

ARTIST MANAGEMENT MANUAL

2011 EDITION



by Jeremy Rwakaara

ARTIST

MANAGEMENT

MANUAL

2011 Edition

by

JEREMY RWAKAARA

© Copyright 2011 Jeremy Rwakaara. All rights reserved. No portions of this manual may be reproduced in any form without permission from the author.

Distributed by the Indie Managers' Association

Mailing address:

Jeremy Rwakaara
C/o Indie Managers' Association
554 N. Frederick Avenue #218
Gaithersburg, MD 2087

E-mail: info@indiemanagers.com

Web: <http://www.indiemanagers.com>

Contents

INTRODUCTION	6
ARTIST MANAGEMENT	8
The Personal Manager	8
The Business Manager	8
The Road Manager.....	9
The Tour Manager	9
The Production Manager	9
The Technical Manager.....	10
MANAGEMENT REQUIREMENTS	11
ARTIST MANAGEMENT CODE OF ETHICS.....	15
SETTING UP YOUR MANAGEMENT BUSINESS	17
Sole Proprietorships.....	17
Co-Sole Proprietorships	19
Partnerships	19
Choosing a Corporate Entity.....	21
Loan-out Corporations	22
General Corporations.....	22
Close Corporation	22
Subchapter S Corporation	23
Limited Liability Company (LLC).....	23
FINDING ARTISTS	25
THE MANAGEMENT CONTRACT	28
CAREER PLANNING FOR YOUR ARTIST.....	40
UNDERSTANDING DIFFERENT TYPES OF DEALS	45
UNDERSTANDING THE ROLES OF THE DIFFERENT INDUSTRY ‘PLAYERS’	56
SOLUTIONS TO COMMON MANAGEMENT CHALLENGES	70

COPYRIGHT BASICS.....	90
THE CURRENT STATE OF MAJOR RECORD LABELS.....	96
The role of the major label A&R rep.....	98
How major record labels evaluate and sign talent.....	100
OPTIONS FOR THE WAY FORWARD IN TODAY’S MUSIC BUSINESS.....	105
Positioning yourself to sign a deal with a major record label.....	105
Pursuing a deal with an independent record label (with major label distribution).....	108
Pursuing a “brand-and-band” / strategic partnership deal.....	110
With funding from an investor, recording your products and outsourcing all essential label services.....	113
Recording and releasing your own products (DIY).....	116
GETTING YOUR BAND BUSINESS AFFAIRS IN ORDER.....	117
GETTING THE BAND TOGETHER AND READY FOR GIGS.....	120
RECORDING YOUR MUSIC AND MAKING IT AVAILABLE FOR SALE.....	133
MATERIALS FOR YOUR PHYSICAL KIT.....	149
PUBLICIZING AND PROMOTING YOUR RECORDINGS.....	156
USING PUBLICITY TO BUILD YOUR FAN BASE.....	175
DISTRIBUTION FOR YOUR RECORDINGS.....	178
Consignment.....	179
The Distributor.....	185
Pressing & Distribution (P&D) Deals.....	187
Qualifying for Distribution.....	188
The Distribution Process.....	195
Changing Distributors.....	200
RADIO PROMOTION CAMPAIGNS.....	202
Podcasts, Satellite and Internet radio.....	202
Non-commercial / College Stations.....	203
Specialty / Mix show Radio.....	208

Commercial Radio Airplay.....	208
Promoting to commercial radio.....	211
DEALING WITH VENUE BOOKERS AND BOOKING AGENTS	216
The approach.....	222
The package.....	224
The follow-up	225
The negotiation	227
The venue / band contract.....	230
DIFFERENT TYPES OF GIGS YOU CAN BOOK FOR YOUR BAND.....	233
PROMOTING SHOWS AND ANNOUNCING PRODUCT AVAILABILITY	248
THINGS TO DO BEFORE, DURING, AND AFTER YOUR GIG.....	265
Before The Gig.....	265
During The Gig.....	277
After The Gig	286
SPONSORSHIPS AND MERCHANDISING	289
GOING ON TOUR	294
Things to keep in mind when planning and embarking on a tour.....	295
TIPS FOR WHAT TO DO ON THE ROAD	304
TIPS FOR KEEPING YOUR BAND TOGETHER	307
IN CLOSING.....	310

INTRODUCTION

What are dreams? Dreams are what keep the fires burning so that you can see your way through the night. Dreams inspire us to aspire to greater things. Beware of the people around you that conspire to kill your dreams. They are out there! They lurk within the music industry itself, among the field of experts, in your circle of friends, and even in your family. Hold fast to your dream, because if you lose the grasp you will have only yourself to blame. Stay confident and fight the moments of self-doubt and insecurity; because there will be many.

By reading this manual you will be taking a step towards fulfilling or continuing your dream to be an artist manager (*aka - talent manager, music manager, band manager*). Some of you have been doing this for a while, and others of you are just starting out. In either case, you will be able to find a lot of valuable information contained within this manual. I would encourage you to try out some other things in addition to what you learn in this manual. Some of the things we discuss will work better for you than others, or even not at all, depending on what style of music or artist you represent.

Also, because of the speed with which things change in this business, there is always something new that makes another thing obsolete, so keep researching and learning in order to stay ahead of the curve. Read all the books you can get your hands on; attend as many classes, seminars, workshops and conferences as you can afford; and use the Internet (*music blogs, forums, social networks, and search engines*) as a powerful research and networking tool.

A very important thing to remember, though, is that THERE IS NO SUCH THING AS A MAGIC BULLET! There is no single way to achieve success in the music business. Try something out, and if it doesn't work, analyze why it didn't work. Note down all the things that worked out perfectly and analyze why they worked. The bottom line is that there are many ways to get to where you are going, and no single way is the "right" way. The worst thing you can do, however, is to give up because things seem difficult or because you don't achieve success immediately.

