “Late Show With David Letterman,” yet this one starts with less than half the opener that her first album enjoyed in 2003 when it bowed at No. 5 on 142,000 sold.
<table>
<thead>
<tr>
<th>Artists</th>
<th>Number 1</th>
<th>Sales Date</th>
<th>Label</th>
<th>Sales</th>
<th>Sales Date</th>
<th>Label</th>
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<tr>
<td><strong>Greatest Gainer</strong></td>
<td><strong>The Beatles</strong></td>
<td><strong>DADYAN YANKEET</strong></td>
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<td><strong>April 22</strong></td>
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<td><strong>Greate</strong></td>
<td><strong>Green Day</strong></td>
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<td><strong>Simple Plan</strong></td>
<td><strong>ABBA</strong></td>
<td><strong>45.37</strong></td>
<td><strong>March</strong></td>
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<td><strong>The Arcade Fire</strong></td>
<td><strong>No Doubt</strong></td>
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<td><strong>Shaggy</strong></td>
<td><strong>Super Furry Friends</strong></td>
<td><strong>14.17</strong></td>
<td><strong>December</strong></td>
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<td><strong>The Black Keys</strong></td>
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<td><strong>The Black Keys</strong></td>
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<td><strong>April</strong></td>
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<td><strong>Greatest Gainer</strong></td>
<td><strong>No Doubt</strong></td>
<td><strong>The Black Keys</strong></td>
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<td><strong>Greatest Gainer</strong></td>
<td><strong>The Black Keys</strong></td>
<td><strong>The Black Keys</strong></td>
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<td><strong>Greatest Gainer</strong></td>
<td><strong>Coldplay</strong></td>
<td><strong>Linkin Park</strong></td>
<td><strong>33.17</strong></td>
<td><strong>July</strong></td>
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<td><strong>Greatest Gainer</strong></td>
<td><strong>Jack Johnson</strong></td>
<td><strong>The Black Keys</strong></td>
<td><strong>34.17</strong></td>
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<td><strong>Greatest Gainer</strong></td>
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<td><strong>Greatest Gainer</strong></td>
<td><strong>The Arcade Fire</strong></td>
<td><strong>No Doubt</strong></td>
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<td><strong>No Doubt</strong></td>
<td><strong>The Black Keys</strong></td>
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<td><strong>December</strong></td>
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**Billboard Top Pop Catalog**

**Billboard Top Heatseekers**

**Billboard Top Independent Albums**
### TOP BLUES ALBUMS

<table>
<thead>
<tr>
<th>Artist</th>
<th>Label</th>
<th>Title</th>
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<tbody>
<tr>
<td>B.B. King</td>
<td></td>
<td>The Ultimate Collection</td>
</tr>
<tr>
<td>George Thorogood &amp; The Destroyers</td>
<td></td>
<td>Greatest Hits: 30 Years Of Rock</td>
</tr>
<tr>
<td>Sonny Landreth</td>
<td></td>
<td>Street Giant</td>
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<tr>
<td>Aerosmith</td>
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<td>Honkin’ On Bobo</td>
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<tr>
<td>Tommy Castro</td>
<td></td>
<td>Soul Shaker</td>
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<tr>
<td>Eric Clapton</td>
<td></td>
<td>Sessions For Robert J</td>
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<tr>
<td>Joe B. King</td>
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<td>Full Circle</td>
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<tr>
<td>Tab Benoit</td>
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<td>Fever For The Bayou</td>
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<tr>
<td>Ronnie Earl &amp; Duke Robillard</td>
<td></td>
<td>The Duke Meets The Earl</td>
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<tr>
<td>Jackie Neal</td>
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<td>Down In Da Club</td>
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<tr>
<td>Marvin Sease</td>
<td></td>
<td>Playa Haters</td>
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<tr>
<td>Various Artists</td>
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<td>Best Of Blues: 50 Hits</td>
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<td>Hubert Sumlin</td>
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<td>About Them Shoes</td>
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### TOP REGGAE ALBUMS

