

ALBUM CHART ANALYSIS

#5* EAGLES #6* WINGS

The first week in 1976 that two albums have debuted in the top ten on the **CB** Top 200 LP chart. The Eagles' most recent effort, "Greatest Hits," was a number one album for more than a month as was Wings' last effort "Speed Of Sound." 70% of all accounts reported the Eagles in their top thirty as compared to 67% reporting the Wings. Highlighted action on the Eagles includes reports from Everybody's (#1), Licorice Pizza (#1), Dan Jay (#1), Music Plus (#2), Warehouse (#2), Stark (#2), Northern (#2), World Wide, King Karol, Sound Unltd., Alexanders, Soul City, Tower (S.F.), Jimmy's and Nat. Record Mart. Other number one reports include Peter's, Swallen's, Gary's, Caper's Corner, Zebra and Franklin. An examination of the Wings LP is highlighted by reports from: Warehouse (#1), Music Plus (#1), Dan Jay (#2), Everybody's (#2), Soul City (#2), Alexander's (#2), Nat. Record Mart, Camelot, Tower (S.F.), King Karol, Sound Unltd. and Licorice Pizza. Other number one reports include Norman Cooper, Waxie Maxie, Tower (San Diego), Spec's, Peaches (Atl.), Dick's and Sam Goody (Phila.). Both albums should eventually obtain the number one position as their respective singles experience top airplay. The Eagles' "New Kid In Town" is presently #29* on the **CB** Top 100 Singles chart and the Wings' single is due within two weeks. Both albums have shipped in excess of one million copies and should enjoy overwhelming Christmas activity.

#16* GEORGE HARRISON

With the success of the single "This Song" at #31, Harrison's Dark Horse album "Thirty-Three & 1/3" obtained top thirty reports from 71% of all reporting accounts to outlast his "Greatest Hits" album on Capitol. Major accounts reporting Harrison in top twenty capacity include: Sam Goody, King Karol, Harvard Coop, Listening Booth and Win in the East Region; Nat. Record Mart and Camelot in the Midwest Region; and Licorice Pizza, Music Plus, Everybody's, and Soul City in the West Region. Top five reports include Peaches (Atl. & Denver), Record Shack (Atl.), Gary's, Cactus, Radio Dr., Father's & Sun's and 1812.

#43* KANSAS

With the exposure of a #70 bullet single on the **CB** Top 100 Singles chart, Kansas' album regains its bullet. Initially a Midwest Region top ten LP, "Leftoverture" is gradually building new strength in all other regions. Indicators of this new regional action are Listening Booth and Win in the Northeast Region, Music Plus and Soul City in the West Region, and Record Bar nationally. The Midwest continues to be the strongest region as indicated by top fifteen reports from Caper's Corner, Streetside, Radio Dr., 1812, Peaches (St. Louis & Delwood) and Sound Unltd.

#50* ENGELBERT HUMPERDINCK

This week's number four National Breakout is highlighted by overwhelming Northeast/Balt.-Wash. acceptance as reported by Sam Goody, King Karol, Listening Booth, Win, Jimmy's, N.E. Music City, Cavages, TSS/Record World, Record Masters, Harmony Hut, Bee Gee, Central, Norman Cooper, Peter's, Dick's, Vornado and Waxie Maxie. Major accounts in other regions reporting top thirty action include Nat. Record Mart, Warehouse and #58 on the J.L. Marsh computer run.

#57* BOB SEGER

Although Seger has maintained his number two position in the Midwest Region, most significant action is displayed in the West Region as evidenced by a 12-2 movement on the West Regional Breakout chart, while maintaining the number two position on the Midwest Regional Breakout chart. Initial Northeast/Balt.-Wash. action is highlighted by reports from Strawberries, Disco, N.E. Music City, Record & Tape Coll., Richman Bros., Potomac and Waxie Maxie. Seger's saleability has long been proven by his success in the Midwest Region. His latest single "Night Moves" is #44 bullet and its continued success should be the decisive factor in breaking Seger on a national level.

#54* BRICK

While maintaining the number one position in the Southeast Region of the Regional Album Breakout chart, Brick has obtained overwhelming new regional action as indicated by a number one debut in the West Region, number three debut in the Midwest Region, number eleven debut in the South Central Region and 3-1 movement in the Balt.-Wash. Region. "Dazz" enters the top ten at #9 bullet on the **CB** Top 100 Singles chart while the "Good High" LP moves to #4 bullet on the **CB** R&B LP chart. Major accounts reporting top thirty action include Nat. Record Mart, Music Plus, Tower (S.F.), Soul City and Warehouse as well as top five reports from For The Record, Record Masters, and Morey's.