Every music business book, manual, blog, or resource is written from the perspective of the author, taking into account their own perspectives, analysis, opinions, observations, research, and personal experiences. Each of these books or resources excel in one way or another, and are as similar in some areas of discussion as they are dissimilar in others; and yet none of them can possibly cover all areas of the music business with the degree of detail required to be THE definitive resource. The idea is to read as much material from as many reputable and knowledgeable sources as you can, and put the pieces together to create the big picture.

Best of luck in all your endeavors and I hope you make good use of this manual.

"He has the deed half done who has made a beginning."

- Horace

ARTIST MANAGEMENT

First and foremost, let us begin by discussing what artist management is. There are generally six types of “managers” that play a role in the careers of recording artists, record producers, songwriters, and musicians/instrumentalists. Following is a brief description of what each one does.

The Personal Manager

The *Personal manager* has the most interaction with the artist and is generally the most important person in the artist’s musical life. They are involved (*in coordination with the artist*) in crafting a master career plan for the artist and working diligently to see it executed. Managers act as buffers protecting the artist against unscrupulous characters in the music business. They are involved in counseling and advising the artist on all matters related to their musical careers. The personal manager should research the music industry and know all about record labels, publishing companies, producers, booking agents, promoters, publicists, stylists, photographers, recording engineers, graphic designers, music licensees, etc., as well as understand how and when (*or if at all*) they integrate themselves into the overall plan.

The Business Manager

The *Business Manager*, usually an accountant by trade, manages the income and expenses of the client. Business managers usually take care of making payments to musicians, background singers, roadies, tour managers, etc., on behalf of the artist. They also advise the artist on assets and investments, savings and taxes (*local, state, federal, and International*).

Most artists are unaware that they have tax obligations that relate to their performance and licensing income, CD and merchandise sales, equipment purchases, sponsorship cash, other miscellaneous income, etc. Business managers also try to get clients to invest in their future and save for a rainy day since even the most successful artists eventually stop earning regular income as their careers fade.

The Road Manager

The *Road manager* normally takes care of logistics while the artist is on tour (*or on the road*). Duties include making sure that everything on the road is provided for as spelled out in the contract and all monies are paid on time. The artist is then left free to concentrate on performing and not wondering whether the promoter, venue booker, booking agent, sponsor or brand partner has met their obligations. The road manager also follows up on items that were promised as part of the contract such as accommodations, per diems, advances/deposits, rentals, commissions, and so on.

The Tour Manager

The *Tour manager* on larger tours coordinates all the Road managers along with the details and logistics of the tour itself. Sometimes, particularly on “smaller” tours, the road manager and the tour manager are the same person. The Tour manager is in charge of all the details that relate to the entire tour including communications, merchandising, tour routing, catering, hospitality, etc.

The Production Manager

Production managers can be found on larger tours involving major record label artists. Production managers work closely with tour managers, helping with certain details having to do with the production of the show; like renting sound, video and lighting equipment, dealing with

trucking issues, etc. Production managers also deal with the publicity for the show, as well as assist with scheduling and coordinating both the touring crew and the local venue crew (stagehands, carpenters, riggers, etc.).

The Technical Manager

The *Technical Manager* (or *Technical Director*) is usually the person in charge of set design, construction, and control during the performance. They work closely with the production manager.

MANAGEMENT REQUIREMENTS

Most people can be managers simply by finding an artist, musician, group or band they love and deciding to handle the management duties for them. If you are one of those people, there are, however, some basic requirements that you will need to have in order to be an effective manager.

As a personal manager, you will need to be extremely **knowledgeable** about EVERY aspect of the music and entertainment business. The music business is currently undergoing tremendous change, and you will need to know the basics about everything since you will be the one potentially communicating with record labels, producers, publishing companies, booking agents, talent buyers, publicists, promoters, merchandising companies, brands, sponsors, licensees, attorneys, media personnel, equipment manufacturers, etc. You will have to read plenty of books, attend as many seminars, workshops and conferences as you can afford, and use the Internet as a powerful research and networking tool.

You will need to be **patient**. It can take a long time for your client to make money and therefore for you to make money (*since your income will be based on a 10% - 15% commission*). Extreme patience is required to stick to the game plan over the long haul. Most artists will not make much money on their first recording or tour. Most often than not the first album or tour will serve as a means to create a 'buzz' around the artist, increase the fan base and raise the artist's profile for the next album or signing.

You will need to be very **realistic** about you and your artist's expectations. If you are unrealistic about how things work and what is achievable at your level, you will end up getting extremely frustrated and giving up before things can properly materialize. For example, it is unrealistic to think that your artist will get offered five-figure guarantees to headline shows in major cities when all you have is a three-song demo of your artist and no album/single/download sales, regional/national buzz, internet profile, touring history, media coverage, radio airplay, publicity, etc. Do not indulge in the fantasies created by your artist. You will have to keep them realistic and not promise to deliver the impossible.

As a manager you will need to be **flexible**. Even the best-laid and devised plans can unravel at a moment's notice. Set long-term goals, but be prepared to change and fine-tune things in order to adjust to conditions "on the ground". There is nothing wrong with changing your mind about something if indeed there is a better, cheaper, smarter, more current or more convenient solution readily at hand. It will be up to you to inform your client that being flexible doesn't mean that you can't keep your word or that you are losing focus.

You will need to truly like and/or love the client and their music/talent. You will need to be very **passionate** about the music that your artist or band is performing and/or writing. Don't sign an artist if you can't visualize yourself listening to their music a lot and thoroughly enjoying it. Anything short of that will leave you struggling to find the energy to do all that is required on a day-to-day basis. It is easier to sell somebody on an artist you are passionate about.

As a manager, you need to be **persistent** and **aggressive**, stopping just short of annoying. Don't easily take no for an answer if you believe in the strength of your argument or the viability of your project. Develop ways to push really hard when you need to, while still remaining on speaking terms with someone you've just pushed really hard.

