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Show Us The Money

Protecting The Soundtrack Of The American Story

BY CONGRESSMAN MARSHA BLACKBURN

The right to own property is one of the bedrock principles on which the United States was created. The founders of this country understood how valuable it is for people to own and protect property, so they secured these rights in the Fifth Amendment, which became the basic rule of American commerce. When a person's physical property is used for profit by someone else, that person should be compensated. The intellectual property rights of this nation's creative community, specifically performers, must also be protected. That is why the Performance Rights Act extends these critical protections to creators of musical work, and why it deserves support in Congress.

America's creative community gives life to our stories through the songs that touch our heart and lift our spirits. I am honored to represent the Nashville and Memphis music communities that have been home to all manner of performers, from the King of Rock 'n' Roll to the latest bar band hoping to make it big. The music from my district is the soundtrack for the American story. And the people who create it deserve to be compensated.

For most performers, the money they make depends on the amount of music they sell. But not all of them are fortunate enough to sell much music, some don't even perform for their entire lifetime. While many albums have a long life on the radio, the performers who made the music on them aren't fairly compensated since radio doesn't have to pay a royalty on the music it plays.

Most Americans assume that performers are compensated when their work airs on the radio. That's not true in most other industrialized nations, with the notable exclusions of China and North Korea. It's also not true of satellite radio, Internet radio and cable TV stations, all of which compensate performers. But U.S. terrestrial radio's business model relies on someone else's property.

This has serious international ramifications. The principle of reciprocal rights won't allow the United States to collect royalties from terrestrial radio stations abroad if we don't do so at home. So U.S. performers can't collect money when their work is performed on international broadcast radio. That means that American performers are potentially losing billions of dollars in revenue from abroad.

Broadcasters have argued that performance royalties would amount to a "tax." This is an old argument, and it's categorically incorrect. I understand why broadcasters would oppose legislation that will force them to pay performers whose music they play when they don't have to do so now. But that doesn't justify this tremendously inequitable status quo.

Performers are hardly trying to bankrupt broadcasters. They are in a symbiotic relationship—both want to increase the size of their audience—so punishing broadcasters would be counterproductive. That's not the goal of this legislation. And that's why the performance royalty would be determined by a rate board, which would set an equitable standard for performers while allowing broadcasters to continue operating as they do today.

It's critical that Congress hears your voice and support for musicians and performers. Ask your representative to support the Performance Rights Act and encourage your friends to do the same. The time has come for America to protect its intellectual property—and fairly compensate the performers who are the heart and soul of this great nation.

Republican Congressman Marsha Blackburn represents the 7th District of Tennessee.

LATIN ABSENCE AT GRAMMYS

You are right on target with your assessment of the absence of Latin artists at the Grammy Awards (Letters, Feb. 21). It's shocking that the Recording Academy has demonstrated such cultural insularity in an industry that thrives on multicultural influence.

Another example to add to your list: I don't recall ever seeing Manu's on the mainsteam Grammy broadcast. Considering the band's solid live performance base in the United States, its placements on the Billboard 200 and the group's substantial Latin American and European audiences, this raises some serious questions. Perhaps an academy executive will take notice of your observations.

Mike Alayne
Associate professor, Department of Recording Industry Middle Tennessee State University Murfreesboro, Tenn.

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SECONDARY SCHOOLED?

Live Nation-Ticketmaster Merger Would Transform Resale Market

Anxiety is running high among ticket resellers over the proposed merger between Live Nation and Ticketmaster Entertainment. Most secondary ticketing companies believe that the combination of the two live entertainment behemoths would give the newly merged Live Nation Entertainment too much control over the resale market. If dynamically priced seats were to become the norm, they fear primary market players could wind up controlling their tickets completely, potentially squeezing out other companies. "It's a big threat to us, because they're going to do everything they can to keep that inventory in their ecosystem and control it from its first sale to its final sale," LiveStub president Levi Bergovoy says. Scott Roback, VP of business development at reseller RazorGator, says the merger's impact on the secondary market should be part of the U.S. Department of Justice's (DOJ) antitrust probe of the deal. "I don't see how the merger in its entirety can stand up to some of the antitrust scrutiny by virtue of the fact that TicketsNow is in the equation and they're one of the leading three secondary market players," he says. "We don't think that's healthy for consumers and certainly for the ticketing space in general."

Ray of light: MADONNA lent a boost to the secondary market when StubHub served as an official ticket reseller for her 2008 Sticky and Sweet tour.

Ticketmaster helped fuel these concerns through its widely publicized mishandling of ticket sales for Bruce Springsteen's Working on a Dream tour in early February. The ticketing giant infuriated Springsteen and his manager Jon Landau when it redirected ticket-seeking fans to its secondary ticketing Web site, TicketsNow. Ticketmaster CEO Irving Azoff subsequently apologized for the incident, but it wasn't enough to stave off an investigation by New Jersey Attorney General Anne Milgram.

Under a settlement with Milgram, Ticketmaster agreed to stop linking customers to TicketsNow for at least one year and to pay $350,000 to cover fees associated with the attorney general's probe. Among the other provisions of the settlement, Ticketmaster had to confirm that all tickets it receives for general public on-sales will be sold on its primary ticketmaster.com Web site, and that tickets won't be sold or offered on TicketsNow until they first go on sale at its primary site.

"All these original ticket owners have been slipping tickets into the secondary market for a while," Bergovoy says. "Ticketmaster buying TicketsNow made it much easier for them to put inventory into the secondary marketplace. Live Nation being a part of Ticketmaster will give them access to that."

Ticketmaster acquired TicketsNow in February 2008 for $265 million, part of a buying spree spurred by its concerns about the new in-house ticketing platform that Live Nation was building. Ticketmaster also acquired ticketing software provider Paciolan and U.K. ticket exchange site GetMeIn, which armed it with additional tools to compete in the secondary market. "If Ticketmaster is taking the position that they're going to be aggressive with their secondary ticketing businesses and the acts themselves either don't object or have an interest in participating, then it's going to be [dominant]," says Stuart Rogers, president of Music Tour Consulting.

In the Hot Seat

Representatives from Ticketmaster and Live Nation declined to comment for this story. But the companies were forced to address concerns about the secondary market during a Feb. 24 hearing on the proposed merger before the U.S. Senate Judiciary Committee's Subcommittee on Antitrust, Competition Policy and Consumer Rights.

Ticketmaster's purchase of TicketsNow preceded Azoff's arrival at the company through its subsequent acquisition of his company Front Line Management in October. "I wouldn't have bought it," Azoff said bluntly under questioning by Sen. Charles Schumer, D-N.Y. "We're a public company. If you'd like to make an offer, Senator, we'd love to hear it." Although Azoff has previously credited the secondary market for demonstrating that fans will pay top dollar for prime seats (Billboard, Oct. 4, 2008), he testified before the subcommittee that problems in the secondary market were one of the motivating factors behind the merger.

"In a perfect world, we would do it again," he said, "and we will do it again."

continued on p.6
The 10th anniversary of the premiere summer music festival in the Tokyo and Osaka areas; it will be held Aug. 7-9 and will last for three days for the first time.

**NEW OPPORTUNITIES**

But even some critics of the proposed Live Nation-Ticketmaster merger see potential upside in the deal. Since news broke of the merger pact, LiveStub’s Bergovoy says, “We’ve gotten a bunch of inquiries from independent folks out there—venues, ticketing companies or artist management—looking for ways to sell primary inventory. The small guys are going to be looking for an alternative.”

In addition, some hope that a potential merger could lead to new partnerships with Live Nation Entertainment. Madonna’s alignment with the secondary market last year was a huge boost for StubHub, which, along with Europe’s Viagogo, had been designated by Live Nation, the tour’s producer, as “official” resellers. “Live Nation had, at one point, determined they were going to take more of a promotional approach to the secondary market,” says Rosario R. Roback, whose company has partnered with Live Nation in the past. “So if in the merger they continue with that strategy, we think there’s a lot of opportunity for us to partner with them and to effectively drive a lot of event traffic in the secondary space for them.”

Seatwave CEO Joe Cohen agrees that a merger could help form alliances with the new entity.

“They could say, ‘Seatwave, if you have 2.5 million unique visitors per month coming to your site, why don’t you distribute your tickets for us and we’ll pay you some kind of an affiliate fee for doing that,’” Cohen says.

Ticket resellers say they hope that the DOI’s antitrust probe will help address some of their concerns, perhaps by requiring Live Nation Entertainment to sell TicketsNow.

“Right now we’re relying on the government entities—the Department of Justice and the local state [attorneys general]—to vet this agreement and make sure it’s fair to all parties,” TicketNetwork CEO Dan Varrassi says. “I doubt very much that it will be passed in the 30-day review period.”

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**EYE OF THE STORM**

**Live Nation, Ticketmaster Face Political Challenges**

From a public relations standpoint, it’s been a rough month for Live Nation and Ticketmaster Entertainment.

Since announcing their merger pact Feb. 10, Live Nation president/CEO Michael Rapino and Ticketmaster CEO Irving Azoff have been flakéed over the coals by music fans, consumer advocates, competing businesses and even Bruce Springsteen over what they fear will be the creation of a monopolistic player in live entertainment.

And that was all before the Feb. 24 hearing on the merger convened by the U.S. Senate Judiciary Committee’s Subcommittee on Antitrust, Competition Policy and Consumer Rights. Subcommittee members ripped the deal, saying it would give the merged company too much power over the concert business. Representatives from Live Nation and Ticketmaster Entertainment didn’t respond to requests for comment.

Opponents of the merger have another factor in their favor: signs that President Barack Obama will be more aggressive on antitrust issues than his predecessor.

“There’s a perception that antitrust enforcement was too lax during the Bush administration, so there’s some serious fervor to refocus the agencies and bring more aggressive in a more competitive manner.”

Ed Gaviria, a professor at the Howard University School of Law in Washington, D.C.

Some legal experts say that the two companies don’t have to worry about negative public sentiment, which they say isn’t likely to influence the final decision by the U.S. Department of Justice (DOJ) on whether the merger would be anti-competitive.

“Three decisions are made on the merits of the antitrust issues involved,” says Andrews, a fellow at the University of Washington School of Law. “The deal’s legal matters, the economics of the market and the public’s reaction.”

Nonetheless, Live Nation and Ticketmaster remain mindful of the pitched emotions that their merger agreement has kicked up. Evidently hoping to defuse strong sentiment against the deal on Capitol Hill, the companies have hired top Washington lobbyists from Akin Gump Strauss Hauer & Feld as well as Gibson, Dunn & Crutcher, according to a political newspaper Roll Call.

The publication also reported that a Secretary of the Senate filing revealed that Live Nation has tapped Public Opinion Strategies of Alexandria, Va., to lobby “antitrust issues relating to business combination with Ticketmaster,” the paper says.

A source close to the deal acknowledges that the Senate hearing presented the companies with PR challenges but insists it was also useful.

“It narrows the issues that are really under consideration and gives Ticketmaster and Live Nation the opportunity to address them one-by-one and pick them off,” the source says. “In many ways, you want the issues to come out at a hearing so you know what you’re up against.”

As the two companies try to sway public opinion in their favor, they’ll be striving to keep environmentally closed.

“The facts are that this is still a pretty competitive market from a venue perspective all across the country,” the source says. “From a ticketing perspective, whether the deal goes through or not, Ticketmaster is still the major player in the ticketing world, so it doesn’t really change anything there. The goal is to show that combining them can be a force for good. Forcing them to stay separate doesn’t make the marketplace any better.”

The best the two sides can hope for is to keep the DOI’s review of the deal free of external pressures.

“The goal is to always keep the politics out of it,” the source says. “So to the extent that you can at least counteract the politics with as much support on the other side, you neutralize the opposition and you bring the case back to the legal merits.”
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Some Great Reward

Depeche Mode Debuts Season Pass Purchase Model On iTunes

iTunes has long been a double-edged sword for the music industry—on one hand, it provides a model for selling digital music. On the other, the dominance of singles sales over album sales leaves a revenue gap. But labels are still trying to close it.

So some relief is giving Apple's introduction of the new iTunes Pass model with EMI's Depeche Mode. Similar to the Season Pass model iTunes implemented in March 2006 for TV show downloads, the iTunes Pass lets artists sell a range of products for one flat price and delivers them throughout a given period of time.

As the first act to take advantage of the program, Depeche Mode is offering two exclusive singles to fans who sign up for the $19 bundle, which includes a pre-order for the album. The new set, "Sounds of the Universe," will automatically appear in fans' iTunes library when it comes out April 21, as will a number of other, new music and video titles between now and then, with additional content coming afterward.

It's a version of the album subscription model, which several artists have offered on their own for the past year. Rather than simply releasing a single album, artists are experimenting with appealingly priced bundles to loyal fans that they can pay for at the outset and subsequently let content trickle out for weeks, months or even a year. Those offering subscriptions include Metallica, the Dandy Warhols, Kristin Hersh and Josh Rouse.

"If you're a fan of any band, you want to get new content, you want to keep seeing something from the band," says EMI senior VP of sales and commercial development Darren Stupak. "You're giving them something every two weeks. It's great because you're engaging the fan with content that's ongoing rather than having them search it out."

So far, the model has shown promise. A recent bundle of the Beastie Boys' reissue of "Paul's Boutique," in conjunction with EMIL the technology platform Topspin, carried a range of options, from a digital album for $12 to a $120 package that included a boxed set and download.

According to Topspin, only 16% of the resulting sales were for the cheapest option and the average revenue per transaction topped $50. Bringing the model to iTunes is a significant step, as other subscription offers are generally limited to artists' websites, where only the most hardcore fan discovers them.

"iTunes just has tremendous reach," Stupak says. "You get people who are looking for a track for their wedding and suddenly they're reminded of Depeche Mode and they see the Pass. So it's a great thing."

Also, Season Pass gives artists a turnkey technical platform for releasing a steady stream of content over time. Charging for album subscriptions and managing the content has been a significant hurdle that has held the model back. While several technologies can handle it, none is as widespread or familiar to the music industry as iTunes.

Sources say there are at least two to three other acts ready to participate in the Season Pass program in the coming months. But it's not for everyone. Stupak says only established acts with a wealth of content and a loyal fan base are appropriate for this model.

And, if the band is touring at the same time, it's even better, because the tour drives not only sales but also produces more content that can be offered, like live videos and tracks.

"It's about being creative and testing new products," Stupak says. "The consumer decides what configurations they want. We've been an industry that had two or three configurations. Now we have different ways to offer consumers products. We're not telling them how to buy Depeche Mode. We're offering them different opportunities."
On music's biggest night the stars shined through

Congratulations to NARAS & Cossette Productions
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In-Store Video Network Extends Reach Among Retailers

Retail Entertainment Design of Seattle is expanding its partnerships with retailers interested in screening RED's ad-supported mix of music videos, movie and game trailers and other entertainment content through in-store video networks.

Twee Brand, operator of the Limited Too and Justice apparel chains, is one of the most recent converts, having finished the installation last year of RED-programmed content in 600 of its stores. RED also has video networks installed at stores operated by Hot Topic, F.Y.E., Filene's Basement, Underground Station, Costco Wholesale Canada and other retail chains. RED says it services about 12,000 locations in North America.

Through its 2005 acquisition of music video distributor RockAmerica, RED has access to videos by all four major labels and leading indie labels. The company also produces video interviews with recording artists and air excerpts on its networks, accompanied by call-to-action shout-outs identifying the artists. The Ting Tings, Miley Cyrus and Common are among the acts that will soon be featured on the network, according to RED president Brian Hirsh.

The company's primary ad sales partner is Access 360 Media, which specializes in youth-targeted advertising. In late February, RED formed an alliance with Premier Retail Networks under which PRN will sell advertising that targets a more consumer-electronics-oriented audience for RED in-store net-

CRB Mechanical Royalty Rate Ruling Triggers Planned RIAA Appeal

The RIAA's planned appeal of the Copyright Royalty Board's Oct. 2 decision on mechanical royalty rates was set in motion because the rates it imposed did more than put labels at risk of paying penalties. It will also force them to rethink their royalty payment business practices on a number of different levels.

The notice of appeal, filed Feb. 25 in the U.S. Court of Appeals in the District of Columbia, doesn't specify the RIAA's objections to the CRB decision, saying only that the rate ruling was "contrary to law, clearly erroneous, arbitrary and capricious, an abuse of discretion and not supported by substantial evidence."

But sources in the label camp confirm that the RIAA's appeal will focus on the CRB's inclusion of a 1.5% penalty on the late payment of mechanical royalties and the statutory 24-cent mechanical rate for mastertones.

The RIAA and the National Music Publishers' Assn. (NMPA) have been negotiating a settlement on the late fees, but the talks haven't yielded an agreement. The labels are objecting to the late fees because they say that albums, particularly in the urban genre, are often released before the songwriters' splits have been worked out. The labels say publishers are better positioned to resolve the splits, while the publishers feel that the labels' ability to withhold an album from release gives them the ability to force a resolution on splits.

