CREATIVE COMMONS OFFERS NEW TAKE ON COPYRIGHT MOVEMENT TO SHARE CREATIVE WORKS RAISES CONCERNS IN MUSIC CIRCLES >P.24

CONSOLE COMBAT!
NEW VIDEOGAME DEVICES TARGET CD, DVD USERS >P.8

COLDPLAY TURNS UP THE HEAT
EMI ROLLS CUT GLOBAL BLITZ FOR ITS PRIZE BAND >P.26

SHAKIRA TIMES TWO
LATIN SUPERSTAR MAKES HER OWN RULES >P.22
College Vanguard Award
THE ARCADE FIRE

MOST PERFORMED SONGS
Ain't No Mountain High Enough
Writers: Nickolas Ashford
Valerie Simpson
Publisher: EMI, Jive Music Co., Inc.

Are You Gonna Be My Girl
Writers: Cam Moore, Louis Nic Castle (pseud)
Publisher: Get Jerk Music Inc.

Baby Boy
Writers: Beyoncé, Jaz-Z, Robert "EST" Walker, Scott Storch, Sean Paul
Cartier Boys Publishing
EMI Music Publishing
Hiro Toh
Necting Jale Songs Inc.
Scott Storch Music
TVT Music Inc.

Big Yellow Taxi
Writer: Joni Mitchell
Publisher: Stowarh Music Publishing

The Boys of Summer
Writer: Michael Caroll
Publisher: Wild Gator Music

Burn
Writers: Jermaine Dupri, Jaz-Z
Publisher: EMI, Jive Music Publishing, Shanachie Cymone Music, UR-IV

Calling All Angels
Writers: Charlie Chills
Jimmy Stafford
Scott Underwood
Publishers: Blue Lanta Music
EMI Music Publishing

Can't Hold Us Down
Writers: Greg Phelpstone
Scott Storch
Matthew Cather
Publishers: Buchu Music
No Exit Music
Scott Storch Music
W Idea Kingdom Music

Confessin's Part II
Writers: Jermaine Dupri
Jaz-Z
Publisher: EMI, Jive Music Publishing, Shanachie Cymone Music, UR-IV

Damn!
Writers: Jaz-Z, Sean Paul
3OSMAC

Dance With My Father
Writers: Richard Marx
Jaz-Z, T.
Publishers: Chi-Boy Music,

Drill Off Your Shoulder
Writers: ay-Z, Timbaland
Publishers: Carter Boys Publishing
Virginia Beach Music
Wener-Chappell Music, Inc.

Drift Away
Writer: Merlita Williams
Publisher: Vice Music Corp.

First Cut To The Deepest
Writers: Yusef Islam (Cat)
Publisher: Universal Music Publishing Group

Forever And For Always
Writers: Robert John "Mutt" Lange (Fin)
Publishers: EMI Music Publishing

Freex & Leech
Writers: D.J. Jazzy Jeff
La Marvis Jefferson
Publisher: Tornado Music

Goodie's
Writers: Chris, Sean Garrett
La Marvis Jefferson
Fergie
Publisher: Christopher Garrett Publishing

Harden To Breathe
Writers: Jermaine Valentine
Publisher: EMI, Jive Music Publishing, Shanachie Cymone Music, UR-IV

Hey You
Writers: Dr. Dre, 3000 Benjamin
Publisher: Chrysalis Music

Hotel
Writers: C. Avary, Swizz Beatz
Publisher: Universal Music Publishing Group

I Don't Wanna Know
Writers: DJ Down, Loon, Elize Vermon,
Patricia "P" Smith
Publisher: EMI Support Publishing Inc.

If I Ain't Got You
Writer: Alca Perin
Publisher: EMI Music Publishing

In Da Club
Writers: Dr. Dre, Mike E.
Publisher: EMI Music Publishing

It's My Life
Writers: Tim Freke, Green Ivy
Publisher: Zamba Enterprises Inc.

Lean Back
Writers: Ferry-Ma, Scott Storch
Publisher: Reach Global Inc.

Leave (Get Out)
Writers: Philip White
Publisher: Plaything Music

Meant To Live
Writers: Jonathan Foreman
Tim Foreman
Publishers: 9Nagawire Music Company
Sugar Pete Songs

Me Myself And I
Writers: Beyoncé, Scott Storch
Robert "EST" Walker
Publishers: Black Owned Music
Hiculo South
Bellagio, Las Vegas

Move Your Body
Writers: Natalie Albin
Nicole Albin
Lionel Bermingham
Cordell "Seck" Burrell
"Ch" Pajewski
Clyde Sounds
E. Wells
Publisher: Abound Music

Naughty Girl
Writers: Angela Beyince
Baroniss, Scott Storch
Donna Summer
Robert "EST" Walker
Publisher: Angela Beyince Music
Beyoncé Publishing
Black Owned Music
Hiculo South
Notting Dale Songs Inc.

Perifiers
Writers: Cam Moore, Louis Nic Castle (pseud)
Publisher: Get Jerk Music Inc.

Pop Music
Honorees

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UPFRONT
1 News
11 Making The Brand
12 Legal Matters, Washington Roundup
13 Global
15 Digital Entertainment
16 Retail
17 Retail Track
18 The Indies
19 Touring
20 On The Road, Boxscore
21 Q&A: Ellen DeGeneres

HIGHLIGHTS
16 DUALDISC TITLES, including Rob Thomas' "...Something to Be," are racking up sales. But are consumers buying the artist or the technology?

22 SHAKIRA has an ambitious two-part CD release schedule this year, starting with Spanish-language set "Fijación Oral, Volumen 1."

24 CREATIVE COMMONS offers new ideas about copyright and sparks concern in the music industry.

26 COLDPLAY's new EMI album "X&Y" is finally hitting stores. Now the company is forging ahead with global promotion plans.

MUSIC
30 The Beat, Nashville Scene
34 Latin Notes, Global Pulse
36 Rhythm & Blues, Higher Ground
37 Beat Box
38 Reviews
40 Jazz Notes, Words & Music

DEPARTMENTS
6 Opinion
41 Over The Counter
41 Market Watch
42 Charts
59 Backbeat
60 Marketplace
61 Mileposts
62 Inside Track, Executive Turntable

RIGHT:
Kenny Chesney is the Academy of Country Music's entertainer of the year. See page 8. Photo by Ron Wolfson/ Wireimage.com

ON THE COVER:
Shakira has Epic reinventing the way it does business. Photo by Antoine Verglas

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the vibe in Anaheim
or the musical essence of New Orleans...

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How Many More Monthly Fees Can Consumers Stand?

There’s a spirited debate going on between those who think la carte downloads are the key to music’s digital future and those who see subscription services as the cure for what ails the music business. We certainly understand why the subscription concept is gaining support and why such big Web brands as Yahoo, Napster and RealNetworks are betting heavily on the model.

To this camp it looks attractive to treat music like a utility. A consumer can turn on the switch, and all the music he or she wants is there for the enjoyment—albeit with strings (or “tethers”) attached.

All the user has to do is pay one monthly fee, whether it’s $5 or a basic subscription to Napster or RealNetworks’ Rhapsody, or the aggressive $6 price tag that Yahoo recently pinned to its all-in service. (Yahoo’s offering includes portability. That feature runs an extra $5 monthly at Yahoo’s rivals.)

The price points look attractive—although it’s unclear whether any of the services can turn a profit with their current business models. But we think the conversation misses the point. Music subscription services will not be primarily competing with each other or with a la carte download sites like iTunes and walmart.com. Rather, subscription services will battle for consumer bucks with a battalion of other media and entertainment subscriptions that in recent years have crowded their way onto credit card statements across America.

At some point, bill-paying Americans are going to hit the wall. Prefer to keep your basic cable and go with an online video service? A Blockbuster or Netflix subscription will set you back $15-$20 every Visa bill. Still, you’ll want to include a cable modem with your TV service. That’s another $4 a month.

Now, how about phone service? Despite good old reliable “land lines,” we’ve all got to have a cell phone. If you are a family of four, that’s a minimum of $50 per month. If two members of that family of four happen to be of the teenage variety, you can count on another $10 per month for such “necessities” as ring tones and text messaging. And if mobile carriers have their way, the latter number will soon increase.

Speaking of teens, let’s not forget about XBox Live subscription. A mere $50 annually. Zap.

Of course, no self-respecting music fan can go without a satellite radio subscription. XM or Sirius will set you back $2-$5 per month. Pow.

A little quick arithmetic (no subscription needed), and we’re now up to about $247 every month for digital cable, broadband access, cell phone service, ring tones, XBox and satellite radio.

The music subscription services are offering another $10 per month for access to unlimited tunes will just be another small ripple in this pool for most consumers. And they may be right.

But at some point, bill-paying Americans are going to hit the wall. If they are paying for Sirius, do they seriously need another service to load up another portable music player? If their kids have a game habit, are they going to support their music jones as well?

What’s more, while consumers are accustomed to TV viewing, radio listening and telephoning as ephemeral experiences, maintaining a permanent collection of musical favorites—whether in LP, CD or digital form—continues to be a compelling proposition. Under the subscription model, access to those favorites is lost if the subscription is canceled.

How passionate will consumers be about music as a utility? We suspect they’ll run hot and cold.

Radio’s Big ‘Jack’ Attack: Nothing New

First there was the “Bob” radio format. Then there was “Jack.” Then “Charlie” and “Ben.” What next? “Mary?”

When radio programmers get done high-fiving each other over their brilliant format “invention,” I do hope they realize that they’re years behind the curve. After they’ve subjected listeners to endless repetitions of once-great songs like “Freebird” and “Aqualung” for years, they’ve stumbled upon a format I like to call “What College Radio Has Been Doing Forever.” In the April 23 issue of Billboard, KKLJ Phoenix programmer Joel Grey says, “Everybody’s crying out for (more variety and less repetition). And to some extent, we haven’t been listening.” My question is simple: Isn’t that your job?

I’m a barista in a coffee shop that’s frequented by a broad cross-section of people. Most people I talk to are converts to left-of-the-dial radio, or they simply have abnormally commercial in favor of satellite or their own recorded music. The main reason they give is that they’re tired of the mind-numbing repetition of traditional broadcast radio. If I could program programmers one thing from my experience, it’s this: Get to know people not in the industry. Listen to what people are telling you. Get street-level—and, please, above all, no more “Aqualung.”

Teemu Sikkew, Denver
SONY BMG

Sony Music Label Group U.S. president/CEO Don Lenner and at least a dozen other Sony BMG executives received subpoenas in recent weeks related to New York Attorney General Eliot Spitzer's ongoing probe into radio promotion activities. Lenner is understood to be the highest-ranking executive yet served. "We fully appreciate the nature of the attorney general's inquiry, and we are pleased to be providing assistance in this matter," a Sony BMG spokesman says. A spokeswoman for Spitzer declined to comment.

—Susan Butler

MTV2'S CONCERT CONTENT

MTV2 is unveiling new long-form music content featuring Sum 41, Green Day, System of a Down and others. In addition to SOAD's first televised concert May 20—taped live at London's Astoria—the network is developing a Sum 41 tour mockumentary, "Road to Ruin." MTV2 will sponsor a 43-date continued on >>p8

Global

EMMANUEL LEGRAND

Grainge To Succeed Larsen At UMI

LONDON—A radical generational change will take place at Universal Music International when Lucian Grainge replaces Jorgen Larsen as UMI chairman/CEO July 1.

Grainge, chairman/CEO of Universal Music U.K. & Ireland since 2001, ascends to his new role following the surprise May 13 announcement of Larsen's June 30 retirement, one year before his current contract expires.

Grainge says his first task will be to review the global operations. "I'll have a look at the structure and see how we can continue to grow from what has been built, through creativity, innovation and entrepreneurship," he says.

He adds, "I am obsessed with growth. I have been given this wonderful organization, and I want to take it somewhere else."

Larsen, 64, has spent 34 years in the music business, continued on >>p8
Green Day tour in August, with footage shot by the members themselves to air with backstage highlights in future programming. MTV2 will also introduce the "Sucker Free Concert Series" together with House of Blues. Kicking off June 22, these free shows will be performed by a different hip-hop act every Saturday in July.

Confirmed talent includes Mike Jones, Trillville, Lil Scrappy and Da Back Wudz.

—Margo Whitmire

**HFA FIGHTING SETTLEMENT**
The Harry Fox Agency is preparing legal objections to a proposed class action settlement carved out between counsel for three individual and record clubs. The suit was brought in 2002 by Babette Orr, William Griffin Jr. and Leroy Preston, charging Columbia House Music Clubs and BMG Direct with copyright infringement for distributing musical composition without first obtaining mechanical licenses. The settlement, preliminarily approved by the U.S. District Court in Los Angeles, totals $6.5 million, less costs, and about $2.2 million in legal fees for compositions on records distributed by clubs since March 20, 1999. It also sets up a new licensing scheme for future mechanical licensing, permitting the clubs to list on their Web site information on upcoming releases with their predetermined rates. If publishers do not object within 30 days, the irrevocable terms will be deemed accepted for at least one year.

—Susan Butler

**SHANACHIE IN ORCHARD**
The Orchard has inked an exclusive worldwide digital distribution and marketing deal with Shanachie Entertainment, Billboard has learned. On July 1, the Orchard will distribute Shanachie's catalog through such

continued on >>p10

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**Grainge (cont.)**

from >>p7

...the last seven as UMI chairman/CEO. He will remain chairman emeritus of UMI until June 30, 2006.

Grainge, 45, will report to Universal Music Group chairman/CEO Doug Morris. He will also be part of UMG's board, alongside Jean-Bernard Levy, chairman of parent company Vivendi Universal; Morris; and president/COO Zach Horowitz.

Grainge says he is "relishing" the prospect of running the world's largest record company's international operations, which represent about two-thirds of UMG's global business.

"I have been in this business for 26 years and with this company for 19 years," he says. "It is a great organization. I know all the key people around the world and in the U.S. We are familiar with each other, and we've had an awful lot of success together."

Grainge has transformed Universal Music U.K. & Ireland into a repertory powerhouse with such acts as Scissor Sisters, Keane, Jamie Cullum, Daniel Bedingfield and Snow Patrol, among others. In 2004, Universal U.K. claimed a 29% market share in the country.

"We get on very well with Lucian and we are very happy for him," says Tim Parry, a principal at London-based management firm Big Life Management, whose roster includes Snow Patrol, signed to Universal Music U.S., and The Fiction. "He is a really bright, forward-thinking music lover and record man. He did a fantastic job in the U.K., and we wish him to be equally successful in the rest of the world."

Grainge will continue to run the British company in addition to his UMI responsibilities. He says he plans to make some minor changes to the structure, but will still be involved in the A&R and management process.

International Federation of the Phonographic Industry chairman/CEO John Kennedy, who worked with both executives when he ran the British company and at UMI COO, says, "Lucian is a true leader both in his company and in his industry, and he has achieved spectacular success in developing some of the U.K.'s great artists."

During the transition year, Larsen will remain actively involved in key projects. He was not available for comment.

The Danish-born executive's career spans almost four decades, working with such companies as CBS Records, Sony Music MCA and Universal Music. He was appointed UMI chairman/CEO in 1998, where he engineered the merger of MCA and PolyGram outside the United States. Larsen was also Academy of Country Music Awards. CBS-TV broadcast the event live May 17 from Mandalay Bay Resort & Casino.

"I felt like they might have voted for Tim [McGraw] because he did a movie, or they might have voted for Toby [Keith] because he won it two years in a row," Chesney said. "I just didn't know, but I felt like we had a chance. We have worked hard as anybody in the format, and I really believe the people that come to our shows like country music but didn't grow up on it."

McGraw's hit "Like You Were Dying," penned by Craig Wiseman and Tim Nichols, was named song up two awards, for top new artist and top female vocalist of the year. The latter award caught her by surprise.

"It was completely floored," an emotional Wilson said back-stage. "I didn't know what to say. I wasn't prepared for it. I never expected to win," female vocalist.

"I love getting these awards, and I love being able to hold this certain amount of respect in my hands," she said, clutching her two statues. "It makes you feel so good to know that people accept you and that people believe in you. It's been an amazing year for me."

The Brad Paisley/Alison Krauss hit "Whiskey Lullaby," written by Bill Anderson and Jon Randall, won the top video award and vocal event. Brooks & Dunn once again claimed the top duo honor, marking 12 ACM wins in that category.

"It takes on a different meaning every year," Ronnie Dunn told Billboard. "The first few just kind of snuck up on us. With this one, there's that perception out there that if you lose after so long, that you're losing momentum. So we're glad to be here."

Kix Brooks says he and Dunn thought they might not take home the prize because of stiff competition from Big & Rich and Montgomery Gentry.

"I figured the other two duos were dueling this one out tonight," he said. "I figured we were just sitting around waiting to see which one it was going to be. I was shocked to hear it tonight—shocked and really excited. It felt like a long time ago. It was an energy that was good."

Rascal Flatts netted a third consecutive top vocal group award, a feat that member Joe Don Rooney attributes to the group's songs.

"We're really blessed to find great material," he said. "The songwriting community in Nashville has really stepped it up through the years exponentially for us with each album. The publishing companies give us their best stuff, and great, great songs make great, great artists. We're very fortunate to be where we are because of great songs."

Garth Brooks received a standing ovation when he took to the stage to salute the late Chris LeDoux, who won the Pioneer Award. The fan-voted Home Depot Humanitarian Award went to Neil McCoy, who operates the East Texas Angel Network with his wife, Melinda.

---

**E3 Sees New Battlefield: The Home**

LOS ANGELES—Sony Computer Entertainment and Microsoft introduced new game consoles that double as entertainment hubs, signaling a new front in the battle for the digital home.

These devices, making their first appearance at the annual E3 videogame industry conference here May 16-19, could have a major impact on all forms of entertainment, including music.

Microsoft's new Xbox 360 and Sony's PlayStation 3 are primarily videogame devices aimed at the gamers demographic. But to broaden its appeal, each product also includes DVD and CD playback, as well as a hard drive, removable media, wireless connectivity and broadband networking capabilities.

"There's a real battle for the hearts and minds of the consumer going on between these guys," Jupiter Research games analyst Michael Gartenberg told Billboard. "They're positioning game consoles as a real critical component of the digital home."

---

**ACM Chooses Chesney**

Country Superstar Wins Entertainer Of The Year Award

LAS VEGAS—Life just keeps getting sweeter for Kenny Chesney.

The newlywed, who just married actress Renee Zellweger in a surprise Caribbean ceremony, picked up the coveted entertainer of the year trophy at the 40th annual ACM awards ceremony. Chesney held aloft his trophy at the 40th annual Academy of Country Music Awards ceremony.

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**Digital**

Sony Computer Entertainment president/CEO Ken Kutaraqk unveils the PlayStation 3 console.

Sony Computer Entertainment president/CEO Ken Kutaraqk unveils the PlayStation 3 console.

--Antony Bruno
Country Music Lovers Love Wild Horses

"Please join me in supporting the Wild Horse and Burro Program. The Bureau of Land Management has successfully adopted over 208,000 wild horses and burros since 1971. Many are adopted by country music lovers like you and me."

For information about the next adoption in your area, listen to your radio.

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Radio Dealmaking Ahead

Nine Years After Consolidation Accelerated, Some Look To Divest Properties

A
fter a prolonged siesta, radio dea-
mlaking is back on the agenda. Two
series of prime broadcast-
asset sales are in play, with a third rumored to be hitting the sale
block. Wall Street analysts and media brokers forecast more
mergers and acquisitions ahead, though not at the intensity level
of the frenzied first few years.

Privately held Susquehanna Media, owner of 33 stations—
including trendsetting country
KPLX (the Wolf) Dallas, modern rock WVNX (91X) Atlanta, and A-1 KQF San Francisco—
is planning to exit the radio business
after more than 60 years. Emmis Communications, radio's 10th-largest owner and
to home-to-hit-broadcasts WQHT (Hot 97) New York and
KWPR (Power 106) Los An-
elos, is exploring the sale of its
16-station TV division.

Valued at roughly $1 billion, the Emmis TV stations would be sold to reduce company debt and provide the means to grow its radio holdings "under the right circumstances." Emmis
president/chairman/CEO Jeff
Smulyan tells Billboard. Emmis
could potentially buy stations from Susquehanna or Infinity Broadcasting, which is increasingly
worried it may never occur, Westfield says.

Media Venture Partners bro-
er Elliot Evers says, "As people
adjust to the slowing top-line
growth in the industry, that's
going to lead to more stations
being sold." Analyst Jim Goss of Barr-
ington Research adds that increased
deal flow depends on "several
erasing more realistic
in their expectations and/or
somehow greater momentum
in ad revenue increases."