You will need to have plenty of **‘people skills’**. Your job will involve a lot of one-on-one contact and communication with other people. You will need to be able to communicate your needs without irritating the people you are negotiating with or talking to. You will need to be able to separate your personal feelings from the conversation at hand and focus on the goals ahead as well as the desired outcome.

You will need to have lots of appropriate **contacts**. The more contacts you have, the easier it will be to get things accomplished. You need to have a contact in as many different areas as possible depending on the genre of music your client performs, including influential voices and tastemakers within social networking circles, record producers, publicists/PR specialists, booking agents, venue bookers, talent buyers, promoters, publishers, choreographers, photographers, graphic designers, stylists, make-up artists, dancers, voice coaches, recording engineers, studios, attorneys, media personnel, etc. You will have to purchase some music business directories, ask for recommendations from music industry forums, or access online directories to select people within your genre of interest to contact. Some of the better directories are available from **Pollstar** (<http://www.pollstar.com>), **Music Business Registry** (<http://www.musicregistry.com>), and **Billboard** (<http://www.orderbillboard.com>). Find the contacts that are well known and respected in your area and begin to develop a relationship with them. Attend conferences and exchange business cards with industry professionals for your database. Introduce yourself to everyone because you never know when you might need them. Network frequently and get your own name out there. Write a blog and/or offer to speak at seminars, conferences and conventions to get your name out and make new and additional contacts. Most importantly, if you create enough of a “buzz” with your artist(s), contacts will start coming to you.

You will need to be extremely well-**organized**. The more organized you are, the more effective a manager you will be. Services like **Bandize** (<http://bandize.com/multi>) and others enable you to keep your artist roster information organized and in one place. You will need to have all your contacts in an easy to access database and be able to find all the information you need at a moment's notice. You cannot afford to let a few days go by without returning somebody's call or e-mail simply because you couldn't find his or her phone number or e-mail address in the mess on your desk or desktop. Amazingly, it only takes a couple of days to sit down and get everything in order in some type of database, and once everything is in place it is easier to maintain or update the information.

You will need to have a little bit of **money** to do your job while you wait for your commissions to materialize. Some artists work for years before making enough of an income to sustain them, leaving very little on the table for a manager's commission. In the meantime you as a manager will have to purchase music business books, pay for conference registrations, access industry resources, book airline tickets, etc., and will most likely have to pay for all these things yourself. You can recoup a certain percentage back from your client's income (*depending on the terms of your contract*). From time to time you may have to help pay for some studio time or equipment purchases, or help pay for outstanding bills, tickets, insurance, etc. Be careful not to get taken advantage of, however, and keep good records of your expenses. Your contract should spell out how much you can recoup from the client's income if you spend some of your own money on things related to their career.

Finally, it always helps to have a bit of good, old-fashioned **luck** on your side from time to time! As the saying goes, "*luck is what happens when preparation meets opportunity*". Therefore, do your best to be prepared to take advantage of opportunities that present themselves to you and/or your client.

ARTIST MANAGEMENT CODE OF ETHICS

The Indie Managers Association (*which no longer accepts membership registrations*) has a code of ethics that all its manager members must abide by. The code of ethics agreement contains some items that are positive elements for all managers to abide by whether they are members or not. Here is a copy of the text of the code:

Indie Managers Association Code of Ethics

For the privilege of membership in the Indie Managers Association (*herein referred to as the 'IMA'*), a music manager (*herein referred to as 'member'*) agrees to:

1. Deal fairly and honestly in ALL matters relating to their client(s);
2. Always look out for the interests of their client(s) alongside member's own interest;
3. Treat all business matters related to their client(s) as confidential;
4. Make an effort to avoid scenarios where a conflict of interest is likely to occur;
5. Encourage clients to seek legal advice prior to signing contracts;
6. Keep durations of management contracts of reasonable length;
7. Conduct research, stay involved in and be well -informed about matters relating to the music business;
8. Avoid collusion with other managers that result in actions against the interest of the client(s);
9. Refrain from 'blacklisting' clients or engaging in any other similar behavior;
10. Not receive an unreasonably or unjustifiably high commission;

11. Not take credit for another manager's work;
12. Not exaggerate his or her credentials or affiliations in an effort to woo a client into a contractual relationship;
13. Not encourage clients to breach existing contracts with other managers; and
14. Not to engage in libel or slander against other members of the independent music management community.

SETTING UP YOUR MANAGEMENT BUSINESS

There are many ways to structure your management business, depending on whether you are a one-person operation or plan to hire employees. The information contained in the following section should not be taken as legal or accounting advice or counsel, and pertains mainly to businesses conducted in the United States. Therefore, before you set up your business you should make sure you consult a qualified business accountant and/or attorney for advice that's relevant to starting a business in your country of residence.

Following is a discussion of some of the ways that you can set up your management business.

Sole Proprietorships

A **sole proprietorship** is an unincorporated business owned and operated by one person. In some states, a sole proprietorship is referred to as a DBA ("*doing business as*"), as in "Billy Bob, doing business as Billy Bob Management". Sole proprietorships, despite having the advantages of being quick and inexpensive to set up, have some distinct disadvantages. Sole proprietors are subject to unlimited personal liability for business debt or law suits against their company. Creditors of the sole proprietorship (or anyone else, for that matter) can sue the owners of the business and, if they win a judgment, can move to seize the owners' homes, cars, savings or other personal assets.

Unlike a corporation, a sole proprietorship is not considered separate from its owner for tax purposes. This means that the sole proprietorship itself does not pay income tax. Instead, the owner reports business income or losses on his or her individual income tax return. As a sole proprietor, you'll have to take responsibility for withholding and paying all income taxes, which an employer would normally do for you. This means paying a "self-employment" tax, which consists of contributions to Social Security and Medicare, and making payments of estimated taxes throughout the year.