"There is no reason to pay late, if you know who to pay," a major-label senior executive says.

PUBLISHER COMPLAINTS

During the settlement talks, the labels have suggested that they pay royalties into an escrow account for unresolved splits, but that solution doesn't appeal to publishers because they still aren't getting paid when royalties are due.

"The truth of the matter is that songwriters are getting paid, on average, a year after the release of a record," says an executive in the publishers' camp.

That executive points out that in the past when the majors have been before the CRB in the role of the licensor—as they were when the CRB ruled that satellite and Internet radio operators had to pay master rights and artist performance royalties—they fought for and got late fees. But now that labels are before the CRB as the licensor, they are being hypocritical in trying to avoid late fees, the executive says.

Besides, he says, the majors commonly use unresolved splits to delay paying publishing royalties on an entire album. "If 14 of 15 songs on the album have the split worked out, the labels will hold up royalty payment for the entire album until the final track is resolved," the executive says.

Also, he says, the battle over splits is further complicated by such label policies as the imposition of the controlled composition clause, which allows labels to pay artists/songwriters at 75% of the rate, and the practice of capping royalty payments at 10 songs per album.

Furthermore, some labels will withhold digital mechanical royalties because song splits on the physical version of the album "are up in the air because of the application of the controlled composition clause," the publishing executive adds. Finally, he argues that some labels withhold an equivalent portion of the digital mechanical royalty payments until the label is ready to pay the reserve held back for distribution.

‘There is no reason to pay late, if you know who to pay.’
—A MAJOR-LABEL EXECUTIVE

Another unresolved issue: When does the countdown begin on the 30-day period for royalty payments? Is it when a digital service provider pays the labels, as labels claim? Or is it when a sale occurs, as publishers argue? If it's the latter, labels still have plenty of time to make a payment, publishers argue, because the Harry Fox Agency licensing agreement allows labels 90 days to pay mechanical royalties.

DISCORDANT MASTERTONES

Meanwhile, the labels' objection to the CRB's 24-cent mechanical royalty rate for mastertones has more to do with how the judges arrived at their decision, rather than the actual rate itself, says a source in the label camp.

Prior to the CRB ruling, mastertone mechanicals were usually negotiated with publishers under a formula that usually worked out to about 10% of the retail price with a minimum rate of 10 cents, says a source in the label camp.

The labels had argued before the CRB that the mastertone rate should be statutory, rather than negotiated. When the CRB ruled in their favor, the publishers appealed. But when the CRB decided to set a statutory rate of 24 cents, rather than a percentage-based statutory rate as the labels had wanted, the NMPA dropped its appeal.

The executive in the label camp says it appears as though the CRB simply looked at the marketplace, calculated a statutory rate based on the average royalty being paid and issued a penny rate.

"That's a bad precedent," the executive says. "That means that no matter what we negotiate in the marketplace, it can be converted into something else."

Consequently, the mastertone rate doesn't provide the labels with any flexibility if consumers start demanding lower-priced mastertones, he adds.
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Back On Track
After A Difficult 2008, Music Publisher Chrysalis Regroups

Chrysalis Group spent much of 2008 in the spotlight, mostly because it was a publicly traded company that was up for sale.

Now it wants to be known as a music publishing company that’s taking care of business.

The London-based publisher is busy signing and developing new songwriters, reaping royalties for evergreen titles and trying to drum up interest among still-skeptical stock market investors.

When Chrysalis was on the block last year, new signings were scarce as the competition harped on the instability of the situation to songwriters looking for deals, recalls Kenny MacPherson, president of Chrysalis Music Division North America.

“We went through the process of being on the block, which can happen to any public company at any time,” MacPherson says. “But now, it’s important for people to know we are back out there and singing.”

Chrysalis Group CEO Jeremy Lascelles kicks off some recent accomplishments. New signing White Lies’ debut album, “To Lose My Life” (fiction), topped the U.K. albums chart in January. Fleet Foxes, which Chrysalis signed for the world excluding North America, has seen its self-titled debut album go platinum in the United Kingdom. Two Chrysalis writers, Nina Woodford and Fraser T. Smith, teamed with a third writer to compose “Broken Strings,” which has been recorded as a duet by James Morrison and Nelly Furtado and is a big hit in Europe.

“Right now, we are back on track and on fire,” Lascelles says. So far, 2009 is shaping up just as well. In addition to albums currently out by Portishead, the Raconteurs, Bon Iver, TV on the Radio and My Morning Jacket, Chrysalis songwriters expected to release albums this year include Mastodon, Cee-Lo Green, Yeah Yeah Yeahs, Brendan Benson and Isobel Campbell.

Balancing out the new signings are evergreen acts that still produce big royalties, such as Blondie, David Bowie and OutKast, all of whom were among Chrysalis’ top 10 earners in 2008. “We have been around a long time and we have developed a lot of talent down through the years,” MacPherson says.

In the 13-month period ended Sept. 30, 2008, Chrysalis posted an after-tax loss of $19.3 million ($55.1 million) on $54.1 million ($98.3 million) in revenue, most of the loss stemming from one-time write-offs. In the prior fiscal year ended Aug. 31, 2007, Chrysalis posted $105.8 million ($215.1 million) in profits on revenue of $56.4 million ($113.6 million), but that includes funds raised from the sale of radio assets, most of which were paid out to shareholders. (Chrysalis changed the end of its fiscal year in 2008 to Sept. 30 from Aug. 30.)

The Chrysalis Music Publishing component of the company generated $11 million ($20 million) in net publisher’s share on $29.6 million ($53.6 million) in revenue for the 13-month period, versus $11.9 million ($24 million) in NPS on $30.1 million ($60.6 million) in the prior fiscal year.

The rest of the company’s operations include its wholesale distributor Lagos, the Echo label, Chrysalis Copyrights and Flatiron Management, which is run by Mike Martiniovich and manages My Morning Jacket and Flight of the Conchos.

The company’s London Stock Exchange-listed shares are trading at about half their level a year ago. Lascelles says the market isn’t properly valuing the company’s nonpublishing assets, so it is now including in its NPS those profits stemming from investments similar to publishing royalties.

For instance, Chrysalis Copyrights owns master ancillary rights like George Martin’s producer royalties and early Tom Jones and Robert Plant Humperdinck masters, Lascelles says. Those items produce “rock solid, long-term income streams,” he says. “So now, we are reporting it as NPS because that’s what it is.”

In the difficult market environment, Chrysalis has been trying its hand at creative deal-making. For its Nashville signing KingBilly, Chrysalis partnered with Echo and the Great American Country cable network to front an album of two-hour specials, respectively. “It’s a different model and a different way of promoting an artist,” MacPherson says. Obviously a record is a component of it, but we are looking at how to develop artists in a changing marketplace.”

As part of that thinking, Chrysalis revamped the focus of its Echo label, getting out of the expensive pop music marketplace and instead nurturing developing artists. If Echo can build a Chrysalis artist to a certain level, the plan then calls for upstreaming the record to a major.

“We are open to all kinds of concepts and deals,” MacPherson says. “Anything goes.”

HOW TO: CREATE AN iPHONE APP
by ANTONY BRUNO

While the rest of the mobile industry is still struggling to find its way in the entertainment business, the iPhone is flourishing. A big component of its success is Apple’s App Store, where users can find and download applications to customize their iPhones experience. Artists have been jumping on the bandwagon lately with apps that act as mini-Web sites for the iPhone crowd—but designing a useful one isn’t as simple as slapping a few photos together.

1 CONTENT IS KING
“Content is king” is a cliché by now, but there’s a reason for that—content drives traffic. Any good iPhone app will be able to stream full songs, but some take it even further. The Presidents of the United States of America have an iPhone app that provides streaming access to the band’s catalog, and Death Cab for Cutie’s features eight free songs.
If on-demand streaming isn’t your thing, then provide song clips, or set one or two songs as background music. It’s good to get creative—including “Guitar Hero”-like games where fans can interact with the rhythm or include music videos.

“This is like your own radio station,” says President frontman Dave Dederer, who also works for the company making the streaming function possible. “I still think content is king and the content is the music. The real value is in serving up the real stuff.”

2 MONETIZE
Regardless of whether you want to charge for the applications or give them away, be sure there are links embedded to buy music and other associated products. The iPhone app should be part of broader communications with fans—both the diehard and the newly captured—and not an experience in a vacuum.

For instance, the iPhone application development tools allow links back to the iTunes music store to purchase individual tracks. “It’s the ultimate upsell opportunity,” Dederer says. “For $19.99 fans can stream your whole catalog and then buy the songs they want to keep.”
But why stop there? Add links to buy tickets, merch, even physical boxed sets for those who want them. And there are even passive ways to make a buck on these apps: Interscope’s iPhone apps will eventually include some form of advertising. It’s a slippery slope, but if presented as a service rather than a random banner ad, fans may find them useful rather than annoying.

3 CONSTANT UPDATES
Even if you include an artist’s entire catalog in the app, fans still need reasons to keep coming back. Provide news updates, blog posts, Twitter feeds, shout-outs—anything that will provide fans an incentive to keep using the application.
Less than 20% of iPhone users open a free app more than once, according to an analysis by developer Pinch Media of 30 million App Store downloads, and time spent using any one app falls by close to one-third in the first month—averaging around five minutes.

“If you don’t have the news and other information flowing into it, it’s going to get forgotten,” says Sean Rosenberg, director of mobile marketing for RCA/jive Label Group. “If you’re going to bother to make an app that’s downloaded on the device, there’s got to be a reason to open it more than once.”

4 CAPITALIZE ON MOBILITY
The iPhone has a camera. It has GPS location data. It sends SMS messages. Why not incorporate them all? Let fans submit photos taken at concerts for others to view. Let fans sort tour dates by distance from their current location, as Death Cab for Cutie’s app does. And most important, let fans use the iPhone platform to chat with one another.

“You have to give them some context around the music,” Rosenberg says. “It’s a reason to use the app and not just listen to their iPod.”

5 KEEP IT SIMPLE
With all the things that can be done with the iPhone, be sure to consider what should be done first.

“Really think about it as an open line to your fan,” Dederer says. “And think about what message you want them to have. People don’t want 20 things in an app. Make it simple and easy to use.”

App to meet you: iPhone apps provide new ground for bands to connect with fans
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Songs For Sale

Latin Catalogs Are Hitting The Market

The money is in the songs. That’s the way it’s always been in the music business. But while Latin music publishing companies are still turning profits, declining mechanical royalties mean that songwriter advances are a far cry from what they used to be.

Several factors have led songwriters to sell catalogs, including writer’s shares, a change in tax law and a perception that the properties could become less valuable over time.

Publishing executives declined to identify which songwriters were selling their catalogs. “I’ve never seen anything like it,” says Maximo Aguirre, president of indie Maximo Aguirre Music Publishing, who gets three to four catalog offers per month. “Then again, I’ve never lived a moment like this in the industry. It’s something for writers to sell a stake in their catalog to a publisher.

“But when you sell your publisher and writer’s share, you’re selling your soul,” says Eddie Fernandez, senior VP of Latin America for Universal Music Publishing Group.

Some writers, many of whom came to prominence during Latin music’s peak commercial years in the ’80s and ’90s, have seen incomes tumble, due to shrinking production budgets (which affects songwriters who are also producers), a decline in the number of album releases (which makes placing songs that much more competitive), and the sharp decline in recorded-music sales.

Still, the catalog sales provide publishers with an opportunity to deepen their holdings. While plugging sales of CDs have reduced their mechanical royalties on physical product, other income streams have risen, such as sync licensing and ringtone sales.

For Fernandez, whose stable of writers includes big digital sellers like Wisin & Yandel, digital (including mobile) represented 11% of all his Latin income in 2008.

Latin music publishers have found public performance revenue to be particularly vital. Or as Aguirre puts it, “I don’t make money from sales anymore – we’re living from public performance.”

For years, Latin music publishing revenue depended on album sales and “Lola: The Rock & Roll Princess” enforces the genre. While “Lola: The Rock & Roll Princess” enforces the genre. While

Schoolhouse rock: the cast of “Isa TKM” in 20 million homes in the region and Rodriguez says “Isa TKM” ranks first in its time slot for the show’s target 12-17 demo in Mexico. After the show’s original run ends March 20, Sony Pictures Television International will syndicate it to broadcast TV channels in Latin America, giving it more exposure.

MTV TV3s has licensed the show in the United States, according to Sony Pictures Television, though an anticipate hasn’t yet been set.

—Avala Ben-Yehuda

Tweed Tunes

Nickelodeon’s ‘Isa TKM’ Targets Kids Music Market

Nickelodeon Latin America’s bid to muscle in on the tween music market enters a new phase with Sony Music’s release of an album from the channel’s first original telenovela, “Isa TKM.”

The show, which stars Maria Gabriela de Farias as an aspiring singer in a school with a couple of competing bands, is a joint production of Sony Pictures Television International and Nickelodeon Latin America.

Sony Music released a cast album Feb. 13 in Colombia, followed later in the month by releases in Venezuela, Chile, Argentina and Mexico. Sony Music Latin America’s management and concert promotion arm, Day 1, will put the cast on tour this year, according to Fernando Cabral, the label’s VP of marketing.

The songs in “Isa TKM” (TKM is a common Spanish text-message abbreviation for “I love you very much”) were written by Pablo Durand and Fernando Rossi, veterans of such music-driven teen shows as “Casí Ángeles” and “Lola, Érase Una Vez.”

Tatiana Rodriguez, senior VP of programming and creative strategy for Nickelodeon Latin America, acknowledges that the success of music-themed kids programming like “Rebelde Way” and Walt Disney’s “High School Musical” franchise is “a trend you can’t ignore.”

Nickelodeon Latin America’s foray into the genre focuses on “having a real scripted show with a component of music,” Rodriguez says. “There is a lot of music involved, but it’s not a musical novel.

Still, the songs from “Isa TKM” are a strong promotional tool, thanks to music videos that air on Nickelodeon and sister network MTV Latin America and promos for the album on Nickelodeon.

Rodriguez says the “Isa TKM” partnership between Sony Music Latin America and Nickelodeon Latin America was struck separately from the joint venture the two sides parent companies formed in 2007, under which they split the revenue from albums for such shows as “Carly” and “The N-Kedro Brothers Band.” Still, Sony Music Latin America will share the revenue from “Isa TKM” music sales.

Nickelodeon Latin America is seen

—LC

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Latin Notas

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Working The Past
Publishers Find Ways To Breathe New Life Into Vintage Songs

There's no telling when lightning will strike a song.
Consider the case of "At Last," the Mack Gordon-Harry Warren composition immortalized by Etta James. Beyoncé performed it in "Cadillac Records," the recent movie about Chess Records, and then practically made it the theme song of President Barack Obama's inauguration.

But more often than not, publishers have to use a bit more elbow grease to make things happen for the evergreens in their catalog.

For example, Notable Music and Chrysalis Music Publishing recently collaborated on a Cy Coleman tribute album, featuring modern-day chanteuses interpreting the songwriter's tunes in a project overseen by pianist/arranger Dave Palmer.

In a rare display of foresight, the late Coleman was one of the few songwriters of his time who didn't sign away the rights to his songs and instead created his own publishing company, Notable Music.

Notable handled his songs as well as those of collaborators like Dorothy Field, Ira Gershman, Michael Stewart and David Zippel, who wrote lyrics to Coleman's music. Notable also handled works by other songwriters like Bobby Hebb and Clifton Davis, who went on to become a recording artist in his own right.

"When we signed with Chrysalis for administration, we talked about the kind of record we wanted, which would feature contemporary artists singing Coleman's songs," says Damon Booth, a former Warner Bros. Records A&R executive who runs Notable Music for Coleman's widow, Shelby Coleman, who is also his sister-in-law.

That idea sounded great to Ken MacPherson, president of Chrysalis Music North America.

"We are looking for ways to reinvent our catalog, to bring a great span of songs back to a new generation," MacPherson says. "Songs have a life of their own and can continue to be developed over time."

The tribute album, titled "Witchcraft," features Patti Griffin covering "The Best Is Yet to Come," Fiona Apple performing "Why Try to Change Me Now" and Sam Phillips on "You Fascinate Me So," as well as Nikka Costa, Jill Sobule, Julianna Raye and other artists. Now that the album has been completed, Notable and Chrysalis are shopping it around, having left a spot on the collection for an artist on whichever label takes the project.

To drum up attention for "Witchcraft," Chrysalis and Notable staged a show Jan. 30 at Largo at the Coronet Theater in Los Angeles featuring some of the singers on the album. It went so well that a club tour may happen.

Booth says. Also in the works is a Coleman review, "The Best Is Yet to Come," with a three-week run scheduled to kick off in July at the Rubicon Theatre in Ventura, Calif.