In a heated-up station-trading environment, the cash-flow mul-
tiples sellers can command for
their properties can far exceed	hose multiples their public
stock market can afford to pay, in part
because Wall Street has assigned
lower cash-flow multiples to companies like Citadel, CCC, and
others. That makes it easier for
private equity firms—not sub-
ject to the same level of scrutiny
as their public brethren—to enter
the bidding for a company that
is on the block.

Private values are higher than public, Ciudad chairman/ CEO Farid Suleman said
during his company's May 4 earn-
ings conference call, "and that
does create a dilemma when you're
a public company. You're dealing
with scarce assets." The dif-
ference between the price a
group like Susquehanna might
command and the value of those
assets once incorporated into a
new public group could have a
dilutive effect. Suleman said,
"We went public to make acqui-
sitions, and we're not going to
make acquisitions that are going
to be dilutive," he added.

Radio stocks were down 20% last year and were off 10% in the
first four months of 2005. "Pri-
ivate companies, or even small
publicly traded companies, have
the wherewithal to stay the
course and wait for a public mar-
tet recovery before they consider selling out," Stanford
Group managing director Fred-
rick Moran says.

In this environment, who are
the most likely buyers and sellers?
In addition to Susquehanna, one analyst pegs Regent, Beasley and Next Media as the likeliest sellers and Entercom, Cumulus, Cox and Spanish Broadcasting System as the
most obvious buyers.

"We like to think that every-
body is a seller at some point,"
says Doug Ferber, senior asso-
ciate of brokerage firm Star Media Group. "Even Clear
Channel is rumored to be con-
sidering thinning off some of its
stuff that isn't providing a lot of
revenue and cash flow."

E3 (cont.)

from >>>8

As a result, these new game
platforms are expected to affect
the distribution and creation of
content other than games, in-
cluding music.

While online music stores and
subscription services struggle
to gain an audience, Internet-
connected game consoles pro-
vide direct access to an already
established base.

INTEGRATED SYSTEMS

When accessing 1,600 Xbox
Live feature games, players could find
offers for exclusive music
tracks, live performances and
unreleased music videos on the
main menu. In addition to the
ability to create and buy custom
playlists for their favorite game.

As chief Xbox officer Robbie
Bach said during the Xbox kick-
off press event May 16, "We'll in-
tegrate all digital entertainment
experiences into one device. In
the next generation, videogames
will become the center point of
global pop culture."

The new Xbox 360, available
this holiday season, can serve
the central connection between
PC-based digital media and
home entertainment systems.
Those who subscribe to the Xbox
Live service can access on-de-
mand games, movies, videos and
music from the Internet; save
downloaded content to the con-
sole or game; and sync it with
portable media players, includ-
ing the iPod.

Although fewer details are
available about PlayStation
3, which will be released in
spring 2006, it will support similar
connectivity capabilities with
removable media like compact
flash, SD memory card, USB
ports and the Memory
Stick, as well as built-in WiFi
and Bluetooth support. Sony
also hinted at on-demand
media commerce capabilities,
and a wireless link to the
Playstation Portable console.

"The network is a core ele-
ment of the PS3's DNA," said
Masa Chhatan, chief technical
officer of Sony Computer
Entertainment. "Every aspect of
the system is developed with
connectivity in mind."

These new consoles also fea-
ture processing speeds exceed-
ing that of today's home
computers, allowing for near-
realistic, jaw-dropping graph-
ic. Additionally, just as DualDiscs were created to
include music and DVD content,
so may future CDs include in-
teractive elements not currently
thought of as a "game."

One possibility is an interac-
tive, customizable music video
option that users allow to play
director by choosing the cam-
era angles, background, even
importing their own captured
images, controlling it all in real
time and recording the result-
ing file for future playback.

"We've got to come up with a
CD product that's not just
music," said Greg Harper,
senior strategist adviser for
Trans World Entertainment,
high-
tighting retail's concern over-
and hope for—evolving digital
media. "This is where pack-
aged media is still going to
have a play."

Billboard Picks New Dance Partner

The Beat Box column returns to Billboard this week with a
new author. Kerri Mason
takes over the biweekly col-
umn and will be responsible for
Billboard's print and on-
line coverage of dance and
electronic music.

New York-based Mason
joins Billboard's talented
roster of contributing writ-
ers. She continues in her full-
time position as editor of
Club Systems International, a
monthly trade publication on
club technology.

Mason's artist profiles and
music reviews have appeared
in a variety of publications,
including BPM, DJ Times and
Mixx. She has a bachelor's
degree from New York Uni-
versity's Gallatin School of
Individualized Study with a
concentration in pop culture
and writing. During her cam-
pus years, she served as a
college marketing representa-
tive for Atlantic Records.

"Kerri's bright reporting
style reflects her enthusiasm
for dance music and its cre-
ators. She brings a unique
perspective and much energy
to the editorial team," Bill-
board co-executive editor
Ken Schlager says.

Mason's first installment of
Beat Box appears on page 27. She
assumes the responsi-
bility from Michael Paolletta,
who now writes the weekly
Making the Brand column
columns and edits inside Track. Mason
will work closely with Pao-
letta in planning this year's
Billboard Dance Music Sum-
mit, which takes place Sept.
19-21 in New York.

Additional reporting by Tony
Sanders in Washington, D.C.
Longines Signs Connick As ‘Icon Of Elegance’

NEW YORK—For Harry Connick, Jr., now is the right time to be elegant.

According to the Elegance in America survey conducted by Harris Interactive for Longines, the jazz superstar/actor is one of the most elegant men in the country. With this news, the Swiss watch company has named Connick its latest Icon of Elegance.

Beginning next month, Icon of Elegance billboards featuring Connick will appear in New York’s Times Square and on the Las Vegas Strip. Outdoor advertising in other major markets will follow, as will full-page ads in such magazines as In Style, Esquire and Fortune. “Elegance is an attitude” is the ad’s tag line.

Connick will make his first appearance for Longines at the new Tourneau store at the Caesars Forum shops during the JCK Las Vegas jewelry industry show June 3-5.

Connick’s deal with Longines is for two years, with an option to continue well into the future. Terms of the pact were not revealed.

Connick says it is his first such international brand partnership. Earlier this year he partnered with SunCom Wireless for a TV spot that has aired in the Carolinas, Georgiа and Virginia.

Longines president Walter von Känel notes that Connick will be supported worldwide alongside Indian actress Aishwarya Rai.

Connick says he has been approached by other companies for brand marketing initiatives, but this one just made a lot of sense. “Longines is one of those quality brands that remains timeless,” Connick tells Billboard. “Partnering with them seemed the right thing to do.”

In addition to being the new face of Longines, Connick will assist the brand in raising awareness and funds for the Audrey Hepburn Children’s Fund. Longines is a founding sponsor of the Audrey Hepburn Children’s Fund. Connick’s partnership will coincide with two soul jam. The song, “Soul Was a Feeling,” was on an Atlantic sampler that had been sent to him by Camille Hackney, the label’s VP of strategic marketing. “Rob’s track had it all,” Salz recalls. “ Lyrics, hook and tempo. The song defines winning and losing.”

Salz then approached the artist himself. “Soul Was a Feeling” went on to become a hit and it was featured on a billboard ad campaign. “I think I’m elegant on a certain level—without the market research,” he says.

To find Longines’ new Icon of Elegance, Harris Interactive conducted a Web-based study with 2,000 participants. According to Linda Passaro, GM of Longines U.S., 20 popular male figures (primarily from music and film) were preselected.

The survey shed light on Americans’ definition of elegance. Overall, people believed that elegance was not the same as style and design. Elegance, participants said, has more substance and it can be learned. It is not the same as being sexy or glamorous—nor is it a popularity contest. In the end, Connick, Richard Gere and Sean Connery came out on top. With a strong desire to reach a younger audience (men and women in the 25-54 age bracket) while holding on to its older clientele, Longines signed Connick. “His universal embodiment of elegance was extremely strong,” Passaro says.

And while Hepburn and Bogart certainly helped communicate Longines as a brand of elegance to consumers, Passaro says, “it was time to find a contemporary and relevant spokesperson.” In other words, someone who could actually be a spokesman for the brand.

Late last year, Passaro and Longines’ international team began conversations with Connick’s manager, Ann Marie Wilkens of Wilkens Management in Boston, and agent, Lauren Hale of Creative Artists Agency in New York. For Connick, the timing for this partnership is perfect. His new album, “Occassion,” featuring tenor saxophonist Branford Marsalis, arrives June 14 from Marsalis Music. It is his second non-vocals jazz disc for the label. Connick remains signed to Columbia for his vocal recordings.

Connick’s last Columbia album, “Only You” (2004), debuted at No. 1 and No. 5 on the Top Jazz Albums and The Billboard 200 charts, respectively. At present, Longines is considering ways to cross-promote its campaign with Connick’s new album.
Legal Matters

SUSAN BUTLER sbutler@billboard.com

Mixing Engineer’s Case Reveals Tangled Web Of Rights

Creativity comes in all forms. Sometimes it rises to a level that copyright law protects, and sometimes it does not.

Mixing engineer Hopeton Overton Brown, known as Scientist, learned that the hard way. His copyright claims in sound recordings and compositions from a 1981 reggae dub album were rejected last month—but not for the reasons anyone initially thought.

Under current U.S. law, those who contribute creatively to a work share copyright interests in the work. Typically, for a recording this means the featured artists and the hands-on producer, who often contractually assign their rights to the label paying for the recording.

While most industry lawyers believe that mixes do not create copyrightable contributions since they are under the producer's or artist's ultimate control, some mixes or remixes could conceivably be creative enough to deserve a copyright interest, either as part of the original recording (a mix) or as an adaptation (a remix) of the original work.

A federal jury in the District Court in New York, however, applied 1911 English law in unanimously rejecting Scientist's claims April 20.

The claims were based on mixes Scientist did for the vocal and instrumental (dub) versions of an album titled "Scientist Rids the World of the Evil Curse of the Vampires" by Henry "Junjo" Lawes, one of the most prolific Jamaican producers of the early dancehall era. The work was done at King Tubby's Studio in Kingston, Jamaica.

Laws, who is deceased, licensed the album to U.K.-based Greensleeves Records, which specializes in Jamaican music.

After Greensleeves licensed tracks in 2002 for use in the videogame "Grand Theft Auto III," Scientist filed a copyright infringement action, claiming rights in the compositions and sound recordings as the mixing engineer.

Greensleeves did not earn much money from the license, but the company decided to fight the claim on principle all the way through trial, says legal rep Catherine Feeler, a partner with London-based firm the Simkin Partnership.

After retaining New York counsel Louis Ederer, a partner with Torys, the lawyers began wading through a maze of Jamaican, West Indian and English laws.

The copyright law in effect when—and where—the works were created governed the rights, even though the lawsuit was brought in the United States.

Jamaica did not have its own copyright law until 1993. The lawyers did not find any West Indian copyright legislation, so the attorneys turned to the 1916 English copyright law.

But that law was never adopted in Jamaica or extended to cover Jamaican works. Ederer says. They were left with 1911 English law governing 1980s Jamaican works.

This act stated that copyrights in sound recordings belonged to the person who originally owned the physical material—whoever paid for the master tapes—and not the creators.

This is different from U.S. law, which generally grants initial copyright protection to the original creators regardless of who paid for the recordings.

As for the compositions, the 1911 law distinguished between independent creators and employees. If created independently, the copyright belonged to the creator. If created as an employee or an apprentice, it belonged to the employer.

This "commission" provision is similar to the work-for-hire provisions in U.S. copyright law.

Ederer says the evidence in Scientist's case revealed that Laws paid for the recorded tapes, and Scientist was an employee or apprentice for the studio when he mixed the album. As a result, the jury decided that he did not hold any copyright interest.

Washington Roundup

BILL HOLLAND bholland@billboard.com

RIAA Suits Target Piracy At Small Retailers

The Recording Industry Assn. of America is going after small-business retailers who sell pirate CDs or burn their own CDs for illegal sale in liquor or convenience stores.

The RIAA announced May 12 it had filed copyright infringement lawsuits against seven retail establishments in New York and three cities in Florida.

Many of the retailers identified under this program in recent months have already settled out of court, but seven businesses either refused to settle or ignored the RIAA's multiple overtures.

The National Assn. of Record Merchandisers supports the lawsuits. The RIAA program debuted in December 2002 and is now being more aggressively pursued.

Plains range from working toward better collection procedures in artist product-licensing deals and contract dispute audits to getting a "performer fine" provision removed from the pending indecency legislation on Capitol Hill.

Hedgpeth says she is working to institute "a more effective infrastructure" for the new collective bargaining agreement with the labels "to help our members—both featured artists and session singers—collect more money when their work is licensed."

Hedgpeth will also serve as a trustee and board member to several AFTRA operations, including its Health & Retirement Funds, the Individual Account Plan, the AFTRA-American Federation of Musicians Property Rights Distribution Fund and the Alliance of Artists and Recording Companies collection group.

She was AFTRA's assistant executive director before moving into her current position.

FOREIGN PIRACY: At two back-to-back House panel hearings May 17, lawmakers, entertainment industry officials and international anti-piracy executives bemoaned the rampant piracy in China and Russia. "In any other field, such behavior would be intolerable," Rep. Howard Berman, D-Calif., said.

"We're stymied," said Matt Gerson, senior VP of public policy and government relations for Universal Music Group.

Witnesses recommended trade sanctions against China, a World Trade Organization member; denial of U.S. favored-nation trade benefits; and conditioning Russian membership in the WTO on effective copyright enforcement. Gerson and others also said the United States must work with Japan and European nations on the piracy issues in China and Russia.

WRITERS SEEK REFORM: Songwriters are again pushing for a bill for fair tax treatment. They want federal legislation to allow them to claim the capital gains tax rate, now 15%, when they sell their publishing.

At present, songwriters pay regular income tax and self-employment tax that can approach 50%, while publishers pay only 15%. The change would reflect the current "partner" relationship between songwriters and music publishers.

In years past, publishers assumed most costs for getting songs exploited.

Nashville Songwriters Assn. International is also working to establish a Senate Songwriters Caucus, similar to the congressional caucus established in 2004.


Bloss-Baum previously worked for NBC/Universal. From 1999 to 2003, she was counsel to the House Energy and Commerce Committee, serving under chairmen Tom Biliey, R-Va., and, W.J. "Billy" Tauzin, R-La., as legal adviser on technology and telecommunications issues.

www.americanradiohistory.com
GLOBAL BY HOWELL LLEWELLYN

SGAE Expands Rock En Ñ Series
Spanish-Language Music Tour Moves Into European Territories

MADRID—Spanish authors would like to see SGAЕ expand its Rock en Ñ touring initiative from U.S. and Latin American territories into European markets.

Rock en Ñ launched in 2000 to promote Spanish-language music through a series of concerts featuring Spanish acts in the United States and Mexico. SGAЕ is planning its sixth set of such dates for October and November this year. It says the series will include shows in at least six countries.

The initiative is channeled through the trade group’s nonprofit promotion and events arm, Fundación Autor. SGAЕ has now also raised activities in the U.S. and Latin America.

Jarabe de Palo released its first album on DRO East West, “Un Metro Cuadrado,” in Spain, Italy, Switzerland and Latin America in November 2004. The act previously released three albums on Virgin/EMI, which the label says have shipped more than 3 million units globally.

Novesa says the initial approach for the dates came from the band’s manager, Morgan Britos. “He said, ’I’m getting a Europe tour together, how can we work together on this?’ So we agreed to help with promo, local booking and media contacts.” The tour began May 11 in mote tours,” Britos adds, “and working with SGAЕ and Rock en Ñ is a great way to take advantage of new initiatives that open up in the music business.”

Novesa says that Rock en Ñ usually pays for the artists’ flights, costs and wages for their trans-Atlantic excursions, although “sometimes the label takes on this responsibility.”

He explains that SGAЕ/Rock en Ñ support for Spanish-language acts touring Europe will be more logistical than financial, involving such tasks as locating local promoters and agreeing on financial terms. “We shall treat every case on its merit,” he says. “There is no

“We have long thought Rock en Ñ should expand to Europe.”
—XAVIER NOVAES OF SGAЕ

Berne, Switzerland, and ended May 21 in Paris. Venue capacities ranged from 400 to 800, and Novesa says all the dates sold out. The band regularly tours Italy and has played in Switzerland and France, but the Rock en Ñ dates were its first in Germany and the Netherlands.

Jarabe de Palo “is well-known in Europe,” Britos says, “but Rock en Ñ through SGAЕ has an array of contacts with specialist music media, local promoters and so forth that the big labels do not have. This collaboration has been splendid in the promotional sense.”

“Many groups find that they cannot rely much on their labels as before to promote

fixed formula.” Rock en Ñ will, however, pay for local media advertising and street posters. One condition for inclusion in Rock en Ñ dates is that artists’ latest albums

Jarabe de Palo frontman Pau Donés tours Europe as part of SGAЕ’s Rock en Ñ initiative.

GLOBAL BY LARS BRANDLE

Brit Indies See Future In China

LONDON—British independent music companies hope to waken the sleeping giant that is China’s music market.

Through collaboration among record companies, government and business partners, an office has opened in Beijing to help the United Kingdom’s independent music community tap into the market of the world’s most populous country.

Managing the office is Stuart Watson, a British music industry veteran who has been active in Asia for many years as chairman of Singapore-based marketing and promotion service SWAT.

The initiative is “all about establishing a strong presence for the U.K. music industry as the Chinese market continues to open up,” Watson says. “Opportunities for British artists abound in this market.”

The office opened May 16. It is an initiative of the Assn. of Independent Music, a British independent music industry trade group that represents some 800 British labels and distributors, and U.K. Trade & Investment, an organization the British government established to foster international trade.

The involvement of UKTI—which includes an undisclosed level of funding—was not revealed until after Britain’s May 5 general election.

One of the immediate objectives of the office is forging Anglo/Chinese business ties, AIM CEO Alison Wenham explains. It will provide a support service and “hot desk” on the ground to companies and individuals wishing to meet local promoters and potential licensees.

Watson says he will help set up any necessary introductions through his network of contacts in China. Permanent staffing details of the office were not available at press time.

“The infrastructure to facilitate increased live performances in China is just only developing, with most international acts currently only performing in Beijing and Shanghai,” Watson says. “But it is important to bear in mind that there are 100 other [major] cities.”

China’s estimated population of 1.3 billion potential consumers makes it an exciting prospect for overseas businesses. But its legal music market remains relatively undeveloped.

According to the recently published report “Record Industry World Sales 2005” from the International Federation of the Phonographic Industry, China’s legitimate music market registered a 6.8% rise during 2004 to an estimated retail value of RMB1.8 million.

Watson argues that however small, record sales are currently, the potential for income from the live sector and other areas remains high.

“U.K. companies have to take the market seriously and spend time there if they want to reap the benefits,” he says.

SWAT opened for business in 1994, serving emerging markets in the Asia-Pacific region. Watson relinquished control of the company in 1999 when he joined Zomba—now part of Sony BMG—as international managing director. He re-launched SWAT in 2003 after exiting Zomba.

Watson will continue to operate continued on >p14
GLOBAL NEWSLINE

PPL’S BROADCAST REVENUE RISES

British collecting society Phonographic Performance Ltd. distributed £71.5 million ($134.6 million) to labels and performers in the year ended Dec. 31, 2004, up 4.1% from 2003. Total licensing revenue for the year rose to £82.7 million ($155.7 million), up 3.4% from 2003, the London-based nonprofit organization says.

Broadcasting contributed the lion’s share of PPL revenue in 2004, up 1.6% to £48.5 million ($91.3 million). Income from public performance rose 3.2% to £32.2 million ($60.6 million). —Lars Brandle

SCALPERS HAMPER AUSSIE FEST

The promoters of the annual Australian Festival Splendour in the Grass have issued 150 cease-and-desist notices in moves aimed at deterring scalpers on the Internet.

Aim tickets have a face value of $125 Australian ($96). They were being resold on eBay for up to $3,000 Australian ($2,300) apiece, organizers say, with one individual offering 29 tickets.

The bill for the festival includes Queens of the Stone Age, Ryan Adams and the Finn Brothers. —Christie Eliezer

GLASTONBURY WINS DOMAIN CASE

The organizers of Britain’s annual Glastonbury Festival won a Web site domain name infringement case presented to the Geneva, Switzerland-based World Intellectual Property Organization.

