

# Music-making and production: Value chains, policy and protection

**Timisoara 2023 - Special Intensive Programme:  
Creative Entrepreneurship**

Paul.Rutter@  
Winchester.ac.uk



UNIVERSITY OF  
**WINCHESTER**

## Chapter 9:



Chapter 9: in **Creative Concert Production and Entrepreneurship**,  
Andreas Sonning - Routledge (2023)

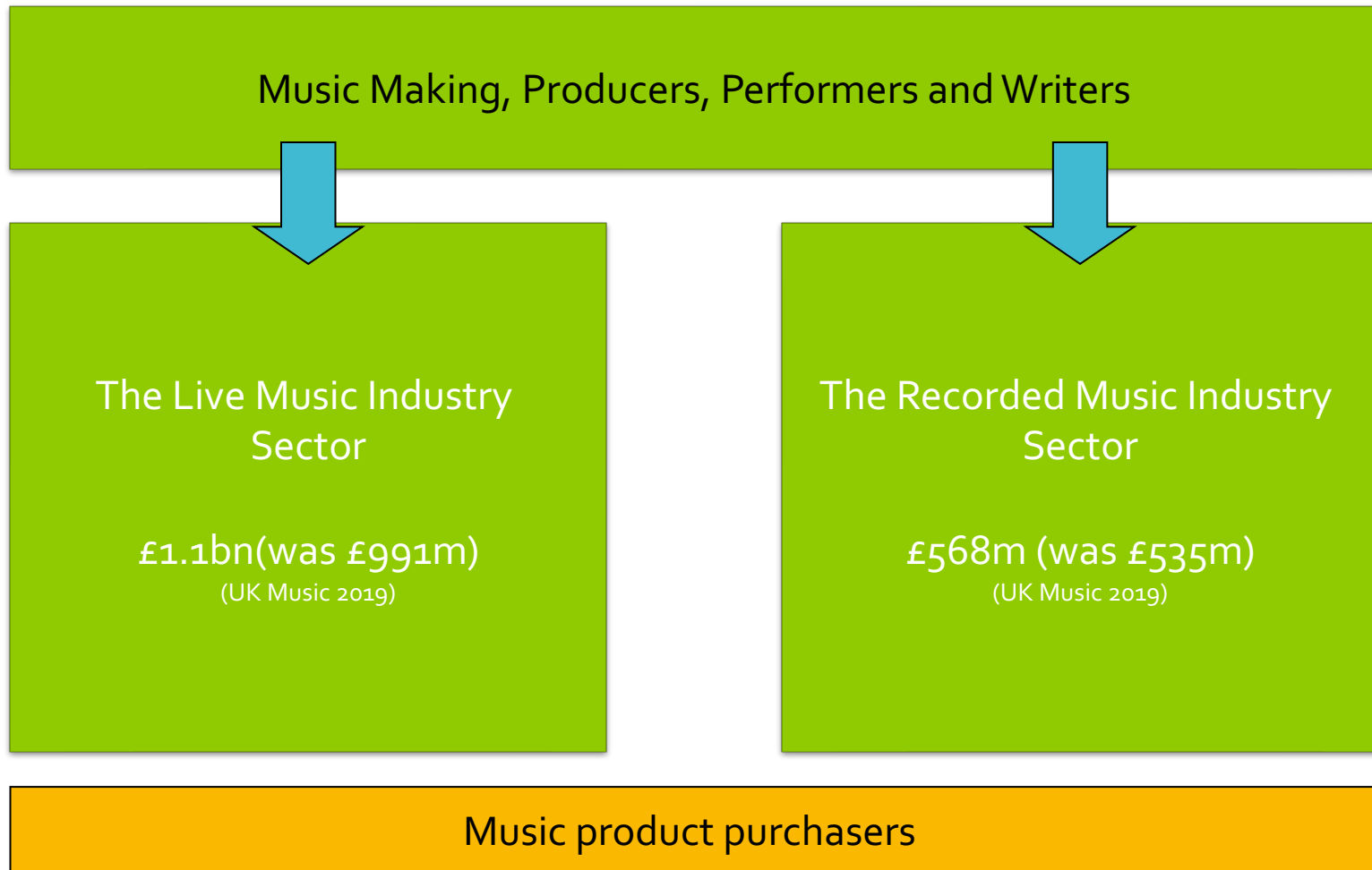


## Chapter 9

### Session objectives...

- Historic value chains in music production domains
- The driving forces of music-making and production
- Ownership in music-making and production: copyright and value
- Music production arts: Legacy studios and cultural significance of iconic recording studios
- Policy and protection

# Value chains in music...





# Why make and record music?...



Purpose or pleasure?



Demo making



A&R opportunity and gatekeeping



Music into industry >>>

# Value chains

- How is value created in the musical work – the song or composition?