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<th>Label</th>
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<tr>
<td>Various Artists</td>
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<td>Selected Four: El Documentario</td>
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<tr>
<td>Lenny Tunes &amp; Baby Ranks</td>
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<td>Mas Flow II</td>
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<tr>
<td>Various Artists</td>
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<td>The Hitmakers Of Reggae</td>
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<tr>
<td>Daddy Yankee</td>
<td></td>
<td>Ater Le Toca Al Contrario Live</td>
</tr>
<tr>
<td>Don Omar</td>
<td></td>
<td>The Last Don</td>
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<tr>
<td>Various Artists</td>
<td></td>
<td>Reggaept Club Atlantia</td>
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<tr>
<td>Don Omar</td>
<td></td>
<td>The Last Don: Live, Vol. 1</td>
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<tr>
<td>Soundtrack</td>
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<td>50 Furst Duels</td>
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<tr>
<td>Skindred</td>
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<td>Babylon</td>
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<td>Eli</td>
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<td>El Due Hable Con Los Manos</td>
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<tr>
<td>Lenny Tunes</td>
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<td>La Travestida</td>
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<td>Various Artists</td>
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<td>Reggaept Super Hits</td>
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<td>Bob Marley &amp; The Wailers</td>
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<td>Gold</td>
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<td>Lenny Tunes</td>
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<td>Mas Flow: Platinum Edition</td>
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### TOP GOSPEL ALBUMS

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<td>Donnie McClurkin</td>
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<td>My Guitar Says Amen</td>
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<td>Various Artists</td>
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<td>Kurt Carr Project</td>
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<td>Smokie Norful</td>
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<td>The Lord’s Highway</td>
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<td>J Moss</td>
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<td>The J Moss Project</td>
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<td>Micah Stampley</td>
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<td>The Songbook Of My Heart</td>
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<td>Ruben Studdard</td>
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<td>It’s Me</td>
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<tr>
<td>Shekinah Glory Ministry</td>
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<td>Kingdom (Vol. 1)</td>
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<td>Israel &amp; New Breed</td>
<td></td>
<td>Live From Another Land</td>
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<tr>
<td>Bebe Winans</td>
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<td>Let Love Be Your Witness</td>
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### TOP WORLD ALBUMS

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<tr>
<th>Artist</th>
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<td>Celtic Woman</td>
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<td>Ronan Tynan</td>
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<td>Ronan Tynan</td>
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<td>Various Artists</td>
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<td>Patumaya Presents: Acoustic Brazil</td>
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<td>Soundtrack</td>
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<td>The Motorcycle Diaries</td>
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<tr>
<td>Daniel O’Donnell</td>
<td></td>
<td>Welcome To My World: 20 Classics From The Jim Reeves Song Book</td>
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<tr>
<td>Carla Bruni</td>
<td></td>
<td>Qu’est’ce M’a Dit</td>
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<td>Various Artists</td>
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<td>Patumaya Presents Afro-Latin Party</td>
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<td>Patumaya Presents Acoustic Brazil</td>
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<tr>
<td>Various Artists</td>
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<td>Songs Of Faith</td>
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<td>Soundtrack</td>
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<td>The Chorus</td>
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<tr>
<td>Various Artists</td>
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<td>Songs Of Faith</td>
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<td>Various Artists</td>
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<td>Classic Duets: Songs Of Inspiration/I Believe</td>
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<td>The Chieftains</td>
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<td>Live From Dublin: A Tribute To Derek Bell</td>
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<td>Various Artists</td>
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<td>Stack Key Guitar Volume 2</td>
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<td>Paris Combo</td>
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**Notes:**
- All albums with the greatest sales gain this week.
- Recording Industry Assn. of America (RIAA) certification for an shipment of 500,000 units (Gold), 1 million units (Platinum), or 5 million units (Diamond).
- RIAA certification for one million units (Platinum), or 10 million units (Diamond).
- Sales data compiled by Nielsen SoundScan.
<table>
<thead>
<tr>
<th>Title</th>
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<td><strong>Writers, Performers, Publishers</strong></td>
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**SINGLES AND TRACKS SONG INDEX**

- **BILLBOARD**
- **www.americanradiohistory.com**
Radio Is Once Again Chesney Country

Kenny Chesney achieves his eighth No. 1 on Hot Country Singles & Tracks with “Anything But Mine,” which gains 907,000 audience impressions and interrupts a four-week stretch atop the chart by Craig Morgan’s “That’s What I Love About You.” With 34.4 million impressions, Chesney’s new single outpaces Morgan’s No. 2-ranked song by 1 million listener impressions.

