
CLICK TOPIKS

HAPPY HOLIDAYS



PPCO Christmas Party

Please RSVP by December 7th.

**Email [Jim Nardone](mailto:jim.nardone@ppco.org) with how many
will be attending.**

[Party Details and Menu](#)



Presidents Message

**Hello Everyone,
We had a fabulous
November meeting,
thanks to our won-
derful speaker,
Jennifer Gilman.
She is a marketing
genius! Congratu-**

**lations to Jennifer, who is receiving her
Master and Craftsman Degrees at the PPA
Convention in January. Jennifer had so
much information to share at our meeting
that several members said that they
couldn't write fast enough to keep up
with her! Jennifer and Mark Garber
shared how they market to their clients
and also how they keep them for a life-
time! If you weren't able to attend this
meeting you missed one of the best ever!**

**My favorite meeting is our Holiday party!
It is on December 11, 2006 at the Berwick
Party House at 6:30 PM. Please bring a
wrapped, non-photographic gift around
\$20.00. For those of you who have never
been to this annual "shindig" We begin
by drawing for a gift. Once you have a
gift, the next person may either pick a
package from "the well," or STEAL
YOURS! I guess it should be called "Steal
That Gift." (no relation to "Deal or no
Deal")**

**It's a wild affair that will have you laugh-
ing, screaming, begging and pleading!
It's a game that is so much fun, I can't
wait! The Holiday buffet is fantastic and is
included**

**for you and your spouse or significant
other. So come to our Holiday party for
the fun, food and plenty of surprises!**

**I can't believe that this year has gone by
so fast and I know how busy this time is
with all the production from your clients
wanting everything for the Holidays! Try
to relax a little and remember that the
Holidays are for remembering loved ones
here and above:**

- For giving,
- For forgiving,
- For caring,
- And for sharing.

**I hope all of you have the most blessed,
healthy and happy Holidays and a pros-
perous New Year.**

**See you at our Holiday party,
Your PPCO President,
Elaine Hughes**

**PS Don't forget our fun and exciting print
competition at our January meeting! It
will help you get ready for the PPO Mid-
East States print competition. More in-
formation on this to follow.**

<i>PPCO Board of Directors</i>	
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	Elected Member Kim Myers kim@myers-photo.com

<i>2006/2007 Calendar</i>
Sep. 11 Angela Talentino Marketing: Creating Healthy Habits
Oct. 9 Darrell Moll Setting Yourself Apart
Nov. 6 Jennifer Gilman / Mark Garber 15 Ways to Create Buzz for your Business
Nov. 13 & 14 Fall Two Day Conference - Hilton - Easton
Dec. 11 Christmas Party
Jan. 08 Print Competition - Judges TBA
Feb. 13 Round Table
Feb. 28 - Mar. 5 Mid-East States Convention – Dayton OH
Mar. 12 TBA
Apr. 09 TBA
May 14 TBA

PPCO Board meetings are generally held at 6:00, before the regular meeting. PPCO financial information is available to members upon request.

PPCO Christmas Party Details

December 11, 2006

**Location: The Berwick Manor Restaurant
3250 Refugee Road
Columbus, Ohio
Phone 614-235-7100**

6:30PM - 7:30PM Cocktails

7:30PM - 8:30PM Dinner

8:30PM - 10:30PM Gift Exchange

PPCO. Members + 1 Guest No Charge

Each additional guest \$23.00

Dinner: 3 Entree Buffet....

House Made Cheese Manicotti

Chicken Marcela

Beef Brisket, 1/2 BBQ, 1/2 Gravy

3 Side dishes....

Italian Green Beans

Au gratin Potatoes

Tortellini Alfredo

Unlimited Salad Bar

Dessert....

Assorted Cakes & Pies

Includes....Bread, Rolls & Butter...

Coffee, Hot Tea, Iced Tea & Milk

Gift Exchange: 1 gift per person.

Member w/Spouse or Guest - 2 Gifts.

Gifts: \$20..Unisex..Non-photo related.

The Photographer's Guide to Music Licensing

As copyright owners, photographers understand the need to respect the intellectual property rights of others. However, determining what those rights are—and how to comply with them—can be exceedingly confusing. In order to assist our members in this area, PPA offers this brief guide to licensing music for those uses most often seen in professional photography:

1. Radio in the Studio
2. Pre-Recorded Music in the Studio
3. Setting Image Slide Shows to Music

The costs mentioned in this article are the standard rates. However, PPA is currently using the power of its 14,000 members to negotiate discounts with each of the licensing organizations involved – so look for additional savings in the future.

Why Do I Need a License to Play Music in My Studio?

