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Music Modernization Act

The Uphill Battle Towards Fair Compensation

By Kaley Bonett

Music Business moguls are well acquainted with the terms “mechanical licensing,” “performance rights organization,” and “notice of intention;” however, while most players in the music industry held their heads high at the passing of the Music Modernization Act (commonly referred to as the MMA), it is safe to say there are still many who have questions regarding the results of this bill’s passing. What does it mean for past, current, and prospective creators in the music industry? While there are still large strides to be made in the name of equity, inclusion, just compensation, and solidarity within an artist’s realm, the passing of this Act has ensured that today’s industry leaders have found their voices reciprocated in the recent decision by Congress to protect and encourage artist creativity.

Back to Basics

In order to fully comprehend the benefits of recent legislation, it’s important to realize the impact and obstacles of past laws. Streaming services such as Spotify and Apple Music changed the game for consumers and artists alike; however, while their impact affected listeners positively via accessibility, it had negative ramifications for artists and songwriters. Division of assets in micropayments saw artist teams (the entirety of an artist’s support system including songwriters, producers, managers and publishers) putting in hard work and waiting endlessly to reap any kind of large-scale financial reward.

The majority of streaming platform users are not musicians, which left the small percentage of artist team members to fend for themselves against Congress and

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MISSION STATEMENT

The Music Business Journal, published at Berklee College of Music, is a student publication that serves as a forum for intellectual discussion and research into the various aspects of the music business. The goal is to inform and educate aspiring music professionals, connect them with the industry, and raise the academic level and interest inside and outside the Berklee Community.

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EDITOR'S NOTE

We are delighted to publish this edition of the Music Business Journal. Lots of change is happening in the industry right now as the Music Modernization Act has just been signed, the digital age of music is progressing tremendously via technology and consumption, and we say farewell to a highly influential music legend.

Our debut article is reviewing the MMA legislation and how it benefits songwriters and encourages transparency. This speaks to any musician looking to monetize their work in today's industry. We also have an article examining the streaming model and revenue veins in China's music industry. Lastly for our business articles, we have a feature speaking to Spotify's new distribution transition, now allowing artists to directly upload their content to the platform, as well as an article discussing the role of new media in the industry. In terms of music technology, we have a piece reviewing the new MSG Sphere being constructed in Las Vegas, revolutionizing the live concert experience. We also have an article analyzing the use of artificial technology in the industry.

Finally, our print edition will include a tribute to the great legend, Aretha Franklin, who passed away in August. We also have a few articles exclusively in our online edition, so check out our website for more information regarding new platforms in sync licensing and an intro to the Latin Grammys.

Thank you for reading!



Sincerely,
Ashley Cook
Editor-in-Chief

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Content Editor.....	Kaley Bonett, Camran Ferrier
Webmaster.....	Ananta Arora
Faculty Advisor and Finance.....	Todd D. Gardner
Layout and Photography Editor.....	Ananta Arora

Contributors

Editor's Note.....	Ashley Cook
Law.....	Kaley Bonnet, Robert Lyons
Business Articles.....	Jessica RigordaEva
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Music and Society.....	Camran Ferrier

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against the generalized opinion that consumers are entitled to free music. After all, those who do not pay for music subscription services such as Apple Music or Spotify most likely consume music through another medium; often free online media such as YouTube, an ad-based revenue system. This free consumption state-of-mind stemmed from our own system, which was previously not properly structured to support creators advantageously. Namely, streaming has been detrimental to songwriters seeking their royalty payments via mechanical licenses.

Any platform seeking to exclusively use a song in audio format must obtain a mechanical license to do so. These licenses are given from copyright owners to entities that wish to use their songs in exchange for a statutory royalty rate. In the event that an organization wishes to obtain a mechanical license, they must fill out a Notice of Intention and wait for it to be processed and approved. Several databases worldwide have attempted to organize song titles and copyright owners in order to pay the right creators for use of their work. Any unclaimed royalties remain in the hands of the license-seeker. If there is no database match, there is no royalty. Performance Rights Organizations (PROs) such as ASCAP, BMI, and SESAC are the middlemen who make these payments possible. Any time a song is played, the PRO collects the royalty for that piece and distributes accordingly. This means businesses that play songs and the artists that write them have to register with a PRO in order to log and receive rightful royalties. Conversely, non-interactive forms of listening such as radio use SoundExchange to distribute and receive royalties for their works. Understandably, the more companies involved in getting a song legally played creates a tense environment, especially considering each entity wants as much money as they can get. So, while consumers reap the benefits of unlimited plays of the largest catalogs in music history for the small price of \$9.99 a month (\$4.99/month for students), the majority of creators are scraping for every fraction of a penny that they can possibly claim.

Compared to the age of digital downloads, a la carte purchases introduced by Apple's iTunes had artists seeing \$1.29 to their purchased songs immediately, while competitor Spotify now dishes out a staggering

\$0.00397 per play. This means that any given song needs to be played by a listener 325 times before the artist can break even on opposing formats. Now let's see how this framework was brought into contemporary practice by the Music Modernization Act.

Advocacy for Action

In the Music Business, as in all business sectors, timing is everything. The Music Modernization Act of 2014 was introduced during one of the most politically tumultuous climates in history. Bipartisan legislation seemed virtually impossible to pass with big-ticket items such as healthcare and tax reform in constant, unsettled debate. Who could possibly take the time to listen for a case in the name of artistry when there are larger issues at stake? Congress did. The most unique characteristic of this bill was the fact that everyone involved, regardless of political affiliation, agreed upon and advocated for its passing—an unusual phenomenon to say the least. There is no surprise or confusion in the fact that artists and their teams were being taken advantage of by the lack of amendments to old laws after streaming was introduced. Even our current president had no hesitation in passing the bill.

In a congressional hearing covered by CSPAN, songwriter Josh Kear said, “Since the year 2000, the number of professional Nashville songwriters has declined by 80%. We have lost our entire middle class of songwriters. They're gone. That statistic is due directly to the shift of way we used to listen and acquire our music to the way we listen and enjoy our music now, in the digital era. The world has completely changed under our feet. We are still operating on old and outdated laws. Our music is being used more than ever and valued less. The MMA will specifically help these outdated regulations and ensure fair outcomes for songwriters.”

This unanimous opinion has allowed for the necessary updates to our operating system, with amendments adopted along the way, of course. While some might have thought the bill was far down on the list of priorities, it provided a refreshing look at the intended organization and efficiency of our congressional system in the United States.

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Mobile Music Streaming in China: A Vibrant Industry in a Challenging Market

By Robert Lyons, part time Associate Professor, Music Business Department

“The future is already here. It’s just not evenly distributed” -William Gibson, science fiction author

At this writing, Tencent Music Entertainment is planning an IPO, and has filed documents with the Securities and Exchange Commission. This company, spun off from parent Tencent Holdings Ltd., is the major music streaming company in China, and their IPO is a timely reminder that China’s digital music industry merits a closer look for insights into the possibilities for global digital music.