The WIPO ruled that the glastonburyfestival.com Web site, registered in September 2000 by validweb.com, was “confusingly similar” to the Glastonbury Festival trademark as used at its official site, glastonburyfestivals.co.uk. WIPO’s Arbitration and Mediation Center ordered that the domain name be transferred to the complainant.

This year’s festival takes place June 24-26. —Lars Brandle

BRIT INDIES (cont.)

from >>p13

SWAT from Singapore, but will increasingly commute to China under the new arrangement, according to a SWAT spokesman.

It remains unclear how many staffers will work out of the new Beijing office.

RAPANT PIRACY

A physical piracy rate that is estimated at about 50% has long obstructed the development of the recording industry in China. In 1996, the United States was on the brink of imposing trade sanctions against China because of the rampant piracy. Subsequently, Beijing agreed to tougher enforcement, and the country was admitted to the World Trade Organization in December 2001.

As part of its commitment, China pledged to crack down on intellectual property infringement and to open its market to foreign products.

China is also recognized as having massive growth potential for mobile music. In its Digital Music Report published earlier this year, the IFPI says the entire Asian region is "ripe for legal digital distribution of music, if piracy can be curtailed." The IFPI says mobile penetration in China is currently running at more than 290 million people.

U.K. indies have traveled the path to China on more than one occasion in recent years. AIM embarked on a fact-finding trip to Southeast Asia and Japan in May 2001, and in October 2004 to China and Hong Kong. AIM created a guide to doing business in the region for its members after those trips.

Martin Goldschmidt, managing director of London-based Cooking Vinyl, headed the trade missions. He says they identified a market ripe for expansion.

"Now is the time to get in there, sow seeds and lay a base," Goldschmidt affirms. "You’ve got to play a long-term game. We just need to get in there and build a base before it matures. That way you’ll be well-positioned to take advantage of it. The Chinese want to do business with U.K. independent labels."

"If AIM can pull off the office there, he declares, ‘it’ll be invaluable for U.K. independents."

Rampant piracy is a major concern in China and Hong Kong. AIM is working closely with the Beijing government to deter pirate activity.

Several publicists contend that radio promotion is too demanding. "You have to know programmers and have a relationship with them," Harbury says. "You have to know the date and time to call them. You have to know the ‘radio speak’ as well."

"I also do advertising, marketing and consult on management activities," Jane Harbury, who has headed Jane Harbury Publicity in Toronto since 1985, says. "These days it is almost less about public relations than it is nurturing an act and exploring opportunities for artists. I even get artists showcase gigs."

"The independents compete by focusing on and working in musical niches, including punk, hardcore, jazz and hip-hop."

Several independent firms offer both radio promotion and publicity support. However, Wilson says, "an established American act will need the full package of radio promotion and publicity, and American labels prefer to keep it at the same house."

Yvonne Valnea, who has headed Last Tango Productions for 15 years, adds, "It’s also important to offer an act alternatives. If they are not ready for radio, you can build them up with press."

TORONTO—In the past decade, as major labels cut staff and services and as promotional and marketing costs soared, Canada’s independent radio promotion and publicity companies have played a key role in Canada’s music industry.

Today, these independent firms—which have grown from a handful 10 years ago to more than 30 players today—deserve credit for boosting the media profile of artists and labels, both Canadian and international, who might otherwise not have gained as much attention.

While multinationals in Canada have the resources and inter-company structures to consistently tout their own acts, indie labels and artists, whether distributed by the majors or indies, are increasingly seeking supplemental support from outside firms.

"More people (are) looking for these services today due to economics," says Adrian Strong, president of Toronto-based DMD Entertainment, established in 1987. "Also, major labels usually have dozens of priorities. It is difficult for them to effectively work everything. We are able to spend more time on acts."

Sources say that U.S.-based companies increasingly view Canada as a test market to launch new acts and a place to maintain the careers of veterans. At the same time, international labels realize that Canada is a good market to start building awareness of artists and then use that profile as a steppingstone to the United States.

"Most of my clients in the past two years have been U.S.-based," Strong notes. "Americans want to make sure that their records are getting the profile they deserve in this territory."

"We need a president of 20-year-old Anya Wilson Promotion & Publicity, echoes that view. "I work for more American major companies than I do Canadians," she says. (With Wilson is her father Larry LeBlanc’s wife.)

Wilson notes that in the States and the United Kingdom, major labels often contract with independent promotion and publicity firms, "but that’s not often done here."

Among the services these independents offer are radio, video and event promotion, and publicity. Most independents also do A&R pitching efforts on behalf of their clients.

"You have to be in a lot of things," says Wendy Phillips of Sonic Entertainment Group in Halifax, Nova Scotia, an eight-year veteran of music publicity. "I also do advertising, marketing and consult on management activities."

"No independent has the muscle that a multinational has," Strong says. "But you can still find ways to get behind an act, like taking Alexionfire to [video channel] MuchMusic. They embraced the band, and we were able to build them."

Although the editorial space devoted to music coverage in Canada’s daily newspapers is said to be thinning, sources say that coverage opportunities have increased in community, campus and street papers, as well as such outlets as CBC Radio and Internet-based publications.

"It’s getting harder with the mainstream media," Harbury says. "Even the weekly street papers have become tougher, because they are more mainstream."

Car Carpenter of Prick Public Relations in Toronto says pitching an artist story is "a harder sell today because journalists do not do that anymore."

"They should coerce them a bit more in the past. Now they are adamant [about] what they will or won’t do."
G-Unit Adding G-Mobile Unit For Phone And Games, 50 Cent-Style

Rap superstar 50 Cent reportedly is preparing a major push into the mobile content arena, with his management hinting at the development of an integrated wireless hardware and services package centered on the rapper’s G-Unit brand, to be called G-Mobile.

Although few details are available, the G-Mobile effort likely will combine an artist-branded mobile phone pre-loaded with wallpaper, games and ringtones based on the members of 50 Cent’s G-Unit crew label.

That 50 Cent and G-Unit are interested in exploring other areas of mobile branding is evident by the recently announced videogame series created exclusively for mobile phones and featuring the entire G-Unit lineup. Working through mobile media firm Zingy and game developer Upstart Games, G-Unit and its management company Violator will release three mobile games featuring 50 Cent, Lloyd Banks, Young Buck and Tony Yayo as playable characters.

The first game, “Free Yayo,” will be released this summer. Details on the other two have not yet been announced.

In a first for mobile games, players can unlock hidden content like voice-overs and graphics of the G-Unit members, exclusively available only through the game.

Theo Sedlmayr, 50 Cent’s entertainment attorney who brokered the Zingy deal, says the games and the G-Mobile offering are designed to use wireless as a promotional tool beyond ringtones.

The “Free Yayo” game, for instance, features Yayo being held captive by a “lucrative evil record company.” The game’s release will coincide with Yayo’s debut album, “Thoughts of a Predicate Felon” (G-Unit/Interscope), slated for June.

“50’s the driver,” Sedlmayr says. “He’s always looking for new cutting-edge ventures to participate in and extend his and G-Unit’s brand into new spaces.”

The mobile expansion comes at a time when the U.S. ringtoneline business is beginning to mature into a self-sustaining industry. Ringtones sales are increasingly moving away from mono- and polyphonic “covers” of songs to the more lucrative master ringtones, which feature actual song clips.

Ringtones have been beneficial for 50 Cent. He has five ringtones in the top 15 of the Billboard Hot Ringtones chart, including the No. 2 “Candy Shop.” The ringtone of his smash single “In Da Club” was the first to reach 1 million downloads and remains a milestone in the market’s evolution.

Meanwhile, the market for mobile gaming is about to explode. According to research from M:Metrics, which tracks mobile content consumption, the number of subscribers downloading games grew from slightly more than 4 million in November 2004 to almost 6 million in March. Analyst group InStat/Medi谓 believes that figure will rise to 78.6 million by 2009, generating $1.8 billion annually.

As the music industry looks to wireless as a new distribution front, artist-branded services are expected to play a significant role. Such artists as Jay-Z and Hilary Duff already offer personalized mobile phones with preloaded content. With carriers prepping full-song wireless downloadable services, and with the development of mobile phones with music-optimized features like Nokia’s N91, wireless versions of Ut’s iPod deal will become more prevalent.

According to Sedlmayr, 50 Cent plans to tap other digital and traditional media to promote G-Unit artists and their releases. As for himself, the rapper is developing and starring in the Vivendi Universal Games title “50 Cent: Bulletproof,” which is expected to arrive in the fall.

He also has a biography on the way, published by Simon & Schuster, and Sedlmayr says 50 Cent is looking into other book deals, such as a G-Unit line of graphic novels and pulp fiction titles. These books could seed future film and TV projects following 50 Cent’s upcoming debut movie, “Get Rich Or Die Tryin’.”

“‘He’s an incredible entrepreneur, and all these ideas germinate with him,” Sedlmayr says. “We’re just trying to keep up.”
**DualDiscs Top Chart, Divide Industry**

The DualDisc configuration is racking up impressive sales figures, but is it actually a hit with consumers? That’s the question the industry is wrestling with as the number of DualDisc titles from major artists has grown markedly in the last three months. More than a million units have been sold to date, and more than 200 DualDisc titles are expected to be on the market by the fourth quarter.

The configuration now boasts five titles that have scanned more than 15,000 units each. The last four albums to top The Billboard 200—including this issue’s No. 1, “Stand Up” from RCA’s Dave Matthews Band—have all been DualDisc titles, according to Nielsen SoundScan.

Rob Thomas and “Devils & Dust” from Columbia’s Bruce Springsteen—were exclusively released in the DualDisc format. The others have been sent to market as both a CD and a DualDisc. About 15% of DMB’s first-week sales were DualDisc, sources say. Retailers are charging anywhere from the same price for both versions of an album to up to $1 more for the DualDisc that Proponents say that chart-topping sales for releases with DualDisc components offer mounting evidence that the configuration is gaining momentum with consumers.

Those skeptical of the success question whether sales are more than a commentary on consumer demand for the artist in question than a vote supporting DualDisc. At the heart of the debate is cost. As previously reported, sources suggest that the price of manufacturing a DualDisc is double the average CD—about $1.20, versus the 50-cent to 60-cent for the traditional CD with jewel box and booklet (Billboard, March 19).

Now there’s rising sentiment among some in the industry that greater focus should be placed on doing more two-in-one CD/DVD combo packages, which are cheaper to produce than the all-in-one DualDisc.

Further fueling talk of combo packages is lingering concern over compatibility issues for the DualDisc. Consumers have been posting complaints online retail sites like amazon.com that DualDiscs do not work in older car stereos and portable CD players.

Leading the way in supporting DualDisc is Sony BMG, which has more than 45 titles in the market and has sold more than 1 million units of the configuration. The company has already exceeded its early expectations for its 2005 rollout, and it is now aiming to release 10-15 DualDisc titles per month.

However, there’s a sizable gap between Sony BMG’s embrace of the configuration and the way-and-see approach the other majors are taking.

Warners Music Group and Universal Music Group—which just enjoyed strong sales of the DualDisc version of Nine Inch Nails’ “With Teeth” (Interscope)—are expected to each release less than a half-dozen DualDisc titles this year, sources say.

EMI Recorded Music has yet to put out a DualDisc title, but the company has stated it will release titles this year.

In an effort to drive greater retail support for the format, Sony BMG is working with a number of leading merchants—Best Buy, Target, Virgin, Borders Books & Music, Tower and Wal-Mart among them—on price-and-positioning initiatives that will improve the in-store real estate and signage for DualDisc titles.

While some consumers may not even realize they are purchasing DualDisc product—particularly in DualDisc-only releases—label executives say that such titles are serving as a strong consumer education tool.

“The word-of-mouth and the consumer awareness is just going to increase,” says Jordan Katz, co-president of Sony BMG Sales Enterprise, as more big-name acts release DualDiscs.

Michael Lippman, manager for Thomas, the first artist to enter the charts with a DualDisc-only release, says that physical product offers have to be as compelling as possible in today’s market. “You have to give people more value for their money otherwise they’ll steal it,” he says.

Proponents of the configuration say it is too soon to tell just how big an impact it can have on consumer attitudes toward physical goods, but so far it’s showing potential.

Bruce Springsteen’s new album “Devils & Dust” was released only as a DualDisc.

**Radio Stations Get Digital Stores**

MusicToGo Creates Web Sites So Listeners Can Purchase Tracks Heard On Terrestrial Outlets

Airplay has long been considered the single biggest influence on music sales. Now a new vendor is banking on the notion that radio not only influences sales, it can also facilitate them.

With a pair of old radio hands in charge, New York–based software developer MusicToGo is helping stations extend their brands to digital music by providing customized online music stores for a growing group of clients—43 stations at last count.

The stations aren’t offering downloads to cash in on the developing digital music market. In fact, MusicToGo clients receive only a minority stipend for each song they sell.

“They don’t even get the money,” says Doug Poddell, OM at Greater Media active rock WRIF (the Riff) Detroit, which opened a virtual store in early April. “It’s more about imaging and being on top of how today’s listeners are getting their music... and it involves sending them to our Web site.”

“The value is a stronger bond with our listeners,” adds Buzz Knight, OM for Greater Media triple-A WROB/classic rock WROB Boston and heritage rock WWMR/classic rock WMGG Philadelphia.

Jeff Specter, MusicToGo’s founder and president/CEO, says stations are doing this “so they can use music as a branding and merchandising tool.”

ABC adult top 40 WPLJ New York added an online store in late March and has since seen a 23% increase in its Web site traffic, according to Tom Cuddy, VP of programming for the station and for the ABC Radio FM Group.

“It encourages people to download songs legally and lets our audience know that we’re on top of the latest technology,” Cuddy says. “We’ll be offering free downloads from time to time as well as making available special acoustic performances by artists recorded at our studios.”

In January, MusicToGo announced a deal with Greater Media, owner of 19 stations in Boston, Detroit, Philadelphia and New Jersey. Greater Media has since opened online music stores for eight of its stations, with more planned.

Other MusicToGo clients include Midwest TV adult hits KFMB (Jack FM) San Diego; Clear Channel rhythmic top 40s KYLD San Francisco (Wild 94.7) and WJMN (Jim-n) Boston; Susquehanna top 40 WWWQ (Q100) Atlanta; and Inner City R&B/hip-hop WHXT (Hot 103.9) Columbia, S.C., and adult R&B WBS New York.

MusicToGo chairman Jimmy de Castro says the company “is put together by people who know radio.” The flashy exec founded Evergreen Media with Scott Ginsburg in the ‘80s.

Specter worked for de Castro in radio, holding VP/GM and general station manager positions in Philadelphia, Chicago and Boston.

De Castro says the goal is for listeners to go to a station they already associate with their favorite music and download songs they like for 99 cents each.

MusicToGo offers various ways for station fans to get their favorite music. An animated recommendation engine, the Tune Genie, works like a cyber sommelier, suggesting songs based on the downloads in the user’s online shopping cart.

The station’s 24-hour broadcast log is included to make it easy for listeners to locate songs they recently heard on the air.

To help brand the store with the station, MusicToGo includes an animated depiction of a key station personality, typically the morning-show host, as a sort of cyber guide. At WPLJ’s store, there are cartoon caricatures of morning hosts Scott Shannon and Todd Pettengill.

The average sale across the platform is about $7, according to Specter. Of the people who buy music at the station stores, 20% return within six weeks and buy another seven or more songs, the company says.

MusicToGo plans to have 150 station stores activated by this summer.

It is unlikely that radio’s late arrival on the download scene will take a significant bite out of Apple Computer’s wildly successful iTunes service any time soon. According to Nielsen SoundScan, roughly 6 million legal non-album music downloads are sold in the United States each week, and it is estimated that iTunes accounts for about 4 million of them. MusicToGo sells less than 4,300 songs per week.

The service uses Windows Media Player, the same format as Musicmatch, Napster and Wal-Mart, so MusicToGo downloads synch with Windows Media-compatible players but not with the dominant player in the exploding portable music market, the iPod.

MusicToGo offers 800,000 songs, about half of what iTunes has for sale.
SYBERSOUND RECORDS HAS FILED suits in the United States and Canada against a number of other karaoke record manufacturers, alleging unfair competition and trade practices and various other infringements with business relationships.

The suits, filed in Los Angeles Superior Court and Ontario Superior Court of Justice, ask for more than $20 million in damages caused by those traffickings in what they claim are pirated karaoke songs on CDs.

The defendants listed in the U.S. complaint are Fort Mill, S.C.-based UAV, doing business as Karaoke Bay and Sterling Entertainment; Montreal-based Madacy Entertainment, doing business as Karaoke Party; Coconant Creek, Fla.-based Singing Machine, doing business as MTV Karaoke; Hilliard, Ohio-based Audio Stream, doing business as All Star Karaoke; Keynote Karaoke and Best Karaoke; Minneapolis-based Compass Productions; and Newbury Park, Calif.-based BCI Eclipse, a unit of NAVAR

In Canada, in addition to Audio Stream, BCI Eclipse and Navarre, the suit lists as defendants Legacy Entertainment in Stoney Creek, Ontario; Direct Source in Burlington, Ontario; and Direct Source Special Products in Lasalle, Quebec.

In addition to doing business as Party Tyme Karaoke, Los Angeles-based Sybersound licenses this magazine’s name to issue product under the logo Billboard Top to Karaoke.

According to the complaint, Sybersound’s competitors do not pay these costs in full, they can sell infringing product cheaper and steal market share from legitimate companies like Sybersound that pay full cost.

The complaint also claims the defendants sell cheaper product to retailers, with a broader range of products and less popular songs, thereby undercutting Sybersound’s relationship with retailers.

PIRACY IN KARAOKE BIZ?

According to the complaint, such acts as Madonna, Bon Jovi, U2, Billy Joel, ABBA, Yes, the Eagles, Hall & Oates, Jewel, Kid Rock, Led Zeppelin and Pink Floyd supposedly do not want their songs included on karaoke packages. The defendants nevertheless include songs by those acts, making their products more attractive.

The complaint says that tack-jobbers like Handleman in Troy, Mich. & Anderson Merchandisers in Amarillo, Texas—which supply discount department store chains like Wal-Mart and Kmart—now have policies and procedures intended to ensure that karaoke vendors possess the proper licenses. But sources suggest that those procedures merely amount to affidavit forms that karaoke suppliers fill out.

Karaoke licensing requirements were established about three years ago when music publishers introduced the karaoke license, which goes beyond mechanical rights. According to the suits, it also includes a syndication license that allows labels to use a graphic display of the lyrics in time with the music and a print license that allows reproductions of the song lyrics and artwork from the artist or the album on which the song originally appeared.

With the introduction of those rights, if a karaoke album has only been granted a mechanical license, it infringes the publishers’ copyright for that song, the complaint asserts.

The complaint says such licenses may require an upfront, nonrefundable flat fee of $1,000 per song, plus a guaranteed advance based on 10,000 units at the “penney rate” of 10 cents per song. So a typical karaoke album carrying 16 songs would require upfront payments of $7,600 plus future royalties of $1.60 for each unit sold in excess of 10,000 units.

The profits that can be realized from selling unlicensed records are considerable, according to the lawsuit. The suit contends that companies that do not obtain the proper licenses or do not pay full royalties can save $160,000 on sales of 100,000 units.

Defendants named in the lawsuit either could not be reached or declined comment.

Linda Edell Howard, a managing partner with Stokes Bartholomew Evans & Petree in Nashville, has worked in the karaoke area. After reading the lawsuit, she says, “I am a little confused by the lawsuit, because I don’t understand why Sybersound has standing to bring this suit.”

“My efforts have always been to license songs to karaoke businesses.”

But I am also thrilled that Aken Gump (strauss Hauer & Feld), the Los Angeles-based law firm representing the company is carrying on the mission I started years ago to clean up the karaoke business.”

She says the acknowledgment of responsibility for legal compliance with copyright law is very accurate in the complaint. “They have articulated and acknowledged the obligations for themselves and the defendant of what is required to distribute legal product.”

SLIPPED: In posting its results for the three months ended April 30, Trans World Entertainment broke an eight-quarter long winning streak. During the past two years, each quarter’s results beat those of the corresponding previous year.

The company lost $1 million, or 3 cents per diluted share, on sales of $285.4 million in its fiscal first quarter. In the corresponding period in 2004, Trans World posted net income of $2.5 million, or 7 cents per share, on sales of $304.5 million.

While sales were down 6%, that decline was attributed to two things: the company operating 7 fewer stores in the current period versus first-quarter 2004 and comparable-store sales being down 2%.

Looking at other numbers, gross profit was down to 36.6% of total sales from 37.2% in the prior period, while expenses were up to 34.2% from 33.2%.

