THE HIT MAN

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Choose your music. Choose your device. Know it's going to work.

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For more in-depth business coverage, check out www.billboard.biz.
Kudos, Quibbles On ‘New’ Billboard

I wanted to take a moment to congratulate you on all of the changes you’ve made to Billboard. From the graphics and style to the reorganization of all of the content (and some new features as well), you have obviously taken great care, research and good judgment, all of which have resulted in such a stellar magazine. It will be more enjoyable than ever to read the industry’s bible every week.

Neil Portnow
Pres., The Recording Academy
Santa Monica, Calif.

Congrats on the redesign. Man... it looks awesome. The magazine really looks new, modern, easily accessible and very hip, without being too complex.

Steve Koz
Bravado Entertainment, Los Angeles

I love the new layout and the improved content. A really good job. Well done to all of you!

John Reid

I want to compliment Billboard on the marvelous transformation. The new format is much easier to read and to quickly find the articles or charts. I do object to your disclaimer that you have seen fit to ignore any publisher information from the Singles Reviews section. To ignore publishers in one of the most real and important features of the magazine is not comprehensible to me.

Jay Morgenstern
VP/GM Warner/Chappell Music, Los Angeles

You hit it out of the park. Beautiful.

Jeanne P. Meyer
Senior VP, corporate communications
EMI North America, New York

Congratulations on the new look and format of Billboard. It’s terrific. With all the music and information I follow (considering the numerous formats of our radio station clients), you’ve succeeded in making a valuable tool even more useful.

Les Tolchin
Arbitron, New York

I applaud the obvious hard work, imagination and creative thinking you have invested in the latest incarnation of this industry standard. I was particularly pleased to see the return of Inside Track.

My clients and I were disappointed, however, with the unfortunate elimination of the Studio Monitor/Pro Audio column. I urge you to resume this coverage.

Howard Sherman
Howard Sherman Public Relations
New York

The new layout looks fantastic! Kudos to the team for putting this together. Definitely moves the mag forward.

John Loken
Ride Management, Culver City, Calif.

The charts aren’t very legible. I’m sorry, but there are too many colors, pictures, graphics, etc., that are very distracting.

Grayson Bedwell
Oklahoma City

I love the little pop-up trivia column in the center of the charts. And I love that the Pop 100 seems to have replaced the Hot 100 in its importance. The Hot 100 seems almost irrelevant now. My only quibble with the new Billboard is the much larger font used for the global charts’ page. It’s easier to read, but it seems like there’s less information.

Michael Jay
Producer/songwriter, Los Angeles

I am curious why you would remove Chart Beat from the print edition. Don’t you know how much your readers enjoy this column? It’s great to read the charts, but Fred’s stories behind the chart numbers are compelling for those of us who work in the music business and don’t often have enough time to go online.

Bill Buster
President, Erics Records, San Leandro, Calif.

I am disappointed to notice that Fred Bronson’s Chart Beat is no longer included as a weekly column. I understand that it can be found online, but any chance that you will bring it back? I’m in entertainment and it is a great reference for me.

Heather Douglas
Los Angeles

You’ve done a fantastic job taking something classic and making it contemporary.

David Dorn
Senior VP, new media strategy
Rhino/Warner Strategic Marketing
Barbana, Calif.

Love the new look of the magazine. You’ve truly taken it into the 21st century.

Jerry Greenberg
Mirage Music, Los Angeles

I just read through the first new issue and I love the layout, the charts, the articles—everything. You guys have been very aggressive in upgrading the content of all of your publications in the past year and I just wanted to let you know that I take notice.

John Zaring
DreamWorks/MCA/Mercury, Nashville

The magazine’s new look: Perfect. The charts’ new look: This time you got it totally right! I’ll love the Chart Beat’s print version. Boo, hiss! Regretting the prestigious Hot 100 to half-a-page every two weeks: Unthinkable!

John Buchanan
Marketing Consultant, NASH, Nashville

Not only does the Hot 100 deserve a full page every week, it deserves to be placed apart from the other charts in the magazine. After all, it is the true barometer of America’s and in fact the world’s taste in popular music at any point in history.

Blaise Bernard
St. Louis, Prince Edward Island, Canada

Congratulations for the new, redesigned magazine. It’s better than ever! I’ll love the chart section, with all my favorite charts together, including Hits of the World!

Juan Antonio Alcâla
SIR Radio Network, Madrid
WMG IPO: No Wow On Wall Street

NEW YORK—Warner Music Group gave a “Whole Lotta Love” to Wall Street in its initial public offering May 11, but so far it has not seen much back from investors.

Guitar legend Jimmy Page's opening-bell appearance at the New York Stock Exchange was as close as WMG has come to a positive market reception to date. The trading floor erupted in thunderous applause when Page performed the monstrous riff to Led Zeppelin’s classic “Whole Lotta Love” to ring in WMG’s debut as a public company.

The company’s stock earned far more tepid reviews. WMG raised $554.2 million in the deal—20% less than its initial target. The private-equity investor group led by chairman/CEO Edgar Bronfman Jr. was forced to forgo more than $150 million in stock proceeds and cash dividends as a result of the lower valuation.

What’s more, at the May 12 close, shares in WMG were trading 90 cents below their IPO price of $17. But it has not been all bad news for the music major and its financiers, principally Thomas H. Lee Partners and Bain Capital. WMG still managed to realize a pair of major objectives in the transaction: It dropped its debt load by roughly $300 million, and it now has a public currency to use for potential mergers and acquisitions—such as a deal with EMI.

While critics are quick to point out that the IPO failed to give WMG a market capitalization greater than the around its private-equity investors paid for it ($2.3 billion at the end of the first day of trading versus a purchase price of $2.6 billion), finance professionals note that when debt is included, WMG has an enterprise value in excess of $4 billion.

That kind of dramatic improvement is likely to further fuel the fire for a merger with EMI, music industry dealmakers say. “They’ve already won the argument that they can create value by cutting the fat out,” a source says of WMG’s investors. “The same question exists with EMI: If we put it together with Warner, can we create even more value? I think the answer is yes.”

For now, music industry analysts say the key questions for WMG will revolve around its ability to demonstrate growth. It remains unclear whether there will be adequate cash flow to support the business—not just for meeting debt payments but for investing in A&R and staffing resources to keep the pipeline full of new hits.

The company has cut deep into its cost structure, stripping out more than $250 million in savings, a move that has caused much hand-wringing in the industry.

Most notably, it was a bone of contention for leading WMG act Linkin Park, which raised a red flag about

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Gorillaz Hope To Ape Best-Selling Debut

EMI’s Gorillaz—a band made up of four cartoon characters and masterminded by Damon Albarn and Jamie Hewlett—are preparing for another climb up the global charts.

Co-produced by the band and Danger Mouse, “Demon Days,” the follow-up to the band’s multimillion-selling 2001 self-titled debut, arrives May 24 in the United States on Virgin and one day earlier internationally via Parlophone and Capitol.

For EMI Group executives, the release date cannot come soon enough. In February, EMI warned investors that the much anticipated “Demon Days” and Coldplay’s third studio album (“X&Y”) would be delayed (Billboard, Feb. 19).

The announcement precipitated a sharp stock tumble for the publicly listed company. In one day, tens of millions of dollars were shaved from the firm’s market capitalization.

Rarely has the value of front-line releases been measured in such a stark way for a global record company.

“This is an important artistic statement,” Virgin Records chairman/CEO Matt Serletic says of “Demon Days.”

As a label, “Gorillaz sticks behind artistry,” he adds. “And this album is quin-

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the company's ability to market its upcoming releases. But defenders of the IPO say it will ease WMG's debt burden and improve its financial flexibility. The company is expected to have a post-IPO debt level of $2.26 billion—including a new $250 million term loan—with estimated annual interest payments of $190 million.

Analysts are forecasting WMG will generate $45.0 million—$50.0 million in Ebitda, implying a debt ratio that could be as high as 4:1. WMG has scored recent top-10 hits with the likes of Mike Jones—who is signed to its incubator label Albumin Records—Jo Dee Messina, Rob Thomas and Green Day.

Investment in the urban market is ongoing. To that end, the company has inked recording/dealing deals with multiplatinum hip hop artists Juvenile and Sean "P. Diddy" Combs. But the key to WMG's fortunes on the stock market will be sustaining momentum on the charts, analysts say. Its market-share performance in 2005 has been mixed. WMG claims worldwide year-to-date market share is up to 17.6% from 16.5% last year. However, 14% U.S. share fell off slightly from last year, according to Nielsen SoundScan.

Sources note that the market can be unsympathetic to companies that do not live up to expectations. DreamWorks—viewed by many as a comparable stock to WMG—was pounded in the market May 1 before missing its quarterly projections; its stock dropped 12%. Central to WMG's challenge will be tempering investors' short-term expectations.

Wachovia Securities analyst Bishop Cline, who is bullish on WMG's long-term potential, says early trading for the stock is likely to be choppy as investors acclimate themselves to the performance dynamic of a publicly traded music company. "Investors used to taud companies may get fatigued," he says. "It does take some work to understand this business." Some analysts are concerned that the hype is exceeding the current reality of the ringtone and download markets.

The underlying growth trends are not visible yet," Fulcrum Global Partners analyst Richard Greenfield says. "We like this business long term, but it doesn't seem like the digital revenue opportunity in the near-term is going to offset the pressures in the physical world." Some also see the overall economics of the WMG story as out of whack. This is a "trust me" stock in a market where even companies with long track records, like Time Warner, Viacom and NewsCorp, are having trouble getting a fair valuation," says Michael Nabitang, an analyst with Sanford C. Bernstein. "Here comes a company with little history, and they want a premium valuation. That just makes no sense. You could buy Time Warner for a lower valuation, right now than WMG."

Chairman/CEO Edgar Bronfman Jr. and a group of fellow WMG executives gathered in the opening Bell May 11 at the New York Stock Exchange. Guitarist Jimmy Page, right, lent his own sonic touch to the proceedings.

Gorillaz (cont.)

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tesserant Virgin." Mike Allen, senior VP of international licensing at EMI Music U.K., adds that because the group's members are presented as animated characters, most elements of the Gorillaz marketing campaign require significant planning. This includes the band's global partnership with Apple Computer. On May 7, in a commercial break during "Saturday Night Live," a new iPod ad debuted spotlighting the songwriting of "Feel Good Inc." (featuring De La Soul), the lead single from "Demon Days."

The spot was directed by Chris Robinson and executive produced by Kerstin Ehoff. Ad agency TBWA\Chiat\Day counts Apple as a client. Days after the ad's debut, "Feel Good Inc." jumped more than 40 spots into the top five of the iTunes Top Songs listing.

According to Cynthia Sexton, EMI Music Marketing's senior VP of strategic marketing and licensing, the Apple deal was months in the making. Previous iPod/iTunes TV ads have featured the music of EMI acts N.E.R.D., the Vines, Stereogram and, most recently, the Caesars. Forthcoming is a spot featuring Daft Punk. Another track from "Demon Days"—"Kids With Guns" (with additional vocals by Neneh Cherry)—will be heard on an upcoming episode of "The OC." The label is pursuing other licensing opportunities for the band's music.

The label also is working with MTV, the band's official Web site (gorillaz.com) and others on Gorillaz marketing initiatives. These include "rentable space" at gorillaz.com, which offers unique branding opportunities; Sony PlayStation Portable giveaways at numerous Web sites; an exclusive "Feel Good Inc." download at mtv.com; Gorillaz iTunes playlists; and a 45-market virtual radio tour.

Virgin VP of marketing and product management Donene Lombardi says that each radio station will get a different performance from the band. And because it's a virtual tour, "the band can be more than one market at once."

Another track from "Demon Days" is responding positively to "Feel Good Inc." Early supporters include KNDD Seattle, WXNK Atlanta and CMAX Detroit. In the United Kingdom, the track has been added at Radio 1, XFM and BBC 6 Music. The accompanying video is gathering support around the globe.

All of which bodes well for retail, where expectations are high for "Demon Days." EMI also is optimistic about the project. "Our expectation on sales is certainly in the millions," says Mark Collen, senior VP at EMI Music U.K. "For an exclusive interview with Damon Albarn, go to billboard.com.

Caparro—formerly president of WEA and, before that, chairman of Island Def Jam Music Group—will sit on the board of EDC, but remain president/CEO of Atari, a position he has held since last fall. Thomas Costable, former president of WEA Manufacturing, will lead EDC, as executive VP/COO. He will report to Glen- nayre chairman/CEO Clarke Bailey, who will serve as interim CEO of EDC.

The deal represents the culmination of Caparro's effort to realize EDC after two earlier false starts. He almost made this same deal a year ago with a different backer, but it fell apart. Before that Caparro tried to buy Warner Music Group's manufacturing and distribution facilities but lost out to Cinram.

The current deal is for UMG's manufacturing operations in Grover, N.C., its main distribution facility in Fishers, Ind., and satellite warehouses in Reno, Nev., and Wilkes-Barre, Pa., as well as the manufacturing and distribution facilities in Hanover, which service most of central Europe. No layoffs are expected at the acquired facilities, sources say, since about 1,800 UMG employees will be transferred to EDC.

In addition to UMG, EDC plans to target other music, movie and videogame suppliers for services ranging from manufacturing and pick/pack/ship to full-blown turnkey solutions. But it will not offer sales and marketing services. Caparro also sees EDC servicing retailers and even other wholesalers eventually. What's more, he says EDC could acquire competitors to grow.

In a conference call with investors Costable noted that physical goods still accounted for 95% of sales. He said, "We think we can really change the supply chain . . . and take some costs out." But he also said that EDC will look for a way to participate in digital distribution.

Furthermore, the UMG pact itself provides EDC with growth opportunities since it comes with a 10-year contract with UMG. Currently, the plants EDC is acquiring provide UMG with about 80% of Universal's CD and DVD requirements, with the remainder being supplied by other companies. As those third-party contracts come up for wind during the next three years, EDC is expected to take on that business.

NEW YORK—Glenayre Tech- nologies' newly created Enter- tainment Distribution Co. plans to become the leader in supply chain logistics for the entertain- ment industries. That's according to veteran record executive Jim Caparro, who engineered the deal giving the new company a portfolio of former Universal Music Group man- ufacturing and distribution fa- cility assets.

The acquired assets generated $2.9 million in cash flow on revenue of $290 million, according to an estimate pro- vided by the Atlanta-based company during a conference call with analysts.

Publicly traded Glenayre is a global provider of messaging solutions and enhanced services for wireless and wireline carriers. It will pay about $130 million for UMG's U.S. and Hanover, Germany, CD and DVD manufacturing and distribution facilities.

At closing, set for May 31, Glen- nayre will pay $80.9 million. Of that, $51.4 million will be equi- parted by Glenayre and $29.5 million in debt raised from a term loan with Wachovia Bank, National Association; Wachovia is also providing EDC with a $10 million revolver. The remainder of the $135 million acquisition price will come in the form of $49.0 million in re- bates paid to UMG in install- ments through 2007.

As of March 31, Glenayre's balance sheet carried $17 million in cash and little debt. Glen- nayre CFO/VP Debra Ziolo said during the confer- ence call that after funding the acquisition, Glenayre will still have a substantial cash position on its balance sheet. Caparro—formerly presi- dent of WEA and, before that, chairman of Island Def Jam
La más reciente producción discográfica de la Banda EL Recodo de Cruz Lizárraga

ESPERALO!!

A la venta este 24 de mayo
Networks International exercised its right May 10 to end its agreement with Craig. MTV and MTV2 will cease to air in Canada effective June 30, when CHUM rebrands the networks. —Larry LeBlanc

A British post-election reshuffle was unveiled May 11 at the Department of Culture, Media and Sport, which has primary dealings with the national music business. As part of the revamp, James Purnell has been named minister for media and tourism. He takes responsibilities for broadcasting and the creative industries, which include music. —Lars Brandle

The 2005 MTV Video Music Awards Latin America will be broadcast live from Playa del Carmen in the Mexican Caribbean. The event has been held in Miami since its inception in 2002. The show will air live Oct. 20 from a theater in Xcaret Park. —Leila Cobo

ROW SNAPING UP KOCH

NEW YORK—The ROW Entertainment Income Fund’s planned acquisition of Koch Entertainment will position Koch for further growth in the United States and should make ROW more profitable in Canada.

That’s the word Darren Throp, president/CEO of Markham, Ontario-based ROW, delivered during a May 9 conference call with investors. The deal, which is scheduled to close before June 1, is subject to regulatory approval.

“It’s a fantastic acquisition, which enhances our role in North America,” Throp said. The two companies’ combined pro forma revenue last year was about $65 million Canadian ($54.5 million). ROW will pay $50.5 million Canadian ($80 million) to acquire Koch. The purchase will be financed through the issuance of $50 million Canadian ($66.5 million) in company stock—7 million shares at $10 Canadian each—and the rest funded from $15 million Canadian ($13.5 million) increase in the ROW debt facility supplied by Scotiabank.

Founder and owner Michael Koch, who will stay on as president of Koch Entertainment, will receive $35 million in cash and 2.4 million shares of ROW. Those shares will be subject to a three-year lockup, with one-third of the shares becoming available for sale each of those years. ROW will also assume $3.1 million in liabilities in connection with the transaction.

Koch tells Billboard that the deal keeps Koch Entertainment “independent, self-sufficient and vibrant” and will finally give it access to the capital markets. If the right acquisition comes along, [ROW and Koch] will be able to make that move.” Last year, Koch earned close to $150 million in revenue. Around $45 million of that is believed to be from its record labels, and the remainder is from its Koch Entertainment Distribution division. Koch has been one of the fastest-growing U.S. indie companies in the last decade.

Likewise, ROW Entertainment has been growing at a torrid pace, thanks to acquisitions. ROW first purchased the Record on Wheels one-stop wholesale business and then acquired the 100-unit CD Plus Retail wholesale and Video One wholesale business, as well as starting in Zing Distribution. Last year, ROW posted $15.5 million Canadian ($10.4 million) in net income, or 78 cents Canadian (65 cents) per diluted share, on revenue of $33.2 million Canadian ($27.6 million). That figure includes Video One sales only after its August 2004 acquisition. But it still represents significant growth from the $3.5 million Canadian ($2.7 million) in net income, or 25 cents Canadian (19 cents) per diluted share, ROW posted for 2003, when revenue was $7.8 million Canadian ($5.9 million).

ROW sees the most potential for synergy in Canada, where Koch was one of ROW’s main suppliers. In the conference call, Throp noted that Sony BMG handles Koch Canada fulfillment, which ROW could pick up once that contract ends. Since Koch is already a supplier, Throp added, each Koch sale that ROW’s business units ring up will result in a greater profit margin on those SKUs.

U.K. Biz Urges Blair To Tackle IP Issues

LONDON—Tony Blair, please take note: The British music community is counting on your government to champion its issues.

Blair, who was re-elected May 5 to a third term as prime minister, made a commitment to supporting Britain’s creative economy in the Labour Party manifesto published during the campaign.

Before the election, Blair, Chancellor of the Exchequer Gordon Brown and former Minister of Trade Patricia Hewitt—now in charge of health—all stressed “the importance of a strong intellectual-property regime as a key ingredient in ensuring a strong and growing creative sector.”

One of the moves the industry would like to see Blair spearhead is extension of copyright for sound recordings.

“This is certainly the most important issue for us right now,” says Peter Jamieson, executive chairman of the British Phonographic Industry. Although the issue was not mentioned in the Labour manifesto, industry executives believe the government will champion copyright extension.

“It really fits with the broader context of how you can create a level playing field with the United States,” says Emma Pike, director general of writers’ and publishers’ organization British Music Rights. The future 50 years of protection in Europe is not extended to the U.S. standard of 90 years, this will create “serious discrepancies between Europe and America,” Pike says.

Pike and Jamieson expect the issue to come on the agenda of the British government as it assumes the European Union presidency July for six months. Music industry representatives paint a positive picture of their relationship with the government. “Over the past years, the signs we have been receiving from the prime minister and the chancellor were going in the right direction,” says Fran Sevelka, chairman/CEO of performance and labels’ collecting society PPL/VPI.

Pike applauds the Blair government’s creation of the IP Forum, which brings together the creative industries and the government departments dealing with IP issues. She hopes the government will bring these issues to a European level.

In parallel, the music industry set up the Music Business Forum, which Jamieson says “has become more and more pivotal in our relation with the government.”

Still,Jamieson says, the industry needs to do more. He suggests the government help determine a formal role for the MBF like that of the Arts Council or the Film Council.

Digital

BY ANTONY BRUNO and BRIAN GARRITY

Yahoo Tunes In

Prices Music Sub Service At $7 A Month

internet portal giant Yahoo is quickly making its presence felt in the digital music subscription space with an aggressive pricing strategy for its new Yahoo Music Unlimited service.

This move —beginning by cutting the competition with a $6.99 per month, or $60 per year, offer that gives consumers unlimited listening access to its library of more than 1 million tracks and allows for portability to compatible devices.

That puts the cost of Yahoo Music’s service well below rival subscription offerings from the likes of Napster and Real’s Rhapsody, which offer separate pricing tiers for PC-only listening and portability. A basic subscription to Napster or Rhapsody costs $9.95 per month, while a subscription with portability costs $14.95 per month.

“We think it is tough to charge people extra for portability since it is not as seamless as everyone would like it to be,” explains Dave Goldberg, VP/GM for Yahoo Music.

Yahoo is cautioning that pricing for the service is subject to change after it completes testing of Yahoo Music Unlimited, which is currently in soft launch mode.

But the move was strong enough to send ripples through the stock market. Shares in Napster, Real and Apple Computer all fell May 11 in the wake of the news: Napster shares were down 26% while Real’s shares dropped 21%; Apple stock fell 2%.

To be sure, Yahoo’s strategy shows the formidable competition that deep-pocketed Internet portals pose to other startups in the music subscription space.

Yahoo Music is tops among online music destinations in terms of traffic, with more than 25 million monthly unique visitors, according to Nielsen/NetRatings.

Competition figures to be even greater later this summer when America Online’s AOL Music—which has more than 22 million monthly Radio spins—offers an updated version of its MusicNet@AOL to all online consumers, not just subscribers.

Internet portals also are looking to piggyback on the popularity of other online applications—most notably instant-messaging clients—to drive adoption of their digital music offerings.

In another key component of the Yahoo Music Unlimited offering, Yahoo Messenger will be integrated into the service, allowing subscribers to pass tracks back and forth.

“Personalization is great, but a lot of the way most people find out about music is through their friends,” Goldberg says. “We think this allows for natural ‘sharing’ of music. For both artists and consumers this makes sharing work for everybody.”

According to ComScore Media Metrix, AOL has 21.6 million IM users, Yahoo 19.2 million and MSN 14.7 million. Portals are betting that IM fans will gravitate to music offerings and other entertainment options that integrate the tools.

AOL, for instance, links AOLadio to streams to users’ IM profiles, allowing others to link to the same channel. MSN also ties its MSN Music à la carte music store to its services. MSN Messenger can also be seen in Windows Media Player, and provides a link to a track on MSN Music.

Bob Bennett, senior director of MSN Entertainment, says, “We’re focused on making the music more of a social experience than just a stand-alone silo.”
"The Music That Got everybody Dancin’"

The Twist, Bristol Stomp, The Wah Watusi, Limbo Rock, Mashed Potato Time, The 81, Wild One, 96 Tears, You Can’t Sit Down, Don’t Hang Up, So Much In Love, Silhouettes...

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MIAMI—The Latin Recording Academy's announcement that the Latin Grammy Awards will leave CBS for Spanish-language network Univision highlights how much the Latin market has changed.

"This is a new world, a new perspective, and we have the opportunity to create a new deal at the right time, with the right network for the right market," Latin Recording Academy president Gabriel Abaroa says.