#63* A STAR IS BORN

CBS's largest campaign on a soundtrack in their history is proving to be successful prior to the release of the motion picture. Major accounts reporting top thirty sales include Sam Goody, King Karol, Rec. Dept. Merch., and Tower (S.F.) as well as exceptional Midwest Regional action as indicated by Caper's Corner, 1812, Peaches (Delwood), Record Theatre, Harmony House, Sound Unltd. and Northern. This Streisand/Kristofferson effort proves its MOR appeal with movement of 262-90 on the J.L. Marsh computer run.

#98* WAYLON JENNINGS

Waylon's strongest regional buyers remain loyal as indicated by the maintenance of the number one position in the South Central Region and 4-1 movement in the Denver-Phoenix Region on the Regional Breakout chart. Accounts reporting in the South Central Region are Western Merch., Peaches (Dallas) and Zebra. In the Denver-Phoenix Region accounts include Independent, Mile High, Dan Jay and Rolling Stone. A debut of 506 on the J.L. Marsh computer run indicates Waylon's Midwest Region appeal.

#67* EMOTIONS

While struggling to find an A side on their most recent single, the Emotions have enjoyed album sales as though they had two hit singles. A longtime top ten on the R&B LP chart, the Emotions have inched up the **CB** Top 200 LP chart with sales in excess of a quarter million units. The Balt.-Wash. Region continues to be the strongest as indicated by a number ten position on the Regional Breakout chart.

#155* SALSOUL ORCHESTRA

One of three bulleting Christmas albums, Salsoul's "Christmas Jollies" is unique in that it is a disco album and is selling both pop and R&B. This week's number four album in the Northeast Region, accounts reporting include King Karol, Sam Goody, Norman Cooper, Jimmy's, Strawberries and Alexander's.

#139* SATURDAY NIGHT LIVE

The Northeast Region continues to be strongest as indicated by a number eight position on the Northeast Regional Breakout chart. Following their east coast in-store promotional tour reports are highlighted by Sam Goody, King Karol, TSS/Record World, Bee Gee, Strawberries and Sam Goody (Phil.). Other reports include Warehouse, Independent, Music Plus and Peaches (Ft. Laud.).

#170* STEVE HILLAGE

Originally available as an import only, Atlantic's domestic release received exceptional reports from major progressive accounts like Soul City, Music Plus and King Karol, as well as Music Millenium and Zebra. Formerly a member of Gong, Hillage could reach the heights of Nils Lofgren and Steve Howe with proper exposure and promotion.

#171* KING KONG

This soundtrack, much like "A Star Is Born," was released ahead of the movie and is receiving tremendous promotional support from Warner Bros. This movie should prove to be a box office monster and should result in considerable growth of the soundtrack. Initial sales reports come from King Karol, Music Plus, Camelot and Peaches (L.A.).

#111* AEROSMITH

After eighty-eight weeks on the chart Aerosmith's "Toys In The Attic" is experiencing a strong retail resurgence thanks to the success of their single "Walk This Way" at #17 bullet. This marketing technique has proven quite successful, as evidenced by the "Dream On" single, released from the first Aerosmith album long after their third album went platinum. Similarly, this single comes from Aerosmith's third album long after their fourth album was certified platinum. Accounts reporting "Toys In The Attic" include Disco and Dick's in Boston (Aerosmith's longtime strongest market), Swallen's, Waxie Maxie, Record Shack (Atl.), Franklin and Potomac. "Toys" has remained a top fifty album on the J.L. Marsh computer since its inception and appears at number 39 this week.

#118* BAR-KAYS

A former top five single on the **CB** R&B Singles chart, "Shake Your Rump" is #64 on the **CB** Top 100 Singles chart. Album sales are enhanced to a bulleting status as a result of reports from Music Scene, Cactus, Record Shack (Atl.), Mushroom, Record & Tape Coll. and For The Record.

#101* KOOL & THE GANG

Kool & The Gang maintain their Balt.-Wash. Region stronghold as exhibited on the Regional Breakout chart. Reports from this region include For The Record, Record & Tape Coll. and Record Masters as well as Northeast Region action from Jimmy's, Jerry's and N.E. Music City.

#151* LONNIE LISTON SMITH

This week's #9 bullet album on the **CB** Jazz LP chart, Smith's reports originate from progressive pop accounts including Record & Tape Coll., For The Record, Gary's, Peaches (Dallas & Delwood), Streetside, Music Street and Mile High.