Music Sales Group took a somewhat different approach with the catalog of the late Carl Sigman, who started his career writing songs with Johnny Mercer. To mark the 100th anniversary of Sigman's birth, Music Sales Group, distributed to music supervisors, a collection of vintage performances of Sigman songs by Frank Sinatra, Nat "King" Cole, Dean Martin, Ray Charles, Brenda Lee and the Pussycat Dolls. The L.A. office of the London-based company also re-released many of Sigman's works, in case supervisors can't afford the masters or face other obstacles in securing the rights.

In addition to the new recordings, Music Sales Group also commissioned multiple versions of some songs in different styles, including hip-hop and reggaeton, and compiled a bossa nova collection featuring a number of Sigman songs, including some by the band Bossanova Hotel. It was released exclusively through the Pronto coffeehouse chain in Japan. That album has led to a possible album deal for Bossanova Hotel, which is expected to sign with a major in Japan for an album that will also include Sigman songs.

Meanwhile, "At Last" was clearly a case where fate pitched a last ball down the middle and a publisher knocked it out of the park.
Twitter On The Highway

New Music Applications Emerge For The Microblogging Service

Add another arrow to the ever-growing quiver of digital tools available to the music industry. Having launched in August 2006, Twitter is not new. But the free "microblogging" service, which lets users post brief updates about what they're doing at any given time, has only recently begun gaining traction as a method for music discovery.

Twitter posts (or "tweets") are limited to 140 characters, which others can read on the Twitter online portal or more commonly on mobile phones, widgets and Facebook profiles. At first, the music industry embraced the platform primarily as a means to communicate with fans. Digitally savvy artists send regular updates through Twitter on whatever they happen to be doing that day—from buying coffee to finishing a recording session. Some artists leave the Twittering up to flunkies in their management or PR team. But others like Björk, Sara Bareilles and A Fine Frenzy have won praise for Twittering directly with their fans. The concert promoter Goldenvoice uses Twitter to announce lineup changes at the Coachella festival.

Now the industry is finding new applications for Twitter, thanks to a number of new services that let artists and fans use the microblogging portal for a more direct music experience.

A simple example is services that condense the full URL of a link to a music stream to fit it within the 140-character Twitter limit. More sophisticated ones, like the trkz service from MixMatchMusic, add their own music player so users can play a track and share it with other Twitter users. GrooveShark's Twisten service takes things a step further. Twisten scans Twitter messages for mention of song titles and automatically adds links to them so users can just click and play through Twisten's own embedded music player. Users can opt to limit the feature to just the tweets they are following, expand it to any Twitter feed or bookmark favorite tracks.

Older services like Songly, TwittyTunes and TinySong offer variations of the same service. But much like MP3 search engines and playlists like SeePod and Project Playlist, these services occupy nebulous legal ground in terms of how they link to music online.

Still, the appeal of these services is clear. Because Twitter users continuously update friends on what they're doing, it only makes sense to build services based on the music they're listening to at the time. So expect to see more music-oriented applications in the coming months. Twitter features an open development platform that allows virtually anyone to build an application using the service's functionality. There's also a growing group of "Twitter for music" services emerging that incorporate Twitter-like functions but don't actually use the platform itself, such as Blip.fm, Powownce and Rifflet.

The biggest advantage Twitter has over these other services is its reach. A December 2008 report from Forrester Research estimates there are as many as 5 million Twitter users in the United States. The Web site tracking firm Compete says the service gets upwards of 15 million monthly U.S. visitors.

And the trend is growing quickly. According to the Pew Internet & American Life Project, 11% of U.S. Internet users reported using Twitter or another service to update their status online, up from 9% in November and 6% in May. Among these services, Twitter remains the most popular.

The Pew report pegs the average age of Twitter users at 31, compared with 27 for MySpace and 26 for Facebook. It also finds that 40% of Twitter users with mobile phones access the Internet on their handsets and 82% of them regularly send text messages from their phone, compared with 25% and 59%, respectively, for mobile phone users who don't use Twitter.

For now, though, it's free. And so long as it is, there's no shame in being a Twit.
Game Of Chance
Lack Of Insurance Leaves Indie Bands, Labels At Risk

Friday the 13th was an exceptionally unlucky day for the New York band Gang Gang Dance.

After playing a show at the Paradiso in Amsterdam, group members returned to the club the following morning to discover that most of their equipment had been destroyed by an electrical fire.

Though the band was forced to cancel the rest of its European tour in the wake of the disaster, the act hopes the club's insurance will cover its lost gear. Good thing too: Gang Gang Dance didn't have any insurance of its own.

A few days later, someone broke into Daptone Records' office and studio in the Bushwick section of Brooklyn and made off with guitars, computers, microphones and other gear. Like Gang Gang Dance, Daptone didn't carry any insurance.

"We were just stupid, really," Daptone founder Gabriel Roth says. "We were working on a list of equipment and looking at policies before the break-in, but we never got around to doing anything. But we are insured now, and we're installing a gate and alarms. We've seen a tremendous outpouring of generosity, and we'll be able to replace a lot of what we lost."

Though few firms advertise their insurance policies for musical equipment, they do exist. State Farm covers up to $20,000 worth of equipment for $132 per year per band member. Customers must also have renter's or homeowner's insurance through State Farm.

Music Pro Insurance also offers worldwide coverage for instruments and other musical equipment for up to the replacement value of the damaged item, with the lowest-cost plan starting at $100 per year. The American Federation of Musicians offers its members an insurance plan for instruments that costs $2.20 each for every $100 of insured value up to $1,500 and with an additional $1.00 per $100 of insured value for anything above that. And CSI Entertainment Insurance offers worldwide coverage, with $20,000 worth of equipment setting you back between $600 and $700 annually.

Despite the availability of such policies, some bands victimized by theft or fire still fail to insure their equipment.

The Seattle alt-country act Lucky Suns had most of their equipment stolen after a hometown show. Band member Houston McCoy had losses valued at about $5,000 and included a pedal steel guitar, another guitar and an amp.

Still, Lucky Suns bassist Derek Medina, who had a bass and amp stolen in the theft, questions whether insurance is worth the cost.

"None of us have insurance even now," he says. "We just watch our instruments like a hawk."

Medina highlights an important point—in the vast majority of cases, artists are wholly responsible for their own insurance premiums. None of the other indie labels I spoke to said they contribute to the cost of insuring their band's gear. And to be fair, none of the majors I contacted said they contribute, either.

Vice Records GM Jamie Farkas says bands on the label are responsible for their own equipment and adds that even though one of its acts, Panthers, had all their gear stolen in 2007, she's not sure whether any of the label's bands have ever had insurance.

Obviously, the game changes somewhat when a band reaches the level of touring when it require five semis' of gear, when a superstar band like U2 goes on tour, producer Live Nation would carry insurance.

But for many indies, the solution seems to be crossing their fingers and hoping fire, flood and drug addicts don't destroy their gear.

Tempting fate like that can save money in the short run but could eventually prove costly.

Additional reporting by Kerr Brisco and Susan Varghese.

For 24/7 Indies news and analysis, see billboard.biz/indies.
AGENDA FOR CHANGE
Spain's Live Biz Pushes For Legal Recognition

MADRID—Spain's live music business is lobbying the government to enact regulations that would give it standing as an official economic and cultural sector, which it hopes will boost public funding and ease licensing bureaucracy.

"There is insecurity in the live music sector, with clumsy and incoherent bureaucracy leading to the closure of venues," says Armando Ruah, coordinator of the live music association Acces. "We fear some promoters might exclude Spain from European tours because they cannot guarantee the venue they book will be open for the gig."

Under one proposal, the government would streamline the licensing process for live music venues, which is hampered by a bewildering array of permits and uncertainty over safety and construction regulations. No single license exists for live music venues, several of which have been closed in recent months due to confusion over licenses for emergency exit doors, soundproofing and other venue requirements.

To advance their agenda, six trade associations representing live promoters, artists, managers and venues have formed the Coordinating Committee for a Law of Music (CLM). At the end of January, the CLM issued a 60-page outline on a proposed "music law," which has received the support of collecting society SGAE, artists' association AIE and 54-member indie-label group UFI.

The CLM has been "very encouraged" by meetings it has had recently with Juan Carlos Marret, director general of the Ministry of Culture's National Institute for the Performing Arts and Music, according to Carmen Peire, president of the Coordinating France Technical Representatives, which represents managers, promoters and booking agents.

"We think that at last the music biz has a good chance of gaining a legal framework," Peire says. "At present, fiscal licenses for music sector workers are classified under 'electric goods salesman,' 'cleaner,' 'construction' or 'just other activities'... Artists, promoters and venue managers in France and Britain have a professional status, which is totally lacking in Spain."

Marret says the institute is drafting legislation in response to growing demand in the live music business. The aim, he says, is to establish a legal framework to improve collaboration between government and private initiatives to promote Spanish music.

The CLM thinks a music law could boost international tours by U.S. artists and increase concert income by 30%.

Due to the large number of licenses that live performance venues are required to secure, it is hard to open a new venue, Ruah says. He adds that some midsize rooms in Madrid have been forced to close in recent months "because a functionary decided that a single document was missing."

Peire estimates that Spain's culture and leisure industries represent about 1.5% of the country's gross domestic product, compared with 4.2% in France and 5% in the United Kingdom.

"With a music law, Spain's figure could reach 4.5%," she says.

Once the live music business is legally recognized, it could open the door to other initiatives, such as the creation of a music export promotion office, improved funding for music education and training programs, and the implementation of a Spanish-language music quota for radio and TV broadcasters.

"France has a 40% quota, which would like," Peire says, adding wistfully that "even if they give us just 20%," that would be welcome too.

Another goal is government recognition of people working in the live music business as cultural professionals, which Ruah says would make it easier for the sector to receive public arts funding. For example, he notes, government recognition of theatres' industry as a cultural sector helped the 36-member Théâtre Network receive 3.5 million ($4.4 million) in public funding in 2008, compared with the 22,110 ($28,000) that Acces received during the same period. "Music is seen as recreation and not culture by local, regional and central governments," Ruah says.

YOLISA PHAHLE
Channel director of special interest channels, M-Net
Yolisa Phahle is a bona fide musician—she studied classical violin and piano at the Guildhall School of Music and Drama in London and has performed on recordings for Soul II Soul, Jamiroquai and Duran Duran. That hands-on experience, combined with her previous stints as a senior producer at BBC 6 Music and as a producer at BBC World Service and Radio 1, earned Phahle respect among the artists who clamour to get their videos shown on indie rock, pop, channel MK and Pan-African urban platform Channel O, both part of pay-TV network M-Net.

Phahle, chairman/CEO of Nigeria's Storm 360, says, "Yolisa's been instrumental in the growth and popularity of Nigerian music all over Africa. She's done more than most to push for more original programming and production than anyone."

ARNOLD MABUNDA
Senior executive/head of Gallo Music Publishers
In his role as the first black head of a major music publishing company in South Africa, Arnold Mabunda will draw on his past experience as marketing director of black music at Tuska Music (which had the Warner's license for South Africa in the '90s) and running Gallo Music South Africa. Mabunda has quietly become a force on the broader music scene in his role as chairman of the publishers organization NORM and former chairman of the Mushroom Music Conference and Exhibition.

RALPH SIMON, CEO of the United Kingdom's Mobilmul Advisory Group, says, "Arnold's skillful experience and deep knowledge of the Warner and Rhino catalogs became evident when he was very central to making the Gallo Warner Music Group partnership take root and grow in Africa and the wider digital world."

LAZARUS SEROBE
Managing director, Gallo Music Group
(Literally Warner Music Gallo Africa)
Lazarus Serobe became the first black head of a domestic major label when he was appointed managing director of Sony Music South Africa in 2001. After launching a joint-venture label with Sony in 2004, he subsequently headed the mobile entertainment operations of the South African wireless carrier Vodacom. Serobe is keen on using his experience as management firm SEG Entertainment U.K. (which represents Paul Oakenfold and other acts), are among the speakers at the second annual International Music Summit on the Spanish island of Ibiza May 27-29. The event is being curated by Pete Tong and summit co-founder Ben Turner, director of London-based Graphite Media. Summit participants will include Wall of Sound founder Mark Jones and festival founders and organizers Enric Palau (Sonar), James Barton and Martin Gontad (Creamfields), Danny Whittle (Pacha) and Rob da Bank (Bestival).

COLDPLAY, KINGS OF LEON TO PLAY BUSHFIRE BENEFIT
Coldplay, Kings of Leon, Jack Johnson and a reunited Midnight Oil lead the lineup for Australia's Sound Relief bushfire and flood benefit concerts, to be held March 14 at Sydney Cricket Ground and Melbourne Cricket Ground. The shows have been organized by Australian promoters Michael Gudinski (managing director of Frontier Touring) and Michael Chugg (managing director of Chugg Entertainment). Kings of Leon, Johnson, Midnight Oil and Gabriella Cilmi will perform in Melbourne, while Coldplay will deliver an acoustic performance as part of a Sydney bill that includes the Presets and a re-formed Icehouse. Jet and Wolfmother will play at both locations. —Lars Brandle

FOX, WINEHOUSE WIN GERMAN ECHO AWARDS
German hip-hop newcomer Peter Fox was the big winner at the ECHO Awards at the O2 World Arena in Berlin. Fox received the National Critics' Award (which has also been awarded to best national/international hip-hop/urban artist and as part of the production team of the year with David Conen and Vincent von
Russian Roulette
Promoters Scramble As The Ruble's Value Tumbles

MOSCOW—The international touring business in Russia is down for the first time in years after the ruble lost nearly half its value against the U.S. dollar during the last four months.

Promoters are looking for ways to save costs—and hoping that Western stars will lower their dollar-denominated fees. “Artists’ fees are fixed in dollars or euros well before the concert takes place and before tickets [priced in rubles] go on sale,” says Eduard Ratnikov, president of the promoter Talent Concert International (TCI). “During that period, the exchange rate could change by up to 40%—just what we experienced between October and mid-January. This is a catastrophe for a promoter.”

If a promoter signed a contract with a Wester...

Molefi “Nick” Motsatse
CEO, South African Music Rights Organization

Motsatse has made the kind of bold moves that don’t always earn the former advertising industry executive the affection of traditional players. Among them is putting the performing rights body’s infrastructure to use in establishing the Composer’s Association of South Africa and the Moseliso Music Conference and Exhibition. The head of the South African Music Rights Organization is also vice chairman of the International Confederation of Societies of Authors and Composers (CISAC). “For a long time SAMRO has been a global player within CISAC and we’re now in a position to take our knowledge and infrastructure forward,” he says.

Rob Hooper, director of African affairs at CISAC, says, “Under Nick Motsatse’s leadership, SAMRO has grown its collections by about 32% in the past 30 months and introduced a number of new, friendly and innovative rights holder services.”

Lance Stehr
CEO, Ghetto Ruff Records

For a couple of years in the late ’90s, Lance Stehr played by the rules as the head of PolyGram’s local division. But the CEO of indie label Ghetto Ruff is an unrepentant maverick who’s never left his political roots behind. Starting with the politically conscious rap outfit Prophets of Da City, he’s built a label that balances new styles with commercial success, earningahl selling. Stehr, the music supervisor on the soundtrack to the Academy Award-winning movie “Bootsie,” hopes to take more experience to the forefront of African. “Everyone has a cell phone,” he says, “and personally I’m challenged by the fact that, in a short space of time the [wireless] networks have made more money from music than we have in a comparable time.”

Jay Savage, managing director of Sony/ATV Music Publishing South Africa, says, “Lutazura is an inspiring and thoughtful leader who has always seen the big picture and been a friend to artists. There is no one better equipped to lead a South African major company into the 21st century.”

Schippenbach. Amy Winehouse won awards for best international rock/pop artist and for her album “Back to Black” (Island/Universal), which was judged album of the year. Other winners at the Feb. 21 ceremony were Coldplay for best international rock/pop group, A/C/DC for best rock/alternative/ heavy metal international artist and Amy Macdonald, who was named best international newcomer. Kid Rock’s “All Summer Long” (Atlantic/Warner) was voted hit of the year. —Wolfgang Spahr

MARCOS CARTA WINS SANREMO FESTIVAL
Warner Music Italy pop artist Marco Carta won the 59th edition of Italy’s flagship Sanremo festival. Carta, who was discovered last year on the TV talent show “Amici,” won the five-night festival Feb. 21 with the song “La Forza Mia,” while another Warner artist, Aria, won the “new proposals” awards section with “Sin cent’anni.” Winners were chosen by a jury vote during the early stages of the festival and a text message vote for the later stages. The festival was broadcast live on Rai Uno and received its best ratings since 2003. The audience during the five nights averaged 10.3 million—a share of 47.8%.