CBS has aired the ceremony from its inception five years ago. Abaroa says a factor in the shift to Univision was what many perceived as a struggle to please both mainstream and Latin audiences.

"I like to listen to my membership, and they questioned why the show was in English and why we were trying to reach a market that wasn't natural."

Although no production details have been finalized, the 2005 Latin Grammys will be in Spanish, and Univision says it will aggressively promote the show on the Univision, Galavisión and Telefutura TV networks, as well as on Univision Radio and univision.com. The awards will take place Nov. 3, the beginning of sweeps.

The network will continue to air its other awards shows, including Premios Lo Nuestro. Abaroa did not specifically address ratings, but numbers have been a major issue for the industry. Viewership of the Latin Grammys has declined steadily from an opening high of 7.5 million in 2000 to 3.5 million in 2004, according to Nielsen Media Research. In contrast, the February broadcast of Univision's Premios Lo Nuestro was watched by 6.3 million viewers, according to Nielsen.

"We have very, very high expectations on bringing more people to see this, increasing the awareness, which has an effect on our presence in the community and our membership," says Neil Portnow, president of the Recording Academy. He says CBS will continue to air the mainstream Grammy Awards, and relationships between CBS and the Recording Academy remain "as solid and strong as ever.

Univision will produce the Latin Grammys in conjunction with the Latin Recording Academy, which also operates e-commerce retailer CDNow, has estimated revenue of $700 million. Both services have membership bases of roughly 8 million.

The combined entity "will offer a broader selection of products to a larger customer base, while at the same time creating cost efficiencies," DirectGroup Bertelsmann CEO Ewald Walgenbach said in a statement.

The move comes as overall music club revenue has been hovering around $500 million per year for the last two years, down from $1.5 billion in 2000, according to industry estimates.

Vilified in the pre-Napster '90s for supposedly devalua-

### NEW LATIN CHARTS BOW

**The growth of Latin music is reflected this week by the addition of two new *Billboard* charts. Latin Rhythm, an album chart compiled by Nielsen SoundScan, becomes the new home for the explosive reggaeton category, while an album chart from Brazil joins the magazine’s Hits of the World.**

The Latin Rhythm chart joins the three Latin genre charts that already appear in the magazine: Regional Mexican, Pop and Tropical. The new list will appear every other week in the magazine, rotating with Tropical, but will be updated weekly on billboard.biz, billboard.com, Nielsen SoundScan and Billboard Information Network.

The first No. 1 on Latin Rhythm is Daddy Yankee’s “Barrio Fino,” which led the Tropical Albums chart for 28 weeks. Although the new chart is dominated by reggaeton, albums from Latin hip hop, Latin dance and regional street music like bamba rap will also be eligible. Effective with this launch, reggaeton titles no longer appear on Tropical Albums or Top Regga Albums. Likewise, bamba rap and related genres will no longer show up on Regional Mexican, nor will Latin hip hop and Latin dance albums be ticked for the Latin Pop list.

The chart was orchestrated by *Billboard* chart manager Ricardo Companioni, who oversees all of the magazine’s Latin lists.

The Brazilian chart is compiled by Sucesso, a Sao Paulo-based entertainment magazine. Successo publisher Tom Gomes, who is also an occasional *Billboard* contributor, says about 400 of the approximately 1,500 stores that sell music in that country report actual consumer sales to the chart, accounting for 70% of albums sold.

In his hit of the world, Brazil’s tally will alternate with the one from Argentina, the only other Latin American country to date to compile a trade-accepted chart. Billboard continues to seek credible charts from other countries in the region, including Mexico. ...
Shane is still on the Rolling Stones’ side.

The most successful touring band in the history of the business will crank it up yet again. And, like every Rolling Stones tour since 1985’s Steel Wheels, this trek will be promoted worldwide by Michael Cohl, this time under his vintage Concert Productions International banner.

The tour, announced at a press conference held by the band May 21 at the Juilliard School of Music in New York, begins Aug. 21 at Fenway Park in Boston. Following American Express and fan club presale May 10, tickets will go on sale May 14.

Fan club members pay $100 for other perks and the opportunity to see the exact seat locations available before they join, Cohl says, or they can be refunded if they are unhappy.

The working title of the trek is the Rolling Stones on Stage, though Cohl says that could change. No support acts have been named.

The title refers to a production element that places some fans literally onstage during the concerts, with several hundred seats in each market built into the set at about $50-$60.

With more stadiums on the route than on past tours and a 10% increase in ticket prices.

Stage could conceivably be the top-grossing tour of all time—if the band works 100 dates or more.

The Stones last hit the road in 2002-2003 on the Licks tour and, predictably, were the top-grossing act of 2003. The band rang up slightly less than $300 million from 136 dates on the global Licks tour, second only to the band’s mammoth 1995 Voodoo Lounge effort, which took in $500 million.

Cohl first tipped Billboard that the Stones might tour in 2005 when Licks came to a close (Billboard, Dec. 6, 2003). “Everybody was in such good spirits [after Licks], it worked so well, people loved the show, the band was doing it,” Cohl says. “It was one of those things where you say, ‘You know what, if this is ever going to happen again, it’s not going to be long.’”

“We’re announcing we’ll play the world, but right now the only thing that’s set is somewhere around 40 shows in North America,” Cohl says.

The strategy follows a now-familiar Cohl/Stones modus operandi: announce in May, begin in late summer/fall, play until the beginning of December, take a break, “and then off we go to South America, the Far East and then Europe next summer,” Cohl says. The band will also play Puerto Rico for the first time.

Just as it did on the Licks tour, the band will play a mixture of clubs, theaters, arenas and stadiums, with each venue configuration boasting unique production elements and sellouts.

“I don’t want it to sound like it’s the same as last time, because it’s not,” Cohl says. “Last time we did [clubs, arenas and stadiums] in the same city, and this time we’re not. We didn’t play a lot of cities last time because of that triple [venue] thing. We’re going to try and get in a lot more cities this time, so we might do an arena in one, a stadium in another and a theater in another.”

Tickets will average $100 in stadiums and $75 in arenas, not counting the gold circle seats, which Cohl defines as the “[3%] or 10% where we try to get the high-priced ticket people to pay for the tour.” Those tickets are priced $250-$350. Theater tickets will be $50.

Cohl knows much of the media focus will be on the highest priced tickets. “The mistake the media have made over the years is in attacking that situation is that this 10% of the house allows the other 90% percent to be $50 or $60 in our case, or $75 or $100 in [Paul] McCartney’s case. If you get rid of that golden circle and spread it over the house... then the punters everybody is trying to protect will end up paying 30% to 40% to 50% more.”

“A FREE MAN”

The resurrection of the CPI name comes “now that I’m a free man,” Cohl says, referring to the expiration of a non-compete clause that resulted from the sale of his company in 1999 to SFX, which eventually became Clear Channel Entertainment.

Longtime partner Bill Ballard, with whom Cohl founded CPI in 1973 in Toronto, is still involved financially in the Stones tour.

With a new Stones album expected this summer from Virgin Records, this will be the first time since the Bridges to Babylon tour in 1997-1998 that the Rolling Stones have toured in support of new material. The group has worked with producer Don Was in Paris and New York on material.

Joining Stones members Mick Jagger, Keith Richards, Charlie Watts and Ron Wood on the road will be their longtime all-star sidemen Chuck Leavell (keyboards), Darryl Jones (bass) and Bobby Keys (horns), as well as the same backup singers and horn section.

“It was too good and getting too healthy to break up,” Cohl says. Sellouts will likely vary from venue to venue. “Mick always likes to mix it up,” the consummate pro, he knows you have to play something a little different in a stadium than you do in an arena, and a whole different thing in a theater.

Cohl says the stadium production will be “the biggest one we’ve ever had, the most interesting one we’ve ever had. Of course, it’s expensive. I’m sure I don’t even know how much yet.”

With veteran tour manager Jake Berry out with UA on the Vertigo tour, another Stones veteran, Dale “Opie” Skjerseth, will oversee the production. Merchanting is by Norman Perry’s Anfilm Trading Co.

CCE’s global touring arm, TNA International, has a booking role in the tour, and Cohl says he will involve local promoters in the trek as well. “If we take local promoters and get accused of not justing them,” he says. “It’s like everybody saying we’ll announce this as the last tour, which of course we won’t, and everyone will still say the Stones said it was their last tour.”

So is this the Stones’ last tour? “I don’t believe this band would ever stand up there and say it’s their last tour,” Cohl says. At the press conference, Jagger stated, “We don’t really plan tours and we certainly don’t announce the tour as the last tour. That’s a trap to try and get people to buy your tickets.”

Ameriquest is the presenting sponsor.

Goldfarb

Touring: By Ray Waddell

STONES READY TO ROLL AGAIN

By Josh Rabinowitz


While getting his new office in order, Rabinowitz has been busy working on three new spots for Panasonic. He is working with composers and sound designers to create original music—“soundscapes,” he calls them—for the spots.

Lensed by British director Andrew Douglas, each 30-second “high-end” TV ad shines the light on a new piece of Panasonic gear (a digital camera, a plasma TV, a DVD recorder).

“arly music—

from publishers to labels—
is intent on using advertising as a vehicle,” Rabinowitz says. “TV ads are becoming the new radio.”

Rabinowitz arrives at Grey from Young & Rubicam, where he was VP/executive music producer. Prior to Y&R, Rabinowitz was an executive producer at New York music production company Tandem.

Along the way, he has produced recordings for such acts as Macy Gray, Los Lonely Boys and our personal fave Alana Davis.

KEY YA: André Benjamin (aka Andre 3000 of OutKast) has entered a first-look production deal with Viacom’s MTV and Nickelodeon.

Under the terms of the deal, Benjamin will produce feature films, TV series and other content.

The partnership kicks off with “The Hit,” co-produced by Nick Movies and Benjamin.

Slated to begin production next year, the film stars Benjamin and will be distributed by Paramount.

Web May 21, 2005 www billboard com
Let's Make A Deal
Canadian Publishers Seek Out Country's Up-And-Comers

TORONTO—As a new crop of Canadian acts gained grassroots attention domestically and internationally in the past year, Canadian publishers began seeking ways to work closely with them.

Among these emerging acts are alt-rock acts the Arcade Fire, Feist, Death From Above 69, the New Pornographers, the Dears, Metric and Stars; screencore group Alexisonfire; rapper K-Os; and punk/hardcore band Black Maria.

“What's happening is a freshening up of the scene,” says Alex de Carriere, creative director at Peermusic Canada in Toronto. “A decade ago, if you asked people, ‘Who do you know from Canada?’, they would say ‘Bryan Adams’ and ‘Sarah McLachlan.’ Now they might say ‘Arcade Fire,’ ‘the Dears’ or ‘Feist.’ While there’s commercial stuff happening, the less commercial stuff is being well-received as well.”

In the past decade, Canadian publishers have often funded the development of new acts signed to indie or major labels while making a significant contribution to the development of these acts domestically and internationally.

While developing indie acts are increasingly cutting administration and co-publishing deals, Canadian publishers are grappling with the complexities of operating at a more grassroots level.

In addition, many of these artists specialize in niche genres or operate so far outside the mainstream that they do not seek a publishing affiliation—nor do publishers consider them financially viable early on.

“Any of these groups may or may not end up being break-through sellers,” EMI Music Publishing Canada president Michael McCarty notes. “The biggest issue is identifying the ones that will cross over to be bigger. Will any one of them be a sensibly deal given the traditional size of advances and cost structures in publishing? Right now, if was to do a publishing deal with many of them [that was] scaled to the size of their hype, I’d probably lose my shirt.”

Yet it’s also a challenge to find bands in their early stages, says Jodie Fenneyough, director of creative operations at Universal Music Publishing Group Canada. “I now have deals [pending] on a number of smaller bands doing modest [sales] numbers in the U.S. The problem is that many of the U.S. labels that have signed them are also grappling the publishing,” he says.

Many of these Canadian acts have created their own publishing companies to collect royalties themselves or become co-publisher with a label that will handle their publishing. Others seek to work with publishers through an administration or co-publishing agreement.

Toronto entertainment lawyer Chris Taylor at Sanderson Taylor says new bands signing with publishers are favoring administration rather than franchise, “Fame Academy.”

“While developing the show ‘Fame Academy,’ the Dears, Metric and Stars; screencore group Alexisonfire; rapper K-Os; and punk/hardcore band Black Maria.

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India Enrolls In ‘Fame Academy’

NEW DELHI, India—Sony Entertainment Television hopes to repeat the success of its “Indian Idol,” music talent show with a local version of another international TV franchise, “Fame Academy.”

Lately the plans of the Hindi-language cable and satellite network have sparked debate within the local music industry about the impact of such programs on artist development.

“Indian Idol” became a major commercial influence here after its October 2004 debut. SET, based in Mumbai, claims the finale broadcast in March attracted 15.4 million viewers. Sony BMG India says it has shipped more than 175,000 copies of the February release “Indian Idol,” an album featuring 10 finalists from the show. The Mumbai-based label also issued the debut album by the show’s winner, Abhijeet Sawant, last month.

SET will air the first episode of the talent show “Fame Gurukul” in June.

“The show is a good mix of tradition and modernity,” says SET India managing director Indu Dastgupta. The contestants are trained with elements of Indian tradition, such as classical singing and dancing, while being prepared for modern pop stardom.

“Fame Gurukul” is a version of the internationally successful “Fame Academy,” which originated in Spain as “Operación Triunfo” in 2001. The franchise’s greatest commercial success has been in Spain, where releases from “Operación Triunfo” performers dominated the charts between 2002 and 2004.

The franchise was developed by the Barcelona-based Gestmusic division of Endemol, a Dutch TV production company. Madrid-based telecom conglomerate Telefonica owns Endemol.

“Fame Gurukul” will follow the “Operación Triunfo” blueprint. Finalists selected through auditions in four cities will receive singing and performance training at an academy set up for the show in Mumbai. The team grooming them for stardom will include vocal coaches, a choreographer and a psychiatrist. The contestants will also receive guidance from “headmisters” Ila Arun, a leading Indian folk/pop vocalist with 10 albums and two dozen movies to her credit.

Later this month, a three-member jury of artists and authors will select the 16 contestants. From June 15, “Big Brother”-style episodes featuring their training will air Monday to Wednesday. Thursday programs will reveal which contestant will be dismissed, based on viewers’ votes. Gala performances by the remaining contestants will air each Friday.

Eventually, one male and one female winner will be selected. Each will get a contract with SET and an album deal with Sony BMG.

“BRAND AMBASSADORS”

The contract will see the winners participating in “various TV shows and events over a one-year period and generally acting as the channel’s brand ambassadors,” SET executive VP Tarun Katial explains.

In other countries where such TV series have been successful, observers in India differ on whether the program will help or hurt the music business in the long run.

“These events are really more for the interests of the TV channels, who are looking for ratings,” says Savio D’Souza, general secretary of labels’ trade group the Indian Music Industry. “The real A&R role,” he adds, “should be to find a holy trinity of talent—singers, lyricists and composers. That never happens with such shows, because the focus is only on performers.”

Sony BMG India managing director Shridhar Subramaniam counters, “We live in a very visual world, where music videos decide the fate of most artists. If television adds to this role with talent shows, I don’t see any conflict. We as music companies still function in our way, be-
Sony Seeks ‘Foreign’ Talent in Japan

TOKYO—Sony Music Entertainment (Japan) is seeking locally based foreign artists who’ve got what it takes to make it in the world’s second-largest music market.

Since 1998, SMEJ’s Sound Development department has been holding regional auditions nationwide where acts that have submitted suitably impressive demo recordings are invited to perform for SMEJ’s artist development executive Daisuke Hayashi.

Hayashi says SMEJ is looking for “Japanese music fans want a more international sound.”

However, he notes that labels don’t always have the same interest in promotion the publishing of their acts.

“With many of these acts, you can get film and television placements, some compilations, but you are not going to get covers or major radio airplay,” de Costier warns. He also notes that some acts have more modest career expectations. “If members are making $60,000 [Canadian] annual income, that’s successful to them.”

To operate efficiently on a grassroots level, McCarty says, publishers may have to develop an equivalent to the label distribution deal. That is, a publisher would work with a small label that has a roster of artists, rather than with an individual act or songwriter. The label would aggregate the publishing rights of its artists, then make an overall co-publishing or administration deal with the publisher.

“We are now having discussions with several labels,” McCarty says. “One stumbling block is that labels don’t always have an involvement with the publishing of their acts.”

IFPI Applauds Piracy Survey

BRUSSELS—The International Federation of the Phonographic Industry has welcomed a major new survey launched by the European Commission on copyright and piracy beyond the European Union’s borders.

The survey will identify priority countries where enforcement activity should be concentrated.

The IFPI says the move will help in the battle against imported pirated goods.

“We will actively contribute to the survey by highlighting the massive piracy record companies are facing in countries outside the EU,” says Yolanda Smits, senior adviser of international trade at IFPI’s European Office in Brussels.

An official at the EC—the EU’s executive authority—says it will seek input from such trade groups as the IFPI and the International Video Federation. Individual European companies will be asked for feedback, and the commission will also consult with chambers of commerce from EU member states.

“It is critical that the commission uses its findings to step up pressure on countries which are failing to meet international standards of intellectual property protection and enforcement,” Smits says.

She cites China, Russia and the Ukraine as black spots where in addition to exporting counterfeit product, “the illegal music trade is undermining the development of local markets.”

A deadline has not been set for completion of the survey, which is now under way. EC officials say responses will help them draft new recommendations on copyright protection and develop guidelines on logistical/technical cooperation between EU and non-EU states.

The survey may herald a more robust approach to piracy and counterfeiting, they add. For example, the EC may take legal action through the dispute settlement arm of the World Trade Organization against countries found to be lax on copyright protection.

The new survey has been launched by the EC’s trade directorate-general, which can ask the WTO to penalize errant countries. Sanctions available include the withdrawal of preferential trading terms from offending states that fail to tighten up on intellectual property protection.

Commission officials acknowledge that pirate operations in developing markets have become ruthlessly efficient. Announcing the survey April 21, the EC pledged to help raise consumer awareness in target countries and said it supported the creation of public- and private-sector partnerships for enforcement.

The EC provisionally identified a list of countries with high piracy levels of music, movie and game software in CD, DVD and video CD formats. They include Thailand, Ukraine, Russia, Brazil, Turkey, South Korea and Indonesia.

The WTO’s 1994 TRIPS agreement on intellectual property rights sets out a single, comprehensive, multilateral set of rules on minimum standards of enforcement.

In its statement, the EC noted that, although most of the WTO’s 145 members have adopted legislation implementing those standards, piracy levels continue to rise each year.
Growing Pains
Developing 15-Year-Old Writer/Artist Presents Special Challenge For Sony/ATV Tree

Following the publishing tradition of developing new talent, Sony/ATV Tree Music in Nashville has snagged 15-year-old songwriter Taylor Swift. Arthur Buenahora, senior director of creative services and production, tells Billboard that developing a teenager presents a special challenge as he seeks other songwriters to work with her in finding a distinctive sound. Although Swift writes her own material and has a strong sense of who she is, Buenahora says, “It’s hard to call up someone and ask him to write with a 15-year-old—to convince him that she can carry her own in a writing session.”

Buenahora has teamed Swift with a variety of writers, not only “the usual suspects,” he says. “When someone gets a record deal, publishers call up the hottest writers in town, who often blow in, write a song and blow out without commitment.” Instead, Buenahora is approaching songwriters whom he believes will listen to Swift as much as mentor her.

Swit’s age also presents scheduling conflicts, since she has to finish her school day before turning to music, Buenahora adds. Raised on a Pennsylvania horse farm, Swift began performing at age 8. A few years later she learned to play guitar and won a national poetry contest. While singing the national anthem at professional sporting events, she caught the ear of manager Dan Dymtrow, who also manages Britney Spears. Working with Dymtrow, Swift moved to Tennessee, where at 13 she landed a development deal with RCA Records. Buenahora knew he wanted to sign Swift after seeing her perform at a BMI showcase. “It was a no-brainer for me. She’s a real songwriter.”

Swift had the option to sign with RCA, but she and Sony/ATV Tree agreed it was smarter for the publisher to develop her and then approach many labels. Swift has been working with Brett Beavers, Scooter Cussoe and the Warren Brothers. For now they are stockpiling songs so they can cherry-pick the ones they like to record. They plan to have “lots of different people cutting tracks with different producers” to see what Swift falls in love with, Buenahora says.

CHANGING LANES: Aida Guurwicz left her post as president of Cherry Lane Music Publishing May 31. Cherry Lane Music Group CEO Peter Frimont says he and Guurwicz held different visions for the direction of the company. He will take over day-to-day responsibilities for the publishing unit, one of four divisions of the music group that is also involved in printed music, magazines and digital media consulting.

Guurwicz, who was with the company for 15 years, tells Billboard that she is going to take some time off and plans to be “back in the business next year.”

Songwriters with Cherry Lane include John Legend, the Black Eyed Peas, West Indian Girl and Fatty Koo. Catalogs include the songs of John Denver and Elvis Presley.

The publisher has been a leader in developing joint ventures with such entertainment properties as Electronic Arts (Next Level Music), NASCAR (Motor Music) and the Professional Bull Riders Assn. (Cherry Bull Music).

NOW, THE WORLD: EMI Music Publishing has expanded its publishing relationship with Chris Cornell to include worldwide rights for songs contained on Audioslave albums, as well as Cornell’s solo sets. The new deal replaces the “Out of Exile,” due May 24 from Interscope Records.

SONY (cont.)
A Deeper Multimedia Search

The amount of digital music, video and other entertainment content available on the Internet is at an all-time high, but finding something compelling is getting harder than ever. As a result, the demand for more sophisticated Internet search tools that can match text-based queries with visual- or audio-based content like movies or music is on the rise.

The power of a better multimedia mousetrap has led Internet firms large and small to respond with search engines that can filter results by media type like music or video, similar to how they can find images or news today. Such functionality represents the next battlefield of the Internet search wars, and a potential opportunity for those challenging Google's crown.

"Everybody with a search engine will make it an additional draw to their service," says Rick Doherty, director of the Envisioneering Group. "There's a big behind-the-scenes effort on this.

Most activity to date has focused on finding video content, but search tools that filter results for music files are the expected next step.

Yahoo recently added a video search service after several months of beta testing, and reportedly is preparing a similar music-only search tool.

According to Bradley Horowitz, director of media and desktop search for Yahoo, this effort will require not only more advanced search technologies but also content that is easier to find.

A digital music track, for instance, includes such metadata as artist name, track name, album name and genre. The more metadata associated with any given file, such as song lyrics or band member names, the easier it is for multimedia search engines to accurately match queries to the appropriate result.

Yahoo made deals with such broadcasters as MTV VH1 and CMT to gain access to more diverse metadata for its new video search filter. It also developed a video-specific Web-crawling technology that it says can better find multimedia files online, and added support for RSS feeds.

Eventually, Yahoo and others hope to make search engines the de facto method of finding content stored on movie studio and record label Web sites, saving users from visiting each one individually.

"There's no global map for what exists out there," says Michael Downing, CEO of multimedia search portal GoFish. "If we really succeed in providing the best search tool, we're in fact creating that map."

GoFish works with online music stores like iTunes, Napster and MSN, taking their catalog information and reorganizing it into its own standardized, searchable database. This allows GoFish to provide links to each music store when users search for a given artist, as well as to sites where users can buy that artist's products, such as ringtones and videos.