Background

China’s music streaming market remarkable on several fronts, including the vast size of the market the high percentage of use of mobile devices for music (67% versus 48% in the US), high smartphone penetration, (92 cellular subscriptions per 100 people versus 117 in US) prevalent mobile cell coverage (in urban areas) and aggressive government funding for an upgraded and expanded mobile broadband, claiming over one billion 4G subscriptions.

Despite all this, China’s recorded music revenues are disproportionately small, even when compared to much less populous countries. These low revenues reflect many factors, including the low fees paid to rights holders (typically music labels and publishers), a low adoption rate of the subscription model, but perhaps most crucially, the historically weak copyright environment in China’s modern era. A poor copyright environment created opportunities for non-music companies to enter the digital music space.

For example, Baidu, the giant search engine with over 80% market share in China, built a massive audience, helped significantly by offering search returns with deep-links to free unlicensed mp3s.

Other companies built massive online audience in other non-music verticals, notably Alibaba in e-commerce, and Tencent in gaming and social messaging. In a low IP enforcement environment these companies offered music to entice customers to their platform, and as the competition for platform market share intensified, music has become increasingly important. Through acquisitions, mergers and investments, Tencent Holdings Ltd. has come to control the three largest music streaming services, which collectively control 78% market share in China, as well as exclusive licensing deals with major music labels.

Intellectual Property

Music piracy was rampant in China during the CD era, with large scale infringement against both local and global rights owners. However, over the last 10 years, and particularly since 2015, there have been increasingly effective efforts by both government and industry in China to improve and enforce copyright legislation and the collection of digital royalties.

One notable instance was the creation of the Alliance of Digital Music Industry, formed in July of 2011 by China’s Ministry of Culture. This group is comprised of nine music companies, thirteen websites and three wireless operators, all committed to abide by new Chinese laws and regulations designed for content providers such as Labels and Service Providers, to more easily negotiate price and profit-sharing mechanisms.

More recently the government undertook an anti-piracy campaign “Sword Net 2015”. This action by NCAC (National Copyright Administration of China), set a July 2015 deadline for all Chinese music services to take down their catalogs of unlicensed songs, and then removed 2.2 million unlicensed songs. Also significant is the fact that China’s copyright laws are currently in the process of being amended for the third time since first being drafted in 1990.

To appreciate this transformation of the Chinese Intellectual Property environment, it is useful to contrast it with the vastly different US starting point: The first copyright laws in the US took force with the First Congress in 1790 under the US Constitution (Article 1, Section 8), while the PRC’s first copyright laws were enacted 201 years later in 1991. And in 1976, as the US Congress was updating IP law with the Copyright Act of 1976, China was just emerging from the Cultural Revolution, a context in which private property was a crime, and innovative work did not belong to the author, but to the “collective endeavor” behind the author. The extent and dramatic pace of this transformation cannot be overstated.

Nowadays the agencies tasked with collecting digital streaming royalties, such as Music Copyright Society of China (MCSC) and the China Audio Visual Copyright Association Society (CAVCA), are still small stakeholders in the overall industry ecosystem, but the trajectory has been clear. Revenues from music streaming from 2012 through 2016 increased 56%, a CAGR of 11.7%.

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As impressive as this rate of growth is, it is useful to bear in mind that the 2016 revenues were roughly \$28.3 million, only about 1% of the \$2.68 billion in revenues collected that year by ASCAP, BMI and SESAC.

One way to view this would be that the MCSC collections are a tiny amount relative to other large markets. But it can also be seen as evidence of the potentially massive revenues that could be realized as copyright enforcement increases and collection mechanisms improve.

The Competitive Landscape

Due to aggressive horizontal and vertical integrations, Tencent has emerged as the dominant in the music streaming space. Tencent owns the most popular social media platform in China, Weixin (微信), betterknown as WeChat, which has an estimated 800 million users. Tencent also has created massive communities around gaming, streaming and e-payment, and QQMusic, (named after Tencent's original messaging service, QQ), is the second largest music streaming service. Tencent acquired the #1 and #3 music services, Kugou and Kuwo, when it bought majority stakes in their parent company, China Music Corporation (CMC) in 2016.

These three streaming Tencent-controlled services companies comprise 78% of the Monthly Average Users of music streaming in China. Other leading services include: Wangyi or Netease, a company with origins as a gaming platform; Xiami, owned by e-commerce giant Alibaba and Baidu Music, owned by search giant Baidu. These services typically offer multiple paid tiers with various benefits, in addition to their free and ad-supported services.

As part of the battle for market share, the three largest companies, Baidu, Alibaba and Tencent (aka BAT) seek to integrate music into their platforms. This aligns with predictions for the global music industry made by Marc Geiger in a 2014 Keynote at MIDEM. A longtime, high profile music industry executive and current Head of Music at William Morris Endeavor, Geiger predicted that music streaming companies would be acquired by large online platforms with "hundreds of millions of users, not tens of millions" and that music streaming would increasingly shift to a subscription business model. He likened today's Western streaming companies such as Spotify and Pandora to the early companies of the world wide web, such as Altavista and Lycos--pioneers who would end up disappearing in the wake of consolidations and fierce competition among platforms with massive scale.

In many ways, this has already happened in China. The 530 million users of Tencent's music apps (QQ Music, Kugou and Kuwo) comprise 78% of music

streaming, as described above. The company Netease expanded from its origins in PC and mobile gaming to successfully leverage its expertise in real-time social interaction by creating Netease Cloud Music, launched in 2013. Netease is now the fourth largest service, with nearly 70 million monthly average users (MAU). Alibaba's Xiami offers music streaming services for about 14 million customers. Baidu's dominance of search allows it to offer its music streaming services to hundreds of million search customers, resulting in 2.2 million MAU.

Business Models

At this writing, shortly before their IPO, Tencent Music Entertainment's (TME) filing documents declared profits of \$263 million, from revenues of \$1.3 billion, and an expected valuation of \$25-\$30 billion. Meanwhile Spotify's financials report current revenues of \$5.3 billion, a net loss of -31.3%, and a market cap of \$29.5 billion. TME reported 20.2% profit margin in the first six months of this year, and 11.7% margin for 2017, while Spotify has yet to earn any profit.

These numbers throw their differing business models into sharp relief. Spotify relies on subscriptions for 90% of its revenue, with 10% coming from ads. By contrast TME earned 70% of its revenues on music-centric social media activity—chiefly the percentage it keeps from "virtual gifts", or a user's direct cash donations to live streaming app performers. This form of interaction is nearly unknown in the West, but enormously popular in China. And the Chinese PROs are beginning to take notice. In 2017 MCSC filed a 300,000 yuan (\$44,000) lawsuit against one of the leading live stream platforms, Huajiao Live Stream, for use of un-licensed content performed in their live streams, which ended with Huajiao signing a licensing agreement with MCSC. This is another example of the improvement of music copyright enforcement underway.

Conclusion

Music copyright in China is relatively new, enforcement is still imperfect, and it lacks the long-standing structures and robust enforcement of the West. But there is a clear trajectory towards enforcement, compliance and revenue growth. There is also innovation of business models beyond the binary choice of ad-supported freemium and subscriptions.