In a statement, Trans World chairman/CEO Bob Higgins said, “Our first-quarter results were impacted by the sluggish performance of new music and DVD increases after the Easter holiday.”...
Ryko Goes To School
Makes Distribution Deal With Drexel U’s Student-Run Label

New York-based Ryko Distribution is betting that a class of college students can provide records to penetrate the marketplace. The distributor recently inked a deal with Mad Dragon Records, the student-run label of Philadelphia’s Drexel University.

Mad Dragon, which is part of the school’s music industry program, began two years ago and released “XYX,” a compilation of work by singer/songwriters Trisha O’Keefe, Matt Duke and Julie Othmer.

Ryko will re-release the CD May 24, and marketing director Connie Kirch says the distributor is setting up in-stores throughout the Northeast.

“The students are just in heaven,” program director Marc Rauer Wagman says. Kirch says it was Ryko’s legal department, which is based near Philadelphia, that tipped her and Ryko president Jim Cuomo to the Drexel program.

“Jim and I went down to Philadelphia and did a seminar on what distribution does,” Kirch says. “There’s like a dozen students in the class, each with a different responsibility for the label. One kid was the tour manager, and one did radio promotion, and I was thinking, ‘Wow, you’re better staffed than a lot of independent record companies.’ I don’t want to say it’s a totally altruistic thing, but we thought we could help perpetuate this whole notion of getting kids involved in music.”

WARPED DISCS: Immergent Records will begin distributing five DualDiscs culled from the 2004 edition of the Vans Warped tour. Immergent, part of Los Angeles-based 51 Entertainment Group, will issue the first two discs June 28, from Finger Records act the Skulls and Canyon Records’ Native American rock act Blackfire.

Other artists receiving Immergent’s DualDisc treatment include Guttermouth, Side 67, A Faith Called Chaos, the Lords of Brooklyn and Duane Peters & the Hunns.

Erik St. Anthony, who oversees Immergent, says the label shot more than 60 bands for the series, with many of the live clips already having aired on HDNet. The DualDiscs will contain the entire live performance on CD and DVD, as well as some extra tracks and interviews.

Anthony says the company has film of some of the larger acts on the tour, and intends to release between two and four discs per month, depending on when licenses become available.

“I don’t look at this as something to support the fan base,” Anthony says. “I look at it to build a fan base... A lot of times people don’t push the limits with technology. They think, ‘Oh, we’ll put some bonus stuff on it,’ but we should be able to do more with it.”

Immergent is taking its Warped model to other tours. Anthony says the company filmed dates on this year’s Epitaph tour, which featured Matchbook Romance and Motion City Soundtrack, among others, and hopes to release DualDiscs from those performances in August.

IDN SIGNINGS: New York-based Innovative Distribution Network has welcomed two new labels to the fold.

First up is Chicago-based G Music/Music Plant, which is run by dance producer/DJ George Andros (aka Georgie Porgie). Compilations from Mike Cruz and Glenn Frisicia are due this summer.

IDN also has picked up Charlotte, N.C.-based XYZ Entertainment, which will issue this summer, in conjunction with LAP Entertainment. “The Ultimate Reggae Collection,” the set is produced by Tony Kelly (Sean Paul, Beanie Man).

IDN’s hopes hinge on a pair of new hip-hop releases this summer. The distributor will release the latest from D12 member Proof on his own Iron Fist Records, and will also release the latest from Slum Village on Barak Records.
Carole King Invites Fans Into Her Living Room

LOS ANGELES—All the comforts of home will be evoked on Carole King's tour dates this summer.

For King's Living Room Tour 2005, stages will resemble an actual living room with a cozy couch and coffee table alongside a piano.

The tour begins July 3 at Casino Rama Entertainment Center in Rama, Ontario. It will visit a series of small theaters, as well as large theaters and outdoor venues that will be converted into intimate spaces.

"People are hungry for this kind of situation," King says of the tour's setting. "I can just talk to the crowd like I'm talking to a friend."

King tested the living room concept last summer in a limited run that was inspired by her performances in private homes and small venues for various environmental and political fund-raisers.

Last year's dates grossed $2.3 million, according to Billboard Boxscore, and more than 18,000 people attended.

Such response led to the booking of this year's 26-date trek, which concludes Aug. 14 at the Luther Burbank Center for the Arts in Santa Rosa, Calif.

Dan Weiner, King's booking agent and a senior partner at Monterey Peninsula Artists, notes that booking choices for the expanded tour were based on finding the right venues regardless of their initial size. If facilities are being cut down in their capacity, it's because the location is the best in that market.

"Last year, there was no that much time for planning," he explains. "We're now going into markets that have something special about them."

The tour includes King's first performance in New York in 12 years (July 13 at Radio City Music Hall) and stops in numerous Southern and Western theaters, halls and amphitheaters.

Most tickets are between $60 and $70, though some venues are offering other price ranges.

At the tour's closing stop at the indoor 1,600-seat Ruth Finley Person Theater at the Luther Burbank Center, for example, tickets are $55, $85 and $149. "This is the highest price tier we've done for our premium seats," says Rick Bartalini, director of programming for the LBC. "It's also one of the fastest-selling shows on record for the venue. Within 24 hours of going on sale, we sold 80% of the house."

Bartalini says that sales were so high because the venue works perfectly with the approach of this tour, and fans in Northern California appreciate King coming to this smaller market.

"People are hungry for this kind of situation."

—CAROLE KING

Howard Pollack, booking manager for Oklahoma City Zoo Amphitheater, notes that his outdoor, 9,500-seat venue will be cut down to 6,000 for King's July 10 stop. Attendees can pick from seats in a special section at the front of the house or can sit on the lawn.

"I think this will be the highlight of our season," says Pollack, who also handles promotion duties for the venue.

"What better way to see her than under the moon and stars? It makes sense to create a theater-style experience for her at the venue."

Promotions will include extensive advertising on TV and radio, as well as the display of posters and fliers around the city, according to Pollack.

Weiner notes that the shows, which will feature hits spanning King's 40-plus-year career, will attract a multigenerational demographic.

"Everybody will get the best of Carole that they could ask for," he adds. "Her relationship with the audience is already so close that this tour will work remarkably well."

Signatures Adapts Its Merch Biz To The Times

I n the tour merchandising business, what's old is new and what's new is really, really new.

Vintage is in, and the technology-driven services connecting fans with artists continue to expand.

So, veteran companies have had to become flexible to meet the demands of artists and the public.

Toward that end, pioneering tour merch firm Signatures Network has opened an office in Los Angeles; expanded its VIP Internet and tour merch offerings; and is aggressively competing for new acts.

With merch on the road this summer with U2, Bruce Springsteen, System of a Down, Ozzfest and Motley Crue, as well as such up-and-comers as Coldplay, Billy Idol and Whitesnake, Signatures remains the top merchandising company in the music business.

"We've really expanded our suite of artist services," says Dell Furano, CEO of Signatures and a merch industry trailblazer. "Furano and the late Bill Graham started merchandising companies Winterland in San Francisco in the early days of rock touring. Furano cites merchandising, licensing, retail and the vintage Trunk line as key areas of expansion, "and, particularly, Web sites."

"We handle more and more official artist Web sites, including U2, John Mellencamp, Ozzy Osbourne and Fleetwood Mac," Furano explains.

"The world shifted a little bit, and the merchandising and the Web sites, in particular, are so core to promoting an artist, their music and generating new areas of revenue."

San Francisco-based Signatures employs a staff of 70 people overseeing business affairs, royalty accounting, artwork and imagery, record crews and Web sites.

"It was a natural evolution for us to invest in the Internet space," Furano says. "We noticed that ArtistDirect did, and it didn't work. We have, in a way, grafted an ArtistDirect model onto an existing business."

That model means that with a band like Motley Crue, Signatures handles tour and official merchandise, hosts the official Crue store and oversees the group's fan ticketing and VIP programs.

"We manufacture the product, we design the product, we get it to the road, we collect the receipts, we have a licensing department, we have an online store division," Furano explains. "We've just been doing it longer, and we've broken it down into different divisions. It all didn't just happen overnight."

Furano began working out of temporary offices in Los Angeles two years ago, and a new Beverly Hills office will open this summer. "Now I have an opportunity to spend time with such managers as Irving Azoff, Howard Kaufman, Doc McGhee and all the other legs-ends of our industry," he says.

With the industry in a "watershed" period and undergoing major change, Furano believes interfacing with artists and managers is crucial. "We contract directly to the artist, we work directly with management. We don't go through the agencies," he says. "As a result, we've become part of their team."
Cher Tour Top Gasser
Among Female Acts

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Partings go, Cher’s was such sweet sorrow, indeed. And record setting. It is safe to say that Cher just wrapped the top-grossing tour ever by a female artist.

The numbers generated on Cher’s three-year Living Proof Farewell Tour are nothing short of remarkable. The tour concluded triumphantly April 29 and 30 at the Hollywood Bowl in Los Angeles with two sellouts that grossed $2.8 million.

During the course of 280 shows in North America, Cher played to 2,880,726 fans and grossed $194,683,927. More impressively, she played to 92% of capacity and realized 50% of her gross potential on the road. From Albany, N.Y. to Jakarta, Wash., Cher played virtually every feasible market in the country.

Brad Wavra, touring VP at Clear Channel Entertainment, promoted the North American dates. “No other female artist has ever come close to what she did,” he tells Billboard. “Not Madonna, not Bette Midler, not Janet, not Whitney, not Tina, because she out-worked them all.”

Including European concerts (promoted by Barrie Marshall) and Australian shows (promoted by Michael Coppell), Cher played 335 dates, grossing over $200 million and playing to more than 3 million people. Wavra is quick to point out that despite its length, this was one complete tour. “She might have taken a month or two off physically, but she was always on sale,” he says. “It was the same show, the same production, the same crew, everything.”

A $200 million-plus tour put Cher in some pretty exclusive company for an act not known for extensive touring. “If Cher’s in the same company as the Rolling Stones and U2, that ain’t a bad place to be,” Wavra says.

LONG SHOT: In one of the more creative ongoing arena-promotion, Freedom Hall in Louisville, Ky., taps into its Kentucky Derby market connection by staging an industry-related Derby contest each year. Under the direction of Freedom Hall director of sales and marketing Deborah ‘Derby Deb’ Burda, the arena places $2 bets for touring business professionals.

This year, Steve Liberatore of Belkin Productions in Cleveland, Ohio — the only participant to pick Giacomo, another musically oriented Italian (for the record, on The Road chased the hype and picked Bellamy Road) — will receive a prize in the business professionals category.

“Giacomo is owned by Jerry Moss, the ‘M’ in founding A&M Records with Herb Alpert,” Giacomo was named for Sting’s youngest son.

Paying $102 on a $1,500 bet, this year’s Derby had the second-largest payout in its history. More than 70 industry pros participated in Freedom Hall’s annual promotion, now in its 21st year.

So has Freedom Hall ever nailed down a booking because of this promotion? “No one has said directly that they’ve booked because of the promotion, but the conversation, the commitment, the ground and uniquely timed good will have been a tremendous asset,” Burda says. “I’ve been hearing ‘We’re gonna get you something else in there’ during follow-up bet conversations. I’ve had $200 FedEx’d to me from Jerry Garcia . . . to expand his bet a bit, however, I don’t encourage that.”

KODAK MOMENT: In a new joint venture between CIM Group and production management firm Theatre-Dreams, the latter will program and operate the 3,400-seat Kodak Theatre at CIM’s Hollywood Highland Center in Los Angeles, and the Chicago Theatre, acquired by Theatre-Dreams in 2004. . . .

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**BOXSCORE Concert Grosses**

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s the host of her own daytime talk show, Ellen DeGeneres is as warm and goofy as she is intelligent and endearing. She asks her guests the questions that are likely running through her viewers’ minds.

Indeed, on “The Ellen DeGeneres Show,” the guests—an eclectic and colorful bunch—feel welcome and appreciated. For DeGeneres, who supplied the voice of Dory in the Disney/Pixar-animated hit film “Finding Nemo,” it’s about having a good time and bringing people together. The Louisiana native’s feel-good vibe rubs off on her guests, studio audience and those watching at home.

DeGeneres’ many disciples know that the stand-up comedian—turnt—author—turnt—talk-show host loves music. Whether it’s rapping along to a 50 Cent jam or dancing to one of Madonna’s grooves—played by the show’s DJ, Tony Okungbowa—DeGeneres appears genuinely interested in music and the artists who create it.

All of which helps to explain why her syndicated show has become a magnet for recording artists. It does not hurt that the program, launched in 2003, has won several Daytime Emmy Awards and, according to Nielsen Media Research, ranks No. 7 against other syndicated talk shows. It averages 2.6 million total viewers.

“Her national platform has incredible depth of reach and focus with music fans throughout the country,” Island Records president Steve Bartels notes.

In May alone, DeGeneres’ musical guests have included Gwen Stefani, Neil Diamond, Mariah Carey, the Backstreet Boys and a number of “American Idol” castoffs. Oh, Jennifer Lopez and Britney Spears stopped by, too. Upcoming guests include Gretchen Wilson, Nelly, Lee Ann Womack and Il Divo.

In Carey’s case, DeGeneres—in her playful quest to bring glamour back to daytime TV—had the singer perform at a high-school prom. DeGeneres also shines the light on newcomers. Atlantic Records artist Eillie Lawson, whose debut album is due later this year, and Geffen’s own Ringo have appeared. Later this month, “The Ellen DeGeneres Show” will go dark for the summer. But right now, the out, loud and proud DeGeneres is very much on for Billboard and its readers.

Q: Music is an integral part of your TV show. Was it a conscious decision, from the start, to incorporate music and artists?
A: I always wanted a DJ from the beginning. And I thought the more types of music we played, the more types of viewers we’d get. Oh, I almost forgot. It was originally supposed to be a dance show, but I love to talk.

Q: Are there any acts you have yet to have on the show but still desperately want?
A: U2 and Coldplay. It just hasn’t happened yet. I sent them a candy gram, so they should be on anytime now.

Q: What is your favorite mail saying about your musical guests?
A: They’re saying, “Ellen, we love the music...keep it up, and also can you get George Clooney to come on, even though he isn’t a musician?”

Q: Which artists are you most looking forward to performing?
A: It’s all these artists...every genre, every generation. The only thing we really haven’t had is heavy metal. We’re scared our studio audience will hurt themselves banging their heads.

Q: Have there been any surprises—good or not so good—with regard to artists that have appeared on the show?
A: It’s all been great. I do love the iPod, though.

Q: What was the first record you purchased? When did music become a vital part of your life?
A: I’ve always loved music. My first album was David Bowie, “The Rise and Fall of Ziggy Stardust and the Spiders From Mars” [from 1972].
Shakira: Colombian Superstar Has Her Own Ideas About Crossover Success

By Leila Cobo

Lease it to Shakira to defy all the rules.

Typically, a Latin crossover act with an album in English will promote it to English-speaking and Latin fans. For Spanish-language albums, promotion is concentrated on the act's Latin fan base, wherever it may be.

But not Shakira.

Her upcoming "Fijación Oral, Volumen I," due June 7 on Epic Records, is her first studio album in nearly four years. It is an all-Spanish album whose first single, "La Tortura," had its premiere on MTV.

It was the first time the channel added a Spanish-only video—with no English counterpart.

MTV also aired "Making the Video" program in Spanish with subtitles during prime time—an act first.

"We do things with artists because our audience wants to see that, and Shakira's name keeps coming up," says Tom Calderone, former executive VP of music and talent programming for MTV/MTV2 and now GM of VH1.

Other crossover acts have had Spanish videos on MTV—but always with an English version also airing.

Shakira, Calderone says, "is a different atmosphere."

Indeed, there is no precedent for "Fijación Oral." The album, the follow-up to Shakira's English-language debut, the multiplatinum "Laundry Service," is the first half of a two-part, bilingual project.

The second part, "Oral Fixation, Part Two," is completely in English and will be released this fall, also on Epic. Unlike other releases by crossover acts, the two albums do not have any songs in common.

The original intent was to make one album, I didn't know if in English or Spanish," Shakira says. When she started to write, the songs flowed in her native Spanish, and also in English. It was a different experience for the Colombian-born Shakies, who wrote "Laundry Service" armed with a bilingual dictionary, when she was just learning how to speak English.

From 60 songs, many of which she wrote with longtime collaborators like Lester Mendez and Luis Fernando Ochoa, Shakira whittled down the list to 10 in each language. She then picked a styleistically eclectic two-album project.

"I don't believe very much in the musical unity of albums," Shakira says. "I don't think an album needs to have one general concept. I think albums have to be the spontaneous expression of an artist. That's why I took such a long time to work on these songs. And so many things happened in that time, that the first song I wrote has nothing to do with the last.

"In deciding which album to release first, Shakira also broke ranks. Most Latin crossover acts have followed their English breakthroughs with another English-language album. But Shakira is following up "Laundry Service" with a Spanish recording, in order to fill what she calls "an urgent need."

"Sometimes with great artists you have to reinvent the way you do business," Epic Records president Steve Barnett says. "Often, record companies talk about global plans for a record. This is a global plan for two records."

And an ambitious plan at that.

"Fijación Oral" is a Latin-ringed album. Not only is it in Spanish, but, for the first time in Shakira's career, it features collaborations, with two quintessentially Latin acts.

One is Gustavo Cerati, an Argentine rocker little known outside Latin America. The other is Spanish pop star Alejandro Sanz, who joins Shakira for "La Tortura" and its video.

Their presence may help Shakira re-enter the Latin marketplace; it has been seven years since her last all-Spanish album.

Still, the bigger challenge is the project's global scope. Both albums will be released in more than 100 countries—every territory covered by Epic and its distributors.

Marketing and promotion will be distinct in each territory, with Shakira initially visiting Mexico, Argentina, Brazil, Colombia, Spain, England, Germany and possibly Chile in addition to her U.S. promotion.

Remarkably, Shakira is "a superstar in a lot of these countries," says Helena Verellen, senior marketing director for Epic International.

Even in countries in Asia, where there is no Spanish market at all, there is potential to sell a Shakira album, whatever it is," Verellen says.

Repositioning Shakira in multiple markets will be laborious but the label is up to the task, says Luana Pagani, Sony BMG senior VP of global marketing for Latin America.

"She's a great artist," Pagani says.

Epic is working with Sony BMG's U.S. Latin and Latin American divisions, which were responsible for breaking Shakira as a star in the Latin realm and have been instrumental in positioning and maintaining her as a major artist among Spanish-speaking audiences.

REDEFINING LATIN POP

Now 2E, Shakira was originally signed to Sony Colombia and initially released two albums there with no impact. Her breakthrough came with the 1996 re-release "Pies Descalzos," an album that redefined the scope, sound and image of Latin pop female acts.

With limited promotion in the United States, "Pies" managed to sell nearly half a million copies, according to Nielsen SoundScan. Her follow-up, 1998's "Dónde Están los Ladrones," sold close to 900,000 copies in the States. By the time she released "Laundry Service" in 2001, Shakira had sold more than 10 million albums in Latin America alone.

As for "Laundry Service," it has sold 3.3 million copies in the United States and more than 13 million worldwide, according to Epic. All told, Shakira has sold more than 26 million albums worldwide.

Armed with those numbers, Epic has set aside a year to promote the new project, with varied marketing partnerships around the world encompassing singles from both releases.

In Sweden, for example, mobile phone company 3 is airing TV spots that invites users to download the "Tortura" video.

In Korea, Epic has a synchronization deal with another mobile provider that is using "La Tortura" for a jeans commercial. Three other songs, taken from both albums, will be used throughout the year, with the Spanish album setting up the English album.

In Brazil, cyclists will tour the beaches of Rio de Janeiro with Shakira banners and airplanes will circle the sandy shores of São Paulo with Shakira announcements.

"We're going to work both records completely around the world," stresses manager Ceci Kurzman, who was Epic's VP of marketing before taking over Shakira's career last year. She says releasing the two albums separately will give people "time to live with their music."

"La Tortura" was simultaneously released to radio stations worldwide. The video also premiered simultaneously on Latin and mainstream channels. In the United States, the track is No. 2 on the Billboard Hot Latin Songs chart and No. 80 on The Billboard Hot 100.

A mix of pop, flamenco and rock, "La Tortura" was also reworked as a "Shakiton" mix with subtle reggaeton elements. As with other Shakira creations, there is no clear stylistic element or ethnic influence that identifies it as her work. Rather, the voice, the inflection and the lyrics—always clever and well-crafted—make the song purely Shakira's.