The company makes this tool available as a consumer search portal, but also licenses it to other sites, such as Mark Cuban's IceRocket and BlogSearch in the United Kingdom, to power their multimedia search functions. Taking notice of this and other tools are music labels, which have expressed growing interest in using search engines to drive traffic to online music retailers, and away from peer-to-peer file-sharing sites. Record companies are formatting their new releases and back catalog titles with metadata that digital music retailers can use to sell their tracks online.

While search engines would like to tap this data for their searchable indexes, each digital retailer stores the information differently, making it difficult for search engines to sort through it all in a standardized way.

"It's horribly inconsistent," Downing says. "One of the biggest challenges is to effectively relate all this data together. It becomes a cataloging and data management challenge that becomes pretty massive."

MSN, meanwhile, is leveraging its MSN Music store to integrate music results on its search portal. When searching for an artist, the top result is a list of that artist's best-selling songs with a link to sample and buy those tracks via the MSN Music service.

"We're seeing so much information poured onto the Web that finding what you're looking for is becoming more and more challenging," says Justin Osmer, product manager of the MSN Music Search.

Ultimately, portals hope to transcend today's text-based search tools to the point where they can support different input methods, such as sound or image. For instance search engine providers and the music industry envision a future where users could type in the lyrics of a song and have that music file or video come up on the screen, even if the user does not know its title or artist.

"I'd be surprised if in the next five years that wouldn't be a standard feature," Doherty says.

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A SWEET TREAT FOR THE EARS

While unlikely to mount much of a challenge to the iPod shuffle, a flash MP3 player built into the body of the nostalgia-rich PEZ candy dispenser has managed to generate more buzz than any recent audio gadgets. Designer Lincoln West Studios received permission from PEZ Candy for the project, and is working with Austin-based D2M Technologies to build the 512MB PEZ MP3 player. According to inventor Patrick Mistersovich, the device will feature an LCD screen, USB 2.0 drive and support for MP3, WMA and OGG.

The body will allow for the interchangeable PEZ heads that made the dispenser famous. Mistersovich adds that he is trying to convince the candy company to let him work with bands to create customized artwork PEZ heads, allowing bands to create their own branded MP3 players, similar to U2's iPod deal. Preorders are being taken now at pezmp3.com. It is expected to be available this summer for $129.99.

One thing it won't do is dispense candy.

—Antony Bruno

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**WEB-GALLERY**

**INTERNET**

**BIT & BRIEFS**

**HIGH SCORES**

Video game soundtracks for such popular titles as Halo 2, Metal Gear Solid 3, Final Fantasy and others are establishing themselves as entertainment in their own right, supported by a national tour and an online radio station. The AOL Radio Network has added a Video Game Scores channel to its programming lineup, following the success of its Final Fantasy Radio experiment. In addition, the Clear Channel Music Group announced a summer tour featuring some of the gaming industry's leading composers, kicking off July 6 at Los Angeles' Hollywood Bowl. Other venues will include Denver's Red Rocks Amphitheater, Chastain Park in Atlanta and Tweeter Center in Boston.

**BEAT IT**

Nintendo's new Donkey Konga 2 rhythm-based video game has added such hip-hop and R&B titles as the Hues Corporation's Rock the Boat and Mary J. Blige's No More Drama to the existing rock lineup from the original game. The game allows up to four players to beat special bongo drum controllers connected to the Nintendo GameCube console along the rhythm of the music. The player with the best rhythm wins, and players can earn virtual coins to buy new music at an in-game shopping mall. Punks-pop act Good Charlotte is featured in the game's TV commercials.

**BOLD-FACE NAME-CALLING**

Wireless operator Sprint has launched a new video channel featuring exclusive celebrity interviews called CelebTalk. For $4.99 per month, the service offers private one-on-one interviews with film actors, directors and music artists, as well as footage from red carpet events and awards shows. The channel stores more than 80 different interviews at any time. They are produced in partnership with StudioL.A.TV and provided by mobile media company Versavly Entertainment.
MUSIC & GAMES COMBINE POWER

Synergy between the music industry and the videogame business continues to grow as more cutting-edge artists contribute songs to new computer, console and portable games.

Those songs include original tunes commissioned for the games, as well as previously recorded tracks licensed for this secondary use.

Such hot sounds will resound through the Los Angeles Convention Center during the Electronic Entertainment Expo 2005 (E3), set for May 17-20, as publishers preview their new games for an anticipated record turnout of entertainment retailers and distributors.

With game sales and rentals generating a record $8 billion in revenue last year, retailers are seeing a bigger return from expanded display space for games titles, while music, movie and game convergence continues.

Vivendi Universal Games boasts one of the biggest music names with 50 Cent featured in his own “50 Cent Bulletproof” game for PlayStation 2 and Xbox. 50 Cent has cut three original tracks for a soundtrack that also will include songs from his two multimillion-selling albums. The game will arrive just ahead of 50 Cent’s Universal movie, due later this year.

“The merger of music and videogames is a natural progression, with the industry responding to consumer demand,” VUG chief strategy and marketing officer Cindy Cook says.

For the “Fantastic Four” videogame, due to arrive simultaneously with the

cover art

Movie and the other comic book games, the team behind the game’s “anywhere” feel is jumping from the screen to the game: ‘The invisible woman’ has her own unique. (From the "Fantastic Four" videogame) lane, and "WWE Wrestlemania 21" is the ultimate in-air battle.

As games become more sophisticated, says Peter Dille, worldwide marketing senior VP for THQ, “it’s critical that we not only deliver superb graphics and gameplay, but also an exciting and relevant lifestyle experience with appealing soundtracks by top artists.”

The forthcoming game “Juiced” features tracks by Xzibit, Talib Kweli and Romi Size, while top DJs like Junkie XL will remix classic 1950s songs for the game “Destroy All Humans!”

Members of Lava/AG act Unwritten Law, who are gamers themselves, are not only featured in “Juiced” and “MX vs. ATV,” but they also performed at THQ’s launch party for “WWE WrestleMania 21.”

“Ultimately, in-game soundtracks need to complement each game’s distinct personality,” Midway chief marketing officer Steve Allison says. He cites million-plus seller “NBA Ballers” and “NARC,” released in March, as examples of successful blending of up-and-coming and established artists.

BY STEVE TRAIMAN

Screen Time: Acts with songs featured in games include Taking Back Sunday, left, and Unwritten Law.

Similarly titled Fox/ Marvel feature film this summer, Activision produced four music video-like gameplay trailers, using game footage and exclusive songs for each character.

The tracks featured are Taking Back Sunday’s “Error Operator” for Mr. Fantastic, Jurassic 5’s “Clockin’ Time” for the Thing, the Explosion’s “I’m on Fire” for the Human Touch and Go Betty Go’s “Everywhere” for the Invisible Woman.

“This underscores our strategy of using artists well aligned with the specific content, design and feeling of our games,” Activision worldwide executive of music Tim Riley says.

Microsoft will release a soundtrack CD for the exclusive Xbox game “Conker Live & Reloaded” on May 31. Produced by Sumthin’ Else Music’s Nile Rodgers, it features music by Rodgers, Dweezil Zappa, Rabbit in the Moon and Robin Beanland, who composed and performs on all the songs.

“Indie and major labels alike are providing music that heightens our gameplay experience,” says Peter Davenort, Microsoft music acquisition and editorial manager.

Eidos will have an eclectic soundtrack for “25 to Life,” due this summer.

“Our goal is to create a soundtrack as gritty and real as the game itself,” Eidos
NEW GAMES RAISE STAKES

BY ANTONY BRUNO

The videogame industry has enjoyed an explosion of popularity in the last five years, putting it on par with music and movies as a prime competitor for the consumer's entertainment dollar. Yet the interactive entertainment market, as the videogame industry likes to be called, remains much like the NHL of the entertainment world: limited, for the most part, to a core of gamers who define themselves as a subset of society rather than part of the mainstream.

During the next two years, Microsoft, Nintendo and Sony will release new versions of their platforms. Microsoft unveils its new Xbox platform at the Electronic Entertainment Expo 2005 (E3), taking place May 17-20 at the Los Angeles Convention Center.

The industry hopes that these new initiatives will ignite a dramatic reshaping of the gaming landscape. The goal is to broaden its audience beyond the sweet spot of 18- to 34-year-olds. "It represents a resetting of the table stakes," NPD Group analyst Ross Rubin says. "All [the new platforms] are expected to greatly exceed the capabilities of the current-generation consoles. We're now in the twilight of the current generation of consoles. There are a lot of expectations around the next-generation consoles."

Among these expectations is that the new hardware will spur what some consider to be a much-needed surge of innovation in game concepts and design.

The majority of today's titles are action shoot-'em-ups, sports games or sword-and-sorcery hack-fests. These sell well among young males, but do little to attract newcomers. Because game titles, not hardware, drive gaming industry revenue and adoption, developers say they are looking to next-generation consoles for new user interfaces and development environments that will allow them to create new genres for new audiences.

The industry is already feeling the pinch. Videogame developer Eidos was one step away from bankruptcy after its shares hit a 10-year low in March, before it was purchased by SCI Entertainment Group, one of the United Kingdom's leading game publishers.

Also in March, sports game publishing giant Electronic Arts posted its first profit warning. Cutting its quarterly earnings outlook caused gaming shares to fall across the board. "Let's hope [the new platforms] have an impact, because the industry really needs one," says Dan Scherlis, CEO of game developer E2urther and a veteran industry consultant. "To broaden our impact as an industry, we really have to come up with new types of games. It's still a very narrow business. If the movie industry was only about action movies, the industry would grow somewhat, but there'd be nothing for my wife to see."

Beyond creating new game concepts, the next generation of consoles will have to evolve into multifaceted media players to compete with other consumer electronics components. (The current-generation consoles introduced the idea of multi-use by dubbling as DVD players.)

The PlayStation 2 and Xbox consoles came out at a time when the DVD market was just forming, and offered many low-cost options. The next-generation consoles are expected to do much the same, using Internet and home network connectivity to become a low-tier media hub, able to stream PC-based content to a home entertainment system at a fraction of the cost of expensive PC-based digital entertainment centers.

"I would say [the Xbox] will be an easy-to-use, consumer electronics version of that," Xbox group manager David Hufford says.

Microsoft envisions its new console as the glue that combines various entertainment elements into one pervasive experience by virtue of its always-on connectivity, which is seen as the defining feature of next-generation consoles.

"Let's say I'm watching a DVD on my Xbox at home and you get online and want to play a game with me. I'll get a notice pop up while I'm watching the movie and have the option to initiate a game session with you," Hufford says. "At the end of the game, we can choose to have a video chat session to discuss what we just did."

Broadband connectivity will enable far more than multiplayer gaming. Proponents foresee interactive game communities, communication and commerce.

The next version of Xbox, for instance, will use the Internet to allow gamers to personalize their experience with custom playlists from their music collections, as well as a micro-transaction system that will let them buy game enhancements like new levels, maps, weapons and skins. Gamers can even buy custom clothes and tattoos for their in-game characters, or buy upgrades to cars for racing games.

"We believe that in the next-generation environment, the integration of hardware and software and services will change games forever, just like Apple [Computer] did with music and TiVo did with television," Hufford says. "You're not going to be restricted by what comes shipped with the game."

This sea change has already begun with the introduction of new portable gaming systems. Nintendo's GameBoy and GameBoy Advance have been the handheld market leaders for 15 years, but was long seen as a mere toy for younger gamers.

The introduction of Nintendo's new Dual Screen handheld and Sony's recent PlayStation Portable have proved that more sophisticated portable platforms can capture a larger market.

To replicate this success, analysts say console manufacturers must introduce similar innovations in both categories: user interface and media convergence.

The Nintendo DS' two screens made waves when it was introduced because it offered developers new options for presenting their creations and gave users a touch-screen interface in addition to traditional thumbpads to interact with games. It also supports voice commands.

This opened the door to a new category of handheld titles that previously could not exist, drawing in gamers interested in more than a simple Tetris experience.

"I don't know why they put [the extra screen] there," Scherlis says of the Nintendo DS. "But I know what I'm going to do with it."

At the Game Developers Conference in February, Nintendo president Satoru Iwata unveiled two new game genres designed for the platform. Nintendogs requires gamers to nurture and interact with various breeds of digital puppies.

Another, Electroplankton, is a rather amorphous array of sights and sounds that players interact with via touch and voice interaction. "This is designed to produce harmony, not adrenaline," Iwata said. "Like any other entertainment medium, we must create an emotional response in order to succeed."

Meanwhile, Sony is positioning the PSP as a converged media device. The game shipped with a copy of the "Spider-Man 2" DVD to highlight its function as a movie player. The company also has announced plans to enable the PSP to synch with its Connect music download service, as well as personal computer media collections.

"In the portable space, both Nintendo and Sony have successful launches of their high-end portable systems," Rubin says. "It's been useful for expanding the market. It shows they can reach out to the higher-end, more mature gamer."

Now it is the console makers' turn to do the same.
Yahoo! Music is Breaking Artists.

Over 75% of the Breaking Artists picked by Yahoo! Music in 2004 went Gold or better
Is Timmons Suit The Tip Of BMG Iceberg?

S ome say John Timmons, owner of Ear X-tacy in Louisville, Ky., practically asked to be sued by BMG Direct (see story, page 20) because of his high-profile campaign criticizing its $3.99 price tag for every CD on your price.com.

Others say Timmons may just be a pawn in what eventually could become a showdown between some of the major labels and the Bertelsmann record club over its new model.

Regardless of opinion, there seems to be an overwhelming sense among label and retail executives that BMG Direct displayed gall in complaining that retailers who disguise themselves as club members to take advantage of the club’s low pricing are gaining an unfair competitive advantage.

A number of senior label executives outright belly laughed at that charge. One says, “Do you think [BMG Direct executive] kept a straight face when their lawyers wrote that part of the lawsuit?” You see, Billboard estimates that record clubs’ cost of goods comes to about $2.50-$3 for each CD it ships out to customers (not including shipping or other overhead costs). It sets itself at $3 and $3.75 for shipping included. Since retailers pay a wholesale cost of about $12.40 for each front-line album they buy, the record club model has long been a bone of contention in industry circles.

Retailers forget, however, that record clubs pay tens of millions of dollars in advances to obtain that perceived preferential pricing. On the other hand, you can be sure that some of the big merchants would be willing to make such advance payments, if they too could get similar pricing from the labels.

But it is not available to them, because record clubs like BMG Direct and Columbia House supposedly serve a purpose in that they reach consumers who do not want to shop in stores.

Of course, nowadays online stores like amazon.com, overstock.com and barnesandnoble.com also serve that purpose, which is why I predicted many years ago that record clubs were more at risk from the Internet than brick-and-mortar music stores.

Since the Internet became a factor in music sales, the combined music volume of the two major record clubs dropped by about two-thirds, from about $1.5 billion in annual sales to about $500 million currently. But record clubs do things that the online merchants do not, such as advertising music in magazines and using costly direct mail flyers to reach consumers, even if those vehicles are not as prevalent as they once were because of a shrinking revenue base.

That decline has also spurred the record clubs to experiment with their business models. In 2003, BMG Direct started oneprice.com, which charged $9.99 for every CD available through its club. Sources say an outcry frometail at the time prompted BMG Entertainment to appeal to Bertelsmann executives to get BMG Direct to abandon that vehicle, which it soon did.

Since then, BMG has merged with Sony Music Entertainment to form Sony BMG Music Entertainment, and its relationship with the record clubs is a step removed since BMG Direct wasn’t included in the merger and remains wholly owned by Bertelsmann. For its part, Sony Corp., as well as Time, will no longer have a stake in a record club, now that BMG Direct has agreed to buy Columbia House (see story, page 10).

With the big boxes now advertising front-line CD pricing sometimes as low as $7.99 in newspapers across the land, and with BMG Direct not as closely tied to the former BMG record labels, executives at BMG Direct must have felt the time was ripe to experiment further with its model. Which resulted in yourmusic.com and its $5.99 per CD offering. If members do not buy an album during a month’s time, they are still charged a monthly subscription price of $5.99.

BMG Direct supposedly told the majors about the new club in advance of fielding it, but executives at the majors say whoever they told did not realize “the full implications for the competitive environment.”

Indeed, some majors are said to have subsequently confronted BMG Direct on their new model. Since collectively calling the club on its $5.99 pricing might be seen by government regulatory agencies as a form of price fixing, the majors that challenged BMG Direct are said to have used different approaches to make their concerns known. Some tipped off around that issue, citing other problems. Others attacked it head-on.

When Timmons publicly made an issue of yourmusic.com, he became the perfect means for BMG to show the majors that it was at least addressing some of their concerns.

But regardless of what claims BMG Direct makes in its lawsuit about Timmons jeopardizing its relationship with labels, some major-label executives say they are less concerned about retailers using the yourprice.com model as a wholesaler and more annoyed at its resemblance to online retail models.

In its complaint, even BMG seems to be broadening the old definition of the record club, by repeatedly using the words “subscription” and “subscription model” almost as often as it uses “membership” and “club.”

One senior executive who sees the new model as a retailer also complains that its pricing model is outside his company’s licensing agreement. “It’s not the basis on which the clubs were built or are supposed to be conducting business,” the executive says. “We don’t want [BMG Direct] using our customers. We want them to clean up their act in how they are operating.”
Fontana Fattens Up
UMVD’s Indie Arm Adding To Its Label Roster

Fontana, the recently formed indie arm of Universal Music & Video Distribution, continues to add labels to its roster.

Most notably, the company has finalized an agreement with Queens, N.Y.-based VP Records. The top-selling reggae label, whose catalog includes Sean Paul, Beenie Man and Elephant Man, was long rumored to be joining the Fontana ranks.

Fontana’s other pickups include artist-run punk labels Nitro, founded by the Offspring’s Dexter Holland, and Kung Fu, owned by the Vandals’ Joe Escalante, as well as High Wire Music, home to Jason Falkner and the Clarks.

Fontana also reached agreements with comedy label Laugh.com, which counts a number of George Carlin titles among its releases; Titan Entertainment, which will issue the upcoming Stephen Stills record; Boss Entertainment, a new label from former Arista executive Ken Levy; and hip-hop imprints In The Loop and Fight Club Music Group.

Additionally, Fontana announced that it will team with retailer Musicland and marketing firm iHigh to work a new album from ’90s alt-rock act Dishwalla. The band is touring Six Flags theme parks nationwide, and Musicland is giving away wristbands for admittance to the shows with select purchases.

CAROLINE DOES DVD:
Plexifilm, which recently switched distributors from Ryko to Caroline, will issue a tour documentary on ex-indie act Death Cab for Cutie. The film will make its debut at the Seattle International Film Festival (May 19-June 12) and arrive on DVD this summer. Plexifilm is the first DVD company on Caroline’s distribution roster.

Directed by Justin Mitchell, who filmed the underground rock doc “Songs for Cassavetes,” “Drive Well, Sleep Carefully: On The Road With Death Cab for Cutie” covers about 17 shows from the band’s 2004 tour.

Plexifilm has more concert documentaries in its future, founder and CEO Gary Huswit says. The Brooklyn, N.Y.-based company recently expanded to the United Kingdom with an office in London. Its best seller is the Wilco documentary “I Am Trying to Break Your Heart.”

Caroline began distributing the Plexifilm catalog May 1 and will issue its first new titles May 31. These include “Moog,” a documentary about synthesizer creator Robert Moog, and “Made in Sheffield: The Birth of Electronic Pop,” which looks at the U.K. postpunk movement.

Caroline VP of label relations Michael Bull says the distributor is establishing the infrastructure to take on more DVD imprints, including implementing new pricing structures and adding personnel.

“In the past,” Bull says, “we’ve had opportunities to pick up theatrical DVD imprints that we decided against, but now that we’ve built a machine to handle it and have an anchor label in place, we’re more open to investigating those possibilities. I expect us to add some more DVD labels this year.”

ETC.: Former Billboard advertising executive Darren Strothers has formed 7th Note Entertainment, which will release the debut album from smooth-jazz saxophonist Andre Delano. The Los Angeles-based label has secured distribution through Bayside Entertainment.

Delano’s “Full Circle” is due June 21 and features guest shots from Al McKay (Earth, Wind & Fire) and Bruce Cont (Tower of Power). Los Lobos have signed on for the Sublime tribute album “Look What We Found,” due June 21 from Cornerstone Records. Other participants include Jack Johnson, No Doubt, Ozomatli and Mike Watt.
For Creative Artists Agency's Seamus Blackley and Larry Shapiro, videogames and videogame devices are no game at all.

Rather, they see gaming as an interactive experience that will revolutionize entertainment.

The videogame market has evolved into an entertainment force, with $7.3 billion in games sold worldwide last year and an installed base of more than 50 million consoles in the United States alone, according to research firm NPD Group.

The music industry has come to view videogames as a significant distribution channel for new music and a launching pad for new acts. But Blackley and Shapiro say current usage only hints at the potential for music distribution and enjoyment via videogames and their platforms.

The two lead the talent agency's videogame division and are charged with elevating such clients as Will Wright (founder of the Sims franchise) and Id Software (creator of "Doom") to the same level of mass-market recognition as today's top music and film producers.

Blackley is a game-industry icon best-known as the driving force behind Microsoft's Xbox. A jazz pianist and former super-conductor physicist, Blackley is a true believer in the potential of interactive entertainment. At the same time, he is a harsh critic who once called the game industry "broken."

Shapiro is a Hollywood insider who produced more than 100 music videos while at Propaganda Films, working with the likes of David Fincher, Michael Bay and Antoine Fuqua. He entered the videogame business while at Palomar Pictures, where he developed several videogame franchises for Electronic Arts.

Both share the belief that entertainment is evolving in an interactive direction, with game creators leading the way. Together, they preach a gospel that videogames and videogame consoles will become as mainstream as music and movies, and traditional media had better take notice.

Q: What's the most important thing for the music industry to understand about videogames and interactive entertainment?

A: There's no magical pixie dust for games. There's a computer involved, it's interactive, but it doesn't mean it's magical and you can't get it. The most important thing is that core creativity. Don't give your creative control over to somebody just because you figure it's games and it's different. You can get it. You can understand it. You can get involved. Value what you bring to the audience and think about it in those terms.

Larry Shapiro, MTV was successful because it played music on a platform that that generation used to consume entertainment—the TV. The game console is connected to the TV; the TV is the center of people's entertainment centers. The consoles are connected to the Internet. You can take it next step. They're going to download music into the game console and listen to it through the entertainment system that their game console is connected to.

Q: How will the next generation of consoles affect the gaming industry?

A: The most fascinating thing is not going to be that developers can draw way more realistic graphics. The most important thing is that because they can draw that more realistic person, that person better be doing something interesting. It's a challenge the game industry hasn't really come up to yet.

Q: Aren't we seeing that now?

A: But what we're saying is that it will be uncommon for them not to. As the medium becomes more mainstream, as that penetration grows, people will make their decisions not based on how well you can draw a rendering technique or that they can go anywhere in the game, because the technology is that good. So now what's the story? Who are the characters? Who wrote the music? Things like these things now become the important selling points.

Q: What's the evolution of any industry. Used to be a stigma for motion picture actors to be in TV, and now you have Glenn Close in "The Shield." What's going to happen? If the game industry becomes that mainstream, what's going to happen in games is going to disappear.

A: It seems that a lot of what you are doing is trying to convince the entertainment industry to take games more seriously.

Q: How do you overcome the impression that games are a subset of the entertainment business with a cult following?

A: You can pretend that it's a fad, like rock-'n-roll was supposed to be a fad, or you can be smart about it and get involved.

Q: You know it's an important art form when Congress starts talking about it. I remember years ago when they were talking about rap music and Ice-T's "Cop Killer," and now Ice-T is playing a cop on TV. You can't get any more mainstream than that.

