

Q. How are Dance Instructors affected by U.S. Copyright Laws?

A. When copyrighted music is used at a dance, you must obtain permission from the songwriter and/or publisher for every song played! That's why BMI & ASCAP offers an easy solution, a Music Performance License. With it you are authorized to use more than 3 million copyrighted songs. These are the very songs your dancers like best and want to hear most: the most popular country-western line dance, ballroom, swing, square dance, round, dance, contra, and clogging; the music best suited to dances, workshops, and exhibitions. BMI & ASCAP distributes to its songwriters and publishers the compensation due them for the use of their copyrighted music and you or your organization fulfills its obligation under the U.S. Copyright Laws.

Q. Why do I need both a BMI and ASCAP license?

A. Because there are two major licensing organizations in the United States. Between the two they license 99.1 percent of the music we use in the U.S dance activity today. Just because you have an ASCAP license does not permit the performance of BMI music. Considering the popularity of BMI music, and the fact that we license so much of the music played in the U.S. everyday, its highly unlikely that your dance would not use a good deal of BMI music. Why is there more than one licensing organization? Because competition is healthy and having more the one licensing organization gives the songwriters and publishers a choice for representation of their songs.

Q. What if an Instructor is hired to a local event put on by a local civic committee?

A. The local sponsor of the event would need to secure a single event license from BMI and ASCAP. However the instructor license would, cover his/her part of the event

Q. Is there any such thing as a discount music license?

A. No. BMI or ASCAP will not give any instructor organization that has a blanket agreement a discount price. License fees are the same for all.

Q. I use my own tapes and CD'S, so why do I need a BMI & ASCAP license?

A. When you purchase a record tape or CD, the purchase price covers your personal enjoyment. When the music is performed outside of your home or for your personal enjoyment it is deemed a public performance of copyrighted music. If you use this music for a dance class or dance you come under the provisions of the U.S. Copyright Law. For over sixty years BMI and ASCAP has operated as a nonprofit organization serving both the creators of music and the businesses that use music. Because music plays an important part of your dance, both BMI and ASCAP are the ideal choice for you. With a BMI and ASCAP license you'll be able to legally use the music and help support the men and women whose talents created that music and satisfy your obligations under the U.S. Copyright Law.

Q. Are Conventions Covered?

A. No. If your organization puts on a convention they would need to sign BMI & ASCAP agreement specifically designed for conventions. State & National convention are not covered by the instructor agreement for American Callers, Callerlab, Roundlab, NTA, or any other organization that has an instructor agreement with BMI or ASCAP.

Q. If I am not paid or do not charge for my services, do I need a music license?

A. Yes. The law says that the sponsor of the event or the sponsoring organization **SHALL** obtain a music performance license. In the agreement we have with BMI & ASCAP, if the instructor is licensed the event is covered, if it is not a State or National event. Some people will tell you if you don't get paid, you don't have to have a license. ***That is just not True!*** Before you let someone get you in trouble call an expert.  
BMI at 615-401 2857 Robin Whicker  
ASCAP at 1-800-505-4052 Ext. 3428 Jasleen Allyse.

Q. What kind of records should I keep?

A. There is no need to list every song played. This is a blanket coverage of all the songs that both BMI & ASCAP represent.

Q. What events are covered under this license?

A. Classes, workshops, exhibitions, competitions and regular dances.

Q. What if someone videotapes an exhibition that takes place at a workshop or class and they decide to sell the tape?

A. When music is combined with video, and then is sold, the user has to get "synchronization rights." These are separate rights from the performing rights that BMI & ASCAP grants through its license. Synchronization rights permit you to record the music in timed relation with visual images on film or video. If you are making a video and want to incorporate copyrighted music with the action of the video, you must obtain a synchronization license with the copyright owner. They are granted by the Harry Fox Agency in New York. (212-370-5330) However, remember that if you play a videotape of an instructor that has background music, that is considered a public performance of music, similar to your playing of a record or tape.

Q. How do I know I am playing BMI or ASCAP music?

A. When you purchase music it will be listed on the label of the tape record or CD, BMI or ACSAP if it is a legal copy. Most times it will be listed after the title of the song.

Q. What happens if we do not abide by the Copyright Laws?

A. If you do not abide by the copyright laws then you or each individual responsible for any unauthorized performance of copyrighted music would be copyright infringers. The Copyright Laws provides for an injunction against further infringements, damages for each copyright infringed ranging from \$ 500.00 to \$20,000 per song infringed plus a reasonable attorney's fee and court cost.

For sometime so many members and non member have called American Callers office and asked questions about the copy right laws and how it affected the dance activity dance clubs dance instructors. We hope this will shed some light on this matter.

We are posting on the web page an updated copy of Unauthorized duplication of sound recordings tapes Records and CD

If you have questions that I can help you with call Mac Letson at 256-383-7585  
Email [mac@americancallers.com](mailto:mac@americancallers.com)