Given the improving IP environment, vigorous mobile platform competition, the adoption of subscription music streaming by large online companies, robust mobile consumption, the music streaming landscape in China offers a glimpse into a future that some, including industry experts like Geiger, believe to

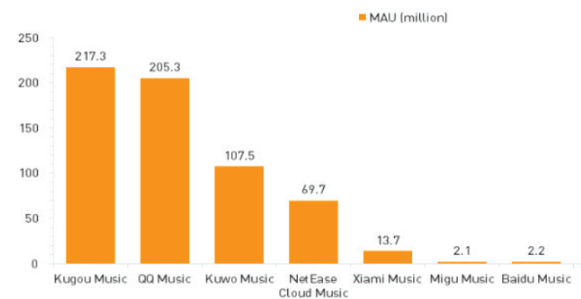
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be coming. Varied business models, application-layer innovations and integration with social, e-payment and other platform functionalities may well portend future developments among western music streaming companies, both those that dominate now, and potential new entrants, possibly from non-music industries.

Endnotes:

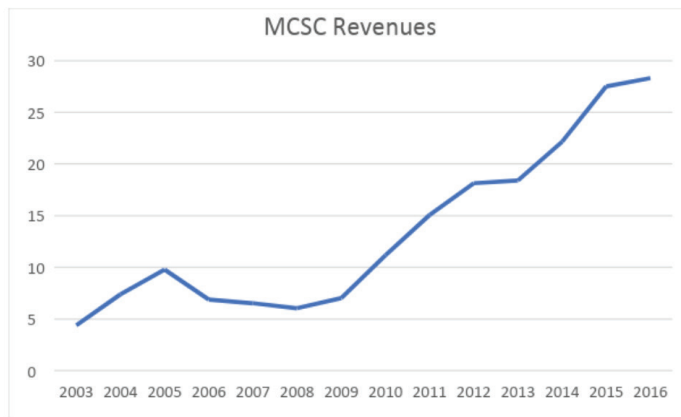
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source: QuestMobile TRUTH Jul. 2017

	2003	2004	2005	2006	2007	2008	2009
\$USD Million	4.39	7.39	9.79	6.88	6.53	6.05	7.03
YEAR	2010	2011	2012	2013	2014	2015	2016
\$USD Million	11.16	15.07	18.14	18.40	22.16	27.52	28.31

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Source: MCSC annual reports

MMA Continued

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A Change for Good

As the biggest update to music governance in roughly forty years, the Music Modernization Act has brought quite the list of changes to our industry. First and foremost, the Act will create a Mechanical Licensing Collective funded by digital services (Apple Music, Spotify, etc.) and will be run by publishers to create a public database of mechanical licensing information to accurately compensate artist teams. What would prompt digital services to fund such an idea? Avoidance of billion dollar lawsuits for neglectful payments and automatic blanket mechanical licensing for every song they provide. With publishers running the show, it's guaranteed that the Collective will have the profit of artist teams and the expansion of the music business in mind. This immediate electronic licensing also bypasses the antiquated practice of filing a Notice of Intention by postal service.⁵ In the event that the all-access database is incomplete (as it is sure to be in beginning stages), unclaimed royalties will stay in the Collective's account for three years. After this period, they are divided up amongst the "copyright owners identified in the records of the collective" based on market share. The publicity of the MMA and its Collective makes transparency a primary insurance policy for artists and their affiliates.

In addition, the Music Modernization Act closes the loophole set forth by the Copyright Act of 1976, which allowed songs released before 1972 to be labeled as "public domain" and garner zero royalties for the legacies who created them. This means that artists who have not seen a penny in their favor for forty-two years will once again see their efforts recognized. Although

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this Act is a giant leap towards fair treatment, it certainly was not easy to get to this point.

Finally, in the case of royalty disputes, a "wheel model" replaced the old, biased litigation process. Rather than being assigned a district judge to decide the fate of two parties whenever they find themselves in a disagreement, the Southern District of New York will randomly assign a rotating list of judges to particular cases. This ensures that judges will "find the facts afresh for each rate case based on the record in that particular case, without impressions derived from prior cases."

Setting the Stage

American artists weren't the only ones who saw a problem with the current organization of the music business. The Music Modernization Act has sparked other movements for fair compensation such as the Copyright Directive in Europe. Although its main concern does not share many similarities with the MMA, the Copyright Directive seeks to "force sites like YouTube to compete fairly with services like Spotify" by paying artists and charging consumers rather than relying on ad-based revenue. The Directive will also require software to be implemented that identifies copyright-infringing works and has them immediately removed. The rippling effects of the Music Modernization Act and its positive reception have made it worth the wait. This case study sets the stage for possible calls of reform in the future. When artists found themselves in danger, they marched up to Capitol Hill personally and voiced their concerns with our lawmakers—the results are profound. One thing is undoubtedly certain; no matter what injustice arises in our small corner of the modern world, the indelible necessity for protected creativity will prevail.

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BUSINESS ARTICLES

Independent Artists Direct Upload to Spotify

By Jessica RigordaEva

As of September 20th, 2018, the major music streaming service, Spotify expanded its services to include music distribution for U.S. based artists. With their new feature, selected independent artists can directly upload their music to this beta model. However, Spotify plans to open the feature at an undisclosed date to the entirety of its estimated 200,000 users. Currently, independent artists can still upload their music to Spotify using independent distributors such as CD Baby, TuneCore and DistroKid- Spotify's preferred artist distributor - with fees and/or commissions associated with these services. The new feature will allow verified "Spotify for Artists" account holders to upload their music directly to Spotify for free, as well as control and edit how streamers will see their music on the site. The new feature could be groundbreaking for indie artists, strengthening the idea that labels may not be necessary for an artist's breakthrough and success. Nonetheless, this idea of artist breakthrough without a label, and direct upload is excruciatingly familiar.

Content Management

The mid 2000s had similar hopes for independent artists with the launch of the video sharing website, YouTube. Although this service has created an ingenious platform for independent artists to release music and connect with fans, it has worsened and inspired fraudulent performances and downloads of copyrighted works, aggravating the already impossible situation for publishing and writer's royalty payments. YouTube's creation of its content management system, "Content ID," has helped the company monitor any fraudulent and inappropriate content on their site, but Spotify does not have this advanced technology. The new feature of direct upload could lead to similar fraudulent activity on Spotify, potentially allowing artists to profit off sound recordings they have no rights to, as long as they were the uploaders¹. Currently, Spotify's policy states that, "in some scenarios, where content is infringing, illegal, explicit, or hateful, it may be removed or filtered." Yet what filters does Spotify have in place to manage their content besides self-reporting forms available on their website? The company presently suggests that to remove music from the service, artist should go directly through their label and distributor to have them submit a formal takedown request. If the artist does not belong

to a label or cannot reach their distributor to submit the request, the artist may then file an infringement form through Spotify, in which they warn, "may subject you to legal consequences." The current process to remove music from Spotify simply is not the most user friendly, especially for independent artists. As of now, the beta model direct upload feature does not reclarify how independent artists will remove content any easier considering their distributor is Spotify itself. Will artists have to go directly through the infringement form that may lead to "legal consequences," or will there be a button to easily remove content on the user's 'Spotify for Artists' page? Currently, the streaming service seems to be more focused on how to easily and more attractively increase their catalogue size rather than minimize it.