A: When a medium is speaking to a generation powerfully enough that it scares the previous generation, that's always been an interesting and good sign.
More Mr. Nice
all it the fear factor. Despite winning a Grammy Award in February for producer of the year and steering several multiplatinum projects, John Shanks admits that he is deeply driven by the belief that it could all vanish at any moment.

"I always think this is my last gig and I'm never going to work again and they're going to come pull me out of here and find out that I suck," he says. "So I might as well take good work when I can get it."

That explains why, at 42, Shanks is a man who can't say no. The day after winning the Grammy, he was back in the studio at 11 a.m. with PlatinumWeird, a Dave Stewart subset with frequent Shanks co-writer Kara DioGuardi.

In recent weeks, Shanks has also worked on projects for Santana, Jewel, Melissa Etheridge, Bon Jovi, Enrique Iglesias and Sheryl Crow. When asked how he cleanses his palate between projects, he just shrugs and says, "I don't."

Yet those who work with Shanks say he manages to bring a non-formula freshenss to each project, whether it be Ashlee Simpson's triple-platinum Autobiography, which he co-wrote and produced; Crow's massive hit "The First Cut Is the Deepest"; or Kelly Clarkson's recent smash "Breakaway." (Shanks won his best producer Grammy for his work on those projects, as well as his sessions with Hilary Duff, Robbie Robertson and Alanis Morissette.)

"He's a rare combination of songwriter, musician and producer, but he also has a great feel of working with artists that's hard to find," Interscope Geffen A&M chairman Jimmy Iovine says. Plus, Bon Jovi guitarist Richie Sambora says, "He's a great guy."

But Shanks is thinking it may be time to add another distinction to that list: label head. Even though he spent 2001-2003 at Atlantic Records as VP of A&R, Shanks has avoided the lure of his own imprint. That is, until now. He'll admit to being "in talks" with some folks, but nothing is imminent.

He says he wants to be more involved with an album once it leaves the studio. "David Foster says it's like sticking the CD under the jail-cell door," he says. "You create this thing, and they take it, and it hopefully finds a home."

For now, Shanks' home is Hollywood's Studio C at Henson Studios (the old A&M lot). He set up shop here four years ago after deciding he didn't want artists rummaging through his refrigerator or urinating on the toilet seat when they recorded in his home studio. He shares the space with his longtime engineer, Jeff Rothschild.

The walls and ceiling are draped in diaphanous Indian scarves. Any available shelf space is filled with books, while much of the walls are covered with black and-white photographs, including two of John Lennon taken by Shanks' photojournalist mother. The look is bohemian bordello.

The scarf motif carries over to an adjoining room, where he and artists hang out and write, and there are also stacks of guitar cases, which hark back to Shanks' start as a touring and session guitarist. He still plays on many of the records he produces.

Shanks, who is low-key and affable, glows when he talks about music. He dissected a Pink Floyd tune with scientific precision, but then freely admits that there's an inexplicable magic that makes something a hit that can't be reduced to technical expertise.

He is also the antithesis of a music snob: "I like 'Sugar, Sugar' just as much as I like 'Bitches Brew,'" he says.

That openness endears him to his collaborators. "It is invigorating working with someone who is without cynicism and who genuinely loves music," Crow says. Shanks produced and co-wrote much of Crow's next two Interscope albums, the first of which will come out later this year.

**LADIES’ MAN**

Maybe Shanks just hasn't met the right guy. How else can you explain his phenomenal string of successes with female artists, including Crow, Etheridge, Simpson, Morissette and Michelle Branch. Morissette says working with Shanks on her 2004 album, "So-Called Chaos," was "the most effortless and humor-filled recording time I've had in years."

However, even joking about the reputation he has as a ladies' man—in the studio, that is—takes away from the volume of work he has done with male artists, whether it be the upcoming Bon Jovi and Iglesias records or past projects with Robertson, Vertical Horizon, Chris Isaak and Unwritten Law.

"When I worked with Robbie, he said, 'You gotta get some testosterone back into this room!'" Shanks recalls.

But he says that for the most part, he has found the music that women are making more compelling than that of their male counterparts.

"I'd love to work with some amazing male artists," he says. "Hopefully, the music world will let them explore their vulnerable sides too. That's what I miss. I listen to Cat Stevens and think, 'This is so amazing!' or early James Taylor and Nick Drake. You're like, 'God, where is this [now]?"
At the same time, he feels his work with Bon Jovi and Keith Urban has allowed some male vulnerability to shine through.

Etheridge jokes that she believes she broke in Shanks for the other women. Shanks toured with her starting in 1988 and helped produce her 1995 album, "Breakdown." They just finished three new songs for a greatest-hits package.

"I take it as a compliment that I taught him how to respect the ladies," she says. "He has always treated me with respect and never said, 'You can't do that because you're a girl.'"

Moreover, Etheridge feels Shanks fosters a welcoming environment. "It's rare," she says. "What he does is create a space where we're able to experiment."

Shanks says he works best with artists who feel, as he does, that the studio is hallowed ground. But when they don't share that feeling, or when he's working with acts who "need to go through the barbed wire and the mud just to feel like they've done what they're trying to get to"—and they try to take Shanks with them—he says that when he reminds himself, "You just have to shut up and take it and do your job."

"Really, I'm very tenacious. I can take a lot of pain," he continues. "There have been a few that I wanted to walk out on, there have been a couple. I almost got into a fistfight with somebody. They were inebriated. It was three in the morning, and they were sure that I had erased something on purpose and they wanted to get into a fight, and I said, 'I'm not going to go there with you.'"

Then there is his role as therapist.

There are artists "where I have literally gone out into the room and hugged the singer because they're crying because the lyric is so heavy. I've been a witness on people's divorce papers and literally signed them. I've tried to get somebody sober. I've canceled sessions because someone is not functioning as well as they should. I've done it all."

And when someone does show up too wasted to work, "I'll just say, 'Let's not do the vocal tonight, and you can go.'" Shanks says, "If that's more important to you, then you go do that, but I relate to that because I've been through all that. I was a knucklehead when I was in my 20s too."

Shanks' story starts earlier than that. He grew up in New York, relocating to Los Angeles when he was 17. By high school, he was playing guitar in Teeny Marie's band. His own group, Line One, would play local clubs. "We would save up $200 and go print up posters, and Saturday nights, we'd grab the staple gun and hit Sunset Boulevard," he says. Line One worked its way up to the Friday-night house band at the Troubadour, but Shanks ultimately decided his talents lie in working with others instead of leading his own band.

JOHN OF ALL TRADES

Because of his range of talents, Shanks finds himself involved in projects at different mix-and-match levels: as a songwriter, a songwriting producer, or just a producer (and most recently, as a mixer). But he admits it is difficult to hand off a song to another producer, as he did after he and Urban co-wrote Urban's country chart-topper "Somebody Like You."

"Sometimes it can be [weird]. You know, it depends upon who's watching the kids," says Shanks, who is published by Warner/Chappell and managed by Tim McDaniel. "Then I heard Dann Huff was producing ['Somebody Like You'], and I was like, 'Oh, that's great!' And then you get the song back and it's like opening a present."

Urban says that at first he worried about writing with another guitar player, "but John is so damn good and versatile. He comes at rhythmic and layered parts very differently than me, yet it's totally complementary to what I do," he says. "Just his presence helps me create in a way that's different to other people I write with. He recognizes what you're naturally good at and helps you be right at the center of what you're doing."

Even though Shanks laughs that he often gets paid more to write and/or produce three songs on a project than to do an entire album, his preference is to helm the full project.

"Those are my favorite situations, whether it's a male or a female artist, because it's very intimate," he says. "It's very creative because you have these blank canvases to create from."

Also, there's often less pressure in creating a whole project instead of a few songs. "Then we're trying to write the single where I only get two or three songs on the record and I'm competing with the best writers and producers out there—you know, the Max Martins," he says. "So it's very competitive."

When producing an entire album, he has discovered that magic can be found in the tracks that are never considered for singles. "There's that last song, 'Undiscovered,' on Ashlee's record. It's now going into a movie, and there's a song that almost didn't happen," he says. "So that's what I love, when the little song makes it over the hill."

If working with newbies like Simpson often means helping them find their voice, working with veterans provides its own opportunities. With Bon Jovi, it was encouraging the band not to shy away from its past.

"I sit down with them and try to write a song that I would like to hear from them as a fan. I said, 'I want the big chorus, I want the big 'Living on a Prayer,'" says Shanks, taking on the urgency of a coach giving a halftime pep talk. "I want that because I want you guys to win. Big drums, big guitars, big harmonies. Let's honor who you are, let's not pretend. There's nothing wrong with that.'"

Unlike some producers, Shanks doesn't come with a specific sound. "You know, I'm always told I'm in a service business and, at times, expected of me—coming in under budget, making the experience great for the artist, working as quickly as possible, being amicable to [their] notes—it's my job to do that for them, or they're going to hire someone else."

As someone who prides himself on always finishing within or under budget, the trend of decreasing studio budgets has affected him in a surprising way: "I went through a period last year where certain people were cutting food out of the budget, and I literally had to call up business administration people or presidents of record companies and say, 'You don't understand: If the Starbucks is flowing and Baja Fresh is flowing and the artist is fed, they're going to sing, they're going to write.' I swear, it's all about the food. That's a big lesson I learned."
The concept seems great: Place CD-burning kiosks that can manufacture out-of-stock albums in retail stores and offer customized compilations, too.

But after numerous false starts, retailers, hardware suppliers and the major labels say a quagmire of issues still threaten to overwhelm the initiative.

Even with the momentum of Starbucks leading the way with Hewlett-Packard kiosks, and despite numerous other hardware suppliers flocking to stake a claim in the market, retailers say that in-store CD manufacturing still has one big problem: an unprofitable business model.

"The kiosk business model is underwater by about 20 points," one merchant says. That means the cost structure, as a percentage of sales, is about 20 percentage points higher than projected gross profit.

Key to the equation are significant hardware costs and stringent content-usage requirements from the majors.

Installing a CD-burning kiosk in a store can run $18,000-$35,000, hardware suppliers and retailers say. The actual cost depends on which hardware supplier is chosen and how many viewing screens or tablets are placed with each machine.

The machines also require software systems to manage in-store CD burning and provide accounting. These systems add thousands of dollars in costs.

Still, at least a dozen hardware suppliers have licensed music for kiosks or are in talks to do so, and more are popping up every day.

While all parties agree costs could decline if CD-burning kiosks are mass produced, other expenses still have to be dealt with to achieve a profitable model.

As it turns out, each major label is licensing music for kiosks with its own set of strings attached.

For example, Universal Music Group wants kiosks to only use special blank CDs sold by General Electric that, depending on who you ask, cost two to five times as much as normal blank CDs.

And EMI Music wants the cover art printed on paper to be installed as the front sleeves of the jewel box. Another major is said to have limitations on when and how much music can be made available for in-store burning.

"Each content company has its own set of rules, which when explained makes sense. But when you put them all together, it's a mess"—and an expensive one, Mike Dreese says. The CEO of Brighton, Mass.-based Newbury Comics is a member of the CD-burning task force of the National Assn. of Recording Merchandisers.

A Feb. 24 meeting in New Orleans that brought together merchants, hardware suppliers and labels to discuss CD-burning kiosks was an eye-opener for all, as each camp aired its issues.

Following that meeting, NARM's task force created a 52-item punch list that could facilitate the CD-burning initiative. It was delivered to the majors April 1 for review. NARM spokeswoman Susan L'Ecyuer declines to comment on the list, which she describes as "preliminary."

Nevertheless, task force member Ish Cuebas, director of merchandising operations at Trans World Entertainment, says, "I see signs that retail can make this a business, but we need cooperation from the hardware, software and content people."

Without some compromises, "why waste all this time and money to find out if this is a business?" Dreese asks. He suggests, "Give us one year with no barriers to find out if it's a business. Then let's talk about the rules."

So far, the 6,400-unit Starbucks chain is testing HP kiosks in dozens of stores in Austin, Los Angeles, San Francisco and its company base, Seattle.

Also, Mix & Burn, a unit of New Hope, Minn.-based Navarre, is running tests in about a dozen stores, company executive Bob French reports.

Test sites include two Trans World Entertainment stores; two Best Buy stores; one Borders Books & Music store; one Newbury Comics store; one Electric Fetus outlet; one store in the Musicland Group; one in Bound to Be Read, an independent bookstore in Minneapolis; one in a Nordstrom department store; and two at the U.S. naval base in Norfolk, Va., under the auspices of Eurpac.

John Hamadouk, chairman/CEO/president of Amarillo, Texas-based Hastings Entertainment, is all for testing CD-burning kiosks. But, he says, "we want somebody to prove there is a business model that works. We want to be a fast second but don't want to be a pioneer. I am real happy to let someone else plow that furrow."

Meanwhile, Wal-Mart is taking a different route, at least initially. It will allow cus... continued on >>p28
COPY PROTECTION: NOT AN ISSUE—YET

There is one issue that has not yet hampered the development of CD-burning kiosks at music retail. The major record companies are not asking for copy protection for the discs created in stores—at least not yet.

“We are having conversations with the kiosk companies about including copy protection down the line,” says Jordan Katz, co-president of Sony BMG Sales Enterprise.

The special CD that Universal Music Group requires for kiosks can handle copy protection, but it does not have it at this point. In any event, that is not why Universal Music & Video Distribution wants to use it.

The General Electric-manufactured blank CDs come in bright yellow, which helps distinguish them from home-burned CDs. What’s more, each one is numbered. That way the industry can tell store-bought burned CDs from ones made at home, UMVD executives say.

Downloading from a kiosk to a portable device is a different issue. The majors want copy protection from day one for that application. So far none of the machines appear capable of providing such protection, although hardware suppliers say they are working toward that goal.

But when that happens, another issue could delay kiosks from serving as filling stations for portable devices.

Most of the majors want the kiosks to use Microsoft’s Janus digital rights management system. But that would require music players to be compatible with Janus, a system that few currently support.

Secondly, Microsoft has yet to perfect its software so that customers who transfer music to a listening device can immediately play that music. Instead, a home computer is needed to unlock the songs before they will play.

— ED CHRISTMAN
strength to withstand the wear and tear of the marketplace.

"Some seem ready to go and have their licenses in order, and others are struggling to get either the license and/or technology right, while still others are not even there," Dreese says. "But how much of it will be rubber that can meet a road somewhere is unclear."

As for the majors, it "remains to be seen how much creativity the rights holders will allow us to experiment with so that we can see what the consumer wants," Dreese says. "I am afraid that the labels are going to chock the golden goose before they know what kind of egg they have."

Jordan Katz, co-president of Sony BMG Sales Enterprise, agrees. "Some are overthinking it. It's a new market, and the egg has just been fertilized. Let's see what happens when retail puts marketing experience into it and we can learn together and see how it all pans out."

If CD-burning kiosks works, there will be time later to revisit things and make changes, he says.

Dreese acknowledges that some standard-setting is important on the front end. "You can argue about what the standards should be, but their existence gives people something to focus on."

But Dreese thinks that the standards should be as simple as possible for the first year or two, with minimal sound and artwork requirements. While the majors would like burned CDs to be as near to red-book quality as possible, retailers also wonder if the labels will allow the kiosk companies to equalize sound levels on customer-made compilations.

More important, at least to the hardware companies, is how the majors deliver music to them. "Just getting the content organized has been a major undertaking," VMS executive Randall Harper says. He says standardization would greatly reduce time and costs. When the different camps gathered at the NARM meeting, each side realized they had focused only on their own perspective of the challenges ahead.

"In the end, each party said to one another, 'Here is a bunch of line items missing from your P&L. Each party has to make a profit, or [the initiative] could be dead," Dreese says.

The majors "were just taking [the] iTunes model and applying it to the kiosk, but there are additional costs involved," one merchant complains. These include experienced staffers to oversee the in-store manufacturing, plus the cost of the blank CD, as well as paper and ink to print packaging.

**NO ONE PRICE FITS ALL**

Of course, the expense structure is only one part of the profit equation. Getting pricing right is also proving to be daunting.

Naturally, pricing is tied to what the labels are charging for their content. It appears that EMI Music and Warner Music Group are applying their iTunes pricing model, with some variations, to the kiosk vendors, meaning they are charging about 71 cents for most tracks, sources say.

Universal Music & Video Distribution also is charging 71 cents per track, but if a vendor or retailer charges more than 99 cents per track or $9.99 an album, then UMV gets a 71% wholesale cut, sources say.

But while some think 99 cents should be the main price point for individual tracks to customers, others say there should be variable pricing on a per-track basis. For example, a superstar track would be priced at 99 cents, an established act at 79 cents and developing artists at 59 cents.

Some suggest that classics like Led Zeppelin's "Stairway to Heaven" or the newest track from Eminem might cost $1.49, with other tracks by those artists costing 99 cents and tracks from older catalog albums running 49 cents.

"Pricing would vary depending on where the album or the artist is in their life cycle," one distribution executive says. Pricing would also depend on whether a track is going to be burned to a CD and downloaded to a portable device, other executives say.

On the other hand, while sources say that Sony BMG also leans toward variable pricing on a per-track basis, it also appears to be the sole major applying the wholesale model to the album. The company supposedly is charging kiosk vendors with prices tethered to its front-line, midline and budget pricing, although each is said to be a couple of dollars cheaper than that of the corresponding packaged-goods line.

Sony BMG's Katz declines to talk about pricing, except conceptually. He says Sony BMG's approach to the kiosk is consistent with decades of experience of marketing and selling music to the consumer, whom he says is comfortable with variable pricing.

"So in the bin, you have the shrink-wrapped album with the best sound, artwork and liner notes, and that is one value proposition," he explains. "But with a kiosk, where the music is on a burned CD, perhaps with front cover art, consumers would have less artwork and liner notes, so that is a different value proposition."

If the kiosk serves as a filling station for portable devices where all the consumer gets is pure sound, that represents yet another value proposition, he says.

Consequently, the same album could have three different prices: fully loaded (prepackaged), partially loaded (kiosk) or stripped-down (digital download to computer or filling stations), Katz says.

When all the wholesale pricing models are taken into account for the kiosk, the cost for al

BURNING QUESTION:

**FULL ALBUMS OR COMPILATIONS?**

Aside from the other issues challenging the development of CD-burning kiosks at music retail, a key debate is shaping up over whether the machines should be used for creating song compilations—as many label executives believe—or for manufacturing out-of-stock albums.

"In my view, the singles compilation model is tertiary and won't work as the main focus," Newbury Comics CEO Mike Dreese says. " Burning out-of-stock or deep catalog albums is the critical profit generator."

But others say that the kiosk business has been developed with customized compilations as a focus—and that's why the labels are supporting it.

Compilation building is "a complicated task where the consumer might play with the kiosk for about 45 minutes and also must interact with the clerk," Dreese says. "That is very labor-intensive, and I don't see how you can have the consumer stand at a kiosk for all [that] time and then mark up the resulting product by $1.30. That is not a profitable model. But to sell an out-of-stock budget title for $11.99, that is a no-brainer."

The kiosk model can't be dependent on "five to 10 customers a day making their own compilations," MIC's president Gene Fein says. "That is not a business."

Instead, the kiosk has to become a fulfillment tool so stores do not have to carry slow-moving titles. "A lot of labels are eliminating low-turning albums from their catalog, and retailers are taking them out of their inventory anyway," Fein says. "We don't think this is going to replace traditional manufacturing; it will complement it."

VMS executive Randall Harper says the company's machines that come with the four-burners can make one CD per minute, while Fein says his machine can make 360 albums in a 24-hour period.

**MASS PRODUCTION A CONCERN**

Such capability can please some major-label executives, who worry that retailers will use the machines to mass produce hot out-of-stock titles. Even worse, some worry that sales of out-of-stock CDs could hurt sales of new releases, particularly for developing artists. And with music retailers already reducing slower-moving titles, there is the possibility that some chains might eliminate jazz or classical titles from their physical inventory and totally rely on kiosks for those genres.

Other label executives are more concerned about artwork issues. So far, record companies have only supplied digital files for front cover art, not for booklets or tray cards.

"Does the artist want his album sold on a CD that is lower quality than the packaged good?" one distribution executive asks. "That is now what the kiosk license is for. It's not meant for mass producing and resale. The retailer shouldn't be able to make 30 copies overnight" in anticipation of demand.

Besides, the marketplace is already saying it wants compilations from the kiosks, not full albums, the exec says.

But Harper counters that as the industry transitions to digital distribution, the kiosks can play an important role in resolving supply-chain issues.

He believes that ultimately the labels will allow that to happen, particularly when talking about a VMS machine, which he says can create cover art, the entire booklet and the tray card if the print content is digitally supplied.

Aside this debate, Virgin Entertainment Group has added its own twist. The chain would like to be able to make its own themed compilations and then mass produce them to sell in their stores, according to Virgin executive VP Dave Alder.

That idea does not have to be implemented chain-wide. For example, for the New Orleans Jazz Festival, Alder says he would like that city's store to be able to make its own jazz fest compilation, highlighting the artists that are playing the event, and then burn as many copies as needed so customers can purchase ready-made albums.

— ED CHRISTIAN
By Ray Wadell

On the surface, the 2005 touring landscape seems a perfect mix of proven mega-stars, consistent veterans and promising newcomers. But underneath, there are some deep-rooted concerns about how it will all pan out.

In 2004, high ticket prices and bad packaging, among other factors, left the industry crying foul. But this year, many hope things will turn around and they believe the key to success is in the abundance and quality of the tours expected this summer.

Leading the mega-star treks are U2, whose Vertigo tour is poised to become one of the top-grossing tours ever. Also criss-crossing the country this fall will be the Rolling Stones and Paul McCartney, two other acts that have been teflon at the box office no matter what the overall touring environment.

In the realm of proven acts on the road this year are Bruce Springsteen, Coldplay, Tom Petty, Neil Diamond, Dave Matthews Band, the Eagles, Green Day, Jimmy Buffett, Kenny Chesney, Toby Keith, Sting, Rod Stewart, Elton John, Tim McGraw and Oasis.

Synergistic packages are abundant, too: Judas Priest/Queensryche; Chicago/Earth, Wind & Fire, Alan Jackson/Sara Evans, John Mellencamp/John Fogerty, Bone Thugs-N-Harmony/Geto Boys, Good Charlotte/Simple Plan, 3 Doors Down/Staind and Los Lobos/Ozomatli.

Also making the rounds will be the Sounds of the Underground tour, featuring a bevy of metal and hardcore bands; String Cheese Incident's BIG Summer Classic; and, on the Zuma tour, Ben Harper and Trey Anastasio.

Bankable festivals like Vans Warped and Ozzfest also make the list of consistent winners, and the Eminem/S5 Cent tour, augmented by some of the top names in hip-hop, will likely be the top-grossing rap outing ever.

The best-produced one-off festivals continue to survive and thrive, including Bonnaroo, Coachella, Austin City Music Festival and New Orleans Jazz Fest in the United States and Download Festival, Roskilde and dozens of others in the United Kingdom and Europe. Lollapalooza, having been repositioned as a one-off to be held in Chicago, is sure to have a high profile.

Acts whose touring stock is already solid and clearly rising include Rascal Flatts, Keith Urban, Audioslave, Weezer, Slipknot, System of a Down, Josh Groban, Sum 41, John Mayer, the White Stripes, Alicia Keys, Juanes and Kanye West.

Meanwhile, the promising newcomers segment of the business also seems particularly vital. Hitting the road are such acts as the Mars Volta, the Arcade Fire, Bright Eyes, Franz Ferdinand, Kings of Leon, Hilary Duff, Kelly Clarkson, Jack Johnson, Gretchen Wilson, Alter Bridge, Death Cab for Cutie and Cross Canadian Ragweed.

