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Giving The Recording Academy Some Love

I had this crazy night two Sundays ago, that began at about four in the afternoon at the Sunset Strip in Los Angeles, continued on through copious drinks next door at the convention center, ratcheted up to whiskey and a "hello" to Gwyneth the day after, and ended up at the Grammy Awards the next day, which was the first time I’ve ever been there. It was a little bit like being on a space station…

But when I grabbed the Los Angeles Times in my hotel room that morning, it wasn’t just my buddy hanging out that confused me. It was the headline, on the front page of the paper, that screamed out not the great musical performances and spot-on awards I witnessed the night before, but of Chris Brown and Rihanna’s alleged altercation, and Brown’s new legal woes.

This was a case of the media burying the lede. The Grammys have suffered, often deservedly, for years, as TV ratings waned amid accusations that the show’s performances and awards were out of touch. But on Feb. 8, the Grammys came out swinging. They Tweeted. They Face-booked. They Blogged. They took over the Clive party the night before and kept it awesome. For the love of Pete, they even went out and found the most selected nine-months-pregnant rapper they could and got her to perform a hit. What more could anyone have done in one year to directly address criticism of the show?

From the moment executive producer Ken Ehrlich came out and took the gavel and celebrity to sit down and call out the night’s held more performances than any prior Grammys—the evening took on an air of confidence. Of course, I dare say some much-needed swag.

This was an evening that went from US2’s opening roster to an always good- TV Whitney Houston appearance before folks at home had even settled into their couches. And they were settling—this year’s ratings were up 11%.

The award selections were nearly perfect. Yes, I’d have loved to see U2 win. The most popular artist on the planet last year, walk away with more gold. And Alicia Keys surely deserved more for "No One," as did P!nk for "Sober." I don’t know, at least one of the 3,700 songs of hers that seemed to top the Billboard charts last year. But to reward Coldplay and Robert Plant and Alison Kraus the way the Grammys did was to select music that connected solidly—critically and commercially. These were eminently definable choices, victorious from a field of eminently definable nominees.

And the show? It was a star-making night for some, as witnessed by the sales jumps following the show. (See Over the Counter, page 37). It was a night that went to lengths to give music’s biggest stage to the hottest artist of today and all-time, seamlessly mixing Paul McCartney and Neil Diamond classics with classic-songs-to-be from Sugarland, Adele, Kanye West and many others.

One could make the Grammys a few more years of this perception for full comptibility up with reality. But if this past year was any indication, they are well on their way. It’s only a shame that controversy marred this great night. There was a moment on the red carpet before the show when Snoop Dogg and his manager approached Billboard’s Mitch Peters, who was shooting video interviews. The Brown/Rihanna news had only broken to media insiders at that point and so Team Dogg was bewildered. ‘Why are everyone asking us about Chris Brown?’ they wanted to know. ‘I’m still wondering myself.

CD SALES VS. TICKET SALES

I’ve been wondering how certain acts can sell out their entire tour, yet their current CD has had less than stellar sales? Take Madonna, for instance. Her recent release, “Hard Candy” has barely gone gold. However, her tour supporting the disc was probably the biggest show last year. Now she’s added more dates and those too have sold out. It’s hard for me to believe that people are willing to blow $150.00 a ticket, yet they won’t pony up $13.99 for her new CD. What do you think?

Joe Francisco
Circulation supervisor
Westland Area Library
Columbus, Ohio

Editor’s Note: We think it’s really hard to side-load, pirate, share or file inside the live concert experience.

FOR THE RECORD

In the “Recession Blues” story in the Feb. 14 issue, it should have stated that Darlene Chan of FestivalWest produces the Playboy Jazz Festival.

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DUFFY WINS BIG AT BRITS

Welsh vocalist Duffy was the big winner at the 2009 BRIT Awards, taking home three trophies: British female, British breakthrough act and British album. Nashville rock band Kings of Leon won the international group award as well as the international album BRIT for “Only by the Night” (Hand Me Down/Sony Music), and Katy Perry won the international female award. For a full list of winners, go to billboard.biz.

SIRIUS XM AGREES TO LIBERTY DEAL

Satellite radio broadcaster Sirius XM has avoided bankruptcy by entering a deal with John Malone’s Liberty Media that will provide it with cash infusions in return for a minority stake in the company. With the deal, Malone—for now—beat out Charlie Ergen’s EchoStar, which has amassed Sirius debt and had proposed financing Sirius XM in return for a controlling stake. Liberty will invest up to $530 million in the company in two stages.

DIDDY SETS DATE FOR ‘PARIS’

Sean “Diddy” Combs will release his sixth album, “Last Train to Paris,” Sept. 22. The-Theme, Trick Stewart, the Neptunes, Marion Winans, T-Pain, Rodney Jerkins and the Soundgaza are among the set’s producers. “Last Train to Paris” is the follow-up to 2007’s “Press Play,” which has sold 701,000 copies in the United States, according to Nielsen SoundScan.

ENTANGLED IN THE WEB

Internet Radio Royalty Settlement Talks Stall

The Feb. 15 deadline for all parties to reach a compromise on royalty rates for Internet radio was supposed to bring clarity to a dispute that’s been dragging on for nearly a year (billboard.biz, Feb. 14). But with that deadline now past, the situation remains as murky as ever.

Representatives from both sides of the issue are lobbying Congress to amend the Webcaster Settlement Act to allow for another deadline extension so that some agreements that are close to resolution can be salvaged. But complicating that effort is a breakdown in talks between the Digital Media Assn. and SoundExchange. The latter is now reaching out to individual DiMA members directly.

“The negotiations with DiMA are just dead,” says a source involved in the SoundExchange negotiations. “DiMA as an organization was just unwilling to bring its own membership together ... They’ve got people with divergent interests [and] were not successful in helping broker a deal.”

DiMA represents both “pure-play” webcasters like Pandora and Live 365—which make money primarily off Internet radio revenue—as well as online music services like RealNetworks that also have other revenue streams. Although DiMA representatives didn’t respond to requests for comment by press time, sources on both sides of the table say this diversity of interests made it difficult to reach an agreement suitable for all.

DiMA and SoundExchange had reached a deal in principle last November under which SoundExchange agreed to drop the existing per-stream royalty rate system in favor of a percentage-of-revenue model. But as the agreement was put into writing, DiMA balked at applying that percentage to revenue not directly associated with the performance of sound recordings, something that affected members like RealNetworks more than it did Pandora.

“In our opinion, they were essentially over-reaching in not just the percentage of revenue, which was high to begin with, but in the categories of revenue that would be taken into account,” RealNetworks general counsel Michael King says.

Complicating matters further is that while pure-play webcasters and startup services prefer a revenue-split model, services with more diversified business models and those generating significant ad revenue would rather pay a per-stream rate. The National Assn. of Broadcasters, whose terrestrial radio station members have been more successful in monetizing their online simulcasts, reached a deal with SoundExchange based on per-stream rates (billboard.biz, Feb. 17).

The impasse with DiMA is significant because SoundExchange won’t make any formal agreement with smaller webcasters, or even with DiMA members like Pandora and Live365 separately, until it comes to an agreement with the organization’s larger members, specifically RealNetworks. That’s because of its concern that RealNetworks could try to apply the terms of any revenue-split deal reached with smaller webcasters to support an argument for a lower per-stream rate during the Copyright Royalty Board’s next rate-setting proceedings.

SoundExchange recently offered smaller webcasters (those with annual revenue of less than $1.25 million) a revenue-split settlement under which their payments would be based on how much revenue and traffic they generate (billboard.biz, Feb. 6).

“If you take a percentage deal and try to turn it into a per-stream deal, the effective rate might be much lower than we would have agreed to,” says the source involved in SoundExchange’s negotiations. “Real is the biggest key here, because they’re the ones that have been most vocal about going to a CRB and litigating the rates. We don’t want to be in a position where we do one deal and then have a company like Real come into the CRB and try to use that deal against us ... Unless we settle with everybody, we’re stuck.”

An agreement struck under the Webcaster Settlement Act would be retroactive to 2006 and applicable through the next royalty rate term of 2011-15. It would also apply to all music copyright holders, not just SoundExchange members. The settlement talks began after Internet radio operators complained that the CRB’s decision in March 2007 to sharply increase statutory royalty rates would put many of them out of business.

While it’s still possible that all parties might come to an agreement and avoid CRB rate-setting hearings for the next royalty rate term, that appeared unlikely at press time. With oral arguments in the appeal of the CRB rates scheduled to begin March 19, and CRB rate-setting hearings for the 2011-15 term set to begin shortly thereafter, there’s little time left to reach a settlement.
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WILLIE NELSON
NAKED WILLIE
3.17.09

MICHAEL JACKSON
OFF THE WALL 30TH ANNIVERSARY EDITION
SUMMER 2009

MARIAH CAREY
THE BALLADS
TOP 10 DEBUT

LEGACY CONTINUES TO REDEFINE THE CATALOG BUSINESS.

LEGACY RECORDINGS. NOT REISSUED... REIMAGINED.
Chicago indie label Touch and Go’s decision to close its distribution business and stop signing new artists shocked the indie community and has raised concerns about how small labels will fare in the tough economy.

While indie labels often operate with less debt and lower overhead than the majors (Billboard, Oct. 25, 2008), their business is often very cyclical, leaving them vulnerable when it hits a trough. For example, Seán Sean indie Sub Pop has been declared dead by the press four times in its 20-year history, but is coming off a strong year with the success of Fleet Foxes and Flight of the Conchords.

In a statement, Touch and Go cited “the current state of the economy” as the reason for its retribution. None of the label’s recent releases have sold well. Columbia’s album “Carried to Dust” has sold 26,000 copies since its September release, sharply off the pace of the band’s 2006 album “Garden Ruin,” which has sold 46,000 units, according to Nielsen SoundScan. The self-titled debut album by indie-pop band Uglysuit has sold less than 2,000 copies since its release in August, according to SoundScan.

While Touch and Go didn’t produce chart-toppers, many of its acts have been highly influential. Launched in 1981 as an extension of a fanzine of the same name, Touch and Go released albums by Slint, Shellac, Silkworm, June of 44, the Jesus Lizard and the Butt-hole Surfers. The label also put out the first two Yeah Yeah Yeahs EPs, their self-titled EP sold 71,000 copies and the “Machine” EP sold 24,000. In 2004, Touch and Go released TV on the Radio’s first album, “Desperate Youth, Bloodthirsty Babes,” which sold 116,000 copies. Both TV on the Radio and Yeah Yeah Yeahs have since signed to Interscope.

All Touch and Go albums started to come out through the spring will be released, after which the label will continue as a catalog-only imprint, according to a source at the label. The closing of the distribution business will affect imprints including Kill Rock Stars, Drag City, Jade Tree, Suicide, Squeeze and Estrus.

End of an era: Touch and Go act CALEXICO (left) and former label bands THE JESUS LIZARD (center) and YEAH YEAH YEAHS.

Sabin says Touch and Go co-founder/President Corey Rusk called her to notify her of the impending closure. Sabin calls Rusk “honorable,” and another source speculates Rusk pulled the plug now in order to ensure labels and bands could still get paid. Rusk didn’t return phone calls seeking comment by press time.

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**HOME FRONT**

**360 DEGREES OF BILLBOARD**

**FINALISTS ANNOUNCED FOR BILLBOARD LATIN MUSIC AWARDS**

Veterans and newcomers are among the finalists for the 11th annual Billboard Latin Music Awards, which will take place April 23 in Miami.

Thirteen new award categories have been added this year, including separate awards for male and female artists for hot Latin song and top Latin album. In recognition of Latin music’s growing online and mobile presence, the awards will also feature a new category honoring the Latin digital download artist of the year. Finalists and winners are determined by their performance on the Billboard charts, as measured by Nielsen SoundScan and Nielsen BDS.

Leading the list of finalists is newcomer Flex. Thanks to the success of his song “Te Quiero” and the album of the same name, he is up for 13 awards, including hot Latin song, hot Latin songs artist and top Latin album. As a newcomer, Flex is also a finalist in the hot Latin song of the year, new artist and Top Latin album of the year, new artist categories, which were added for the first time this year.

“I’m so happy to make Panama proud and leave my mark on Latin music,” Flex says. “I’m thankful to my fans, to my team and especially to my wife for her unconditional support.”

Enrique Iglesias is a finalist in 10 categories, including hot Latin songs artist and top Latin albums artist.

Maná, Vicente Fernandez and Jenni Rivera are up for seven awards each. Maná’s cover of Marco Antonio Solís’ hit “Si No Te Hubieras Ido” is a finalist for hot Latin song, while its album “Arde El Cielo” is up for four awards, including Latin album of the year. Fernández is a finalist with his songs “Para Siempre” and “La Derrota” and was also nominated in the top Latin album artist and Latin tour categories.

Rivera is a finalist for top Latin album of the year, female and hot Latin song of the year, female, among other categories. Other leading finalists include Los Pikadores de Caborca and Aventura, up for six awards. Solís, Los Daryues de Sierra and Juliesta Venegas are finalists in five categories.

The Billboard Latin Music Awards, presented by State Farm, will take place at the Bank United Center in Miami and will air live on the Telemundo network. This year’s awards will be once again hosted by actress Aylin Mujica and Alan Tacher, host of Telemundo morning show “Levantate.”

The awards are the culmination of the 20th annual Billboard Latin Music Conference, the largest and longest-running Latin music conference in the world. The event takes place April 20-23 at the Eden Roc Beach Resort & Spa in Miami Beach. For more information, go to billboardlatinconference.com.

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**INDIES BY COURTNEY HARDING**

**TOUCH AND GONE**

**Economic Downturn Claims Venerable Chicago Indie**

Chicago indie label Touch and Go’s decision to close its distribution business and stop signing new artists shocked the indie community and has raised concerns about how small labels will fare in the tough economy.

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All Touch and Go albums started to come out through the spring will be released, after which the label will continue as a catalog-only imprint, according to a source at the label. The closing of the distribution business will affect imprints including Kill Rock Stars, Drag City, Jade Tree, Suicide, Squeeze and Estrus.

The moves, which included 20 layoffs, came as a surprise to industry observers. Kill Rock Stars president Portia Sabin says she was aware of recent staff cuts at the label but hadn’t thought it was a sign of bigger problems.

Sabin says Touch and Go co-founder/President Corey Rusk called her to notify her of the impending closure. Sabin calls Rusk “honorable,” and another source speculates Rusk pulled the plug now in order to ensure labels and bands could still get paid. Rusk didn’t return phone calls seeking comment by press time.

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**BILLBOARD MUSIC & MONEY SYMPOSIUM TO FEATURE KEYNOTES BY LEIKEWI, NASH, SCHEINMAN**

AEG president/CEO Tim Leiweke will be a keynote speaker at the 2009 Billboard Music & Money Symposium, which will be held March 5 at the St. Regis Hotel in New York. In a Q&A with Billboard editorial director Bill Werde, Leiweke will lay out AEG’s vision for growth in the live entertainment industry, including concert tours, sports teams and venue operation. Other keynotes will include Cisco Media Solutions Group senior VP/GM Daniel Scheinman and Michael Nash, executive VP of digital strategy and business development at Warner Music Group, who will discuss the recent launch of the Cisco Eos software platform for online social networking and content management.

Business case studies will feature in-depth interviews with Kobalt CEO Willard Andritz; Tom Teichman, chairman of Kobalt investor Spark Ventures; and Richard Goodstone and Jonathan Hayers, partners at New York-based festival producer Superfly Productions.

The symposium will also feature expert panels, including a discussion about music publishing mergers and acquisition trends featuring Sony/ATV chairman/CEO Martin Bandier, EMI Music Publishing CEO Roger Faxon and other top executives, as well as a panel examining partnerships between artists and consumer brands, featuring Corinestone president Jon Cohen, PepsiCo VP of portfolio brands Frank Cooper, Island Def Jam Music Group senior VP of strategic marketing Jeff Straughn and others.

For more information on the Billboard Music & Money Symposium, go to billboardevents.com.
AVAST YE HACKERS

**The Pirate Bay Trial Marks A Key Battle In Anti-P2P Campaign**

BiTorrent tracker, the Pirate Bay is betting that its status as a directory, and not a host of unauthorized media downloads will help it prevail in a Swedish court case that could set the tone for future legal cases.

Company founders Hans Fredrik Neij, Gottfrid Svartholm Warg and Peter Sunde and alleged funder Carl Lundstrom have been charged with assisting in making copyrighted material available, although they no longer face an earlier charge of assisting in the unauthorized copying of copyrighted material.

Still, the four men each face up to two years in jail and a fine of 1.2 million kronor ($140,000), as well as claims from the music industry (including all four major labels) for damages of 2.1 million ($27 million) relating to a sample of 25 files. Film studios are claiming 10.9 million ($13.9 million) in damages.

Although a conviction wouldn't set a binding legal precedent in other European Union (EU) countries, the Pirate Bay trial might be the most significant legal case involving online music piracy since the MGM v. Grokster case, in which the U.S. Supreme Court ruled in 2005 that peer-to-peer (P2P) file-sharing networks could be held liable for copyright infringement.

The Pirate Bay is by far the world's most popular BiTorrent tracker, claiming a user base of 22 million and accounting for about 70% of the torrents available on public BiTorrent trackers, according to the measurement company BigChampagne.

A BiTorrent tracker enables users to quickly download songs, movies or other digital files by identifying bits of the files stored on the computers of fellow users and reassembling them on their own computer.

Not surprisingly, the company's trial in Stockholm district court has triggered an online backlash. Pirate Bay fans hacked into the IPFI's Swedish Web site and left a message declaring war against anti-piracy bodies.

In a blog posting, Sunde beseeched supporters to refrain from such actions, saying that "the hacking can only reflect on us badly and if you want to help us, please stop with the attacks."