Some cities and many counties require businesses -- even tiny home-based sole proprietorships -- to register with them and pay at least a minimum tax. In return, your business will receive a business license or tax registration certificate. You can also have to obtain an employer identification number from the IRS (*if you have or plan to have employees*), a seller's permit from your state and a zoning permit from your local planning board.

If you do business under a name different from your own (e.g., using Big Blue Management instead of your name Nancy Jones) you usually must register that name, known as a fictitious business name, with your county. In practice, lots of businesses are small enough to get away with ignoring these requirements. But if you are caught, you may be subject to back taxes and other penalties.

Co-Sole Proprietorships

There is one exception to the "sole" owner rule. You can share ownership of your business with your legal spouse and still maintain it as a sole proprietorship. If you do this, the IRS will consider you "**co-sole proprietors**." You can either split business profits and losses on separate returns, or put them on your joint Schedule C return.

This arrangement, sometimes referred to as a husband/wife sole proprietorship, allows your spouse to help with the business (*without pay*) without having to classify him or her as an employee (*which would cause you to have to pay payroll taxes*). Similarly, by not classifying your spouse as a partner or an independent contractor, he or she won't have to pay self-employment taxes, and your business won't have to file a partnership tax return.

Partnerships

A **partnership** is a venture or activity involving two or more people or groups who share, to some degree, responsibilities, liabilities, and rewards of the venture's success or failure. As we shall discuss below, there are a couple of different ways to form a partnership.

General Partnerships

In a general partnership, all partners share profits, assets, liabilities, and responsibilities. Assets belong to partners collectively. Each general partner has authority to enter into contracts on behalf of the partnership. Each partner is accountable for actions by any other partner, and is responsible for the partnership's debts and losses. A general partnership itself pays no taxes. Partners must individually account for their shares of profits or losses on their personal tax returns.

When a general partnership is disbanded, assets are liquidated and proceeds are used to **(1)** pay creditors, **(2)** repay loans to the partnership by any of the partners, and **(3)** compensate partners who have contributed funds or assets. Money left over is distributed between partners in proportion to their shares in the business (*as spelled out in the partnership agreement*).

Limited Partnerships

A Limited Partnership is a partnership in which some of the partners have limited liability for the business's obligations. At least one partner acts as general partner, assuming total responsibility for managing the venture. The remaining, "limited" partner(s) must not have any say or role in managing the venture. Whereas general partnerships are formed by like-minded individuals who collectively contribute assets, capital, expertise and/or time to the company, limited partnerships usually arise where one party seeks to raise money from investors to pursue a specific venture. The function of the limited partners is to provide operating capital.

Limited partners are repaid a percentage of the venture's profits. Normally a limited partnership has a finite life. Limited partnerships may be formed to finance specific projects (i.e. funds

for studio time or recording equipment, purchase of copyright catalog, launch of a management or record company, funding of a tour, etc). Should the venture fail, limited partners lose only their investment; they are not liable for losses or damages beyond what they put into the venture.

Choosing a Corporate Entity

Anyone who operates a business, alone or with others, may incorporate. Under the right circumstances, the owner of any size business can benefit. While the argument for incorporating is strong, maintaining your corporation comes with a set of responsibilities. Maintaining a corporation requires more paperwork and record keeping than sole proprietorships. Each individual state has its own legal procedures and regulations for forming and maintaining a corporation in good standing.

A full description of all the differences between an S-Corporation, a C-Corporation, and a limited liability company (LLC) would be beyond the scope of this manual. Besides, the distinctions are often altered (or “blurred”) by changes in the Internal Revenue Code and local laws. Even by the time this manual is read, further changes to relevant tax laws may have been made, affecting the entity choice. The bottom line is that a choice of entity should be made upon current information only, with the assistance of a lawyer and an accountant. To do it any other way is to risk making a bad choice that one will later regret, especially when the first or successive company tax returns are filed.

Businesses may choose from a variety of corporate entities, based on their needs. Below are useful descriptions, but your legal or financial advisors can help you decide which type of structure best suits your business needs.

Loan-out Corporations

A **Loan-out Corporation** is primarily a tax-saving device used by a recording artist to shelter income from a recording contract. Instead of signing directly with a record company, the artist signs to his or her own corporation. The corporation then “loans” the artist’s services via an agreement with the record company, and the record company pays royalties to the corporation. The corporation, in turn, pays the artist a salary or some other type of compensation structured to minimize tax liabilities for the artist. The corporation may also provide other benefits to the artist, such as insurance, pension fund contributions, etc.

General Corporations

A **general corporation**, also known as a “**C**” **corporation**, is the most common corporate structure. A general corporation may have an unlimited number of stockholders. Since a corporation is a separate legal entity, a stockholder's personal liability is usually limited to the amount of investment in the corporation and no more.

Close Corporation

A **close corporation** is most appropriate for the individual starting a company alone or with a small number of people. There are a few significant differences between a general corporation and a close corporation. A close corporation limits stockholders to a maximum of 30. In addition, many close corporation statutes require that the directors of a close corporation must first offer the shares to existing stockholders before selling to new stockholders. However, not all states recognize close corporations.

Subchapter S Corporation

A **Subchapter S Corporation** is a general corporation that has elected a special tax status with the IRS after the corporation has been formed. Subchapter S corporations are most appropriate for small business owners and entrepreneurs who prefer to be taxed as if they were still sole proprietors or partners. For many small businesses, the S Corporation offers the best of both worlds, combining the tax advantages of a sole proprietorship or partnership with the limited liability and enduring life of a corporate structure.