—Mark Worden

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**BOXSCORE**

**Concert Grosses**

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<td><strong>ELTON JOHN</strong></td>
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<td><strong>TRACY CHAPMAN</strong></td>
<td><strong>Queen Elizabeth Hall, London, Dec. 12-16</strong></td>
<td><strong>2 show, Kilnarmore Live</strong></td>
</tr>
<tr>
<td><strong>$1,679,495</strong></td>
<td><strong>SARAH BRIGHTMAN</strong></td>
<td><strong>iPic Movie Theatre, Carlsbad, Calif., Dec. 18</strong></td>
<td><strong>Live Nation, in-house</strong></td>
</tr>
<tr>
<td><strong>$1,666,595</strong></td>
<td><strong>THE KILLERS, M83</strong></td>
<td><strong>UIC Pavilion, Chicago, Jan. 20</strong></td>
<td><strong>MAJ Concerts</strong></td>
</tr>
<tr>
<td><strong>$1,659,684</strong></td>
<td><strong>KEANE</strong></td>
<td><strong>The O2, Dublin, Jan. 25</strong></td>
<td><strong>1,000</strong></td>
</tr>
<tr>
<td><strong>$1,652,378</strong></td>
<td><strong>THE MYSTIC BOOZE</strong></td>
<td><strong>The O2, Dublin, Jan. 5</strong></td>
<td><strong>MCD</strong></td>
</tr>
<tr>
<td><strong>$1,361,824</strong></td>
<td><strong>SLIPNOT, COHEED AND CAMBRIA, TRIVIUM</strong></td>
<td><strong>Madison Square Garden, New York, NY, Dec. 28</strong></td>
<td><strong>Metropolitan Talent Presents</strong></td>
</tr>
<tr>
<td><strong>$1,361,467</strong></td>
<td><strong>JOHN LEGEND, STELLE</strong></td>
<td><strong>Gibson Amphitheatre, Universal, Dec. 16</strong></td>
<td><strong>Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,556,163</strong></td>
<td><strong>UMPHREY'S McGEER</strong></td>
<td><strong>Veterans Memorial Coliseum, Portland, March 20</strong></td>
<td><strong>Jamb Productions</strong></td>
</tr>
<tr>
<td><strong>$1,552,734</strong></td>
<td><strong>REBA Mcentire</strong></td>
<td><strong>Orleans Arena, Las Vegas, Jan. 19</strong></td>
<td><strong>In-house</strong></td>
</tr>
<tr>
<td><strong>$1,550,660</strong></td>
<td><strong>CEDRIC “THE ENTERTAINER”</strong></td>
<td><strong>The Venue at Sycuan Casino, Jamul, Feb. 23</strong></td>
<td><strong>AEG Live, In-house</strong></td>
</tr>
<tr>
<td><strong>$1,348,965</strong></td>
<td><strong>JEFF DUNHAM, BRIAN HANER</strong></td>
<td><strong>Target Center, Minneapolis, Dec. 30, 31</strong></td>
<td><strong>O2 Concerts, Take Entertainment Group, Sue McLellan &amp; Associates</strong></td>
</tr>
<tr>
<td><strong>$1,348,946</strong></td>
<td><strong>TRANS-SIBERIAN ORCHESTRA</strong></td>
<td><strong>Radio City Music Hall, New York, Jan. 31</strong></td>
<td><strong>Live Nation, in-house</strong></td>
</tr>
<tr>
<td><strong>$1,345,580</strong></td>
<td><strong>CHEECH &amp; CHONG</strong></td>
<td><strong>CenturyLink Center, Omaha, Neb., Dec. 10</strong></td>
<td><strong>Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,341,019</strong></td>
<td><strong>OASIS, RYAN ADAMS, MATT COSTA</strong></td>
<td><strong>Hartford Civic Center, Hartford, Conn., Dec. 15</strong></td>
<td><strong>Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,344,393</strong></td>
<td><strong>OASIS, RYAN ADAMS, MATT COSTA</strong></td>
<td><strong>San Jose, Calif., Dec. 12, 13</strong></td>
<td><strong>Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,336,840</strong></td>
<td><strong>BRAD PAISLEY, DIERKS BENTLEY, DARIUS RUCKER</strong></td>
<td><strong>Sprint Center, Southaven, Miss., Jan. 6, 7, 8, 10, 14, 17</strong></td>
<td><strong>Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,375,076</strong></td>
<td><strong>LIL WAYNE, T-PAIN, KEISHA COLE, KERI HILSON &amp; OTHERS</strong></td>
<td><strong>Chapultepec Arena, St. Louis, Jan. 14</strong></td>
<td><strong>Live Nation, MSD Entertainment</strong></td>
</tr>
<tr>
<td><strong>$1,333,409</strong></td>
<td><strong>LIL WAYNE, KEISHA COLE, KERI HILSON, SYMM CLASS HEROES</strong></td>
<td><strong>Spokane Arena, Spokane, Wash., Dec. 26</strong></td>
<td><strong>Live Nation, MSD Entertainment</strong></td>
</tr>
<tr>
<td><strong>$1,333,364</strong></td>
<td><strong>SLIPNOT</strong></td>
<td><strong>Madison Square Garden, New York, NY, Dec. 11</strong></td>
<td><strong>Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,333,291</strong></td>
<td><strong>BRAD PAISLEY, DIERKS BENTLEY, DARIUS RUCKER</strong></td>
<td><strong>Frank Erwin Center, Austin, Jan. 20</strong></td>
<td><strong>Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,327,279</strong></td>
<td><strong>RED</strong></td>
<td><strong>PNC Ampitheater, Charlotte, Dec. 13</strong></td>
<td><strong>Roadshow</strong></td>
</tr>
<tr>
<td><strong>$1,325,177</strong></td>
<td><strong>VICTOR &amp; LEO</strong></td>
<td><strong>The Power, Hoboken, N.J., Dec. 26</strong></td>
<td><strong>TAT-Time For Fun</strong></td>
</tr>
<tr>
<td><strong>$1,323,514</strong></td>
<td><strong>KEVIN JAMES</strong></td>
<td><strong>Bmo Harris Pavilion, Westbury, N.Y., Dec. 19-21</strong></td>
<td><strong>Bmo Harris Pavilion, Live Nation</strong></td>
</tr>
<tr>
<td><strong>$1,322,710</strong></td>
<td><strong>SLIPNOT, CHILDREN OF BODOM, MACHINE HEAD</strong></td>
<td><strong>Knitting Factory, Brooklyn, Dec. 27-29</strong></td>
<td><strong>LIVE Nation, Northeast</strong></td>
</tr>
<tr>
<td><strong>$1,321,982</strong></td>
<td><strong>KRIS JENKINS CHAD BROWN, DAVID ARCHULETA &amp; OTHERS</strong></td>
<td><strong>Toyota Center, Houston, Dec. 19-21</strong></td>
<td><strong>LIVE Nation, in-house</strong></td>
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<tr>
<td><strong>$1,319,649</strong></td>
<td><strong>JEFF DUNHAM, BRIAN HANER</strong></td>
<td><strong>Gibson Amphitheatre, Universal, Dec. 12-13</strong></td>
<td><strong>LIVE Nation, in-house</strong></td>
</tr>
<tr>
<td><strong>$1,314,597</strong></td>
<td><strong>SLIPNOT, CHILDREN OF BODOM, MACHINE HEAD</strong></td>
<td><strong>Toyota Center, Houston, Dec. 19-21</strong></td>
<td><strong>LIVE Nation, in-house</strong></td>
</tr>
<tr>
<td><strong>$1,319,109</strong></td>
<td><strong>JEFF DUNHAM, BRIAN HANER</strong></td>
<td><strong>Toyota Center, Houston, Dec. 19-21</strong></td>
<td><strong>LIVE Nation, Entertainment Group, Sue McLellan &amp; Associates</strong></td>
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**Bono Vox**

Paul McGuinness

Voices Support For Live Nation-Ticketmaster Deal

Few managers have spoken out about the proposed Live Nation-Ticketmaster merger, and their cautious spreads volumes about the deal’s potential impact.

One exception has been Bruce Springsteen manager Jon Landau, who has urged consumers to oppose the deal.

At the other end of the spectrum is U2 manager Paul McGuinness. To him, the deal would represent a potential expansion of U2’s long-term multihart partnerships with Live Nation: the group has close ties to Live Nation chairman of global music Arthur Fogel, whose relationship with the band dates back to a 1979 show at Toronto’s El Mocambo.

“I do hope the merger goes through,” McGuinness says. “We’ve heard it said that the regulators may require some kind of dismantling of some of the businesses contained within Ticketmaster. I don’t know that that will happen, and I don’t really have a view. There are obviously regulatory questions to be answered before the transaction is completed.

“But as far as I’m concerned, the Ticketmaster ticketing system is an absolutely excellent worldwide business. And in conversations with [chairman] Barry Diller and with [Live Nation CEO] Michael Rapino and Arthur Fogel, I was always encouraging them to be as cooperative as possible and maybe even merge if they possibly could.”

McGuinness isn’t worried that the newly merged Live Nation Entertainment would also encompass Front Line Management.

“Oh of course, my band are not managed by Live Nation or Ticketmaster, so conflict doesn’t arise in our case,” he says. “There is a very clear division of responsibilities between client, manager, promoter and, if the merger goes through, the ticket company.”

McGuinness says the merger pact illustrates how much ticketing has changed, noting that “a ticket purchase makes possible a host of other transactions.

“That is part of the attraction of being committed to Live Nation,” he says. “We think those opportunities are going to grow and grow and grow in the future.”

Despite its commitment to Live Nation, U2 raised eyebrows in December when it exercised a clause allowing it to cash in 1.6 million shares of Live Nation stock for $25 million. McGuinness insists the move was simply prudent money management, rather than a reflection of the band’s feelings about the company.

“The markets are in freefall and every public company is affected by that,” he says. “We had, sensibly I suppose, taken protection and we exercised it. But hadn’t been necessary, but since we had that option we took it. We absolutely support the Live Nation plan.”

**ONE FAN’S TAKE:** Many consumers are upset about the proposed Live Nation-Ticketmaster merger, as I found out recently after I was quoted elsewhere saying that the industry is becoming more “fan-friendly” in regards to ticketing.

One of the more eradicate opinions came from a Phish fan, who recommended that I undergo a certain surgical procedure “as Phish fans are wont to be.” I pointed out that Ticketmaster has invested millions through the years in improving the ticket-buying experience.

“Perhaps Mr. Waddell just assumes we are all morons who need only be appeased and have our ‘sticker shock’ reduced, rather than [make] intelligent decisions on how we spend our hard earned dollars,” the fan wrote in an e-mail.

I responded with hopes of clarifying my comments and the fan was much more civil, as Phish fans are wont to be. I pointed out that Ticketmaster has invested millions through the years in improving the ticket-buying experience.

Sometimes you can’t make it on your own. From left, LARRY MULLEN JR., ADAM CLAYTON, ARTHUR FOGEL, PAUL MCGUINNESS, BONO and THE EDGE.
The venture capital money is drying up, so the money that’s going to be paid to the rights holders is going to come out of the business rather than the investors.
As Concert Revenue Rises, Some Seats Are Still Empty—And Promoters Suffer. The Answer Could Come From The Airline Industry

BY RAY WADDELL

ILLUSTRATION BY CHRISTOPHER SILAS NEAL

Last September the Latin pop superstar Luis Miguel came to San Diego to perform a concert at the Cricket Wireless Amphitheatre. Demand for tickets was expected to be high: The city has a large Latino population, Miguel was building a crossover fan base, and the tour was one of his most successful outings in North America. The show excited some fans, who bought the most expensive tickets for $250—or much higher prices on the so-called “secondary market.” The concert grossed $808,575, according to Billboard Boxscore, an impressive total for a 19,000-capacity venue. Miguel could have made up to $730,000, based on the common concert industry practice of giving the artist 90% of the box-office gross and leaving the other 10% for the promoter.
But the promoter in question—concert business giant Live Nation—may not have made money on the show.

The concert appears to be a success until one looks at the money left on the table. Although the Cricket Wireless Amphitheatre can hold 19,391 fans, only 11,045 bought tickets to see Miguel. The singer made money, thanks to a gross driven by a high top-ticket price. But Live Nation makes most of its money on the things people buy once they get to the concert: concessions, parking and its split of Ticketmaster’s service charges. And all of those things sell better when a venue is full—no matter how much people pay for tickets.

Herein lies one of the biggest problems with the concert business: While performers make much of their money from the most expensive tickets, promoters make much of theirs from the cheapest, which they sell in order to then sell ancillary goods. So even as grosses have grown by double digits in the past decade, thanks to increases in ticket prices, declining attendance has kept profits down for promoters.

Testifying Feb. 24 before the Antitrust Subcommittee hearing on the Ticketmaster-Live Nation merger, Live Nation CEO Michael Rapino faced questions from politicians representing fans who feel gouged by rising ticket prices. But Live Nation, and other promoters, could make an argument—although they wouldn’t do so, because of industry politics—that they are being gouged by artists who want to make more on performing to make up for the revenue they’ve lost from declining album sales. After all, Live Nation is not consistently profitable. Part of the company’s problem is that rising guarantees for artists force promoters to price tickets higher than they might want to, even if that makes it hard to fill venues with enough hungry, thirsty bodies to sell the concessions they need to make a profit. And since many promoters have to make mortgage payments on venues whether they’re filled or not, they need performers every bit as much as performers need them.

“Every time a consumer walks in the door I make about $12-$14 on the ancillary business,” Rapino testified. “I lose $80 million at the door [annually]. An average promoter, if he’s lucky, makes about $4 out of every $100 on the ticket price.”

Whether the Live Nation-Ticketmaster merger goes through, promoters face the challenge of maximizing their revenue for the best seats while ensuring to fill the worst ones. And as they move forward, they might take a good look at a business that has been doing that for years: the airline industry.

Airlines, as well as hotels and rental car companies, practice “yield management,” a theory of pricing posited by Dr. Matt H. Keller and pioneered during the ’70s. To most people, it’s the arcane science of why a round-trip ticket from New York to Los Angeles can cost anywhere from $300 to $5,000 depending on class, timing and other variables.

Like the concert business, airlines sell goods that are minimally differentiated and perishable—that is very similar and worthless after a certain time. Everyone on an airplane gets to the same place at the same speed, just as everyone at a concert sees the same show—the only differences are the quality of seats and VIP treatment. And each plane ticket must be sold before a flight takes off, just as concert tickets have to be sold before the show starts—so it’s in the interest of the seller to get some money, rather than no money for them, even if it’s not very much.

The parallels between air travel and concerts certainly aren’t perfect. Unlike air travel, where many
companies compete to offer very similar service, performers are unique: It’s one thing to fly United instead of Continental, quite another to see Coldplay instead of Radiohead.

But it’s easy to imagine that concert tickets will be priced more like air travel, with a far larger difference between the most and least expensive tickets. “When you look at the challenges that come with applying yield management to live event tickets, the first thing that occurs to me is that most primary pricing is done by experience from the promoters, the artists and management, through gut feeling,” says Michael Janes, founder/CEO of ticket search engine FanSnap and a former chief marketing officer for StubHub. “It makes sense for these guys [in the concert business] to try to add some science to it if they can.”

Indeed, one could argue that promoters have been gradually moving toward this model over the last decade. Since 1998, the price of concert tickets has increased more than inflation, as congressmen weren’t afraid to remind Rapino. But the most remarkable difference between then and now is the difference between the priciest and the least expensive tickets, as well as the variety of price points between them. And while the increase in the lowest prices modestly beat inflation, the growth in the highest blows it away.

In 1998 a Red Stewart ticket cost as little as $20 and as much as $85—a 325% difference. Last year, the lowest price went up by about 50%, to $29, but the highest price tripled, to $250; that’s a 762% difference. That’s not an isolated example (see list, right). The price of Eric Clapton tickets rose in a similar fashion. And, of course, some promoters have always quietly unloaded unsold lawn seats at fire sale prices the week before a show.

The price range for airline tickets is much wider—almost always more than a 1,000% difference between coach and first class. One of the most important variables is when tickets are purchased. And the concert business has also embraced this, after a fashion, in the secondary market, which charges a premium as concerts approach, then reduces prices at the last minute.

Promoters and artist managers already agonize over yield management every time they price tickets, according to music business accountant/tour producer Bill Zysblat, a partner in RZO Productions. “The ideal is to have exactly one person wanting a ticket at a sold-out show every night,” he says. “No matter how unrealistic that may be, that result tells you that you have properly scaled the house for the maximum revenue at a given demand point. Any more than one and you could have priced something higher. Any less than one and you priced something too high.” Theoretically, airline-style pricing would solve this problem, but most bands might prize their reputations over cold economics. In almost every case, a significant number of the best seats in a venue sell for far more than their face value on the secondary market. But even though they could make more money by doing so, artists have been reluctant to raise prices to that level themselves.

At the same time, Ticketmaster and Live Nation are now gathering the kind of data they need to understand consumer buying patterns so they can price tickets more effectively. “Understanding customer buying patterns allows companies to create packages and price points that meet the needs of price-sensitive customers, while being business reasonable,” says Zach Cross, VP at Revenue Management Strategy, a consulting company that specializes in yield management. “The key is making sure you don’t displace higher-paying demand. The lower ticket prices would just only go as low as you need to go to meet demand.”