Most of us in the photography business associate copyright with the right to make copies of a work and to distribute or sell them. However, these are just two of the six exclusive rights granted to copyright holders. Copyright law also grants copyright owners of certain kinds of works the exclusive right to perform that work publicly.

This “right of public performance” applies to music, movies and similar works and extends not just to live performances of the work, but also to pre-recorded performances. Just as a client would need a license to copy your work, a studio owner who uses music must generally obtain a license to transmit the performance of a copyrighted work.

1. Radio in the Studio

Most photographers do not need a license to play the radio in their studio. Only those who have a location of more than 2,000 gross square feet need to be concerned.

However, even those studio owners may qualify for an exemption.

For studios over 2,000 gross square feet, you only need to purchase a license if you have six or more speakers with four or more speakers in one room, or if you use audiovisual equipment consisting of more than four televisions with more than one television in each room and with at least one of the televisions having a diagonal screen measurement greater than 55 inches.

If you meet these requirements, you will need to purchase a license from all three performing rights organizations in order to be fully compliant with copyright law.

Contact and rate information for those organizations (ASCAP, BMI, SESAC) is listed in the next section.

2. Pre-Recorded Music in the Studio

Copyright law requires a performance license when pre-recorded music (think CD or cassette tape) is played for direct or indirect commercial advantage. “Commercial advantage” would include playing pre-recorded music in your studio to add excitement to a senior portrait session, as part of a sales presentation or just for creating a warm ambiance in your waiting area.

Since licensing for pre-recorded music is based on using the music for commercial

advantage, there is no size or equipment exemption that will allow you to avoid purchasing performance licenses from ASCAP, BMI and SESAC.

Performing Rights Organizations

In the United States there are three different organizations that collect licensing fees for the performance of a copyrighted work. While ASCAP is the largest of these groups, each organization handles a different catalog of music. This means that a studio owner must purchase a license from all three groups to avoid a copyright infringement.

- **ASCAP:** The licensing fee will vary depending on the number of speakers you use in your location. Fees begin at \$184 for one to three speakers, plus \$38 for each additional speaker. Information on obtaining an ASCAP license can be obtained at www.ascap.com.
- **BMI:** Minimum retail rate for playing pre-recorded music at an individual location is \$176.99 for audio only or \$238.94 if audiovisual performances are shown. The price increases with the square footage of the studio. They can be contacted through www.bmi.com.
- **SESAC:** The normal annual fee for retailers of less than 10,000 square feet is \$144 a year. The website is www.sesac.com.

Estimated Costs to Studio

For those studios that require a license, the total cost of copyright compliance will vary. The minimum anticipated cost of getting into compliance is around \$500 per year. That pales in comparison to the probability of significant damages for copyright infringement for those studios that fail to comply.

PPA is currently using the leverage of its 14,000 members to negotiate significant discounts with the three performing rights organizations.

3. Setting Image Slide Shows to Music

In order to set images to music on a CD, a photographer must acquire both a “synchronization” and a “master use” license to avoid becoming a copyright infringer. The first, the synchronization or “synch” license, permits you to set a slide show or video to music. The second, the master use license, allows you to copy an existing recording on CD or as a digital file.

Unlike mechanical license rates, which are set by statute, rates for synchronization and master use licenses must be negotiated individually and vary widely. However, just like rates for commercial photography, the cost for these licenses will vary with the scope of usage.

In seeking synchronization and master use licenses, it is important to note that the rights to different recordings of the same song may be owned by different record labels and publishing companies. And unlike a performing rights license, which *must* be granted, a copyright owner may elect not to issue a synchronization or master use license.

Obtaining a Synchronization License

In order to obtain the synchronization license—required to record music as accompaniment to a slide show or other presentation—you must contact the music publishing company that owns the rights to the composition. This information can usually be found on the disc itself or on an insert in the CD case.

If you already know the name of the publishing company or the “label imprint” for the recording, the Music Publishers Association has a directory that can help you get the contact information for the music publisher at <http://www.mpa.org/>.

If you know the name of the track and the artist, but not the name of the music publisher, you can use the search functions at the performing rights organizations to determine who you need to contact for the synch license:

- ASCAP: <http://www.ascap.com/ace/search.cfm?mode=search>
- BMI: <http://www.bmi.com/search/>
- SESAC: http://www.sesac.com/repertory/repertory_main.asp

Obtaining a Master Use License

In order to obtain a master use license—permitting you to make recordings of an existing CD or other music format—you must contact the owner of the actual recording. The owner of the master recording is almost always the record label, which can usually be found on the disc itself or on an insert in the CD case.

Fees for such licenses are negotiated individually. Contact information for the “big five” record labels is below; information on independent labels is best found using the information from a CD or doing independent Internet research.