Limited Liability Company (LLC)

A **Limited Liability Company (LLC)** is not a corporation, but it offers many of the same advantages. Many small business owners and entrepreneurs prefer LLC's because they combine the limited liability protection of a corporation with the "pass through" taxation of a sole proprietorship or partnership. While LLC owners enjoy limited personal liability for many of their business transactions, it is important to realize that this protection is not absolute. This drawback is not unique to LLCs, however - the same exceptions apply to corporations. An LLC owner can be held personally liable if he or she:

- *Personally and directly injures someone;*
- *Personally guarantees a bank loan or a business debt on which the LLC defaults;*
- *Fails to deposit taxes withheld from employees' wages;*
- *Intentionally does something fraudulent, illegal, or clearly wrong-headed that causes harm to the company or to someone else; or*
- *Treats the LLC as an extension of his or her personal affairs, rather than as a separate legal entity.*

This last exception is the most important. In some circumstances, a court might say that the LLC doesn't really exist and find that its owners are really doing business as individuals, who are personally liable for their acts.

Because of the expense and formalities involved in setting up a corporation and issuing stock (*shares in the corporation*), you should form a corporation only if you have good reason to do so. If you merely want to limit your personal liability for business debts, forming a limited liability company (LLC) is probably smarter, because LLCs are both less expensive to form and less complex to run.

FINDING ARTISTS

Today, it is fairly easy for a manager to find artists to sign. Before you start looking for artists, however, you should take stock of what exactly you have to offer. What style of music do you enjoy listening to and have a good understanding of? What contacts do you have in the entertainment industry? How much money do you have available to keep you afloat during the difficult first phase of management? How much do you know about the music business? How many artists are you already managing at this point; and will you have enough time and resources allocated to take on another one? These and many other questions should be answered before you start looking for artists to sign.

Once you are comfortable with the answers to your questions and are ready to start looking for artists, you can begin by visiting music-related sites and blogs, and/or asking club owners / bookers, promoters, open mic / karaoke hosts, club DJ's, music retail store managers, entertainment attorneys, record producers / engineers, publicists, etc., if they know of any artists that need management. There are tens of thousands of artists with Twitter accounts; MySpace, imeem, and Facebook profiles; Electronic Press Kits (EPK's); YouTube channels; and official web sites that you can review online. This allows you to narrow down your search and make a list of bands to go and see performing live. You can also start going out to clubs and other venues to see if you can find bands that you like.

It always helps to see a band performing live because you get a chance to see how well they perform. It gives you a chance to see if you can indeed improve upon what they are already doing. You can also see how the audience is reacting to the band.

In this age of dwindling CD/download sales, most of the money artists will make will be from touring or performing live, selling merchandise and signing merchandise deals, licensing their music for use in Film & TV etc., partnering with brands, aligning themselves with sponsors, signing endorsement deals, and so on. Live performances will play an integral part in the overall scheme of things. A band/artist that cannot (*or will not*) perform live will limit the ways in which you can generate income from multiple sources.

Once you find a band or artist that you think you might be interested in, you should attempt to see or hear them several times under several different circumstances before you approach them or commit to a meeting. Go to several shows and watch how people react to them, as well as how they interact with people. Ask around to see if you can find out anything about their reputation. Once you are sure about the person (*or people*) that you are interested in signing, you should set up a preliminary meeting. Do not make any promises or offers at that point, and keep the meeting casual.

Following are some of the things you might wish to cover at the preliminary meeting.

- *What is the talent level of the potential client? Are they at the beginning, intermediate or advanced stages of their musical career? What work will be required to get them ready to market or to continue the trajectory of their ascent?*
- *What primary market demographic are they trying to reach? For example; 8 – 12 year olds? 34 – 54 year olds? Mainly females? An International market? An ethnic market? A regional market? A social or political market?*
- *What are their goals? Are their goals realistic? Will you be able to achieve those goals with them in a timely manner or are you in over your head?*

- *Do they absolutely love what they do? Are they doing what they do for the love of it, or do they want to make a million dollars and live on a beachfront property? Either way, will you be able to achieve what they want?*
- *Do they have any existing deals (e.g., management, production, spec, recording, publishing, licensing, sponsorship, endorsement, etc.)? Will any of these deals be complicated by your involvement? Will any of these deals present a conflict of interest? Can they legally sign with you, or do you have to buy somebody out of a contract, co-manage with somebody else, or help them get out of an existing contract, and so on?*
- *Do they operate as a company or corporation, or do they own any other companies (production, publishing, label, etc.)?*
- *Where do they live, and can you manage them competently even if you live in another area (or country)?*
- *Do they belong to any unions, organizations, associations or guilds? Do they have any contracts that conflict with or affect your involvement with them?*
- *What assets do they have (copyrights, trademarks, patents, licenses, real estate, investments, etc.)? Can you separate pre-existing assets and income they own from future income that is commissionable?*
- *What debts have they incurred? Debts and liens can affect commissionable income.*
- *Do they have lots of friends or enemies in the music business? It is better to know sooner than later since you may bump into some of these people (good or bad) along the way.*
- *Have they had a manager previously? If so, what is the status of that relationship, and are they unencumbered and free to sign with you?*
- *Have they previously recorded any songs or been on tour before? If so, what is their sales history?*

These are just some of the topics you will need to discuss at the preliminary meeting. You will probably be able to add some more to this list. If everything is answered to your satisfaction at this meeting you can then move to the next stage and begin negotiating a management contract.

THE MANAGEMENT CONTRACT

It is extremely important to have a written management contract with your client. It is usually advisable to offer a six/nine month trial period before committing to a long-term management relationship. This will give both of you time to figure out if the relationship is a proper match before agreeing to a long-term commitment.

It is important to remember that there is no such thing as a 'standard contract'! Each contract is unique to the circumstances and wishes of the individuals involved. A contract is a legally binding agreement between two or more parties, which may be oral but is more often written. In order for a contract to be legally binding,

- The party that agrees to do, or refrain from doing, a particular thing must receive adequate consideration,
- The undertaking must be lawful,
- The agreement must be mutual and voluntary,
- Obligations must be reciprocal, and
- The parties must be legally competent.