To Cross, the real key to using yield management in the concert business would be forecasting demand. “You would probably want to forecast by a number of different variables—genre, venue, event, section, row, customer segment, etc.” he says. “Once you have forecasts by these different dimensions you can make optimal inventory allocation decisions.” Those decisions could make the difference between profit and loss. As in the airline business, the best seats don’t actually cost much more than the worst seats. Much as that $5,000 first-class seat comes with an additional $200 worth of food and service, a $500 VIP concert package might include a T-shirt, an autograph and a CD—hardly significant expenses compared with the additional revenue they bring in.

These kinds of pricing could make a significant difference in the amphitheaters that dominate the summer touring season. As an example, Zysblat says, consider a 21,000-capacity amphitheater that’s hosting a show where tickets cost an average of $200 and general admission on the lawn goes for $30. A full 75% of the gross would come from about one-quarter of the seats.

**ACTION AT THE TOP**

During the last decade, the best concert tickets have increased in price much more than the worst, and the difference between them has grown dramatically.

**CELINE DION**

1998: $29.50-$75 (75% difference)  
2008: $49.50-$188 (280%)

**ROD STEWART**

1998: $20-$85 (325%)  
2008: $29-$250 (762%)

**DAVE MATTHEWS BAND**

1998: $16-$35 (119%)  
2008: $32-$75 (154%)

**ERIC CLAPTON**

1998: $25-$85 (240%)  
2008: $42-$250 (495%)

**SOURCE:** Billboard Boxscore

“While the amphitheater owner may want the parking and concession sales from the $30 ticket holder, that ticket is monetarily less important to the band, putting aside the emotional importance of playing to a full house,” Zysblat says. “Nevertheless, it’s back to yield. Would you rather sell half of the lawn at $10 per ticket or all of the lawn at $15? Clearly you would rather sell all of the lawn and gross the same. And if the math was always that simple, that’s what would happen.”

For artists, gross revenue is gross revenue—it doesn’t matter whether it comes from fewer expensive tickets or more cheap ones. For promoters, though, it’s a matter of life and death. “I would make a case that while [the concert business is] trying to milk the last dollar out of the premium ticket, their real opportunity is trying to figure how to move those unsold tickets,” Janes says. “There has to be a real high margin and fixed cost to staging an event, and those unsold tickets have to be almost pure profit.”

And what about the fans in those seats: What would they think? And what would they think if they bought a ticket early on for $200 only to sit next to someone who waited until the last minute and spent half that? It’s easy to imagine blogs filling up with bile at this very idea. But festivals like Lollapalooza and Bonnaroo—already sell VIP packages that offer an extensive menu of perks, at events that spring from subcultures that would seem to frown upon that kind of thing.

Cross thinks fans might not care as much as people think. If a show blows them away, any buyer’s remorse will evaporate. “You don’t know how many times people say, ‘We bought the same thing, we’re sitting next to each other on the same plane, why am I paying more than you?’ But we really didn’t buy the same thing,” he points out. “You might have booked yesterday and I booked three months ago. The way I look at it is [yield management] allowed me to book a cheap ticket and saved you a seat. The same can hold true for a concert.”

At the very least, some artists will want no part of this. Bruce Springsteen, Pearl Jam and Dave Matthews have never charged as much as they could for their tickets, and they’d be unlikely to start now. Price changes could also represent an image problem. “If word gets out that 75% of your show was sold at a discount,” Janes says, “that’s not good for the brand.”

In the long run, however, some changes in ticket pricing are simply inevitable—and they’re already been happening gradually. If the world’s largest promoter can’t consistently make a profit at a time when the concert business is growing, something has to change.
A few months ago, EMI Music Group Digital Business president Douglas Merrill and his team were examining the sales of one of the label’s country music acts and decided to overlay the information on a map to figure out where the act was most popular. They weren’t surprised to see that most of the sales were in the South. But they were taken aback to see another cluster of sales in Chicago, despite the fact that the label hadn’t done much marketing or radio promotion there. So the act decided to add a tour stop in Chicago—and Merrill and his team started to look at the sales of other artists the same way. The additional sales that this particular act scored in Chicago don’t amount to much. But the strategy behind them shows how labels and other music business players can now aggregate information about listening habits—albums bought, songs streamed, concerts attended—and use it to squeeze more sales out of even the smallest artists on their rosters. In other words, they’re starting to turn data into dollars.
The data in question isn’t attached to personal identifiers like names or addresses. But it does include a startling amount of information on how fans discovered, acquired and listened to music online. Every time a track is bought, streamed or shared, it leaves behind an electronic trail.

Until recently, labels haven’t done much to follow that trail. A year ago, it wasn’t unusual to see labels discarding their monthly iTunes sales reports after recognizing their bleakness. It just wasn’t part of a business culture that had always looked at marketing as a function of mass media. Now labels are bringing in executives from outside the industry to change that.

The best-known of these is Merrill, a former Google executive who has emerged as a vocal advocate for how data analysis can help labels expand their market. Last June, he hired Second Life co-founder Cory Ondrejka as senior VP of digital strategy to create an infrastructure that can collect information on all the label’s digital activities and use it to inform marketing strategies.

Others include Sony Music Entertainment’s Dan Pelson (who comes from startups like Bolt and u-PlayMe) and Warner Music Group’s Peter Scherr (from JetBlue). Collectively, this new generation of executives (see story, right) is turning the collection of data from an afterthought to a necessity.

On the most obvious level, labels can experiment with different offers—selling songs at different prices or adding PDF versions of CD booklets to digital albums—to let their marketing departments get a better sense of what consumers want. And sites that sell music directly to fans could also “learn” enough about customers’ preferences to spotlight products they’re likely to enjoy, as Amazon does.

“The value of data comes in the use of it,” Merrill says. “Figuring out what to do with it creates huge amounts of value. Once you create that value, there are lots of ways to help the artists, help the consumers and in general help the ecosystem. But all the leverage is in what you do with the data.”

Eric Garland, CEO of BigChampagne, a company that provides analytical services to labels in addition to collecting its own data on file-sharing activity, has noticed a definite increase in the amount of information that labels have been gathering. “There was no real meaningful influxes owned or controlled by label groups as early as last year,” he says. “It’s happening right now. The push is on to acquire, own and control information about customers, about transactions, about their product in general.”

Some companies are even pushing against others, such as the artist DIY platform Topspin, Live Nation and Ticketmaster, which has a collection of email addresses from customers who have purchased tickets online. Each wants the rights to control the data they’ll need to market to consumers more effectively. When Live Nation decided to spun Ticketmaster to create its own ticketing system, the right to market directly to consumers was one of the main reasons. The company could offer a vast range of products from artists like Madonna and Jay-Z by going directly to the consumers it already knows are interested in certain genres of music.

“It’s a very important piece of the puzzle for us,” says Nathan Hubbard, CEO of Live Nation’s ticketing unit. “Our job is to create a better mousetrap for the artist so we can look that artist in the eye and say we can help them sell more tickets, build longer-lasting, more loyal, more meaningful, more profitable relationships with their fans.”

Ticketmaster had been mining data for even longer. Not only does the company keep extensive records of concert ticket sales, it purchased the direct-to-fan marketing firm Echo Music in 2007 to help it gather information on artist Web site traffic, merchandise sales and fan club activity. If Ticketmaster and Live Nation do in fact merge, the combined company would have a remarkable amount of information on consumer tastes, an online platform to sell everything from tickets to digital music and the megadeals deals that would allow it to sell products on an exclusive basis.

Topspin and services like it are newer to the game but pose a similar threat to labels by allowing artists to market to fans directly without the help of the majors. Their platforms can collect and analyze data on the sales and online interactions associated with each individual artist’s campaign, and Topspin plans to offer artists the ability to use the data collected from other acts’ sales to better target their own marketing campaigns.

In the future, the companies that can collect the most data and analyze it most effectively will have a huge advantage when it comes to providing the best marketing and promotion online. And although companies may work together in certain cases, most of the time they probably won’t.

“It is in everybody’s best interest to work together, but at the same time you recognize at some point we’re all going to be competing with each other,” says Mark Montgomery, former CEO of Echo Music.

“You’re seeing record companies moving more toward the management sphere, and managers moving more toward the label sphere. You’re going to see people move into each other’s spaces, and that’s going to create a lot of friction in the short term. But at the end of the day, the people who add value are going to stay in the equation and the people who don’t are going to get eliminated.”

Naturally, the major labels are taking steps to ensure they won’t fall into the latter category—first by offering more direct-to-fan initiatives that will allow them to collect data and second by demanding more data from their online partners.

Last year EMI launched its EMI Music portal, where the label can make digital music and services available to fans in a variety of bundles, formats and prices. As of now it includes a music recommendation engine, a playing list feature, artist-based online games, and music videos and streaming song clips from an enhanced music player. Merrill says that one purpose of the site is to simply observe how fans interact with these features, then use that information to better target the products it sells on other sites.

“‘Innovation’ is not driven by asking people what they want, it’s driven by watching what they do,” he says. “The record industry to date has not been a force for innovation. If we’re going to come around to this new world, we need to figure out what the new business models look like. The only way to do that is to innovate and the only way to innovate is to experiment.”

Other major-label direct-to-fan services include Sony Music’s MyPlay music video platform, Warner Music Group’s Cisco-powered social networking additions to artist Web sites and Universal Music Group’s pending Hulu-for-music videos service. But the bulk of the online music activity still takes place on the sites of companies like MySpace, YouTube and iTunes, so labels have become more aggressive about negotiating contracts that call on their partners to provide more data.

“We know whether someone has friended an artist, whether they listened to them on the band page or their friend’s page, whether their friends are listening,” MySpace Music president Courtney Holt boasted at a recent music industry conference. "Artists that engage will get access to that data.’’

What Holt didn’t say is that the labels involved in the MySpace Music joint venture required the company to provide this information to them as part of their licensing agreements. According to sources involved, the level of detail labels demanded from MySpace Music made the company scramble to ensure it could deliver—and may even have played a role in delaying the service’s launch. The oft-delayed Facebook music service may also be held up due to disagreements about sharing customer data.

Indeed, data is emerging as a sort of virtual currency in any new music licensing deal. “For some startups just entering the space, we may not get revenue out of them but we’re going to get some insight out of them,” says Greg Scholl, CEO of digital distributor the Orchard.

This brave new world is still in its early days, and sources say it will take the better part of this year to develop systems that can more effectively turn all of this information into concrete ideas for more effectively selling music. But the major labels are already quietly acknowledging the idea that niche targeting will replace mass marketing, at least partly for cost reasons, and that the only way to make that possible is to collect as much information as possible on how fans actually listen to music.

“You then have to understand who is buying a smaller number of albums,” Merrill says. “And reach out to them directly.”

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**The Donors**

Analyzing information has never been a part of the music business, so most of the top companies have gone outside the industry for help.

**EMI MUSIC GROUP**

**CORY ONDREJKA, SENIOR VP OF DIGITAL STRATEGY**

Coming to EMI from Second Life developer Linden Labs, which he co-founded, Cory Ondrejka is charged with hiring developers to build EMI’s internal data collection infrastructure, as well as the tools needed to analyze the information.

**WARNER MUSIC GROUP**

**PETER SCHERR, SENIOR VP OF INTERACTIVE MARKETING**

Peter Scherr hails from JetBlue, where he turned the airline’s Web site into a sales tool that generates $2 billion in annual ticket revenue. He leads the team charged with e-commerce, search engine marketing and Web site optimization.

**SONY MUSIC ENTERTAINMENT**

**DAN PELSON, EXECUTIVE VP OF DIRECT TO CONSUMER**

Formerly senior VP of global consumer marketing at Warner Music Group, Dan Pelson worked at several Internet startups including Bolt and founded the music-focused social network uPlayMe. He now oversees Sony’s music services, such as the MyPlay music video network.

**UNIVERSAL MUSIC GROUP**

**GEOFF MAYFIELD, VP OF BUSINESS ANALYSIS AND MARKET RESEARCH**

After 23 years as Billboard’s director of charts and senior analyst, Geoffrey Mayfield last year became the top data analyst for UMG’s sales, marketing and distribution division, where he analyzes data from UMG’s distribution activities.

**TICKETMASTER**

**KIP LEVIN, VP OF PRODUCT DEVELOPMENT**

Kip Levin oversees ticketmaster.com and leads the group responsible for the creation, management and marketing of all Ticketmaster’s client and consumer products. He hails from Shopzilla and was formerly an online retail strategy analyst with Forrester Research.

**LIVE NATION**

**ROBERT PETERS, CHIEF STRATEGY OFFICER OF GLOBAL MUSIC**

Robert Peters had been president of the creative marketing and promotion company the Hive before he came to Live Nation. He helps develop the company’s strategic initiatives, using data to track the success of these efforts.

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Rock of ages: Mastodon's BILL KELLIHER, BRANN DAILOR, BRENT HINDS and TROY SANDERS (from left)

RASPUTIN... ASTRAL TRAVEL... UMBILICAL CORDS... THE WORLD OF MASTODON
"YOU'VE GOT TO TAKE ACID FIRST.
Did you take the acid on page five, where it says 'lick'?
That's Mastodon guitarist Bill Kelliher's suggestion as Billboard begins to ask him about the concept behind "Crack the Skye," the Atlanta-based metal band's eagerly anticipated new album. Kelliher may be half-joking, but it's safe to say that several hundred thousand minds will be expanded while listening to the Brendan O'Brien-produced project, which arrives March 24 on Warner Bros. In fact, it's best to just let drummer Brann Dailor explain the seven-song, 50-minute album. And yes, he's completely serious.

"It's about a crippled young man who experiments with astral travel. He goes up into outer space, goes too close to the sun, gets his golden umbilical cord burned off, flies into a wormhole, is thrust into the spirit real, has conversations with spirits about the fact that he's not really dead, and they decide to help him. They put him into a divination that's being performed by an early-20th-century Russian Orthodox sect called the Klissi, which Rasputin is part of. "Knowing Rasputin is about to be murdered, they put the young boy's spirit inside of Rasputin. Rasputin goes to usurp the throne of the czar and is murdered by the Yusupovs, and the boy and Rasputin fly out of Rasputin's body up through the crack in the sky and head back. Rasputin gets him safely back into his body."
Dailor pauses.
"That's the basic story," he says, "but it's all metaphors for personal shit."

Got all that? Good. Because there's also plenty of music to digest. More expansive and nuanced than any of the band's prior albums, "Crack the Skye" filters classic Black Sabbath and Metallica through an eye-opening array of arrangements and motifs. Chiming, gloomy buildups get absorbed by dueling, harmonized solos. Half-speed black riffs butt up against organs and flutes, and drum fusillades battle for space with out-and-out shredding.

Mastodon is an anomaly in the world of metal and hard rock. The group's music is heavy enough to appeal to listeners who think Metallica hasn't made a good album in 20 years, but interesting enough to prick up the ears of prog, indie-rock and even hardcore and punk fans. The band is just as natural a
WHO’S GOT NEXT?

Billboard polled five movers and shakers from the worlds of metal and hard rock to talk about up-and-coming bands.

KEVIN LYMAN
Title: Founder, Vans Warped and Mayhem tours

Bands of choice: Suicide Silence, 36 Crazyfists

“They both deliver great live shows. It always comes down to that for me, and both of them bring it live. The music is current—it’s a hybrid of what’s going on, but I think it’s very good. One of the reasons I started Mayhem was to help the bands on the second stages, so it’s been nice to see these two gain momentum, get traction and turn into headliners.”

BRIAN SLAGEL
Title: President, Metal Blade Records

Band of choice: Lazarus A.D.

“They’re thrashy, a little old-school Metallica with a slice of Lamb of God thrown in. Phenomenal riffs. They’re doing something that’s a bit more interesting than the metal scene that’s been around the past few years. The quote unquote metalcore scene is going away. The big bands are still around from that, but a lot of the other bands didn’t progress.”

CARL SEVORON
Title: President, Ferret Music

Bands of choice: Job for a Cowboy, Lamb of God

“With Job for a Cowboy, I heard from a lot of high-level A&R people who said they were a flavor of the month, but they’re close to 80,000 in scans, have toured the world and have transcended MY-space hype. Another band that never ceases to excite me is Lamb of God. Their next record could easily be a No. 1, which hearkens back to the days of Pantera. That was straight metal and was the No. 1 album in a pop-centric culture.”

TIM BOOROR
Title: Agent, the Agency Group

Bands of choice: Municipal Waste

“This is a band I’m championing—they’re from Richmond, Va., and signed to Earache. They’re kind of old-school punk with a dose of some thrash crossover, or the other way around. We’ve got them on the Lamb of God tour in April and May. Another up-and-coming band that is more thrashy is Lazarus A.D.”

VINCE NEILSTEIN
Title: Founder, MetalSucks.com

Band of choice: Gojira

“They’re from France, but they sing in English. They are, in my opinion, some of the most creative musicians who really strive to push forward the genre. They somehow find a way to be heavier than any other band but still manage to be accessible. They’re very environmentally and socially conscious, which is definitely a rarity in the metal community, as far as lyrics go. That’s one of the more interesting things about them to me, even though I’m not generally a lyrics guy.”