"I don't like labels, because I'm an artist on a permanent search. If there is any label I like, it is the 'pop' label, because it's a very flexible world," Shakira says. "I'm afraid of getting married to one sound forever. I want to have Don Juan's liberty within music, and do what my instincts tell me."
FOR THE COMMON GOOD?

MOVEMENT TO SHARE CREATIVE WORKS RAISES CONCERNS IN MUSIC CIRCLES BY SUSAN BUTLER
adoption of Creative Commons, the movement has begun to arouse concern in the music business. Some industry leaders say that the group’s approach—applauded by many—is in effect a Trojan horse that could erode copyright protection or harm unwitting artists.

"My concern is that we’re going to support Creative Commons also support a point of view that would take away people’s choices about what to do with their own property," says David Israelite, president/CEO of the National Music Publishers’ Assn. and former chairman of the Department of Justice’s Intellectual Property Task Force.

Creative Commons dates back to 2001, when a number of figures from the academic world recognized that there was no mechanism in place to inform Internet users how to easily locate copyright-free works. Not was there a way for Web users to determine whether works posted on the Internet—essays, articles, photographs, poetry, music—could be used freely as public-domain works or in some ways without the copyright owner’s permission.

The group began developing standard licenses that could be linked to works on the Internet, indicating that the copyright owner permits certain uses without compensation. In this way, other creators who want to use or build on the works can do so without tracking down the owners. Spurred by the proceeds of a paper and pen, the Massachusetts Institute of Technology computer science professor Hal Abelson, a Creative Commons board member.

While authors were initially licensing books, scientific articles and educational materials, the group has more recently been encouraging the music community to support the project online and offline. At least one widely circulated CD has been developed using Creative Commons licenses. Wired magazine approached artists to provide music under the Creative Commons licenses for a CD distributed with its November 2004 issue. Sixteen agreed, including David Byrne, Beastie Boys and Chuck D.

Hilary Rosen, former chairman/CEO of the Recording Industry Assn. of America, also has expressed support for the Creative Commons in speeches and in an article in Wired. (Lessig is a contributing editor to the magazine.)

Despite such displays of support, critics like the NMPA’s Israelite believe Creative Commons intends to undermine copyright protection through its activities in courts and legislatures.

"Lessig and his followers advocate a shorter copyright term," says attorney Michael Sukin, a founding member of the International Assn. of Entertainment Lawyers.

The Creative Commons was founded on the ideas of Eric Eldred, an Internet publisher who filed a court challenge to federal legislation that extended U.S. copyright protection for an additional years. Lessig argued the case for Eldred before the Supreme Court, which upheld the law.

"I think the biggest issue that Creative Commons really tries to point to is the fact that for the sake of a very small percentage of works that have high value, we’re locking up everything else so our intellectual soil becomes nutrient-poor," says Tim O’Reilly, who publishes technology books and supports the group.

While Lessig and other board members acknowledge they support a shorter copyright term, they say Creative Commons is separate from their activities as individuals.

MIT’s Abelson says his point of view comes from his scientific background. "If the term in 1920 was what it is today, we would just now be freeing up the work that discovered that there were atoms. I don’t want to speak for artists, but for the progress of science it just scares me that you lock this stuff up for 100 years."

Abelson adds, "We’re not like a lobbying organization. We’ve been trying pretty hard for Creative Commons not to get involved in that kind of stuff."

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Yet Israelite and Sukin say that it is hard to separate the individuals from the organization. This blurring was evident when RIAA and Motion Picture Assn. of America members, music publishers and songwriters argued the Grokster case before the Supreme Court, seeking to reverse the federal appellate decision that held peer-to-peer operators Grokster and SingSing liable for their users’ infringement of copyrighted music.

Fifty-five amicus (friend of the court) briefs were filed, many by professors. Rather than filing a brief as a professor, Lessig submitted one on behalf of Creative Commons.

The brief, which proposed affirming the appellate decision against RIAA and MPAA members, described the Creative Commons as a group with an award-winning project endorsed by many, including ex-RIAIA chief Rosen and former MPAA leader Jack Valenti. It also listed as amici major artists whose music was on the Wired CD.

Although Rosen supports the Creative Commons approach to licensing, she tells Billboard that she was not aware her name was used in the brief.

"Neither Jack nor I endorsed the Creative Commons brief before the Supreme Court," she says. "Obviously I don’t approve, obviously I don’t think it’s appropriate, and certainly don’t endorse their view in the Grokster case."
Coldplay
TURNING THE HEAT

EMI ROLLS OUT GLOBAL BLITZ FOR PRIZE BAND

BY EMMANUEL LEGRAND and MELINDA NEWMAN

I

It has been said that one hit album is a fluke and two is a really good start, but if an act has three successful albums, it signals a long career.

On the eve of the release of its third studio album, “X&Y,” certainly no one doubts that Coldplay has a healthy career. The only question is: How high can the band go?

The set, due June 7 on Capitol in North America and June 6 on Parlophone in the rest of the world, stands to be one of EMI Music’s biggest releases of the year.

“It certainly is one of the most highly anticipated records,” EMI Music vice chairman David Munns says, “and one with enormous retail, radio and media buzz behind it.”

Munns and EMI Music U.K. chairman/CEO Tony Wadsworth will not give exact projections. But they have set the sales bar higher than the band’s last album, 2002’s “A Rush of Blood to the Head,” which shifted more than 10 million units worldwide. “I expect this album to do a lot more,” Wadsworth says.

In the United States, where Capitol initially will ship at least 1.5 million copies, Capitol Records (U.S.) chairman Andy Slater is looking at not only sales, but the band’s potential legacy.

Coldplay is “at the brink of proving they are going to be enduring and become a cultural touchstone,” Slater says. “For most bands, that moment comes with the third record.”

Some critics are already comparing the album to “The Joshua Tree,” which catapulted U2 to worldwide superstardom.

Virgin Entertainment Group North America chief marketing officer Dave Alder considers the album a milestone for Coldplay. “Whether it turns out to be their ‘Joshua Tree’ in a commercial sense remains to be seen, but it will certainly garner the acclaim and praise that U2 received for taking such a leap at that time,” Alder says.

“‘X&Y’ is probably [our] most anticipated release of the year,” he adds. “We were truly impressed by the maturity, beauty and complexity of the record.”

But the album was not delivered without some difficulty. The band spent 18 months promoting and touring behind “Rush of Blood.” Then, Coldplay started working on new songs with longtime producer Ken Nelson. Unsatisfied with the result, the band started the process all over with a new producer, Danton Supple.

The delays in the delivery of the Coldplay album and the new release from Gorillaz forced EMI to issue a warning to investors in February that its recorded-music sales for the fiscal year ended March 31 would come in lower than expected. The company is currently projecting that recorded-music sales will be 7.5% below the previous year when it reports earnings May 24. EMI’s management downplays the impact of the delay and the role of Coldplay in the label’s overall financial picture.

“With a record as highly anticipated by fans as this, the importance of it gets built up into a frenzy in the industry and in the press,” Munns says. “Of course, it’s a special record, but we believe all of our releases make an important contribution both artistically and financially.”

Wadsworth says, “As far as we are concerned, they were doing what needed to be done to make a great album, which is not easy when there are so many expectations. We did not feel at any point in time that there was a huge problem at all.”

“Of course, we want what’s best for the company, but not to the extent of putting pressure on the band,” Capitol Music U.K. president Keith Wozencroft adds.

For his part, lead singer Chris Martin recently expressed disdain for shareholders in a Reuters interview. He declined to be interviewed for this story.

BACK IN THE U.S.A.

In the United States, first single “Speed of Sound” was previewed as a master ringtone more than a week before the song went to radio (“Billboard,” April 23).

A 30-second clip of the tune was offered exclusively through Circular Wireless starting April 12. It was also available for download prior to its May 23 physical release and on April 19 became the first track to simultaneously top all of the single sales charts at Apple Computer’s iTunes stores around the world, which numbered 15 at the time.

Once “Speed of Sound” went to radio, a number of formats—including triple-A, adult contemporary and modern rock—quickly responded. “They are one of the few bands that can deliver a new single and immediately the single is put into power play,” says Bob Burch, VP of programming and marketing for triple-A KPRI San Diego. The song is No. 1 for its second week on Billboard Radio Monitor’s Triple-A chart.

“There aren’t a lot of bands that will command that kind of attention. The U2s, the Dave Matthews, the Coldplays,” Burch says.

While Capitol will be careful to always take care of the band’s radio base, plans do call for a “look at the top 40 market,” Slater says. “It’s a natural progression for this album to end up in the mainstream.”

Coldplay has already racked up impressive U.S. sales. “Parachutes” has sold 2.2 million copies since its 2000 release, while “Rush of Blood” has moved 3.7 million units, according to Nielsen SoundScan.

EMI U.K.’s Wadsworth notes that Coldplay is one of the few British acts to have established a large following in the United States in the past five years.

“Having a strong base in the U.S. not only provides us with sales but also credibility,” Wadsworth says. “It has a knock-on effect on all the territories that are influenced by the U.S. market. We have in Coldplay a truly global band.”

WORLDWIDE SENSATION

The marketing approach to the new album is global, indeed. Mike Allen, EMI Music U.K. VP of international, says the launch was preceded by an “intense setup,” working in tight collaboration with Mark Collen, Capitol Music senior VP of global marketing, and his successor, Matthieu Lauriot-Prevost.

“We have the burning desire to launch this record with the maximum effect in each and every market,” Allen says. Wozencroft adds that the label is looking at a 24-month marketing campaign with a potential six singles.

In early March, EMI started meetings with global marketing divisions, including detailed discussions with all the regional teams and the key markets.

Collen and his team had assembled market research about Coldplay’s audience, its music and how it is perceived. “We discovered that Coldplay’s music could appear in a wide range of music collections,” Allen says. “We are addressing where we think the bulk of Coldplay’s fans are initially and how to get to them.”

To that end, Martin and fellow band members Guy Berryman, Jonny Buckland and Will Champion made several trips to the United States for media promotion and buzz gigs, spent a week in Japan, then headed back to Europe for live work and face-to-face promo, mostly in France, Germany, the Netherlands, Italy and Spain.

According to Lauriot-Prevost, Coldplay’s top four markets are the United States, United Kingdom, Canada and Germany. One of the big targets with this project is Japan. “Coldplay has reached gold plus thereon the last album, but we need to bring Japan to the level we have reached in the other major markets,” he says. (Gold sales in Japan are 100,000 units.)

On May 15, Coldplay performed a secret London gig for MTV Networks contest winners culled from 20 MTV channels worldwide.

“EMI and management started planning the event way in advance with MTV,” says Harriett Brand, senior VP of music at MTV Networks International.

That show will air June 3 on MTV outlets around the world (outside the United States) and be preceded by June 4 a 30-minute special on the band, in which the group is questioned by such fellow acts as Foo Fighters, Noel Gallagher, Stereophonics, Xxlbit and the Kills.

The plan differs in North America, where Coldplay taped a separate concert May 18 at MTV’s Times Square studios in New York that will also air June 5. The band also taped an episode of “Storytellers” for VH1 on May 16. It will air June 8. A May 17 performance at New York’s Beacon Theater was videotaped for an AOL webcast.

Additionally, mtv.com will begin streaming “X&Y” May 31, one week before the album is available at retail.

“X&Y” is currently available for purchase on iTunes, making it Apple’s first preorder campaign. Buyers will receive two additional unreleased tracks.

ON THE ROAD AGAIN

The key to promoting the band, Slater says, “comes down to making the strongest emotional connection between the singer and players and the listener. And this band does that on stage.”

On June 1, Coldplay will perform a London show that will be heard live on national top 40 public station BBC Radio 1. “Having a Coldplay concert at the beginning of the summer is what our listeners want most,” Radio 1 head of music Alex Jones-Donnelly says.

In addition to playing some radio shows, the Coachella Festival in April and Lollapalooza in July, Coldplay will kick off its biggest international tour to date in June with a series of five stadium shows in the United Kingdom. Capacity for each venue is about 30,000.

An eight-week North American tour begins Aug. 2 in Toronto. Rilo Kiley is the opening act.

Additional reporting by Jill Kipnis in Los Angeles and Brian Garrity in New York.
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MESSINA’S ‘SURPRISE’ COMEBACK

ASHVILLE—Jo Dee Messina has had a career marked by ups and downs, but now she’s definitely on a professional high.

Her new Curb album, “Delicious Surprise,” spent two weeks at No. 1 on the Billboard Top Country Albums chart after its April 26 release. Debuting at No. 7 on The Billboard 200, “Delicious Surprise” was Messina’s first top 10 entry on that chart. The album has sold 174,000 units in its first three weeks, according to Nielsen SoundScan.

In addition, first single “My Give a Damn’s Blused” was No. 1 on Hot Country Songs for two weeks, marking the sixth No. 1 single of her career. “Delicious Surprise,” Messina’s first non-holiday studio album in five years, marks a big comeback for her. Since her last new album, she has made radical changes in her professional and personal life that have helped guide her to this new career peak.

Messina parted with longtime manager Stuart Dill of Refugee Management and signed with Dreamcatcher Artist Management. She also took her publishing in-house after a co-publishing deal with Curb ended, changed publicists and replaced much of her road crew. In addition, she split with her fiancée after a nine-year relationship and entered rehab for alcoholism treatment.

“‘Delicious Surprise’ was Messina’s first top 10 entry on that chart. The album has sold 174,000 units in its first three weeks, according to Nielsen SoundScan. In addition, first single “My Give a Damn’s Blused” was No. 1 on Hot Country Songs for two weeks, marking the sixth No. 1 single of her career. ‘Delicious Surprise,’ Messina’s first non-holiday studio album in five years, marks a big comeback for her. Since her last new album, she has made radical changes in her professional and personal life that have helped guide her to this new career peak.

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Messina, who declared bankruptcy earlier in her career, says her support network hasn’t always been as solid as it is now. “When I went through the rough times, people jumped ship,” she says. “I’ve been emotion ally attached to a lot of people who pretty much saw me as a meal ticket. It was a hard lesson to learn, but I learned it. Now a part of me walks around guarded.”

Despite those hard lessons, she says rehab helped her get back in touch with her creative side. Rehab “al... continued on >>p30

FACT FILE
Label: Curb Records
Management: Dreamcatcher Artist Management
Booking: The William Morris Agency
Publishing: Dream Bound Songs (ASCAP)
Top-selling album: “I’m Alright” (1998), 2.1 million
Last non-holiday studio album: “Burn” (2000), 1.2 million

Common Not A Plain Rapper

Common is back. That is the consensus reverberating coast-to-coast in advance of the May 24 release of “Be.” And judging by the unanimously positive buzz to the Getting Out Our Dreams/Geffen album, the Chicago rapper will find himself once again at the apex of critical acclaim and commercial appeal.

“Common’s ‘Be’ reminds me of (2000’s) ‘Like Water for Chocolate,’” says Carlton Tucker, owner of retail outlet Mad T in Washington, D.C. “But ‘Be’ is the best and most consistent album he’s done. I think this album is going to go down as a rap classic.”

The socially conscious rapper formerly known as Common Sense has been drawing respect for his honest and colorful street poetry ever since his debut in the early ‘90s. Born Lonnie Rashid Lynn, Common first tasted critical and commercial success with “Like Water for Chocolate,” his fourth album, which featured the Grammy Award-nominated “The Light.” The momentum shifted with the 2002 release of the experimental, eclectic “Electric Circus,” which sold a disappointing 65,000 units.

“Obviously, I wanted ‘Electric Circus’ to receive a better response,” Common says during a stop on his current cross-country promo tour. “But I don’t apologize for the record. It was me being true to what I feel as an artist. Like Miles Davis, it’s my ‘Bitches Brew’ It’s a part of my musical evolution.”

As is “Be.” Even while he was recording “Electric Circus,” Common says he told then-girlfriend Erykah Badu that he wanted to do a raw hip-hop album.

“People might dance to it in the clubs or listen on the radio for a minute. But a lot of the hip-hop music being made doesn’t stick to their souls,” Common says. “I wanted to create something timeless and ageless.”

Enter fellow Chicagoan Kanye West. continued on >>p30

FACT FILE
Label: Getting Out Our Dreams/Geffen
Management: Derek Dudley
Booking: The William Morris Agency
Top-selling album: “Like Water for Chocolate” (2000), 752,000

Common
This image is not relevant to the text.
**MESSINA (cont.)**

from ->29

lowed me to step back and see what's really important. I got a chance to see why I do music, which is because I love it. I love to entertain.

Since that epiphany, she says, "I'm singing around the house again, singing in the grocery store, singing in the shower.

As part of her new emphasis on the creative aspects of her career, "Delicious Surprise" became the first album that Messina co-produced. She has also refocused on her songwriting, contributing five songs to the album.

"Because my mind is a bit freer," she says, "I have more time to dream, and in those dreams is where my music lies.

For the first time, Messina says there were "no compromises" with the label on single selection. "On every album so far there were one or two songs or singles that I really wasn't comfortable with." She admits. But she says this time Curb executives were "really open to letting me do what I needed to do.

Country radio is welcoming back Messina and her music. Marci Braun, assistant PD/music director at WUSN Chicago, says, "It's great to have a performer with her energy back in the format."

"Jo Dee Messina and many of our women with star power have been missed by country listeners," says WKLB Boston assistant PD/music director Ginny Rogers says. "When the Dixie Chicks went on hiatus, the format lost its female attitude. Jo Dee's ["My Give a Damn's Busted"] put that back.

The single, written by Joe Diffie, Tony Martin and Tom Shapiro, previously appeared on Diffie's 2001 "In Another World" album. Bsoon Curb. VP of sales for Curb Records, largely credited the single and its video for the album's success. He also cites "a full print, radio and TV advertising campaign."

Additionally, Messina has promoted the album on a number of network morning shows and other outlets.

Although Messina is no stranger to success, she says she is enjoying it for the first time. "Do you know how many second chances I’ve had?" she asks with a laugh. "When people say, ‘You’re an overnight success,’ I say, ‘How long is your night?’"

**COMMON (cont.)**

from ->29

There is no denying that West's high-profile as a hit producer and chief of G.O.O.D. (also home to breakout artist John Legend) has heightened mainstream awareness of Common. However, the rapper declares their first-time pairing wasn't so much a calculated plan as an opportunity to create some "good, soulful hip-hop music."

Common adds, "We were like two kids in the studio saying, ‘Man, this almost sounds like Pete Rock or Gang Starr.' But it was our own stuff we were coming with.

That "stuff" includes well-received first single "The Corner" and recently launched second single "Go!" These tracks, as well as noteworthy selections like the jazz-infused "Real People," artfully balance both artists's considerable talents and reflect the human experience.

The Interscope/Geffen team is taking its campaign for "Be" to the streets. As Interscope marketing executive Tim Reid notes, "The biggest plus we have for this project is Common and his charisma."

**Nashville Scene**

**Anderson Rocks The Country**

With a title like "Three Chord Country and American Rock & Roll," you pretty much know what you're going to get from Keith Anderson's debut Arista Nashville CD.

Anderson, who grew up in Oklahoma on a steady diet of music from legends of both genres, describes the music he makes as "tromp, steppin', slammín', jammin' country."

With this album, which debuted at No. 13 on the Billboard Top Country Albums chart in the May 21 issue, Anderson has achieved his goal of creating "a real melting pot of that country lyric with that great '80s groove that we all grew up listening to."

His vision for the CD, Anderson says, was "to put together an album of songs I'd written that I wanted to crank up at a party." He calls the project "a tip of the hat to some of my favorite country and rock artists growing up.

On the strength of hit single "Pickin' Wildflowers," the Jeffrey Steele-produced album, which was released May 3, sold more than 16,000 copies in its first week, according to Nielsen SoundScan.

Anderson previously dabbled in modeling, owned a singing telegram business in Dallas known as Romeo Couch-boys and was a runner-up for the Mr. Oklahoma bodybuilding title. But he has more than looks going for him. He has an engineering degree from Oklahoma State, is disarming charismatic and has honed first-rate songwriting chops. An EMU writer, Anderson's pre
Unexpected Fall Out, Boy

Industry chart watchers found themselves asking, "Who is Fall Out Boy?" after the Chicago band's sophomore album, "From Under the Cork Tree," debuted at No. 9 on The Billboard 200 in the May 21 issue. The title sold 68,000 copies in its debut week, according to Nielsen SoundScan. The album is No. 29 this issue.

Fall Out Boy's story begins in fall 2002. Word-of-mouth about the pop-leaning punk band's live shows and Internet buzz led to interest from a handful of independent labels. The band signed with Tampa, Fla.-based Fueled By Ramen because the label agreed to a one-album deal.