- How is value created in the recorded work – the record, tangible form or music file?
- What tools do we need to make music products?
- Evolutionary **music technologies** are a key enabling feature of our discourse...



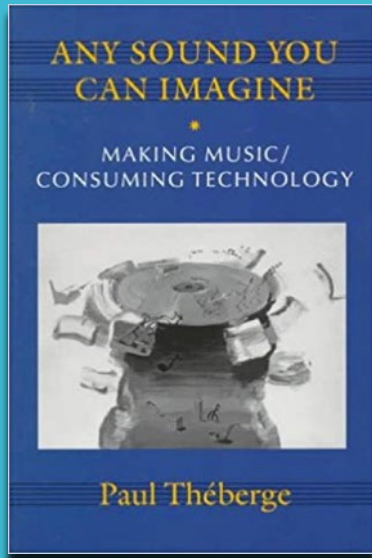


## The significance of music technologies

*"Technology is an 'environment' in which we experience and think about music"*

(Théberge, 2001)

- Technology is not simply a tool for music makers
- Technology as an 'immersive experiential space'
- Music music makers and producers *live* in this environment



Paul  
Theberge

*'Technology is not just machines, it is 'practice''*

(Theberge, P., 1999)



# Recording evolution and revolution

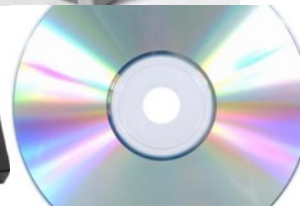
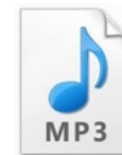
## Capturing sound...

- Early recording technologies which could capture audio *and* reproduce it...