Universal Music Group
Business & Legal Affairs
70 Universal City Plaza
Universal City, CA 91608
Telephone: (310) 865-9571
Includes MCA, Geffen, Mercury, Island

Warner Music Group
Mark Ansorge, Esq.
VP Business Affairs/New Technology
Warner Music Group
75 Rockefeller Plaza
New York, NY 10019
tel. (212) 275-1348
fax (212) 405-5297
Includes Warner Bros., Atlantic, Elektra

Sony Music
New Technology and Business Development
550 Madison Avenue
New York, New York 10022-3211
fax (212) 833-7204

BMG Entertainment
David Seklir
Senior Director, Business and Legal Affairs
david.seklir@bmg.com
Includes BMG, RCA, Arista

EMI-Capitol Music Group North America
Alasdair McMullan, Esq.
VP Legal Affairs
1290 Avenue of the Americas
New York, NY 10104
tel. (212) 492-5056
fax (212) 492-5095
Includes Capitol, Virgin, Chrysalis

Royalty Free Music

Like the photography business, the music industry has a number of companies offering access to royalty free works. Generally speaking, royalty free or “buyout” music provides you with a non-exclusive license to copy and synchronize the work. The cost and quality of royalty free music varies widely. Be sure to investigate and read the licensing agreement before you purchase.

There is a large number of royalty free music companies. Here is a brief sampling:

- Accent Music Productions, www.accentmusicccds.com
- Crank City Music, www.crankcity.com
- Media Tracks, www.media-tracks.com
- The Music Bakery, www.musicbakery.com
- UniqueTracks, www.uniquetracks.com

Need More Info?

For additional information on licensing musical works, please contact PPA’s Copyright and Government Affairs Department via the Customer Service Center: csc@ppa.com or 800-786-6277.

Courtesy of PPA

Christmas Story

On Christmas Eve a young boy with light in his eyes
 Looked deep into Santa's, to Santa's surprise,
 And said as he nestled on Santa's broad knee,
 "I want your secret. Tell it to me."
 He leaned up and whispered in Santa's good ear,
 "How do you do it, year after year?"

"I want to know how as you travel about,
 Giving gifts here and there, you never run out.
 How is it, dear Santa, that your pack of toys
 you have plenty for all of the world's girls and
 boys?
 Stays so full never empties, as you make your way
 From rooftop to rooftop, to homes large and small,
 From nation to nation, reaching them all"

And Santa smiled kindly and said to the boy,
 "Don't ask me hard questions, Don't you want a
 toy?"
 But the child shook his head, and Santa could see
 that he needed the answer. "Now listen to me."
 He told the small boy with the light in his eyes,
 "My secret will make you sadder, and wise.

The truth is my sack is magic in side
 It holds millions of toys for my Christmas Eve
 ride.
 Although I do visit each girl and each boy
 I don't always leave them a gaily wrapped Toy.
 Some homes are hungry, some homes are sad,
 Some homes are desperate, some homes are bad.
 Some homes are broken, and children there grieve.
 Those homes I visit, but what should I leave?"

"My sleigh is filled with the happiest stuff,
 But for homes where disappear lives, toys aren't
 enough.
 So I tip toe in, kiss each girl and boy,
 And pray with them they will be give the joy
 Of the spirit of Christmas, the spirit that lives
 In the heart of the dear child who gets not, but
 gives."

If only God hears me and answers my prayer,
 When I visit next year, what I will find there
 Are homes filled with peace, and with giving and
 love
 And boys and girls gifted with light from above.

It's a very hard task, my smart little brother,

To give toys to some, and to give prayers to others.
 But the prayers are the best gifts, the best gifts in-
 deed,
 For God has a way of meeting each need.

"That's part of the answer. The rest, my dear
 youth,
 Is that my sack is magic. And that is the truth.
 In my sack I carry on Christmas Eve Day
 More love than a Santa could ever give away.
 The sack never empties of love, or of joys
 'Cause inside it are prayers, and hopes, not just
 toys.
 The more that I give, the fuller it seems,
 Because giving is my way of fulfilling dreams.

And so do you know something "You've got a sack,
 too.
 It's as magic as mine, and it's inside of you.
 It never gets empty, it's full from the start.
 It's the center of lights, and of love. It's your heart.
 And if on this Christmas you want to help me,
 Don't be so concerned with the gifts 'neath your
 tree.
 Open that sack called your heart, and share
 Your joy, your friendship, your wealth, your care."

The light in the small boy's eyes was glowing.
 "Thanks for the secret. I've got to be going."
 "Wait, little boy," said Santa, "don't go.
 Will you share? Will you help? Will you use what
 you know?"
 And just for a moment the small boy stood still,
 Touched his heart with his small hand and whis-
 pered, "I will."

Author Unknown