Then, there are the meat-and-potatoes acts—the artists that make their living on the road. Cottage industries unto themselves, these acts cover a broad array of styles. They include Widespread Panic, Lynyrd Skynyrd, Ted Nugent, Def Leppard, Meat Loaf, Santana, James Taylor, Hank Williams Jr., Bob Dylan, Willie Nelson, Charlie Daniels Band, Styx, REO Speedwagon, Journey, Cheap Trick, Allman Brothers Band, Gov’t Mule and Slayer.

Of course, many touring years are defined by their pleasant surprises—acts that either few anticipated would tour or whose success few saw coming. Motley Crue would certainly qualify as the latter. Including already confirmed treks by Robert Plant and the Pixies, tours like Queen & Paul Rodgers, Loggins & Messina, Beck, Don Henley/Stevie Nicks, Stevie Wonder and Barbra Streisand would be in the former class, provided tour talks come to fruition.

In addition to the Crue, bands that are reuniting for at least limited runs this summer include the New York Dolls, Gang of Four, the English Beat, Dramarama and Dinosaur Jr.

Timing is Everything

Timing is a huge factor for any tour, according to Danny Zelisko, president of Evening Star Productions, Clear Channel Entertainment’s Phoenix operation. “I feel like, after being gone for a while, Coldplay’s tour is very strong,” Zelisko says. “I also like the Mellencamp/Fogerty package. It’s really the first meaningful support Mellencamp has had on tour.”

Other tours that look good to Zelisko are the reunited Loggins & Messina outing and Tom Petty & the Heartbreakers. “The acts that seem to do well are those that stay away for the right amount of time, and then people are ready for a dose,” he says. “The audiences are out there, they’re ready to see new twists on old things. But it still show business. You have to provide audiences with the mystique, set up the show and sell them.”

On the flip side, many other touring years are defined by their disappointments—tours that looked good on paper but turned out to be stiffs. No one isopping to what those might be, but there’s surely one or two in the many tours previously mentioned, and they will be well-known come September.

“Someone is not going to do well, we just don’t know who right now,” Zelisko says. “That would be true in any year,” asserts Peter Grosslight, worldwide head of music for the William Morris Agency. “Right now, we’re busy trying to get the summer booked. I’m sure there’s never a year where every tour does well.”

Many believe the sheer volume is a big...
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Let’s Make A Better Deal

BY RAY WADDELL

Was 2004 a year riddled with bad shows or bad deals?

Although promoters talked of getting hammered last year, actual attendance was virtually flat—not the downward spiral that was perceived. So all signs point to bad deals rather than bad shows.

Either way, there is much posturing among agents, promoters and managers that deals must improve in 2005.

But has the deal paradigm shifted at all? While creative structures and components are out there, some say many of the same mistakes are being repeated and short-term thinking still prevails.

“The deal-making process has changed only a little,” House of Blues Concerts executive VP Alex Hodges says. “The deals have been dominated by the Clear Channel Entertainment checkbook and its effort to control the market, paying as much as $100,000 more than any other offer. It’s as if the CCE buyers think someone is chasing them every minute even when no other offer is close.”

But Peter Grosslight, worldwide head of music for the William Morris Agency, notes that “some discipline” has recently been introduced into CCE’s buying process.

One major shift in the deal structure for 2005 is at amphitheaters, where CCE has taken the emphasis off artist “guarantees.” Instead, it is structuring deals whereby artists retain up to 30% of gate, allowing the sheds to keep concession revenue and other ancillaries.

“We think we have come up with a much more consistent model that shares the risk with the artists, and also provides the opportunity to have a lower ticket price so we can all sell more tickets and in the end make more money for the artists,” Rapino says.

“We have not eliminated guarantees,” he continues. “We have a multilayered platform, and one of the model options is, if an artist is willing to work for a decent guarantee, we will in return provide 100% of the back end to them, after expenses. If our risk is reduced, we allow them to make money, and keep ticket prices lower. We believe in the end we will sell more tickets and they will easily make up for any of the reduction in guarantees they have been living off in the past.”

The move has been hailed by many agents and managers, but is not viewed as a cure-all.

“When it comes to deals, both now and in the past, the key is flexibility. ‘Artists are unique, and every artist needs to be treated in a way that’s appropriate for that artist,’” Grosslight says. “The various components of [CCE’s] deal structures in regards to the amphitheater business probably works for some artists and not for others.”

Ticket prices are still “up and down,” says Danny Zelisko, president of Evening Star Productions in Phoenix. “Some acts really, really get it. Others are either bulletproof and [ticket prices] don’t matter to them, or they think they’re bulletproof but it should matter to them.”

Zelisko is a big believer in keeping lawn prices below $20 at amphitheaters. When we’re able to convince the agent or the act to go with a $15-$20 lawn [ticket], audiences embrace it,” he says. “We had Mooye Cruse at the Cricket Pavilion on March 19, and we charged $15 for the lawn, $3.50 for parking and no facility fee. We had 3,000 walk-up day-of-show, and ended up with 17,000 paid.”

Hodges believes “there is more sensitivity and emphasis regarding the lower ticket prices being affordable” this year.

Grosslight says he sees a “little bit” of price sensitivity, but agrees lawn prices have mostly been kept in line this year.

“I think keeping the lawn affordable is really important,” he says. “For too long, the amphitheaters tried to position themselves as 15,000- to 18,000-seat venues when in fact they’re really not. They’re 7,000- to 10,000-seat venues with grass behind them. The grass is really about overflow, and was always intended to be a different type of experience. So for grass tickets to be kept in line is a very healthy change for the amphitheater business.”

Cruise manager Allen Kovac says promoters are willing to pay more if they get some marketing muscle in return. “I’m very happy with how promoters are saying, ‘I understand why you want these guarantees, because you really are going to help us sell tickets,’” he says. “Promoters are contributing to a collective national pool that we use to create the tools that help sell tickets,” he adds. “If Clear Channel has 10 dates and we go to them and say we need $2,500 a date, this goes into a national pot that is used directly to market those shows.”

Such a plan makes for some strange bedfellows in the overall marketing plan, Kovac admits. “This is not coming out of the guarantee, it’s coming out of an advertising budget that they contribute to,” he explains. “We don’t care if it’s AEG money, Clear Channel money, Frank Bros. money, we don’t care whose money it is. They all know we are professional at managing this, so wouldn’t you want this extra push?”

Kovac does not believe many—if any—management companies are working with promoters in this way.

“The big management companies are investing in aggregating other managers but not investing in infrastructure and marketing professionals to market their brands,” he says.

TOURS (cont.)

from >>p30

part of this problem. “From February through May you have 100-plus shows going on sale, and there’s no way a promoter can micromanage that many shows,” manager Allen Kovac says. “It leads to generic promotions.”

Grosslight adds, “We’ve always felt I’d rather see the business be less compressed. You’ve always seen more business in the summertime, because that’s when the kids are out of school, people are on holidays, etc. But I think to have the vast majority of touring artificially forced into the summertime because of the needs of promoters to fill venues they own that can only operate that time of year, I don’t think that’s healthy.”

On the surface, 2005 looks like it potentially could be a major improvement over last year if driven by star power alone. But it’s the industry bugaboos that hammered the 2004 season—ticket prices, heavy traffic, bad packaging, cookie-cutter marketing—that has the jury still out.

Therefore, so far, touring industry professionals are rightfully gun-shy. Asked what looks strong in 2005, Alex Hodges, executive VP for House of Blues Concerts, responds, “The fees and guarantees look strong! That said, we are bullish on the in-dentity and live music business in 2005. My motto is, ‘Stay alive in ’05.’”

Hodges is particularly high on the touring stock of Coldplay, James Taylor, Oasis, Dave Matthews Band, Elton John, Santana, Jimmy Buffett, Eminem, Jack Johnson, Hilary Duff, Manu and many others that should give the concert business a boost,” he says. “The guarantees are still driving high ticket prices. There are some deals out there that look very, very risky, but I’d prefer to not name them. Let’s see what happens.”

And mega-tours by the likes of the Stones, U2 and McCartney can boost the business for everyone, if one follows the “rising tide lifts all boats” philosophy.

“I’ve always felt that the more strong touring artists that are out in a given year, the better it is for everybody,” Grosslight notes. “If there’s some compelling stuff out there, it gets people in the mood to go out there, it gets people in the mood to go to concerts. They feed on one another.”
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Dave Matthews Band is stoked about showcasing songs from its new album, "Stand Up," on the road this summer.

"I'm so looking forward to it," Dave Matthews tells Billboard. "Right now we're sitting around the road this summer."

"We've got an obsession with groove, but the groove is so strong here, the room for improvisation is pretty vast inside these tunes, rhythmically and melodically."

"Stand Up" was produced by Mark Batson (Billboard, May 14). "Mark, coming from a hip-hop background, is definitely groove-oriented," DMB bassist Stefan Lessard says. "It will be great to see what we can do with these songs live."

DMB has not toured behind a new studio album since 2002. "It's been a long, long time since we played new stuff as a band, so I think our audience will be very ready," Matthews says.

Did we mention that the new stuff they'll be playing is grooves? It's about "making real clear grooves and real crazy grooves, and rather than putting them on top of each other, putting them next to each other," Matthews says. "It's different than when you're watching something—you can blow things up, you can see the fire and the explosions—but when it's just your ears, there's no candy for your eyes. Thanks to everybody, and Mark very specifically, we managed to get the groove real clear this time."

DMB is managed by Coran Capshaw at Red Light Management and booked by Chip Hooper at Monterey Peninsula Artists. The tour begins June 1 at the UMB Bank Pavilion in Maryland Heights, Mo.

WHERE IS JOHN DAVID?
Veteran road dog John David Nixon has quit the road after 33 years. As tour manager/production manager for acts that have included Hank Williams Jr., Lynyrd Skynyrd, Atlanta Rhythm Section, Patty Loveless and, more recently, Gov't Mule and George Thorogood, Nixon sightings backstage have been commonplace.

"It's going to be magic, a new phase for us."
—DAVE MATTHEWS

Nixon is GM of Lebanon, Tenn.-based Superior Coach, a company specializing in outfitting and converting new Prevost coaches into tour buses. A heart attack last Christmas forced Nixon to reevaluate his touring life.

"It has been a great ride, but I don't feel like I'm really off the road that much, because I stay in touch with people that are on the road," Nixon says. "Back in the '70s I got off the road for four years to manage Capitol Studios in Macon, [Ga.], and worked with the same bands I'd been on the road with. This is kind of the same."

Now his dog Gonzo doesn't bark at him anymore, and his wife, Michelle, is glad he's around. We think.

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Rob Thomas and Matchbox Twenty have sold over 25 million albums worldwide. His new record 'Something to Be' debuted at #1 on the Billboard 200 Chart.
WALLFLOWERS BLOOM AGAIN

The Wallflowers' fifth album, "Rebel, Sweetheart" (Interscope), out May 24, explores themes of acceptance and hope. Numerous tracks focus on enduring one's lot in life and, at the same time, are tinged with the belief that acceptance leads to a sense of freedom.

The lyrics penned by vocalist/guitarist Jakob Dylan also reflect the arc of the Wallflowers' career.

Though they broke into the limelight with the 1997 hit "One Headlight"—which was No. 1 on the Modern Rock chart for five weeks—they have faded from the scene in the years since. However, in keeping with the new album's theme, that is just fine with Dylan.

"It doesn't come to that point again with a singular song, well, that's more than most people get to do," Dylan says of "One Headlight."

Dylan believes the Wallflowers—which include drummer Fred Eltringham, keyboardist Rami Jaffee and bassist Greg Richling—had a "real urgency" to record "Rebel, Sweetheart," which was produced by Brendan O'Brien. "I could feel certain tones as the record began," he says. "Very simply, I really wanted to write my truth on this record, whether other people cared or not."

He knows the band faces challenges at radio and TV. However, he adds that "there's other opportunities if you put your nose to the ground."

Interscope marketing director Dyana Kass says the goal of the campaign is to "hit the field a little harder and meet every single person that could be a pulse point for the record."

Sales-wise, the Wallflowers have retained a small but loyal following. After their 1996 sophomore set, "Bringing Down the Horse," which has sold 4.2 million copies, according to Nielsen SoundScan, "Breach" (2000) sold 471,000 copies and "Red Letter Days" (2003) continued on >>p38

LATEST BUZZ

RIMES' NEW MANAGER
LeAnn Rimes has signed a new management deal with Fitzgerald-Hartley, which has offices in Nashville and Los Angeles. Scott Welch previously represented Rimes. Prior to that, her career was handled by Tom Ross and, before that, her father, Wilbur Rimes.

Other Fitzgerald-Hartley clients include Vince Gill and Brad Paisley. —Phyllis Stark

KRYST INKS PUB DEAL
Grammy Award-winning producer/songwriter Sebastian Krys has signed an exclusive worldwide co-publishing deal with Warner/Chappell Music. The agreement covers Krys' current and future works, including songs he co-wrote for Luis Fonsi's upcoming Universal Music Latino album. His catalog stays with Emilio Estefan's Foreign Import Publishing and Production. Krys has written tracks for Gloria Estefan, Obie Bermúdez and JD Natasha. —Leila Cobo

WONDER ON 'TIME'
Stevie Wonder's much-delayed "A Time 2 Love" now carries a June 14 release date. The Motown project, Wonder's first studio album in 10 years, will feature 16 tracks, with two bonus cuts for territories outside the United States. The video for first single "So What the Fuss" is the first to utilize video description technology for the blind and visually impaired. —Gail Mitchell

SONY SIGNS LONG
Sony Music Nashville has signed singer/songwriter Brice Long to Columbia. His self-titled debut album, due later this year, will be produced by Mark Wright and Keith Stegall, a first-time collaboration. First single "It's Only Monday" goes to country radio June 6. Long is handled by Scott Siman at RPM Management. —Phyllis Stark
**> Balance**

He is billed as the “Bay Area mix-tape king,” and that’s no hype. Oakland, Calif.-based rapper Balance says he has appeared on 300 mix-CDs released from Los Angeles to New York. Lacing lyrics over melodic, head-bobbing beats, Balance lives by his name by mixing such East and West Coast influences as Rakim, Dr. Dre, Too Short and DJ Quik.

Balance is releasing a solo album in September on his manager’s Ayinde Music, and—along with fellow rapper Frontline and the Federation—spearsheads a burgeoning hip-hop scene in Northern California dubbed the “Bay New movement.” “Most people think all Bay rappers talk about is pimping,” Balance says. “The new Bay movement is our Federation Renaissance.” (We’re saying, “We’ve been ignored artistically for the past decade by mainstream media. Now we’re raising the standards to create a more powerful artistic movement.”)

Contact: Saeed Crampler, 310-393-1293. —Gail Mitchell

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**Cliff Hillis**

Fans of Matthew Sweet, the Rembrandts and Osywey have another reason to cheer: Cliff Hillis. Hillis’ second solo record, 2004’s “Better Living Through Compression,” landed at No. 5 (between Brian Wilson and Keane) on a best of 2004 poll from power pop website Audities. And for good reason: The sweet melodies are bolstered by Hillis’ clever lyrics and strong musicianship. The album, released on a friend’s small Tallboy Records, has sold close to 1,000 copies.

A guitar tech for the Innocence Mission in the mid-90s, Hillis opted to leave his former group, Starbelly, to strike out on his own. “I realized I was writing stuff to fit that band, instead of writing from the heart,” he says. Hillis has since opened for the likes of Blondie, Marshall Crenshaw and Jonathan Richman.

Phoenixville, Pa.-based Hillis will showcase May 19 at the Cutting Room in New York.

Contact: Steven I. Rosenfeld, Worldwide Management, 212-573-6000. —Melinda Newman

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**The Beat**

**Melinda Newman mnewman@billboard.com**

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**WALLFLOWERS (cont.)**

from >>37

moved 208,000

The Wallflowers started promoting the new album in February with a tour of radio stations and retail corporate offices. First single “The Beautiful Side of Somewhere” went to triple-A radio in April, and then to adult contemporary stations the first week of May.

Dylan notes that lyrically the track is about not being “defini-
tional that there’s a magical wonderland somewhere. The songs say, “I’m tired of these problems. I want a new bag.” It is No. 8 on Billboard Radio Monitor’s Triple-A Chart.

Rob Lucas, music director for AC/WOSS Buffalo, N.Y., is spinning the track 26 times per week. “For Buffalo, where we can’t wait for sunshine, it sounds like summer,” he says.

Kass says the album will get front-line positioning at all major retailers. Jerry Suarez, senior music product manager for Virgin Entertainment Group, says the set is expected to be a top-30 release for his chain and will be featured at listening posts and front-of-store displays.

“They’re out there working this like they’re a new artist,” he says. “That will make a big sales difference. They are trying to reaquaint themselves with their audience, which has drifted away the last couple of releases.”

When consumers purchase the album at Walmart, they have access to a download of a Wallflowers B-side for 60 days.

The band will also be part of a new MSN branding campaign that includes placement on the service’s home page and a link to the video for: “The Beautiful Side of Somewhere.”

Movin’Groovin’ will receive Wallflowers ads with their tick-

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**KEM’S BACK IN A MAJOR WAY**

The tag line for Kem’s up-

coming 20-city concert tour is “Find Your Way.” In the last two years, the Detroit-based artist has done just that.

Once homeless, Kem (real name Owens) later supported himself and his family by waiting tables and performing top-40 covers in a wedding band. Between those stints, he scraped together money and time to finance, record, produce and self-release 2003 album “Kemistry.”

The album’s jazz-infused R&B and Kem’s vocal dexterity—reminiscent of Al Jarreau—not only earned him a steady following on the Midwest R&B club circuit. It also drew the attention of Motown, which reissued “Kemistry” in 2003.

A top-20 hit (“Love Calls”) and one gold album later, Kem picks up where he left off with his sophomore set, simply titled “Album II.” Winsome first single “I Can’t Stop Loving You” is No. 1 on the Billboard Adult R&B chart and No. 28 on Hot R&B/Hip-Hop Songs.

“I’m a borderline control freak,” Kem says of his first full-fledged major-label album, which streets May 17. “I wasn’t accountable to anyone before. But it has been a learning—and good—experience.”

Noting he made an “honest effort” to not alienate what people love about his music—dubbed “modern Motown” by the label—Kem produced the 11-track project, revisiting the themes of love, faith and hope.

Kem sharpens his sights as a songwriter, producer and vocalist on such tracks as “Without You” and “You Might Win.” Labelmate Stevie Wonder’s sweet harmonica accents the latter.

The only song Kem did not write is “I Get Lifted,” a cover of George McCrae’s 1974 R&B hit.

“There’s value in both the indie and major routes,” Kem says of both of his albums. “My team and I did what we could as an independent, then put a good deal together with Motown. And I put money in my pocket, which I’m not mad at.”

Kem’s tour with opening acts Rahsaan Patterson and “American Idol” winner Fantasia kicks off June 8 in St. Louis. He is also playing the Essence Music Festival July 3 in New Orleans. TV appearances include “Jimmy Kimmel Live” June 7.

Shipping at least 300,000 copies of “Album II,” Motown has also mounted two online campaigns. Focusing on Kem’s commitment to education, “Kem Carries Your Books” will award two semesters of college textbooks. “Kem Sings at Your Wedding” tempts entrants with the chance to have the artist sing at their nuptials.

“You always hope your music will be well-received and appreciated,” Kem says. “Though people’s reaction is sometimes still surprising, I welcome the embrace.”

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**AudioSlave Rocks Cuba**

When AudioSlave took the stage May 6 at Havana’s outdoor Anti Imperialist Tribunal to play a free show, guitarist Tom Morello admits he didn’t know what to expect.

“We had no idea if it was going to be 70 people or 70,000,” he says. It turns out it was the latter—many of whom were clearly fans of the band. “A lot of them were singing along, some were making a mess pit, some were saluting, some were pagin’. A lot of them just couldn’t believe it was really happening.”

Despite U.S. restrictions on travel to Cuba, for a number of American artists have played there. However, AudioSlave is believed to be the first rock band to perform an outdoor show in the country. The tour was organized by the U.S. government and the Instituto Cubano de la Musica and included meetings for the band with music students and Cuban musicians. “It was astounding,” Morello says. “Around every corner there were great musicians.”

Despite the obvious tie-in with the band’s May 24 release, “Out of Exile,” Morello stresses playing Cuba had nothing to do with the project’s title. “We’re not that clever,” he says. “We made it’s years ago, when we were in Rage Against the Machine, for one reason or another had been unable to get it done. It was a fulfillment of a dream.”

There were reams of red tape to push through on both the American and Cuban side, so much that Morello says the band didn’t get the final OK until 36 hours before it was set to leave.

Two weeks before the trip, the group had a surreal conference call with representatives from all sides. “It was this incredible conversation,” Morello says. “It was, ‘You may not go here. You may not talk about this. The rooms are going to be taped.’ And it couldn’t have been less like that. Everyone was so gracious and warm.”

After surviving all the bureaucracy, Morello says, “We walked out onstage and our drum monitors weren’t working, and we were like, ‘After all this, we’re not going to be able to hear anything.”
ASCAP Honors Film, TV Folks

For composers, who tend to spend most days holed up in a dark room, ASCAP's 20th annual Film & Television Music Awards April 27 were a rare opportunity for a little black-tie revelry.

As the evening's Golden Note Award winner Mark Snow told Billboard, "We're basically like glorified vampires, so anytime there's a little moment to celebrate, it's pretty great."

Best-known for composing the theme to the former Fox TV show "X-Files," Snow was honored for more than 20 years of film and TV scores. He is working on USA Network's remake of 1970s TV series "Kojak," starring Ving Rhames.

John Debney was awarded the publishing society's Henry Mancini Award for more than 50 scores, including his work on "Sin City."

"That movie was fantastic to work on, because [director] Robert Rodriguez told me to do whatever I wanted, so I was able to write a noir-ish score, which was just a joy," he said backstage prior to receiving his award.

Debney joins a distinguished list of past winners that includes Quincy Jones, Randy Newman, James Newton Howard, Howard Shore and Hans Zimmer. He said the evening's honor was more exiting than his Academy Award nomination for "The Passion of the Christ" this year.

"It's deeper," he said, "because it's about your colleagues and your body of work."

In addition to scoring the upcoming Walt Disney Pictures film "Chicken Little"—which stars Zach Braff as the title character—Debney is working on a symphony based on "The Passion of the Christ" score. He plans to premiere the project in July.

On hand to celebrate with Debney and Snow was former Herbie Mann Award winner Alan Silvestri. The composer says the awards are his chance to "see how [the honorors] invented their wheel and wound up being successful. There are no cookie-cutter film composers, so it's great on a night like this to hear a bit of their stories."

Silvestri is in the planning stages of his 12th film with director Robert Zemeckis, an ambitious adaptation of the poem "Beowulf." The film is planned for a 2007 release.

Silvestri is collaborating with Glen Ballard on a song for the movie (the two worked together on "The Polar Express") and plans to research the traditional music of the film's sixth-century setting for inspiration.

"There are a lot of fun possibilities to this. It's such an epic, amazing piece of literature, and Bob [Zemeckis] is on fire already even though it's two years away," Silvestri says.

The composer, who first collaborated with Zemeckis on 1984's "Romancing the Stone," says the key to such a longtime collaboration with a director is to treat the partnership like "any good marriage. You have to keep working on it, and you have to keep getting better at it."

The gala, hosted by ASCAP president/chairman Marilyn Bergman, also recognized up-and-coming composer Michael Giacchino. The writer of music for ABC's "Lost" and "Alias" said the chance to work with a live orchestra every week is "the only thing I really wanted to do when I first started, so I'm just really happy because I know it's a rarity."

