



## Illegal Music Copying

### Some "Straight Talk" from Bill Heyman



As uncomfortable as this subject is...I'd like to discuss candidly the problem of "illegal copying" of music, a subject about which I have been talking publicly for more than 15 years. This illegal practice has become so widespread that it endangers the continued availability of new square dance music. Please know that my comments are intended to "inform," not to "offend" and certainly not to "accuse."

We have no way of knowing the exact extent of the theft, but well-known callers have often found groups of callers at festivals "exchanging" music. One caller matter-of-factly stated..."oh yeah...I buy my MP3 and then share it with 12 of my friends!" Hearing that is very difficult for those who have invested a fortune in digital recording equipment to serve the square dance industry.

A music producer was told that a group of 10 callers each purchase 1 new tune every month and then illegally copy the other 9 songs. That caller was very proud of their 90% savings!

The issue of illegal copying is of great concern to all producers. With sales already down due to the well-known decline in square dancing, the increase in illegal copying has some of these producers considering not producing new music. One producer is even considering making music only for his own personal use...but not for sale to others.

The majority of callers are, in fact, honest, and those honest callers end up paying the price for those who are not. Have you noticed how few new music releases there have been for the past two years?

I used to believe that some callers make illegal copies of square dance music without thinking that it is illegal and without knowing that it is against their own long-term personal interests. I've come to the conclusion that most of those individuals make illegal copies with full knowledge of what they are doing. That is quite blunt...but it is important to discuss this issue openly.

Buying square dance music is really buying a "single user license"...very similar to what happens when you purchase computer software. The software is intended for use by one person (unless you have purchased a multi-user license). You are certainly allowed to make a back-up copy for your own use, in case your original is damaged or lost.

And so it is in square dancing. Whether or not you buy Vinyl, CDs or MP3s, you are effectively buying a "single user license" to be used by you for your calling program. There is no problem if you make a back-up copy for your music archive and also no problem if you want to create multiple versions with different keys, with harmonies or with instrumentation added by you.

Illegal copying begins when you give away or sell ANY of the above-mentioned copies; yet continue to use the music yourself.

With the introduction of CD recorders, Minidisks and MP3 files, it has become quite easy (read that as "tempting") to copy the music belonging to other callers without paying for it oneself.

"So whom does it hurt?" some ask. There are really four victims of illegal copying:

Square Dance Music Producers: If deprived of sales revenue, to which they are entitled, there is no financial incentive to spend money in a studio creating the music, in addition to the huge expense of licensing, media production, shipping, etc.

Distributors/Dealers: Really the same problems. The distributors/dealers invest huge sums in distribution systems to get the music to you. As an example, for the MP3 project, Hanhurst's Music Service/Palomino invested over \$30,000.00 for digital recording equipment, software and labor to create a very large portfolio of MP3s. In addition, they purchased their own Internet computer server with related software to enable them to continue to store and deliver their offering of MP3s...not to mention the many thousands of MP3s that are planned for future release. These investments are made happily for the future of the Square Dance activity. That analysis changes drastically when one considers that a large portion of MP3 sales revenue is lost to illegal file sharing.

Callers: If the producers are not making money due to decreased sales caused partially by music theft, then they will have no choice, but to raise prices and/or limit the production of new music. Thus there will be very little (or NO) new music and that would be a tragedy for all.

Dancers: Dancers are the ultimate victims of this illegal practice. They simply will have less variety in the music presented to them for dancing.

As many of you know, a number of years ago, CALLERLAB made the following addition to its "Code of Ethics":

"I will only perform music which has been obtained in a manner which properly and completely compensates the artist and producers responsible for it's creation. I will not enable others to use copies of my music while I still retain my ownership."

This addition was a timely recognition on the part of CALLERLAB, that the scope of illegal copying and MP3 file sharing had become significant enough to warrant a clear statement condemning this illegal practice.

It is significant to note that what I am suggesting above has already happened in the Round Dance community. All of our industry record labels have pretty much discontinued the production of new round dance music due to the estimated 95% decrease in round dance music sales. While some of that sales decrease is due to the use of alternate sources of music such as iTunes and other online sources, the greatest loss is due to theft.

Think about a square dance club that records your beginner class presentation and music during 30 weeks of lessons. Then the next year, you are not hired because they are playing YOUR class tapes from last year! How would you feel about that?

The choice is really yours! You have the power to change this! You are now properly informed and must decide if you want new square dance music in the future.

Please talk with callers in your area and ask them to join you in stopping this illegal practice.

Clubs and dancers can also insist that all music used at their dances has been legally purchased and that the caller is not putting the club and its members in jeopardy!

Your comments are welcome - contact Bill Heyman (former owner of Hanhurst's Tape & Music Service for 18 years) at [WHeyman@ne.rr.com](mailto:WHeyman@ne.rr.com).

Bill Heyman is a long time CALLERLAB member and a recipient of the prestigious Milestone Award, in recognition of both he and Peggy's tremendous contribution to the square dance activity.