-David Cline

...angry young guys, the music we were playing was super-aggressive,” Kellner says. “That’s the place to be.”

The group developed a deep relationship with its fan base, best illustrated by the limited deluxe edition of “Crack the Sky,” which is being sold only on MastodonRocks.com. This version includes an elaborate tunnel book by artist Paul Romano, with 3-D artwork that reflects the album’s concepts, as well as a 14-inch-by-14-inch lithograph. Mastodon is autographing select pieces as well. "This is a fan piece only—we didn’t promote it or give it to strategic partners," says Tom Osborn, the band’s marketing manager at Warner Bros. "The fans have been so responsive to us doing this higher-end stuff, and that’s because the band has such a clear vision for how it wants people to experience the album.”

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HAZARDOUS CONDITIONS

The Decemberists Push The Envelope With New Concept Album

The Decemberists got ambitious on their major-label debut, "The Crane Wife," released in 2006 by Capitol. Frontman Colin Meloy's cerebral, bookish spin on a tragic Japanese folk tale was augmented with grandiose arrangements, including two songs that ran more than 12 minutes.

The album was a big hit, selling 289,000 copies in the United States, according to Nielsen SoundScan, close to 100,000 more than the band's final Kill Rock Stars release, "Picaresque." So the follow-up could have gone one of two ways.

"The album was going to be either quiet and subdued or just way over the top and ostentatious," Meloy recalls. "And we went for the latter."

The result is "The Hazards of Love," which Capitol will release March 24. The 17-song concept album takes common folk motifs and weaves them into a longform narrative, while dabbling in everything from acoustic interludes to heavy guitar rock.

The story concerns the trials and tribulations of Margaret, her lover, William; the queen of a spooky forest; and a rake who interferes in it all.

The term "rock opera" has already been tossed around to describe it, a description that Meloy doesn't protest. One reason is because he started working on "Hazards" as a theater piece, not as an album. "I like to think of it as a play through voices—something that you would sit and listen to," Meloy explains. "If you're going to attach 'opera' to it, then it's more of a folk opera—from the folk idioms. But then you get into trouble with the deep musical theater traditionalists. It's sort of an experimental narrative, if anything."

Meloy cites the Stephen Sondheim musical "Into the Woods" as a comparison, since the plot intertwines the characters of fairy tales. On first listen, "Hazards" is not easy to digest, but Meloy maintains the narrative is rather simple, even by Decemberists standards.

"The Margarets and the Williams exist in too many folk songs to recount," he says. "And they're all kind of the same character: a young person, desperately in need for love. And regardless to what terrible things befall them, I thought, 'Why not make them exist through this narrative where they're all going through these events that happen in the folk songs, and see how they end up?'"

Fans got an early preview of the material in January when the band offered a free download of "The Rake's Song," and "The Hazards of Love 1" is streaming on MySpace. The album's narrative nature is appealing to Capitol, which believes fans will snap up the record in full rather than cherry-pick a handful of tracks.

"We're in a world that is obsessed with singles and a lot of disposable content," EMI North America head of marketing Howard Handler says. "And these guys are putting forward a really ambitious, rich rock record. It's the kind of album that you really want to hear. It's the kind of album that would make a great position to listen from start to finish and make a deep connection with."

Handler says the band's willingness to heavily engage its fan base creates built-in promo opportunities. Through a partnership with Rough Trade, to which the band is signed overseas, the Decemberists will hold a contest with film school students to create a video for an as-yet-undetermined track. And in the States, a "design the posters" contest is in progress around the band's performance in March at South by Southwest.

That show, to be held March 18 at Stubb's Bar-B-Q, will be broadcast on NPR stations around the country and streamed live on NPR's Web site. Most important, it will be the first time the public gets a taste of "Hazards" from start to finish. "For us, that's going to be a real linchpin event," Handler says. An exclusive 7-inch vinyl single is also slated to come out on Record Store Day in April.

The Decemberists will perform the album in its entirety throughout their spring tour, which begins May 19 in Los Angeles and wraps June 10 at New York's Radio City Music Hall. And now that all is said and done, Meloy is pleased "Hazards" turned into something fans will be able to experience as rock 'n' roll, rather than musical theater. "I like it existing just as a record. There is no literal playing out of the action—the action is all happening in your head, leaving it a little loose," he says. "The story, in places, is sort of nonsensical. I like it best with people just listening to it and making their own inferences."
Workingman’s Blues

John Rich Strikes A Chord With ‘Shuttin’ Detroit Down’

John Rich, one half of Big & Rich, has the current economic crisis and some greedy executives to thank for his new solo hit, ‘Shuttin’ Detroit Down’ quickly caught radio’s attention after airing on country station WYCD Detroit’s “Dr. Don Morning Show.” Just five weeks after release, the song is No. 18 on Billboard’s Hot Country Songs chart.

Rich wrote the song, which includes the lyrics, “In the real world, they’re shuttin’ Detroit down/While the boss takes his bonus and jets on out of town,” after watching the news of bank bailouts and executive greed. “He wrote it and less than 24 hours later it aired on WYCD,” PD Tim Roberts says.

Roberts adds that the song resonates with listeners. “Once in a while country music captures a moment in time, like when Alan Jackson wrote ‘Where Were You’ after 9-11. ‘Shuttin’ Down Detroit’ has the same emotional impact and speaks directly to the hearts of Americans.”

“It’s saying what people think—people are pissed off,” Rich says.

Because of the single’s rapid ascent, Warner Bros. moved up the release of Rich’s solo debut, “Son of a Preacher Man,” from May to March 24. The first release from his forthcoming album, “Another You,” was pulled when it became clear that “Shuttin’ Detroit Down” was just taking off.

Rich approached Warner Bros. about doing a solo album when Big & Rich decided it wouldn’t be touring extensively in 2008 because of Big Kenny’s recurring back problems.

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GLOBAL PULSE

INDIE’ SUPERGROUP

Following in the footsteps of Prince and Sigur Ros, the genre-bending act Mongrel is the latest band to give away music with a British newspaper. Approximately 400,000 copies of its debut album, “Better Than Heavy,” will be distributed as a free covermount with the March 7 edition of the Independent. A deluxe version will be available digitally March 8 and a double-CD hits U.K. stores March 23 through the independent label Wall of Sound. A European rollout will be staggered throughout March through Wall of Sound/PIAS.

Fusing dub, funk, rock, hip-hop and world music, Mongrel was formed in 2008 by Revver & the Makers vocalist Jon McClure alongside former Arctic Monkeys bassist Andy Nicholson, Babyshambles guitarist Drew McConnell and U.K. rapper Lowkey.

“Mongrel is the band that I would create if we could all make albums in different ways and we market and distribute them in different ways,” says manager David Bianchi of London-based Grand Union Management. Mongrel will embark on a European Tour in March 30–April 13 followed by a five-date U.K. tour in May, booked through London-based Coda Music Agency. U.K. live dates aren’t yet planned but there are discussions with labels about a release.

“Sonically and in its approach and its scope, [Mongrel] is very far away from what the majority of bands are doing,” says McClure, who is represented by EMI Music Publishing. —Richard Smirk

JOYFUL RETURN

Following the death of Miriam Makeba in November, the woman most widely tipped to assume her mantle as “Mama Africa” is Mali’s Oumou Sangare. “Seya” (World Circuit Records) is the 41-year-old diva’s first international release since “Oumou” (2003).

Released Feb. 23 in the United Kingdom and Europe, “Seya” combines her familiar
themes about the rights of African women with danceable Afro-funk rhythms, provided by a cast that includes former James Brown sideman Pee Wee Ellis and Fred Wesley. "When I sing, it's joyful, and 'Seya' means 'joy' in Mali's Bambara language," Sangare says. "But I always take the opportunity to slip in messages. Where I come from, that's important."

After appearing last year with Blur/Gorillaz leader MONGREL

Damon Albarn's Africa Express multi-artist live project, Sangare will promote "Seya" with a year of touring, beginning in March in France and continuing through the United Kingdom, Germany, Belgium, Spain, Holland and Scandinavia. Booking and management is by the London-based World Circuit and publishing by World Circuit Music. A U.S. release follows on Nonesuch later this year.

"In Africa, Oumou's a super-star with all World's products named after her, including a car," says Lucy Duran, host of BBC Radio 3's "World Routes" show. "This feels like the record to take her to the broadest international audience."

—Nigel Williamson

**ROCK NOBILITY**

While Bitty Clyro fans await the Scottish rock act's follow-up to 2007's UK gold-certified album "Puzzle" (14th Floor/Warner Music), frontman Simon Neil is showing the world a different side of himself as one half of Marmaduke Duke with J.P. Reid from the alt-rock band Suciopero. The pair releases its second album, "Duke Pandemonium," May 4 in the United Kingdom through 14th Floor Records. Its electronic tinged, conceptual rock will come as a surprise to Bitty Clyro's followers.

"It's a good change to do something that's really odd and dancey," says Neil, who adds that Bitty Clyro is "rehearsing and we're looking to start recording a new album in May."

"Duke Pandemonium" is the follow-up to 2005's low-key indie debut "The Magnificent Duke" (Captains of Industry), the first of a planned trilogy. It wasn't released in the United States but sold 75,000 copies in the United Kingdom and Europe, according to Warner.

Marmaduke Duke is planning a U.S. release for the new album in early summer, with possible shows in New York produced through the William Morris Agency. The single "Kid Gloves" will be released March 2 during a six-date U.K. tour, booked through ITB. Marmaduke Duke is published by Good Soldier Songs/Universal Music and managed by Dee Bahl at Glasgow-based 1554 Management.

—Nichola Browne

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**MUSIC**

**Kiss Off**

**By Hillary Crosley**

**Kiss Off**

Jadakiss Preps New Album, Team

Jadakiss' lyrical prowess is legendar. After all, this is the rapper who name-checked Tupac, the Notorious B.I.G., Aaliyah, Michael Jordan, Haile Berry and Denzel Washington in one song, 2004's "Why?" And in the buildup to his next album, Def Jam wants to remind his fans of the MC's dexterity at putting poetry in motion.

Five years after his sophomore set, 2004's "Kiss That Game Goodbye," Jadakiss is ready to release his third solo album, "The Last Kiss," in April. It is his first project through Roc-Fella/Def Jam.

In recent years, Jadakiss stayed relatively quiet and found a new manager, Yanele Arty. But he didn't disappear completely. He kept his name on the scene by collaborating with Lil Wayne and Baby of Cash Money; their collaboration, "Pop Bottles," peaked at No. 6 on Billboard's Rap Songs chart.

Now that he's ready to release his own work, Def Jam marketing director Shari Bryant wants to focus on Jadakiss' longtime fans by promoting his lyrical talents to his online fan base. "We began a program called 'Jadakiss Quotable' in December to alert his core [fans] that he's coming out," Bryant says. "It is a series of viral blasts that had sent out his best verses."

Def Jam also introduced Jadakiss.com as another hub for promotion. "We're not going to make him blog, that's not his personality, but we are shooting short webisodes called "Jadakiss Uncensored,"" Bryant says. "It really just captures content with him and shows people that he's hilarious."

Jadakiss will get to show off his stand-up skills when he appears on BET's "106th & Park" and introduce the video for his current single, "Can't Stop Me," which is No. 7 on Billboard's Hot R&B/Hip-Hop Songs chart. And while Bryant admits that all of this web presence isn't a direct path to convincing a consumer to buy "The Last Kiss," she does notice encouraging signs in the form of comments and visitors.

"We have so many artists that are all over the Internet but don't get traction," Bryant says. "The Web just raises awareness; people have to be vested in an artist to buy their albums. With Jadakiss, I think it's an easy road to remind his core audience, but we have to reach these kids now."

For his part, Jadakiss spent the last several years building a solid management team, perhaps in response to his previous battles with major labels. A few years back, issues with former label head Sean "Diddy" Combs threatened to derail his career. In 1998, after rap group the LOX released its debut album, "Money, Power & Respect," through Combs' Bad Boy Records, members Jadakiss, Styles P and Sheek Louch decided to jump ship. It later became clear—primarily when the act showed up at a New York performance wearing T-shirts that read "Let the LOX Go" a year later—that the parting wasn't amicable. Apparently, when the LOX left the label, Combs still owned the members' publishing, which prompted the group to fight for royalties.

The verbal battle lasted until 2005, when the two put their differences aside to perform with Jay-Z at his "I Declare War" concert. Shortly after, during an interview at WQHT (Hot 97) in New York, Jadakiss asked for his publishing from Combs, and Combs, through a phone call that aired live, granted it.

"If you notice all the artists that have made it, like Kanye and Ludacris, they've got their own staff," Jadakiss says. "Which is why I had to get the right manager and really get the right lawyer."

Additional reporting by Marisol Conception.

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  Millennial Media
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  CEO/Founder
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ROCK

CHRIS CORNELL

Scream
Producer: Timbaland
Mid illnesses
Release Date: March 10

The off-delayed blend of Chris Cornell's trademark grunge-soul growl and Timbaland's percolating computer grooves, "Scream," is no less bizarre than its team-up suggests. Sometimes it's good bizarre: "Never Far Away" throbs with a dark drama not unlike the kind Cornell brought to his 2007 cover of Michael Jackson's "Billie Jean." Other times it's bad bizarre: With its layered harmony vocals and chintzy Middle Eastern trimmings, "Take Me Alive" sounds like it should be credited to the Pussycat Dudes. Throughout "Scream," though, you have to admire Cornell's and Timbaland's conviction. This music never gives off the whiff of desperation, even when it probably should. -MW

BELL X1

Blue Lights on the Runway
Producer: Phil Hayes
Vee Doo
Release Date: March 3

You've got to respect anyone who declares, "I want to be a better band," and puts it on a record, as Paul Noonan and Bell X1 do on their fourth outing, Mission accomplished. Coming on the heels of 2005's lauded "Flock" and the 2008 departure of Brian Crosby, the Irish quartet holds up its end with an album of melodically memorable and inventively arranged songs, most clocking in at more than five minutes and masquerading listeners with a wash of keyboard and guitar textures. There are echoes of the past throughout "Blue Lights:" "The Rib's of a Broken Umbrella" has a synth hook that rolls out like vintage Echo & the Bunnymen, "The Great Deflector" cops Talking Heads so obviously Noonan has even acknowledged it, and "One Strangled Harp" boasts the kind of epic pop construction associated with Burt Bacharach tunes. But Bell X1 also shows it can kick up a convincing bit of guitar noise ("Breasted"), integrate classical piano figures ("Blow Ins") and New Orleans brass ("The Curtains Are Twitchin'") and even spend seven minutes singing about "Areelia" (that would be Earhart). -GG

NEKO CASE

Middle Cyclone
Producers: Neko Case, Darryl Neuendorf
Anti
Release Date: March 3

Indie rock's favorite (and most prolific) red-headed woman has never sounded more assured than she does on this solo-billed set, a soaring, brisk ruminating on love and other matters that comes with a dusty tinge befitting its Arizona roots. (Bonus: It also sports an early candidate for best album cover of 2009.) Case inhabits her various incarnations with enviable assurance, turning up wonderfully aggressive one minute ("The next time you say forever, I will punch you in your face") and feisty the next ("I'm a man man man, but still you're surprised when I eat ya."). But she turns the lights low for "The Pharaohs," where she casts herself as a "blue blue baby," and the album's loveliest moment, a wistly take on Harry Nilsson's gorgeous "Don't Forget Me" that makes you sort of obsessed with her melancholy. Case brings along her traditional core band heavy, as well as guests that include Ward, Los Lobos and a few New Pornographers, but never for one minute can you take your eyes off the woman in the spotlight. -JN

POP

JESSE HARRIS

With the Sky
Producers: Jesse Harris, Terry Manning
Mercey Street
Release Date: March 3

New York singer/songwriter Jesse Harris' latest solo outing, "Watching the Sky," continues to tread the safe, easy-listening waters of his previous efforts. The best moments of the set, which includes Harris with engineer/co-producer Terry Manning, come courtesy of welcome instrumental flourishes, such as the sunny horn bursts that live up "On A Day" and the lo-fi-sounding title song, as well as the muted brass section that adds a somber touch to "Dirty Paradise." The darker shuffle of "I Think You're Hiding Something" and two instrumental passages attempt to shake things up a bit, though on the whole it would serve Harris well to take a few more chances. For those still most familiar with Harris' Grammy Award-winning work with Norah Jones, there's the warm, familiar-sounding "It Will Stay With Us" (first heard on the Ethan Hawke-directed film "The Hottest State," for which Harris penned the soundtrack), which features the smoky-voiced songstress on backing vocals. -JM