But the history of the Pirate Bay is one of defiance. "We do not remove any content whatsoever," its Web site states. It even posts legal threats it accepts of advertising from gambling sites and adult chat rooms. "From the creative side, a lot of people are saying that we've had enough of this Robin Hood romantic picture of the Pirate Bay," says IFPI Sweden chairman Ludwig Werner, who is due to give evidence during the three-week trial.

Werner admits that Sweden has appeared to be a safe haven for such services, although he's confident that's changing. "I understand the international community's reaction to Sweden in that sense because we've been very late in implementing updated legislation (on illegal downloading)," he says. "There has been a lot of support for the fact that greedy record companies should not be allowed to make money and the Pirate Bay doesn't break any laws because it doesn't host content. The Pirate Bay team claimed a victory on the second day of the trial (Feb. 17), when prosecutor Hakon Roswall dropped the charge of assisting copying of copyrighted material. But Oliver insists the crucial of the prosecution's case was the remaining charge of assisting in making copyrighted material available.

"The indications of intention and recklessness are pretty clear," Oliver says. "It's incredibly important that we do get convictions in this case because Sweden has experienced a huge amount of damage." The Pirate Bay didn't respond to interview requests.

But during a Feb. 15 press conference before the trial, co-founder Warg was quoted by Reuters as saying that "they have already failed to take down the site once—let them fail again." The Pirate Bay has plenty of defenders among other music services, including Philip Eggers, founder of the German MP3 search engine Songbear, which is being sued by Warner Music Group. "You just want to tell them, 'Stop suing, start listening to your customers, the artists and innovative startups like us'," Eggers says.

Hal Bringsman, publisher for Spanish company MP2P, which operates P2P application Bittorrent, adds: "Suing the Pirate Bay is akin to suing TV Guide for publishing listings of TV programs.

Just as the Pirate Bay returned before, there is no guarantee a conviction could prevent it coming back in some form, says Marty Lafferty, CEO of the Distributed Computing Industry Assn., which represents P2P users. "Experience has demonstrated," Lafferty says, "that efforts at enforcement against copyright infringement alone, which do not also provide attractive commercial alternatives, will be outpaced by technological advancement and are therefore doomed to failure."

"It's incredibly important that we do get convictions in this case because the Pirate Bay is causing a huge amount of damage." - JO OLIVER, IFPI

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**MC HAMMER TO STAR IN A&E SERIES**

A&E has picked up a new reality show starring rapper MC Hammer. The performer, his wife and five children will be the focus of the half-hour, 21-episode reality series set to premiere this year. The title, naturally, is "Hammer time."

Executive producer J.D. Roth says the show likely will play similar to an unscripted version of the Huxtable family from "The Cosby Show." Shooting is ongoing on the series starts this month.

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**ROCK-IT SCIENCE FEST SET FOR MARCH**

Rufus Wainwright, Lenny Kaye, Peter Holmapple and Steve Wynn, among others, will perform at the Rock-It Science Festival, to be held March 3 in New York.

The festival will serve as the closing event for the March 2-3 Sensation to Emotion conference.

Proceeds from the event will benefit the E.M.B. Brount Sensory Processing and Emotion Regulation Program at Duke University and the spd Foundation.

Compiled by Chris M. Walsh, reporting from Mariel Conception, James Hibbard, Andre Paine, Mitchell Peters, George Scialia and Jen Wilson.

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**FRIENDS IN HIGH PLACES**

**Obama Appointments Indicate Support For Copyright Concerns**

For the recording industry, the U.S. Department of Justice is beginning to show some of the trappings of home.

The administration of President Barack Obama has filled senior positions at the DOJ with RIAA-allied attorneys and other lawyers with a track record of defending copyright protections (see below).

On the surface, these appointments don’t necessarily mean that the attorney general’s office will suddenly embrace a pro-copyright bias in the years ahead. The DOJ traditionally doesn’t get involved in copyright disputes. Indeed, during George W. Bush’s presidency, the DOJ persuaded the Senate Judiciary Committee last year to strip a provision from RIAA-backed legislation that would have authorized the attorney general to pursue civil suits against copyright infringers, noting that civil copyright litigation has always been left to rights holders to pursue (Billboard, Oct. 11, 2008).

Moreover, there are rules restricting DOJ lawyers from getting involved in cases concerning former clients.

The vast majority of copyright litigation in this country is between private companies and individuals that the Justice Department has nothing to do with," says Ben Sheffner, an entertainment lawyer who advised Sen. John McCain’s presidential campaign on copyright and trademark issues. "These appointments mean extremely little for copyright law and enforcement."

But as the music and entertainment industries lobby the government for help in the fight against digital piracy, they’re viewing the DOJ as a potentially important ally.

One of the DOJ’s responsibilities is defending federal laws against legal challenges, something it may soon find itself doing in several copyright cases. For instance, in the copyright infringement case of Sony BMG v. Denise Cloud, the defense lawyer is challenging the constitutionality of the minimum damages award set by U.S. copyright law (between $750 and $150,000 per work). The DOJ filed a notice declaring it may opt to defend those damages, and a decision is expected by March 25.

With the exception of his strong support of net neutrality, Obama hasn’t said much about the copyright issues that are at the heart of disputes between the entertainment and technology industries. While his appointment of lawyers responsible for some of the tech industry’s biggest defeats has caused some angst in the copyright-reform blogosphere, others are less concerned.

"There is certainly some worry here that their positions would be biased by the position of their clients, [but] some people in the blogosphere are making too much of this," says Fred von Lohmann, senior staff attorney at the Electronic Frontier Foundation. "It has the appearance of not being as balanced as we’d like...now is the time to start to balance the list of appointments."

The administration has yet to name a U.S. Trade Representative, the head of the Patent and Trademark Office or the much-anticipated copyright czar created in intellectual-property protection legislation that Bush signed into law last fall. Also, von Lohmann points out that most of Obama’s DOJ appointees have been private lawyers who are generally viewed as "hired guns" rather than drink-the-Kool-Aid industry lobbyists.

If the music business is encouraged by the recent Obama appointments, it’s not showing. Daryl Friedman, VP of advocacy and government relations at the Recording Academy, says he’s waiting until the copyright czar is named before passing judgment. And RIAA chairman/CEO Mitch Bainwol played down any former industry associations with the appointees.

"We certainly hope that our legislative goals will be met with priority by the new administration," Bainwol says. "But those who have been named to serve in the administration have no doubt been selected for this honor due to their unique qualifications and unbiased professionalism."

**FRIENDLY FACES**

**Recent DOJ Appointees Look Mighty Familiar To The RIAA**

**DAVID OGDEN, DEPUTY ATTORNEY GENERAL-DESIGNATE**

David Ogden, who would occupy the No. 2 post at the Department of Justice, is a partner at Washington, D.C., law firm Wilmer Cutler Pickering Hale and Dorr, where he co-chairs the government and regulatory litigation practice group. He previously held various posts at the DOJ and the Department of Defense during the Clinton administration.

Ogden led the team that successfully defended the Sonny Bono Copyright Term Extension Act before the Supreme Court. He was on the Obama transition team helping vet potential DOJ nominees.

**THOMAS PERRELLI, ASSOCIATE ATTORNEY GENERAL-DESIGNATE**

Thomas Perrelli is a partner at the D.C. law firm of Jenner & Block, where he is credited with building the firm’s music industry and entertainment practice. He previously served in the DOJ during the Clinton administration. If confirmed, Perrelli would be the third-highest ranking official in the DOJ.

While at Jenner & Block, he represented the RIAA in several high-profile cases, most notably in a suit against Verizon to compel the phone company to identify broadband customers suspected of using illegal peer-to-peer (P2P) file-sharing networks without a judge’s consent. Perrelli also represented the RIAA in several cases against individual file sharers and represented SoundExchange in the Copyright Royalty Board hearings that set the current Internet radio webcaster royalty rates. During his confirmation hearings, Perrelli testified that he thinks the government should take a stronger role in fighting piracy in all forms, including digital.

**DONALD VERRILLI, ASSOCIATE DEPUTY ATTORNEY GENERAL**

Donald Verrilli was a partner at Jenner & Block and co-chair of the firm’s appellate and Supreme Court practice. While at the firm, he represented Viacom in its $1 billion copyright infringement lawsuit against YouTube. He also represented the RIAA in the high-profile case of Jammie Thomas case, in which the Minnesota housewife was ordered to pay $222,000 in fines before the judge declared a mistrial.

Verrilli is perhaps best-known for his successful representation of MGM before the Supreme Court in the MGM v. Grokster case. The high court ruled that P2P services like Grokster could be held liable for copyright infringement, paving the way for the entertainment industry to sue file-sharing networks. Verrilli also represented a coalition of film studios and TV networks in a lawsuit against Cablevision for what amounts to a network-based DVR service. The Supreme Court is deciding whether to hear that case and recently asked the DOJ to weigh in on the issue as part of that process.

**NEIL MacBRIDE, ASSOCIATE DEPUTY ATTORNEY GENERAL**

The former VP of legal affairs for the Business Software Alliance trade group has been a strong advocate of anti-piracy legislation. Neil MacBride previously served as staff director/chief counsel to Vice President Joe Biden when he was a senator.

Other notable DOJ appointees include assistant attorney general for national security David Kris, a former associate deputy attorney general who most recently served as chief ethics and compliance officer at Time Warner; former Jenner & Block partner Brian Hauck, who served on Verrilli’s legal team in MGM v. Grokster and is now counsel to the associate attorney general; and Jenner & Block associate Ginger Anders, who is assistant to the solicitor general.

—AB
Crossing Borders

Request For New Payment Terms
Puts Vendors in a Quandary

Less than a month after Circuit City said it would close its remaining stores, Borders Group hit record labels with a double-whammy, saying it would slash its music and video inventory and push for significant buying concessions.

By unveiling plans to reduce music and DVD stocking levels at its stores by as much as 70% and adopt new payment terms that would overhaul its inventory reduction model (billboard.biz, Feb. 10), Borders has put its vendors in a quandary.

As its plans stand now, the chain will maintain a full line of music (about 9,500 titles) at only 14 of its 515 superstores. It plans to reduce inventory at 135 stores to 7,000 titles, 115 stores to 3,000 titles, and 100 stores to 500 titles. Another 150 stores will only carry the top 25 music titles. Similar reductions are planned for video.

In order to ensure that their titles will remain part of its reduced music and video inventory, Borders is asking that vendors supply product at lower prices and/or for longer “dating,” or payment windows.

In particular, Borders is asking vendors to supply titles through new payment terms. Their options include scan-based trading (SBT) payment, i.e., paying on consignment, as well as world music.

It’s not yet clear how many labels give in to the chain’s request for better dating terms, although genre-based labels may feel the most pressure to comply. But before making that move, they should consider the chain’s weakening financial health.

Borders is about to lose money for the third year in a row. In the nine-month period ended Nov. 1, Borders lost $216.1 million on sales of $2.2 billion, compared with a loss of $222.1 million loss on sales of $2.5 billion during the same period a year earlier. In its 2007 and 2008 fiscal years, the chain lost $157.5 million and $151.3 million, respectively, on annual sales that averaged $2.8 billion.

Meanwhile, Borders’ senior management team has been anything but stable. In January, the company appointed Ron Marshall, former head of food distribution company Nash Finch, as Borders’ third CEO since 2006.

Borders’ predicament seems very similar to that of Circuit City, which, after a 15-year battle with rival Best Buy, flew for Chapter 11 protection but was then forced into liquidation in January.

Even before Borders’ request for better payment terms, vendors worried that history would repeat itself, with Barnes & Noble finally knocking out Borders. That hasn’t yet happened, but it’s worth noting that retailers nowadays are more likely to be liquidated than reorganized because the credit crunch makes it harder for Chapter 11 companies to get debt-in-possession (DIP) financing.

In 2005, U.S. bankruptcy law shortened the time that a Chapter 11 retailer had to sell or end a lease to 210 days within a bankruptcy filing, a big shift from the previous window, which sometimes lasted years. That made it more difficult for retailers to sell leases or to find buyers for the entire chain.

If vendors were to consent to Borders’ request for 365-day dating—and if Borders were to go Chapter 7 or 11 in a year—they would be out six times the two-month hit they’d normally absorb in a bankruptcy filing.

The safer option may be for vendors to supply Borders on SBT terms and get a Uniform Commercial Code lien on its product and sales proceeds. But perfection of a UCC lien—that is, correctly filing documents at the state and local levels, giving public notice, etc.—is a complicated process, so vendors should consult their attorneys.

In the past, labels that thought they were protected by selling on consignment with a UCC lien sometimes lost their inventory to the Chapter 11 process when they failed to “perfect” the lien. A number of factors are involved in perfecting a lien, such as giving notice to secured lenders so the inventory isn’t included in collateral, but the process varies state by state, which poses a problem when dealing with a national chain like Borders. Of course, Borders will have a say in whether companies will get to take this route.

For 24/7 retail news and analysis, see billboard.biz/retail.
Campus Confusion

Digital Music Services Flunk College Test

College campuses were once a prime spawning ground for new digital music services. Those days appear to be over.

Closing the book on the role of campuses as digital music laboratories is the recent demise of Ruckus—an ad-supported music download service that was available for free to students at 200 universities through direct content deals, as well as to anyone else with an e-mail account. The closing came after Universal Music Group and Sony Music Entertainment filed suit to block Ruckus activity. It’s been an early death after attempting to offer college students a low-cost, legal alternative to peer-to-peer file-sharing networks. The abrupt closing of Ruckus in early February has left university officials scratching their heads over where to turn next.

Compounding the problem is the U.S. Higher Education Opportunity Act, enacted in August. It requires universities to offer students using their network alternatives to popular P2P offerings, along with other measures like implementing technology to block unauthenticated distribution of copyrighted works.

But the law doesn’t state what measures would be considered appropriate as an “alternative.” The U.S. Department of Education is currently defining what that means, but the process could take months. According to the Campus Computing Project (CCP), which studies the use of information technology at U.S. universities, most schools offering students a licensed music service were using Ruckus. Former Ruckus officials say students from more than 1,000 universities were registered in its system.

What’s left? The leading remaining alternative is the Chorus initiative, led by industry consultant Jim Griffin and backed by Warner Music Group. Chorus aims to collect a monthly per-student fee from participating universities in return for allowing students to use any P2P networks. Universities would have to implement some kind of technology to track which songs are downloaded and how often, so that a nonprofit entity could then distribute the fees to rights holders, much as collecting societies like ASCAP do (Billboard, Jan. 11).

But Chorus isn’t yet a fully baked deal. Details like pricing have yet to be resolved, and unconfirmed reports later last year say only three of the major labels are on board, with Universal as the sole holdout.

The biggest barrier is cost. The current per-student monthly fee being kicked around is somewhere between $1 and $3. But the fee is not currently included on a monthly fee basis, and even historically it’s been tough to get them to pay for any kind of online service. I don’t know anything that’s changed that will make it easier for Chorus.

If the licensing fees needed for Chorus to monetize P2P traffic total less than what universities are already paying to block it, that may change. According to a CCP study, private U.S. universities spend an average of more than $100,000 annually on software designed to block P2P activity on their networks and another $50,000 on hardware and staff salaries for these efforts. Public universities spend less—about $25,000 for software and $64,000 for hardware and other fees.

For larger colleges like Ohio State University, which has more than 33,000 students, even a monthly $1 Chorus fee per student would quickly exceed these figures if they were required to collect from all students without an opt-in feature. And that’s not counting the cost of the technology needed to monitor which songs were downloaded.

Critics of college-focused music plans like CCP director Kenneth Green say it makes more sense to use existing commercial solutions like Hulu or iTunes than to develop custom solutions. Whatever the answer, the music industry has to come up with something to offer universities soon. Barely 25% of public four-year colleges offer any kind of alternatives to P2P services, according to Green’s research.

With Ruckus gone and Chorus not yet available, that leaves a huge void to fill...

BLUETOOTH TUNES
Sony Ericsson’s new Bluetooth car speakerphone lets users stream music or phone calls from compatible Sony Ericsson phones through their car’s stereo system. The AB900 hooks onto a vehicle’s sun visor and doesn’t require installation. Just synch the phone to the device and it performs like any other Bluetooth extension. It also allows for hands-free calling, automatically pausing the music when incoming calls are received. It has 26 hours of talk time and 40 days of standby time. There aren’t any details on pricing or availability.

INSTITUTIONS WITH PLANS TO COMBAT P2P WITH “TECHNOLOGY-BASED DETERRENTS”

<table>
<thead>
<tr>
<th>Institution Type</th>
<th>Public Research Universities</th>
<th>Private Research Universities</th>
<th>Public 4-Year Colleges</th>
<th>Private 4-Year Colleges</th>
<th>Community Colleges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage</td>
<td>46.7%</td>
<td>23.8%</td>
<td>33.3%</td>
<td>36.0%</td>
<td>17.7%</td>
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INSTITUTIONS OFFERING ALTERNATIVE DIGITAL MUSIC SOLUTIONS TO P2P

<table>
<thead>
<tr>
<th>Institution Type</th>
<th>Public Research Universities</th>
<th>Private Research Universities</th>
<th>Public 4-Year Colleges</th>
<th>Private 4-Year Colleges</th>
<th>Community Colleges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage</td>
<td>49.3%</td>
<td>44.2%</td>
<td>26.7%</td>
<td>16.6%</td>
<td>5.0%</td>
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</table>

BITS & BRIEFS

DJIT THE WIDGET

The mobile widget company XLR8 Mobile has changed its name to DJit to coincide with the launch of its new mobile widget platform of the same name. The technology allows content owners to post music, video, pictures and other content to online blogs and social networking profiles, which fans can then download to their mobile phone. The platform also includes customizable design tools, a content management system and the ability for content owners to set their own rates for downloadable content.