You should always have an attorney draft and review your contract to make sure everything is legal and nothing important has been overlooked. You can find contact information for entertainment attorneys in (*among other places*) the **Music Attorney, Legal and Business Affairs Guide** available at the Music Registry web site (<http://www.musicregistry.com>).

The Music Registry also has a book of Contracts for the Music Industry (<http://www.musicregistry.com/contractprod.html>) that includes a contract for Artist Managers, but as they (and I) suggest, it is always better to have an attorney draft one for you; or at the very least customize the one in the book to your particular situation. Another resource is the **Volunteer Lawyers for the Arts** (<http://www.vlany.org>). You can also search for attorneys on the internet or ask other artists or music industry professionals who they would recommend. It is always wise to have separate attorneys for each side (*the manager and the artist*).

Following are some of the important items that are usually included in a management contract:

Definitions.

Most management contracts have definitions of important words that need to be clearly defined. Having vague terms in a contract allows for some mischief when one party or the other needs to find a way out of the contract. Examples of important words that could have different meanings to different people and need to be defined are “gross”, “net”, “income”, “expenses”, “recoupable”, “commission”, “budget”, and a host of others.

Term.

The term refers to a fixed period of time during which the contract is in force. Many managers and artists set up a trial period of six / nine months before committing to a full-length contract. This trial period is used to see if the manager and artist are compatible with each other or if the manager is capable of being of any value to the artist. If all goes well, a term of one to two years with options to renew for additional one-year terms can be set. Some states have a limit to the number of years an artist can be signed to a personal services contract.

In any event, it is advisable to keep your management contract term no more than 5 to 7 years in total length. If you haven't managed to get anything of significance done in 5 years, you might need to reevaluate the relationship anyway.

Territory.

It is important for the contract to determine the territory within which the manager's powers and duties extend. Some artists have one manager for the U.S.A and other managers in other territories around the world including Canada, Europe, Asia, Australia, Africa, South America, etc.

Scope of duties.

Your contract will have to spell out the obligations and duties of each individual. For example, managers will offer to render advice, provide career guidance and counsel, and perform other relevant services that the artist may require in order to further his or her career. The artist will promise to make him or herself available exclusively to the manager, be prompt for all engagements, refer all approaches and offers made by third parties to the manager, reveal all income that is commissionable within the contract to the manager, etc. The scope of duties is an important part of the agreement because if one party fails to perform his or her duties there may be cause for a claim of breach of contract.

Consideration.

Your contract will have to spell out what each side is expected to receive. The parties can receive advice, income, credit, commission, career development, power of attorney or anything else that has been negotiated at the table. The bottom line is that each side must receive something (*consideration*) in order for the contract to be valid.

Scope of Exclusivity.

Almost all management contracts will grant the manager exclusive rights of representation. That means that the client or artist cannot hire another personal manager to represent them at the same time. This, however, does not stop the manager from representing more than one client. Sometimes the manager hires another manager to co-manage or represent the artist in other parts of the world. The manager's exclusive representation should only apply to specific areas or closely related activities. This means that the manager does not exclusively represent the client if the client is also, for example, a plumber or an architect or a graphic designer, etc.

Power of Attorney.

Some contracts will give the manager the 'power of attorney'. This essentially means that the manager can sign and accept contracts, agreements and other related documents on behalf of their clients. The contract will have to spell out which contracts, agreements and related documents the manager can sign and which ones the manager cannot sign. The purpose of this power of attorney is to allow the manager to conduct business on their client's behalf even if the client is unavailable at the time. However, the client may wish to limit the power of attorney to contracts that aren't exclusive, don't bind the client to a long-term commitment, or don't assign client's rights to sound recordings and copyrights, for example. Clients may feel okay about managers signing contracts on their behalf for short-term commitments that have previously been discussed and agreed upon. Many artists and their attorneys are skeptical about giving power of attorney to the manager, so don't be surprised if this clause ends up being one that is heavily contested. Keep in mind that you can still do your job as a manager without having power of attorney, so don't let this be a deal breaker.

Commission.

This area of the contract can get extremely complicated and is usually where the most conflict arises. Personal managers get paid a commission, which is usually around 10%-15% of the client's gross (*or net*) earnings; not to be confused with business managers, road managers, and tour managers that get paid a salary.

The problem most managers and clients encounter is defining what the term "gross earnings" or "net earnings" means, and deciding what income sources are commissionable (*e.g., CD/download sales, gig and touring income, advances, royalties, sponsorship fees, endorsements, merchandise sales, brand partner payments, income generated from artist-branded products, etc*). A client would rather pay a commission from a limited number of income sources based on the net receipts (*i.e. deduct expenses from the gross income before paying out a commission to the manager*). A manager, on the other hand, would rather get paid a commission on the gross receipts (*i.e. a commission paid prior to artist expenses being deducted*) from all sources of income from contracts negotiated during the term of the management contract.

A sticky issue is deciding what income the manager can receive a commission on. Clients can receive income (*in one form or another*) from record deal advances, record sales (*physical and digital*), merchandising sales/deals, publishing advances and royalties, live performances fees, sponsorship fees, appearances, speaking engagements, endorsements, music licensing, royalties, acting or modeling salaries, band & brand payments, cosmetic or clothing deals, artist-branded products, etc. What income should the manager receive a commission on? When should this commission be paid (*monthly, quarterly, when each check arrives*)? Who should receive the money initially? When and how will payments to other vendors and creditors be made?

Should the manager start with a high commission (*e.g.* 20%) to compensate for early losses and then reduce it gradually over time (*e.g.* down to 15% or even 10%) once certain thresholds are met, or do the reverse? Should the manager get a bonus commission if certain income thresholds are met? Everything depends on the negotiations between the two parties and what each side is comfortable with. As you can see, this can get very complicated very quickly and there is no single answer to the commission question.