Giacchino, whose movie credits include "The Incredibles," is scoring Albert Brooks' new movie, which is still untitled.

\[Math]\text{Math}\]
Pinson: 13 Years To Overnight Success

NASHVILLE—Like many artists who have a long row to success, Bobby Pinson took more than a decade getting his singing career off the ground. He was regularly shut down by Nashville labels, including his eventual home, RCA, which rejected him three times. He credits producer Joe Scaife for the long-awaited “in” with RCA. Pinson was working with Scaife when he became the producer of the moment thanks to his work with Gretchen Wilson.

After Wilson hit big, Pinson says, RCA was looking for something “a little rugged” and reportedly asked Scaife, “What else have you got?”

Eric Pinson, who neither looks nor sounds like a typical country artist. In fact, his gravelly voice and sharp, brutally honest songwriting resemble those of country music outsider Chris Knight, with a more commercial edge and less of Knight’s trademark violent and dark themes.

But while Knight never really caught on at country radio, Pinson’s debut single, “Don’t Ask Me How I Know,” is a bona fide hit. It rises to No. 24 on the Billboard Hot Country Songs chart this issue.

When RCA reps played the single for Bill Hagy, operations manager/ID of WXBS/Bristol, Va., it “simply played” him. Hagy says, “I couldn’t wait to get it on the air for our listeners. It only took a few spins for the listeners to get excited about it too. If the [other] songs on the album were written in the same way, this guy is going to be a star.”

“Man Like Me,” Pinson’s debut album, will arrive May 17. He co-produced the set with Scaife and had a hand in writing at 11 songs. Along his 13-year road to becoming an artist, Pinson unexpectedly became a sought-after country songwriter. With nearly 30 cuts to his credit, Pinson has seen his songs recorded by LeAnn Rimes, Van Zant, Tracy Lawrence, Blake Shelton and Marty Stuart.

He says he has two goals as a songwriter: “to tell a story and to touch somebody.”

Pinson says he is not sure if his music appeals more to men or women. “I never really thought about demographics,” he says. “It wasn’t really until I heard my own record back on the radio that I realized if I do target anybody or cater to a demographic, it’s the imperfect people of the world—which is a pretty big demographic.”

He recently wrapped up the Brooks & Dunn tour, opening the shows with a solo, acoustic performance for 8,000 people a night.

An Early Peek At The ACM Winner’s Circle

James Stroud has been named producer of the year by the Academy of Country Music. Stroud, who is co-chairman of Universal Music Group Nashville, is among the winners in the non-artist categories that will be presented prior to the live telecast of the 40th annual Academy of Country Music Awards May 17 in Las Vegas. The show will air on CBS at 8 p.m. EDT.

Ron "Snake" Reynolds is audio engineer of the year.

Clear Channel Entertainment’s Brian O’Connell wins the Don Romeo Talent Buyer/Promoter of the Year Award. The Mandalay Bay Resort & Casino in Las Vegas, which is hosting the ACMs for the third consecutive year, holds all the aces in the casino category. The Buck Owens-owned Crystal Palace in Bakersfield, Calif., is the ACM’s nightclub of the year.

Musician category winners are Glenn Worf (bass), Stuart Duncan (fiddle), Brent Mason (guitar), Lonnie Wilson (percussion/drums), Steve Nathan (piano/keyboards), Randy Scruggs (specialty instrument) and Dan Dugmore (steel guitar).

WIVK Knoxville, Tenn., is the ACM’s radio station of the year. KNIX Phoenix morning hosts Tim & Willy win the on-air personality prize.

Winners are determined by votes cast by the ACM members.

Japanese country music artist and festival promoter Charlie Nagatani will receive the ACM’s Jim Reeves Memorial Award, which recognizes outstanding contributions to the acceptance of country music throughout the world. Nagatani has been performing country music since 1956 along with his band, the Western Cannon Balls. In 1989, the Western Cannon Balls, Japan’s only country music festival. The event now draws more than 30,000 people annually.

On The Row: Burbank, Calif.-based Disney Music Publishing is opening a Nashville office this month. Doug Howard, senior VP of A&R at the Blue Mouse Group, has been named senior VP/GM of the Nashville publishing operation. Howard will retain A&R duties.

Howard joined Lyric Street at its launch in 1997. Prior to that, he was VP/GM of Polygram International Music Publishing Nashville. He is also the president of the Nashville chapter of the Recording Academy. A&R executive Debi Fleischer-Robin has closed her Nashville-based indie promo business, Robin Enterprises. She also spent more than 17 years at Sony, eventually heading the Columbia Records promotion department.
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Minting A New Image

Thanks to veteran act Mint Condition, Image Entertainment is further solidifying its urban credentials—and opening the door to more R&B/hip-hop projects.

Mint Condition scored its highest rank on The Billboard 200 when the Image-distributed "Livin' the Luxury Brown" debuted at No. 45 in the May 14 issue. The album, released on the R&B collective's Caged Bird label bowed at No. 11 on Top R&B/Hip-Hop Albums.

"Mint Condition is an amazing band that's still vital," Image senior VP of acquisitions Barry Gordon says. "A lot of their best music is happening now or about to happen."

With Mint Condition as a lightning rod, Gordon says, Image will step up its involvement with heritage R&B artists. Though he declines to name names, he lists two requirements for any such acts: a built-in fan base and a strong new project that will support its longevity as a concert draw.

To help spread the word about "Livin' the Luxury Brown," Image teamed with Mint Condition to package a BET special that aired April 24 (Billboard, Feb. 19). A live-concert DVD and a companion live CD will follow this summer. Currently on tour, Mint Condition is set to play the Essence Music Festival July 2 in New Orleans.

"The major labels have enough trouble breaking new artists," Gordon says. "These types of projects aren't necessarily a great gamble for them. But it's a great business opportunity for acts like a Mint Condition who are still touring and making vital music. We're working with the artist versus treating the artist as a work for hire."

A leading independent licensee, producer and distributor of home entertainment programming, Image had been filming live concerts when it began acquiring audio rights and later distribution rights for various labels in the wake of consolidation.

"As a distributor and marketing company, we decided we didn't have to break this machine down," says Gordon, who previously headed video sales for BMG. "Instead, we could build from the ground up, proving to retailers and the music industry that we could act in the same capacity as a major label and distribution family but with an independent philosophy and mind-set."

Image has claimed success with country releases (Randy Travis, Ronnie Milsap), original Broadway cast albums (Grammy Award-nominated "Assassins") and TV soundtracks ("Charmed").

Before moving into the R&B arena with the release of two Source magazine hip-hop compilations, Image had done projects with Quincy Jones III's QD3 Entertainment ("Thug Angel," "BeeF"), Jamie Foxx (the Laffapolooza comedy series) and Simmons Lathan Media Group. SLMG, QD3 and Image are partners in the June 28 documentary "Letter to the President." The 90-minute film, narrated by Snoop Dogg, examines the link between hip-hop and politics. 

PRAS DRAWS UNI DEAL
Former Fugees Member Inks With Universal For Solo Set

Pras Michel, one-third of the now-defunct trio the Fugees, has inked a new deal with Universal Records.

His first album, "Win, Lose or Draw," is scheduled for a June 14 release. Lead single "Haven't Found"—which samples UA's "I Still Haven't Found What I'm Looking For"—was serviced to radio two weeks ago.

Michel has also founded Guerrilla Entertainment, a music and film production company that owns the rights to Robert Beck's cult-classic book, "Iceberg Slim," which is in preproduction.

MAY FLOWERS: Numerous sophomore projects of interest are blossoming in May. The month kicked off with the May 3 release of the Quasimoto/Madlib collaboration, "The Further Adventures of Lord Quas," on Stones Throw Records.

The 27-track opus reunites schizophrenic producer Madlib with his alter ego and rhyme partner, Quasimoto. Junior Mafia drops its second album, "Riot Music," May 17. The set is the first release on Mega Media Records, which is distributed through RED's Urban Music Marketing.

The video for first single "Just Us" can be seen on AOL Music, Yahoo Music and vh1.com. Junior Mafia members Lil Cease, Banger and Klepto are joined by guests Beanie Sigel, Memphis Bleek and Jadakiss.

May 17 also sees the release of Memphis Bleek's sophomore project on Roc-a-Fella Records. First single "Like That" was produced by Swizz Beatz. Bleek also enlists Just Blaze and 9th Wonder behind the boards.

CALLING ALL B-GIRLS: Women in the hip-hop community will get their chance to shine, thanks to Minneapolis-based Intermedia Arts. The arts center is holding its first B-Girl Be Summit June 25-26 to celebrate four elements of hip-hop: MC'ing, DJ'ing, breakdancing and graffiti.

The event will feature MCs Psalm One and Desdamona and B-girls Asia One and Shorty. For more information, go to intermediart.org.
EMI Hooked On Marlin
Norwegian Artist Delivers Unexpected Third Album

The delivery of Norwegian singer/songwriter Lene Marlin's third album came as something of a surprise to EMI Norway, she admits. "I didn't tell the record company," Marlin says. "They were expecting demos. Instead I gave them a finished album and asked them to reimburse what I'd spent making it." The resulting "Lost in the Moment" (Virgin) comes out June 15 in Norway and most of the rest of continental Europe. Germany follows July 4, and a U.K. date is to be confirmed. The label does not have any U.S. plans at present; none of Marlin's records have been released stateside.

Marlin emerged in 1998 with the single "Unforgivable Sinner," a Pan-European airplay hit that topped Norway's Verdens Gang sales chart for eight weeks. It is her 1999 debut album, "Playing My Game," which EMI says has shipped 1.8 million copies worldwide. Sophomore set "Another Day," released in 2003, has shipped 650,000, according to the company. Marlin is published by EMI Music Publishing. — NIGEL WILLIAMSON

THINKING MAN: Veteran Italian singer/songwriter Francesco de Gregori's intellectual, politically committed lyrics may decrease his export opportunities, but Sony BMG has domestic multiplatinum hopes for his latest album, "Pezzi" (Columbia). DCGregori, published by Serraglio/Sony ATV, recorded 10 successful albums for BMG labels in the '70s and '80s and a further 15 for Columbia since 1987. The new album debuted at No. 2 on the FIMI chart April 4. "We plan to work this album until Christmas and feel that triple platinum [400,000 shipments] is a realistic target," Sony BMG Italy senior VP of marketing and A&R Massimo Bonelli says.

Widespread airplay for radio-only single "Vai in Africa, Celestino" paved the way for the album's success. The title refers to 12th-century pope Celestine V, a cult figure in Italy. "The song has a strong, direct rhythm and is very incisive," Bonelli says, "making it perfect for radio." — MARK WORDEN

THE "Calle 54" film and soundtrack have been called "definitive documents" on Latin jazz. How did you conceive the film? It was making film from music. I didn't want a videoclip or a TV show, but something that was cinematographically potent and could stand alone.

In Spain, "Calle 54" was the first jazz album to go gold. One of the things I feel particularly proud of is having awakened an interest for this music and giving the spotlight to many musicians who were a little bit forgotten.

QUESTIONS with FERNANDO TRUEBA

BY LEILA COBO

Academy Award- and Grammy Award-winning film director/music producer Fernando Trueba appeared April 27 at the Billboard Latin Music Conference for an exclusive Q&A session. Trueba is promoting his new film "Milagro de Candeal" and putting the finishing touches on an album by new Cuban band Havana Abierta for his label, Calle 54. (The label is named after his 2001 film of the same title.) Here are highlights from the interview.

One of those musicians is 86-year-old pianist Bebo Valdes. How did your relationship develop?

Bebo and [bass player] Cachao were best-known as arrangers for big bands and big descargas [jam sessions]. My business partner, Nat Chediak, had this idea of recording Cuban repertoire in small format: piano, bass and percussion, where we ended using Carlos "Paquito" Valdés. That project was "El Arte del Sabor," which won a Grammy and a Latin Grammy. From these adventures Calle 54 was born, and our first recording was "Lágrimas Negras."

"Lágrimas Negras" featured Bebo and flamenco singer Diego "El Cigala." How did you sell such a seemingly uncommercial concept?

How we did this album summarizes our philosophy. We did it for pleasure. We didn't do it looking for glory or success. The degree of enjoyment I got out of it more than made up for the money spent.

"Lágrimas" has sold nearly 1 million copies worldwide and has spawned a PBS special. Does its success surprise you?

Big success always surprises you. One night, I was driving home [from the studio], and it was raining, and I was in the car listening to what we had done, and I was in tears. I thought, "I'm crazy, or I'm an idiot." But my heart just turned every time I heard Bebo's piano and those songs. And I thought, "If this happens to me, it may happen to others."

What are your plans for Calle 54?

We want to make one or two albums a year that make us happy; be artisans, as opposed to having a factory. A factory is fine, but there are certain products that can only be done with your hands and your heart.
**Latin Notas**

**LEILA COBO** lcobo@billboard.com

**Patrulla 81 Shows What Duranguense Can Do**

The word on everyone’s lips these days is _reguetón._ But _micumba_ duranguense, while perhaps not as sexy for some, is equally appealing.

Within the top 20 on this issue’s Top Latin Albums chart, there are five regueton and four duranguense titles, including Patrulla 81’s “Divina,” which is No. 2 for a second consecutive week.

Like chart companions Grupo Montez de Durango and Los Horoscopos de Durango, Patrulla has been around for years (the “81” in its name refers to the year it formed), but had flown under the radar until Disa records signed the group a couple of years ago.

The act cracked Top Latin Albums in May 2003 with “Como Pude Enamorarme de Ti,” which peaked at No. 18. Barely two months later, live album “En Vivo Desde: Dallas, Texas” debuted at No. 6.

The secret to Patrulla’s success, Disa label manager/human resources director Humberto Gómez says, cannot be pinned on one particular strategy. “Radio has been very good to them, and they have credibility with their audience,” Gómez says. Plus, the act’s albums are now widely available. Combined sales of the CD and CD/DVD versions of “Divina” made it the top-selling Latin album at Wal-Mart last week, according to Disa.

Such is Patrulla’s appeal that the album has continued to sell despite almost no promotion—but not by choice. Lead singer José Angel Medina and a fellow band member were denied re-entry into the United States the week of the album’s release because of visa issues, although they had just been here for an album-release party. This left Disa without its artists to tout the album during the critical first two weeks of release.

“That’s the reality of a lot of our Mexican citizens, and anybody, for that matter, that’s not born in the United States,” Gómez says, adding that visa issues are routine among Latin acts. “They get working visas. And sometimes a working visa expires. With Patrulla, it was more noticeable because they were in the middle of promotion.”

Medina is expected back stateside in June, and promotion will then resume. In the meantime, a nationwide TV campaign is ongoing, and the single “Eres Divina” is No. 26 on Hot Latin Songs this issue.

**CICLON WANTS SWEEP:** Live shows have been the hallmark of Ciclón, a vallenato/pop group that released its self-titled debut April 26.

The group, founded by singer/percussionist Carlos Mario Olivella and accordionist/composer Humberto Jutes, has been playing in the Miami area for three years, endorsed along the way by Colombian star Carlos Vives.

Last year Ciclón signed with SGZ, the upstart label founded by former WEA Latina president George Zamora and producer Sergio George.

“At SGZ we were a priority,” Olivella says, explaining why the band signed with an indie instead of a major label, despite other offers.

Although SGZ has signed several major names (including Tito Nieves and La India) since launching last year, Ciclón is the label’s first debut act. It is also the first act to fall completely under SGZ’s structure, which also includes booking, management and promotion.

SGZ’s plan for Ciclón is to “break them into the mainstream,” Zamora says.

In producing the album, George incorporated urban and contemporary pop rhythms for a more international sound.

“Although we write everything, we needed Sergio’s magic touch,” Jutes says. “That touch that puts you on radio and makes you more international.”

**Terfel Beguiles Britain With ‘Silent Noon’**

It has been 10 years since Welsh bass-baritone Bryn Terfel released his first, Gramophone Award-winning album of English songs, “The Vagabond.” Accompanied by noted pianist Malcolm Martineau, Terfel finally returns to that fertile soil in the captivatating “Silent Noon,” released last month by Deutsche Grammophon.

“It was about time that I did some homework on English repertoire,” Terfel says. “For the first record, I chose the songs that were probably the best-known of this style. I thought that this [new album] would be a good chance to delve into the work of less-known composers.”

The singer’s diligence was rewarded with a treasure trove of charming songs, including works by Dillys Elwyn-Edwards, Michael Head, Ivor Gurney and such beloved composers as Benjamin Britten and Vaughan Williams.

Terfel says one artist in particular inspired this project: the English baritone Benjamin Luxon, who brought much of the English repertoire to light. “I really put him on a pedestal,” Terfel says. “Luxon put so many wonderful songs on record. I think I’m carrying on his work in some ways, especially since so much of his work was recorded on vinyl, whereas mine might reach a younger audience.”

Recording “Silent Noon” led Terfel to some artistic discoveries of his own. “Some of the songs are really beautiful—and the poetry strikes a chord,” he says. “For example, the disc starts with a wonderful little cycle of three songs by Roger Quilter that are settings of Shakespeare. The first, ‘Come Away, Death,’ takes its text from the play ‘Twelfth Night.’ It could be morbid and dark, whereas Quilter gives it this totally different color. The poem comes away in a new light. And singing the Gurney song ‘Sleep’ is one of the most amazing three minutes I’ve ever had in a recording studio.”

**PHILLY GOES FINNISH:** When conductor Christoph Eschenbach became music director of the Philadelphia Orchestra in 2003, he hoped to secure a new recording deal for the Big Five ensemble, whose contract with EMI Classics expired in 1996.

No that deal has been realized with the announcement of a three-year partnership with Finnish-based independent Ondine (distributed in the United States by Koch), which this year celebrates its 20th anniversary.

The project will begin with a recording of Barótt’s Concerto for Orchestra, Martiini’s Memorial to Lidice and Gideon Klein’s Partita for Strings, due this fall.

The deal was made possible by a new compensation structure negotiated by the orchestra and the American Federation of Musicians Local 77.

“This is a partnership between equals,” says executive producer Kevin Kleinmann, a former VP at PolyGram/Universal Classics. “This is the model for the future. The orchestra will own its repertoire, as all artists should. Ondine will do what they do best—strategize marketing, publicity and distribution, as well as consult on repertoire with the orchestra.”

Reijo Kiilunen, Ondine’s founder and managing director, says the deal creates a business model that is beneficial to all partners. “For us,” he adds, “the biggest advantage is the chance to work with such a great and celebrated ensemble.”

Kiilunen says his label is likely to pursue similarly structured agreements with other artists, along with more traditional contracts.
TOBY KEITH
Honky Tonk University
Producers: James Stroud, Toby Keith
DreamWorks
Release Date: May 17

Toby Keith has become a cornerstone country artist by giving his fans what they want, and it’s here in spades on 12 cuts penned by Keith and such co-writers as Scotty Emerick and Dean Dillon. More traditional than some previous efforts, Keith plays the backslider with Merle Haggard on “She Ain’t Hooked on Me No More,” charges hard on an exercise in rationalization in “She Left Me” and smokes on the resigned ballad “Knock Yourself Out.” Never taking himself too seriously, Keith showcases trademark humor on two big winners, “You Ain’t Leavin’ (Thank God Are Ya)” and the realist treatise “As Good as I Once Was.” Keith makes no apologies for being who he is, and that’s why he is still at the top of his game.—RW

WEEDER
Make Believe
Producer: Nick Rubin
Geffen
Release Date: May 10

On Weedeer’s first album in three years, the group strives to split the difference between the emotional intensity of its 1996 album “Pinkerton” and its usual Cheap Trick-inspired sardonic power-pop. By 2002’s “Malibu,” Weedeer had become an act with arena-rock proficiency and little depth. “Make Believe” is the group’s first dramatic step forward in years, with frontman Ryan Cuomo taking the listener deeper into his odd insecurities than ever before. “I am terrified of all things,” he explains on “Hold Me Later, on the jangly toe-tapper “The Other Way,” he declares. “I have many doubts about my motives.” “Make Believe” is filled with dozens of moments just as powerful, from the new-wavey “This Is Such a Pity” to the crunching guitars of anti-drug anthem “We Are All on Drugs.”—TM

COMMON
BE
Producers: Kanye West, Jay Dee
G.O.O.D. Music/Geffen
Release Date: May 24

When Common released “Electric Circus” nearly three years ago, he left more than a few fans worried by his sudden departure from the street-smart wordplay they had grown to love. Just who was this crooked pants-wearing, Hendrix-influenced guy all of a sudden? Those same fans can breathe a sigh of relief with the release of “BE,” produced by <kanye west>. Common travels full circle, painting intense tales of life in the hood (“The Corner”) and delivering testosterone-filled braggadocious rhymes (“Chi-City”). He also steps outside of the “conscious MC” persona by writing headfirst into deliciously vivid sexual imagery on “GO,” with the titular word repeatedly uttered by John Mayer. Just like the album’s title, Common keeps things simple this time around, confidently proving that less is sometimes more.—MJ

VAN MORRISON
Magic Time
Producer: Van Morrison
Geffen/Exile/Polydor
Release Date: May 17

Studio album No. 38 in the Morrison catalog features a little bit of everything Van does well, in a spare, elegant setting: “Celtic New Year,” with orchestra and pennywhistle; the Irish mysticism of his “Veedon Fleece” period; “Evening Train” and the life-lesson “Keep Medicioty at Bay” are juj-keet Van, with the singer blowing breezy harmonica. Some great covers, including a sassy Fats Waller (“Lonely and Blue”) and a swinging Sinatra (“This Love of Mine”), showcase Van the jazz man. “Stranded” and “Just Like Greta” (reftiong to Garbo) delve into his career-long struggle between the demands of the business and his craving for solitude. Speaking of the business, no recent Morrison album would be complete without a song about music industry corruption. The last two songs qualify: the sour “They Sold Me Out” and the sweet “Carry On Regardless,” which name-checks the “Carry On” film company and the early ’50s and ends with a gust of laughter.—WR

AMY GRANT
Rock of Ages . . . Hymns & Faith
Producers: Vince Gil, Brown Bannister
Word/Curb/Warner Bros.
Release Date: May 3

The past few months have seen an onslaught of wondrous hymns albums by the top names in Christian music. Now Grant weighs in with her contribution and it is simply stunning. She mined this continued on >>p46
from >>45 territory previously on her successful “Legacy” album, but this project shines even brighter. Such classics as “Joyful, Joyful,” “I Surrender All” and “O Love That Will Not Let Me Go” get fresh, organically updated renditions, which will make them brand-new to folks accustomed to the heavily orchestrated treatment they usually receive. Grant also revives her 1980s hit “El Shadai” in a delicate, more personal tone, while she and husband Vince Gill deliver a generous version of “Rock of Ages” that gets an extra boost from the fiddles and Fiddle Four. Overall, this is one of the best albums in Grant’s career.—DEP

LATIN

MORENO Elda Quinte Producers: Jorge Moreno, A.T. Molina, Randy Cantor More Music Publishing Release Date: April 26 As the first act released on Maverick Latina, Jorge Moreno (aka Moreno) earned critical acclaim and a Latin Grammy Award but little airplay and very modest sales. With Maverick Latina defunct, Moreno released his sophomore album independently and is finally garnering airplay, thanks to more radio-friendly material. More important, “El Segundo” is better than its predecessor, with songs that are tight, catchy and distinctive: “Pasionero” and the sexy “La Cama” are standouts. Moreno is more reliant on tropical rhythms, even bachata, and it gives extra drive to the music. The one problem is the last five tracks, all in English. Though logical, considering Moreno is bilingual and bicultural, it is confusing since the styles change too radically for a single album.—LC

NEW & NOTEWORTHY

WEDNESDAY 13 Transylvania 90210: Songs of Death, Dying and the Dead Producer: Wednesday 13 Roadrunner Release Date: April 12 Wednesday 13, formerly of the Murderdolls, resurfaces with more songs fueled by his obsession with horror movies. “Transylvania 90210: Songs of Death, Dying and the Dead” is filled with images of graveyards and ghosts, and it’s w appare Rob Zombie album. “Transylvania” is far less sinister: this is about laughing at campy fright flocks and fake gore. The straight-ahead rock tunes take a Concrete Blonde turn on “Elect Dead for President,” and “A Bullet Named Christ” owes a nod to Type O Negative’s “Haunt Me” finds Wednesday 13 pining for a romantic Halloween rendezvous, but it’s hard not to chuckle when he says that Santa Claus had better deliver him a freshly dug grave on “Burned by Christmas.”—CLT

VITAL REISSUES

ALL FARKA TOURE Red & Green Producer: Ali Farka Toure Nonesuch Release Date: May 10 You might think that the remote Timbuktu region of Mali, in West Africa, is galaxies away from the culture that gave rise to the great American blues tradition. But for more than 25 years, the great Grammy Award-winning guitarist, singer and composer Ali Farka Toure has shown audiences just how close the banks of the Niger River and the Mississippi Delta really are. This two-CD set presents two of Toure’s classic recordings, digitally remastered: 1979’s groundbreaking “Red” and 1988’s “Green,” both originally issued by France’s Sonodisc. (Longtime fans will recognize melodies that Toure later reworked for other albums.) Accompanied by the shap of a Calabash and the shimmer of the four-string onion lute, Toure’s regal singing and crystalline guitar are once again serious and yet distinctly and joyously African.—AT

CRITICS’ CHOICE

A new release, regardless of chart potential, highly recommended for musical merit.