#106*, #178* OSMONDS

Christmas season seems to bring out the bulk of Osmonds fans, whether it be Donny & Marie or the entire Osmond family. The "New Season" LP is gaining ground at the retail, one stop and rack level as indicated by Norman Cooper, Apex Martin, Bee Gee, TSS/Record World, Vornado, Waxie Maxie and Nat. Record Mart as well as a top 50 position on the J.L. Marsh computer run. The Osmonds' Christmas album finds its greatest strength at the racked accounts as indicated by a 58-34 movement on the J.L. Marsh computer run.

1976: Copyright Law Review

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"compromise of a compromise," opposition had dwindled to nothing but a few Pennsylvania cable companies. Not a cheer, but a sigh of relief rose from all the special interests when both Houses of Congress passed the revision bill the day before adjournment.

Although one phase of the copyright revision process was completed when President Ford signed the bill into law October 19, another phase was begun: that of explaining, interpreting and implementing the new law.

In this article **Cash Box** examines some of the major changes affecting the music industry.

The Fountainhead

The extension of the copyright term makes the author "the fountainhead" of copyright law, according to copyright register Barbara Ringer. "It's the one provision identifying copyright with the author," she says.

The new law increases copyright term to life of the author, plus fifty years. Previously, an owner could hold a copyright for two 28-year terms. The first term was not automatically renewed. As a result, close to 85% of existing copyrights lapsed after 28 years.

The new term will eliminate the renewal

process and give an author and his or her heirs longer control over the copyright. Both increased life expectancy and growing commercial life of artistic works in part prompted the extension.

Eliminating renewals also simplifies things for the Copyright Office. An author's works will all enter the public domain at the same time: 50 years after the author's death.

International Standards for Copyright Owners

Increasing copyright life for copyright owners wasn't the main reason Congress voted extension, however. The provision is really aimed at getting the United States into the international copyright community.

As far as copyrights go, "the U.S. is an international outlaw," charged Ringer. Life-plus-50 is the biggest step towards rehabilitating the outlaw, and getting U.S. law to conform to international copyright conventions.

Over 70 countries had no copyright treaty with the U.S. primarily because of the length of copyright issue. Over 100 countries already have a similar provision. That is why Sen. McClellan (D-Ark), Senate sponsor of the bill, claimed the State Department felt life-plus-50 was "the most important provision in the entire bill."

"I think the copyrights last too damn

long," said Rep. Danielson last summer. He was expressing the general consensus of the copyright subcommittee, which nevertheless adopted a life-plus-50 term.

Chairman Kastenmeier pointed out the implications of the longer term: "It will be more difficult to get licenses . . . Whatever you have found somewhere is probably still copyrighted . . . There will be relatively less in the public domain . . . There will be no mechanism to free up material as the present 28-year provision does . . ."

Senator Abourezk (D-S.D.) went as far as proposing a reduction from the life-plus-50 provision: life of the author or 56 years, whichever is longer. The Abourezk amendment, which supporters viewed as an anti-monopoly amendment, was narrowly defeated in the Senate committee. It failed by a wide margin on the floor, however.

Terminations

Unpublished or uncopyrighted works will come under the life-plus-50 term starting January 1, 1978. But what about works currently in their first or second terms?

Congress gave first termers a 47-year renewal period when the first term is up. 47 years is the sum of one 28-year term — to which an owner was entitled under the old law — plus a 19-year bonus. Second term copyrights get an extra 19-year renewal only.

Since 56 years was the total length of the old term, 19 extra years ups the total to 75 years from the date a copyright first began.

75 years is the average length of time the Copyright Office estimates that copyrights will exist under the new law.

Unexpected Resurrection

Because the extra 19 years was unexpected when copyright exploitation grants were originally contracted, Congress is giving copyright holders the chance to reclaim, and resurrect, old property. Owners may terminate or extend grants and contracts when they renew for the extra 19 years. This means authors and composers can regain control of their works, if only for 19 years.

For copyrights extended by Congress since 1962, however, time is running out. They have already used up much of the 19-year bonus.

Consequently, the Copyright Office issued a proposed regulation allowing the office to accept termination notices before the Jan. 1, 1978 effective date of the law. This regulation would give an extra year to the owners who must file a minimum two-year notice of termination. Comments were due by last Wednesday, December 15.

Congress also wrote a 35-year termination provision into the copyright's life. If they didn't file notice within a five-year period, however, the grant would continue.

Cable TV Fight

Setting royalties for cable TV was as hard as extending copyright term was easy. The

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