Sunset clause.

A sunset clause is a contractual provision setting a cut-off date to the rights of one party. For instance, a personal manager's contract with an artist might provide for the manager to receive a percentage of the artist's income from all contracts negotiated and entered into during the term of the management agreement even after the agreement terminates. A sunset clause would limit such income participation to, say, three years after the termination of the management contract. Alternatively, a sunset clause could allow the manager to receive 100% of his or her commission for 2 years after termination, 50% of the commission for another 2 years, 25% for the fifth year, and none thereafter. Any number of variations can be negotiated between the parties.

Reduction on commission in the event of manager's death/disability.

Another area of interest, especially from an artist's point of view is what happens to the commission in the event that the manager dies or becomes disabled. Should there be a reduction in the commission paid to the manager's estate? For how long should this commission be paid? Should the commission payments be terminated altogether immediately? A clear interpretation will avoid some of the legal wrangling that can take place in the event of the manager's untimely death or disability.

Expenses.

Most contracts will call for the manager to be reimbursed for all reasonable expenses incurred by the manager on behalf of the client. The manager may make long-distance or international phone calls, travel for meetings, attend conventions, put together showcases, etc., on behalf of the client. In the event that the manager needs to make certain expenditures, most contracts will specify a set amount of money that the manager cannot spend without the client's prior approval. For example, the manager may have to ask for approval to spend anything above \$500 on the client's behalf each month.

Some of the things that could be deemed as expenses include:

- Phone calls (long distance on behalf of the artist)
- Postage
- Courier fees
- Photo sessions
- Recording sessions or recording equipment purchases / rentals
- Publicity or promotion costs (on behalf of the artist)
- Related Air/Bus/Rail fares (for trips on behalf of the artist to, for example, business meetings or conferences/conventions)
- Artwork or graphic design fees
- Hotel room charges
- Car rental charges
- Taxi/Cab fares
- Gas (if manager's vehicle is used on long distance trips on behalf of the artist)
- Miscellaneous loans given to client by manager

Audits.

Contracts should allow the receiving party to audit the books of the paying party. For example, if the manager collects all the money and makes payments to the client, the client should be able to audit the manager's books to check the accuracy of the payments. In many instances, the client receives the money and pays the commission to the manager, in which case the manager would need to have the right to audit the client's books. This right to audit is usually restricted to within a set amount of time after the transactions have taken place (*e.g. within two years*). Usually the party conducting the audit will pay for the audit services unless some discrepancy is found, upon which time the party with the discrepancy will pay for the audit.

Manager is not a licensed talent agent.

Most management contracts will include a clause that says that the manager is not acting as a talent agent. Some states require a separation between the two. For example, the labor commissioner in New York and California must license a talent agent. A talent agent is defined as a person who engages in the occupation of procuring, offering, promising, or attempting to procure employment or engagements for an artist. It remains to be seen how 360 deals (*aka multiple-rights deals*) will work around this issue, since many of the deals being structured nowadays provide management and booking duties in-house. Even outside of the 360 deal structures, many managers are involved with occasionally helping their artists secure gigs and other live performance opportunities and wish to avoid (if they live in cities forbidding managers from being talent agents) being found to be 'operating as an agent without a license' in those states. By indicating in their contract that they are not a licensed talent agent, any booking-like activity on their part could be considered incidental.

This is important because an artist could essentially get out of his or her contract by showing the court that the manager acted as a talent agent without having a license issued by the labor commissioner.

Breaches and Disputes.

The contract should clearly spell out exactly what constitutes a 'breach of contract' (*e.g. manager fails to get a deal in the specified amount of time or client becomes unavailable to perform his or her duties, etc.*). The contract should also determine the exact manner in which the breach (*or potential breach*) is communicated to the breaching party as well as give the breaching party adequate time to correct the breach. If those corrections aren't made (*if indeed they can be made at all in the allotted time*) then the breached party can make a claim using the process described in the contract.

Warranties and Representations.

The contract should ask the parties to warrant and represent that they are of legal age, have not been pressured to sign to contract (*i.e. are not under duress*), are free to enter into the agreement, are under no disability with respect to their right to execute the agreement, have consulted an attorney, have told the truth about ownership of copyright materials under contract, are not violating any laws, etc.

Group Members.

The contract should spell out whether the manager represents all members of a group even if they individually leave the group to pursue solo careers. This is important because a leaving member may still benefit from the hard work that a manager did as part of managing the group.

The contract should spell out the limits and parameters of the continuing management relationship and the commission arrangement between the manager and the leaving group member(s).

Minors.

A minor is a person who is under the age of (*legal*) majority. It is important to know that a contract with a minor is invalid unless a parent or legal guardian co-signs the agreement and/or signs a separate letter of consent. As a manager you must do your best to find out the true age of your client(s) or else risk having the entire contract rendered null and void.

Severability.

A severability clause is a provision in a contract stating that, in the event of a judicial determination that parts of the contract are invalid and unenforceable, the valid portions of the contract will remain in force.

Renewals and Extensions.

It is extremely important to spell out when and how the contract gets renewed or extended. You should decide whether such renewal or extension is made at the sole discretion of the manager, the artist, or by mutual consent. How many days before the end of the term should notice be given renewing or extending the contract? Is renewal or extension automatic if no notice is given? Make sure that these very important issues are addressed in your contract.

Assignments.

Most contracts will allow the manager to assign their duties and responsibilities to an associate, affiliate, licensee or other company that may buy the manager's company out. This is usually done to allow the manager the flexibility to join or partner with other companies or investors yet still be able to perform the duties under their contract with the artist. Managers may also want to be able to assign the contract to another member of a management firm should they have to leave the company.