Crush Music Media Management's Bob McLynn says, "I felt that Fall Out Boy had what it took to be a next-level band, and thought that one indie record would be enough to develop them."

Fall Out Boy released its first album, "Take This to Your Grave," in May 2003. The band has toured ever since. "I don't think they took more than a week off," Fueled By Ramen president John Janick says. Additionally, Fall Out Boy was the first band on Web site purevolume.com (Billboard, April 30) to be downloaded 1 million times, and now has reached 2 million downloads. In November 2003, Fall Out Boy signed with Island through Fueled By Ramen. The indie label has since signed a distribution deal with Alternative Distribution Alliance that does not include the band.

Island gave Fueled By Ramen a modest amount of money to market the first record, an amount Janick says was "what a major label would spend on catering for a band." Fueled By Ramen will have its name on the next four Fall Out Boy albums, and will continue to handle the band's merchandise.

"Mostly surprised" is how bassist/lyricist Pete Wentz described his reaction to having a top 10 record. "I never would have expected us to be surrounded by the artists we're surrounded by."

Retail was also caught slightly off guard. "We were expecting them to do well, but maybe not this well," Tower Records' Dal Basi says.

Radio has yet to come to the table. Lead single "Sugar, We're Going Down" has received a modest 259 spins.

"Radio will have to catch up," Island president Chris Geary says. "It was more than we ever thought we'd get."

"We're definitely not looking at this as a one-off success," Fueled By Ramen president John Janick says. "We expect the band to have a major hit."

Fueled By Ramen is billing the band's sophomore album, "The Boys of Zummer," as a "next-level band, after the label agreed to sign Fueled By Ramen after the band's first record, "Take This to Your Grave."" Fueled By Ramen's management firm, Crush Music Media Management, says the band is "basicall the same set" and has had five labels interested, "Big & Rich and Gretchen and some of the new, rocking kinds of artists opened some doors for what I was doing," he explains.

Anderson chose Aria based on the label's track record and the aggressive way its executives came after him. He showcased last July, signed with the label in October and had a single on the radio by December.

"Everybody says timing is everything and I believe it," he says, noting he's glad the label deal didn't happen for him sooner when he was still developing his sound and image. "You come into town writing songs, trying to sound like hits on the radio." But Anderson says no artist, including himself, is ready for stardom until they discover "the kind of music and the kind of sound that just flows from you.
SONG OF THE YEAR  "HERE WITHOUT YOU"
Brad Arnold, Todd Harrell, Chris Henderson, Matt Roberts
Escatawpa Songs, Songs of Universal, Inc.
As performed by 3 DOORS DOWN

BMI ICON  PAUL SIMON

PUBLISHER OF THE YEAR
EMI MUSIC PUBLISHING

SONGWRITER
OF THE YEAR  LIL JON

COLLEGE SONG OF THE YEAR  "SOMEDAY"
Chad Kroeger (SOCAN), Mike Kroeger (SOCAN), Ryan Peake (SOCAN), Ryan Vikedal (SOCAN)
Warner-Tamerlane Publishing Corp.
As performed by NICKELBACK
MUNIZZI HAS INTEGRITY

After years of self-releasing her projects, gospel sensation Martha Munizzi has signed with My Michelle, a Philadelphia-based Integrity Music. Munizzi's 2003 album, "The Best Is Yet To Come," spent 68 weeks on the Billboard Top Gospel Albums chart, peaking at No. 2 in August 2004. The title has sold 198,000 copies, according to Nielsen SoundScan. The praise and worship artist's catalog and future projects will be distributed by Provident-Integrity Distribution to the Christian market and to mainstream outlets on Epic through Sony BMG Distribution.

—Deborah Evans Price

GUERRA’S ANNIVERSARY

Dominican star Juan Luis Guerra is launching his U.S. tour May 28 with a 20-year-anniversary show at New York’s Madison Square Garden. AOL Latino, the tour’s sponsor, will promote Guerra on its site through photo galleries, videos and audio streams. Guerra’s tour is produced and booked by Ralph Mercado and Felix Cabrera.

—Leila Cofo

‘TRAPPED’ OPERETTA

R. Kelly’s upcoming Jive album, “TP.3 Reloaded,” will include a 16-minute filmed operetta based on his five-part, domestic-drama-themed single “Trapped in the Closet (Chapters 1-5).” The operetta will be available only as a bonus DVD packaged with the July 5 release. The first chapter of “Trapped in the Closet” airs May 25 on BET’s “Access Granted.”

—Gail Mitchell

JUMP 5 TAKES WRIGHT STEP

Sparrow Records act Jump 5 has signed with Johnny Wright Entertainment for management. The Orlando, Fla.-based manager also handles the Backstreet Boys and ‘N Sync. Nashville-based Proper Management previously handled Jump 5.

—Deborah Evans Price

HILL JOINS FEST LINEUP

Lauryn Hill, backed by a 26-piece band, is the latest performer to join the lineup for the inaugural Vibe MusicFest. Hill joins Kanye West, Mary J. Blige, Ludacris, Big Boi and others. The Burger King-sponsored festival takes place June 10-12 at the Atlanta Georgia Dome. Grammy Award winner Hill continues to work on a new Columbia/Sony Urban Music studio album.

—Gail Mitchell

UMGN SIGNS CALAISA

Universal Music Group Nashville co-chairman James Stroud has signed Swedish quartet Calaisa to his country artist roster. The group consists of two sets of sisters, all of whom play multiple instruments. Stroud says he first saw them perform in Nashville and signed the act the same day. Calaisa will begin recording in July in Nashville with producer Stroud.

—Phyllis Stark

SOCIETY HONORS JOHN

Elton John will receive the 14th annual Ella Award from the Society of Singers Oct. 10 in a ceremony at the Beverly Hilton Hotel in Los Angeles. The nonprofit organization raises money to meet emergency financial needs for professional singers. It was co-founded by Henry Mancini’s widow, Ginny.

—Melinda Newman

SYNTEK LAUNCHES U.S. TOUR

Fresh from winning two Billboard Latin Music Awards, Mexican pop star Aleks Syntek will hit the road with a U.S. tour to promote his current album, “Mundo Lite” (EMI). Syntek will play 11 gigs starting this month, including House of Blues clubs in Los Angeles, Las Vegas and Chicago. He will share the stage with fellow Mexican act Moenia. Cardenas Marketing Network is booking the tour.

—Leila Cofo

FOR THE LOVE OF MUSIC

Independent Respek Records Sets Forth, With Vets And Newcomers In Tow

You could say Mark Eman is a musical Don Quixote. Four years ago, Eman left his successful business enterprises on the Caribbean island of Curacao—none of which were music-related—to open a management firm in Miami. Via a series of serendipitous encounters and lessons from what he calls the “school of hard knocks,” Eman now oversees a management company (Eman Enterprises), a studio (New Miami Studios) and a fingling record label (Respek Records) that in May released its first album under a new distribution deal with Universal Music & Video Distribution. Eman has yet to see a penny from his investments. But one cannot help but root for this enthusiastic crusader who harks back to a time when labels were created out of love for music.

It helps that he has a credible roster of artists. Most of his 12 signees are acoustic-based singer/songwriters, some with pedigreed backgrounds, some brand-new. Among them are salsa star Luis Enrique (formerly on WEA Latina) and brothers Eduardo and Fernando Cardenas. Grammy Award-winning songwriter Fernando (whose hits include Celia Cruz’s “La Negra Tiene Tumbo”) will release a solo album later this year. Eduardo released his debut disc, “En Exclusiva,” last year, but released it May 3 through UMDV. Also out this month is the debut album from Xarah and a compilation, “Gracias Mamá,” featuring new tracks by Respek artists. It is dedicated to Eman’s mom, who helped fund this venture.

Respek has its own radio promotion, press and marketing departments—the last of which is run by Marla Inés Sánchez, a former label manager at Universal Music Latino.

Management clients include Universal Music Latino singer/songwriter Aliy Jey, the opening artist on Paulina Rubio’s tour. Money, Eman says, will eventually start to roll in.

“As long as people don’t measure success by finances but by daily achievements, then I consider myself the most successful record label there is,” he says. “I really believe we have good music and good artists, and that’s what will eventually decide our success.”

HAPPY ANNIVERSARY: Salsa star Tito Nieves is celebrating his lengthy showbiz career with a tour that kicks off June 4 in Miami. The Tito Nieves 30 Years of Music tour will travel to approximately 16 U.S. cities. It ends Nov. 23 at Carnegie Hall in New York. A venue Nieves has often played, though not as a headline.

The outing is booked and promoted by Tito Nieves Productions in conjunction with the Company of Entertainment and Marketing. Nieves will begin recording a new album in June, with plans to release it in September on SGZ Records.

Celia’s Legacy: Cuban icon Celia Cruz is the subject of an exhibit titled “Azucar! The Life and Music of Celia Cruz” that opened May 18 at the Smithsonian National Museum of American History in Washington, D.C. It runs through Oct. 30. A traveling version of the exhibit will go on tour in 2007.

McRae ‘Maps’ His Next Move

Despite being recorded in Los Angeles, singer/songwriter Tom McRae’s third album, “All Maps Welcome,” is as English as his homeland’s gray skies.

“The sunshine of California clearly hasn’t made the songs any happier,” the Suffolk-born artist observes with a laugh.

Sony BMG released “All Maps Welcome” May 2 on the Bubble imprint in the United Kingdom and continental Europe. Japan will follow in late June, with plans for Asia, Australasia and North America still being finalized (Billboard, April 20).

A New York-based resident since 2004, McRae returned to England in early May for promo work and European support duties through June with Tori Amos. He will have his European maps out again in October for a string of ITB-booked headlining dates.

“Tori deserves to make a breakthrough,” Sony BMG U.K. & Ireland international marketing manager Philippa Demonte says. “All it would take is a key TV appearance or well-placed music synch. This year, we want to finally break him into the mainstream in territories where we already have a foothold.”

McRae’s publishing is signed to Sony/ATV.

—STEVE ADAMS

RAVING ON: Danish duo the Raveonettes third album, “Pretty in Black” (Columbia), is still playing the rest of Europe until late July, but it has already charted in the act’s home country.

“Pretty in Black” finds Sune Rose Wagner and Sharin Foo adding 1960s girl-group influences to the guitar-driven three-chord formula of previous releases. It arrived April 25 in Denmark, then bowed May 3 in the United States. It entered the International Federation of the Phonographic Industry’s Denmark chart May at No. 3, with 10,000 units shipped, according to the label. Sony BMG Denmark product manager Katrine Sevelius says the early release was scheduled “partly because this is the band’s home turf, and [also] as a means of maintaining the momentum from a February mini-tour.”

The band is signed directly to Columbia in New York, managed by Scott Cohen for New York-based Orchard Management and published by Jevie Delinquent Music (Kobalt Music Group). The Agency Group has booked the Raveonettes for U.S. dates through June.

—CHARLES FERRO

RENS RENEÉ-SANCHE: Veteran Italian singer/songwriter Tony Renis is full of praise for Texas-born teenage actress/singer Renee Olstead after her performance of his song “Christmas in Love” earned him the local equivalent of an Academy Award.

Olstead “is an immensely talented young singer, and she is up there with the best of them,” Renis says. Renis’ tune was named best original song at the Italian film industry’s annual David di Donatello Awards ceremony April 29 in Rome. “Christmas in Love” (produced by David Foster and Humberto Gaetti) was performed by 14½-reprise artist Olstead for the 2004 Italian movie comedy of the same name.

A former artistic director of Italy’s San Remo Song Festival, Renis is best-known for the international 1966 hit “Quando Quando Quando.” He is published by his own Tony Renis Music Publishing. Olstead released her self-titled debut album in May 2004.

—MARK WORDEN
Banda El Recodo Honors Its Tradition

Banda El Recodo is a group with one foot planted firmly in its past and the other in the present.

Nearly seven decades old, the Grammy Award-winning group founded by Cruz Lizárraga, who died 10 years ago, is now led by his two youngest sons, Joel and Alfonso.

The pair try to maintain their father's tradition (the top-selling act in the banda genre is popularly known as "the Mother of All Bands") while injecting it with contemporary sound and flair.

In recent years, the group has recorded with such pop stars as Thalía and Paulina Rubio. In 2003, it paired with producer Emilio Estefan for "Por Ti," an album that applied the traditional banda sound to pop and tropical fare. But with "Hay Amor," due May 24 on Fonovisa Records, the 17-man troupe is looking to return to the traditions of banda, down to the album art.

"It's a very Mexican, a very sinaloense album," Alfonso Lizárraga says, referring to the Mexican state of Sinaloa where banda— which uses acoustic instruments and big brass sections—hails from. "From the moment you see the album to the moment you hear it, you will be able to connect the music to the cover."

The artwork for "Hay Amor" provides a kind of visual history of banda, with photographs of the musical sections of the group. Musically, the album offers a mix of traditional rancheras and other banda fare—peppered with romantic and tropical tracks. Songs include "El Cangrejo Pelao," a remake of one of Banda El Recodo's early hits (back in the Cruz Lizárraga days), redone with vocals.

"That's what's cool," Lizárraga says. "You can hear the past, but with a dose of the future."

Lizárraga happily admits there is an element of nostalgia, which aims to reach U.S.-based Mexicans hungry for the sounds of home, as well as the group's core Mexico-based fans. "Hay Amor" will be released as a CD/DVD combo, and includes a documentary on the town of El Recodo (after which the band is named), tracing the birth of the group and the traditions of the city.

The first single, "Qué Más Quisiera," is a traditional ranchera. It is No. 19 on the Billboard Latin Regional Mexican Airplay chart.

Fonovisa's promotions will focus on those traditions and will tie in to Banda El Recodo's relentless touring schedule, which alternates weekly between the United States and Mexico.

Most of the act's albums sell at least 200,000 copies, according to their label of nine years. Because much of the group's music is sold at flea markets and mom-and-pop stores, Nielsen SoundScan data does not reflect those sales.

**FACT FILE**

Label: Fonovisa
Management and Booking: Maria de Jesús Lizárraga
Publishing: LGA Music Publishing (BMI) (for Joel and Alfonso Lizárraga)
TEEDRA STAYS TUNED IN

Songsmith Keeps Collaborating With Others While Prepping For Solo Album

It’s a go. Teedra Moses is set to record her second TVT album. In the meantime, though, the R&B singer has been busy flexing her writing arm.

Moses wrote and will guest on “Here We Go,” a selection from rapper Trina’s forthcoming album. Additional songwriting gigs include collaborations with 3LW and the Ying Yang Twins, whose “U.S.A. United State of Atlanta” arrives in June.

She also worked with Raphael Saadiq on his 2004 album, “Ray Ray.” Moses’ vocals can be heard on two of the album’s tracks, “Chic” and “I Want You Back.”

Her biggest songwriting success is Christina Milian’s hit “Dip It Low.”

“Even though it was a good song, I never thought it would be that big,” Moses says. “Some singers can’t write for others, but I enjoy it. I don’t mind being behind the scenes.”

During the last few months, however, she has reached the point of “creating some songs I don’t want to give away.”

Moses’ album debut, 2004’s “Complex Simplicity,” earned critical praise. But while sales weren’t through the roof (65,000 copies, according to Nielsen SoundScan), an upbeat Moses is only looking forward.

“The number of people who did grab hold to me may not have been a massive amount; but they were drawn to what I was doing,” Moses reflects. “I just want to make sure I record a next-level album that solidifies what I want people to believe of me as an artist.”

STILL A YOUNG MAN: At only 19, K. Young has already amassed a host of credits. His résumé includes a stint as lead singer for the Kenneth “Babyface” Edmonds-produced R&B group Play Storee. At 16 he apprenticed with producer Rodney Jerkins, later penning songs for the film and soundtrack to “Honey.” From there he and sister Kenisha Pratt teamed to write songs for Brandy’s last two studio albums, “Full Moon” and “Afrodisiac.”

And that’s not counting Young’s several acting stints (“Eye for an Eye,” “The Fan”) or his recent work with Omari, rapper Crooked I and new group 4 Melas.

Now the Los Angeles-based Young is testing the waters as a solo artist with “Learn How to Love.” The album, available through Teacherrado Records/Bungalo Records and distributed by Universal Music & Video Distribution, features production by L.T. Hutton, Jazz Nickson and Rick Rude, among others.

“Working closely with Babyface at age 11 was my first taste of the music industry,” Young recalls. “From that experience, I fell in love with writing. But I also knew I wanted to keep performing.”

Young has since launched the production company Magic Ink. Through that entity, he is currently working with rapper A’ Roc and his older sibling, KeAna, an R&B/pop singer.

MUSICAL NOTES: Session diva Marva King (Prince, Stevie Wonder, Michael Jackson, Chaka Khan, Yolanda Adams) is co-writing and producing a new solo album, “Soul Sistah.” The project is due July 19 via King’s label, Maravolous Works Entertainment.

Urban Marketing Corp. of America has established a music division, focusing on placement of R&B, hip-hop and Latino tracks. The Los Angeles-based company has done campaigns for HBO, Nike, Nickelodeon and Sean John Clothing.

Higher Ground

DEBORAH EVANS PRICE dprice@billboard.com

Overflow Brims With Positivity

One of the things I like best about the annual Gospel Music Assn. convention is catching up with people, and one of this year’s highlights was visiting with Overflow. Since its release last summer, the band’s Essential Records debut, “A Better Place,” has never been far from my CD player.

Third Day’s Mac Powell, who executive-produced the album, says Overflow reminds him of a young Third Day. Overflow drummer Will Carter says that comparison “makes me feel a little nervous, because we love Third Day and it’s big shoes to fill.”

Though its music is more pop than Third Day’s rock edge, Overflow has the same dedicated work ethic, engaging lyrics and commitment to ministry.

Bassist Josh Cromer says the band’s sound comes from “the five of us coming together with our different influences. That’s what creates kind of a unique sound.”

Guitarist Mark Breazeale, the group’s principal lyricist, says song content comes from a combination of personal experience and observations. “A lot of things I write about are influenced by people I’ve met,” he says, “because I don’t have a lot of tragedy in my life. I write a lot from things that people have told me.”

Carter adds, “The theme of the record is hope. We write songs like ‘Cry on My Shoulder’ that are directed at young people who are going through something. God promises us that he wants to be the one to provide us his shoulder to lean on when there’s nobody else, and we want to tell people about that.”

Vocalist/guitarist Tom Pellcell recalls of the group’s early days, “We all grew up together in Pendleton, S.C., except for Josh; he came on later. We organized it where we each got a different instrument for Christmas so we could start a band. We were in ninth grade. We just played all the time.”

The band caught the attention of NewSong’s Scotty Wilbanks, who produced the demo that manager Mitchell Solarek shopped, thus landing the Essential deal. Since then, Overflow has been building its reputation through relentless touring, appearing on ShoutFest, NewSong’s Summer and Winter Jam tours and opening Third Day dates.

Overflow plans to start the Better Place Foundation, which will partner with local youth groups to take on special projects. “Kids are willing to get out there and help people . . . but it’s hard to know what direction to go in,” keyboardist Matthew Hayes says. “So that’s one of the areas we are going to focus on, (trying) to fill in people [on] what they can do.”

IT’S OFFICIAL: As first tipped in Higher Ground (Billboard, April 16), Word Entertainment has purchased the Fervent and Spirit-Led labels from founder Susan Riley, who will continue to head those ventures.

Starting June 1, Fervent and Spirit-Led releases will be handled by Word Distribution at Christian retail and WEA in the general market. Provident Music Distribution was the previous distributor.

Fervent’s first new release under the Word umbrella will be the July 12 debut of the band Inhabited. On July 26, the label will issue Big Daddy Weave’s third release, “What I Was Made For.” Additionally, Word purchased Riley’s publishing companies, Open Worship Publishing and Fresh Springs Publishing.

Though many thought the deal came about as a result of Riley’s father, Jim Van Hook, taking over as head of Word, sources close to the deal say Riley had been in discussions with Warner well before Van Hook assumed his new post.
Superchumbo The Artist

After the heavy intro of “Sugar”—the third track on “Wowie Zowie,” DJ/producer/remixer Superchumbo’s debut album, as an artist—you half expect to hear Trent Reznor break into a pained wail.

Instead, you get Samantha Fox cooing, “I’d do anything for you, sugar,” like a May-December bride.

That mismatch is what makes Superchumbo’s sound unique: The music might be pummeling and metallic, but the vocals are always good for some sexy fun.