Chesney recently appeared at No. 1 with “When the Sun Goes Down,” a duet with Uncle Kracker, which started a five-week run at the top in the April 3, 2004, issue. In the intervening months, he came just shy of No. 1 by peaking at No. 2, with a trio of singles: “I’m Gonna Get Back” in July 2004 and “The Woman With You” in December 2004.

BACKSTREET’S BACK: The Backstreet Boys return to The Billboard Hot 100 for the first time in 3½ years as “Incomplete” scores the Hot Shot Debut at No. 55. The quintet was last on the chart with “Drowning,” which peaked at No. 28 in November 2001. “Incomplete,” a preview of the group’s forthcoming “Never Gone” album, enters the Hot 100 today at No. 73 and debuts on Hot Digital Songs at No. 30 with 10,500 paid downloads.

On the Pop 100 chart, the Backstreet Boys leap from last week’s No. 90 debut to No. 27. First-week sales of the digital track coupled with the largest audience increase on the mainstream top 40 radio-supported Pop chart for May 31, 2005, tally up (8 million impressions) is the catalyst for this huge jump.

In the two-plus months of the Pop 100’s existence, the leap of “Incomplete” is second only to 50 Cent’s 89-10 jump for “Disco Inferno” in the Feb. 19 issue.

THREE THINGS: The retail release of Amerie’s “1 Thing,” pushes the title-52 on Hot R&B/Hip-Hop Songs & Tracks, giving her the biggest charting single of her young career. Amerie previously peaked at No. 9 in August 2002 with her debut single, “Why Don’t We Fall in Love.” “1 Thing,” the initial single from her April 26 release “Touch,” debuts at No. 3 on the R&B/Hip-Hop sales list with strong first-week sales at R&B core stores. Amerie’s chart move on R&B/ Hip-Hop Singles & Tracks places her in the top three alongside Fantasia, who holds at No. 3 with “Truth Is.” This is the first time since the Feb. 14, 2004, issue that two solo females appear in that region without guests. In that issue, Alicia Keys and Beyoncé held down the No. 1 and No. 3 slots with “You Don’t Know My Name” and “Me, Myself and I,” respectively. Keys has since become a radio staple. Her three subsequent singles after “Name” now occupy the top three spots on billboard .com’s Hot R&B/Hip-Hop Recurrent chart. Leading the way is “If I Ain’t Got You,” followed by “Karma” and “ Diary.” In 2003, 5 Cent became the first artist to dominate the chart as a single in such a manner.

HIGH RENT DISTRICT: Weezer’s “Beverly Hills” moves to the top of Hot Digital Songs, jumping 5-1 with 40,500 paid downloads, an 11,000 improvement over last issue’s debut total. “Hills” parleys that sales gain into a 25-13 jump on The Billboard Hot 100 and a 25-17 rise on the Pop 100. Gwen Stefani enjoys the Digital chart’s biggest sales spike as “Hollaback Girl” jumps 12,500 units to 30,000 and rises 17-4. The improvement is concurrent with the song gaining popularity at top 40 radio outlets as the track moves 70-45 on the Hot 100 Adult chart with a 60% audience impression bump. Stefani’s strength in the sales and airplay components propels “Hollaback” 37-10 on the Hot 100 and 22-10 on the Pop 100.
Jack

Continued from page 1

tramp or some other '70s staple came on, it got an overwhelming thumbs-up from the Molson-enhanced crowd. And there was a noticeable lack of enthusiasm for the Animals, the Doors or other '60s icons played. While the crowd dug connecting with music from their high school years, Kroeger noticed the station wasn't playing a lot of other acts his generation grew up with, like the Pretenders, Elvis Costello, Soft Cell and Tears for Fears.