Questions Remain

A key factor of Spotify's new 'Spotify for Artists' feature is that it will increase their catalogue size. Their current catalogue is close to 10,000 songs fewer than Apple Music's offering¹, which could really be one of the deciding factors on where consumers decide to stream from and who they subscribe to. Spotify offers a freemium option for prospective subscribers, in which users can access premium features freely for a limited time, understand how the streaming service works and what it offers, and get an idea of the experience they would pay \$9.99 a month for. Artists however, do not have a similarly styled freemium experience in the 'Spotify for Artists' page, actually they have to be Spotify Premium Members and pay the monthly fee to even access the page, or belong to distributors CD Baby or Emu Band for "instant access²." Spotify will also have a dominance over Apple Music in the fight for subscribers whom are also independent artists with the new feature. The direct upload feature itself is free in the beta mode, not counting that artists must be Premium Members, but the likelihood of the feature staying free is not promising. This would leave little difference between 'Spotify for Artists' direct upload feature and an independent distribution service, besides the fact Spotify's new feature would only distribute an artist's music to one streaming platform- its own. This would leave the company at a disadvantage to other distributors, as although the company is one of the most popular streaming services, every artist is aware that the best way to share their music is to have it available on all

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platforms. How would Spotify counteract this possible disadvantage of their service, as they definitely cannot offer direct uploads to the entirety of their users without some costs, whether it be to their listeners or artists?

Looking Forward

Over the past year, and with the new development of the direct upload feature, Spotify has been getting closer to artists. So close, that they have curated licensing deals and handed out advance payments to independent artists. The 'Spotify for Artists' page has been designed by artists, such as Chicago rapper Noname, for artists. The uploaders can control key factors of releasing their content by deciding how the listeners experience their music and when it is uploaded, however they still face challenges in removing infringing works. The new feature also allows artists to track payments directly on Spotify's site as well, similarly to how artists can track royalties on their distributor's website. Ultimately, with direct upload, Spotify is diminishing the need for independent artists to belong to music distributors, yet not fully expelling it. They also are clearly reducing the need to belong to a label, having curated licensing deals and handing out advance payments to independent artists this past year. Spotify's CEO Daniel Ek has insisted in the past that they "are not acting like a record label," yet many of the company's recent ac-

tions seem to be branching into the realm of the record label rather than lessening the need for one. With this new feature, will Spotify become more than a streaming service, and join the ranks of major labels, or have they created a tool and a platform that will abolish the need for them?

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Create your release

Saved as draft X

Basic info


 Uploading on other sites? Make sure this is the only time you submit this release to Spotify.




Image guidelines

- Square, at least 1600x1600px.
- File formats: PNG (preferred) or JPEG.

By adding an image, you agree that it's subject to our [copyright policy](#) and [terms](#).

What's this release called?

Room 25

Is this a version? 

Optional


And what type of release is this?

Album (7+ songs or 30+ minutes)

Add artists who collaborated on this entire release.

Noname

[+ Add an artist](#)

Do you want to use a label name? 

☐ Yes ☒ No



Room 25

ALBUM BY NONAME

- | | | |
|---|--------------------------|------|
| 1 | Self | 1:34 |
| 2 | Blaxploitation | 2:13 |
| 3 | Prayer Song
Adam Ness | 4:17 |
| 4 | Window
Phoelix | 4:38 |
| 5 | Don't Forget About Me | 3:39 |
| 6 | Regal | 2:48 |

Releases on Sep 14, 2018 at midnight EST.

TECHNOLOGY IN MUSIC

The MSG Sphere: The Future of Live Concert Experiences

By Samuel Smith

Since the emergence of amphitheaters and large concert venues, audiences have experienced live and pre-recorded sounds primarily in the same audio tech format: performers are plugged into a venue's public address system (PA system) and the sound is projected through a system of loud speakers throughout a stadium. The performance is then often broadcast on one or more large screens posted throughout the venue. Many shows take place in some kind of sports arena. This system has been what audiences have known for years; however, innovative audio technology is revolutionizing the concert experience to help curate a production that audiences have never seen or heard before. James Dolan, CEO of Madison Square Garden Co, is bringing this vision into tangible form with the creation of the MSG Sphere.

MSG Sphere

Having broken ground in Las Vegas in June of 2018, the MSG Sphere will soon be the host to new technology designed to make live performances a unique and transformative experience for concertgoers. The 18,000-seat arena built by the MSG Company (Madison Square Garden) will host concerts and other events that will engage all the five senses of its audience members. Towering 200 feet tall and having a width of over 500 feet, the MSG Sphere will be a concert venue like no other. The Sphere will contain a 19,000 by 13,500 resolution LED screen that stretches across the ceiling, will have high speed internet at each seat, a sound system that pumps bass through the floorboards, and a thirty-six-mile-long strip of LED lighting on the outer dome that will exhibit a 360-degree IMAX display for people outside the sphere so they will be able to view what is happening inside. There will also be a camera system located outside the city that will have the ability to project on the dome. This system has the capability to make the dome virtually disappear by projecting real time images and videos of its surroundings. Addressing these futuristic qualities at the unveiling of the MSG Sphere, James Dolan explained how science fiction played a part in influencing these technical developments. He specifically referenced Ray Bradbury's *The Veldt*, due to its similarities of features that the MSG Sphere will possess, such as "a nursery with crystal walls (LED screen), where users can have experiences over all five senses."

Unlike other arenas that provide a space for both concerts and sports, The MSG Sphere looks to exclusively host live concerts, specifically EDM, eSports tournaments, and conferences. Dolan and the MSG Co. have no intention of making the venue available for sporting events, apart from potentially fighting tournaments, because they want the arena to stand out specifically for concerts and conferences. This venue has been designed ideally for EDM performances due to the fact that much of the artistry of EDM occurs before the performance with the actual live show being known as the "run." The inspiration of the MSG Sphere came when Dolan realized this aspect of EDM performances thereby influencing his aim of creating an experience both the performer and audience could share, stating "It's no longer just about what is happening on stage, it's about what's happening in the audience." All of these varying technological aspects, such as bass booming through the floors, the large LED screens, and the 360-degree lights are not the only way the MSG Co. is planning on improving the concert experience. By partnering with companies such as Holoplot, a Berlin-based tech company that engineers sound waves, MSG Co. is bringing revolutionized audio technology to the concert experience via beamforming audio.