DUELING DJs

Activation has confirmed it will release “DJ Hero” later this year, but Genius Products and Genco Interactive plan to go up against it with “Scratch: The Ultimate DJ”—a music rhythm game for hip-hop fans. It features 60 original and licensed tracks, including cuts by Kanye West, the Beastie Boys, the Black Eyed Peas, Run-D.M.C. and Eric B & Rakim.

MOBILE MOTOWN

In honor of Black History Month and the 50th anniversary of Motown Records, Verizon Wireless and Universal Music Enterprises are selling Motown full-track downloads, ringtones and ringbacks on the carrier’s V Cast service during February. Also, V Cast subscribers who use their “Song ID” feature to identify a Motown recording will be entered into a contest to see the Temptations in Las Vegas.

HOT RINGSMasters

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>DJIT THE WIDGET</td>
</tr>
<tr>
<td>2.</td>
<td>DJIT THE WIDGET</td>
</tr>
<tr>
<td>3.</td>
<td>DJIT THE WIDGET</td>
</tr>
<tr>
<td>4.</td>
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</tr>
<tr>
<td>5.</td>
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<tr>
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<tr>
<td>7.</td>
<td>DJIT THE WIDGET</td>
</tr>
<tr>
<td>8.</td>
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<tr>
<td>9.</td>
<td>DJIT THE WIDGET</td>
</tr>
<tr>
<td>10.</td>
<td>DJIT THE WIDGET</td>
</tr>
</tbody>
</table>

For 24/7 digital news and analysis, see billboard.biz/digital.
Since then, Fat Possum has expanded its scope into soul and even indie rock. In 2002, the label released Solomon Burke's "Don't Give Up on Me," a critically acclaimed collection of Southern soul that won a Grammy Award.

The label's latest success story is a multi-instrumental tribute to James Brown, "Noble Beast," which debuted at No. 12 on the Billboard 200 for the week ending Jan. 25 and has sold 48,000 copies to date. For the week ending Feb. 8, "Heartless Bastards," another Fat Possum act, debuted at No. 150 on the chart with their album "The Mountain."

Part of the reason Johnson is able to have that attitude is that the label has also been adept at finding partners to support its artistic vision. Although Fat Possum itself only employs six full-time staffers, it has worked with high-profile supporters on a number of occasions. In 1994, Capricorn Records founder Phil Walden approached Johnson and offered him an exclusive distribution deal. The relationship eventually soured, resulting in some legal wrangling, but Johnson quickly bounced back.

He went on to Epitaph in 1996 and really reinvigorated himself, signing the Black Keys and going for a slightly different sound," says Alan Becker of RED, which distributes Fat Possum through a deal with Megaforce Records. "He's always been the type to look for unique voices first and foremost."

Fat Possum operated as a joint venture between Johnson and Epitaph Records until 2004, when Johnson says the pairing had simply "run its course."

Becker says that Megaforce's moral and financial support allows Johnson to strike deals with Hi Records and license the Van Zandt catalog.

"As a label, we've evolved to much over the years," Megaforce president Missy Callazzo says. "In a way, we've almost come full circle, because they started with all the old blues guys that are no longer with us."}

Johnson says that he wants to acquire more catalogs, although he won't specify which ones he's looking at.

"Right now, I'm just enjoying the success we're having," he says. "I never thought when this started I'd have two records in the top 200."

Playing Possum: AL GREEN

misc affair, as Fat Possum itself found with its reissue campaign for the late Townes Van Zandt. Of the 14 Van Zandt albums Fat Possum has released, only three have sold more than 1,000 copies in the United States, with the biggest seller, "Rear View Mirror," selling 3,600 units, according to Nielsen SoundScan. The label has racked up combined U.S. unit sales of only 8,000 on the Van Zandt reissues.

The Hi Records rights deal is the latest effort by 17-year-old Fat Possum to expand beyond its original focus on Mississippi Delta blues. Back in the early '90s, the label made a name for itself with raw, unvarnished recordings by modern Delta bluesmen like R.L. Burnside and Junior Kimbrough.
<table>
<thead>
<tr>
<th>GROSS/ Attendance</th>
<th>ARTIST(S)</th>
<th>Venue, Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,414,691</td>
<td>AC/DC, THE ANSWER</td>
<td>Rogers Centre, Toronto, Jan. 9</td>
</tr>
<tr>
<td>$2,345,107</td>
<td>CHRIS BROWN, SHELLEY</td>
<td>ACL Live, Austin, Feb. 13</td>
</tr>
<tr>
<td>$1,553,652</td>
<td>METALLICA, MACHINE HEAD, THE SWORD</td>
<td>Wachovia Center, Philadelphia, Jan. 11</td>
</tr>
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<td>$1,276,091</td>
<td>AC/DC, THE ANSWER</td>
<td>Scottrade Center, St. Louis, Jan. 13</td>
</tr>
<tr>
<td>$1,247,265</td>
<td>METALLICA, MACHINE HEAD, THE SWORD</td>
<td>Verizon Center, Washington, D.C., Jan. 19</td>
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<td>$1,263,441</td>
<td>AC/DC, THE ANSWER</td>
<td>Sommet Center, Nashville, Jan. 14</td>
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<td>$1,253,179</td>
<td>AC/DC, THE ANSWER</td>
<td>Air Canada Centre, Toronto, Jan. 15</td>
</tr>
<tr>
<td>$1,240,617</td>
<td>METALLICA, MACHINE HEAD, THE SWORD</td>
<td>Joe Louis Arena, Detroit, Jan. 13</td>
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<tr>
<td>$1,129,151</td>
<td>DANE COOK</td>
<td>The Forum, Inglewood, Calif., Jan. 11</td>
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<td>$1,145,063</td>
<td>AC/DC, THE ANSWER</td>
<td>Heineken Arena, Philadelphia, Jan. 17</td>
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<td>$1,144,875</td>
<td>METALLICA, MACHINE HEAD, THE SWORD</td>
<td>TOYOSHIBA Garden, Osaka, March 17/18/19</td>
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<td>$1,053,863</td>
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<td>Air Canada Centre, Toronto, Jan. 15</td>
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<td>$953,217</td>
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<td>Intrust Bank Arena, Wichita, Jan. 11</td>
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<td>$1,025,524</td>
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<td>METALLICA, MACHINE HEAD, THE SWORD</td>
<td>United Center, Chicago, Jan. 11</td>
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<td>Spring Center, Kansas City, Mo., Jan. 10</td>
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<tr>
<td>$709,920</td>
<td>THE KILLERS, M83</td>
<td>San Diego Sports Arena; the Globe in San Diego; the Sound in Seattle, Jan. 10</td>
</tr>
<tr>
<td>$692,411</td>
<td>PAT SMITH</td>
<td>Pioneer Theatre, Kansas City, Jan. 7</td>
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<td>KeyArena, Seattle, Jan. 25</td>
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<tr>
<td>$564,275</td>
<td>JAY-Z</td>
<td>Warner Theatre, Washington, D.C., Jan. 13</td>
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<tr>
<td>$540,380</td>
<td>ANA GABRIEL</td>
<td>Radio City Music Hall, New York, March 17</td>
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<tr>
<td>$520,790</td>
<td>LIL WAYNE, T-PAIN, KEYSHIA COLE &amp; OTHERS</td>
<td>Banknorth / DC, 18/20, 1/28, 1/30/21</td>
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<tr>
<td>$475,899</td>
<td>OASIS</td>
<td>Air Canada Centre, Toronto, Jan. 15</td>
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<tr>
<td>$458,087</td>
<td>QUEEN</td>
<td>Queen, Live Nation, in-house</td>
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<tr>
<td>$446,426</td>
<td>LIL WAYNE, T-PAIN, KEYSHIA COLE &amp; OTHERS</td>
<td>The Joint, Las Vegas, Feb. 17/18/19/20</td>
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<tr>
<td>$377,493</td>
<td>CARRIE UNDERWOOD, LITTLE BIG TOWN</td>
<td>Cintas Center, Cincinnati, Ohio, Jan. 17</td>
</tr>
<tr>
<td>$376,621</td>
<td>TRANS-SIBERIAN ORCHESTRA</td>
<td>New Orleans Arena, New Orleans, Dec. 17</td>
</tr>
<tr>
<td>$375,253</td>
<td>CARRIE UNDERWOOD, LITTLE BIG TOWN</td>
<td>Summerfest, Milwaukee, July 24</td>
</tr>
</tbody>
</table>

**Second Life**

What The Live Nation-Ticketmaster Merger Means For No. 2 Promoter AEG

We didn’t expect Anschutz Entertainment Group to accept a Live Nation-Ticketmaster merger lying down and it appears it won’t.

AEG is a privately held company that’s owned by Denver billionaire Phillip Anschutz. Its opinion on this merger matters, beyond its competitive relationship with Live Nation. AEG owns and operates a large portfolio of arenas, theaters, clubs and sports teams, including such high-profile properties as the Staples Center in Los Angeles; the Sprint Center in Kansas City, Mo.; the O2 Arena in London; and the 02 World Arena in Berlin. It also runs or books such buildings as the Prudential Center in Newark, N.J.; Target Center in Minneapolis; the San Diego Sports Arena; the Globe in Stockholm; and the Colosseum at Caesars Palace and the Joint at the Hard Rock Hotel in Las Vegas.

AEG’s live entertainment division, AEG Live, is a distant second to Live Nation in the concert promotion world, reporting more than $1 billion in concert grosses to Billboard Boxscore in 2008, compared with nearly $2 billion from Live Nation.

Naturally, the two are fierce competitors for tours. Several artists have gone back and forth between them and many play for both promoters. At the same time, Ticketmaster’s Front Line Management has enjoyed a close relationship with AEG, bringing it tours and concerts by big names like the Eagles, Christina Aguilera and Neil Diamond.

A Live Nation-Ticketmaster merger would greatly complicate AEG’s ties to the combined entity. On the one hand, Front Line artists still need access to AEG venues and vice versa. But AEG will be leery of doing business with a rival that has access to its customer ticketing data, which could potentially enable it to sell sponsorships against and tap into other revenue sources. Indeed, data, and who controls it, was a key factor in Live Nation’s decision not to renew its ticketing pact with Ticketmaster in the first place.

Although AEG and Live Nation are both in the real estate game, AEG has long been a venue/promoter/entertainment firm first, with its core business being its buildings and its sports teams. AEG Live was created so that AEG could have some control over its own destiny in terms of bringing content to its venues. That’s not so different from why promoters got into the amphitheater game in the first place in the ’80s. They wanted to mitigate their talent-buying risk by tapping into ancillary acts, and arenas were too expensive for promoters to build at that time (and still are).

AEG’s importance as a Ticketmaster client is huge. In an interview with Billboard, AEG CEO Tim Leiweke wouldn’t address talk that AEG has a broad ticketing agreement with Ticketmaster that could be nullified in the event of a merger (we hear there are three years left on that pact) or that AEG is developing its own ticketing system, saying only, "We’re closely monitoring the proposal and we’re reviewing our options."

Leiweke went on to say he would be "shocked" if the merger were "permitted to proceed as proposed." Live Nation most certainly anticipated a keen regulatory review; going over the wake of that merger, having endured such inspections when it acquired House of Blues for $530 million in 2006. Ticketmaster, likewise, is no stranger to this type of scrutiny.

If the merger is rejected, of course, the lawyers would be the real winners—Live Nation and Ticketmaster will have incurred a boatload of legal fees, as would the people who opposed the merger. You can also count on politicians like Sen. Chuck Schumer, D-N.Y., to squeeze as much attention out of the process as possible. Whether consumers, artists or competitors would benefit from a failed merger depends on your point of view.

If that happens, it’s possible that Live Nation and Ticketmaster will return to pursuing their separate businesses, competing against one another on the ticketing front and sitting across the table from each other again in negotiating their deals.

If that happens, it’s still possible that AEG could emerge as a merger partner for either, given how quickly injured pride can heal on the battlefield.

"We’re having already..."
OUTSIDE LOOKING IN
New Spanish Acts Struggle To Break Through

MADRID—Spain is abuzz with young bands playing in small venues across the country. But you wouldn't know it from looking at the charts.

Flamenco-soul singer Pitingo was the only new Spanish artist to make Media Control’s weekly top 50 album chart in 2008, peaking at No. 20 with “Soulera” (Universal), according to labels body Promusicae. By contrast, 10 new Spanish acts made the chart in 2003.

The economic crisis and conservative media coverage has led major labels to cut back on new signings. And music radio largely ignores releases by emerging artists, making it difficult for them to reach a mass audience.

“The labels have less money to sign and promote new artists, and music radio now aims for older audiences,” says Antonio Gisbert, president of the 85-member Promusicae. "Radio is no longer a vehicle for new artists."

Spain has a vibrant music scene but the inability of new acts to crack radio means “they are stuck in a ghetto,” says Mark Kitcatt, president of the S3-member indie-label body UFI.

Fernando Delgado, manager of Madrid-based Right Ons and director of 2ers Records, says Spanish music radio changed in 2001 with the launch of romantic oldies network Kiss FM.

The network quickly became the No. 2 radio network, behind market leader top 40 Los 40 Principales, according to national media survey group EGM. “Rival networks concluded that kids don’t listen to the radio anymore,” Delgado says. “Not even Los 40 reached influence on teenagers or new music now. Some 80% of what they play is established Spanish artists like Amaia.”

The majors acknowledge cutbacks but insist they are still seeking new talent. “In the past three years, Universal has been the only Spanish label to develop almost two new local acts per year that have won gold discs,” says Fabrice Benoît, managing director at Universal Ibérica Peninsula, citing Nena Daconte, Haze, Hanna, Porta and Pitingo, who have all earned gold discs (40,000 units shipped).

But Benoît acknowledges that getting radio exposure is a challenge for new acts. “There is nothing between specialized local stations and commercial networks,” he says. “There is no ‘ladder’ to climb.”

EMI Spain develops only about five new Spanish artists per year—half of what it used to—due to what EMI Spain GM Simone Bosé says is a lack of support from radio and other media outlets.

“There are so few means to reach the public, and the radio situation is depressing,” Bosé says. “The stations share about 80% of the same songs and artists, the Internet has insufficient penetration in Spain, and the press and TV is very conservative.”

Media conglomerate Grupo Prisa dominates Spanish music radio, with its networks reaching some 80% of listeners, according to EGM. Prisa’s Unión Radio subsidiary operates Los 40, Cadena Dial, RadioLight, M80 and Maxima FM, as well as stations in eight Latin American countries.

Union Radio music director Luis Merino blames piracy and competition from TV, Internet and videogames for the “critical state” of the music sector, rather than narrow radio playlists.

“The value chain of recorded music is in a sorry state and traditional marketing has become very difficult,” Merino says. “The solution will be either a greater protection of intellectual property or alternative methods to monetize free music.”


“There is a total divorce,” he says, “between radio and TV and Spanish creative music.”

—Howard Llewellyn

EN ESPAÑOL: Para más información, póngase en contacto con americano.depanel.com.

‘ISÁ TKM’ RELEASES SOUNDTRACK

Sony Music is reissuing the soundtrack to Nickelodeon Latin America’s first original telenovela, “ISÁ TKM,” in February in countries across the region. The album contains music by Ferndao Perez Rossi and Pablo Durán—on the show’s stars. The set is expected to be released statewide during the second quarter.

—Ayala Ben-Yehuda
Collective Hits

**Fan-Funded Recordings Come Of Age In France**

PARIS—Web sites that enable fans to help finance an artist's recording sessions are gaining traction in France.

While similar sites elsewhere have struggled to produce hit acts, the model was recently responsible for the first fan-funded French platinum (200,000 units) album: singer/songwriter Grégoire's "Toi + Moi," which peaked at No. 2 on the French album chart and has sold more than 300,000 copies since its Sept. 22, 2008, release, according to distributor Warner Music.

The album was funded by €70,000 ($91,000) invested by 347 users of MyMajorCompany.com, which retains ownership of the master recordings. Investors receive 30% of revenue from the album after distribution costs are deducted, with 20% going to the artist and 50% retained by MyMajorCompany. The company is likely to adjust its split soon, probably to a 40/40/20 model.

"Thanks to the robust sales of "Toi + Moi," the company says Grégoire’s investors stand to recoup at least five times their original investment.

Grégoire was the first artist to generate the site's €700,000 minimum investment required to begin the recording process (the minimum will soon rise to €100,000 [$129,000]). Although he didn't have any previous recording experience, the singer says several majors had offered him contracts before he chose the music startup.

"I thought it was interesting to get the support of Internet users and to be known in a different way," he says.

MyMajorCompany says further releases from such acts as hip-hop artist Agonie and pop singer Joyce Jonathan are imminent.

Grégoire's chart success raises the question of whether the model could someday provide a genuine alternative to the label system. But MyMajorCompany president Michael Goldman points out that Grégoire's success was built through what he calls "traditional record label methods." The company's releases are distributed by Warner Music and only a limited number of preapproved artists are allowed to seek funding. MyMajorCompany also says it invested an unrecoupable €300,000 ($388,000) of its own money in marketing the album.

"They are a real record company. The only difference is how they get the money," says Warner Music France president Thierry Chassagne. "The second album will be tougher, as they won't have the same press coverage they had with the previous model. We will know more when 10 albums are out."

By contrast, rival French site NoMajorMusik positions itself as "a community platform, not a label," according to Grégoire Rostain, who co-founded the company in December 2007.

Artists that raise €3,000 ($3,900) in funding from NoMajorMusik users can record a digital single. Digital distribution is handled by Believe, with investors receiving a 40% share of revenue after distribution costs are deducted. Artists also receive 40%, with NoMajorMusik retaining 20%. Artists receive master rights, although recordings are licensed to NoMajorMusik for 10 years.

To date, seven acts have each raised the €3,000 needed to record a single, drawing an average of 100 investors per track. Notable successes include hip-hop/rap group "The Triclofins," which reached the top five of French retailers FnacMusic and Virgin Mega's digital charts, and "Why Are You Licking" by rockers the Enjoys, which TV producer Marathon is using as the theme song to the Web video series "Dingo ou Mytho."

