



New MUSIC Guidelines



WHY ARE THINGS CHANGING?

We have been **MONITORING THE MUSIC INDUSTRY** and saw that cheer and dance team **MUSIC EDITORS WERE BEING SUED BY RECORD LABELS FOR VIOLATING COPYRIGHT LAW.**

The music companies were **GETTING VERY AGGRESSIVE**, and we wanted to **PROTECT CHEER AND DANCE TEAMS (AND THEIR COACHES)** and help them **COMPLY WITH AND REDUCE THEIR EXPOSURE** under U.S. copyright law.

COPYRIGHT INFRINGEMENT IS A RISK for any unauthorized use of music.



SUPPORTING THE ARTS

- **COPYRIGHT LAWS** are designed to protect and promote creativity.
- **ARTISTS OF ALL KINDS** must be compensated for their creations.
- **WITHOUT COPYRIGHT LAWS** to protect artists, there would be little incentive for your favorite artists to create your favorite songs, movies, TV shows, video games, etc.



COPYRIGHT BASICS

Under U.S. copyright law, a **"BUNDLE OF RIGHTS"** is granted exclusively to each artist/creator including the *exclusive* rights to:

- **Copy** the work
- **Distribute** the work
- **Perform** the work publicly
- **Make modifications**, new versions or other new uses, such as to make re-mixes and mash-ups



VIOLATING COPYRIGHT LAW

- **IT IS ILLEGAL** to make use of any of this **"BUNDLE OF RIGHTS"** without permission - also called a "license"- from the owner of the copyright.
- **PERMISSION** from both the record label and music publisher is usually required.
- **THERE ARE LIMITED EXCEPTIONS** in reasonable cases of "fair use," like news reporting, commentary, criticism.
- The copyright owner might recover up to **\$150,000 FOR EACH INFRINGEMENT.**



PERSONAL USE

- **PURCHASING A LEGAL COPY** of a song – e.g., iTunes or Amazon download, CD purchase, etc. – **DOES NOT MEAN** the purchaser acquires the bundle of rights.
- **THE PURCHASE ONLY GRANTS** the user private, **PERSONAL USE** of the music, not the right to make additional copies or **MIX** the song with other songs for any other purpose.



IMPORTANT RULES FOR MUSIC

1. **DO NOT DOWNLOAD** songs from illegal sites.
2. **DO NOT COPY OR DISTRIBUTE** to others a recording you have legally purchased.
3. **DO NOT USE MASH-UPS**, created by you or sold by unauthorized providers in your routines.



GLOSSARY OF MUSIC TERMS

COVER: A new recording of a previously recorded, commercially released song by someone other than the original artist

ORIGINAL RECORDING: An original recording includes an original composition – which is a completely new composition, never before created, and that does not include any samples or snippets from any other composition – and an original recording of the original composition, also never before created.

MUSIC PROVIDER: Creates cover recordings and/or original recordings

MUSIC EDITOR: Provides the service of acquiring the rights to recordings, sound effects and voiceovers and makes an edited mix



HOW DO WE KNOW if a music provider is following the music guidelines?

- To help our customers navigate the new music requirements, we have reached out to many current music providers to create a **PREFERRED PROVIDER LIST**.
- As they **SUBMIT THE APPROPRIATE DOCUMENTS** that certify they are following the USA Cheer music guidelines, they will be added to our PREFERRED PROVIDER LIST.
- This PREFERRED PROVIDER LIST can be found on **varsity.com/music** and will continuously be updated as new vendors are confirmed.
- If a preferred provider is not following the guidelines, they will be **REMOVED FROM THE LIST**.



TYPES OF PREFERRED PROVIDERS

COVER MUSIC

- **Companies that provide COVER MUSIC** with the proper licensing to be able to edit the recordings as needed.
 - **MANY WILL PROVIDE** single purchase and package purchase of recordings that have the proper licensing **to be edited by you or your music editor.**
 - **SOME PREFERRED PROVIDERS** may also offer original recordings and/or editing services.