Returning home, he pulled one of Joel Whitburn’s Billboard chart reference books off the shelf and began feverishly compiling a list of songs from 1974 to the present that had a rock/AC flavor but were not getting much radio love. He ended up with a deck and watched wire.

With the help of Mike Dorn from Audience Research International, Kroeger made a format montage from the song list and had it tested during a CHFM focus group in the early '90s, so he adopted the handle in Winnipeg. “We wanted to present a personality for the radio station without having to go through all these names that have been used by other bigzy stations before, like the Hawk and the Bear,” he says.

And so, on March 4, 2002, North America’s first Bob FM was born on CPWW Winnipeg. In launching the station, Kroeger started the latest hot radio format, which ranges under various regular-guy names: Bob, Jack, Ben, Simon, Hank and others.

This is a wide swath of music from the mid- to late '70s up to the turn of the century. Variety is the name of the game, seemingly mimicking the iPod Shuffle phenomenon, not just for the music but also for the expositions of style and genre. The one common denominator is that these songs were all hits.

Launching two weeks into Canada’s Bacon Bros. Measurement ratings survey, the fresh format debuted in Winnipeg at No. 1 among adults ages 25-54 and has remained there ever since—for nine consecutive ratings periods.

Inspired by the success in Winnipeg, Rogers Broadcasting launched Jack FM in Vancouver in December 2002, under PD Pat Cardinal. Today, there is a Bob FM in the market. Kroeger is the latest hot radio format, which ranges under various regular-guy names: Bob, Jack, Ben, Simon, Hank and others.

FIDGETING PROGRAMMERS

Initially puzzled by a format that fractures some of radio’s time-honored programming rules, U.S. broadcast execs have since embraced the concept. “The first time you sit down with somebody to schedule what everybody calls ‘train weeks,’ you might see a little flitting going on,” Joel Folger says amid bursts of devilish laughter. A for-

Diamond

Continued from page 1

These will be Diamond’s first U.S. concerts since the 2001-2002 Three Penny Opera world tour. That 117-show tour grossed $30.6 million and drew 90,000 people to 117 shows, 98 of them sellouts, according to Billboard Boxscore. AEG Live also promoted that tour.

“[The fan] is a loyal following with Neil, and Sal and Jeff.” Phillips says. “Basically, we are the promoters of the event, market by market. And, in conjunction with Sal and Jeff, we do the building.” Phillips says that Diamond’s 2005 road work began in March with a sold-out tour of Australia and New Zealand promoted by Paul Dainty. The Down Under trek has been a ton of fun for Phillips. “I’ve had 15 dates, have drawn 212,710 people and grossed $14.6 million.” The tour continues in the United Kingdom and Ireland before arriving in the States in July. Barry Clayman on Clear Channel Entertainment Europe is handling the U.K. portion. Diamond will be joined by his longtime tour band, which includes a horn section and backing singers. Phillips says the “cycle is right” for a hugely successful tour for the States as well. “We will be adding dates, and there could be multiples in some markets.” Tickets will go on sale in early May and will be “sold out under $100,” according to Phillips.

“Neil insists on keeping his ticket prices lower than other artists with a similar demographic, because he wants to draw as many people.” Phillips says. “His philosophy on pricing is exactly the same as ours. That’s how we were able to take Prince out for less than $100 last year.” Phillips says that Diamond’s tour legs are structured so AEG Live can realize a fair return, which is not a given in today’s marketplace of high artist guarantees. “It’s a tough deal, but we’re not greedy on this end.” Phillips says.

A workhorse on the road for years (he was the top solo touring artist of the 1990s, grossing $182 million from 461 shows), Diamond’s last tour was far from his first. “This tour was special, in the sense that it really became more than a tour after the 9-11 tragedy,” Diamond told Billboard at the time. “I got a sense that people were really in need of not so much entertainment, but to get on a human level. It was a tour and ended as a mission.” Diamond initially didn’t intend to work so much on Three Penny Opera. “Once I realized what was going on out there, I came to him and Jeff Aregan and told them to fill up my dance card. I don’t know if I could do it again, but I felt it was necessary.” At one point, industry speculation was rife that Diamond might tour in 2005 with his high-profile duet partner Barbra Streisand. One source told Billboard the proposed guarantee for a Streisand-Diamond joint venture was in the range of $3.5 million per show (billboard.biz, Oct. 13, 2004).