Now, NoMajorMusik is expanding to help independent labels raise funds. First to participate is Roy Music, home to gold-selling (75,000 units) rock act Mademoiselle K. The label hopes to raise €200,000 ($259,000) to help fund the production and promotion of Mademoiselle K's upcoming live album, with a share "equivalent to that of the artist" to be distributed among investors on sales for up to 10 years.

Roy Music co-founder Yvan Taubert says this provides a solution for independent companies that have cash-flow problems, while his fellow co-founder Rodolphe Dardalhon says the model could provide significant benefits beyond raising finance.

"NoMajorMusik has built a clear model linking artists with fans and proved it can work," Dardalhon says.

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**GRAPE EXPECTATIONS**

Wineries Bring Cheer To Aussie Touring Circuit

BRISBANE, Australia—Australia's winery touring circuit is bearing fruit at home, and the concept is about to be exported to overseas vineyards.

Leonard Cohen became the latest visiting star to play the circuit, performing five winery shows during his 10-date Australian tour in January and February. Since the circuit first emerged at the start of the millennium, promoters say it has steadily matured as a business, helping to open up new markets.

"South Australia is a soft market," says Mick Newton, director of promoter Roundhouse Entertainment, whose A Day on the Green concert series recently celebrated its 150th winery show since its first event in 2001. "To be able to offer one of our shows there in the mix of a tour [fixes] a weak link in the touring chain."

Melbourne-based Roundhouse, part of Michael Gudinski's Mushroom Group of companies, now hosts winery events in 18 Australian sites. A Day on the Green expects its 1 millionth guest later this year, with 26 Australian dates—at venues with capacities varying between 4,000 and 10,000—booked for the current 2008-09 summer season.

With the domestic touring market holding up well despite the global financial crisis, Newton has already expanded into New Zealand and is now looking to take the shows international.

"We've got a couple of countries on the radar," he says, "but they're probably not the ones you'd expect. We just want to get it right.
**GLOBAL BY ANDRE PAINE**

**It’s A Manx World**

Isle Of Man Aims To Make P2P Pay

Located in the Irish Sea, the Isle of Man has traditionally been known for its TT motorcycle races and low taxes.

Now the self-governing British crown dependency could soon be known for something quite different: a controversial peer-to-peer licensing plan by local ISP subsidiary Manx Telecom to let its customers access unlimited music through P2P sites in exchange for a blanket license fee to compensate rights holders.

“We’ve got something to offer the rest of the world,” says Ron Berry, the Isle of Man’s inward investment manager. “It’s a case of defining and proving the model, then it’s adaptable for other jurisdictions.”

The exact nature and cost to consumers of that model is still being fine-tuned, with the final proposal due to be unveiled in late March, followed by an experimental phase in the summer. The concept is similar to a Warner Music Group-backed proposal for people in Australia, but the British government says it is watching the Isle of Man proposal with interest.

“We want to leave the way open for other business models rather than limiting people to one option,” a statement from the Intellectual Property Office said. “The important thing is to balance the needs of rights holders against [those] of consumers. We are glad to see innovative solutions are being explored, but we would like to see more details.”

The Isle of Man proposal—a controlled experiment on an island with a population of 78,000 that boasts 100% broadband penetration—could become a testing ground for other markets. Berry says there has been “engagement across the board” with rights holders, although Billboard has encountered a mixed reaction.

“It’s imperative that the value of our members’ music is properly recognized in the P2P environment and we are working hard with other key stakeholders to deliver effective licensing solutions,” says Steve Porter, chief executive at U.K. collecting society PPRS for Music, who says his organization has been “engaging actively” in the Isle of Man proposal. However, labels trade body the BPI says it wouldn’t support the scheme over the U.K. government’s plans and remains committed to tackling, rather than appeasing, piracy.

“There has never been any reluctance on the labels’ part to explore new business models,” says BPI director of public affairs Richard Mollet. “We would be interested to see the detail of any proposal that comes forward. But any commercial service that sets off trying to compete with free is going to have a hard time of it.”

Berry believes that “brand loyalty” would ensure the continued success of legal download services.

“The Isle of Man isn’t in this to solve the problems of the music industry,” Berry says. “If we can do that along the way, that’s great. But our strategy is to grow our economy.”

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U.S. college campuses (see story, page 12). That time line means the U.K. government faces the prospect of having a P2P-legitimizing system rolling out on its doorstep just as it attempts to broker a different approach on the mainland.

The British government is due to submit final proposals in late spring on how Internet service providers and the music industry should cooperate in the fight against online piracy. Proposed measures in its interim “Digital Britain” report in January included the establishment of a rights agency to enforce anti-piracy measures.

The Internet Service Providers’ Assn. questions whether the Isle of Man ISP licensing plan could ever be exported to a high-profile, high-value market like the United Kingdom.
Steve Stoute

The music branding expert discusses the opportunities and risks for recording artists in ad partnerships.

Describe how Translation matches artists to brands.

I can identify what the artists' needs are, what the consumer groups are who buy the material and how the brand seeking to tap into the audience can use that partnership to create consideration for the product. The company's not driven by looking up artists with brands. We're in the artist brand management business. It's about finding corporate partners and matching them with artists to tell their brand story. There has to be some mutual benefit. So it just can't be all about the brand saying, "I'm going to put artists with my brands and not care about the artist's pre-existing brand value."

You brought in Chris Brown, Ne-Yo and Julianne Hough for a Wrigley's marketing campaign. Are there any risks when artists put a brand's name or jingle in their song?

Not when it's done correctly or with honesty. I learned from the record business that artists working with corporations on projects that are seen as selling out are nothing more than a bad marriage. When artists do it right, it's a perfect marriage. When you look at Run D.M.C. and their deal with Adidas, it did not look wrong. When Bob Dylan is selling Victoria's Secret or MC Hammer is selling chicken, then it's a bad marriage.

What is the most common mistake that brand marketers make in their use of artists?

The biggest mistake is that they try to bring the artist into the brand's culture and what they really need to do is get their brand into the artist's culture. The biggest risk is that they think something is going to happen in the artist's DNA....

Projects that are seen as selling out are nothing more than a bad marriage. When artists do it right, it's a perfect marriage.

What impact would a Live Nation-Ticketmaster merger have on agencies like Translation? It's great for us, because I have a lot of friends at Live Nation. It means a greater 360 relationship between the venue, the concert and the selling process of the ticket. It gives brands and marketers a much better way to integrate into the process. Before it was a lot of different pieces. The fact that Live Nation owns venues and puts on the show and now runs the ticketing process, which has a lot of data, means you can market to that data.

What impact will the deal have on artist branding deals and sponsorships? As an advertiser, you rub your hands in glee. It's not just a bumper sticker — now you know who the consumer is buying tickets. When Armani wants to sell perfume to Beyoncé fans, they now have that data. That's one of the problems with the record business. They could have offset the cannibalization of digital music sales if they had that data. The consumer aware in buying music and tickets and related items is a big-ticket item for marketers.

You went from the music business to the advertising business, two industries that are becoming interdependent. Will Translation ever start its own label?

I actually think about starting a label a lot and going back to my roots. Why I sit on the edge is because the music business still hasn't figured out its core model yet. I do a lot of work with Interscope and Universal to help them define that. Maybe if the timing is right I'll step into the record business. The business model is not the record business. There's not many YouTube stars and there's a reason for that. Knowing how to build stars [A&R] is a unique skillset, except it's been overpriced because record sales were exploding. When [A&R costs] come back down, maybe I will go back into the record business.
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T'S MORE UGG BOOTS than cowboy boots at Rascal Flatts’ February performance at New York’s Madison Square Garden. Backstage before the show, a woman in her mid-40s reaches the front of the line to meet the band and flaps her hands around her face, pretending to faint. Another lady ecstatically tells the band her name is Stephanie, which guitarist Joe Don Rooney instantly converts to “Steph-Steph,” making her giggle loudly. A tottering woman approaches with pink drinks and accidentally spills Cracker Jacks all over the floor. Vocalist Gary LeVox feigns disappointment: "I would have liked some of those." * The band disappears from the meet-and-greet as Jessica Simpson finishes her opening set, and after the crowd is prepped with tracks like “Eye of the Tiger” and “Who Let the Dogs Out”—there’s a big bang. The trio of Rooney, LeVox and bassist Jay DeMarcus descend to the floor on an aluminum platform that billows smoke. LeVox struts and skips around the arena-length track, bumping fists and high-fiving the men and holding the hands of women as he sings. Rooney and DeMarcus give out guitar picks like Halloween candy. * High-pitched screams drown out the opening bars of the band’s cover of “Life Is a Highway” and women dance with their big Budweisers thrust high in the air. "And they say New York City doesn’t like country music," LeVox says to the sold-out crowd. "They must have took up all the pretty people and put ‘em in one spot!"
With the April 7 release of "Unstoppable," the band's sixth studio set, Rascal Flatts is aiming to take its already strong appeal to women by teaming up with retailer JCPenney for a wide-ranging marketing and promotional deal. For these women the association of Rascal Flatts with JCPenney will be inescapable for the next two years—from tour sponsorship to clothing the performers to using the group's music in advertisements and playing it in stores.

"Fortunately for Rascal Flatts we have crossover music that's allowed us to play the Staples Center [in Los Angeles] and sell it out and play Madison Square Garden and sell it out, but when you get down to who the real the Rascal Flatts consumer is, it's the people between New York and L.A.—and that's where JCPenney is," says Doug Nichols, the band's co-manager. "From a demographic standpoint it was a perfect fit."

Even in uncertain economic times, JCPenney remains one of the biggest general-merchandise retailers in the United States. There are more than 1,000 JCPenney department stores throughout the States and Puerto Rico, the business also includes one of the largest apparel and home furnishing sites on the Internet, jcp.com—JCPenney says Internet sales totaled $1.5 billion last year—and the brand is the nation's largest general-merchandise catalog business.

The Rascal Flatts American Living Unstoppable tour is sponsored by JCPenney; the two-year, 60-stop trek kicks off June 7. "We've avoided some sponsorships up until now because it didn't do anything to further the Rascal Flatts brand, it was only a monetary handout," Nichols says. "Fortunately the guys are in a place where they don't have to do things just for money. We feel that JCPenney is a partner that can grow our brand, and we fully intend to help them grow their brand."

"Even in the best economic conditions the more places you can sell your music the better," says Lyric Street VP of marketing Greg McCann.

The partnership with JCPenney is a two-year deal with the option to extend for additional years at the end of the term. "We have close to a million people that we communicate with so getting the two online brands together is really exciting," Nichols says. "They have like 21 million e-mail addresses, so it doesn't take a very high percentage of opt-ins to create a huge number there. It will be interesting to see what we come up with."

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JAY DEMARCUS

"SONG FOR SONG, POUND FOR POUND, IT'S THE BEST MATERIAL WE'VE BEEN ABLE TO GET OUR HANDS ON."

Mike Boylson, chief marketing officer for JCPenney, says that while the company has never sponsored a tour before, "Rascal Flatts and the American Living brand is a perfect fit. They skew toward women, especially younger women, and 80% of our purchasers are women. We're trying to get younger women."

Nichols says there will be synergies between the advertising buys that both organizations make. "We know we're going after the same customer," he says. "They're spending a lot of money on TV and radio, particularly country radio, and we're spending a lot of money advertising there, so finding a way to utilize our..."
advertising dollars together is a really exciting thing."

JCPenney will run one TV commercial the first year and probably two the second year, according to Nichols. The band wrote a song, "American Living," that will serve as the soundtrack for a new commercial for JCPenney's lifestyle brand, which launched in 2008. In addition, the track will be available on a special version of the "Unstoppable" CD sold only at JCPenney stores, and net proceeds from the sale of the CD at the retailer will benefit JCPenney's Afterschool fund, which provides children in need with access to after-school programs.

The commercial will air May 17–June 6 during prime time and on cable, and Nichols says the fact that LeVox, Rooney and DeMarcus wrote the song makes all the difference. "It's a Rascal Flatts song," he says. "It's not like a jingle writer in Chicago wrote it and the guys are singing it. They've got all the ingredients in there that they know work for their fans. The harmonies, the melody, and the chorus is very hooky."

After coming up with a melody and chorus, DeMarcus and LeVox sent a demo to JCPenney. "They flipped over it," DeMarcus says. The lyrics—"It's a mind-set that's never going out of style, from the concrete jungle and down a country mile/It's a boy and a girl winning with the band that they've been given, it's a day in the life, the music and the rhyme of American living"—aren't about JCPenney, but rather a slice of Americana. "They didn't want it to be about clothes," DeMarcus says. "They wanted it to be an all-encompassing theme."

The band members will wear American Living apparel in concert, and DeMarcus says he sports clothes from the line offstage as well. The American Living commercial, as well as behind-the-scenes footage from the filming of the ad, will run on two large side-stage screens during the concerts. The band's fleet of 18 tour buses will feature imagery of the brand, and special American Living merch promoting the tour will be available for purchase.

Meanwhile, a microsite that allows fans interested in learning more about Rascal Flatts and the American Living brand will launch April 1, and visitors to the site will be able to watch interviews with the band on the road and enter a sweepstakes to win concert tickets.

"We're going to find ways to promote the band and the tour in all the media that we do, so it's a partnership where we both benefit from each other's media weight out there," Boyles says. "It really is a win-win situation."

And, the band says, all those JCPenney customers are in for a treat. While DeMarcus says it's cliche for a band to call its next album as the best yet, he insists that it's true for "Unstoppable." "Song for song, pound for pound, it's the best material we've been able to get our hands on," he says. The current single, "Here Comes Goodbye," is DeMarcus' "favorite song we've ever recorded. When we first heard it, we almost immediately decided that it was going to be our first single—that's how much we fell in love with it."

While the group tried to expand its sound on each album, DeMarcus says it may have gone too far on recent records. "We felt like the past couple of records, in an effort to grow, there was a lack of holding onto some of the things that made us successful to begin with. Not that we're not proud of that material, but it was time to go back and grab hold of some of the elements that launched us and helped us become who we are."

DeMarcus describes producer Dann Huff (who also has worked with Keith Urban and Faith Hill) as "talented" and "an integral" part of the recording process. "There's a chemistry with him that I dare say would exist with few other producers," DeMarcus says of teaming with Huff for the third time.

"When you have those kinds of chops and that kind of range—he's already in the 99th percentile—the growth is going to be incremental," Huff says of LeVox. "He's bringing in other influences and (improving) the way that he utilizes his vocals. Texturally he brings more each time."

DeMarcus agrees—and even 10 years after the band launched nationally, the group is still growing. "We've gotten better as players, we've gotten more seasoned as writers and performers, and we've gotten to know ourselves better. More time spent together equals a better chemistry when you make music."

Huff describes "Love Who You Love," which LeVox wrote with Neal Thirasher and Jason Sellers, as "arena country": the song has a rock feel with a country ballad lyric. "Things That Matter" is a sparse ballad with a two-chorus line: "Things that matter, things that don't." Another song, "Close," has what Huff describes as a "grunge guitar and banjo" sound. "They really have a relationship with the fans and they're not going to do something that's a total departure," Huff says. "It's quality-of-life stuff, it's about family, relationships."

John Shomby, PD at WGJ Norfolk, Va., says the secrets to Rascal Flatts' radio success are simple. "They target women with their music, just about every song is relationship-driven. They know their market and they serve it well. They have a signature sound—you know it's Rascal Flatts the minute you hear them."

Besides the deal with JCPenney, the group will appear on NBC's "Today" show on date and will return for the morning show's Summer Concert Series in July. Rascal Flatts also will perform at the Academy of Country Music Awards, which air April 5 on CBS. Among traditional online initiatives like a countdown clock on MySpace, the label is developing a microsite where fans can register to win a wake-up call from the band.

And while the current Bob That Head tour is set to wrap March 14 in Irvine, Calif., the band is already making plans for the start of the American Living tour in June. "There will be a new set, new set list; it's going to be all brand-new," DeMarcus says. "What we do at the end of a tour is scrap everything and start from scratch. We're going to go back to some of the big cities that we've never been to, on the Bob That Head tour and we feel like we owe it to the people that are paying money to come out to see us to see something totally different."

In July, the group will become the first country act to play Chicago's Wrigley Field. Two nights later Billy Joel and Elton John will play the same venue, and the acts will share some of the costs. (Like the rest of Rascal Flatts' tour, Live Nation will produce the Wrigley show.)"It's Wrigley Field," Nichols says. "That's all you have to say. There's no other place like it and that's such a great market for us anyway. It's a huge market for us both with record sales and ticket sales."

The group will also play Crew Stadium, a soccer venue in Columbus, Ohio, and is looking at a date in Boston as well. Rascal Flatts hopes to take its road show to the rest of the world in 2010, with tentative plans to travel to the United Kingdom, Europe, Australia and possibly Southeast Asia. "We want to tour overseas and try to conquer as many other countries as we can," DeMarcus says. "We haven't scratched the surface yet as far as getting our music out to the rest of the world. It's something we're going to concentrate more and more on in these next few years."

Alongside JCPenney, Hershey's will be a tour partner for the band. The Rascal Flatts Rocks Your Block promotion will feature a grand-prize winner in the winner's backyard. National TV commercials featuring the band will run in April, May and June, and thousands of standups will be located in grocery stores and other retailers. The promotion will be tied into the company's "S'mores season"—which runs from Memorial Day to Labor Day—and a commercial will feature the band's "Still Feels Good"—"a fun, summer, round-the-campfire, on-the-beach kind of song," Nichols says.

For Rascal Flatts, this sort of branding has become now part and parcel of getting its music to the masses—and with the JCPenney deal, the act hopes it has made a partnership that could help support the band for the foreseeable future. "The people that are involved in this are really good people and we connected with them," Nichols says. "That's not always the case. We want to work hard and they want to work hard, and a lot of positive things are going to come out of this."