Beamforming Audio

Beamforming itself is not a new technology. In the 1930s and 40s, beamforming helped develop technology such as the radar; however, for audio experi-



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ences, beamforming is generally new. By definition, beamforming is “a signal processing technique used in sensor arrays for directional signal transmission or reception.” In translation to audio, instead of projecting sound through a speaker system into a large area, beamforming audio allows the sound to be focused on specific locations, such as a certain section of an audience or even a specific audience seat. This creates a different listening experience for each audience member. The physics behind beamforming is much like the physics used to make noise cancellation headphones. Manipulation of the sine waves produced by the audio allows an audio engineer to pick where the waves are going. In noise cancellation headphones, microphones on the outside of the headphone pick up outside noise and manipulate it by producing a wave out of phase from the frequencies coming in. In acoustic beamforming, the angles of the speakers, along with a few other aspects, allow audio engineers to manipulate the waveforms coming out.

Application of Audio Tech to the MSG Sphere

Supplementary to this individual audio experience, the MSG Sphere will also provide WiFi at each seat. Its function is not just for concertgoers to share their experiences with friends via social media. Each seat will have a WiFi router that is capable of picking up the beamforming audio that the speakers project. These routers have multiple-input, multiple-output capabilities that allow the speakers to focus on each seat. To put it in perspective, in an actual demonstration by Holoplot, two reporters sitting next to each other said to have heard different languages during the same experience: one heard German, while the other heard English.

Holoplot and other companies working with beamforming seek to bring this audio to your home in the future. Due to the falling cost of signal processing chips, this technology has been growing more and more accessible to research recently. Many companies are developing ways to implement the technology into sound systems for your home television and laptop computer, along with other devices that contain speaker systems. For example, this technology may allow two television viewers to listen to the same program at different volumes. This is just one of the potential capabilities of beamforming technology. As companies continue to conduct research, there may be more uses for it in the future.

Conclusion

The MSG Co. has reported that they expect the arena to be open in 2020. Future plans also call for the building of a glass dome with similar technology and purpose in East London. In regards to beamforming audio, Holoplot plans to debut their technology’s capabilities at the 2018 Rockettes Christmas Show at Radio City Music Hall. The MSG Co. hopes that the MSG Sphere in Las Vegas will not only attract concertgoers, but also artists seeking to give a performance like no other.

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TECHNOLOGY IN MUSIC

The Voice of a Musician in the Machine Age

By Marc G Tan

In a not too distant future, we see robot musicians topping the charts in all genres. Music awards are no longer given to creative artists, but machines and their makers who create smash hit after smash hit. These producer robots listen to millions of songs a minute, analyzing music trends endlessly to stay ten steps ahead of the game. Just like we've seen before, human artists have been eclipsed by a new generation of machines, who garner the popularity of the general public, losing their jobs and livelihoods. When you think of Artificial Intelligence (AI), is this what comes to mind?

There is some alarm that surrounds the adoption of AI, stemming predominantly from the controversy behind this technology. While some are strong supporters of its benefits to our productivity, other paint it as our impending doom. Coupled with a general lack of understanding regarding this issue, there exists a strong sense of unease when discussing this topic. In actual fact, like all other technologies, AI is just a tool - an instrument whose product depends on the person using it. There is little reason to fear its arrival and adoption.

Artificial intelligence has become a buzzword in our current day as it continues to create significant advances in multiple industries. This technology has proven to show the ability to significantly improve current work processes and elevate productivity, and often times is even touted as the fourth Industrial Revolution. While the Music industry is not the current hotbed for applications of AI, we are beginning to see its introduction into the music scene, from studio sessions to live performances. As we prepare for its fated arrival, the big question arises: how can we prepare for a new Music Age?

Essentially, AI is simulated intelligence by machines that have been programmed to mimic human action and rational thought. It is a field of data science where computer programs use data to identify patterns and trends to gain insight and develop solutions to problems. Conceptually, AI is engineered to learn from past experiences to make better decisions for future situations. The technology relies on algorithms that use historical data for training, consuming human-like inputs such as images, language, and actions for inspection and analysis. After the learning process, algorithms become capable of making predictions and suggestions for rational decision-making at a significant level

of accuracy. This makes AI very useful in automating tasks and forecasting events. With recent advances, AI is able to solve larger challenges and answer tougher questions, making headway for widespread use in many area such as smart homes, automobiles, and e-commerce .

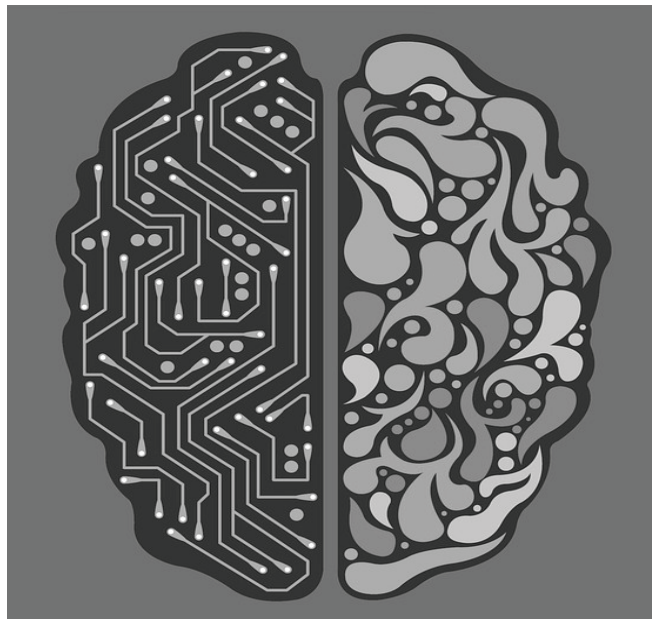
Indeed, the decision-making power of AI and the rate of its growth create anxiety over the future of the job market. Adoption of a cost-effective technology indicates the replacement of labor with capital, signaling that certain jobs in today's industry will not exist in the world of tomorrow. However, this marks a surge in creative freedom for human workers, who now not only possess better gadgets at their disposal but also are liberated of repetitive, menial tasks and can focus their efforts on higher order thinking and creation. Just as electricity revolutionized the way we work today, AI will change the way we work tomorrow. There has never been a time of more opportunity for artists to develop their music and find success in their field.

With the ability to automate tasks and do analysis, AI has large potential to improve workflows and create fundamental shifts in music making, performance, and distribution. By removing the burden of routine tasks, musicians can concentrate efforts on the creative aspects of their craft. Moreover, it creates new tools for musicians to reinvent their workflow and challenge the perceptions of what is possible with audio. The possibilities for new ways to create and distribute music is ever-increasing, enabling musicians to find their market, solidify their style and achieve greater success on the business end.

In the Studio

Artificial intelligence can help to eliminate various processes and inspire music producers and engineers. The Flow Machines Project helps artists overcome writer's block by suggesting chord variations based on certain progressions, melodic sequences, and rhythm. Technologies like Jukedeck even create sample background tracks for songs, making music writing more accessible. During live recording, algorithms can automatically detect and remove click track and mic bleed from recorded tracks, simplifying the track cleaning process. Also, computer programs can identify preferences and design decisions to smoothen the workflow without compromising style and quality. Artificial intelligence enabled plugins for mixing and mastering music, such as the Track Assistant feature in Neutron 2 by Izotope that creates automatic presets for the engineer, setting auto-release,

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ratio, and attack on the compressor based on selected styles and intensity. Landr, a big data music mastering company, analyzes tens of thousands of songs to understand mastering decisions by engineers and has developed a mastering engine that automatically adjusts dynamics, bass levels, and compression of a track. In addition, search algorithms can analyze the current software that engineers use to recommend plugins and samples that may be of high interest, making software discovery more efficient. Music collaboration platforms with AI technology can perform evaluations of potentially successful collaborations between artists based on past hits, matching vocal ranges and musicality to produce suggestion lists and prompt effective partnerships for music.