“Neil Diamond/Barbra Streisand tour would have been absolutely huge,” Phillips says. “Talks persisted that Streisand would be in some fashion in 2005.”
Large-scale illegal online piracy is not as widespread in Japan as in most Western countries, it does present a threat to the development of the legitimate download business. "There's a problem if we want people to pay for a service that is available for free elsewhere," he says.

In the Netherlands, the first legal cases were brought against 130 ISP interns in a joint action by authors society Buma/Stemra, labels body NVPI Audio and anti-piracy organiza-
tion Brein.

Under Dutch law, the industry needs the cooperation of ISPs to identify alleged infringers. Brein has sent cease-and-desist letters with demands to plug five local ISPs for delivery to their customers suspected of engaging in illegal file sharing.

Original content from page 5

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notes that throughout history, sound recordings have received less protection than other types of copyrighted works such as textual compositions and literary works. This is still the case overseas, he says. The appellate deci-

sion, however, provides greater protection to the United States than has ever been granted.

While those reissue labels that have not searched for the rights holders before releasing older works may con-
sider those labels to have had other lawyers point out that the decision only covers acts of infringement that occur in New York—not every record-
ing that was originally made or is owned by a company in New York. It is unclear whether other states will follow the decision and whether it will go unchallenged.

Legal experts say this is the first deci-
sion to definitely recognize common-

law copyrights in pre-1972 recordings. While 49 states have some form of statute prohibiting unauthorized dis-

tribution of recordings, there are lawyers who argue that many of the laws only deal with criminal acts rather than civil copyright infringement.

It remains to be seen whether those states without civil legislation will embrace common-law copyright protection to supplement unfair-

competition laws.

We used companies that typi-

cally release uncensored reissues will probably continue to do so because it would be expensive for labels to go after all of them, lawyers say. Legitimate distributors may be more cautious before offering older recordings after this decision.

Naxos attorney Maxim Waldou-

in New York tells Billboard that his client has authorized him to petition the U.S. Supreme Court for review if he deems it appro-

priate. He believes that the ruling is landmark and worthy of review.

The case is still pending on other issues in the federal court.

Philip Lascaratos with Mayer, Brown Rowe & Maw in New York argued the case for Capitol.

Information after a court order," she says. "This position is based on our rules and the privacy statement we have agreed on with our clients."

She adds, "We don't think they can ask ISPs to act as billfังs and deliver claims in their name to us clients." Brussels-based nonprofit organiza-
tion European Digital Rights is also challenging the music indus-
try's legal strategy. Founded in June 2002, EDRI comprises 17 privacy and civil-rights watchdogs from 11 European countries, with the aim of defending such rights in the face of laws being passed.

EDRI says it "condemns actions against

European file sharers." EDRI board member Sjoera Nas, who is also a member of Dutch lob-

Byrning group Bits of Freedom, claims, "In copyright infringement cases, ISPs cannot check and verify that the complaint is valid." She suggests that the only appropriate way to tackle the issue is to go through court procedures and have judges decide on how to proceed.

Kimbro admits that content owners, mainly the film and music industries, are eager for ISPs to implement a "code of conduct" and do not want them to be in charge of monitoring.

A March conference organized by Brussels-based lobbying group the European Telecommunications Network Operators' Association described the five-point code of con-
duct "by which ISPs would respect the music and the music makers."

"My point was to say that content owners are hyped, I guess", he says, "It is the social responsibility of the ISPs to help us, but there are also good business reasons to help." An ETNO representative says Kennedy's proposals "have not been noticed, and we are discussing what can be their follow-up. It is obvious that we all have an interest in work-

Copyright

Continued from page 6

Franklin, Tenn.-based Naxos of America, the U.S. distribution arm of Hong Kong-based Naxos Global Dis-

tribution, for common-law copyright infringement, unfair competition and other claims based on state law.

The recordings at the center of the dispute were made under contract with the performers by Gramophone Co., a predecessor of Capitol Records' current parent, EMI Records.

