



## Music makes life better.

Music is a kind of magic that makes us feel good. Studies show that music actually makes us healthier by reducing stress, improving mood and enhancing interactions with others.

### **Music also makes business better.**

The right music in a retail store or restaurant can increase revenue. In a financial or health care setting, music plays a role in masking sensitive conversation. Music links good feelings with your brand, creating a vivid identity and inspiring loyalty.

### **Successful businesses place importance on music as a powerful part of their operation.**

Whether or not you're currently playing music in your business, take a moment to ask few questions. What music fits my brand? Do my patrons like it? Should my employees be allowed to choose the music? Should the style of music change throughout the day? How loud should the music be played? Do I need to pay for music licenses?

This guide has been developed by Brandi Music, a professional business establishment music provider, to give you straight answers about using music in your business. Done the right way, music can make a big contribution to your success.

# Q&A

## BUSINESS MUSIC THE RIGHT WAY

PRESENTED BY  
*Brandi*  
YOUR BRAND • YOUR MUSIC

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Brandi Music is offered exclusively through  
Easy On Hold.®

+1-888-798-4653

<https://easyonhold.com>

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the music on hold experts™

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# IS YOUR MUSIC PROPERLY LICENSED?

## DO I NEED TO PAY LICENSE FEES?

In the eyes of the law, playing music in a place where people gather is a public performance. Almost all businesses need to pay the **performance rights** for music played in their space. The only exceptions are for smaller establishments playing live, local radio broadcasts.

## WHO GETS PERFORMANCE RIGHTS FEES?

Composers and publishers of music are represented by one of several Performance Rights Organizations (PROs). In the USA, they are BMI, ASCAP, SESAC and GMR and in Canada, SOCAN. Fees are distributed based on formulas.

## CAN I REALLY GET FINED FOR PLAYING MUSIC WITHOUT A LICENSE?

Yes. Damages range from \$750 per violation (that's per song played) up to \$150,000\*. [<https://www.entrepreneur.com/article/226049>]

## WHO WOULD KNOW OR CARE WHERE I GET MY MUSIC?

PROs have "licensing executives" whose job it is to get establishments into music contracts. East Coast Foods, Inc. was ordered to pay nearly \$200,000 in damages and attorney's fees after an investigator hired by a performing rights organization caught the store playing music without a license.

## A PRO SENT ME A LETTER. NOW WHAT?

From experience, we can tell you that the PROs are very serious about collecting fees and have a history of litigation in this regard. No information in this publication, however, is intended to provide legal advice.

A significant portion of BMI's business is to "educate" and charge — by phone and in person — the hundreds of thousands of businesses across America that don't know or don't care to know that they have to pay for the music they use."

New York Times

# AM I GETTING MY MUSIC FROM THE WRONG SOURCE?

## CAN I USE MY PANDORA OR SPOTIFY ACCOUNT?

No. Streaming music services such as Pandora, Spotify, SiriusXM, Amazon, iTunes, etc. are for personal use only.

## CAN I USE INTERNET RADIO STATIONS?

No. like other streaming services, independent internet broadcasters will not pay PROs for your use of the music.

## I'M PAYING ASCAP FOR LIVE MUSIC. DOESN'T THAT COVER ALL MUSIC?

No. Fees paid to cover live performances are separate from those for recorded music. As a venue, you are responsible for contacting all 4 PROs in the USA or SOCAN in Canada to obtain proper licensing.

## I HAVE A BACKGROUND MUSIC LICENSE WITH BMI. AM I COVERED?

Often, a song's composer and publisher are represented by different PROs, making it necessary to obtain licensing with all 4 PROs.

## CAN I PLAY MY OWN MUSIC FROM A CD OR MP3?

No. Music recordings in any form are for personal, non-commercial use.

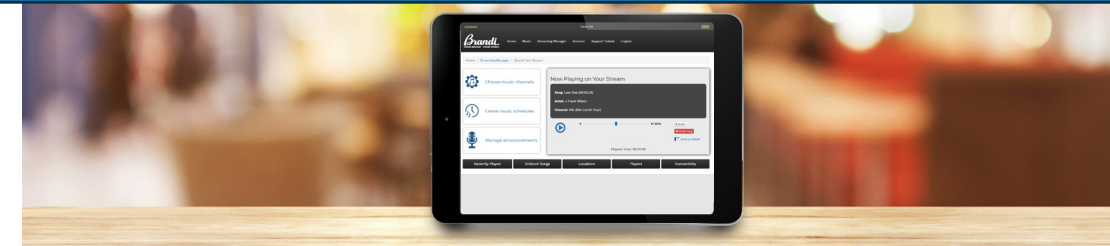
## CAN I USE "ROYALTY FREE" MUSIC?

Royalty free typically means you can make a copy of the music without paying the copyright owner in perpetuity. It does not mean performance rights are being paid to PROs on your behalf. It's best to avoid so-called "royalty free" music.

**Spotify Terms Of Use:** "Spotify is for personal entertainment only and not for commercial use. This means it can't be played in public places such as bars, restaurants, stores, schools, etc."

**Pandora Subscription Terms:** "...for your personal, non-commercial use..."

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T-Mobile

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HIGH GATE



Mitel

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## BRANDI MUSIC IS BUILT FOR BUSINESS

When T-Mobile, Hulu, and Planet Fitness needed a business music service, they chose Brandi Music because Brandi makes it easy to get the perfect sound for your brand.

- Every popular artist and genre.
- Lyrics screened to avoid offensive content/profanity.
- Blend up to 4 channels to create a unique mix.
- New music is added daily.
- More variety, thanks to a proprietary shuffle algorithm.
- No playlists to build and maintain.
- Automated schedules change your sound through the day.
- Set start and stop dates for special mixes (holidays, etc.).
- Block unwanted songs.
- Simple web app: easily manage multiple locations.
- Authorized dashboard: tamper-proof system.
- Audio device continuously monitored; 99.9+% uptime.
- All performance rights are paid on your behalf.
- Custom announcements available; never interrupt a song.
- High quality 192k audio.
- Full-time tech support.
- All features included at just \$35 per month.

Contact Easy On Hold® for your Brandi Music free trial:  
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