On Stage

The benefits of AI extend to the live stage as well. Some musicians have begun experimenting with it in performances, such as A.M.I. that listens to the improvisation of a musician and mirrors notes on virtual instruments to build live electronic orchestration in real-time. In addition, based on venue size, structure, and layout, computer programs can use past performance setup datasets that calculate and determine the optimal setup of audio equipment in terms of position, direction, location, and volume. With this information, concert setup costs can be minimized while maximizing the audio quality for delivering playback to performers as well as live music to the audience. Similar concepts were implemented when algorithms were used to design the architecture of a concert hall in Hamburg, Germany, to suit orchestral music. Moreover, AI algorithms can assist in live sound mixing. By studying a sound engineer's past shows, it can develop intuition based on an engineer's preferences and

automatically adjust sounds based on the engineer's mixing patterns, such as setting level thresholds and auto-balancing technology to deliver sound that fits the engineer's style. Light shows are also a common theme in live concerts, adding to the overall experience. By studying relationship data between past performances and their respective light shows, AI models can recommend appropriate light displays to match the ambience and emotions depicted during music cues within the show, reflecting the right mood and visual environment. Lastly, AI technologies can act as an automatic fail-safe for technical faults which can be costly. During technical difficulties, diagnostics programs can immediately locate the source of error, visualize the fault and fix the issue present. Live diagnostics services can also be employed to check for smooth connections, log fault warnings, and prevent incidents from happening.

In the Market

Analytics tools built with AI technologies can also help musicians reach their intended market and target audience. Using past marketing campaigns and engagement, these algorithms can study an array of variables, such as distribution medium and selected marketing channels, time and date of album release, and type of content used for advertising to determine effectiveness and optimal method of delivering music with the highest projected outreach. With such tools, artists and artist managers are better able to identify what type of content to deploy, when to schedule music releases, who to market to, and how to shape their brand for commercial success.

Most applications of AI are built by musicians with the purpose of enabling musicians. Consequently, most of these products do not attempt to fully automate sound engineering tasks or replace humans involved in the music production process. Instead, they try to take advantage of the huge potential of algorithms to accelerate the music making process, making it more fun and taking sound processing a step further.

Artificial intelligence certainly does not concoct the hypothetical jobless dystopia that many people love to talk about. On the contrary, it creates greater potential for musicians to build their craft. It opens doors to new opportunities that test the limits of what is possible. What is critical for artists to be successful is to always be aware and continually learn how to apply technology to the music making process. Absorb what is useful. Discard what is not. Add what is uniquely your own. By harnessing the benefits of technol-

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TECHNOLOGY IN MUSIC

A New Model of Online Media

By Daniel Pines

In recent months, major record labels such as Universal Music (UMG) have been scrambling to find and make deals with new multimedia groups such as Mass Appeal, and All Def Digital. These online entertainment companies have made a big splash in recent years as more and more people find their artistic content on YouTube, streaming services, and social media. The recent interest of major labels is particularly interesting since these media companies are not solely or even primarily involved in the creation of original music. It is also very significant, as these recent deals point to a larger trend of how traditional record labels and other outlets of entertainment are preparing for a future in which the majority of content is distributed online.

The Rise of the Online Content

It should be no surprise to anyone that over the past decade, social media platforms have come to dominate the attention of the modern world. This trend is of course most prevalent among adolescents and young adults – the niche clientele pursued by creators of music and other entertaining content – and has provided an unprecedented opportunity for content creators to reach large audiences within astonishingly short periods of time. But this is only the tip of the iceberg.

In this new landscape, photographers, bloggers, artists, and all sorts of other creative types have achieved incredible notoriety through their cunning use of these social media platforms. This niche set of skills – what might be cheekily described as “eyeball grabbing” – has become the foundation for an entire sub-industry which is being competitively pursued by creative, media, and marketing groups alike. In the midst of this 21st century gold rush, new companies have evolved to master all aspects of the online content bonanza. These companies, which are being loosely coined as “online multimedia & entertainment groups,” have become incredibly adept at producing and marketing online content that is both targeted and engaging. These online media groups are the newest addition to the online craze, and are the focus of this article.

Content creators, whether they are independent or incorporated, are not the only actors who are interested in the power of online platforms. Brands and other businesses that rely on trend and popular image for profit have become some of the most active players in the online sphere of culture and influence. Their interest in this landscape has created configurations through which social media influencers, such as YouTube or Instagram celebrities, can make huge profits by promoting the products of brands that hire them. In return, these companies have the opportunity to gain direct access to their niche markets through their endorsee’s cunning use of social media.

With the entrance of online media groups, however, these opportunities for creative advertising are exponentially multiplied. Not only do these groups have the ability to reach these niche consumer markets directly through

social media, but they are well connected enough to provide top-quality content that rivals the industry standards of New York and Hollywood. Through this model, Mass Appeal, which began as a New York City graffiti magazine in 1996, has gone from marketing artists on social media to producing creative advertising content for top-tier companies, including Asics, Under Armour, Google, and HBO.

These opportunities for corporate online marketing – whether through independent influencers, or online media groups – have provided strong and evermore prevalent linkages between advertising, the creation of content, and its consumption amongst online users.

The “New Model” of Multimedia Entertainment

Online multimedia groups vary significantly in terms of the content, branding, and markets they pursue. But while online media groups drastically differ in nearly all aspects of their business model, they all share one key feature: strategic specialization. More specifically, they excel in areas where traditional media conglomerates fall short.

While online media groups are always on the cutting edge of trends and developments in culture and entertainment, they don’t appear to be interested in mainstream popular culture. Instead they focus on niche pockets of society, such as those that strongly subscribe to a specific cultural identity, to which they can cater their works. In many cases, this focus is tightly woven into an ideology or even a succinct mission with strong political implications. For example, Mass Appeal markets itself as a “media and entertainment company on a mission to represent and progress urban culture on a global scale”. All the content they produce relates to this goal, and host photos of Black Lives Matter protestors on its website. Similarly, All Def Digital describes itself as “leveraging the cultural power of hip-hop, comedy, and social justice”, and focuses substantially on content that is informative on racial issues and discrimination in the United States. These tactics of putting missions and values first seem to be very successful in gaining traction amongst niche viewers. However, it’s not enough to be invested in social issues. In order to gain true influence, online media groups must be a part of the culture they claim to represent.