According to the court's opinion, an EMI subsidiary granted exclusive U.S. licensing rights to Capitol, which remastered and released CDs of the recordings.

The U.K. copyrights all expired by 1990. Naxos restored the performances from the original shellac recordings in the United Kingdom, releasing them in 1998 on CDs in the United States.

Capitol demanded that Naxos stop selling the CDs, but the company refused.

The Federal Second Circuit Court of Appeals, which was considering motions by the parties, requested New York's highest court to clarify state law.

Its 35-page opinion tracing the history of English and American copyright law favors Capitol.

GREAT PROTECTION

The decision is good news for labels with old recordings of jazz, classical and rock music that want to make an investment in restoring, remastering and releasing CDs for collectors. "This is a significant victory for Naxos, which will enable these and other artists and their estates to continue to benefit from his-
torical recordings, at least in the U.S.," EMI Classics president Richard Litell-

form a successful independent record label

The label will be called Thelen Classics and will have

Minogue and the White Stripes. Vet-

ern artists Brian Wilson, Van Mor-

ris and Elvis Costello are also on

the bill, alongside such newcomers as Kaiser Chiefs, Blesse

ty and Kasabian. The full lineup is available at glastonburyfestivals.co.uk.

As befits one of the most popular music events on the British sum-
mer calendar, the 2005 festival sold out in record time, more than a

week before the lineup was announced. The entire allotment of 112,000 tickets went in slightly more than three hours after their release April 2.

In stark contrast to last year, online sales through SeeTickets went smoothly, Benn says. "Last year we had a bit of a nightmare with tickets, and there were literally tons of problems with the system."

So this time I brought in my own team to manage sales.

The 90,000 tickets set aside for online sales were snapped up within two hours, he says. The remaining tickets were sold over the telephone.

Tickets for the entire weekend cost £129 ($236.50). In an effort to out-

reach SeeTickets, photo ID will be required for entry.

Glastonbury's organizers have committed to donate at least £1 mil-

lion ($1.88 million) this year to the children's charity Save the Children, which include WaterAid, Oxfam and Greenpeace. "Even though Mean Fiddler is a commercial organization, it accepts the unique nature of what Glastonbury is," Benn says. "So you apply a slightly different set of rules."
RIAA

Continued from page 8

Some users have shared as many as 13,600 MP3 files and as many as 72,700 total files.

Partly as a result of the joint committee's efforts with higher education, campus networks continue to yield significant savings, Sherman said. In order to maintain the gains we've made, we must move quickly to address this new threat emerging from EMP's similar applications.

Sherman said there are no current plans to go after the network operators of i2hub: "We're waiting for a ruling in the [Supreme Court] Grokster case" for direction.

Lawsuits 101

The RIAA filed its latest round of copyright-infringement lawsuits against students at the following institutions:

Boston University
Carnegie Mellon University
Columbia University
Drexel University
Georgia Institute of Technology
Harvard University
Massachusetts Institute of Technology
Michigan State University
New York University
Ohio State University
Princeton University
Rensselaer Polytechnic Institute
Rochester Institute of Technology
University of California, Berkeley
University of California, San Diego
University of Massachusetts, Amherst
University of Pittsburgh
University of Southern California

Blackstone

Continued from page 8

as director of business affairs. He was later elevated to the dual role of running business and creative affairs, working with such acts as Justin Timberlake, Linkin Park, R. Kelly and Britney Spears.

"Training at Zomba is a unique background," says Neil Portnow, who left his post in 2002 as the Zomba Group's senior VP of West Coast operations to become the president of the Recording Academy. When the two men worked together, Portnow said, the company held Zomba as a highly entrepreneurial operation. It created a business culture that excelled in executing a synergy between its label and publisher, he explains.

"To the extent that the labels were successful and innovative, Richard and I were right there, side by side, looking at opportunities." Portnow says.

Sources say Blackstone takes over a company that has to make up for a lot of lost ground.

When Warner/Chappell became the first publisher to enter a license agreement with its sister label for master ringtones in 2004, industry observers wondered whether the parent company had strong-armed the publisher to finalize terms that other publishers were hesitant to set with labels.