LATIN

LOS FABULOSOS CADILLACS

La Luz Del Rito
Producers: Robert Cerranza, Los Fabulosos Cadillacs

National Records
Release Date: March 3

After a nearly 10-year absence from the studio, Argentina's beloved ska-rock-Latin fusionists par excellence are back with a collection of new tracks and reworked classics. The album is essentially a party favor to go with the first LFC tour in several years, and while it's of minor importance in their pedigree, there are some pleasures here. The new originals are fine melodic pop, except for the upbeat title track, which recalls the Cadillac's trademark energetic tropicalia. The best of the redone versions are the whacked-out cumbia "Padre Nuestro" and the reggae track "Muy, Muy Temprano," with an bright brass jam that feels like a leisurely stroll on the beach. The Cadillacs' Spanish version of "Should I Stay or Should I Go" by the Clash is a priceless gimme. -ABY

RAUL MALO

Lucky One
Producer: Steve Berin
Fantasy
Release Date: March 3

Raul Malo hasn't released an album of his own songs in eight years, but he's hardly been idle. From his two-man band Mavericks frontman's two ambitious covers albums—2006's "You're Only Lonely" and 2007's "After Hours"—formed a kind of two-session master class whose impact on "Lucky One" cannot be overstated. Produced by Los Lobos' Steve Berlin, who also helmed "Today," Malo's 2001 solo debut, the 12 tracks straddle genre lines and echo many of Malo's influences. Roy Orbison's ghost hangs over the airy "Crying For You," while "You Always Win" would fit comfortably into the Rat Pack's repertoire. Latin flavors slip into the gentle "Rosalie" and the brass-pumped title track. The subtle country inflections of "One More Angel" and the album-closing "So Beautiful" remind us where Malo comes from. But the real virtue of "Lucky One," as on all of his previous efforts, is Malo's voice, a full, rich tenor that conveys dramatic emotional sweep without an gratuitously emotive technique. It was nice hearing those vocal phrases mixed in with other people's songs during the past few years, but it's good to hear him singing his own again. -GG
Mavado has been acclaimed as one of reggae music's most influential new artists since 2006, when his street single "Weh Dem a Go" gained major airplay worldwide. On his sophomore album, the MC continues to prove he is on top of his game for the streets with the title "Life of a G." Mavado delivers hardcore lyrics like, "Dis is wat the gangster life is like... me hay [hide] mi gun since mi inna classroom," over a hard-hitting, beat-driven beat. While he continues to boost his street cred on tracks like "Gangster Don't Play" and "Real Killer," he balances the set with the regretful "Jailhouse," which finds him whining about not wanting to go back to jail, and "Overcome," which samples the protest song "We Shall Overcome."—MC

A new release, regardless of chart potential, highly recommended for musical merit. All albums commercially available in the United States are eligible for year-end album reviews. Critics' Choice: A new release, regardless of chart potential, highly recommended for musical merit.
“Hello” may be among Lionel Richie’s signature No. 1 songs, but for more than 30 years, the singer/songwriter hasn’t so much as paused for a “bye for now.” The five-time Grammy Award recipient and Academy Award winner has been a chart fixture at pop, R&B, AC and dance—beginning in 1974 as a founding member of the Commodores, then as a solo artist and producer from 1981 on—with a consistency seldom seen in the music business.

A quick count: six R&B chart-toppers with the group, then five No. 1s on the billboard Hot 100 and Hot R&B/Hip-Hop Songs—and at Adult Contemporary, 11 No. 1s that have spent a staggering total of 51 weeks riding the chart’s crest, including “Endless Love” (with Diana Ross), “Truly,” “All Night Long (All Night)” and “Say You, Say Me.”

Now, the title track and first single from Richie’s new album “Just Go,” due May 19 on Island, has catapulted into the top 20 at AC in only three weeks, a rare feat at a format known for dragging its feet when it comes to chart momentum. The song is also gaining at adult R&B, where it is No. 31 this issue.

“What freaking year is this?” asks Richie with a laugh. “This opens up a wonderful feeling of I remember this.” Times like these make it all the more exciting. In a way, this feels better than the days when everything was still ahead, with ‘Brick House,’” the Commodores’ top five 1977 hit.

Collaborating with Richie on the new album are contemporary hitmakers-Dream, Tricky Stewart and, on the playful reggae-splashed single, Akon. The latter pair were aligned by executive producer Antonio “L.A.” Reid. “You never know how these things are going to go, but we could have recorded a whole side of the album,” Richie says. “I am used to being the control guy—the writer, producer, arranger and singer. But Akon understands melody, he’s a storyteller. We wrote this song in two-and-a-half hours. It was a love fest. I told him, ‘You are Lionel Richie 2009.’ ”

Meanwhile, Steve Bartels, president/CEO of Island Def Jam Music Group, maintains faith in Richie’s timelessness. “He’s an incredible entrepreneur who stays close to his fans by touring the world with a body of contemporary hits. He’s a world-class performer in his own right with a voice that is instantly recognizable. He obviously has upper-demon reach, but his appeal is diverse, across many formats.”

Richie’s own recipe for longevity? “If you’ve got a good tune, you’ve got a couple of years to work it, if you’ve got a song, you can have a career. Songs stick,” he says. “Somewhere along the line, parents played my records over and over again for their children. Now their kids are showing up. It’s college time all over again, which is amazing.”

In addition, long-term success requires adapting to an ever-evolving industry. “There’s a difference between the music business and the business of music. You can go to bed tonight with a No. 1 record and wake up tomorrow ice cold. Survival is about taking time to make record labels and radio understand who you are—your brand. This is a business of relationships and it’s still my responsibility to go meet the DJs. A lot of artists forget that.”

Richie will extend his hand to audiences with a 100-date European tour launching in March in Dublin and wrapping in May in Belgium. Stops in the United States and Australia follow throughout 2009.

“I’m kind of laughing at getting to go through this whole process again,” Richie says. “It’s been an unbelievable journey. In my head, I’m just getting started. Call me in 20 years and we’ll talk about the next chapter.”

GOOD COMPANY

Take this, tabloids! Britney Spears moves into a tie for the second-most No. 1s in the Mainstream Top 40 chart’s 16-year history, as “Circus” (JLG) becomes her fifth chart-topper with a 3-1 jump. She joins Beyoncé, Avril Lavigne, Pink and former Flame Justin Timberlake with a handful of chart-toppers, trailing only Mariah Carey’s six career leaders. Meanwhile, Spears charts her 22nd entry at the format, as “If U Seek Amy” opens at No. 40, putting her in the company of Beyoncé, Rihanna, Carey, Janet Jackson and Whitney Houston as one of only six female artists to boast three simultaneously charting titles.

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<tr>
<th>ARTIST</th>
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<td>“Circus,” “Womanizer,” “If U Seek Amy”</td>
<td>2009</td>
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<tr>
<td>Beyoncé</td>
<td>“Single Ladies (Put a Ring on It),” “If I Were a Boy,” “Halo”</td>
<td>2009</td>
</tr>
<tr>
<td>Rihanna</td>
<td>“Shut Up and Drive,” “Umbrella,” “Hate That I Love You”</td>
<td>2007</td>
</tr>
<tr>
<td>Mariah Carey</td>
<td>“Shake It Off,” “We Belong Together,” “Don’t Forget About Us”</td>
<td>2005</td>
</tr>
<tr>
<td>Janet Jackson</td>
<td>“If,” “That’s the Way Love Goes,” “Again”</td>
<td>1993</td>
</tr>
<tr>
<td>Whitney Houston</td>
<td>“I’m Every Woman,” “I Have Nothing,” “I Will Always Love You”</td>
<td>1993</td>
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SOURCE: Nielsen BDS
The BRIT Parade

By Paul Sexton

Award Give Big Boost To Duffy, Kings

The 2009 BRIT Awards brought sales gains for several winners and performers. And although the event couldn't prevent an 18.4% week-on-week downturn in the U.K. albums market, the biz remains upbeat about the show's long-term retail benefits.

Triple-winner Duffy saw sales of "Rockferry" (A&M/Universal) increase by nearly 97% after the Feb. 18 event, according to the Official Charts Co. (OCC), while double-victor Kings of Leon's "Only by the Night" (Hand Me Down/Sony BMG) returned to No. 1 with a 56% sales boost.

TV ratings for the show broadcast live by ITV1 were down compared with last year's 6.1 million, pulling in an average 5.2 million viewers. But ITV says the 22% audience share was still 1% above its time-slot average, with 30.7% aged 16-34.

This year, the awards had a notable immediate impact on download sales: The OCC says that before midnight, Duffy's "Warwick Avenue"—which she performed live—was selling double the market average, and albums by Elbow and the Ting Tings were outperforming the market by three times.

The subsequent general-market decline didn't concern Brian Rose, commercial director of Universal Music U.K., who notes that this year's show took place the week after Valentine's Day: "Last year, there wasn't the significant uplift on the performing artists we're seeing this year. The timing was better this year, because it was [school] half-term, so the BRITs got more cut-through. The market was down in totality, but that's because we just had a very strong Valentine's week."

Rose says the upswing continued into the following week for several artists. Sales up until midnight Feb. 24 put Duffy's album up 171% week on week and Elbow's up 114%. He is hopeful that further marketing of "Rockferry," which has already sold 1.8 million copies in the United Kingdom, according to the OCC, will lift it to 2 million, "and the BRITs is a key factor in that."

Elbow's "The Seldom Seen Kid," he adds, is "still a discovery album for a lot of people, and the BRITs gave us a platform to reach an audience we haven't yet."

Metal act Iron Maiden, rarely acknowledged by mainstream media despite its international career albums sales estimated 70 million, brought a boost to the market with "The Final Frontier." Averaging nearly 5 million, the first-week tally was up 30.7% vs. the previous year.

Duffy's "Warwick Avenue" is still No. 1, and "Only by the Night" sold 67,000 copies and returned to the album summit. Manager Ken Levitan of Vector Management says that with U.K. sales of the current album now at 1.5 million, he hopes to reach the 2 million plateau.

"What we've seen at awards shows is that when you have that performance on there, it really picks up," he says. "This helps connect the dots in terms of the songs." He adds that the double BRITs victory also sent an international message. "We let all the [U.S.] radio stations know, we've had e-blasts and press releases and it's been in the papers here. So it does help the overall imaging."

Bigger and Better

The number of live dates may be down, but the time the Eli Young Band spends away from home is up, for sure. Not bad for a touring band that averages 250 dates per year, then scales back to mere 200 to account for promotional visits to radio stations.

"Since Christmas we've had an enormous four days at home," head singer Mike Eli says with a chuckle.

The current single, "Always the Love Songs," written by David Lee Murphy and George Ducas, is No. 24 on Hot Country Songs. And thanks, in part, to the band's whirlwind promotional schedule, "Jet Black and Jealous" (Republic/Universal South) has sold 60,000 copies since its Sept. 16 release, according to Nielsen SoundScan.

The group has its roots firmly planted in Denton, Texas, where Eli and lead guitarist James Young met and performed as a duo at the University of North Texas. The pair evolved into a band in 2000 and began playing an ever-expanding radius around the university. "We started making the circle bigger and bigger and occasionally we'd shoot out to the Southeast or the Midwest," Eli says.

In 2003, producer Frank Liddell attended a show at Dallas' Gypsy Tea Room, where the Eli Young Band was playing with Miranda Lambert, whom Liddell co-produces. Impressed, he signed the act to his label, Carnival Recording, which released the group's album "Level" in 2005; the band moved to Universal South for "Jet Black," where Liddell continues to produce them.

Joel Burke, PD at country KGY Denver, heard about the band during a trip to Austin in 2007. He contacted its manager George Couri, who also works with Jack Ingram and asked for more information. After hearing its music, Burke was convinced that like Texas acts Pat Green and Cross Canadian Ragweed, EYB's music would work in Denver. "That whole sound is part of the DNA station," Burke says.

Burke began playing the "Level" track "When It Rains," which spent 38 weeks on Billboard's Hot Country Songs chart, peaking at No. 34. The song also appears on "Jet Black."

The group is nominated for the Academy of Country Music's top new vocal group or duo award. "We always felt like an underdog in this whole music scene, so it's nice to get recognized as a legitimate national act," Eli says. "Music is our priority but we've always had an eye on conquering the world."

—Ken Tucker

Rainmakers: ELI YOUNG BAND

It was 33 weeks ago that up-and-coming rapper Yung L.A. entered Billboard's R&B/Hip-Hop Songs chart at a modest No. 99 with "Ain't I" (Grand Hustle/Interscope), featuring label head T.I. and labelmate Young Dro. This week, the braggadocio tune reaches No. 9, earning an honor as the second-longest climb to the top 10 in Nielsen SoundScan history.

According to Yung L.A., one reason the track has now caught on is because of his "ahmed-of-the-times" mentality.

"This is what's happening now, but what's happening next? That's the thing about being futuristic; you're always trying to stay ahead of the game," says the Atlanta native, whose moniker includes the initials to his birth name: Leland Austin.

But the 22-year-old rapper wasn't always so innovative. In fact, two years ago, he says, "I was out in Tomahawke [the neighborhood he grew up in] with no shirt on, mohawked-up, just grinning, hustling."

By this time he had released a handful of mixtapes with original music but still hadn't landed his big break. It was during one of these slack moments that he met rapper Young Dro.

"He used to hang out in Summerville, [S.C.], right around the corner from me, and had gotten a hold of one of my mixtapes," he says. "He pulled up and I did a couple of freestyles for him and let him hear some music."

Young Dro was so impressed that two weeks later he set up a meeting between Yung L.A. and T.I.'s manager/ business partner Jason Geter. It took just two weeks until he was signed to Grand Hustle/Interscope. Now, the artist is prepping "Futuristic Leland," slated for a June release, which features production from newcomers Ben Frank and K.E., as well as established beatmakers Polow Da Don and Jim Jonsin.

"It's an album full of self-esteem music," Yung L.A. says. "There's something for everyone to relate to, feel good about yourself and bring life to any situation."

"Ain't I," on which he rhymes, "Ain't my money long/Ain't I putting on," is only one example of the pomposity that "Futuristic Leland" contains. Other tracks include "Damn! I Look Good!"; "Elroy" (which is "a track for the ladies"); "Futuristic," where he welcomes all listeners to the future; and "36 Oz," featuring Lil Boosie, for which a video will be shot next month. Yung L.A. is now on a radio promotional tour and working on a mixtape with DJ Drama, "Lamborghini Leland Austin." (Because I can switch gears so fast; I'm showing the world my versatility and ability," he boasts), to be released in the coming weeks.

"The longer it's out, the easier it will be for me to delve into other things like fashion and films and modeling," he says. "I feel the future will be super bright for me."

—Mariel Conception
The eight Academy Award wins by "Slumdog Millionaire"'s Feb. 22 payoff on the charts, as the movie's soundtrack vaults from No. 48 to No. 2 on the Billboard 200 with 21,000 copies and a 38% gain.

With digital sales becoming an increasingly significant chunk of the overall market, it's no surprise to see that "Slumdog" also rises from No. 15 to No. 3 on Top Digital Albums (12,000, up 109%). This issue's charts reflect the SoundScan week that ended at the close of business Feb. 22, so it's likely most of the gain for "Slumdog" came from purchases made during ABC's broadcast of the Oscars or after the show ended.

Watch for the soundtrack to make another big leap on the Billboard 200 next week, once the full impact from the Oscars is felt in stores. On Nielsen SoundScan's Feb. 25 Building chart, the set was ranked in the top 10. "Slumdog" is the only fourth film to earn Oscars for best picture, original song and original score, following "The Lord of the Rings: The Return of the King," "Titanic" and "Gigi." The latter two films won score trophies in years when the category was divided to recognize dramatic, musical or comedy films separately.

In 1998, when "Titanic" won for original dramatic score, "The Full Monty" earned the Oscar for original musical or comedy score. And in 1959, "Gigi" grabbed the scoring of a musical picture award while "The Old Man and the Sea" earned the Oscar for music score of a dramatic or comedy picture.

"Slumdog" continues to reign as the highest-charting soundtrack to win original score on the Billboard 200 since "Titanic" hit No. 1 in 1998. "Slumdog" peaked at No. 16 last month and could surpass that rank next week.

In recent times it has been rare that an Oscar-winning score has spawned a high-charting album, but "Slumdog," like "Titanic," has managed the feat. And neither was a musical—which would have made it much easier to nationalize their soundtrack albums success. Each film's score acted like a supporting character, driving the story along with memorable music. Both "Titanic" and "Slumdog" left audiences with a tune in their head, too. The closing credits of the former boasted the Oscar-winning song "My Heart Will Go On" while the latter features the catchy-catchy best original song winner "Jai Ho."

It also helps that global music star A.R. Rahman composed the "Slumdog" music, blending electronic and hip-hop beats with world and pop rhythms. It certainly makes for an intoxicating listen.

OSCAR MEMORIES: Last year, sales of the "Once" soundtrack—which included the original song winner "Falling Slowly"—dropped by 2% in the SoundScan week that ended on the same night as the Oscars telecast (Feb. 24). However, the album rebounded the following week with a 143% gain, scoring its best sales week (47,000) and a No. 7 Billboard 200 peak.