<https://www.youtube.com/watch?v=cFKLwJzMols>

# Consumer formats and value



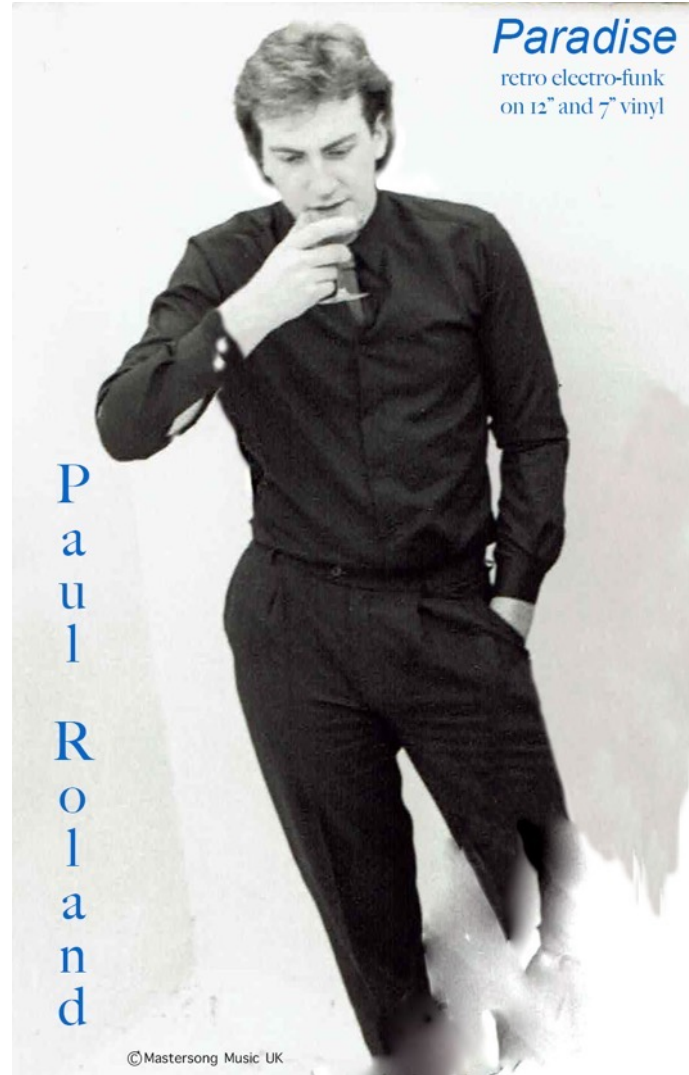
# Evolutionary recorded formats



## Progress...

- Wax drums
- Acetate vinyl (78s)
- Vinyl (45s, 33 1/3)
- Reel Tape (1/4in)
- Cassette
- Digital Audio Tape
- Digital file: MP3, WAV, AAC
- Vinyl again?

Paradise  
released  
1984 on  
Masterdiscs  
(own label)



Value at time of release @£1 ... but today trading at @350 euro?

**Discogs** Search artists, albums and more... Explore Marketplace Community

**Marketplace** All Items Items I Want Purchases Cart Buyer Settings Search Marketplace

**You Selected:** Release: Paul Roland (2) - Paradise (All Versions)

**Ships From:** United Kingdom (3), France (1), United States (1)

**Currency:** GBP (£) (4), EUR (€) (1), USD (\$) (1)

**Genre:** Electronic (5), Funk / Soul (4), Rock (2)

**Style:** Disco (4), Funk (3), New Wave (2), Synth-pop (2)

**Format Description:**

**Shop Paul Roland (2) - Paradise (All Versions)** 1 - 6 of 6 Sort Price Highest Show 25

Sort By:	Condition	Artist	Title	Label	Seller	Price	
		Paul Rowland*	Paradise / The Force (7")	Master Discs	euzebio76	€350.00	Add to Cart
		Paul Roland (2)	Paradise (12")	Master Discs, Master Discs	RoysRareRecords	£230.00	Add to Cart
		Paul Roland (2)	Paradise (12")	Master Discs, Master Discs	VBRecords	£149.99	Add to Cart

**Paul Rowland\* - Paradise / The Force (7")**  
Label: Master Discs  
Cat#: MD 01  
Media Condition: Very Good Plus (VG+) ⓘ  
Sleeve Condition: Generic  
View Release Page  
Rated: 4.63 (12 have, 201 want)

**Paul Roland (2) - Paradise (12")**  
Label: Master Discs, Master Discs  
Cat#: MDT01, 12" MD 01  
Media Condition: Mint (M) ⓘ  
Sleeve Condition: Good (G)  
STONE MINT 12" Top of sleeve creased, and piece missing from front bottom, otherwise VG+  
View Release Page  
Rated: 4.33 (10 have, 217 want)

**Paul Roland (2) - Paradise (12")**  
Label: Master Discs, Master Discs  
Cat#: MDT01, 12" MD 01  
Media Condition: Near Mint (NM or M-) ⓘ  
Sleeve Condition: Good Plus (G+)  
lovely copy but the sleeve has a few marks both sides and a few tears at the top - dog eared.  
View Release Page  
Rated: 4.33 (10 have, 217 want)

**euzebio76** 99.3%, 278 ratings  
Ships From: France  
Free shipping on orders €250.00 or more  
+no extra shipping about £304.84 total