Additional reporting by Katie Haesty.
Luis Fonsi Tops The Charts Thanks To Branding Campaigns With Pepsi And AT&T

BY LEILA COBO
PHOTOGRAPH BY RAUL HIGUERAS
Luis Fonsi has been an artist on the verge of a major breakthrough. But in the last 10 months—arguably the toughest time the Latin music industry has faced in years—the Puerto Rican singer has finally achieved major recognition and sales both stateside and abroad.

Seven months after the release of his album, “Palabras del Silencio,” on Universal Music Latino, Fonsi is enjoying unprecedented success on airplay and sales charts. It’s the result of a strategy that incorporated his image and music into local and national branding campaigns, giving him a presence that he hasn’t enjoyed with previous albums. “He’s at a point of maturity in his career after 10 or 12 years,” says Jesús López, chairman/chief executive officer of Universal Music Latin Entertainment. “He has the song, the moment, the album.”

A key driver for Fonsi’s “it” status is the single “No Me Doy Por Vencido,” which debuted at No. 18 on Billboard’s Hot Latin Songs chart in July 2008. The song rose to No. 1 in September and has spent 19 consecutive weeks atop the chart, most recently in late January. It is one of only five tracks in the chart’s 22-year history at the top for so long.

The album netted Fonsi his highest debut week, with 20,000 copies sold, according to Nielsen SoundScan. To date, the album has sold 119,000 copies in the United States, a significant number by today’s Latin music standards. This week, it remains in the top 10 of the Top Latin Albums chart, at No. 2. While Fonsi is no stranger to the charts, he’s never had this much momentum, and it reflects a campaign that combined major-label support with three sponsorships: a partnership with Pepsi that capitalized on Fonsi’s popularity in Puerto Rico and camps with AT&T and Telefónica that used his image and music nationwide. The blend of local and national focus played an important role in propelling Fonsi from a pop artist best-known on the East Coast and in Puerto Rico to a major Latin star across the United States and on an international level.

Of course, Fonsi also benefited from good timing. His label originally slated “Palabras del Silencio” for release last May, with “No Me Doy Por Vencido,” a midtempo pop song in 6/8 time, as the first single. “A big advantage was we identified the song as a hit and worked it that way,” Universal Music Latino president Walter Kolm says of the inspirational pop single. “We knew it could work in several different formats.”

Written by Fonsi with Claudia Irizar, the track featured trumpets for a Mexican feel, and a ranchera version was also recorded. The idea was that the two versions would give it traction at radio on the East Coast, which favors pop, as well as the West Coast, which favors regional Mexican music—and where Fonsi had yet to achieve major success. Universal released a noveno version featuring singer German Montero and an urbanization featuring rap was released, helping to keep the song high on the charts.

The anthemic quality of the song’s lyrics gives it a broad appeal, and Universal submitted the song to AT&T for consideration for a summer Olympics promotion. The promotion, which included several major acts from different genres, was to include one artist for the Hispanic market, and AT&T considered submissions from several labels. It chose Fonsi, in part because of the artist’s wholesome image and the song’s title and positive message, says Adaliz Vicenés, senior marketing manager for Hispanic marketing at AT&T.

Both sponsorships and campaigns were a crucial part of the label’s marketing efforts, says Universal Music Latino managing director Luis Estrada. “We really looked after our artist’s wholesome image and ensured that the message we were conveying was positive, which is congruent with Fonsi’s persona.”

A centerpiece of the AT&T campaign was a new version of “No Me Doy Por Vencido,” created for an Olympics sound-tracking Epiphone guitars.

As was the case with AT&T’s TV spot and later a radio ad, featured Fonsi singing “No Me Doy Por Vencido.” The artist’s image appeared on Pepsi products, including more than 1 million cans sold on the island.

Although the campaign’s vast scope matched what had been done previously with Daddy Yankee and Juanes, Fonsi’s had a new element.

For example, a fan launched a Facebook challenge that sought 3,000 new signs for Fonsi’s Facebook page so she could get 10 minutes of face time with him during his Pepsi concert. “Two weeks later, we had 6,000 people signed up in different Fonsi Internet forums—forums we didn’t even know about,” says Natalia Vasallo, marketing coordinator for Pepsi Internacional.

The fan got her wish, and Fonsi serenaded her onstage during the show last August.

According to Estrada, the Web connection—Fonsi is an avid Facebook user who blogs frequently and shares fans online—is crucial in moving his project forward. When his new video premiered on his Web site, more than 500,000 fans signed on and crashed the server.

The viral interest for Fonsi is particularly appealing to Universal, which sees him as an artist with tremendous potential outside traditional Latin realms. “Success like his would have translated to more albums sold five years ago,” Universal’s Lopez says. “However, I don’t think he’s had nearly as much mass penetration and recognition with consumers as he has now.”

As Fonsi kicked off the first major tour of his career Feb. 12 in Puerto Rico, he is once again looking at sponsorship opportunities while his label eyes crossover possibilities, including a collaboration with a major mainstream act this spring.

While his most recent Puerto Rico performances were again sponsored by Pepsi, management and the label are looking for sponsorships for his other tour dates in the United States, Spain and Latin America. Fonsi will play the Viña del Mar Festival in Chile in late February and then continue touring in such countries as Colombia, Venezuela, Ecuador and Argentina.

In the States, Fonsi’s management is working with GTS, Universal’s management service arm, which works to support artists in specific territories. GTS head Pedro Ferradas says he’s working with Mojena to have Fonsi play theaters in four cities in April and then return for a longer run in the fall. In Spain, Fonsi’s second-best-selling territory, he will play nine dates this summer.

Although Universal declined to elaborate, Fonsi’s newly renewed contract with the label includes revenue share in some areas. But beyond the commercial success, Lopez sees Fonsi’s efforts as representative of a new generation of Latin acts.

“He truly represents new Latin youth,” Lopez says. “He’s kind of like a boy next door and I think that has a lot to do with his success.”

Despite his increasing celebrity status, Fonsi is pushing his album with the same enthusiasm he pushed the ones before. “A new album is a guarantee of success,” he said to the crowd attending one of his Puerto Rico shows earlier this month. “I think you always have to launch a new album as if it were your first, with a lot of humility and with a lot of desire to work.”

**ASCAP Honors Fonsi**


Since then, Fonsi has blended his roles as singer and songwriter. As the latter, Fonsi has charted on Hot Latin Songs as a co-author of nine tracks; four of those were recorded by other artists, including Edna Nazario and Victor Manuelle.

But Fonsi’s biggest splash as a songwriter is as the writer or co-writer of all the tracks on his new album, "Palabras del Silencio," including the singles "No Me Doy Por Vencido," which he co-wrote with Claudia Brant.

The success hasn’t gone unnoticed. On March 3, during its 17th annual Premios ASCAP Awards, ASCAP will honor Fonsi with its Voice of Music Award, presented to songwriters and artists whose music gives voice to the spirit of a generation.

"Fonsi has made an amazing transition from interpreter—to interpreter and songwriter," says Jorge Mejía, VP of Sony/ATV Music Publishing for Latin America and U.S. Latin, which administers Fonsi’s publishing.

"It’s not just about chart success—during a recent arena show in Puerto Rico, Fonsi acknowledged Brant’s song. "He’s cognizant of what it takes to be a writer," Mejía says. —LC
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KEYNOTE

MICHAEL SPRAGUE, VP of Marketing for North America, Kia

STEVE JANG, Chief Marketing Officer, imeem

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Billy's Back

New Album Sings With 'Hannah Montana' Synergy

Billy Ray Cyrus is back in Tennessee. Or at least he was.

The Kentucky-born singer and actor, who has been spending much of his time in Los Angeles where he stars in the Disney Channel's "Hannah Montana" with his daughter, Miley Cyrus, had a busy summer around Nashville last year. Not only did he host NBC's "Nashville Star" talent competition and film (with Miley) the forthcoming "Hannah Montana: The Movie," he also made a new album, "Back to Tennessee," which will be released March 31 by Lyric Street.

While the project was originally scheduled for fall release, the new date could turn out to be fortuitous. The Hannah Montana movie comes out April 10, and Cyrus' current single and title track, "Back to Tennessee," which is in the movie, is now on country radio. Cyrus co-wrote the I'm-lonely-for-home tune with Tamarra Dunn and Matthew Wilder. (A previous single from the album, "Somebody Said a Prayer," peaked at No. 33 on Billboard's Hot Country Songs chart in November.)

Cyrus says that while "Back to Tennessee" is "the cornerstone" of the Hannah Montana movie, which is about Miley/Hannah's return to her roots, it also represents his return. "You are talking to someone who loves the country who was born and raised in Kentucky," he says.

Unlike his last album, "Home at Last," which was recorded in L.A. and sold 294,000 copies, according to Nielsen SoundScan, the new set marks a return to Music City. The set was produced by Mark Bright (Rascal Flatts), Lyric Street senior VP of A&R Doug Howard, who has known Cyrus since his days at Mercury Nashville in the early '90s, was also involved in the process. "Doug was the man who said, 'We want this thing to be bulletproof,'" Cyrus says. The first song Howard brought was "Somebody Said a Prayer," which was written by his songwriters Craig Wiseman and Neil Thrasher. "We just started building from there," Cyrus says.

The new set will also include an exclusive duet with Miley on "Butterfly," a song from the movie. While Miley's version will appear on the soundtrack, the duet will only appear on Cyrus' album. ("Hey, Set, Don't Go," from his last album also featured Miley. That song peaked at No. 4 on Hot Country Songs in February 2008 and was his biggest hit in nine years.)

The set also includes "Real Gone," a Sheryl Crow tune that she sang and wrote for the "Cars" movie. Cyrus' version also appeared on "Country Sings Disney." Unlikely the last release, the new album is a joint venture between Walt Disney Records and Nashville sister label Lyric Street. "We've been involved from the very beginning of this thing, every little step," says Greg McCann, VP of marketing for Lyric Street. "There are things that they can bring to the table that we don't have the opportunity to, like working with the Disney Channel, and we hopefully bring our country expertise to the table," he says.

It helps that Cyrus is still a concert draw. He will be on the road a couple of weeks each month for the rest of the year, playing casinos, clubs, country festivals and even Sea World.

Cyrus has heard talk that his career would be over after the phenomenon that was "Achy Breaky Heart," but he's had the last laugh. "I never give up," he says. "My dad always said, 'As long as you love what you do for a living, you never have to work another day in your life.' I love making music, and I know that no matter what happened that until the day I die I would be making music somewhere. I know I would be setting up my guitar and my microphone somewhere and I would be singing for somebody."

Cyrus' father also advised him to "have a career like Kenny Rogers and Dolly Parton." "I said, 'Dad, what does that mean?' and he said, 'Well, you have to launch into TV and film,'" Cyrus recalls. "And I didn't really think about that. I went to L.A. the next week and they were casting for Pax Televisions' "Doc" and I went and auditioned and they hired me and four years later, 88 episodes, I was a full-time actor. And I look back on it now and think, 'Man, I'm really glad that my dad said that,' because there is no doubt that I would not be having the career that I am having now if I hadn't branched out."
Monteant Making Impact With Album, Book, Charitable Foundation

Ricardo Monteant is one of those rare singer-songwriters who is also a great balladeer, capable of marrying commercial appeal with eloquence and sensitivity. He's also an iconic Latin American superstar who can fill arenas from Mexico to Argentina.

Now, as Monteant prepares for the Feb. 24 release of "Las Cosas Son Como Son," his first studio album since 2005, he is eyeing the U.S. marketplace with new impetus, even as he expands his presence into literary and altruistic ventures.

"Breaking a brand wasn't my goal," Monteant says of the fact that his name is now associated with a foundation (La Ventana de los Cielos), a restaurant (Ragazzi in Miami), an upcoming book ("Lo Que No Digo Cantando," to be published in May by Thomas Nelson), TV (he was recently a judge on the Mexican reality show "Cantando Por Un Sueño") and, of course, music. "But the truth is, we worked hard on this," he says. "My team has a lot to do with this. We've realized that after 25 years in the business, you can see the results in many ways."

Within that mind frame, Monteant says his upcoming album "is the culmination of a very long career and a lifestyle that's been very rich in experience. This is an album I made not exclusively for the audience but also for myself. It's an album that in some way marks the end of a stage, of an important episode in my career."

"Las Cosas Son Como Son" is classic Monteant, with its parade of radio-friendly tracks. The sound is more Italian than Latin pop, with multihued, surprising melodic lines and rich instrumentation (piano and accordion are recurring). Monteant wrote the lyrics with the music divided between an assortment of people, including himself, "This is not my own material."

Monteant, who will be honored with the Latin Heritage Award March 3 at ASCAP's Latin Music Awards in San Juan, Puerto Rico, has charted 35 songs on Billboard's Hot Latin Songs tally since 1989. 23 have gone top 10 and nine have hit No. 1. This time around, EMI Latin is looking to make an even stronger impact in the U.S. Latin market, although the first single "Paseo Para Pasar" has yet to appear on Hot Latin Songs.

"Besides traditional promotion, we're very focused on Monteant's image," says EMI Latin president Rodolfo Lopez Negrete. "He has a very big market in Latin America and we want to reinforce his image here. His last two albums sold very well in the United States, proportionately better in Mexico and Argentina. And I think we can do much better here.

Unlike most international Latin acts, whose main focus tends to be the United States—which, after all, is the top selling market for Latin albums in the world—Monteant has long concentrated on the Americas as a whole. He runs his affairs through his own management company, with offices in Miami, Mexico, Chile, Argentina and Venezuela, that help promote his albums and book local shows. "He has a very loyal audience in Latin America and he's a catalyst artist who doesn't need radio to sell our records," says concert promoter Ricardo Leyva, president of Bravo Show.

Given his strength in Latin America, the United States is simply another market for Monteant. But with "Las Cosas," the bulk of the early promotion is taking place stateside. Piggybacking on the new album, Monteant will host a May concert in Miami to raise money for La Ventana de Los Cieles, which helps children with special needs.

Honed in 2006 with Billboard's Spirit of Hope Award for his humanitarian work, Monteant, who is also a UNICEF goodwill ambassador, is expanding the organization's focus to include initiatives for needy youth throughout Latin America. With his wife Marcela producing and directing, he is funding a film that highlights the plight of children across the continent. Paralleling those efforts, his book "Lo Que No Digo Cantando" will narrate "all the experiences that confirm to me the existence of God," says Monteant, "who is a Christian. "I have very high hopes," he says. "I'm not an artist that only sings."
SCHUYLER FISK

Schuyler Fisk's departure from Universal Records after four years and no releases may have been the best thing to happen to her musical career. "Everybody at Universal wanted me to be the best artist I can be, and everyone had different ideas about what that should sound like. But at the end of the day, it was me who should have the final say on what I should sound like," Fisk says. And that's exactly what one hears on "The Good Stuff," her first album, released exclusively on iTunes. "This album is everything I wanted it to be, inspired by things I did when I was signed and inspired by my frustrations after not being able to release anything." Fisk used many of the contacts and resources she had at Universal after she left the folk artist released "Notion of Heat" last year and has managed to sell 3,000 copies through CD Baby and iTunes, as well as on the road, according to manager Don Bartlett. To inspire purchases, Pug also gives away a free two-song sampler at his shows and offers to mail them to fans, as many as they want, free of shipping, with a handwritten thank-you note in every package.

"Not only does that provide us the most targeted marketing we could possibly ask for, it's also creating a great relationship with the fans," Bartlett says. "It doesn't hurt that you build a detailed database of your biggest fans, complete with home address." Pug has also done a "Mountain Stage" taping for NPR and appeared on noncommercial KCRW's "Morning Becomes Eclectic." Paste magazine included a song of his on a recent compilation.

Pug, who is represented for touring by Josh Brinkman of Monterey International, has further broadened his audience by supporting Robert Randolph, Susan Tedeschi, Rhet Miller and the Sadies. The artist is finishing his debut full-length, due for release at the beginning of May and accompanied by a pair of releases at Schuyler's in his adopted hometown of Chicago. Contact: Don Bartlett, manager, don@nodooagency.com

JOE PUG

Like many Americans, Joe Pug recently lost his job, which he optimistically describes as the official start date of his becoming a full-time musician. "I looked at the big bunch of gigs I had lined up and realized I just need to pay rent, pay for my phone, keep some food on the table and keep cigarettes in my pocket," he says. "It occurred to me that I could easily run this little Joe Pug business."

The Joe Pug business up to this point has consisted of an EP and hundreds of tour dates. The 24-dates at Schuba's in his home address." Matt Drenik says. "It's not Hur, and was impressed enough to use it over the end credits of the movie.

Fast forward, and Fisk's friend Joshua Radin, with whom she's supported on tour, introduces her to actor/director Zach Braff—who then places their duet "Paperweight" in his 2006 film "The Last Kiss." Later, actress Reese Witherspoon personally called the singer/songwriter and commissioned a track for her movie "Penelope." Fisk's famous friends aren't just limited to the acting world. The artist, who is on tour with Ben Taylor, has opened for "Trow Good Stuff," her first album, released exclusively on iTunes. "This album is everything I wanted it to be, inspired by things I did when I was signed and inspired by my frustrations after not being able to release anything." Fisk used many of the contacts and resources she had at Universal after she left the folk artist released "Notion of Heat" last year and has managed to sell 3,000 copies through CD Baby and iTunes, as well as on the road, according to manager Don Bartlett. To inspire purchases, Pug also gives away a free two-song sampler at his shows and offers to mail them to fans, as many as they want, free of shipping, with a handwritten thank-you note in every package.