All albums commercially available in the United States are eligible. Send album review copies to: Jonathan Cohen and singles review copies to Chuck Taylor (both at Billboard, 770 Broadway, 6th floor, New York, N.Y. 10003) or to the writers in the appropriate forums.

EDITED BY JONATHAN COHEN (ALBUMS) CHUCK TAYLOR (SINGLES)

CRITICS’ CHOICE

FOUNTAINS OF WAYNE

Maureen (3:13) Producer: Adrien Schlesinger Chris Collingwood Writer: Collingwood, Schlesinger Virgin Records (CD promo) New York-based quartet Fountains of Wayne is on the cusp of its 20-year anniversary. Dinosaurs! “Maureen” comes not from a full-length project from the founding pop-punkers, but is one of two new tracks from “Out-of-State-PIates,” a two-disc set of album tracks and unreleased cuts. No matter. If you’ve never met Wayne, consider this a representative calling card—frenetic, road-trip-worthy and the imprint from which Jimmy Eat World and Vampire Weekend stole their ideal. Top 40 is ripe for the antics of this deserving band, which looks to build on the momentum of the format bow with appreciation. Go with the radio “select mix.” From the greatest of the greatest, the Definitive Collection and one of two new songs. About time, eh?—CT

SARA NUNES

“Can’t Sing” (3:08) Producers: Phat Fab, TV, Big Ben Writer: Arksa, Rubato Music (CD promo) As “American Idol” continues its assault across the culture, what might be the first “AI” parody makes its way to the States via Finland, and could find equal favor here, thanks to its campy storyboard: Grumpy “AI” judge Simon Cowell is kidnapped, along with Paula Abdul and Randy Jackson look-alikes. The song could easily be a signature of Avril Lavigne or Blink-182, with its head-banging pace—and the lyric is spot on for the millions who have scoffed at Cowell’s incredibly opinionated (”Simon can’t sing/Simon can’t dance/He doesn’t look cool/And he’s not in a band”). The song makes its debut on iTunes this week—which has become a mainstay with or without radio support.—CT

SHANIA TWAIN

I Ain’t No Quitter (3:34) Producer: R. Lange Writers: S. Twan, R Lange Mercury (CD download) Shania Twain goes for broke on the third new track from “Greatest Hits” with a song that tries so hard for the country, you suspect that Twain means it. “I Ain’t No Quitter” was obviously designed for the dancefloor with its playful, graceful use of a giddy steel guitar and a video in which Twain all but provides a step-by-step tutorial. Even the lyric conjures classic country: “He drinks, he smokes, he’ll cuss, he tells bad jokes/He’s a boomer, a loser.” Whether convinced or not that Twain is still honestly invested in her country roots, the song is catchy as all get out, while working on the lines of a classic country theme. It’s an appreciable effort that should sparkle on the summer airwaves. Go with the girl.—CT

CANTIERO

Astronaut (4:25) Producer: C.L. Hicken Writers: C.L. Hicken, Richard Steel & Ludes Nonesuch (CD promo) Cantierro is otherwise known as Chris Hicken, a talented singer-songwriter from New York by way of England. He recorded and produced his debut album, “Championship Boxing,” in his New York apartment, with the help of such musicians as ex-Spacehog members Richard Steel and Johnny Craig. “Astronaut” is a languid, intimate song. Like the rest of the album it was originally recorded electronically, but ultimately rerecorded on acoustic instruments. Hicken’s pleasant vocals and guitar front and center. While “Astronaut” likely will get widescreen commercial airplay, it should do well on triple-A.—RT

DARYL HALL & JOHN OATES

O-o-h Child (3:50) Producers: Daryl Hall, T. Bone Walk, Greg Block Writer: Stan Vincent U-Watch Records (CD promo) After scoring as the best-selling duo of all time with their cadre of 1980s hits, Hall & Oates surprised the masses with a millennium comeback that demonstrated that Daryl and John are as cogent as ever, while their melodies have lost none of their luster. Current album “Our Kind of Soul,” a collection of remakes, is far from their best, but AC radio continues to embrace; previous cover of the Spinners’ “I’ll Be Around” hit the top 10. A remake of the Five Stairsteps’ “O-o-h Child” is a much improved effort, thanks to shared vocals complemented by a relaxed instrumental vibe and the duo’s indefatigable blue-eyed soul. Nothing feels better than history remade, when it’s this good.—CT
Amid Moms’ Gifts, Reznor Nails The Big Chart

I doubt that either Trent Reznor or Interscope had Mother’s Day in mind when they chose the release date for Nine Inch Nails’ new “With Teeth.” The album just isn’t a tidy fit for the gift-giving occasion, but no matter. With a start of 271,000 copies, NIN’s best Nielsen SoundScan week ever, the album sold enough to top The Billboard 200 in most weeks, including this one. It is, in fact, the only album this week to surpass 200,000, although with a tiny uptick, run-up to Mariah Carey’s bowing next week is likely. Also bowing next week will be Weezer’s “Make Believe,” which chart watchers believe will open in the vicinity of 200,000. That might clinch No. 2, which would be the band’s best chart rank ever and its best sales week since 2001, when a self-titled album, the second to be called “Weezer,” opened at No. 4 with 215,000 units.

Dierks Bentley’s second album, at about 75,000–80,000, should lead Top Country Albums and make the big chart’s top 10.

COSTUME JEWELRY: My local florist surprised me last year when she said Mother’s Day was a busier occasion than Valentine’s Day for many flower shops, including hers. “Because everyone has a mother,” this event, like Father’s Day, is also boffo for music stores, as confirmed by the spikes for country acts and other adult-leaning artists you’ll find punctuating our sales charts. That gift-shopping traffic helps build a 3% gain from prior-week sales for the music retailers, but the 4.4% lift from the same week of last year turns out to be a bit of fool’s gold. Nielsen SoundScan’s 2004 began with the New Year’s Day frame, but a calendar glitch started the current framing year with the week after that holiday. Thus, even though Mother’s Day’s spot on the calendar is comparable to where it was a year ago, this time it falls into the 18th sales week, not the 19th as it was in 2004.

Line the two holiday weeks up and the 1.8 million album units sold during the 2004 edition of Mom’s Day stand 6% ahead of the one we just celebrated.

NEW SCORECARD: We did not seek to create a reggaeton chart when we built the new Nielsen SoundScan-measured Latin Rhythm Albums list that bow this issue (see story, page 10). So hot is the category, though, that all 15 slots of the inaugural list belong to reggaeton titles, although we know acts like Akwido will add variety to the chart when they come to market.

Meanwhile, moving reggaeton acts off Top Reggae Albums and Tropical Albums returns both charts to their original focus, creating an influx of new titles and re-entries. Aventura’s move atop the Tropical Albums chart marks the first time since the Nov. 6, 2004, issue that something other than a reggaeton title stands at No. 1.
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<tr>
<th>ARTIST</th>
<th>Title</th>
<th>Weeks on #1</th>
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<tbody>
<tr>
<td>NINE INCH NAILS</td>
<td>With Teeth</td>
<td>1</td>
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<tr>
<td>ROYALTY</td>
<td>Million Reasons</td>
<td>1</td>
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<tr>
<td>MARIAH CAREY</td>
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<td>ROB THOMAS</td>
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<td>50 CENT</td>
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<td>BOBBY VALENTINO</td>
<td>Disturbing The Peace Presents Bobby Valente</td>
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<td>THE KILLERS</td>
<td>Hot Fuss</td>
<td>11</td>
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<td>KELLY CLARKSON</td>
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<td>CIARA</td>
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<td>JACK JASON</td>
<td>In Between Dreams</td>
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<td>AMERIE</td>
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<td>AKON</td>
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<td>VARIOUS ARTISTS</td>
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<td>MICHAEL BUBLE</td>
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<tr>
<td>WILL SMITH</td>
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<td>MARTINA MCBRIDE</td>
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<td>3 DOORS DOWN</td>
<td>Seventeen Days</td>
<td>7</td>
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<tr>
<td>THE PHANTOM OF THE OPERA</td>
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<tr>
<td>GRETCHEN WILSON</td>
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<tr>
<td>JOSST STENE</td>
<td>Mind Body &amp; Soul</td>
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<tr>
<td>FRANKIE J.</td>
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<td>33</td>
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<td>FAITH EVANS</td>
<td>Complicated</td>
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<td>SUGARLAND</td>
<td>The First Lady</td>
<td>2</td>
</tr>
<tr>
<td>FANTASIA</td>
<td>Twice The Speed Of Life</td>
<td>1</td>
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<tr>
<td>TIM McGRAW</td>
<td>Free Yourself!</td>
<td>1</td>
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<tr>
<td>AMY GRANT</td>
<td>Live Like You Were Dying</td>
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<tr>
<td>KENNY CHESNEY</td>
<td>Biz As You Are: Songs From An Old Chair</td>
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<tr>
<td>JOHN LEGEND</td>
<td>Get Lifted</td>
<td>11</td>
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<td>LUDACRIS</td>
<td>The Red Light District</td>
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<td>BRIAN FOLDS</td>
<td>Songs For Silverman</td>
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<td>DADDY YANKEE</td>
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<td>KENNY CHESNEY</td>
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<tr>
<td>BILLY CORGAN</td>
<td>When The Sun Goes Down</td>
<td>3</td>
</tr>
</tbody>
</table>

The album's release was announced last month with this promotion, Fred Dinner and company open quickly with 37,000 copies.

Bo Bice's "American Idol" cover of the Eagles' "Take It Easy" pushes the album up 77%.

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MAY 21, 2005 | www.billboard.biz | 49
The Billboard 200

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MAY 21, 2005

SALES DATA COMPILLED BY Nielson SoundScan

ARTIST / ALBUM / DISTRIBUTING LABEL (PRICE)

1. \( \text{On Your Feet!} \)\n2. \( \text{The Essential} \)\n3. \( \text{The Greatest Hits} \)\n4. \( \text{The Final Chapter} \)\n5. \( \text{The Ultimate Collection} \)\n6. \( \text{The Very Best Of} \)\n7. \( \text{The Best Of} \)\n8. \( \text{The Very Best Of} \)\n9. \( \text{The Very Best Of} \)\n10. \( \text{The Very Best Of} \)\n
Artist: DONNIE MCCLURKIN
Title: On Your Feet
Label: Word-Curb/Providence
Price: $15.98

Artist: SKIP MARSHALL
Title: The Essential
Label: Arista Nashville
Price: $14.98

Artist: EDDY LAYNE
Title: The Greatest Hits
Label: RCA Nashville
Price: $14.98

Artist: ERIC CLAPTON
Title: The Final Chapter
Label: BMG
Price: $14.98

Artist: JIMMIE VAUGHAN
Title: The Ultimate Collection
Label: Silvertone/Jive
Price: $14.98

Artist: LINTON PINN
Title: The Very Best Of
Label: Varous Artists
Price: $9.98

Artist: ERIC CLAPTON
Title: The Very Best Of
Label: Varous Artists
Price: $9.98

Artist: ERIC CLAPTON
Title: The Very Best Of
Label: Varous Artists
Price: $9.98

Artist: ERIC CLAPTON
Title: The Very Best Of
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Price: $9.98

Artist: ERIC CLAPTON
Title: The Very Best Of
Label: Varous Artists
Price: $9.98

Data for week of May 21, 2005

CHARTS LEGEND On Page 64
The top single & tracks, according to mainstream top 40 radio audience measurements made by Nielsen Broadcast Data Systems, are based on the latest 2005 ratings. For chart reprints call 646-654-4633.

### Pop Chart

**Title**

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<th>Rank</th>
<th>Artist</th>
<th>Song</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Coldplay</td>
<td>With Out You</td>
</tr>
<tr>
<td>2</td>
<td>Jack Johnson</td>
<td>Her Heart Was Going Steady</td>
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<tr>
<td>3</td>
<td>James Blunt</td>
<td>You're Beautiful</td>
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<tr>
<td>4</td>
<td>Shania Twain</td>
<td>No One</td>
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<tr>
<td>5</td>
<td>Duffy</td>
<td>Mercy</td>
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<tr>
<td>6</td>
<td>Bon Jovi</td>
<td>It's My Life</td>
</tr>
<tr>
<td>7</td>
<td>Avril Lavigne</td>
<td>Girlfriend</td>
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<td>10</td>
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<td>The Climb</td>
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**Pop Rebounds at Top 40 Radio**

Rob Thomas hits a new peak on the Pop Top 40 with "Lonely No More" as the track rises 5-6. After three successive audience declines, "Lonely" now posts its third straight gain and hits a new high of 24 million listener impressions on the Pop 100 Airplay chart, which tracks mainstream top 40 stations.

The song is the most-played track at mainstream station WHTZ (Z100) New York, which accounts for 7 million of its listener impressions. "Lonely" moves 11 million downloads for the week, the third straight week that sales exceed 10 million. —Silvio Pietrobono

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**Top Revisions**

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**Pop Chart Leaders**

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**Additional Notes:**
- **Legends:**
  - May 21, 2005
  - Nielsen SoundScan
  - Nielsen SoundScan

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**Additional Notes:**
- **Legends:**
  - May 21, 2005
  - Nielsen SoundScan
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### HOT DIGITAL SONGS

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**Additional Notes:**
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  - May 21, 2005
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**Data for May 21, 2005**

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**Additional Notes:**
- **Legends:**
  - May 21, 2005
  - Nielsen SoundScan
  - Nielsen SoundScan
Who's Next?

More Success in 2005:

MIKE JONES

- Over 8 million song spins
- First national live performance ever on Yahoo! Music
- #3 Chart debut with over 200,000 sold

HAWTORNE HEIGHTS

- Over 3 million song spins
- 20% weekly sales increase during promotion
- Over 250,000 units sold

Yahoo! Music's program for breaking artists
LOS ANGELES—Welk Music Group is lining up one of its largest catalog campaigns yet. The effort, due to launch this summer, marks the first time Welk is highlighting titles from both of its labels—Vanguard and Sugar Hill—under one promotion. Welk VP of sales and marketing Dan Sell says, “The crux of the campaign is a CD sampler that will carry eight to 12 songs at a suggested price of $1.99. Retailers committing more floor space to the campaign will receive more samplers to sell or give away with purchase. Artists are still being finalized, but the sampler will likely include songs from Nickel Creek, Dolly Parton, Mississippi John Hurt, Sonny Landreth, Buddy Guy and John Fahey.”

“We wanted to get the best of the best of the catalog of both Vanguard and Sugar Hill,” Welk director of sales and catalog marketing Vince Hans explains. “We’ve never done something that had Joan Baez right there next to Guy Clark and Nickel Creek and so on. We really wanted a great, meaty package that customers will be excited to get.”

Hans says Santa Monica, Calif.-based Welk began soliciting retailers on the campaign in the past two weeks, and already Tower Records and some indies, including Hear’s Music in Tucson, Ariz., have committed. The label has designed artwork for the promotion that portrays Vanguard and Sugar Hill facing off in a boxing match. The company will feature the theme on a Web site launching in the coming months. This is the first time Welk has used the Internet to promote a catalog campaign.

“The site is designed to look like a boxing match,” Hans says, “and users can vote for their favorite artists. We’ll have running graphs to show who’s in the lead, and they can register to win some prizes we’re putting together.”

Participating retailers will receive one free sampler for every two Vanguard or Sugar Hill catalog titles purchased. Sell says Welk is suggesting that retailers sell the sampler to give them an additional margin in the program. Additionally, Welk will offer a small discount on catalog titles to encourage sale pricing and endcap displays.

“We believe that having consumers pay a nominal fee promotes ownership in the sampler, and they will tend to take it more seriously instead of treating it like digital Kleenex,” Sell says. “In the past, retailers have chosen to give it away; others will sell it for 99 cents or $1.99. It really gives retailers a chance to partner with us in growing the catalog business again.”

Indeed, Welk has focused on signing and developing new artists during the past decade. About eight months ago, the company created Hans’ current, more catalog-focused position.

In the past year, Welk has implemented similar programs dedicated to specific genres: first blues, then bluegrass. Sell says the blues program, which launched during Martin Scorsese’s PBS project “The Blues,” increased sales of catalog titles in the genre more than 500%

“When it came to catalog, it was tough at retail for a few years,” Sell says. “We really felt the decay of catalog during the DVD boom. Music retailers were making space for DVD, and deep catalog fell the repercussions of that new business. But now retailers are more open to discussing creative ways of making catalog visible again, and that’s a great sign for the health of all of us.”

NEW YORK—The BMG Direct lawsuit filed against Louisville, Ky., indie store Ear X-tacy (billboard.biz, April 21) charges the merchant with trademark infringement, unfair competition and breach of contract.

The lawsuit, filed April 13 in the U.S. Southern District Court of New York, charges Ear X-tacy owner John Timmons with using “trickery and deceit” to obtain CDs from one of the BMG Direct record clubs for resale through the store. The complaint says the defendant is “believed to have acted in concert with others.”

The others, according to the suit, include “members of a trade organization that is believed to have common interests” with Ear X-tacy. While the complaint doesn’t name the trade organization, it does state that BMG Direct will move to amend the lawsuit upon discovering the identities of the wrongdoers.

The suit asks for preliminary and permanent injunctive relief enjoining the defendants from infringing on the BMG Direct trademark and from signing up for its record clubs. It also asks for actual and punitive damages, the amount to be determined at trial, as well as attorneys fees.

The lawsuit stems from retail’s reaction to a new BMG Direct business model. In February, BMG Direct launched yourmusic.com, which sells CDs for $5.99, according to sources. Yourmusic.com is a different kind of record club for BMG in that it is modeled after subscription services like NetFlix. Subscribers can pay $5.99 for any CD they want, but they must buy at least one per month. A $5.99 monthly fee is charged even if they do not make a purchase.

However, in its terms and conditions, yourmusic.com only allows selections to be purchased for personal use and not for resale. The suit also claims there is a three copy limit per title, but there does not appear to be any mention of that on the site.

Since retailers and wholesalers typically are charged from $12.02 to $12.07 for front-line titles, the yourmusic.com pricing structure is an enticing bargain to them. But in an e-mail widely circulated to the industry, Timmons decried yourmusic.com’s selling terms, pointing out that the low prices leave retailers and wholesale suppliers unable to compete. In its complaint, BMG Direct countered it is retailers who buy from them who are unfairly competing.

According to its lawsuit, BMG Direct’s clubs are able to offer its members low prices because of the company’s substantial labor, skill and financial investment. Furthermore, the suit says, retailers who buy from yourmusic.com are unlawfully reaping the benefits of BMG Direct’s efforts and diverting profits that rightfully belong to the record club. The complaint alleges that one of the defendant’s goals is “to lure customers away from BMG Direct to their own stores.”

It also says that the defendants’ fraudulent and malicious conduct, if left unchecked, threatens to destroy the very foundation of BMG Direct’s business because it could undermine the company’s relationship with record labels.

In the complaint BMG Direct says Timmons, Ear X-tacy, and still-to-be-named defendants “have circumvented all of [its] safeguards and have repeatedly signed up for new BMG Direct memberships and subscriptions.” It says the defendants illegally promote and maliciously conduct, if left unchecked, threatens to destroy the very foundation of BMG Direct’s business because it could undermine the company’s relationship with record labels.

Suit claims retailers are unlawfully reaping benefits of BMG Direct

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**TOP BLUEGRASS ALBUMS**

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**BETWEEN THE BULLET**

**ANDERSON PICKS A WINNER**

On the wings of his debut single, "Pickin' Wildflowers," newcomer Keith Anderson's "Three Chord Country and American Rock & Roll" moves more than 16,000 copies, for good for the Hot Shot Debuts at No. 13 on Top Country Albums and a No. 71 arrival on The Billboard 200. "Wildflowers" is an unapologetic romp about outdoor lovelmaking, which climbs 26-25 in its 22nd chart week on Hot Country Songs (12 million audience impressions at 16 monitored stations, up 1.1 million). Elsewhere on Top Country Albums, new starts by Shelly Fairchild, Billy Gilman and the Wrights help lift volume 5% over the prior week. Mother's Day gift giving gives added steam to Greatest Racer Flats (45%) and Pacesetter Reba McEntire (39%), while a holiday-themed single brings Randy Travis back at No. 62. — Wade Fenster
BETWEEN THE BULLET'S 'GOOD' START

With the lead single of Toby Keith's forthcoming album, "Honkytonk University," still atop the top 20, the second single, "As Good As I Once Was," starts at No. 37 with 4.5 million audience impressions. It is his fourth arrival in the chart's top 40, with spins detected at 86 of our 100 monitored stations.

Just as the new single starts its chart run, "Honky Tonk U" slides in at No. 39 in its 19th chart week after peaking at No. 8 in the April 30 issue.

Although the track makes an enviable chart splash, Keith's three previous top 20, starts were more impressive. He achieved his highest bow in the Aug. 14, 2004, issue when "Stays In Mexico" broke in at No. 7, and he scored a pair of No. 10 beginnings with "I Love This Bar" (Aug. 30, 2002), and the aforementioned "Honky Tonk U" (Feb. 12).

The first two singles should help Keith maintain his healthy debut with "Honkytonk University," due May 17, as it is his first full-length studio album since "Shock 'N Y'all," which started atop The Billboard 200 in 2003.