**RoysRareRecords** 100.0%, 317 ratings  
Ships From: United Kingdom  
+£9.50 shipping £239.50 total

**VBRecords** 99.8%, 1,340 ratings  
Ships From: Free shipping on orders £100.00 or more  
+no extra shipping £149.99 total



## Edisons Phonograph 1877

Thomas Edisons Phonograph (from 3m 18s):

<https://www.youtube.com/watch?v=wRTgloqx6wE>

- Broadly speaking, history of music has moved from oral to 'written to recording' in terms of storage, dissemination and transmission
- New technological tools and instruments = new sounds
- New recorded media (formats) raised questions about authorship and the legal status of music as intellectual property



## Cultural significance

- The sound recording allows music to become 'a thing' (according to Eisenberg, 1988) – 'a commodity form independent of aspects of live performance'

Consider the music artefact...

- The cultural significance of the sound recording = relocation into the domestic sphere and changes in listening practices



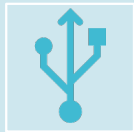
# Value chains in music production



Hourly fees for independent production services



Recording project fees from commercial music company e. g. record/music company, music publisher



Synchronisation fees: film, TV, commercials, online media or games et al



Royalties returned from recorded music products

# Value in the recording process



Studio fees: programming, sound engineering, specialist equipment/instrument hire, session musician fees, mastering, et al.



Education and music producer knowledge exchange: workshops, music production studio courses



Online music production projects: programming, mixing and mastering; music produced for online content such as websites and online media; podcast music productions



Commission earned by music producer managers. setting up collaborations between artists, producers



Value:  
Royalty  
collection  
societies and  
the musical  
product

Each country has its own collection societies that perform similar functions as below (in the UK)....

- Income (royalties) from (self) publishing a **song** via two primary societies;
- **The Performing Right Society** (PRS for Music) in the UK –
- **Mechanical Copyright Society** (MCPS administered under the wing of PRS)
  
- ...But *where* does the income lie in the sale of tangible recorded music product – especially if you are the producer/artist – or small recording venture company?



Value:  
Royalty returns  
when exploiting  
the recorded  
work

Remember two distinct rights exist in **a) the song or musical work** and **b) the recorded work**

- In the UK, the PPL carries out a similar function to that of PRS for Music – in respect of the **recorded work**
- **PPL** collects royalties for **b), the recorded work**, for its members
- Whoever owns the recording, earns the royalties



# Phonographic Performance Ltd

## Why was PPL and these societies formed?...

- PPL was formed in May 1934 by the record companies EMI and Decca Records, following a ground-breaking court case against a coffee shop in Bristol
- The Gramophone Company, argued it was against the law for the coffee shop to play records in public without first receiving the permission of the copyright owners
- EMI and Decca formed Phonographic Performance Ltd (PPL) to carry out this licensing role and opened the first office in London in 1934



PPL

- Anyone who **owns** (or is the exclusive licensee of) the **rights for** when **recorded music** is broadcast or played in public in the UK, can **join PPL** as a recording rights holder member
- Anyone who has **performed** on recorded music can **join PPL** as a performer member
- PPL collects royalties for affiliate members from across the world



# PPL

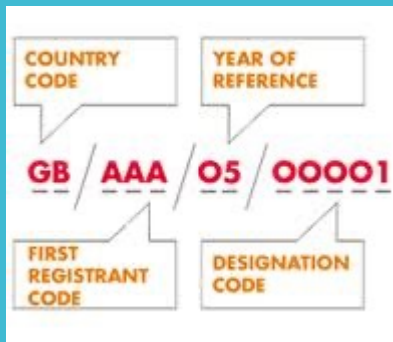
- PPL royalties are earned when PPL members recorded music has been played in public or broadcast on the TV or radio
- If someone has performed on recorded music - PPL collects money for the performer whereby the tracks have been played in public or broadcast