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CATCHING UP WITH UNDERGROUND ALUMNI

William Fitzsimmons has signed to Downtown Recordings imprint Mercer Street, which will release his album "The Sparrow and the Crow" May 31. . . . Chris Pureka released her "Chimera" EP Jan. 20. . . . The Noise synched 10 songs in "One Tree Hill" and "The City" in January.

LIONS

South by Southwest has been good to Lions. In 2008, the band not only scored a management deal from Steve Hutton/Uppercut Management at the conference, but also secured a sync license to place its song "Metal Heavy Lady" a playable track in the video game "Guitar Hero 3."

"We made friends with the Activation guy after a few beers at some stupid after-party somewhere in Austin. I guess we make friends easily," vocalist/guitarist Matt Drenik says with a laugh. "Metal Heavy Lady" has gone on to sell 3,000 downloads, according to Nielsen SoundScan. "We were the little band that can."

The Austin-based crew combines '70s hard rock and psych elements, perfected by veteran artists like Alice Cooper, with buzzing, stoner guitar riffs and Drenik's strong va. His speaking on songs like "Start Movin'" and the title track from the album "No Generation" have earned comparisons to Rage Against the Machine.

The band released "Start Movin'" in late 2007 but decided to reissue it in late 2008 to capitalize on increased exposure from "Guitar Hero." From there, it secured synch licenses on Showtimes' "Californication" and placed several songs in the new FX series "Sons of Anarchy." Michael Fey from Chime Entertainment recently joined the team to find more licensing opportunities.

While synches are helping line the band's pockets, Lions considers its impressively tight live show to be its bread and butter. With help from day-to-day manager Jeff Sackman, the band has toured with Toadies, Blue Cheer and Local H and opened for such bands as the Misfits, Russian Circles and Early Man. After finishing a follow-up to "No Generation," the band plans on touring the United Kingdom and other parts of Europe, with booking help from the Heiter Skelter Agency and publicity from Duff Press.

Contact: Jeff Sackman, manager, jeffsackman@gmail.com; Steve Hutton, manager, stevehutton@earthlink.net

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March-April 2009 Show Schedule

**Osaka**

- Lord Finesse LIVE BAND: Mar.6-7
- Average White Band: Mar.13-15
- Mos Def: Mar.20
- Sheila E.: Apr.2
- Rasmus Faber LIVE BAND SET: Apr.2

**Fukuoka**

- Bobby Brown, Johnny Gill, Ralph Tresvant
- Apartment LIVE BAND SET: Mar.17
- Carlos Nunez: Apr.3

**Tokyo**

- J.T. Taylor from Kool & The Gang: Mar.9-10
- Air Supply: Mar.11-12
- Big Daddy Kane: Mar.13
- Brian McKnight: Mar.14
- Cheryl Lynn: Mar.19-22
- The Manhattans: Mar.31-Apr.1
- 5055 Wilshire Blvd, suite 700, Los Angeles, CA 90036
  Tel:323-525-2212  fax:323-525-2273
  Email: billboardlivejapan@gmail.com
  Booking Contact
  Billboard Live Japan
THE BILLBOARD REVIEWS

ALBUMS

BLUES

SHEMIEK COPELAND

Never Going Back
Producer: Oliver Wood
Tellar
Release Date: Feb. 24

SheMeka Copeland is, at this point in her ca-
Reer, a blues artist of the first
magnitude. But rather than
beautify with her new label by
methodically working the
groove that got her here, she
has cut a dozen tunes that
she suggests her to churn
a few genres. Copeland also
shows a willingness to get
topical, as evidenced by
the opener "Sounds Like the
Devil," in which she takes on
five politicians and religious
mercenaries. "Broken World," a
quiet tune with a soulful feel,
expresses a wish to fix "a small
part of this broken world."
Copeland deports blues in
covering Joni Mitchell's "Black
Crow," slipping convincingly
into Oliver Wood's
jazz-influenced arrangement.
Yet another highlight is
"Never Going Back to Mem-
phis," a shadowy tale with
a low-key swamp rock vibe that
suits Copeland as perfectly
as any song on the album.—PVV

ROCK

J.J. CALE

Roll On
Producer: J.J. Cale
Rounder
Release Date: Feb. 24

Even with a Grammy
Award win for "The
Road to Escondido," his
2006 collaboration with
guitar pal Eric Clapton, J.J.
Cale is still best-known as
the guy behind such rock
staples as "After Midnight," "Co-
caine," and "Call Me the
Breeze." The Oklahoma
singer/songwriter and multi-
instrumentalist raises
eyebrows from the get-go on
his 16th solo outing, dipping
into jazz for the gently
swinging "Who Knew," and the self-
advancing "Former Me." Like
their neighbors on "Roll On,"
these songs follow into
Cale's trademarked under-
statement, the Tulsa Soul
sound, if you will, with ev-
erything falling neatly into
a pocket and low-pitched
vocals strolling along just
behind the beat. Cale does
pick up a little more dust on
"Oh Mary," the sinewy "Where
the Sun Don't Shine" and
"Roll On," which features a
requisite guest appearance by
Clapton.—GG

CHRIS ISAAK

Mr. Lucky
Producers: Eric Rosse,
John Shanks
Reprise
Release Date: Feb. 24

It seems impossible
that it's been seven
years since Chris Isaak's last
set of all-new songs. But
"Mr. Lucky" makes up for
lost time with 14 gems that
showcase his sharp vocal
stylings, particular brand
of countrified pop music
(given his sex appeal) an
equally impossible-to-
believe preponderance of
romantic heartbreak. But
the Isaak who sings about
the woman who don't do him
wrong in "Chester's Town"
sounds as pained and re-
morsful as the guy who
wants to sing about the woman
he done wrong in "We Let Her
Down." Produced by Eric
Rosse and John Shanks,
these tracks are rich in sonic
detail and lyrical nuance,
riding through the classic
C&W lop of "We've Got
Tomorrow," the rockabilly
stomp of "Mr. Lonely Man,"
the country rock of
"Best I Ever Had," the
western swing of "Take My
Heart" and the bluesy swing-
er of "Big Wide Wonder-
ful World."—GG

LAMB OF GOD

Wrath
Producer: Josh Wilbur
Ends
Release Date: Feb. 24

This veteran Virginia metal act has
been steadily working its way out of the underground
for the last decade, earning a Grammy Award
nomination for a track from 2006's "Sacrament" and
opening for Metallica on the latter's American arena tour late last
year. The benefits of that increasing mainstream renown can be
heard on the band's third major-label disc in the form of a production job more elaborately than on
any previous release. Cuts like "In Your Words" and "Grace"
cover an impressive amount of sonic ground, from deli-
cate acoustic atmospherics to full-on rhythmic pummel-
ing. Yet with frontman Randy Blythe's, attitude gone—
not to mention his bile-soaked lyrics on religious hypocrisy—this is hardly a bid for an active-rock break-
through. Resolutely uncompromising.—MW

JONAS BROTHERS

Music From the 3D Concert Experience
Producers: various
Hollywood
Release Date: Feb. 24

Necessarily free of the movie's eye-popping 3-D vis-
uals, this soundtrack to the Jonas Brothers' new
concert film makes do with another kind of spectacle:
the screams and squeals of an arena full of freaked-out
tweens. The 14-song track list draws largely from
among the trio's self-titled 2007 disc and last year's "A
Little Bit Longer," with a handful of extras thrown in,
including "This Is Me." Joe's contribution, "Love"
from "Camp Rock," a version of Taylor Swift's
"Should've Said No" featuring Swift; and a typically
zippy cover of Shania Twain's "I'm Gonna Getcha
Good" that didn't actually make the movie but fits in
here nonetheless.—MW

CHRISTIAN

BLUE TREE

God of This City
Producer: Paul Mills
Livid Creative Services
Release Date: March 3

This Belfast, Northern
Ireland-based worship band
is starting to generate
strong buzz on this side of
the Atlantic as the title track
from this impressive collec-
tion of cuts at Christian
radio. The song has already
become a church anthem
touches to exposure from
Chris Tomlin and the Passion
movement. This solid set
proves the strength in songs where that one came
from. "Life's Noise" is a dy-
namic, thought-provoking
opener with a grand, atmos-
pheric sound, while "For
You" is a compelling worship
song fueled by passionate
vocals and a cool melody
that conveys a sense of ur-
gency and purpose. The
uplifting "God's Plan" and
the ballad "River" are among
the album's other highlights.
Look for this talented outfit
to become one of the Chris-
tian market's most enthusi-
astically embraced new wor-
ship bands.—DEP

WORLD

THE IDAN RAICHEL

PROJECT

Within My Walls
Producers: Idan Raichel,
Gili Shmuel
Release Date: Feb. 24

This

JAKE OWEN

Easy Does It
Producer: Jimmy Ritchie
RCA Nashville
Release Date: Feb. 24

"I don't want to be a guy with
a song on the radio that no
one knows," Jake Owen re-
cently told Billboard. With the release of his sophomore
set, he is well on his way to achieving his goal. The
album is a refreshing mix of thoughtfulness ("Nothin'
Grows in Shadows") and testosterone ("Eight Second Ride"
and "Who Said Whiskey (Was Meant to Drink a
Woman Away)"). The first single, "Don't Think I Can't
Love You," is a soulful story of loving when love is all
you have. On songs like "Easy Does It," Owen gives a
nod to hero Conway Twitty, who told women what they wanted
him to hear and then gave it to them. The most interest-
ing offering is "Green Bananas," a tale about never
knowing when one's life may end ("I don't buy green
bananas, 'cause I don’t plan that far ahead").—KT

www.americanradiohistory.com
Cumbancha
Release Date: Feb. 24

Ron Hart, Jill Menze, & fully guided whimsically.

THE TING TINGS
That’s Not My Name (3:20)
Producer: Jules De Martin
Writers: The Ting Tings
Publisher: not listed

Columbia

THE TING TINGS
That’s Not My Name (3:20)
Producer: Jules De Martin
Writers: The Ting Tings
Publisher: not listed

Columbia

HOOBASTANK
So Close, So Far (3:17)
Producer: Howard Benson
Writers: Hoobastank, J. Blue
Publisher: not listed

Red One

LADY GAGA
Poker Face (3:59)
Producer: RedOne
Writers: Lady GaGa, RedOne
Publisher: not listed

RedOne

SUGAR RED DRIVE
One More Time (3:47)
Producer: Pat Gusparri
Writers: various
Publisher: DP

Sugar Bear

ZAC BROWN BAND
Whatever It Is (3:29)
Producer: Keith Stegall
Writers: Zac Brown, W. Durrett
Publishers: Weimarhoud/Big/Lil' Dub/Angelika/Brandy

Sugar Brown/Big Picture/Atlantic

LIL WAYNE FEATURING ROBIN THICKE
Tie My Hands (5:19)
Producer: Robin Thicke, Pro Jay
Writers: D. Carter, R. Thicke, J. Gass
Publishers: Young Money/Warner/Chappell, BMI, J. Like'Em Thicke/Da Gass, ASCAP
Cash Money

SEAL
If You Don’t Know Me By Now (3:46)
Producer: David Foster
Writers: K. Gamble, L. Huff
Publishers: Warner/Chappell, BMI

Warner Bros.

ARCHITRAPE
Piano Face (3:20)
Producer: RedOne
Writers: Lady GaGa, RedOne
Publisher: not listed

RedOne

STREAMLINE/Non Live/CherrieLyne/Interscope

It was a long, slow climb to No. 1 on the Billboard Hot 100 for Grammy Award-nominated Lady GaGa's debut, "Just Dance," which took nine months to reach the summit in January. It looks as if the second release, "Poker Face," from the album "The Fame," won't have as long a wait. Once again, hooks are aplenty, with '80s-inspired synthesizers, robotic verses and a warmth to the chorus, which is even more additive than the previous single. Already, the track has reached No. 1 in Australia, Canada, New Zealand, Finland, Norway and Sweden. While comparisons abound—Christina Aguilera, Gwen Stefani, Madonna—Lady GaGa has a signature sound and a style. With a focused artistic vision, a swagger in her interview style and above all, a fantastic collection of diverse pop nuggets, GaGa is playing her cards right—and "Poker" is another obvious ace.—CW

ARCHITRAPE
Piano Face (3:20)
Producer: RedOne
Writers: Lady GaGa, RedOne
Publisher: not listed

RedOne

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CORRIGENDA

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

CONTRIBUTORS: Ayala Ben-Yehuda, Gordon Eley, Gary Graff, Robin Hart, J. Hollen, Deborah Evans Price, Shad Reed, Chuck Taylor, Christa L. Titus, Ken Tucker, Philip Van Vleck, Jeff Viabel, Chris Williams, Mike Wood, Lavina, Jones Wright

PICK: 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.

All albums commercially available in the United States are eligible. Send album review copies to Jonathan Cohen and singles review copies to Chuck Taylor (both at Billboard, 770 Broadway, Seventh Floor, New York, NY 10003) or to the writers in the appropriate bureaus.
Japanese Superstar Utada Aims To Conquer The States

What do you do when you’re a J-pop superstar in Japan, and a native English speaker, but have failed to take off with your first U.S. release? Try again, of course. Japanese phenomenon Utada will release her new English-language record, “This Is The One,” March 24 on Island DefJam, with all parties predicting greater success the second time around. Her first English-language record, 2004’s “Exodus,” peaked at No. 160 on the Billboard 200, selling 55,000 copies, according to Nielsen SoundScan.

“Utada’s American ‘sensibilities and sound’ set her apart from other Japanese artists seeking stateside success, noting early press support from Nylon, the New York Times and Vibe. A slot is also booked on CBS’ ‘The Early Show,’ with more TV appearances to be scheduled.

Utada had her longtime hair and makeup artists fly in from Japan for key U.S. promo work after feeling her image wasn’t presented correctly in the States on “Exodus.” The artist says she’s feeling more confident about how she’s perceived this time around.

“I feel very comfortable about all the promotional work I’ve been doing,” she says, “probably because there is less of this hype about a Japanese pop star making a breakthrough that I struggled with last time.”

Simply The Best

For the second time in his young career, rapper Flo Rida breaks the single-week record for download sales with “Right Round,” which sold 636,000 copies this week and explodes 58-1 on the Billboard Hot 100. He set the previous mark on the Jan. 12, 2008, chart, when “Low” featuring T-Pain sold 467,000 copies. Converting the sales for “Right Round” into track-equivalent albums, the song would rank No. 8 on the Billboard 200 this week. The song precedes Flo Rida’s second Poe Boy/Atlantic album, “R.O.O.T.S.,” due April 7. Here, the top 10 one-week download totals for a single song.

<table>
<thead>
<tr>
<th>Song</th>
<th>Artist</th>
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<th>Downloads</th>
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<tr>
<td>Right Round</td>
<td>Flo Rida</td>
<td>Atlantic</td>
<td>636,000</td>
</tr>
<tr>
<td>Low</td>
<td>Flo Rida featuring T-Pain</td>
<td>Atlantic</td>
<td>467,000</td>
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<tr>
<td>Just Dance</td>
<td>Lady Gaga featuring Colby O’donis</td>
<td>Interscope</td>
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<td>Crack A Bottle</td>
<td>Eminem, Dr. Dre &amp; 50 Cent</td>
<td>Interscope</td>
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<td>Single Ladies (Put A Ring On It)</td>
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<td>Taylor Swift</td>
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<td>Kanye West</td>
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<td>Live Your Life</td>
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<td>Hot N Cold</td>
<td>Katy Perry</td>
<td>Capitol</td>
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SOURCE: Nielsen SoundScan
Weekly Charting Format: hds Chart

www.americanradiohistory.com
Happy Trails

Trail Of Dead Starts Fresh On Sixth Album

With a new label, new producer and a new outlook, Texas outfit... And You Will Know Us by the Trail of Dead is ready to get back to what it does best: rock out.

"We were searching for that noise again," group member Jason Reece says of the group's sixth full-length, "The Century of Self," released Feb. 17 on the band's own Richter Scale Records in partnership with Justice Records. "We didn't have that on the last record [2006's "So Divided"]. There's definitely a sort of sizzling feel to the record."

The change in direction comes after the end of a troubled relationship with Interscope, which put out the band's last three albums. Although the group needed commercial and critical success with 2002's "Source Tags & Codes," which sold 125,000 units, according to Nielsen SoundScan, the following two efforts, 2005's "World's Apart" and 2006's "So Divided," faltered, selling only 56,000 and 26,000, respectively.

For "Century," the group dropped longtime producer Mike McCarthy and teamed with Chris Coady (TV on the Radio, Yeah Yeah Yeahs) for sessions at the Bubble in Austin and New York's DFA Studio. Rather than piece the tracks together in the studio on previous efforts, which Reece describes as "a very meticulous, almost clinical process," the group recorded more as a live band, heading in with the mentality, "Let's be as loud as possible and let everything just burn holes through the walls. It's very flawed, but in a good way."

The resulting 13 tracks recall the blistering rock heard on "Source Tags & Codes," while lyrically, the songs reflect on the youth of songwriters Reece and Conrad Keely as well as religion and mythology. Members of Brooklyn bands Yeasayer and Dragons of Zynth provided backup vocals on a few tracks, including group chants on the first single, "Invis Unveiled," and the punishing "Ascending," while pop-leaning songs like "Flowers of Coal" and such piano-backed numbers as "Invisible One" and "Invisible Two" are juxtaposed against more aggressive jams.

Reece says that in the past, the band didn't necessarily feel direct pressure from Interscope, but rather the "psychological underlying feeling that you get from major labels. Standing on our own two feet and claiming independence is a big statement for our band," he says. "We've never been a mainstream band that's going to sell a ton of records, and I'm comfortable with that."

With Justice, the group retains full ownership and control of its masters. Label GM Jan Mirkin and her team have been building awareness for "Century" since last fall, with viral videos of the band in the studio. An EP, "Festival of the Vale," and select in-store performances, followed in October. The group kicked off a U.S. and European tour Feb. 19 that will include dates at South by Southwest.