According to Tom Stephan, the man who is Superchumbo, the 12 tracks on “Wowie Zowie” are “relentless,” “crunchy” and “industrial,” but not so much that they become something other than dance.

“I don’t know why people should expect that just because it’s dance music it should be mainstream,” he says, “To me it’s house music first, with a lot of drums and drama.”

The Twisted America release features vocal contributions from bold-faced names (including the Pet Shop Boys’ Neil Tennant and club personality Alan T) and a close-up slate of blazing peak-hour bangers that reference New York after-hours dancefloors.

Several of the album’s tracks were previously released—“Irrisistible” (2002), “This Beat Is” (2003) and “Dirty Filthy” (2004), a collaboration with gurgy Chicago vocalist Colette, all hit No. 1 on the Billboard Club Play chart. The 2001 release “Revolution” —which closes “Wowie Zowie” in remixed form—is the track that established Stephan as an underground house force and announced the return of the Twisted label after years of dormancy.

The album will be released July 12 on CD and double-pack vinyl, followed by the single “Everything U,” featuring vocals by Stephan and remixes by Robbie Rivera and new Twisted artist Alex Santer.

GIRL TALK: Sure, girls can be cruel, but they can create well-conceived, original albums too.

Dj Colette was listening to a lot of Coldplay and Kylie Minogue while writing and recording her debut artist album, “Hypnotized” (Om), and it shows. The melodies are simple yet emotive like Chris Martin’s, and the production has the pop sheen of Minogue’s top 40 hits. But the real standout is Colette’s honeyed mezzo-soprano, which warmly wraps around each song.

Superchumbo

“The main mic we used was a Neumann U 87,” she says. (The Neumann is renowned for its quality and full sound.) She adds, “There’s around 13 vocal tracks on each song, and all my previous releases probably had, like, two.”

Meanwhile, hipster-hop pin-up Princess Superstar enlisted dance music royalty to help produce her forthcoming “My Machine” (Rasper/KJ), a 24-track concept album about “the impending death of celebrity culture.” Guest producer Armand Van Helden’s joint is “I Like It A Lot,” a bit of Martin’s rock that recalls early B-52’s. “Famous” features what Princess calls a “straight-up hip-hop beat” courtesy of Todd Terry, and “My Machine” lets Jacques Lu Cont show off his best robot voices.

“I ended up having [these producers] do stuff they don’t normally do, something strange,” says Princess, who was born Concenta Kirschner. “They were really psyched about it.”

Boris Diugosch and Junior Sanchez also worked on tracks, and Arthur Baker served as executive producer of the album. It’s slated for a September release.

HELLO, IT’S ME: It is with great pride and real joy that I take the reins of Beat Box from the talented and gracious Michael Pualletta. I hope to continue the column’s great tradition of supporting the dance music industry and the development of its artists. If we don’t already know each other, please contact me and introduce yourself. And please, by all means, send me your music!
We'll have a ladder for running.

Joshua Redman

Elastic Band

Momentum

Joshua Redman

Nonesuch

Release Date: May 24

In lieu of a traditional jazz recording that attempts to evoke a working band live with a minimum of overdubs, saxophonist Redman uses the studio as a creative tool superbly on his second Elastic Band album, funky, lyrical "Momentum." It is his most adventurous and mature outing to date. Redman and bandleader Sam Yalhai recorded the sessions live. Then, with master strokes, they manipulated the sounds, more in keeping with the way pop artists record. Case in point: the groove-heavy "Swirlu," a montage-like piece with impropo frits, multiple rhythm layers, guitar harmonies by Kurt Rosenwinkel and a violin blanket by Stefon Harris, whose performance was reversed and looped throughout the mix. The playing is inspired, especially the on-fleek, over- the-top smokin' solos of Gary Versace. Guest include Meshell Ndegeocello, the Red Hot Chili Peppers' Flea and the Roots' Ahmir "Questlove" Thompson.—CT

Sleater-Kinney

The Woods

Producer: Dave Fridmann

Sub Pop

Release Date: May 24

If 2000's "All Hands on the Bad One" and 2002's "One Beat" marked a turn into what may someday be known as Sleater-Kinney's peak period, then "The Woods" may well be its pinnacle. It is hard to imagine a more perfect artistic awakening than this sludgy psychedelia. It nods to influence-for drops to Throwing Muses, but manifests itself as the trio's singular sonic creation. It is both emotionally, melodically and contemplative, yet confrontational and ear-splitting. Conri Tucker's calculated throes, Carrie Brownstein's thunderous drumming and Corin Tucker's confident guitar exploring complement as never before, finding individual space where there should be none.

Producer Dave Fridmann encourages SK down a path less travelled, but still discovers fiery explosions ("What's Mine Is Yours," "Wilderness," "Rollercoaster"), as well as the massive 7-minute statement "Let's Call It Love," revealing Brownstein as an unexpected rock guitar heroine.—BAJ

Stephen Malkmus

Face the Truth

Producers: Stephen Malkmus, Phil Ek

Matador

Release Date: May 24

Uncommitted to any particular genre, Malkmus's "Face the Truth" is a grab bag of Malkmus' musical styles displayed both solo and with assorted collaborators. It has all the progression from the noisily adventures of 2003's "Pig Lib," the album shows an experiment of weird is exhausted after the first two tracks, leading into better, more straightforward rock songs like "Loud Cloud Crowd" and "Baby C'mon," and it's from here that the album grows stronger. His style, of course, has always been his strength and while he sometimes tries too hard, it is those melodies that lead the album most effectively.—KN

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Latin

Ciclon

Producer: Sergio Jorge, Rodolfo Castillo

SGZ Entertainment

Release Date: May 24

Upon hearing the accordion arrangements on Ciclon's self-titled debut, don't think of it as a waltz. Vives reduxl. Although ostensibly built upon the same pop/valenalin fusion that powered its compatriot, Ciclon, a Miami-based Colombiano duo, is more danceable and at times more raucous than its compatriot. While opener "Pegatillo" is a mix of cumbia and salsa that demands the dancefloor, the ensuing "Sí No Volvieron gusamos a Ver" is a valenalin balalad that could work at pop and tropical stations. There are also touches of flamenco and reggaetón for a more contemporary sound. What drives this album is an irresistible groove that cheapens an earthy production. This debut beg is to be heard, or at least danced to.—JC

M83

Platinum Piped Pipes

Triple P

Producer: Waajeed

Ubiquity Records

Release Date: May 10

Fresh and invigorating is the feeling you get while listening to Detroit's latest soul export. Talented duo Waajeed (a founding member of Slum Village) and keyboardist/guitarist Saitoisode (taught by Motown hitmaker Young Street) fuse hip-hop, soul, funk, house and rock into a progressive mix accessible to the mainstream and the underground on their debut album. Together with such artists as fellow Detroiters Jay Deeks and Garrett Strong, Kingdon's Spacecake and Los Angeles' RA CREATIVE Partners, PPP effortlessly shift from stripped-down melodic without resorting to a formulaic rock. "Your Day Is Done," "I Got You."
Azra - the music

JACI VELASQUEZ (3)

BY

VITAL REISSUES

CLASSICAL

OLGA KERN (5)

RACHMANNINOV, SONATA No. 2; BALAKIREV, ISLAMY

Producer: ROBIN G. YOUNG

Harmonia Mundi USA

Release Date: May 10

After winning the 2001 gold metal at the prestigious Van Cliburn International Piano Competition, Russian pianist Olga Kern has created her own personal style, which includes her clarion-clear touch on the keyboard and her magnetic on-stage presence. Olga Kern has been described by the New York Times as “a pianist with a refined style and a deep understanding of the music.”

SINGLES

POP

JENNIFER LOPEZ

FEATURING PAT JOE

Hold You Down (Spring Mix) (4:32)

Producers: Cory Rooney, Gregory Bruno, Nyce Boy

Writers: various

Singles

Also (digital download)

As Jennifer Lopez has proved many times in the past, if first at your single doesn’t catch the audience’s attention, a remix can work wonders. This reworking of “Hold You Down” jettisons the sappy “I’ll be there for you” theme of the original, and replaces it with a guns-and-gangster storyline. This is all of the new hip hop and R&B that is currently dominating the charts.

COUNTRY

BLAINE LARSEN The Best Man (3:17)

Producers: B. Laren, J. Stone

Writers: B. Laren, T. Johnson, R. L. Peek

Publisher: not listed

Young Blaine Larsen demonstrates talent way beyond his 18 years. Both with previous top 20 single “How Do You Get That Lonely?” and this offering, Larsen shows himself to be a songwriting talent with a depth of a gift for shedding insight and compassion on delicate areas of the human condition. This poignant single serves as a tribute to a stepfather who truly was the best man in a young boy’s life. The steel-guitar-laced production beautifully accents this traditional ballad. Stronger than ever, this song is one of the best to emerge in country music in years.

AC

CHRIS WALKER Drifting Along (3:05)

Producers: Chris Walker, R. Davis

Writers: Chris Walker, R. Davis

Publishers: Walker/Davis Publishing, ASCAP

Canvas Records (CD promo)

Fourteen years after his debut, Chris Walker delivered a top 40 and R&B hit with the memorable “Take Time.” The record showcased the multitalented Walker’s novel crooning style and spirited jazz licks. He has since worked behind the scenes as musical director for Al Jarreau and a collaborator for Bob James, Regina Belle and others. What a pleasant surprise to spin “Drifting Along,” one of the more immediate and melodic indie singles of the year. There is a timeless feel to the midtempo pleading-for-love song, with a layered chorus that is one of those cut out for a four-line hook. Walker will undoubtedly draw in unsuspecting listeners with a simple, affecting song that suits its appeal with the sheer scope of the artist’s talent. Kindly search this one out — CT

LEGEND & CREDITS

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

CONTRIBUTORS: Keith Caulfield, Leila Cobo, Katie Hardy, Barry A. Jakiel, Gail Mitchell, Dan Oqulette, Michael Pollatta, Deborah Evans Price, Wayne Robson, Chuck Taylor, Brem Telteman, Anastasia Tsolakis, Philo Van Vech

PICK A: A new release predicted to hit the top half of the chart in the corresponding format.

PICK B: A new release predicted to hit the top half of the chart in the corresponding format.

CRITICS’ CHOICE: A new release, regardless of chart potential, highly recommended for musical merit.

ADDITIONAL REVIEWS

LIMP BIZKIT, “Uniquely Unalike” (Part 1) (CD)

Kiko Cohen, “can’t never did nothing” (Blend)
Music

Jazz Notes

DAN OUELLETTE douellette@billboard.com

Note For Half Note
Donald Harrison Set On Indie Label's All-Star Slate

A musician's greatest thrill is to play with his heroes. In alto saxophonist Donald Harrison's case, that means his trio with bassist Ron Carter and drummer Billy Cobham, alums of Miles Davis bands and jazz elder statesmen who have carved out important solo careers. So when Harrison settled into New York's Blue Note club for a week in late April, he delivered a top-notch performance, breaking his alto with finesse, fusion power and plucks of avant-garde and New Orleans-styled swing.

On April 28, after the set, Harrison said, "Ron and Billy have so much musical knowledge that I'm in a situation where I'm learning every night. We're all going to the outer limits and finding new ways to play the music." The shows were recorded by Half Note Records, the label of the Blue Note club franchise, with a live CD scheduled for September. The indie will also release two projects May 24 (Arturo Sandoval's CD/DVD "Live at the Blue Note" and vocalist Mary Stallings' "Remember Love") and two more June 28 (saxophonist James Carter's organ trio disc, "Out of Nowhere," recorded at the club, and Will Calhoun's jazz-meets-world-meets-electronic CD/DVD "Native Lands").

"These CDs represent the second coming of Half Note," says executive VP Jeff Levenson, who came onboard in 2003 (and is a former author of this column). "We're expanding the concept beyond just recording live at the club. We have studio dates and are coupling CDs with DVDs. Overall, we're mimicking the programming at the Blue Note, addressing the bigness of jazz by representing the best of the different jazz categories."

Levenson was formerly VP of jazz at Warner Bros. and after Columbia, major labels whose jazz departments today are largely dormant or nonexistent. "In this climate, the indie have inherited the earth," he says. "We're in a position to provide a platform for musicians while at the same time giving a snapshot of what's going on today."

HIGH-FIVING DESMOND: Pianist Dave Brubeck and alto saxophonist Paul Desmond made jazz history together, skipped by the latter's renowned tune "Take Five." So it was fitting that Brubeck hosted the New York book party for Doug Ramsey's biography, "Take Five: The Public and Private Lives of Paul Desmond" (Parkside Publications), April 28 at Elaine's Restaurant.

Words & Music

JIM BESSMAN jbessman@billboard.com

COWBOY JACK IS BACK

"Just because I wrote it doesn't mean I have to remember the words." So said the great Cowboy Jack Clement last month at his gig at Joe's Pub in New York. But he never seemed to stumble over the lyrics to such classics as Bobby Bare's "Millers Cave" or George Jones' "A Girl I Used to Know." Clement was in New York as part of a mini-tour in support of the hourlong documentary "Cowboy Jack's Home Movies" (The composer was a big George Jones fan.) Directed and produced by Morgan Neville and author/documentarian Robert Gordon, the film "plays less like a documentary and more like an episode of 'Monty Python's Flying Circus,'" Gordon says.

Clement was backed at Joe's Pub by fellow Nashville songwriter Shawn Camp, Sandy Mason, Camp's "Two Pina Coladas" co-writer, chimed in on vocals on one song, as did local singer/songwriter Laura Cantrell, whose band provided the rest of Clement's support. The country music legend, 74, who also hosts "The Cowboy Jack Clement Show" on Sirius Satellite Radio's "Outlaw Country" channel, may be returning to songwriting. He needs to provide Dualtone Records with two new cuts to fill out a reissue of his 1978 debut, "All I Want To Do Is Live," originally released by Elektra, which contained "Cone Girl."

That tune was memorably covered by Tompall & the Glaser Boys. Last year, Dualtone put out Clement's "Guess Things Happen That Way," which included a version of the title track cut with Johnny Cash at Clement's famed Cowboy Arms Hotel & Recording Spa home studio a few months before Cash died. The album also featured a duet with Cash on "Teenage Queen," recorded in 1986. "I sang his part, and he sang the answer parts," Clement recalls. "If I figure good songs are always good," he adds. "My catalog does pretty well: Tom Jones just came out with a new version of 'I'll Be True.'" The song was previously cut by Jerry Lee Lewis and Cliff Richard.

Meanwhile, the Clement Family Songs (BMI)/Cowboy Arms Music (ASCAP) writer has just finished producing an album for Eddy Arnold. "He's 87—and it's going to be really good," Clement says.

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Matthews Takes ‘Stand’ In Good Company

With an opening week of 464,300 copies, Dave Matthews Band’s latest conquest of The Billboard 200 puts the group’s leader in a rather exclusive league. This marks the fifth time that a Matthews album has begun in the 400,000-plus club, a feat that eluded even such Nielsen SoundScan champs as Pearl Jam, Backstreet Boys and Eminem.

Matthews’ streak includes his 2003 solo album “Some Devil”—which started with a 3,001,400 units more than “Stand Up”—and four DMB sets.

Since 1994, when the big chart switched to Nielsen SoundScan, the only band to land five opening weeks that exceeded the 500,000-unit threshold has been Metallica. The only other artists to do so five or more times: Garth Brooks (seven), the late 2Pac (six, including the “Resurrection” soundtrack) and Jay-Z (five).

This is DMB’s fourth No. 1 album, including “Before These Crowded Streets” (which began with 432,000 in 1998) and “Busted Stuff” (622,000 in 2002). Its best sales week was in 2001 when 733,000 copies placed “Everyday” at the top of the page.

Weezer begins its floor down with 193,000—its second-largest sales week—for its album “Make Believe.” But the start at No. 2 is its highest rank ever.

NEW MATH: In my haste to reach last issue’s deadline, I calculated a slimmer edge for Mother’s Day album sales of 2004 over this year’s gift-giving frame than the actual 6.6% gap.

It is last year’s Mother’s Day two that creates the misleading 15% deficit from the same week of 2004. With this year’s sales weeks aligned differently, that comparison places this year’s post-Mom sales against last year’s holiday stanza.

Stand this issue’s album sales against the sales of 10.3 million that were registered the week after Mother’s Day last year, and the margin drops to a 1% deficit.

While we’re setting the record straight, please disregard the No. 1 list that appeared on last issue’s table of contents page. A printer’s error replaced the correct list with a dummy that was prepared during the magazine’s redesign, which explains all of the bizarre errors therein— including Yo-Yo Ma’s assignment to Top Blues Albums and U2’s designation as a new age act.

‘IDOL’ WORSHIP: Considering the odd sum that happened in viewer voting during the first three U.S. seasons of “American Idol,” I wouldn’t pretend I can predict who will emerge as the new champ. But of this year’s finalists, the one who has already had the most impact on the cash register is Bo Bice.

Two weeks ago, Bice’s performance of Gavin DeGraw’s “I Don’t Want to Be” ignited an 88% spike for download sales of DeGraw’s version, as well as a 62% spike for his “Chariot—Stripped” album. Last issue saw Los Lonely Boys self-titled set win Pacesetter honors with a 77% gain after Bice sang the band’s “Heaven.”

That issue also saw Carrie Underwood’s “Idol” homage spark a 43% gain for Rascal Flatts’ “Feels Like Today” album and since eliminated contestants Scott Savol steered a 46% increase for Brian McKnight’s “Gemini” set.

The infusion that “Idol” supplies to current albums by active artists is a contrast to the pattern established in its first two seasons, when collections from the likes of Bee Gees and Lionel Richie were lifted by the series’ covers.

PAST MASTER: The migration of regeneration artists to the new Latin Rhythm Albums chart helps one of the biggest stars in the history of reggae to reclaim his stature on the genre’s list.