PPL

- PPL Repertoire Database holds data for millions of recordings, including where the music was recorded, who owns the rights and who has performed on it
- It is the responsibility of the right-holder to add details of all the performers on the recording to the database to help ensure they also receive their royalties
- Performer members can search the database and submit claims to be included on the tracks they have performed on

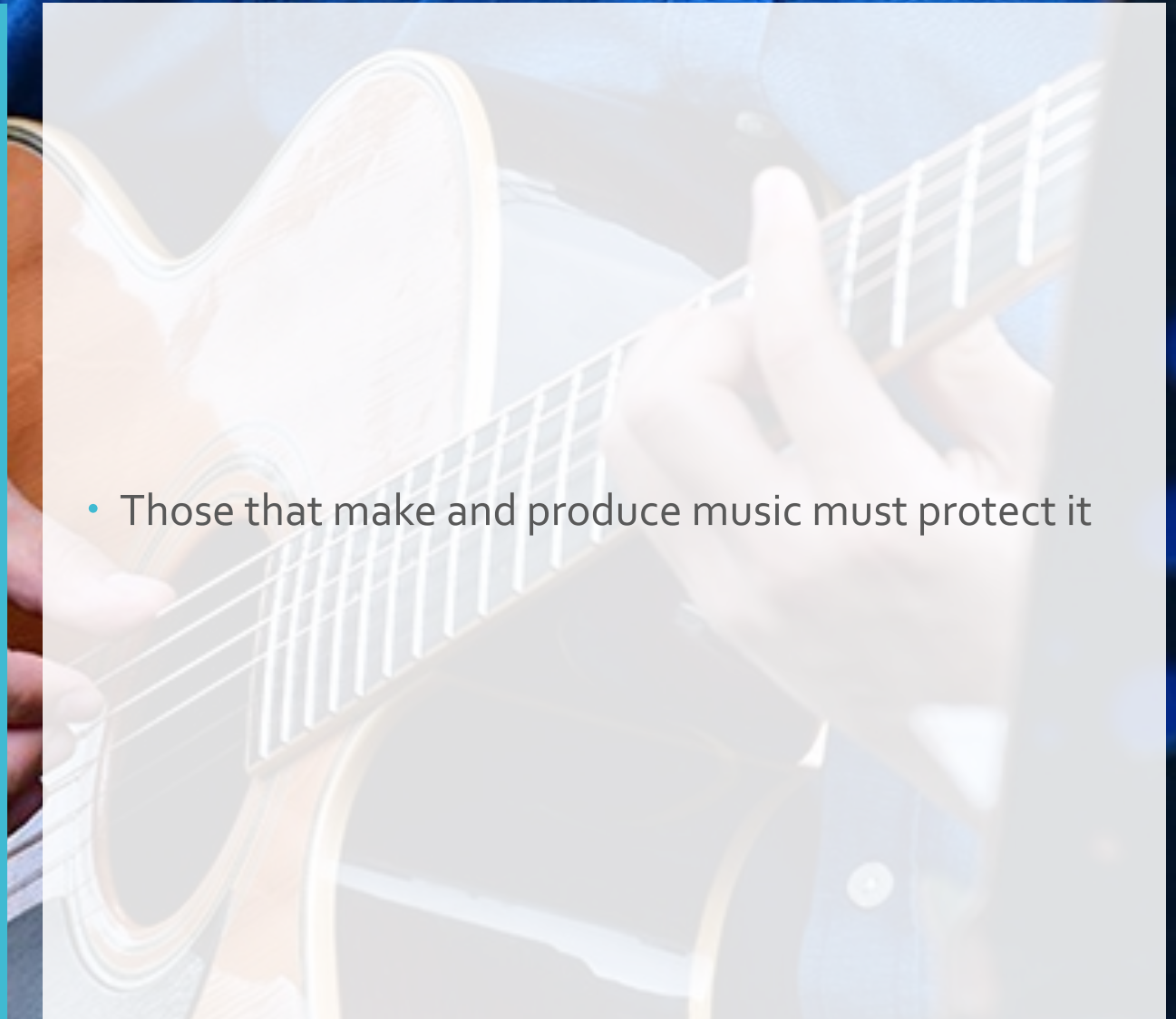


## PPL issues ISRC

- International Standard Recording Codes (ISRCs) are an internationally recognised system to identify recorded music tracks and music videos
- The International Standard Recording Code (ISRC) system is the international system for the identification of recorded music and music videos
- Each ISRC is a unique identifier that can be permanently encoded into a recording or music video
- Encoded ISRCs automatically identify recordings for PPL payments

## Production environments

- Those that make and produce music must protect it





## Today's challenges

Gerber, (2017) highlighted the new wave of monetary obstacles facing music producers as such;

*"As music shifted from a product-based business (CDs and individual downloads) to a service-based business (streaming), no one was able to create a model to support that transition adequately."*



Global  
success for  
studios

## The cultural significance of iconic recording studios...

- Sun Studios Memphis, the USA - where Elvis Presley and a host of 1950s Rock and Roll stars recorded
- Trident Studios, London - famous recorded works by David Bowie, Queen, Tina Turner and many other Classic Rock genre artists
- Sound City Studios, Los Angeles, USA - Nirvana
