

Q&A IS YOUR MUSIC PROPERLY LICENSED?



PRESENTED BY

Brandi
YOUR BRAND • YOUR MUSIC

WHAT YOU NEED TO KNOW MUSIC LICENSING IS A SERIOUS BUSINESS

Music makes your 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.

Playing music requires licensing.

The right to perform musical works belongs exclusively to the music copyright holders. If your business is playing music without proper licensing, it is engaging in unauthorized performances of protected material and may face serious consequences.

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 GETS PERFORMANCE 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.

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.

WE'VE RECEIVED A LETTER ASKING FOR MONEY. 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. Your Brandi Music representative will contact any PRO to verify licensing and stop further collection activities.



HUNDREDS OF THOUSANDS OF BUSINESSES ARE BEING BILLED

"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

CAN I USE PANDORA, SPOTIFY OR OTHER INTERNET RADIO SERVICE?

Personal streaming music accounts with Pandora, Spotify, SiriusXM, Amazon, iTunes, etc. do not relieve your business of licensing liability. Internet broadcasters will not pay for your use of the music.

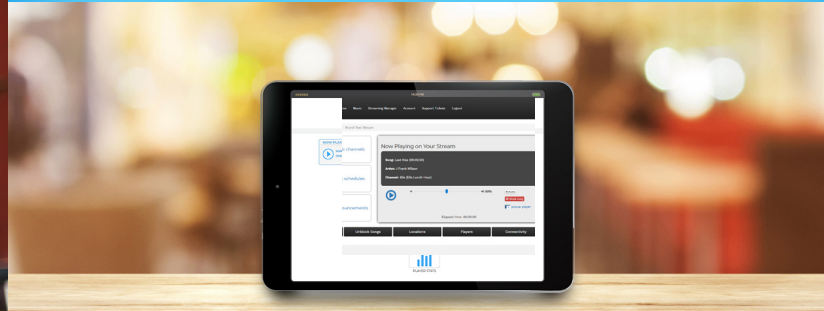
I'M PAYING ASCAP FOR LIVE MUSIC. DOESN'T THAT COVER ALL MUSIC?

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.

CAN I PLAY A PURCHASED CD OR MP3?

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





WHY USE BRANDI MUSIC?

When T-Mobile, Hulu, Dun & Bradstreet 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—and because with Brandi Music, your music performance licensing is 100% covered.

CAN I PLAY LOCAL RADIO?

Food service establishments of less than 3,750 square feet or of another type of business with an area of less than 2,000 square feet may play local broadcast radio. Advertisements, station IDs, promos, DJs and all.

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 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.

CAN I CUSTOMIZE THE MIX?

Yes. Brandi is built to create your own musical brand.

- Every popular artist and genre.
- Lyrics screened to avoid offensive content/profanity.
- New music is added daily.
- More variety, thanks to a proprietary shuffle algorithm.

IS BRANDI EASY TO USE?

Yes. Use your secure online dashboard.

- Authorized users only.
- Blend up to 4 channels to create a unique mix.
- 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.
- Add custom announcements between songs (optional).

HOW DOES IT WORK?

Brandi uses a new, powerful internet business music player.

- Full 192k audio quality.
- Play up to 2 unique mixes at once.
- Continuously monitored for high performance.
- 99.9% system uptime.
- Full-time tech support.

HOW MUCH DOES BRANDI COST?

Services start at \$29.95 per month. Call for a free trial.

1-888-798-4653



NOT FOR COMMERCIAL USE

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..."



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 towards your success.

Brandi Music is offered exclusively through
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