Although Blackstone lacks extensive international experience, sources say he has a proven track record in building relationships.

Attorney Ira Selsky with Dreier LLP in New York notes that Blackstone made "a conscious and successful effort to expand the company's relationships in Nashville.

Selsky adds that Blackstone, with whom he has worked closely in the past, has a personality that lends itself to meeting the challenges.

"Hangout with Richard is like hanging out with Leland Henson," he explains, referring to the likable character played by Gene Wilder in "The Producers.

"Like the Producers, sources say, Blackstone will have to make enough money available to catch up with the competition.

Coldplay

Continued from page 5

"Our job is to get to as many Coldplay fans as possible, and we'd be foolish not to exploit the mании that we have as well as what we can," Capitol Records VP of new media Ted Mico says. "We believe Coldplay is the most exciting band on the planet, and they deserve a new and exciting campaign." The Coldplay Sounds program aims to convince labels to release master ringtones from upcoming singles before they are available in any other medium. In return for the exclusive rights to debut new songs, Cingular will give new releases prominent placement on its Web site and top billing in its mobile ringtone store.

The carrier will also send text messages to subscribers notifying them when new songs are available and will promote the band in its radio, TV and print advertising.

"In general, the exclusivity was predicated on the marketing spend and commitment that Cingular stepped up with," Mico says. "We definitely see them as a co-marketing partner in this." He says the response rate Cingular gets from its other customer alert initiatives was of particular interest to Capitol. For instance, 24% of Cingular subscribers were able to purchase concert tickets for the carrier's "Star Wars Episode III" exclusive offer opened the message.

"That's huge for any sort of marketing messages," Mico says.

According to Cingular VP of marketing John Burbank, the Cingular Sounds program will feature a new artist exclusive every week that the company has deals in place with other labels and artists to deliver additional content in the coming weeks.

"We're going to give extra special treatment to bands that have the biggest fan base," Burbank says. "We're acting like a retailer and a distribution channel for their product."

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For millions, the opening strains of Phantom Planet’s “California” mark the start of the week’s most-anticipated guilty pleasure, Fox TV’s “The O.C.”

Creator and executive producer Josh Schwartz has turned the series into a music tastemaker, placing acts like Modest Mouse, the Killers and the Thrills alongside Phantom Planet in pop culture history. The show features a fictional all-ages venue, the Bait Shop, and audiophile characters like Seth Cohen (played by Adam Brody), who has a penchant for Death Cab for Cutie—though he misses the group’s Bait Shop performance in the upcoming season-two finale.

At 26, Schwartz was the youngest person in network history to create and oversee the production of a series when he sold “The O.C.” to Fox in 2002. He works closely with the show’s music supervisor, Alexandra Patsavas, approaching the song selection for each episode as carefully as a casting decision.

Musical success stories abound. Geffen act Rooney performed on the show during its first season in January 2004, and the following week its self-titled debut saw an 185% sales spike. Indie newcomers the Walkmen enjoyed a 195% gain in sales for their album “Bows & Arrows” (Record Collection) after a season-two Bait Shop performance. Sales for the Killers, the Thrills and Rachael Yamagata also climbed significantly in the weeks following each act’s Bait Shop gig.

Schwartz took a new approach with the March 10 episode, weaving a four-song preview of Beck’s album “Guero” (interscope) into the storyline. The episode also featured Beck’s cover of “True Love Will Find You in the End,” a song by cult singer/songwriter Daniel Johnston that does not appear on “Guero.” The album track “Scarecrow” can be found on the series’ latest compilation CD, “Music From ‘The O.C.: Mix 4’,” which hit stores April 5. The Warner Sunset compilations have sold more than 500,000 copies.

“Josh is passionate about music, and he knows what he likes,” Warner Bros. senior VP of TV marketing Lori Feldman says. “He’s able to give a national voice to young, up-and-coming artists who probably would not have had that exposure otherwise. He is keenly aware of how to use this music to best serve the show, as well as the artists.”

Q: Did you always plan on music being so integral to “The O.C.”?
A: I didn’t know that it would catch on like it did, but I think in the pilot script I had, like, five songs written in it. It was always the idea for me that the music we would use would be less reflective of Orange County and more reflective of our characters’ emotional state.