In a world dominated by social media, the concept and construction of identity has more importance than ever before in the lives of everyday people. By taking strong stances on specific cultural and political issues, these groups are able to prove to their viewers in a concrete way that they are fully immersed in the cultural group they represent, and are thus viewed as a genuine source of its creativity and influence. This strategy is imperative on social media, where every action that is taken by a user is primarily intended as a reflection of self. If social media users regularly display their actions online as a projection of their identity, no less can be expected of any other creative group which hopes to gain influence. Thus, by doubling down on their brand identity, new model media groups are able to attain the complete devotion of their fans – those who fit within their niche cultural sphere – in a way that mainstream media outlets cannot. By

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focusing extensively on building a strong identity, new media groups are able to cut through the noise and deliver content directly to their niche consumer base.

Although these media groups are gaining a lot of influence online, they don't work exclusively – or even primarily – within a single established facet of the entertainment industry. Instead they offer a full range of renaissance talent, often including photography, documentaries, comedy skits, live video recordings, and artistic films. Leveraging their work against the high profiles of the artists and brands they collaborate with, these media groups are able to raise their profile as producers of high-quality content.

While they work to curate all kinds of content for their online and user-based platforms, new media groups also put a great deal of their efforts into collaborations and creative advertising for blue-chip companies that are looking to step up their marketing scheme. This may be one of the most valuable sources of revenue they have, and is likely one of the main reasons these entertainment groups are so successful. With access to exceptional artists and producers across a wide variety of creative fields, creative advertisers within these media companies have all the tools they need to make excellent ads and promotional material. Not only can their content shape the consumer image of a brand, but in many cases it can also stand as compelling pieces of online media. In addition to serving the marketing purposes of the companies that hire them, these projects also raise the profile of the media company that created them, further increasing its value to potential clients.

All Def Digital hosts three active and popular YouTube channels, which focus on music, comedy, and civil rights activism. Their music channel flaunts playlists, live performance footage, interviews, short documentaries, and promotional videos with corporate sponsorship. "All Def Nation", the activist channel run by All Def, hosts a variety of engaging and informative videos which are designed to be spread and shared through social media. Their popular comedy channel features a variety of content, including a series called "Dad Jokes," in which guests sit across from each other and take turns trying to make the other laugh. All Def's success is shown through the 300 million views they generate on a monthly basis between their combined YouTube and Facebook pages. They also have a show on HBO, titled "All Def Comedy."

As a result of this success, they have recently expanded their partnership with UMG. This allows for greater collaboration between the companies, and affords UMG artists more opportunity to be featured in All Def's online video content.

Mass Appeal, originally founded as a graffiti magazine in 1996, is heavily involved in producing a variety of content mediums, which include film, TV, music, photography, and creative advertising for high-end brands. They launched their record label in 2014, which hosts a small roster of top-notch talent, including Nas, J-Dilla, DJ Shadow, Dave East, and Run the Jewels. They are very active in their production of film and TV content, and have produced work for Netflix, PBS, Showtime, CNN, and TBS. These films include live performances (Nas Live from Kennedy Center

– PBS) documentaries on hip-hop and its culture (Rapture – Netflix), the history of racial issues in Los Angeles (Burn, Motherf*cker, Burn – Showtime) and an animated series of comedic and anecdotal celebrity stories (Storyville – TBS). They have done creative advertising projects for innovative companies such as Asics, Google, HBO, and Under Armour. They also have an extensive list of top-notch photographers and film producers who they work with regularly.

As a result of its extensive success and excellent branding across a variety of mediums, Mass Appeal has signed a global, multi-year deal with Universal Music. This deal allows Mass Appeal access to Universal Music's marketing and promotional teams across the world, while giving UMG exclusive distribution rights for physical and digital musical recordings and short-form video content. It also gives Universal the right to distribute releases from all of the artists signed under Mass Appeal's record label.

So now we have a clear idea of what these online media groups are, and how they're making waves in the worlds of advertising and entertainment. But how does this relate to the music industry, and why are major labels so interested in claiming their stake?

New Media's Impact on the Music Industry

While online media groups are making waves across the entertainment industry, their new entrance onto the music scene is particularly disruptive. Whereas film and photography lend intuitively themselves to independent success on social media, the barriers to the music industry are much harder to crack. While some artists attain success independently through videos and Soundcloud tracks going viral, record labels act as gatekeepers to the majority of the industry. In order for online media groups to become heavily involved, they eventually need to work with or for record labels, which means they need to provide something that record companies can't create for themselves.

Luckily, new media's area of expertise lands directly where, similar to mainstream media outlets, record labels fall short. (Everything that makes them stand out online also gives them an edge over record companies.) Their very nature as a cultural entity, as well as their mastery of social media platforms gives them a trend-setting influence that labels struggle to attain. Their ability to become political and independent allows them to enter and thrive in spaces that record labels find inaccessible. As hubs of all sorts of creative talent, online media outlets can provide high-quality content across a variety of mediums that would normally be outsourced by a record company. Finally, their relationships made through corporate advertising can be leveraged for collaborations and sponsorships.

Upon looking at what online media groups do, and the ways in which their focused tactics compliment the large-scale business record labels are typically involved in, it makes perfect sense that these two business groups would want to work together. Online media groups have the ability to open doors to focused consumer bases that record labels are having a hard time reaching. Moreover, they provide the labels with extra sources of revenue. This is also an excellent opportunity for the media groups themselves. Working with top labels like UMG Global offers media groups the chance

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to spread their work globally, which means significantly raising the value of their brand, as well as potentially greater profits for them, and all the artists and other collaborators they work with. Clearly, online media groups have a lot to offer to major labels, but labels aren't the only actors who have an interest in this new model.

As attractive as they are to record labels, new media companies are even more valuable to individual artists who are trying to build their brand. With their strong corporate networks, deft use of social platforms, stellar multimedia content, and excellence in identity branding, online media offers the exact skills and opportunities that artists need in order to succeed. In a sense, the benefits they could offer to artists might arguably resemble that of a typical "360 deal" – that is, plenty of opportunities for collaboration and branching out into different kinds of content – but without as high a pay cut, and without forcing the artist to give up creative control. And in an era where streams and record sales are relatively ineffective at generating net revenues for recording artists, opportunities to expand into different artistic avenues is even more valuable.

The potential worth of this value proposition is encapsulated best by the work and profile of Mass Appeal. In 2014, they teamed up with New York rapper Nas to launch their own label, Mass Appeal Records. Since then, they have signed and worked with a select roster of influential urban, electronic, and hip hop artists, including Nas, J-Dilla, Run the Jewels, DJ Shadow, and Manny Fresh. They produce live video recordings of their artists' performances, and are also involved in producing documentary and dramatic film material for cable and online television companies, further adding interest to the work of their signed artists. Nas's most recent album, *Nasir*, was released by a collaboration of Mass Appeal Records and Def Jam Records in June of this year. After their recent deal with UMG, there is little indication that Mass Appeal will be slowing down anytime soon.

Conclusion

After finding out what these new multimedia groups are, and all the ways that they have innervated the worlds advertising and entertainment, there is little doubt that they will have an increasingly large role to play in the future of music and entertainment. Universal Music sure seems to think so.