"Falling Slowly" sold nearly 14,000 downloads the week ending Feb. 24 (up 135%) and jumped to 41,000 the next week (up 195%). The latter was its best sales week and it debuted and peaked at No. 20 on Hot Digital Songs.

"Atonement" won for original score, but its accompanying album wasn't on the Billboard 200. It did see a small jump in sales during the week ending Feb. 24 and vaulted with a 47% increase the next week, but it still sold less than 2,000 copies.

Neither of the song or score award recipients in 2007 rocked the charts either. Melissa Etheridge's original song winner "I Need to Wake Up," from "An Inconvenient Truth," sold slightly more than 7,000 downloads the week after the Oscars but didn't chart on Hot Digital Songs. That frame remains the track's best sales week. The 2007 original song winner, "Babel," was also absent from any Billboard chart. While its win boosted sales, it never sold more than 2,000 in a week.

FOR THE RECORD: The artwork for last week's column—the cover of the Robert Plant/Alison Krauss album "Raising Sand"—was inadvertently cropped due to a production error. —

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**Market Watch**

**Weekly National Music Sales Report**

**Weekly Unit Sales**

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*Digital album sales are also counted within album sales.*

**Weekly Album Sales** (Million Units)

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**Digital Tracks Sales**

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**Sales by Album Format**

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The chart data includes tracks from various artists with different prices, indicating a wide range of options available in the market.
### HOT COUNTRY SONGS

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<td>1</td>
<td>Toby Keith</td>
<td>God Love Her</td>
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<tr>
<td>2</td>
<td>Kenny Chesney, Mac McAnally</td>
<td>Down the Road</td>
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<tr>
<td>3</td>
<td>Brooks &amp; Dunn featuring Reba McEntire</td>
<td>Cowgirl's Prayer</td>
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<tr>
<td>4</td>
<td>Trace Adkins</td>
<td>I Shouldn't Beisia Mae</td>
<td>10</td>
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<tr>
<td>5</td>
<td>George Strait</td>
<td>River of Love</td>
<td>8</td>
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<tr>
<td>6</td>
<td>Taylor Swift</td>
<td>White Horse</td>
<td>8</td>
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<tr>
<td>7</td>
<td>Darius Rucker</td>
<td>It Won't Be Like This for Long</td>
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<td>8</td>
<td>Craig Morgan</td>
<td>White Horse</td>
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<td>She Wouldn't Be Gone</td>
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<td>Jake Owen</td>
<td>Don't Think I Can Love You (Tonight)</td>
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<td>Tim McGraw</td>
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<td>12</td>
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<td>13</td>
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<td>Here Comes Goodbye</td>
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<td>16</td>
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<td>Ride</td>
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<td>John Rich</td>
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<td>Jack Ingram</td>
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<td>More Like Her</td>
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<td>20</td>
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<td>Carry On</td>
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<td>22</td>
<td>Jimmy Wayne</td>
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<td>23</td>
<td>Martina McBride</td>
<td>I Remember You</td>
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<td>25</td>
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### TOP COUNTRY ALBUMS

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<td>Robert Plant, Alison Krauss</td>
<td>Raising Sand</td>
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<td>Darius Rucker</td>
<td>Learn To Live</td>
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<td>Taylor Swift</td>
<td>Taylor Swift</td>
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<td>Zac Brown Band</td>
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<td>Sugarland</td>
<td>Love On The Inside</td>
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<td>Dierks Bentley</td>
<td>Feel That Fire</td>
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<td>8</td>
<td>The Band Perry</td>
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<td>Lady Antebellum</td>
<td>Carnival Ride</td>
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<td>Willie Nelson and Asleep at the Wheel</td>
<td>Wile &amp; The Wheel</td>
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<td>17</td>
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<td>Troubadour</td>
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<td>Startin' Fires</td>
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<td>Keith Urban</td>
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<td>22</td>
<td>Pat Green</td>
<td>What I'm For</td>
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<td>23</td>
<td>Wynonna</td>
<td>Singing Chapter 1</td>
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<tr>
<td>24</td>
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Keith scores his 11th career No. 1 and extends his hit streak as the artist with the most No. 1s in the new millennium by two chart toppers this decade.

Us 2 million impressions, buckle the chart's second-largest peak, just 20,000 fewer than Supernatural at No. 29.

The third single from "Crazy" tops the Inside" gets the Overall Artist of the Year award, earns the Top 10 Artist award, and wins the Producer of the Year award with his 10th chart topper this decade.

The Hot Country Tuscaloosa, Alabama, residents of the year for the April 22 Sugar Music Awards. Dave And Roach Awards, earns the People's Choice Award with 5% share. Chart runs at 75 positions on Billboard 200.

---

Data for week of MARCH 7, 2009 | For chart reprints call 646-654-4653 | Go to www.billboard.com for complete chart data
### Top Dance Club Play

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<td>2</td>
<td>Away</td>
<td>Avicii &amp; Aloe Blacc feat. Sandro Cavazza</td>
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<td>3</td>
<td>Love Song</td>
<td>Avicii</td>
<td>PM Records</td>
<td>3</td>
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<td>4</td>
<td>The Fear</td>
<td>Avicii feat. Sandro Cavazza</td>
<td>PM Records</td>
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<tr>
<td>5</td>
<td>Candy (Sick and Tired)</td>
<td>Avicii feat. Sandro Cavazza</td>
<td>PM Records</td>
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### Hot Electronic Albums

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<td>Lady Gaga</td>
<td>Interscope</td>
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<td>Digital Sound Systems</td>
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<td>The Verbal Corporation</td>
<td>Various Artists</td>
<td>BMG</td>
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<td>Stroker</td>
<td>Various Artists</td>
<td>RCA</td>
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<td>Gnars Barkley</td>
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### Top Gospel Airplay

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<td>Imagine</td>
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<td>2</td>
<td>Feel My Love</td>
<td>Howard Hewett</td>
<td>Warner Bros.</td>
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<td>3</td>
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### Hot Christian AC Songs

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<td>3</td>
<td>Free To Be Me</td>
<td>Point of Grace</td>
<td>INO</td>
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<td>4</td>
<td>Finally Home</td>
<td>Point of Grace</td>
<td>INO</td>
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<td>5</td>
<td>Give Me Your Eyes</td>
<td>Point of Grace</td>
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### Top Christian Albums

<table>
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<tr>
<td>1</td>
<td>Live &amp; Unplugged</td>
<td>Third Day</td>
<td>INO</td>
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<tr>
<td>2</td>
<td>Greatest</td>
<td>Point of Grace</td>
<td>INO</td>
<td>2</td>
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<td>3</td>
<td>The End</td>
<td>Point of Grace</td>
<td>INO</td>
<td>3</td>
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<td>Point of Grace</td>
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<td>The Greatest Hits</td>
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### Hot Gospel Songs

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<td>Trust You</td>
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<td>By Your Side</td>
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<td>Lord Prepare Me</td>
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**HITS OF THE WORLD**

**JAPAN**

1. UNICORN
2. LUVлож
3. BEAT CRUSADERS
4. WATERBOY
5. TAMAHO
6. ROMANTICISM
7. THEMA
8. LEN
9. Twitter
10. THEMA

**UNITED KINGDOM**

1. ALBUMS
2. CD
3. EP
4. SINGLES

**GERMANY**

1. BRUCE SPRINGSTEEN
2. NEW FRIENDS
3. THE PULL OF THE MOON
4. NEW SOUL
5. TWILIGHT ATLANTIC
6. NEW

**EURO DIGITAL SONGS**

1. POKER FACE
2. THE FEAR
3. USE SOMEBODY
4. THE FEAR
5. SI JAVAIS AU MOINS RIDER /
6. I HATE THIS WAY

**EURO SINGLES SALES**

1. POCKET FACE
2. THE FEAR
3. USE SOMEBODY
4. POCKET FACE
5. POCKET FACE
6. USE SOMEBODY
7. THE FEAR

**EURO ALBUMS**

1. BRUCE SPRINGSTEEN
2. NEW FRIENDS
3. THE PULL OF THE MOON
4. NEW SOUL
5. TWILIGHT ATLANTIC

**EURO RADIO AIRPLAY**

1. HAT COLD
2. ROYAL
3. IF I WERE A BOY
4. THE PULL OF THE MOON
5. THE FEAR

**CHARTS LEGEND on Page 47**

Go to www.billboard.biz for complete chart data.
## SINGLES & TRACKS SONG INDEX

**MAR 7 2009**

### A

<table>
<thead>
<tr>
<th>Artist</th>
<th>Song</th>
<th>Label</th>
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<td>ALWAYS GONNA</td>
<td>B B King</td>
<td>BMG</td>
</tr>
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<td>AMERICAN EARTHQUAKE</td>
<td>Los Alamos Publ., ASCAP</td>
<td>BMG</td>
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<tr>
<td>ANGELS</td>
<td>Jesse McCartney</td>
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<tr>
<td>A SLEEP IN</td>
<td>Nicki Minaj f/Cher</td>
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<td>Kelly Rowland</td>
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<td>BEST DAYS OF YOUR LIFE</td>
<td>Peter Paul &amp; Mary</td>
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<td>BETTER IN TIME</td>
<td>Sarah McLachlan</td>
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<td>COUNTRY STAR</td>
<td>George Clinton, BMG</td>
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<td>Larry Gatlin, BMG</td>
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<td>Mary J. Blige</td>
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<td>Selena Gomez</td>
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### F

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### G

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<td>GET ON MY RIBS</td>
<td>Melanie C &amp; Sporty B, BMG</td>
<td>BMG</td>
</tr>
<tr>
<td>GET ON YOUR KNEES</td>
<td>Joss Stone, BMG</td>
<td>BMG</td>
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<tr>
<td>GET YOUR LIFE TOGETHER</td>
<td>Mariah Carey</td>
<td>BMG</td>
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<tbody>
<tr>
<td>HOLY</td>
<td>Tye Tribbett f/Hezekiah Walker</td>
<td>BMG</td>
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<tr>
<td>KISS THIS PHONE</td>
<td>Girls Aloud</td>
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<tbody>
<tr>
<td>I'M NOT GOING TO SEE</td>
<td>Don Henley &amp; The Eagles</td>
<td>BMG</td>
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<tr>
<td>I'M NOT HERE</td>
<td>Mary J. Blige</td>
<td>BMG</td>
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<tbody>
<tr>
<td>JUICE</td>
<td>Snoop Dogg f/Kenny Burns</td>
<td>BMG</td>
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<td>JUICE</td>
<td>Snoop Dogg f/Kenny Burns</td>
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<td>KISS THE SMOKE</td>
<td>Chris Brown</td>
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<td>MAKING LOVE</td>
<td>David Guetta</td>
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<tr>
<td>NAKED</td>
<td>Clay Cook</td>
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<tr>
<td>O F T</td>
<td>Mark Taylor</td>
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<tr>
<td>PAPA'S KISS</td>
<td>Trisha Yearwood</td>
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<tr>
<td>SONG</td>
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<td>TELL ME WHY</td>
<td>Timbaland</td>
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<tbody>
<tr>
<td>UNTIL I HEARD YOU SING</td>
<td>Kelly Clarkson</td>
<td>BMG</td>
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<tbody>
<tr>
<td>VICKY THE RACK</td>
<td>Dinah</td>
<td>BMG</td>
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<tr>
<td>WANT THAT</td>
<td>Delta Goodrem</td>
<td>BMG</td>
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<td>Ludacris</td>
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<tbody>
<tr>
<td>YOU BELONG WITH ME</td>
<td>Taylor Swift</td>
<td>BMG</td>
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Data for week of MARCH 7, 2009. For chart reprints call 646.654.4633. Go to www.billboard.biz for complete chart data.
HELP WANTED

OLE
MAJORITY INDIE

GENERAL MANAGER

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.majorityindie.com.

The Position

This new position reports to the Chair and CEO and will be located in a city where OLE has operations. The GM will be responsible for assisting the Chair in setting strategy, overseeing the management of daily 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 valuator and oversee 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 the affairs of the corporation within stated corporate governance policy;
• Lead the management and implementation of the 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 driver of business, 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.

corso, mould & morse
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www.americanradiohistory.com
EXECUTIVE TURNTABLE

Send submissions to: exec@billboard.com

RECORD COMPANIES: Island Records appoints Mark DiDia executive VP/GM. He served in the same role at Columbia Records. Sony Music Nashville names Brita Coleman manager of marketing operations. She was manager of label operations at BNA Records.

PUBLISHING: Warner/Chappell Music taps Lee Dannay and Brad Arons as VPs of A&R and Peter Visvairdi as senior director of A&R. Dannay was VP of A&R at Columbia Records. Arons was director of creative affairs at BMG Music Publishing, and Visvairdi was director of A&R at Zomba Music Publishing.


TOURING: Live Nation ups Michael Yerke to president of talent for House of Blues. He was VP of booking for the Midwest region at Live Nation. Cavaliers Operating Co. names Hallie Yavitch senior director of events for the Quicken Loans Arena in Cleveland. She was associate GM of touring at Magic Arts & Entertainment.

MANAGEMENT: Tenth Street Entertainment names Phillip Kovac senior VP of marketing and artist sponsorships. Senior VP/GM Lewis Kovac will oversee touring in the interim. Phillip was VP of artist touring.

TV/FILM: Sony Pictures Entertainment elevates Paul Friedman to senior VP of music business affairs. He was a VP at MTV Networks Latin America promotes Tatiana Rodriguez to senior VP of programming and creative strategy for Nickelenodeon Latin America. She was VP.

RELATED FIELDS: Licensing and royalty services company RightsFlow names Jason Walker manager of systems. He previously oversaw JWalker Sound.

—Edited by Mitchell Peters

INSIDE TRACK

BOBBING FROM APPLES

Apples in Stereo frontman Robert Schneider knows a thing or two about making weird sounds with strange instruments, but his newest music is geared not to the post-rock crowd but the preschool set. Schneider's latest project, "Robbert Bobbert and the Bubble Machine," was released last week through the kiddie label Little Monster.

"On Apples records, I try to use interesting music instruments and fun arrangements," Schneider tells Track. "So I use those same aesthetic choices and rules and transfer them to kids' music. Now, instead of fuzzy guitars playing a crazy melody line, it's a xylophone. Instead of grown-up stuff, it's about puppy dogs and clocks."

Schneider is also busy developing a "Bobbert" animated TV show with Punny Entertainment, the animation company behind Nickelodeon's "Yo Gabba Gabba." The group is working on its first pilot episode.

"Bobbert" is "just a side thing" before Apples in Stereo went headlong into recording. Schneider says he and the band have already begun work on the next album and will reconvene next week to hash out more tracks. "This record will have the sounds of classic R&B that's played through that UFO that appeared at the end of "Close Encounters" that hummed music as the lights flashed," he says. "Just imagine a dancing jukebox."
SESAC GETS ITS GAME ON

SESAC hosted an enthusiastic group of gamers at its inaugural Music & Gaming Entertainment Seminar at ZUNE LA in Los Angeles. The crowd gathered to hear a panel discussion on the latest in gaming innovations before enjoying a muer that featured guests like R&B artist Marques Houston showing their skills on the Xbox, video game crackers of Teal Hoess.

ABOVE: From left: GRAMMY® Awards executive producer Trevor Daley and VP Trevor Gale.

RIGHT: SESAC executives visit with artist Marques Houston at the cocktail reception. From left: SESAC associate director Josh Peingold, Houston, SESAC associate VP Ellen Trexler and VP Trevor Gale.

SESAC 2009 CHRISTIAN MUSIC AWARDS

SESAC named songwriter/producer Jason Ingram as its 2009 Christian songwriter of the year at a ceremony held Feb. 23 at Nashville’s Sambuca Restaurant. Ingram’s “Give Me Your Eyes” was a No. 1 hit at 34 radio formats in 2008. Peer-awards, Gaither Music and Wordplay Music were named Christian publishers of the year. Other award winners included Ian Eskelin, Stellar Kart’s Adam Agee and This Beautiful Republic’s Jeremy Kunicle.

RIGHT: From left: SESAC associate VP of writer/publisher relations Tim Fink, Griffin/Phoenix/ Jamie Storm and Curb Records director of copyright/royalties Christy Robinson.


Mercury Records U.K. artist Amy Macdonald performed during the Swiss Music Awards Feb. 19 at Zürich’s Club Kanzlei. After the show, she was presented with a plaque recognizing her four-times platinum status in Switzerland (at least 120,000 sold) for her album “This Is the Life.” The album entered at No. 1 on Switzerland’s Rolling Stone chart, as a standing room-only concert and live keyboard concert in New York. Joining herself at the piano on stage were: from left, manager Gary Lattimer, Hybrid Recordings president/director producer John Butler, hybrid production manager John Butler, hybrid production manager John Butler, tour manager Mike Augustine and choreographer Ron Lewit.

Estelle and Talib Kweli attend Ruhi Foundation’s 2009 Gold Rush Award event, held recently at the Red Bull Spa in New York. The fundraiser honored outstanding creative individuals who have given back to the artistic community. (Photo courtesy of the 18007070.)

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