Q: Why do you think the music took on a life of its own?
A: Well, it was really surprising to me, because it was just kind of music that was on my iPod for the first six or seven episodes that I liked, and stuff that had been out there. It wasn’t until we got Alex [Patsavas] around episode seven or eight that we started getting music that hadn’t been heard before, but I think the template was in place from the beginning that it was going to be music that was really emotional and not necessarily on the radio.

I think the reason it caught on is because we were featuring really great artists who really didn’t have any other avenues of having their music heard. Initially there were no opportunities for bands like Death Cab [for Cutie] to be heard in a mainstream way.

Q: Now that artists see the show as a valuable vehicle, do you get approached a lot?
A: Yeah, and we’re getting really big artists. We love music on the show—myself, Alex, the producers and editors—and we’re not snobs. We don’t say, “It has to be new, it has to be British and it has to be depressing.”

We just had this thing with Beck, who’s obviously what I would call an established artist, and that was really exciting and a really big honor for us to be able to premiere his music. We’re also talking to Coldplay’s record label [Capitol] about doing something with them.

So now we have some bigger artists, and we’re as excited to be working with those kinds of artists as we are to break the newer ones.

Q: Are fans responding well to the Bait Shop as a musical vehicle?
A: Yeah, if it’s a band they like. I think in the beginning I was just so excited, like, “We have the Killers! Let them play!” And I think as the show has evolved, we really kind of got a handle on how to integrate Bait Shop performances into the story, so it became more organic to the storytelling. The response to that has been huge. People were just really excited to see bands like Modest Mouse and the Killers.

Q: Any plans for an “O.C.” artist tour similar to the recent “One Tree Hill” outing?
A: “One Tree Hill” is its own thing, and God bless, but for us, it felt like at that point it becomes too much. It feels all of a sudden that it’s packaged and you’re trying to make money off it, and some of the purity of it is gone. That’s my feeling. The soundtracks and Bait Shop are as big as we want to take it. Anything after that starts to feel a little like you’re forcing the corporate synergy down your fans’ throats.

Q: When you’re selecting the music for each episode, do you start with the scene or the song?
A: It’s different for each one. Alex has amazing taste and is a guide to me, because Lord knows you get too busy doing the show to sit down and compose a complete plan. So she makes these “comp” CDs every week that she sends me with about 20 new songs on them, and they’re like, you know, crack. I listen to them in the car and when I’m writing, so sometimes I’ll write songs into the script and say, “OK, this is what we want to go after.” And then there are places where we’ll look at a scene and Alex will make pitches for what song should go on there.

Sometimes we’ll try to clear a song, and then we’ll change our mind and go a different way. Our editors are really musically driven as well, and a lot of times they’ll put music in off the comp CDs that they love and inspire me, so we’re always turning each other on to new things and trying to experiment.

Q: Do you ever run into licensing roadblocks? Either a song is too expensive or the band just isn’t interested?
A: Yeah, I mean, it’s getting rarer and rarer that we get turned down. I think Arcade Fire wasn’t really into it, but for the most part, we’re getting a little spoiled in that we’re getting pretty much everything we try to get. I think the artists recognize that we’re fans and we’re going to treat their music with integrity and that it’s coming from the inside out. We’re not trying to just superimpose what we think our audiences will like onto the scene, we’re trying to pick the song that we think best brings up the emotional resonance of that scene and I think, hopefully, the musicians feel like we’re honoring their music—because that’s what we really want to do.

Q: Who are some of your bands to watch out for this year?
A: Turin Brakes has a new album out that’s laying on my desk right now that I’m very excited about. Just saw Bloc Party last week, and they’re great, although they’ve kind of blown up now, so it’s not really a new tip. Kaiser Chiefs, LCD Soundsystem, [the solo set by] Imogen Heap of Prouf Frou. And Matt Pond PA is someone I still try to turn people on to. His cover of “Champagne Supernova” is on [Music From ‘The O.C.: Mix 4’]. He has this album, “Emblems,” that anyone who loves the Shins will really love.
Influence the Influencers

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