Ironically, Trail of Dead is still connected to Interscope parent Universal through Justice's distribution deal with Fontana.

With Richter Scale, the band hopes to eventually fill the void left by the now-defunct Austin-based label Trance Syndicate, which in 1998 released Trail of Dead's self-titled debut. "We thought it might be kind of cool to sort of fill in the gap that's not here in Austin... maybe someday put out some other bands that we care about," Reece says, adding that when it comes to discovering up-and-coming acts, "I think we have impeccable taste."

DANCING QUEEN

Anyone who has paid any attention at all to LeAnn Rimes’ career knows she colors outside the lines. From the traditional “Blue,” her first country hit at the age of 13, to the pop-leaning “How Do I Live,” Rimes has defied traditional country stereotypes.

This week, “What I Cannot Change,” from her 2007 album “Family” (Curb), reaches No. 1 on Billboard’s Hot Dance Club Play chart, making her the first artist to reach No. 1 on both Hot Country Songs and Hot Dance Club Play, albeit with different singles. Rimes’ "One Way Ticket (Because I Can)" spent two weeks atop Hot Country Songs in 1996.

Rimes is not new to the Club Play tally, having charted four times previously: “Can’t Fight the Moonlight” reached No. 17 in 2001, “TiC Toe” went to No. 10 in 2003, “We Can” hit No. 19 in 2003 and “Nothing Better To Do,” also from the “Family” album, reached No. 8 last year.

Curb VP of A&R Bryan Stewart says the label has been releasing dance mixes of Rimes’ music since 1997’s “How Do I Live,” which set a record by staying on the Billboard Hot 100 for 69 weeks. "She’s always been receptive to different styles of music, which you can hear in her albums," Stewart says. "She’s got a really universal voice and she does music that has the potential to cross over, and that helps in Europe. ‘How Do I Live’ was a huge hit around the world and opened a lot of doors for her."

Unlike the majority of country artists, Rimes has embraced international releases. “She’s had hits overseas, and dance music is a bigger part of the mix over there," Stewart says.

Stewart says ballads like “What I Cannot Change” make great dance songs “because you can double-time the beat underneath them.” Various mixes of the song were done by Kaskade, Jody den Broeder, Bronleeowe & Buse and Scotty K and have sold 6,000 digital copies, according to Nielsen SoundScan.

—Ken Tucker

The eyes have it: RIMES

CAN’T TOUCH THEIR RICHES

Two years ago, Audra, Brave, Lyndriette and Seven were four up-and-coming singer-songwriters trying to break into music. Thanks to producer Rich Harrison (Beyoncé’s “Crazy in Love,” Amerie’s “One Thing”), who discovered and signed them to his Richcraft Records in 2007, they are well on their way.

Now known as the R&B quartet Richgirl, the ladies, ranging in age from 21 to 26, are working toward a late-summer release of their self-titled debut. Which Seven describes as “motivational, empowering, fun and honest.” The first single, “24,” featuring Bun B, entered at No. 83 on Billboard’s Hot R&B/Hip-Hop Songs chart this week.

The set will also include songs like the confessional sofa jam “Find Us,” the ballad “Back to the Club” and “Millionaire,” amidtempo hits with heavy snares.

Aside from the opportunity that Harrison presented them, the girls say they'd be nowhere without their lifelong love of music. Lyndriette, who hails from Gastonia, N.C., got her start singing for her local church choir at the age of 6. At 16, after signing a deal with a production company in Los Angeles, she met Harrison and they kept in contact. When he decided to start the group, he immediately reached out to her and offered her a spot.

Baltimore-bred Brave, who specializes in spoken word and doubles as an MC for the group, shares a similar story. She also met Harrison at age 16 and signed to his label at the time as a solo artist. Although a year later they went their separate ways due to creative differences, they encountered each other again a few years later, at which point she joined the group.

Seven, from Haines City, Fla., was discovered by Harrison online. “I had been singing at church, did the Apollo [Theater] and all sorts of talent shows,” she says. "At 15 I had my first deal situation through Interscope, but that fell apart. Some little label [Harrison] found me on MySpace.”

And Audra, who comes from San Diego and had relocated to L.A. in hopes of launching her solo career, auditioned for the group and got in.

To promote the album, the girls recently wrapped a college tour with chart-topping Ke lemeth Raheem DeVaughn and were in the beginning stages of a small-venue tour slated for later this year. There will also be remixes of "24," featuring Brave’s napping after-ego as well as Jim Jones and Lloyd Banks.

—Mariel Conception

Four's company: RICHGIRL

www.americanradiohistory.com
**Valentine’s Day, Grammys Make Chart Waves**

Love and Grammy is in the air this week as the charts reflect the full impact of the Feb. 8 Grammy Awards and the Feb. 14 Valentine’s Day holiday.

Overall album sales for the week ending Feb. 13 stood at 8.6 million, up 17% compared with the previous week—18.3% of the overall album volume. At the same point last year, 1.2 million digital albums were sold (12.6% of overall album sales). Digital track volume was also up compared with a year ago with 26.2 million downloads sold versus 21.9 million.

**GRAMMY GAINS:** The Robert Plant & Alison Krauss album “Raising Sand,” the winner of the Grammy Award for album of the year, zooms to No. 2 on the Billboard 200 and Top Country Albums, selling 77,000—up 715%.

The set matches its previous peak, when it debuted in the same slot on both lists in November 2007 with 112,000.

In the top 50 of the Billboard 200, a whopping 37 albums post a sales increase this week (discounting the six debuts). The only albums that decline are Nos. 4, 6, 19, 22, 24, 27 and 48.

Out of the 37 albums that do see a gain, 27 of them see increases likely as a direct result of a Grammy nomination, performance or appearance.

If you’re wondering why there aren’t more bullets on the chart this week, it’s because we had to elevate the criteria to receive a bullet. Any title that scored a sales gain of at least 30% and a minimum increase of 1,500 units garnered a bullet on the Billboard 200 this week.

Another notable gain belongs to Coldplay’s “Viva La Vida or Death and All His Friends,” which climbs to No. 8 with 62,000 and a 271% jump. The band played the show and took home three trophies, including one for song of the year.

**Best new artist winner Adele sees her “19” rise to No. 9 with 57,000, a new chart high and sales week for the album.**

**ROMANTIC MOVES:** Taylor Swift’s duet with Miley Cyrus at the Grammy Awards perhaps aids the former’s “Fearless” return to No. 1 on the Billboard 200 (92,000; up 44%).

“Fearless” also likely benefits from Valentine’s Day shopping, as country music and female-friendly albums tend to see significant gains in the week leading up to the holiday. Other notable increases that we suspect were sparked by Cupid include Il Divo’s “The Promise” (No. 71 with 11,000; up 34%); Andrea Bocelli’s “Incanto” (No. 72 with 11,000; up 98%) and Enya’s “And Winter Came” (No. 111 with 7,000; up 56%).

“Fearless” has now racked up nine nonconsecutive weeks atop the list, matching the number of frames Uscher’s “Confessions” notched in 2004. The latest set to spend more time at the top was Santana’s “Supernatural,” with 12 weeks at No. 1 in 1999 and 2000.

Swift may hold at No. 1 next week as well, as it was in the runner-up slot on Nielsen SoundScan’s Feb. 18 Building chart, which reflected unweighted sales through the close of business Feb. 17.

The Fray has a good shot of coming back to No. 1, too. The band’s self-titled album led the Billboard tally a mere handful of units ahead of Swift.

**SHORT CIRCUIT:** Mary J. Blige’s Circuit City exclusive album “Mary J. Blige & Friends” spends a second week at No. 1 on Top RB/Hip-Hop Catalog Albums and debuts at No. 14 on Top Pop Catalog with 4,000 (up 143%). The title’s large gain is likely owed to Circuit City’s continued liquidation of its merchandise at fire sale prices.

It’s likely that many other albums have been similarly affected by Circuit City’s demise, but Nielsen SoundScan doesn’t disclose retailer-specific sales figures. (Unless, of course, a title is exclusive to one.)
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The British singer's sophomore album starts with nearly 70,000 sold, 63% of which were downloads. That's good for No. 1 on Top Digital Albums.

For the full chart see [www.billboard.com](http://www.billboard.com) for complete chart data.
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<td>Garth Brooks</td>
<td>The Ultimate Hits</td>
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<td>Enya</td>
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<td>Donald Lawrence &amp; Asleep At The Wheel</td>
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<td>Starfire</td>
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<td>Jeremy Camp</td>
<td>Speaking Louder Than Before</td>
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<td>Christina Aguilera</td>
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<td>Don't Forget</td>
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<td>Ludacris</td>
<td>There Is No Greater Love</td>
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<td>Frank Sinatra</td>
<td>Nothing But The Best</td>
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<td>Thriving Ivory</td>
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Two weeks ago his 1914 album "Not a Moment Too Soon" became the 150th country set to sell 6 Million or more since Nielsen SoundScan started in 1991.

Two weeks ago his 1914 album "Not a Moment Too Soon" became the 150th country set to sell 6 Million or more since Nielsen SoundScan started in 1991.

With nearly 5,000 copies, the album was a sales week since Christmas and returns to the Billboard 200 for the first time since November.

**193**

The soundtrack to the Nickelodeon TV movie, co-starring Cameron Boyce and Nolan Gerard Funk, premiers with nearly 5,000 copies.
**ALBUMS**

**TOP POP CATALOG**

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<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>It's Not Me, It's You</strong></td>
<td><strong>Incredible</strong></td>
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<td><strong>LILY ALLEN</strong></td>
<td><strong>Everyday I Write The Song</strong></td>
<td><strong>Being Heard</strong></td>
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<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>Smile (The Next Day)</strong></td>
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**TOP DIGITAL**

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<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>Everyday I Write The Song</strong></td>
<td><strong>Being Heard</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>Smile (The Next Day)</strong></td>
<td><strong>Beyond My Wildest Dreams</strong></td>
</tr>
</tbody>
</table>

**TOP COMEDY ALBUMS**

<table>
<thead>
<tr>
<th>ARTIST</th>
<th>Title</th>
<th>Label</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LOIS GREEN</strong></td>
<td><strong>Lois</strong></td>
<td><strong>Incredible</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>DEBBIE REYNOLDS</strong></td>
<td><strong>Live From Las Vegas</strong></td>
<td><strong>Being Heard</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>JERRY LEDBETTER</strong></td>
<td><strong>The Boys Are Back</strong></td>
<td><strong>Beyond My Wildest Dreams</strong></td>
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</tbody>
</table>

**TOP REGGAE ALBUMS**

<table>
<thead>
<tr>
<th>ARTIST</th>
<th>Title</th>
<th>Label</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LORD FIDEL</strong></td>
<td><strong>Integrity</strong></td>
<td><strong>Incredible</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>DAVID ROBERTS</strong></td>
<td><strong>The Lost Legend</strong></td>
<td><strong>Being Heard</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LORD KINSLA</strong></td>
<td><strong>Healing</strong></td>
<td><strong>Beyond My Wildest Dreams</strong></td>
</tr>
</tbody>
</table>

**TOP INTERNET**

<table>
<thead>
<tr>
<th>ARTIST</th>
<th>Title</th>
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<tbody>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>It’s Not Me, It’s You</strong></td>
<td><strong>Incredible</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>Everyday I Write The Song</strong></td>
<td><strong>Being Heard</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>Smile (The Next Day)</strong></td>
<td><strong>Beyond My Wildest Dreams</strong></td>
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</tbody>
</table>

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**EXCLUSIVE CHARTS FROM BILLBOARD.BIZ**

**TOP BILLBOARD 200 CHARTS**

<table>
<thead>
<tr>
<th>ARTIST</th>
<th>Title</th>
<th>Label</th>
<th>Price</th>
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</thead>
<tbody>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>It’s Not Me, It’s You</strong></td>
<td><strong>Incredible</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>Everyday I Write The Song</strong></td>
<td><strong>Being Heard</strong></td>
</tr>
<tr>
<td><strong>NEW</strong></td>
<td><strong>LILY ALLEN</strong></td>
<td><strong>Smile (The Next Day)</strong></td>
<td><strong>Beyond My Wildest Dreams</strong></td>
</tr>
</tbody>
</table>

**MORE CHARTS**

- Top Pop Catalog
- Top Digital
- Top Comedy Albums
- Top Reggae Albums
- Top Internet

**DATA FOR WEEKEND OF FEBRUARY 28, 2009**
### HOT 100 Airplay

<table>
<thead>
<tr>
<th>Rank</th>
<th>Title</th>
<th>Artist</th>
<th>Format</th>
<th>Airplay</th>
<th>Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Heartless</td>
<td>Scott Storch ft. The Dream Team</td>
<td>HOT 103.5 (Boston)</td>
<td>90,000</td>
<td>42</td>
</tr>
<tr>
<td>2</td>
<td>Love Song</td>
<td>Faith Hill ft. Darius Rucker</td>
<td>HOT 101.3 (Atlanta)</td>
<td>85,000</td>
<td>43</td>
</tr>
<tr>
<td>3</td>
<td>Can't Stand Losing You</td>
<td>Ke$ha</td>
<td>HOT 98.3 (San Francisco)</td>
<td>80,000</td>
<td>44</td>
</tr>
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</table>

### Hot Digital Songs

<table>
<thead>
<tr>
<th>Rank</th>
<th>Title</th>
<th>Artist</th>
<th>Format</th>
<th>Digital Sales</th>
<th>Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hotline</td>
<td>Enriquetta ft. A.R. accessory</td>
<td>HOT 103.5 (Boston)</td>
<td>100,000</td>
<td>42</td>
</tr>
<tr>
<td>2</td>
<td>Heartless</td>
<td>Scott Storch ft. The Dream Team</td>
<td>HOT 101.3 (Atlanta)</td>
<td>90,000</td>
<td>43</td>
</tr>
<tr>
<td>3</td>
<td>Can't Stand Losing You</td>
<td>Ke$ha</td>
<td>HOT 98.3 (San Francisco)</td>
<td>80,000</td>
<td>44</td>
</tr>
</tbody>
</table>

### Chart Data

- The Hot 100 Airplay chart ranks songs based on airplay data provided by Nielsen SoundScan and represents the most popular songs on the radio.
- The Hot Digital Songs chart ranks songs based on digital sales data provided by Nielsen SoundScan and represents the most popular songs on digital platforms.

### Additional Information

- Billboard is a weekly magazine that provides music charts and related content to the media and music industry.
- The charts are compiled and published by Billboard magazine and are based on a combination of airplay, sales, and streaming data.
### Mainstream Top 40

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td><strong>Rehab</strong></td>
<td><strong>Pharrell Williams</strong></td>
</tr>
<tr>
<td><strong>2</strong></td>
<td><strong>Love Story</strong></td>
<td><strong>Alicia Keys</strong></td>
</tr>
<tr>
<td><strong>3</strong></td>
<td><strong>Circus</strong></td>
<td><strong>Cee-Lo</strong></td>
</tr>
<tr>
<td><strong>4</strong></td>
<td><strong>First Day</strong></td>
<td><strong>T.I.</strong></td>
</tr>
<tr>
<td><strong>5</strong></td>
<td><strong>London Bridge</strong></td>
<td><strong>The Killers</strong></td>
</tr>
<tr>
<td><strong>6</strong></td>
<td><strong>Love in This Club</strong></td>
<td><strong>David Guetta</strong></td>
</tr>
<tr>
<td><strong>7</strong></td>
<td><strong>Single Ladies (Put a Ring On It)</strong></td>
<td><strong>Rihanna</strong></td>
</tr>
<tr>
<td><strong>8</strong></td>
<td><strong>Jenny!</strong></td>
<td><strong>Pink</strong></td>
</tr>
<tr>
<td><strong>9</strong></td>
<td><strong>A Year Without Rain</strong></td>
<td><strong>Kanye West/New Kids on the Block</strong></td>
</tr>
<tr>
<td><strong>10</strong></td>
<td><strong>Candy Shop</strong></td>
<td><strong>Rihanna</strong></td>
</tr>
<tr>
<td><strong>11</strong></td>
<td><strong>Rockstar 2 (A Great Day to Fall in Love)</strong></td>
<td><strong>Avril Lavigne</strong></td>
</tr>
<tr>
<td><strong>12</strong></td>
<td><strong>The Life of an Anarchist</strong></td>
<td><strong>Halsey</strong></td>
</tr>
<tr>
<td><strong>13</strong></td>
<td><strong>Under the Bridge</strong></td>
<td><strong>The Black Keys</strong></td>
</tr>
<tr>
<td><strong>14</strong></td>
<td><strong>Love the Way You Lie</strong></td>
<td><strong>T.I.</strong></td>
</tr>
<tr>
<td><strong>15</strong></td>
<td><strong>Chasing Pavements</strong></td>
<td><strong>Pokémon</strong></td>
</tr>
<tr>
<td><strong>16</strong></td>
<td><strong>Beautiful-Other People's Problems</strong></td>
<td><strong>Hilary Duff</strong></td>
</tr>
<tr>
<td><strong>17</strong></td>
<td><strong>Lighters</strong></td>
<td><strong>The Black Keys</strong></td>
</tr>
<tr>
<td><strong>18</strong></td>
<td><strong>It's About Time</strong></td>
<td><strong>The Subways</strong></td>
</tr>
<tr>
<td><strong>19</strong></td>
<td><strong>Whenever, Wherever</strong></td>
<td><strong>Hilary Duff</strong></td>
</tr>
<tr>
<td><strong>20</strong></td>
<td><strong>I Wanna Dance with Somebody</strong></td>
<td><strong>Elton John</strong></td>
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</tbody>
</table>