ORIGINAL RECORDINGS

- **Some Preferred Providers may offer FULL ORIGINAL MIXES** made specifically for your team with music **THEY CREATE AND OWN.**



NOTE ABOUT EDITORS

EDITORS DO NOT NEED TO BE PREFERRED PROVIDERS

- **Coaches/Teams may ONLY edit** their music – or use an editor to edit – original recordings or cover music purchased from a preferred provider
- **Coaches/Teams that obtain written permission** to edit music from the recording companies and all publishers may also edit – or use an editor to edit – the music they purchased.
- **Additionally, coaches/teams and editors should** only incorporate sound effects and voiceovers that they create on their own or are properly licensed.



WHEN DO TEAMS need to adhere to these guidelines?

- **THESE GUIDELINES** apply immediately.
- **THIS APPLIES** any time music is not being used for personal use.
- **THIS INCLUDES** camps, competitions, performances, etc.



MUSIC *Option 1: Single Song*

- **IF TEAMS AND COACHES** wish to only use a single song as the music for the entire routine, they may bring a legally purchased (from iTunes, Amazon, etc.) copy of that recording to be used at the applicable event.
- **TEAMS MAY NOT RE-MIX** these recordings in any way (such as adding sound effects, changing tempo or mixing with any other recordings), but **YOU MAY MAKE MINOR EDITS** for timing purposes only (i.e. removing a chorus or bridge to fit the duration of the team's performance).



Option 2: Cover Music

- **COVER MUSIC MUST BE OBTAINED FROM A PREFERRED PROVIDER** who will give you the rights to edit the cover recordings purchased from them.
- **WHEN YOU PURCHASE MUSIC** from one of these music providers, you may also be getting the rights to edit the recording with others from that provider. There is no limit on the number of recordings you can use to edit together.
- You should **CONFIRM WITH YOUR PROVIDER** as to whether or not their recordings can be edited with recordings from other providers.
- Covers may **ONLY** come from a **PREFERRED COVER MUSIC PROVIDER**.



Option 3: Original Recordings

- Original recordings **MUST BE OBTAINED FROM A PREFERRED PROVIDER.**
- The **ONLY EXCEPTION** is an original recording by a non-commercial music provider (i.e., an individual who does not operate a business and is not engaged in the business of creating music).
- **SHOULD YOU CHOOSE THIS OPTION** and your team is featured in a TV broadcast, your routine music may be used if synchronization rights are also secured.





Option 4: Varsity Spirit Summer Camp CDs

- **USE COVER VERSIONS OF RECORDINGS FROM PAST VARSITY SPIRIT SUMMER CAMP MUSIC CDs** that you already own.
- **THESE SONGS CANNOT BE EDITED TOGETHER** and have to be used as is.



CAN WE USE sound effects in our music?

- **YES, AS LONG AS YOU HAVE PURCHASED** all of the rights to the sound effect, either on a website or you paid someone to create it and they licensed the rights to you in a written agreement.
- **IF USING AN EDITOR**, you must provide proof of purchase from a preferred provider and proof of licensing for all sound effects and voiceovers included in the mix.
- **SOUND EFFECTS ARE NOT ALLOWED** on a single song that has been edited for timing purposes.



Note about Fight Songs/Band Music

FIGHT SONGS/BAND MUSIC should not be affected as long as the recording of your fight song or any other band music was legally acquired and not edited with another recording.

- If a high school marching band records their school's original fight song, they will need to get the school's permission to use the song and recording.
- If a team legally acquires a recording of a band playing a popular recording from an authorized provider (iTunes, Amazon, etc.), they can use the song as long as no edits are made to the music (other than for timing purposes).
- A team can not use a recording of their band playing a popular song (a cover) without the band becoming a preferred provider.



COACHES WILL BE REQUIRED to provide proof of licensing **upon request**:

- Proof of purchase from a preferred provider, OR
- If using an editor, proof of purchase from a preferred provider and proof of licensing for all sound effects and voiceovers included in the mix, OR
- If using a non-commercial music provider, documentation that assigns all applicable rights to the team





Let's all stay on
the right track and
**keep the music
playing!**