- Electric Lady Studios, Greenwich Village, NYC – where Classic Rock works were recorded by Patti Smith and Jimi Hendrix



# Motown legacy

Hitsville in Detroit, USA - the studio home of Tamla Motown and a plethora of hit recordings made in the 1960s and 70s...





## Motown and Hitsville

Hitsville USA assures a strong cultural experience for its visitors;

*"Motown Museum is the beating heart of the extraordinary Motown legacy – a destination that brings together people and ideas from different generations, and celebrates the past while simultaneously building a bridge to the future."*

(Motown Museum, 2021)





Abbey Road Studios in London - famously known for early recordings of The Beatles, Pink Floyd and numerous film score recordings...

Abbey Road





## Threats: external forces

- Often theatres and arenas are highly regarded as important spaces for large scale or (small scale) cultural music events
- Music and concert venues are often protected and can gain press/public recognition, when under financial pressure
- Many iconic studios that close, attract little press and simply get repurposed e.g. Olympic (London)
- The studio environment is often overlooked as a space whereby iconic music events take place

# Protecting musical works

- The musical work can be protected - whereby countries subscribe to the Berne Convention...
- *'The WIPO Convention, the constituent instrument of the World Intellectual Property Organization (WIPO), was signed at Stockholm on July 14, 1967'*
- (WIPO, 1967-2021)
- The Berne Convention is largely thought of as the global cornerstone of protecting artistic works and the rights of authors and producers
- Principally, these are a series of provisions that determine the minimum protection that may be granted to an author