With a 9% gain, the late Bob Marley jumps to Top Reggae Albums. “Gold” is his ninth No. 1 on that chart, his first since the June 1, 2002, issue.
### Billboard 200 Chart for May 28, 2005

#### Artist and Title

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<td>When The Sun Goes Down</td>
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<td>JOHN LEGEND</td>
<td>Get Lifted</td>
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<td>EMILIE C ZANE</td>
<td>Encore</td>
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<td>RYAN ADAMS &amp; THE CARDINALS</td>
<td>Cold Roses</td>
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<td>7</td>
<td>LIFEHOUSE</td>
<td>(Be As You Are: Songs From An Old Blue Chair)</td>
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#### Top 20 Songs

1. Lose Yourself - Eminem ft. Mary J. Blige
2. Umbrella - Rihanna ft. Jay-Z
3. Friction - The Game ft. Alexis Phifer
4. Keen - Rascal Flatts
5. Shut Up And Dance - T.I.
6. Don'tnodirty - The Game ft. Missy Elliott
7. Exit - Colbie Caillat
8. Second Chances - Everclear
9. Can't Be Tamed - Miley Cyrus
10. Give It Away - Red Hot Chili Peppers
11. The Time - The Game ft. Kanye West
12. Lick It - The Black Eyed Peas ft. Busta Rhymes and P. Diddy
13. Can't Hold Us Now - Macklemore & Ryan Lewis ft.はこちらの文章に含まれる情報です。
14. Already Gone - Lady Antebellum
15. Sexpot - Beyoncé
16. Timebomb - The Prodigy
17. Feeling Myself - Nicki Minaj ft. Lil Wayne
18. The Time - The Game ft. Kanye West
19. Don'tnodirty - The Game ft. Missy Elliott
20. Second Chances - Everclear

#### Billboard 200 Artistic Index

| Artist Name | Sales Rank | Weekly Sales | Artists Who Sold the Most
|-------------|------------|--------------|---------------------------|
| Daughtry   | 1          | 121,000       | Daughtry
| Jamie Foxx  | 2          | 83,000        | Jamie Foxx
| Bruno Mars  | 3          | 67,000        | Bruno Mars
| Adele       | 4          | 54,000        | Adele
| Tori Kelly  | 5          | 46,000        | Tori Kelly
| The Weeknd | 6          | 38,000        | The Weeknd
| Ellie Goulding | 7    | 32,000       | Ellie Goulding
| Sam Smith  | 8          | 28,000        | Sam Smith
| Phil Collins | 9          | 23,000       | Phil Collins
| Ed Sheeran | 10         | 19,000        | Ed Sheeran

#### Top Selling Albums

1. 21 - Adele
2. The Weeknd - Beauty Behind The Madness
3. Daughtry - Daughtry
4. Bruno Mars - Unorthodox Jukebox
5. Jamie Foxx - Unpredictable
6. Adele - 21
7. Tori Kelly - Happy
t8. Ellie Goulding - Halcyon
9. Sam Smith - In the Lonely Hour
10. Phil Collins - Legendary

#### Highest Selling Songs

1. "The Time" - Daughtry
2. "Lose Yourself" - Eminem ft. Mary J. Blige
4. "Friction" - The Game ft. Alexis Phifer
5. "Don'tnodirty" - The Game ft. Missy Elliott
6. "Exit" - Colbie Caillat
7. "Can't Be Tamed" - Miley Cyrus
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### HOT DIGITAL SONGS

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Data for week of May 28, 2005 | CHART'S LEGEND on Page 56

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<td>Jay-Z/Def Jam</td>
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<td>T-Pain feat. Flo Rida</td>
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<td>T.I.</td>
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<td>YOU DON'T KNOW ME</td>
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**TOP COUNTRY ALBUMS**

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<tr>
<td>Sheryl Crow</td>
<td>Sweeter Right Here</td>
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<tr>
<td>Trace Adkins</td>
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<td>Jo Dee Messina</td>
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<td>Julie Roberts</td>
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<td>Lonestar</td>
<td>Darryl Worley</td>
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<td>Lonestar</td>
<td>Copper On Strong</td>
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<td>Kenny Chesney</td>
<td>Van Lear Rose</td>
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<tr>
<td>Tim McGraw</td>
<td>Ultimate Alabama: 20 #1 Hits</td>
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<tr>
<td>Tim McGraw</td>
<td>All Of Me</td>
<td>67</td>
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<tr>
<td>Big &amp; Rich</td>
<td>See If I Care</td>
<td>68</td>
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<tr>
<td>George Strait</td>
<td>Revelation</td>
<td>69</td>
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<tr>
<td>Trace Adkins</td>
<td>The Best Of Jp Fowley: Double Wide, Single Minded</td>
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<tr>
<td>George Strait</td>
<td>COUNTRY CHARTSrecognized</td>
<td>71</td>
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<tr>
<td>The Very Best Of Randy Travis</td>
<td>Put The World In Your Hands</td>
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**TOP BLUEGRASS ALBUMS**

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<td>Old Crow Medicine Show</td>
<td>O.C.M.S</td>
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<td>Charlie Daniels</td>
<td>A Gospel Bluegrass Collection: Songs From The Longest F in e</td>
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<td>Alison Brown</td>
<td>Seven Mo ments</td>
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<td>Doyle Lawson &amp; QUICKSilver</td>
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<td>Ricky Skaggs &amp; Kentucky Thunder</td>
<td>Knockin' On Heaven's Door</td>
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<td>Steve Ivey</td>
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<td>The Greenb ards</td>
<td>Movin' On</td>
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<td>Steve Ivey</td>
<td>20 Best Of Bluegrass Gospel</td>
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<td>Pickin' On Vince Gill: A Bluegrass Tribute</td>
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<tr>
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<td>The Bluegrass Bible: 40 Bluegrass Gospel Classics (Wal-Mart Exclusive)</td>
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**BETTENY'S BEST WEEK LEADS LIST**

Dierks Bentley catches his biggest one-week Nielsen SoundScan wave as "Modern Day Dr. feel good starts at No. 1 on Top Country albums and No. 6 on The Billboard 200. With 75,000 copies sold, Bentley's sophomore set tops his previous best one-week sum of 32,000 copies.

3er tie's is the seventh to start atop the country chart during the first five months of the year, the No. 1 debuts of any comparable period since Billboard adopted Nielsen SoundScan rankings in May 1991. Since that time, the most coun-

**SEVEN THE BULLETS**

By Wade Jessen
### HOT COUNTRY SONGS

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
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<tbody>
<tr>
<td>1</td>
<td>MAKING MEMORIES OF US</td>
<td>Gretchen Wilson</td>
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<td>Jo Dee Messina</td>
<td>MCA Nashville</td>
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<td>Tim McGraw</td>
<td>RCA</td>
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<td>YOUR BEST NIGHT</td>
<td>Dixie Chicks</td>
<td>BNA</td>
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<td>IF I HEAR YOU CRY</td>
<td>Kenny Chesney</td>
<td>Epic/Sony</td>
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<td>HOLD MY DECISION</td>
<td>Bobby Pinson</td>
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<td>IF YOU'VE GOTTEN USED TO HER</td>
<td>Neal McCoy</td>
<td>RCA</td>
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<td>I LIKE YOUR WAY</td>
<td>Gretchen Wilson</td>
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<td>LONG, SLOW KISSES</td>
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<td>AS GOOD AS I ONCE WAS</td>
<td>Keith Anderson</td>
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<td>Arista NASHVILLE</td>
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<td>STAND BY YOUR MAN</td>
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<td>Tim McGraw</td>
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<td>37</td>
<td>DON'T YOU TAKE YOUR CROWN FROM ME</td>
<td>Tim McGraw</td>
<td>RCA</td>
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<td>CAPTAIN AMERICA</td>
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**COUNTRY SINGLES SALES**

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<td>1</td>
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<td>Toby Keith</td>
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<td>Monty Montana</td>
<td>ATV</td>
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<td>Tim McGraw</td>
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### COUNTRY MUSIC UPDATE


Don't miss another important COUNTRY MUSIC UPDATE.

**HOT PREDICTOR**

See chart learned for males and expectations. Yellow indicates recently tested title, indicates new release.

**ARTISTS/Billboard/Songs**

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**BETWEEN THE BULLETS**

Up 3.2 million audience impressions, Keith Urban shares his sixth chart-topper at "Making Memories of Us" advances 3-1 Urban most recently led at No. 1 when "Days Go By," spent four weeks there starting in the Sept. 15, 2002, issue. Although Urban lays claim to the most-head title this week with 6.0 million impressions, the Nielsen Broadcast Data Systems downtowns tally is lead by Gretchen Wilson's "Bonebreaker," which bullets at No. 2 behind Urban in the audience battle. Wilson claims the most-crowned arena with 4,704 spins (up 240), while "Memories" ranks at No. 3 with 3,986 total detections (up 54).

Top audience for Urban's song is noted at KPLX Dallas with 1.1 million impressions during the tracking week, followed by KZLA Los Angeles with 957,000. Urban's largest increase, 290,000 listeners, occurs at WKMI Miami.

Fewer than 1 million impressions separate the No. 1 and No. 2 titles.—Wade Jensen
<table>
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<td>Daddy Yankee Featuring Kany Garcia</td>
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**Latin Albums**

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### LATIN DANCE CLUB PLAY: Panels of Nielsen

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#### RADIO AIRPLAY

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CHARTS

From wholesale prices.
removed from Hot Country Singles

CHARTS

Compiled

www.hitpredictor.

ALBUM CHARTS

Radio Airplay Singles Charts

Single Sales Charts

Top selling singles compiled from a national sample of data supplied by Nielsen Broadcast Data Systems. Airplay numbers are ranked on the basis of audience impressions. Comprised by cross-referencing exact times of airplay with Arbitron listener data. The exceptions are the Rhythm & Top 40, Adult Top 40, Adult Contemporary, Modern Rock and Adult R&B charts, which are ranked by sales information.

Tracks showing an increase in audience (or detections) over the previous week, regardless of chart movement.

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

SINGLES SALES CHARTS

The top selling singles compiled from a national sample of retail sales, mass merchant, and internet sales reports collected, compiled, and provided by Nielsen SoundScan. For R&B/Hip-Hop and Pop 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


PREDICTOR

Title entry earned HitPredictor status in that particular format based on research data provided by Promusico. Songs are listed listed online by Promusico and multiple labels in a worldwide sample of carefully profiled music consumers. Songs are rated on a 5-star scale; final results are based on weighted positives. Songs with a score of 6 or more (75 or more for country) are judged to have Hit Potential, although that benchmark number can fluctuate per format based on the strength of available music. For a complete and updated list of current songs with Hit Potential, comment, plurality, and more; please visit www.hitpredictor.com.

DANCE CLUB PLAY

Compiled from a national sample of reports from club DJs.

Titles with the greatest club play increase over the previous week.

AWARDS/GIVEAWAYS

ALBUM CHARTS

Recording Industry Assn. Of America (RIAA) certification for net shipment of 500,000 albums (Gold). RIAA certification for net shipment of 1 million albums (Platinum). RIAA certification for net shipment of 10 million albums (Diamond).

Published within Platinum or Diamond symbolic indicates album’s multi-platinum level. For best sellers, and double albums with a runtime of 100 minutes or more, the RIAA multiples shipments by the number of discs and/or tapes. Certification for net shipments of 100,000 units. Certification of 200,000 units (Platinum). Certification of 400,000 units (Multi-Platinum).

SINGLES CHARTS

RIAA certification for 100,000 paid downloads (Gold). RIAA certification for 200,000 paid downloads (Platinum). Numbers within platinum symbol indicates song’s multi-platinum level.

MUSIC VIDEO SALES CHARTS

RIAA gold certification for net shipment of 25,000 videos. RIAA gold certification for net shipment of 50,000 videos and/or tapes. RIAA platinum certification for net shipment of 100,000 videos for longform videos. RIAA platinum certification for 200,000 videos or for video singles. RIAA platinum certification for sales of 100,000 units for shortform or longform videos.

DVD SALES/VIDEOSALE RENTALS

RIAA gold certification for net shipment of 50,000 units or $1 million in sales at suggested retail price. RIAA gold certification for net shipment of 25,000 units or $2 million in sales at suggested retail price. RIAA gold certification for a maximum sale of 125,000 units or a dollar volume of $9 million at retail for theatrically released programs, or at least 25,000 units and $1 million suggested retail for non-theatrical titles. RIAA platinum certification for a maximum sale of 250,000 units or a dollar volume of $18 million at retail for theatrically released programs, or at least 50,000 units and $2 million at suggested retail for non-theatrical titles.

TOP POP CATALOG

Catalog Albums are 2-year-old titles that have fallen below No. 10 on The Billboard 200 in a matter of months. Albums. Total Weeks Catalog (single combined weeks) title has appeared on The Billboard 200. Top Ten Pop Catalog Albums ranked by sales data collected by Nielsen SoundScan. Catalog titles are included.

TOP SOUNDTRACKS

Catalog Titles are also included. Billboard/billboard.com Soundtrack Chart. Soundtrack for the movies and TV series. The movie and TV series. The movie and TV series.

Data for week of May 28, 2005

www.americanradiohistory.com
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Data for week of May 28, 2005 | CHART LEGEND on Page 56
Sub Pop duo the Postal Service was presented with its RIAA-certified gold record award for "Give Up" last month during the Coalition of Independent Music Stores conference at the Triple Door in Seattle. The album is the second-highest seller in Sub Pop's 17-year history, and is the label's first gold record since Nirvana's "Bleach." Pictured holding the award are Jimmy Tamborello, left, and Benjamin Gibbard.

Backstage caught up with Reba McEntire, Brad Paisley and Terri Clark at a recent performance of their Two Has and a Rechead tour at Philips Arena in Atlanta. Pictured backstage, from left, are Creative Artist Agency's Rod Essig, Philips Arena's Bob Williams, Clark, McEntire, Clear CI- canre's Brian O'Connell, Paisley, the William Morris Agency's Rob rec;man and Philips Arena's Trey Feazell.

Virgin Records staffers gathered for Lenny Kravitz's Electric Church: One Night Only! tour stop April 21 at the Beacon Theater in New York. The tour's opening act is Nikka Costa. Pictured before the show, from left, are Adam Lowenberg, Randy Miller, Matt Serletic, Costa, Kravitz, Larry Prestel and Hilary Shaev.

ASCAP's 2005 songwriter of the year, TVT Music Publishing's Sod Storch, center, is congratulated by ASCAP executive VP of membership services Todd Brabec, left, and chairman/president Marilyn Bergman.

EMI Music Publishing chairman Martin Bandier accepts an ASCAP award from right, and ASCAP executive VP of membership services Todd Brabec, left, and chairman/president Marilyn Bergman.
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Biz Legend Barclay Dies

Eddie Barclay, who died May 13 in Paris at the age of 84, was representative of a bygone era. The French label executive ruled the music scene in France from 1955 to 1979. He signed such artists as Jacques Brel—who reportedly had a 30-year contract with Barclay—Charles Aznavour, Léo Ferré and Claude Nougaro, as well as many French pop acts. He was also renowned for his lavish parties, usually held in the city of St-Tropez on the Riviera, and his many weddings—he married nine times.

“To the French public, Barclay personified the persona of the music mogul,” broadcaster and former label executive Yves Bigot says.

“The image, which almost turned into a caricature,” Bigot adds, “often shows the fact that he was a musician himself with great artistic flair, business savvy and an eye for technical innovations.”

Barclay died at a Paris hospital after suffering from ill health in recent years. He was diagnosed with throat cancer in 1979 and had a history of heart problems.

Barclay was born Edouard Ruault in 1921 in Paris. He had a brief stint as a piano-bar player and bandleader during World War II. His career as an industry executive started in 1949 when he created with his then-wife Nicole the independent jazz label Blue Star, which evolved into Disques Barclay. Quincy Jones worked as an arranger on more than 250 studio sessions for Barclay.

In 1955, he flew to the United States and brought back the vinyl LP, which he introduced in France. “It was a stroke of genius that put him at the forefront of the local music industry,” Bigot says.

His label expanded in the 1960s and 1970s, attracting France’s top-selling artists, including Dalida, Bernard Lavilliers and Daniel Balavoine. Disques Barclay also served as the French licensee of such U.S. companies as Atlantic. In a 1998 issue of Billboard celebrating Atlantic’s 50th anniversary, the label’s co-founder and co-chairman Ahmet Ertegun said, “Eddie was a great magnet, a great host, a great personality, so everybody wanted to be with him.”

In 1979, feeling the effects of the music industry crisis, Barclay sold his company to Philips-owned PolyGram and retired. His label became a unit of PolyGram and then Universal Music. In 1985, after years of decline, the label was revived with Philippe Constantin at its helm.

Universal Music France chairman/CEO Pascal Nègre notes, “It is not too much saying that French chanson would not have had the same impact had Eddie Barclay not been present.”

The funeral took place May 18 in Paris, and Barclay was buried in St-Tropez. He is survived by his wife, Caroline.

—Emmanuel Legend

**EDDIE BARCLAY**

— Photo by     

**BIRTHS**

GIRL: Forja Bleu Michaelis, 7, Kristi Gibson and Brett Michaels. May 9 in Vancouver. Father is former frontman of metal act Poison and a judge for USA Network’s “Nashville Star.”

GIRL: Navy Talia Nash, to Nivea and Tertius “the Dream” Nash. May 10 in Atlanta. Mother is an R&B recording artist. Father is a music producer.

**DEATHS**

Frankie LaRocca, 51, of pneumonia following heart surgery, May 12 in Staten Island, N.Y. As VP of A&R for Epic Records, LaRocca signed successful artists including multiplatinum act the Spin Doctors. After leaving the label, LaRocca did an A&R stint at Mercury Records before founding Straight Line Productions, where he discovered the Springfield, Mo., band happyendings, and was instrumental in their signing to J Records in 2004. Earlier in his career, LaRocca played drums with artists including David Johansen, John Waite and Bryan Adams and, until last month, was gigging and recording with Staten Island-based blues-rock quartet Hot Monkey Love. He is survived by his daughter and two siblings.

Jimmy Martin, 77, of bladder cancer, May 14 in Nashville. One of the standout vocalists in bluegrass, Martin began in 1949 with Bill Monroe’s Blue Grass Boys, with whom he was guitarist and lead vocalist until 1954. After recording with the Osborne Brothers in the mid-’50s, Martin founded the Sunny Mountain Boys, with whom he recorded bluegrass standards like “Rocky Top.” “Capitol Records” “Widow Maker” and “The Sunny Side of the Mountain.” In the early 1980s, he founded his own label, King of Bluegrass.
COLUMBIA COURTING LILLYWHITE?

Producer Steve Lillywhite is in negotiations with Columbia Records to join the label in a high-level A&R capacity in New York. Lillywhite left his last label gig as joint managing director of Mercury Records U.K. in London in 2004 to produce U2’s “How to Dismantle an Atomic Bomb.” Columbia declined to comment. Lillywhite’s representative did not return a call by press time.

—Melinda Newman

EMI GETS FISCAL

On May 24, EMI Group chairman Eric Nicoli, EMI Recorded Music chairman Alan Levy and vice chairman David Munns, and EMI Music Publishing chairman/CEO Martin Bandier will be on call to present EMI’s preliminary results for the 12 months ending March 31. No doubt their performances will be closely watched by those whom Coldplay frontman Chris Martin has labeled “the great evil of this modern world”—the shareholders.

—Emmanuel Legrand

A PRIORI ENGAGEMENT

Seventeen-year-old Samantha Priore was in the spotlight May 18 at an artist showcase at New York’s S.I.R. Studio. The unsigned New Jersey native and her band played for label execs and music publishers. By the day’s end, a few majors were showing much interest in signing the pop singer. Her manager, Gary Salzman of Big Management, was unavailable for comment.

—Michael Paoletta

IFPI’S KENNEDY TAKES FLIGHT

International Federation of the Phonographic Industry chairman/CEO John Kennedy has a busy agenda ahead. After a dinner May 18 in Paris with French minister of culture Renaud Donnedieu de Vabres—to discuss the extension of copyright duration, among other things—Kennedy will fly to Greece to deliver a speech May 26 at the Athens Music Forum. He is also expected June 23 in Madrid, where he will unveil the IFPI’s piracy report for 2004 in a country that has been plagued with physical piracy. Track was that the IFPI is also working with partners from the Pro-Music Alliance on an educational initiative targeting parents.

—Emmanuel Legrand

UMI MAKING DANCE MOVES

Aiming to acquire and break more dance music hits around the world, Universal Music International is creating a “dance network” through its London headquarters, Track hears. This will comprise A&R and marketing reps from various UMI companies, who will work together to source dance-oriented tracks from independent labels and artists, and to coordinate their release and promotion worldwide. The initiative has been launched by UMI’s strategic marketing unit under VP Stan Roche. The executive at its core is international marketing manager Andy Daw.

—Michael Paoletta

GOOD AS GOLD

Hanna Pautle, BMI’s Los Angeles-based senior director of media relations and new-media relations, received the Heart of Gold Award May 7 from Childhelp USA’s Riverside, Calif., chapter for the work the music and entertainment auxiliary of Childhelp has done with children at the Village of Childhelp West in Beaumont, Calif. Childhelp is a non-profit organization dedicated to the treatment and prevention of child abuse and neglect.

—Melinda Newman

RCA PUBLICITY PLAY

RCA VP of publicity Pamela Murphy is leaving the company May 26. She will be replaced by Sherry Ring, formerly of Electra Records and, most recently, independent publicity firm Press Here, Ring joins RCA May 31 as senior VP of publicity.

—Michael Paoletta

Photo Credit: EMI
### BDS Certified Spin Awards April 2005 Recipients:

| 800,000 SPINS | This Kiss/ Faith Hill /WARNER BROS. |
| 600,000 SPINS | Here Without You/ 3 Doors Down /UNIVERSAL |
| 500,000 SPINS | I'll Be/ Edwin McCain /ATLANTIC |
| 300,000 SPINS | This Love/ Maroon 5 /OCTONE/J |
| 200,000 SPINS | Soak Up The Sun/ Sheryl Crow /A&M |
| 100,000 SPINS | Breakaway/ Kelly Clarkson /WALT DISNEY |
| 10,000 ANGELS | Since You Been Gone/ Kelly Clarkson /RCA |
| 5,000 ANGELS | Disco Inferno/ 50 Cent /SHADY/AFTERMATH/INTERSCOPE |
| 50,000 ANGELS | Where Were You/ Alan Jackson /ARISTA |

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USA TODAY

"A perfect summer sound track."
LIFE

"Crisp, smart rock played by virtuosos taking chances."
NEWSDAY

"Magic happens. A challenging album--a great one."
BOSTON GLOBE

"Enlightened riff-rock and splashes of color... one likeable album. ★★★ 1/2"
ROLLING STONE

"A fully fluid unit... Matthews and his band sound potent."
NEW YORK DAILY NEWS

"The songs here are uniformly beautiful. ★★★★ 1/2"
NEW YORK POST

"Focused songcraft with springy grooves... a gratifying combination of old and new DMB strengths."
BOSTON HERALD

"Its raw spontaneity is apparent from the first track and the range of styles is breathtaking."
SEATTLE POST-INTELLIGENCER

ALL THE CRITICS AGREE: THIS IS THE ALBUM OF THEIR LIFETIME!

PRODUCED BY MARK BATSON

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