### Adult Contemporary

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td><strong>Viva la Vida</strong></td>
<td><strong>Coldplay</strong></td>
</tr>
<tr>
<td><strong>2</strong></td>
<td><strong>The Time of My Life</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>3</strong></td>
<td><strong>Better in Time</strong></td>
<td><strong>The Killers</strong></td>
</tr>
<tr>
<td><strong>4</strong></td>
<td><strong>What About Now</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>5</strong></td>
<td><strong>Bleeding Love</strong></td>
<td><strong>The Killers</strong></td>
</tr>
<tr>
<td><strong>6</strong></td>
<td><strong>Feels Like Tonight</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>7</strong></td>
<td><strong>Love Remains the Same</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>8</strong></td>
<td><strong>Where I Stood</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>9</strong></td>
<td><strong>One Up at a Time</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>10</strong></td>
<td><strong>Never Far Away</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>11</strong></td>
<td><strong>If I Were a Boy</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>12</strong></td>
<td><strong>Gotta Be Somebody</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>13</strong></td>
<td><strong>Can't Help Falling in Love</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>14</strong></td>
<td><strong>I Don't Care</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>15</strong></td>
<td><strong>So What</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>16</strong></td>
<td><strong>Lovers and Friends</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>17</strong></td>
<td><strong>Stepping Stone</strong></td>
<td><strong>Jewel</strong></td>
</tr>
<tr>
<td><strong>18</strong></td>
<td><strong>I'm Yours</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>19</strong></td>
<td><strong>The Way</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
<tr>
<td><strong>20</strong></td>
<td><strong>Falling in Love</strong></td>
<td><strong>Bryan Adams</strong></td>
</tr>
</tbody>
</table>

**Note:** The chart reflects the second Adult Top 40 No. 1 hit with "You Found Me." The Denver Broncos' Super Bowl victory received the same title as the prior leader. "How to Save a Life" ruled for 15 weeks in 2004-05. "You" concurrently runs No. 1 at Mainstream Top 40 No. 20.
## HOT COUNTRY SONGS

<table>
<thead>
<tr>
<th>Week</th>
<th>Title</th>
<th>Artist</th>
<th>Spot</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>379</td>
<td>DOWN THE ROAD</td>
<td>Kenny Chesney With Mac McAnally</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>380</td>
<td>SWEET LOVE</td>
<td>Toby Keith</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>381</td>
<td>FEEL LIKE MAKING LOVE</td>
<td>Trace Adkins</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>382</td>
<td>MY HEART'S ON FIRE</td>
<td>Faith Hill</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>383</td>
<td>THE WHODUNIT GONE</td>
<td>Tim McGraw</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>384</td>
<td>RIVER OF LOVE</td>
<td>George Strait</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>385</td>
<td>WHITE HORSE</td>
<td>Taylor Swift</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>386</td>
<td>DON'T THINK I CAN'T LOVE YOU</td>
<td>Jake Owen</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>387</td>
<td>NOTHING TO DYE FOR</td>
<td>Tim McGraw</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>388</td>
<td>I'M RIDING A HIGH WATER MARK</td>
<td>Rodney Atkins</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>389</td>
<td>NOBODY TO BLAME</td>
<td>Carrie Underwood</td>
<td>12</td>
<td>11</td>
</tr>
<tr>
<td>390</td>
<td>THAT'S A MAN</td>
<td>Jason Aldean</td>
<td>13</td>
<td>12</td>
</tr>
<tr>
<td>391</td>
<td>MORE LIKE HER</td>
<td>Miranda Lambert</td>
<td>14</td>
<td>13</td>
</tr>
<tr>
<td>392</td>
<td>EVERYTHING IS FINE</td>
<td>Josh Turner</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>393</td>
<td>SHUTTIN DETROIT DOWN</td>
<td>George Strait</td>
<td>16</td>
<td>15</td>
</tr>
<tr>
<td>394</td>
<td>MARRY FOR MONEY</td>
<td>Trace Adkins</td>
<td>17</td>
<td>16</td>
</tr>
<tr>
<td>395</td>
<td>WAIT A MINUTE, JULIET (A MELODY FOR JULIET)</td>
<td>Tim McGraw</td>
<td>18</td>
<td>17</td>
</tr>
<tr>
<td>396</td>
<td>ALWAYS THE LOVE SONGS</td>
<td>Reba McEntire</td>
<td>19</td>
<td>18</td>
</tr>
<tr>
<td>397</td>
<td>THE LAST TIME</td>
<td>Faith Hill &amp; Tim McGraw</td>
<td>20</td>
<td>19</td>
</tr>
<tr>
<td>398</td>
<td>GONE TO SEE THE MAN</td>
<td>George Strait</td>
<td>21</td>
<td>20</td>
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</table>

## TOP COUNTRY ALBUMS

<table>
<thead>
<tr>
<th>Week</th>
<th>Title</th>
<th>Artist</th>
<th>Spot</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>279</td>
<td>Fearless</td>
<td>Taylor Swift</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>280</td>
<td>Rascal Flatts</td>
<td>Rascal Flatts</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>281</td>
<td>Greatest Hits Volume II</td>
<td>Toby Keith</td>
<td>3</td>
<td>3</td>
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<tr>
<td>282</td>
<td>Greatest Hits</td>
<td>Tim McGraw</td>
<td>4</td>
<td>4</td>
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<td>283</td>
<td>Greatest Hits</td>
<td>Dierks Bentley</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>284</td>
<td>Greatest Hits/Every Mile A Memory 2003-2008</td>
<td>Dierks Bentley</td>
<td>6</td>
<td>6</td>
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<tr>
<td>285</td>
<td>Greatest Hits</td>
<td>Brad Paisley</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>286</td>
<td>Greatest Hits</td>
<td>Tim McGraw</td>
<td>8</td>
<td>8</td>
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<tr>
<td>287</td>
<td>Greatest Hits</td>
<td>George Strait</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>288</td>
<td>Greatest Hits Volume II</td>
<td>George Strait</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>289</td>
<td>Greatest Hits</td>
<td>Kenny Chesney</td>
<td>11</td>
<td>11</td>
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<tr>
<td>290</td>
<td>Greatest Hits</td>
<td>Alan Jackson</td>
<td>12</td>
<td>12</td>
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<tr>
<td>291</td>
<td>Greatest Hits</td>
<td>Dierks Bentley</td>
<td>13</td>
<td>13</td>
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<td>292</td>
<td>Greatest Hits</td>
<td>George Strait</td>
<td>14</td>
<td>14</td>
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<td>293</td>
<td>Greatest Hits</td>
<td>Tim McGraw</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>294</td>
<td>Greatest Hits</td>
<td>George Strait</td>
<td>16</td>
<td>16</td>
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</tbody>
</table>

The album notices double Greatest Gainer nods on the country list and the Billboard 200. The Grammy awards have its return to its previous best ranks, achieved when the set bowed at No. 2 on both charts with 112,000 copies in November 2001 (see Over the Counter, page 37).
### Top R&B/Hip-Hop Albums

<table>
<thead>
<tr>
<th>Number</th>
<th>Artist/Song</th>
<th>Title</th>
<th>Week</th>
<th>Artist</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bobby Valentino</td>
<td>The Rebirth</td>
<td>1</td>
<td>Jamie Foxx</td>
<td>Intuition</td>
</tr>
<tr>
<td>2</td>
<td>India.Arie</td>
<td>Testimony, Vol. 2, Love &amp; Politics</td>
<td>2</td>
<td>Heather Headley</td>
<td>Audience Of One</td>
</tr>
<tr>
<td>3</td>
<td>Keyshia Cole</td>
<td>A Different Me</td>
<td>3</td>
<td>The Game</td>
<td>808s &amp; Heartbreak</td>
</tr>
<tr>
<td>4</td>
<td>Ne-Yo</td>
<td>'Ooh, Ooh, Ooh, Ooh'</td>
<td>4</td>
<td>Young Jeezy</td>
<td>Whatever You Like</td>
</tr>
<tr>
<td>5</td>
<td>Craig David</td>
<td>Paper Trail</td>
<td>5</td>
<td>Anthony Hamilton</td>
<td>The Point Of It All</td>
</tr>
<tr>
<td>6</td>
<td>Bobby V</td>
<td>Bobby V.</td>
<td>6</td>
<td>Jamie Foxx</td>
<td>The Sound</td>
</tr>
<tr>
<td>7</td>
<td>Miguel</td>
<td>Go</td>
<td>7</td>
<td>Live</td>
<td>Human</td>
</tr>
<tr>
<td>8</td>
<td>Plies</td>
<td>Deuces</td>
<td>8</td>
<td>India.Arie</td>
<td>Something Else</td>
</tr>
<tr>
<td>9</td>
<td>Lloyd</td>
<td>oeo</td>
<td>9</td>
<td>Raphael Saadiq</td>
<td>The Way It Is</td>
</tr>
<tr>
<td>10</td>
<td>Ne-Yo</td>
<td>'Ooh, Ooh, Ooh, Ooh'</td>
<td>10</td>
<td>R. Kelly</td>
<td>U Got Me</td>
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</table>

### Mainstream R&B

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turn Me On</td>
<td>Bobby V</td>
<td></td>
</tr>
<tr>
<td>Heartless</td>
<td>Kanye West</td>
<td>Def Jam</td>
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Data for week of FEBRUARY 28, 2009 | CHARTS LEGEND On Page 43
**TOP ELECTRONIC ALBUMS**

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<td>Sounds Like acne vulgaris</td>
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<td>Nine Inch Nails</td>
<td>Gears</td>
<td>Reprise</td>
<td>57</td>
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<td>Senses Fail</td>
<td>The Black Church</td>
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**TOP JAZZ ALBUMS**

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**TOP WORLD ALBUMS**

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Data for week of FEBRUARY 28, 2009 | For chart reprints call 646.654.4633

Go to www.billboard.biz for complete chart data
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Data for week of FEBRUARY 28, 2009 | CHARTS LEGEND | On www.americanradiohistory.com | Print your own chart data | Radio history | Billboard Radio Airplay | Radio | Chart Rank | Chart Rank | Chart Rank |

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HELP WANTED

ole is one of the world's largest independent, full-service music publishers. With offices in Toronto, Nashville and Los Angeles, ole is focused on global acquisitions, songwriter and catalogue development and administration. ole seeks to be the home for the best songwriters, composers, management talent and intellectual property investors and the first choice music source for creators in all media. The website is www.olemusic.com

The Position
This new position reports to the Chairman and CEO and will be located in a city where ole has operations. The GM will be responsible for assisting the CEO in setting strategy, managing the day-to-day operations of the company in all locations and the achievement of the annual business plan. The GM will additionally be an integral contributor to the Acquisitions function. The General Manager will:

- Manage the Sr. Managers to deliver maximum results;
- Provide organizational vision and leadership;
- Formulate strategy and observe the political, legal, social and technological issues affecting the business;
- Develop and implement the annual business plan including rigorous monitoring, reporting to ole's multiple stakeholders including the investors, the company's external auditor and overview the annual audit process;
- Ensure timely and accurate reporting in all aspects of the business including oversight of Quarterly and Annual Reports;
- Approach interdepartmental activities strategically and orchestrate a smooth workflow;
- Administer all aspects of the corporation within stated corporate governance policy;
- Lead the management and implementation of the ole Brand/Marketing strategies;
- Retain and manage the coordination of external legal counsel;
- Manage short and long range property management to ensure availability and continuity in line with the company's growth plans;
- Direct the Information Technology function to ensure continuity, business recovery, security to support corporate growth;
- Manage all aspects of the human resources function.

The Candidates
This appointment will require a visionary team leader and manager. It calls for someone who is a driven business professional with a proven track record in leading a music publishing operation and in music publishing acquisitions. The successful candidate will be a strong business strategist and an excellent communicator with a proven ability to lead the day-to-day operations.

Please reply to Steve Mould or John Corso by email ole@intersearchcanada.com referencing Project #29011.

We thank all respondents for their interest and will contact only those whose backgrounds closely meet the criteria.

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RECORD COMPANIES: Def Jam Recordings names Christopher Hicks executive VP. He was senior VP of urban A&R at Atlantic Records and senior VP of A&R and head of urban music at Warner/Chappell Music.

Concord Music Group names Craig Hammond director of national sales. He was director of artist development at Universal Music Group Distribution.

RCA Music Group taps Carolyn Williams as senior VP of urban marketing. She was VP Universal Music Finland appoints Jarkko Nordlund managing director, effective May 1. He was chief executive of pay TV broadcaster Visat.

PUBLISHING: BMI names Kelly McDermott director of online communications. She was an e-business manager, Web developer and designer at ING Investment Management.

TOURING: The Palms Casino Resort in Las Vegas names Samara Goldscheit entertainment manager. She was event supervisor of the Pearl Theater in Las Vegas.

AEG Facilities names Katie Druetzler-Pandolfo GM of the Home Depot Center in Carson, Calif. She was an event manager.

ICM taps Stephanie Mahler as a booking agent for its concerts department in New York. She was an agent at Paradigm.

MEDIA: MTV Networks International promotes Mark Jones to senior VP of Viacom Brand Solutions International. He was VP.

LEGAL: Law firm Loeb & Loeb taps Larry Kenswil as an attorney. He was executive VP of business strategy at Universal Music Group.

RELATED FIELDS: BMG Rights Management U.K. & Ireland appoints Tony Moss managing director. He was GM of dance label Ministry of Sound’s music publishing arm.

Spanish-language radio group Radio Campesina appoints Raul Salvador COO. He was VP of finance for Mapleton Communications.

—Edited by Mitchell Peters

GOOD WORKS

LYDIA, BLACK GOLD TOURING WITH CHARITIES

For their 24-date U.S. club tour, which started Feb. 19 at the Launchpad in Albuquerque, N.M., rock acts Lydia and Black Gold decided to hold a contest that allows one local charity in each market to promote its cause during the gig.

The Illuminate Your City contest asks local charities to send a 60- to 90-second video to illuminateyourcity@gmail.com, explaining why the organization deserves to be featured at the concert. The winners receive tickets and a spot in the merchandise booth to promote the charity. A grand-prize winner will be given a $1,000 donation.

“We felt it’s an opportunity for us to do something and at least support some people who are trying to do something and make a difference where they live,” says Black Gold’s Eric Ronick, whose band is touring behind its debut full-length album, “Rush.” He notes that members of Black Gold and Lydia are currently evaluating submissions.

Ronick, who has toured with a number of bands in the past, says the contest is “definitely a win” for him.

“It’s hard in the music industry to make any money, and because of that people forget about these ideas,” he says. “But we felt that regardless of how hard it is to make money in music, it shouldn’t make a difference in trying to commit yourself to helping the world out a little bit.”

—Mitchell Peters

INSIDE TRACK

CHART GUIDANCE

In a recent album review on Ryan Leslie’s often-delayed self-titled debut, we asked, “What took Universal Motown so long to release this attractive body of work?” According to Leslie, Billboard was actually a factor in the delay.

“Believe it or not, it was because of Billboard that we decided to push the release date—because Billboard puts the charts together and we look to you as the leader in letting us know what’s hot,” the 30-year-old Harvard graduate tells Track. “Neither of my singles broke the top 30 of the [Hot R&B/Hip-Hop Songs] chart, and we may have broken the Hot 100 only once. We really wanted to put this album out and have it supported by a single that people really responded to.”

The first two singles, “Diamond Girl” and “Addiction,” reached No. 35 on the chart. A third, “How It Was Supposed to Be,” jumps 92-79 this week, and Leslie thinks this is just the track he needed. “Everything happens for a reason, and the timing is great right now,” he says.

Indeed, the change in release date allowed Leslie more time to continue building a fan base. “I had six or seven months of me just grinding online and doing whatever I could to expose my artistry and contributions to the music landscape,” he says.

By the book: LESLIE
Roadrunner Records had much to celebrate as metal band Slipknot headlined New York's Madison Square Garden for the first time, becoming the label's first act to headline the venue. From left: SB Management manager Jossie John, Metropolitan senior producer Ian Noble, Creative Artists Agency agent Brian Manning, Slipknot's Craig Jones, Roadrunner president Jonas Nachale, an unidentified guest, Slipknot's Mick Thomson, Joey Jordison, Chris Fehn, Corey Taylor and Shawn "Clown" Crahan, Metropolitan CEO John Scher, Slipknot's Sid Wilson (behind Scher), Roadrunner senior VP of A&R Monte Conner, Slipknot's Paul Gray, Roadrunner senior VP of tour marketing Harlan Frey (in front Gra), and SB Management CEO Corey Brennan. PHOTO COURTESY OF DAVID ATLAS

ASCAP HITMAKERS PANEL

ASCAP's Hitmakers Panel was held Feb. 7 at the Musicians Institute in Hollywood. The event was part of an ongoing ASCAP series of professional development programs. PHOTO CREDIT: LESTER COHEN

TOP LEFT: From left: Jermaine Dupri, Sony/ATV Music Publishing co-founder and chairman, and ASCAP president/CEO John LoFrumento.

TOP RIGHT: From left: Jermaine Dupri, Johná Austin, Christopher "Tricky" Stewart, producers/songwriters, and Universal Music Group chairman and CEO Lucian Grainge.

LEFT: From left: ASCAP senior director Eamonn Robinson, assistant director Adina Muhammad, assistant VP Nicole George, assistant director Walter Jones and creative director Tremayne Annicham. Jermaine Dupri, Johná Austin, Christopher "Tricky" Stewart, producers/songwriters and Universal Music Group chairman and CEO Lucian Grainge.

Awards co-founder/engineer John Vivario, seated at the Grammy Awards, presents ASCAP's Annual Performance Awards to Slipknot, whose album "Honor Among Thieves" was released in January. ASCAP President and CEO John LoFrumento congratulates the band. PHOTO CREDIT: LESTER COHEN

The Script, whose "The Script" topped the Billboard Hot 100 and its debut album "The Script" reached the top five in five countries, is just heading to U.S. radio for its full-length album "The Script" streets March 17. PHOTO COURTESY OF JON MILLER

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