## Concluding thoughts

### Diversification...

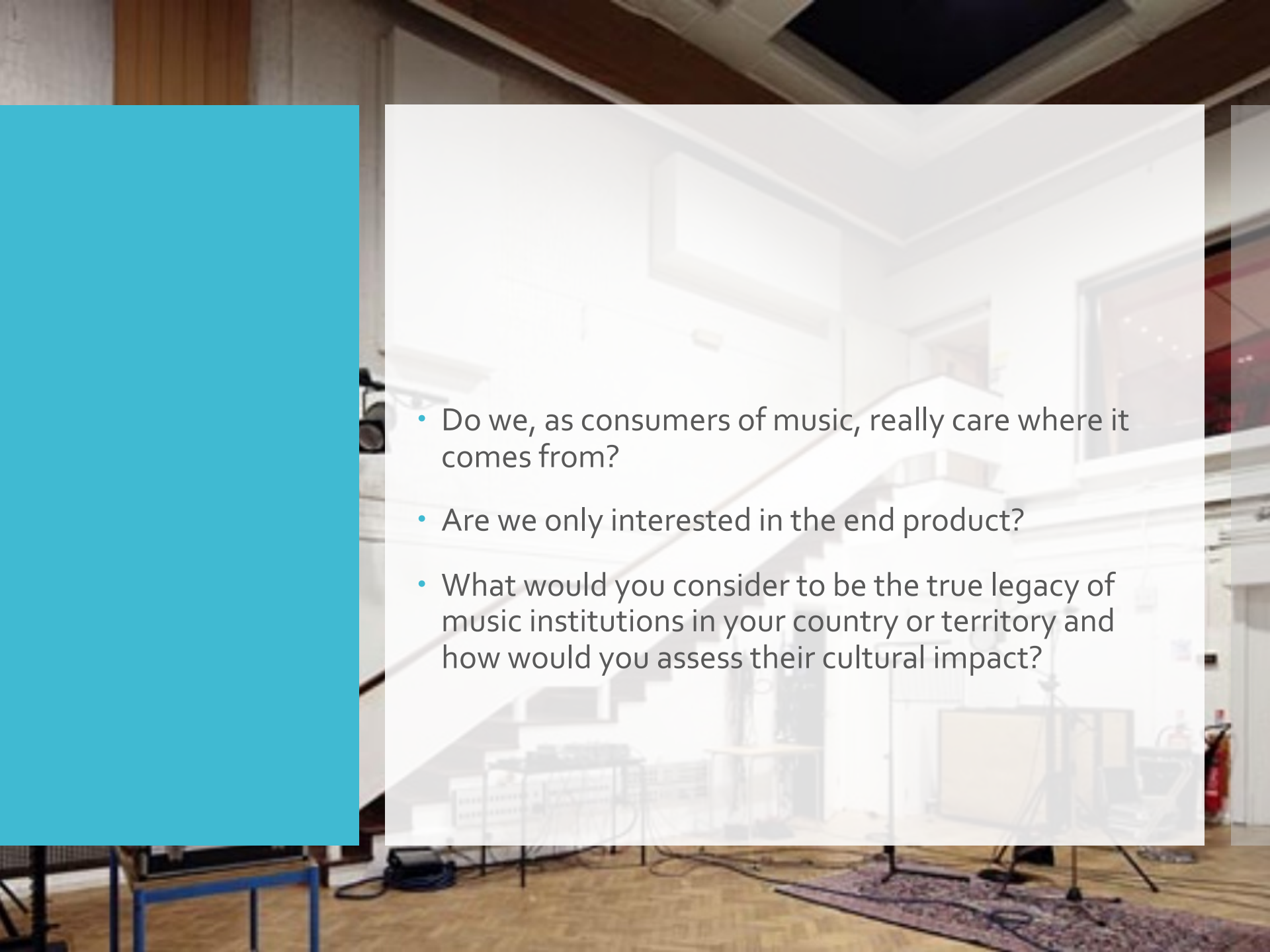
- Iconic music studios must diversify their incomes to survive a new world order of recorded music
- Grassroots music makers, audio engineers, and producers are encouraged to diversify their business models - WFH
- New value chains: sound for computer games, podcasts, radio, production music for commercials and TV, corporate audiovisual (AV), music for film and music for online media



A recording studio with a red wall and a Ferrari logo on the wall. The room is filled with recording equipment, including a desk with a computer monitor, a keyboard, and a mixing console. A red sofa is visible in the foreground. The lighting is warm and focused on the desk area.

## Protection for the recording environment?

- Governments and funding bodies are slow to recognise the cultural significance of music recording environments, music producers and the global musical enrichment they provide
- Music producers must continue to adapt in an autonomous way, in order to survive in the new world order - the digital domain

- 
- Do we, as consumers of music, really care where it comes from?
  - Are we only interested in the end product?
  - What would you consider to be the true legacy of music institutions in your country or territory and how would you assess their cultural impact?

End

Thank you

Questions?

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