— Wade Jessen
### LATIN AIRPLAY

**Title** | **Artist** | **Label**
---|---|---
"Ni Te Puedo Olvidar (That I Work Remixes)" | "Luis Fonsi feat. Daddy Yankee & Anuel AA" | "Imagen"/"Sony Latin"
"La Camisa Negra" | "J Balvin" | "Ultra Latin/Sony Latin"
"Osea" | "Rauw Alejandro" | "Sony Music Latin"
"Como Siempre" | "Shakira feat. Maluma" | "Sony Music Latin"
"Dios Quién" | "Santo" | "Sony Music Latin"
"Dame Tu Amor" | "El Alfa" | "Sony Music Latin"
"Porque Ese Tan Cruel El Amor" | "Jey" | "Sony Music Latin"
"Reggaetone" | "J Balvin" | "Sony Music Latin"
"Nuestro" | "J Balvin" | "Sony Music Latin"
"Amapolita" | "J Balvin" | "Sony Music Latin"
"Mamita" | "J Balvin" | "Sony Music Latin"
"A La Latina" | "J Balvin" | "Sony Music Latin"

### LATIN POP ALBUMS

**Title** | **Artist** | **Label**
---|---|---
"Amor" | "J Balvin" | "Sony Music Latin"
"Eclipse" | "RBD" | "Sony Music Latin"
"Despacito" | "Luis Fonsi feat. Daddy Yankee" | "Imagen/EMI Latin"
"La Camisa Negra" | "J Balvin" | "Sony Music Latin"
"Dame Tu Amor" | "El Alfa" | "Sony Music Latin"
"Porque Ese Tan Cruel El Amor" | "Jey" | "Sony Music Latin"
"Reggaetone" | "J Balvin" | "Sony Music Latin"
"Nuestro" | "J Balvin" | "Sony Music Latin"
"Amapolita" | "J Balvin" | "Sony Music Latin"
"Mamita" | "J Balvin" | "Sony Music Latin"

### TROPICAL

**Title** | **Artist** | **Label**
---|---|---
"Lo Que Pasó, Pasó" | "Anselmo" | "Sony Music Latin"
"Si Fue Y Me Dejo" | "Janet" | "Sony Music Latin"
"La Camisa Negra" | "J Balvin" | "Sony Music Latin"
"Soy Mejor" | "Maluma" | "Sony Music Latin"
"Hasta El Fin" | "Olivia" | "Sony Music Latin"
"Valió La Pena" | "Marc Anthony" | "Sony Music Latin"
"Todo Es Mentría" | "Flaco" | "Sony Music Latin"
"En Soledad" | "J Balvin" | "Sony Music Latin"
"Lamento Boliviano" | "Los Mambo Kings" | "Sony Music Latin"
"Volvió" | "Los Brown" | "Sony Music Latin"
"Resistiré" | "J Balvin" | "Sony Music Latin"

### RHYTHM

**Title** | **Artist** | **Label**
---|---|---
"Daddy Yankee" | "Daddy Yankee" | "Sony Music Latin"
"Lunytunes & Baby Ranks" | "Lunytunes & Baby Ranks" | "Sony Music Latin"
"Various Artists" | "Various Artists" | "Sony Music Latin"
"Chey Y El Bandido" | "Chey Y El Bandido" | "Sony Music Latin"
"Daddy Yankee & El Cubano Caliente" | "Daddy Yankee & El Cubano Caliente" | "Sony Music Latin"
"Lunytunes" | "Lunytunes" | "Sony Music Latin"
"Vico C" | "Vico C" | "Sony Music Latin"
"Resistiré" | "J Balvin" | "Sony Music Latin"
"Various Artists" | "Various Artists" | "Sony Music Latin"

### REGIONAL MEXICAN

**Title** | **Artist** | **Label**
---|---|---
"El Porvenir (Estrangulado)" | "Emilio" | "EMI Latin"
"El Clan De Los Inocentes" | "El Clan De Los Inocentes" | "EMI Latin"
"Por Mas Que No Lo Sé" | "El Clan De Los Inocentes" | "EMI Latin"
"Eres Divina" | "Ji" | "EMI Latin"
"Yo Me Quedé Sin Nadie" | "Ji" | "EMI Latin"
"Perdona Mis Errores" | "Ji" | "EMI Latin"
"El Corazon De Mi vida" | "Ji" | "EMI Latin"
"No Me Queda Mas" | "Ji" | "EMI Latin"
"Eres Divina" | "Ji" | "EMI Latin"
"Yo Me Quedé Sin Nadie" | "Ji" | "EMI Latin"

Data for week of May 21, 2005 | For chart reprints call 646.654.4633

Go to www.billboard.biz for complete chart data | 59
**TOP LATIN SONGS**

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<td>2. HASTA EL FIN Featuring Sacito</td>
<td>Franky J</td>
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<td>3. EN EL MISMO TREM</td>
<td>Marco Antonio Solís</td>
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<td>4. NO ME QUES DE NADIE</td>
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**TOP LATIN ALBUMS**

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<td>8. Aventura</td>
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<td>9. Chayanne</td>
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**Data for week of May 21, 2005**
I would like to thank Billboard, ASCAP, and all the artists that made this a very special year.

Love, Rudy

Billboard - Producer Of The Year
(4 Time - Billboard Producer Of The Year)

1 AREA 305
2 AREA 305
3 JENNIFER PEÑA
4 JENNIFER PEÑA
5 CRISTIAN CASTRO
6 CRISTIAN CASTRO
7 FONSI
8 FONSI
9 FONSI
10 VICTORIA
11 VICTORIA
12 MARCO A. SOLIS
13 LOS TEMERARIOS
14 MARIANA
15 ADAN CHALINO
16 ANA BARBARA
17 BETZaida

Hay que cambiar
Hasta que me olvide de ti
Vivo y Muero en tu piel
Hasta el fin del mundo
Te Llame
Te Buscaria
Por Ti Podria Morir
Quien Te Dijo Esto
Abrazar La vida
Echale Leña
Y que va a ser de mi
Mas que tu amigo (Pop Version)
Que de raro tiene (Pop Version)
Que no me faltes tu (Pop Version)
Te necesito junto a mi (Pop Version)
Deja (Pop Version)
Te tengo que aprender a olvidar

ASCAP - Songwriter Of The Year
(4 Time - ASCAP Songwriter Of The Year)

1 AREA 305
2 AREA 305
3 JENNIFER PEÑA
4 JENNIFER PEÑA
5 CRISTIAN CASTRO
6 FONSI
7 VICTORIA
8 VICTORIA
9 VICTORIA
10 ANA BARBARA

Hay que cambiar
Hasta que me olvide de ti
Vivo y Muero en tu piel
Hasta el fin del mundo
Te Llame
Por Ti Podria Morir
Echale Leña
Ya No Me Duele
Y que va a ser de mi
Deja

CSI Capital Management
Zeisler, Zeisler & Rawson, LLP

www.americanradiohistory.com
**JAPAN**

**SINGLES**

1. KAMEN/MIRAIKOUKAI (CD+DVD)
2. NAGI YUME
3. TONGARI KIDS 1
4. KAGEFUMI
5. TACKEY & TAKAHA (CD+PHOTO BOOK)

**ALBUMS**

1. CANADA
2. USA
3. PALADIN
4. BRIZZLE
5. ARI
6. JAY-Z
7. BRIAN MCINTYRE
8. YANKEE JACK
9. WESTO
10. EMIRI

**UNITED KINGDOM**

**SINGLES**

1. JIMMY SOMERVILLE
2. Peter Gabriel
3. TRAVIS
4. COLDPLAY
5. ROBBIE WILLIAMS
6. THE STONE ROSES
7. PAUL McCARTNEY
8. THE CURE
9. MORRISSEY
10. DAFT PUNK

**ALBUMS**

1. GEORGE MICHAEL
2. THE BEATLES
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES
6. THE BEATLES
7. THE BEATLES
8. THE BEATLES
9. THE BEATLES
10. THE BEATLES

**FRANCE**

**SINGLES**

1. KARMA
2. CHRISTINE AND THE QUEENS
3. MYLène DEMANGE
4. BLOOD RED
5. VIDAL

**ALBUMS**

1. MYLène DEMANGE
2. VIDAL
3. VIDAL
4. VIDAL
5. VIDAL

**GERMANY**

**SINGLES**

1. THE ROLLING STONES
2. LED ZEPPELIN
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**ALBUMS**

1. THE BEATLES
2. THE BEATLES
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**ITALY**

**SINGLES**

1. YOUNG JAMIE
2. SOLITARIO
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**ALBUMS**

1. THE BEATLES
2. THE BEATLES
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**SWITZERLAND**

**SINGLES**

1.戀愛の決意
2. 心の中の彼女
3. 僕が愛した
4. 心の中の彼女
5. 僕が愛した

**ALBUMS**

1. 僕が愛した
2. 心の中の彼女
3. 僕が愛した
4. 心の中の彼女
5. 僕が愛した

**DENMARK**

**SINGLES**

1. SHOTGUN
2. DON'T STOP BELIEVIN'
3. YOU MAKE ME SMILIN'
4. YOU MAKE ME SMILIN'
5. YOU MAKE ME SMILIN'

**ALBUMS**

1. YOU MAKE ME SMILIN'
2. YOU MAKE ME SMILIN'
3. YOU MAKE ME SMILIN'
4. YOU MAKE ME SMILIN'
5. YOU MAKE ME SMILIN'

**FINLAND**

**SINGLES**

1. VANESSA
2. KATJA
3. AIS
4.kiem
5. TEEN

**ALBUMS**

1. TEEN
2. TEEN
3. TEEN
4. TEEN
5. TEEN

**NEW ZEALAND**

**SINGLES**

1. COLIN FERGUSON
2. BRUCE SPRINGSTEEN
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**ALBUMS**

1. THE BEATLES
2. THE BEATLES
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**HUNGARY**

**SINGLES**

1. ANTOINE
2. JESUS/SON OF GOD
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**ALBUMS**

1. THE BEATLES
2. THE BEATLES
3. THE BEATLES
4. THE BEATLES
5. THE BEATLES

**DATA**

Go to www.billboard.biz for complete chart data.

Data for week of MAY 21, 2005

**CHARTS LEGEND**

**Notes**

1. "ARIA" is the Australian Recording Industry Association chart.
2. "Mega Chart" is the New Zealand chart.
3. "Official UK Chart" is the United Kingdom chart.
4. "Billboard Japan" is the Japanese chart.
5. "Dutch Charts" is the Dutch chart.
6. "Billboard Canada" is the Canadian chart.
7. "Billboard USA" is the US chart.
8. "Billboard France" is the French chart.
9. "Billboard Germany" is the German chart.
10. "Billboard Italy" is the Italian chart.
11. "Billboard Switzerland" is the Swiss chart.
12. "Billboard Denmark" is the Danish chart.
13. "Billboard Finland" is the Finnish chart.
14. "Billboard New Zealand" is the New Zealand chart.
15. "Billboard Hungary" is the Hungarian chart.

**Contact**

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Sales data compiled by Nielsen SoundScan. For Top R&B/Hip-Hop Albums, sales data is compiled from a national subset of core R&B/Hip-Hop stores by Nielsen SoundScan.

- Albums with the greatest gains this week
- Where included, this award indicates the title with the chart's largest percentage growth.

Indicates album entered top 100 of The Billboard 200 and has been removed from Flebllekeets chart.

**SINGLES CHARTS**

**Top Recurrent Rules**

Songs are removed from the Hot 100 and Hot 100 Airplay charts simultaneously if they have been on the Hot 100 for more than 20 weeks and ranked below 50. Songs are removed from the Hot R&B/Hip-Hop Singles & Tracks and Hot Country Singles & Tracks if they have been on the chart for more than 20 weeks and ranked below 50. Songs are removed from the Pop 100 and Pop 100 Airplay charts simultaneously if they have been on the Pop 100 for more than 30 weeks and ranked below 30. Songs are removed from Hot Country Singles & Tracks if they have been on the chart for more than 100 weeks and ranked below 20, provided that they are not still gaining enough points to bulk. Songs are removed from the Adult Top 40, Adult Contemporary, Adult R&B/Hip-Hop, and Hot Dance Radio Airplay charts if they have been on the chart for more than 25 weeks and ranked below 15 (20 for Modern Rock).

**Singles Sales Charts**

The top selling singles compiled from a national sample of retail store, mass merchant, and internet sales reports collected, compiled, and provided by Nielsen SoundScan. For R&B/Hip-Hop Singles, sales data is compiled from a national subset panel of core R&B/Hip-Hop stores by Nielsen SoundScan.

- Singles with the greatest sales gains.

**Configurations**

- CD single available
- Digital Download Available
- Vinyl Maxi-Single available
- Vinyl Single available
- Configurations are not included on all singles charts.

**HitPredictor**

- Indicates the winner of HitPredictor status in that particular format based on research data provided by Promosapce. Songs are binned online by Promosapce. These are the top selling multiple tracks in a particular format. The data is compiled from a national subset panel of core R&B/Hip-Hop stores by Nielsen SoundScan.

**Dance Club Play**

Compiled from a national sample of reports from club DJs. Titles with the greatest club play increases over the previous week.

**Alanis Morissette**

- *Jagged Little Pill*
- *You Oughta Know*
- *Hand In My Pocket*
- *You Learn*
- *Head Over Feet*

**Blink-182**

- *Cheshire Cat*
- *All The Small Things*
- *I Miss You*
- * scripting*
- *What's My Age Again*

**Black Label Society**

- *Unforgiven*
- *Stillborn*
- *(Death Certificate)*
- *Holy Water*
- *The Game*

**Black Label Society**

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**Blur**

- *Girls and Boys*
- *Pezzente*
- *Oneél*
- *Carnival of Souls*
- *The Great Escape*

**Blind Melon**

- *No Rain*
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- *Tin Man*

**Black Sabbath**

- *Mortification*
- *Paranoid*
- *War Pigs*
- *Children of the Grave*
- *Iron Man*

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GORGEOUS NEW FULL CUSTOM TAHOE HOME

Four seasons of fun await you at Ventilator 35 acres in North Lake Tahoe. All of the golf, hiking, mountain climbing, boating, horseback riding and offcourse, ski lift across the street and groomed return trail. Massive exterior custom arches grace the entry and main living area flowing out to the rear deck, merging out doors and indoors in an intimate wase of wood, stone and light. This extraordinary panoramic mountain view home boasts a chef's quality kitchen, a tranquil indoor waterfall integrated with the living room fireplace, old world style wine cellar, indoor suana, jacuzzi tub and huge steam shower. full home and driveway hydraulic heat, breathtaking formal dining room, 2 full sized wet bars, inviting outdoor fire pit & more. From the towering twin entry doors to the soaring beams ceilings your friends and family will love this home almost as much as you. Call or email Ed or Laurel Ellis, "TEAM ELLIS" for a private showing. Toll Free: 866-239-1243, homes@team-ellis.net

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Jack Keller Dead At 68

Pop songwriter Jack Keller, best-known as co-writer of the theme song to the '60s/'70s TV sitcom "Bewitched," died April 1 in Nashville. He was 68.

Keller got his start as a songwriter with Don Kirshner's publishing company, Aldon Music, where he joined such famed staffers as Carole King, Gerry Goffin, Neil Sedaka and Howard Greenfield. Keller and Greenfield teamed to pen hits like Connie Francis’ “Everybody Loves a Christian” and “Somebody’s Fool” and “My Heart Has a Mind of Its Own.” Keller's other co-writing credits include Bobby Vee’s “Run to Him” and Bobby Sherman's “Easy Come, Easy Go.”

When TV production company Screen Gems purchased Aldon, the songwriting duo worked on theme songs for "Bewitched," "Hazel" and "Gidget." Keller later worked with the Monkees, earning a producer credit on their TV theme song and first two albums. Keller is survived by his wife and four children.

—Margo Whitmore

BIRTHS

BOY: Roman Jude, to Julie and Deen Castronovo, May 8 in Salem, Ore. Father is drummer for rock band Journey.

MARRIAGES

Dana Varmuzo to Stuart Cook, April 30 in Lake Las Vegas, Nev. Groom is founder and bassist for rock act Creedence Clearwater Revival.

Renee Zellweger to Kenny Chesney, May 9 in St. John, U.S. Virgin Islands. Groom is a Country Music Assn. Award-winning recording artist.

Heidi Klim to Seal, May 10 in Puerto Vallarta, Mexico. Groom is a Grammy Award-winning recording artist.

DEATHS

Lou Galliani, 63, of melanoma, May 8, location unknown. The longtime label executive got his start at Capitol Records in 1966, when he was named promotion man of the year in his first year with the label. During his lengthy career he worked at RCA Records, ABC Records and Elektra/Asylum. In 1983, he formed the San Luis Obispo, Calif.-based Galliani Bros. promotion company, where he worked until his retirement. He is survived by his wife, daughter, father, five siblings and 13 foster children.

INDUSTRY EVENTS

Radio City Music Hall, New York. 212-582-1111.

Songwriters Hall of Fame Induction Ceremony, Marriott Marquis Hotel, New York. 212-573-6933.


18th annual ASCAP Rhythm & Soul Music Awards, Beverly Hilton Hotel, Los Angeles. 310-889-9200.

In Good Company Tsunami Benefit, benefiting Operation USA, John Anson Ford Amphitheater, Los Angeles. 888-856-9202.


SESAC álina hosted its first awards program in more than five years April 26 at Yuca Restaurant in Miami Beach. The show featured acoustic performances by SESAC-affiliated award winners as Saavedra and Erika Ender. Pictured from left, are SESAC's Pat Rogers and JJ Cheng artist Aleks Syntek and SESAC's Trevor Gale.

Ron Isley of the famed Isley Brothers is recording his first solo album for Def Jam Classics at Atlanta's SoLthside Studios. On April 21 he got a little help from friends Jermaine Dupri, left, and Bryan Cox.

Pearl Jam tip-toed into Seattle's annual Coalition of Independent Music Stores convention for a surprise show April 29 at the Easy Street records store. The group played such favorites as "Even Flow" and "Conductor," the new "Crackhead" and covers of the Dead Kennedys' "Bread for Me" and X's "The New World." X's g.p. John Doe joined on vocals for his bands song.


ASCAP honored composers of the biggest box-office film music and the most-performed TV music of 2004 at its 20th annual ASCAP Film and Television Music Awards gala, held April 27 at the Beverly Hilton Hotel in Beverly Hills, Calif.

John Debney, right, was honored with this year's Henry Mancini Award. Celebrating with Debney, from left, are composer Marco Beltrami, past Mancini Award recipient Alan Silvestri and ASCAP film/television senior VP Nancy Knudson.

ASCAP CEO John LoFrumento enjoys a cocktail party with "The Incredibles" composer Michael Giacchino, who won the top box office category. From left are LoFrumento, Giacchino and ASCAP director of film and TV music Mike Todd.
UMPG INKS BATSON

Universal Music Publishing Group has signed a deal with former David Matthews Band guitarist and producer Mark Batson. The deal includes all of Batson’s future work with his wife, Bethsaida. The agreement covers all of Batson’s songs, both as a solo artist and as a songwriter.

ANASTACIA FEELS FANTASTIC

Don’t count international superstar Anastacia out of the U.S. market yet. She has yet to make a major dent stateside as she has in other parts of the world, but that may soon change. Former Evanescence guitarist/songwriter Ben Moody collaborated with Anastacia on “Everything Burns,” a song that was co-produced by Moody. The powerful duet is one of three new tracks from “Fantasy,” which was released on June 28 via Wind-up.

EMI, EA EYEGLASS TO EYEBALL

Track hears that EMI is in major discussions with Electronic Arts. According to sources, the topic is naturally music licensing. In other words, don’t be surprised when you start hearing more music from a wide variety of EMI acts in upcoming video and computer games from EA.

WMG SWEET ON CREAM

To celebrate a string of shows by a reunited Cream at the Royal Albert Hall in London, Warner Music Group threw a party May 6 in honor of band members Eric Clapton, Jack Bruce and Ginger Baker. By all accounts, it was the place to be.

AAM PICKS ROSE

The American Assn. of Independent Music has named Don Rose as its acting president (Billboard.biz, May 6). While Rose declined to comment, Track was privy to an invitation to an AAIM Founders Conclave June 6 at the Marriott Hotel in New York. The open board meeting will introduce AAIM policies and procedures. It will also give a sense of what the organization’s membership will look like, which could help determine if Rose’s role will become permanent.

NEW INCUBUS UNCOVERED

Incubus fans, take note. You’ve heard about the new songs the band recorded for the “Scratch” soundtrack, right? Well, one of them, “Make a Move”—the lead single from the Epic/Sony Music Soundtrack album (due mid-July)—can be heard in the film’s trailer, which will “open” for “Star Wars Episode III: Revenge of the Sith.” The latter film opens May 18 in cinemas nationwide.

Executive TURNSTABLE

RECORD COMPANIES: Sony BMG in New York promotes Drew Kantor to director of alternative sales and marketing. He was marketing director at the Dallas regional office.

Capitol Records in Nashville names Mara Sidweber regional director of Southwest promotion. She was director of Southwest regional promotion at Vivaton Records.

Profound Label Group Entertainment in Nashville taps Darrell Hodges to be director of sales. He was music buyer at LifeWay Christian Stores.

Warner Music Group in Washington, D.C. appoints Linda Bloss-Baum VP of public policy and government relations. She held the same title at Universal Studios Entertainment.

PUBLISHING: BMI in Atlanta promotes Catherine Brevton to VP of writer and publisher relations. She was assistant VP.

MUSIC VIDEO: MTV in New York names Caryl Pierre director of MTV business development and appoints Sean Phillips director of integrated marketing for mtvU.

CMT in Nashville appoints Lisa Chader VP of press. She was director of corporate communications at MTVN.

HOME VIDEO: Sony Pictures Entertainment in Culver City, Calif., names Dave Bishop president of worldwide brand integration strategy. He was president/COO at MGM Home Entertainment.

The International Recording Media Assn., in Princeton, N.J., appoints Guy Finley director of operations. He was president of Larry Finley Associates.

Send submissions to shawn@billboard.com.

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http://www.americanradiohistory.com
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Linda Moran  President, Songwriters Hall of Fame
Charlie Feldman & Karen Sherry  Show Chairs
Robbin Aldroff  Media Chair
Jules Goldberg & Irwin Z. Robinson  Journal Chairs
Marilyn Bergman & Del Bryant  Honorary Dinner Chairs
Martin Bandier, John LoFrumento, Allen Klein, Francis W. Preston  Co-Chairs

invite you to

The 36th Annual Dinner and
2005 Induction Ceremony & Awards Presentation
of the National Academy of Popular Music
to benefit the Songwriters Hall of Fame

Thursday, June 9th, 2005
New York Marriott Marquis
Broadway at 45th Street, New York City

2005 Inductees
Steve Cropper  John Fogerty  Isaac Hayes & David Porter
Richard & Robert Sherman  Bill Withers

Towering Song
“YOU’VE LOST THAT LOVIN’ FEELIN’”
by Barry Mann, Cynthia Weil & Phil Spector
Screen Gems-EMI Music Inc. (BMI), Mother Bertha Music Inc. (BMI), ABKCO Music Inc. (BMI)

Special Awards
Smokey Robinson  Johnny Mercer Award
Les Paul  Sammy Cahn Lifetime Achievement Award
Alicia Keys  Starlight Award
Bill Medley  Towering Performance
Beebe Bourne  Abe Olman Publisher Award
Henry Juszkiewicz  Patron of the Arts Award

Produced by Phil Ramone

Tickets begin at $800 and can be purchased by calling Buckley Hall Events, 212-573-6933.

“A museum that sings”... was the dream of the founders of the National Academy of Popular Music/Songwriters Hall of Fame, an organization dedicated to recognizing and honoring the accomplishments and lives of the people who create the songs that serve as the soundtrack of our lives. The proceeds from the 35th Annual Induction Celebration and Dinner will support this dream and the ongoing services — such as workshops, showcases, open mikes and networking meetings — that the organization provides to up-and-coming songwriters.

www.songwritershalloffame.org
Udo Artists, Inc. would like to thank Destiny's Child, Sanctuary Urban, Music World Entertainment, Helter Skelter, Urbane and Bravado for a hugely successful tour of Japan.

SOLD OUT!

April 9th Hiroshima Sun Plaza / April 11th Osaka Castle Hall / April 12th Nagoya Rainbow Hall
April 14th The Budokan / April 15th The Budokan / April 16th Yokohama Arena

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