Somewhere in this chaotic business model, there is something very important to be learned here. For the past half-century, major labels have been the keepers of keys to success in the music industry. With what used to be nearly exclusive access to the funds and expertise necessary to create, market, and distribute musical recordings, record labels were the be-all-end-all for aspiring artists to reach their goals of stardom and influence. But in a new era where independent writers, artists, and producers can create basement recordings that rival chart-topping superstars, record companies have lost their collective monopoly on the industry.

This isn't a declaration of industry-wide Armageddon: record labels still remain the most important players in the marketing and production of records. But today, the hold record companies have on the industry relies critically on their ability to market and influence the new sounds and trends in music. Now, that essential keystone is being chal-

lenged by the consumer intuition and online mastery of new media groups. What if this new model of online media does not just apply to social platforms and advertisers, but for the music industry as a whole? It beckons one to ponder whether or not a greater shift of power in the music industry might be looming. Only time will tell if that shift will come – or what the outcome might be.



Photo Credit: Kysan Kwan Photography

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Remembering Aretha Franklin

By Camran Ferrier

On August 16th, 2018, the world lost one of the most celebrated and most influential vocalists ever to grace the music industry: The Queen of Soul herself, Aretha Franklin. She was 76 when she passed away at home in Detroit, her publicist revealing that she was in the advanced stage of pancreatic cancer.¹ As we mourn her passing, let’s take a look back at her life and appreciate her impact on music and in the industry, as well as the remarkable legacy she left behind.

Biography

Born in 1942 in Memphis, Tennessee, Franklin grew up during the prelude to Soul music. Her father, Reverend Clarence La Vaughan Franklin, began working at New Bethel Baptist Church in Detroit, where he became a nationally renowned preacher and gave his daughter her first start in her singing career.² Due to her father’s fame, many of the greats came through her childhood home, such as Duke Ellington, Sam Cooke, and one of her greatest gospel influences, Clara Ward.³ She was a gifted child, showing tremendous intuition and aptitude in her singing as well as her piano playing. Smokey Robinson, front man of The Miracles, grew up with Aretha in Detroit and recalls that “when Aretha sat down at the piano as a little girl, she played these fully voiced gospel chords that were almost orchestral — heavy, weighty, magnificent, full-blown gospel stuff.”⁴ Her father’s church is also where she began to record, releasing her first album, *Song of Faith*, in 1956 at only fourteen, and shortly after began touring with her father’s “Revival Tour.”² In 1960, after honing her talents on the stage, she moved to New York and was signed to Columbia Records, who released her album *Aretha* a year later.

She quickly became a success, making a name for herself in the R&B Charts with “Today I Sing The Blues,” which landed Franklin her first Top 10 spot only two months after the song was released. Over the course of her career, she achieved an impressive fifty-two Top 10 hits on the R&B charts, twenty of which went all the way to No. 1, matched only by Stevie Wonder.⁵ She released an incredible forty-two studio albums in her time, winning eighteen of her forty-four Grammy Nominations, and so it is no surprise that the award for Best R&B Female Performance is dubbed “The Aretha Franklin Award.”³ Rolling Stone named her as the greatest singer of all time in a poll that came out in 2010, captioned with a touching tribute from singer-songwriter, Mary J. Blige: “Aretha is a gift from God. When it comes to expressing yourself through song, there is no one who can touch her. She is the reason why women

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want to sing.”⁶ After her passing on August 16th, her combined album and digital song sales increased by 1,568 percent compared to the previous day, according to an initial sales report from Nielsen Music,⁷ which goes to show how much people were affected by the news of her death, and it is surely a testament to her legacy.

Social Impact

Aretha Franklin was a role model for young, black, female artists, being the first woman inducted into the Rock and Roll Hall of Fame in 1987 and more importantly, appealing for racial tolerance and equality through her music. One of her most famous works is her rendition of Otis Redding’s “Respect,” which has sold millions of copies and was embraced as an anthem of black liberation and female equality.³ Redding’s original lyrics talked about a man asking his wife for respect when he came home, a fairly traditional dynamic of couples in the 1960s, but Franklin made her version resonant by changing the perspective to that of a woman asking for respect when her man got home. The song was also embraced by the civil rights movement, Reiland Rabaka saying it had “a particular meaning for the black freedom movement, for the civil rights movement, for the black power movement, and for black women involved in the women’s liberation movement at that time.”⁸ During a time of social injustice, the song kept the faith of civil rights activists in their cause and helped to strengthen it, according to Rep. John Lewis, a civil rights icon,⁹ and Aretha herself recognized that it was “one of the battle cries of the civil rights movement.”⁸ These are facts that can easily be overlooked when measuring the impact of songs just based on Grammy Nominations or chart position, and so it is important to mention, especially when talking about the legacy of the Queen.

Business

The song “Respect” also represents long-standing issues in copyright law and artist rights. In a way that some might call ironic, “Respect” racked up roughly seven million plays on national radio stations, but Aretha Franklin saw no monies generated from that. In the US, radio stations only pay royalties to the songwriters and publishers, not the performer of the song, for the use of sound recordings because it is deemed a public performance. In this case, Otis Redding’s Estate was paid every time Franklin’s version was aired on the radio, but she never was. There are laws that allow performing artists to collect royalties from internet and satellite radio, but since her version of the song was released in 1967, it was not protected by the 1972 change in the copyright act.¹⁰ Efforts to change this law have seen pushback from broadcasters in the past, who argue that performers gain a benefit from the promotion they receive; however, Title II

of the Music Modernization Act (called “The Classics Protection and Access Act”) protects pre-1972 works for 95 years after first publication.¹¹ Tragically, this comes too late for the Queen of Soul, though her role in getting this unfair practice is recognized and brought in front of Congress will not go unnoticed, and it should be recognized by all who seek to follow in her footsteps. Franklin was also notorious for taking care of her own business, demanding to be paid in cash when she used to perform because African-American artists were routinely ripped off by white promoters.¹² She would always have her purse with her on stage and after the show, she would pay her 20-30-person entourage in cash. Coupled with her fear of flying, she was not the highest-paid celebrity even at the height of her fame, but she had the respect in the industry. Michael Levitt, a television producer who worked with her, says that it was her way or no way, and they didn’t care because she was worth it.¹²

Surprisingly, Franklin did not leave a will when she died, and consequently, her four sons will equally divide her assets as per Michigan law.¹³ There seems to be no internal family conflict, reports The Guardian, but the value of her estate is sure to be a point of contention as attorneys will try to downplay its value for tax purposes, while the IRS will be doing the opposite.¹³

Conclusion

In conclusion, Aretha Franklin was without a doubt the Queen of Soul and one of the greatest musical influences of the modern era. She was not only a flawless vocalist and musician, but also her music spread beyond the boundaries of the stage and to the cause of civil rights, social activism, and artist rights. She is an excellent role model for musicians and social activists alike, and her legacy will never be forgotten.

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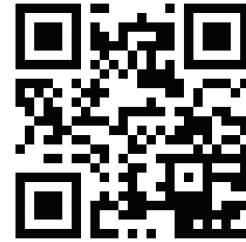
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