Key Man Clause.

This is a provision in the contract that protects a recording artist or songwriter who signs to a company specifically because of a particular person (*the "key man" – even though this person might be a woman*), without whose presence the artist or songwriter would not want to be bound to the company. A key-man clause provides that if the named individual should leave the company during the term of the artist or songwriter's contract, the artist or songwriter may have the option to terminate the contract without legal or financial repercussions. To be fair to the company, such a clause may also require that the artist or songwriter repay any outstanding advances and/or fulfill any commitments under the contract in order to terminate the contract early.

Performance Clause.

This is a contractual provision requiring a party to perform some service or achieve some goal. For example, a manager may be required to get their artist signed to a record company within a specified time period; or an artist may be required to be available for touring commitments as agreed to in a band & brand agreement, etc.

General.

Most contracts include some other general clauses that further clarify the complete understanding between the parties. For example, the contract should identify the state in the country that has jurisdiction over all matters related to the contract. Another clause will identify the contract as a complete understanding between the parties and compel any changes to be made in writing in order to be enforceable. Another clause will show that the manager has advised the artist to seek legal counsel before signing the contract, and so on.

Signatures.

Of course, a written contract cannot be valid without the signatures of all the parties under obligation. You do not necessarily need to have the contract notarized, but make sure that the signatures are in blue ink so that it is obvious which documents are originals and which ones are copies.

CAREER PLANNING FOR YOUR ARTIST

Establish goals

You should create a business plan (*or at least a game plan*) that addresses both your short- and long-term goals. Not all clients have the same goals. Some clients may simply want to record an album or a series of singles to make available for download. Others may want to establish an independent label to release their own recordings, or perform in larger venues than they currently do, or go on a national/international tour, or sign a deal with a record label with national distribution and marketing, or sign a publishing contract, or get into acting, or align themselves with a brand, or get an endorsement deal, or partner with a sponsor, and so on. These will be the long-term goals. You can then break the long-term goals into several short-term goals, each with a defined set of benchmarks that can be tracked and measured. It is very important to set deadlines for each goal. This will enable you to keep track of your progress and make changes accordingly.

Define the image

It is very important to have a good understanding of and appreciation for the client's image. Make sure that they are comfortable with not only who they are, but also who the public perceives them to be. You may find it necessary to fine-tune some things in order to present a more accurate image to the public. You may be able to do this on your own or hire a stylist to help with imaging. It is much better to do this earlier on in the process than to proceed and try to change the image later.

Once you've made an impression with the public (*or the artist's fan base*) it becomes much more difficult to change it later on. Don't confuse this with the normal strategy of presenting different sides of the same person to the public or gradually updating the image of the artist to fit the current release.

Evaluate the name

In this age of social networking, it is important to avoid confusion and make sure that your client does not have the same name as another artist. The process of evaluating your client's professional name is sometimes a bit more complicated than appears at first glance. In order to be memorable and cut through the clutter, should the artist use their real name, or come up with a 'stage name' or 'pseudonym'? What would be the benefits or drawbacks of each decision? Some artists have a difficult name to read or pronounce, and choose to change it, while others use the difficulty of the name as a promotion gimmick. Another thing to consider is what you would do if your client has the same name as another artist who is already well-known to the public (*e.g. George Michael, James Taylor, Sarah McLachlan, etc.*)? It is possible that your client may be challenged if they use the name, even if it is their real name. In any event, it is always a good idea to check to see if the chosen name is being used elsewhere before you embark on the rest of your campaign.

Define the sound (*or style*)

Most artists have a very difficult time defining their style of music. Even though most artists want to resist being pigeon-holed stylistically, it would be to their benefit to be able to describe their style to a stranger in 10-15 words or less. This is crucial if only from a marketing standpoint. Almost everything we read or hear about in the music business is described according to genre/style.

Even if you feel like your client's music fits in multiple genres, it is still a good idea to abbreviate the description when talking to other members of the music community as well as fans.

Get your client's 'house in order'

The beginning of your relationship is a good time to sit down and help to get your client's house in order. This can be tricky sometimes since most clients have inadequate funds to take care of some of their more pressing legal and accounting issues. You should take this time to talk to your client about establishing a corporation to separate personal and business assets; registering copyrights; applying for service marks (*if applicable*); signing up for various insurance policies; tax planning / bookkeeping; etc. You may have to schedule consultations with an attorney and an accountant or financial advisor to help with some of these issues. Use this time to address any back taxes owed or legal issues that are unresolved.

Identify the artist's demographic

It is extremely important to identify the demographic that you will be marketing your music products and services to. You will ultimately be selling products and services to this demographic, so the more you know about them the more successful your campaigns will be. This data will also be useful to a potential brand partner, sponsor or record label. The sooner you start doing your research the better. To find this information you will have to start within the inner circle of your fan base and work outwards. Begin by polling the people on your mailing list or in your fan base and you will soon begin to develop a profile (*or a set of profiles*). The most effective and efficient way to do this is conduct a survey (*questionnaire*) on your website in exchange for something free or discounted, like song downloads, concert tickets, band merchandise, autographed or exclusive products, access to your artist, etc.

Build your support team

In today's music business environment it is a good idea to build a strong, competent team of professionals around your client. You as a manager will be the coordinator of that team. It will be up to you to find the right members of the team and help to coordinate the activities between them and your client. The team, at the end of the day, should consist of you the manager, along with an entertainment attorney, a booking agent, a publicist and a promoter. You can always hire out most of the other services (*e.g. production, graphic design, photography, recording, etc.*). Besides the fact that a support team will keep the machine running smoothly, it is also a very attractive package in the eyes of record labels, sponsors, and brand partners (*as long as you have the right team*). The object is to find people that are good at what they do, are respected in the industry, and are available to commit some time to your client. Ask for recommendations or utilize the various directories mentioned throughout this manual to put your team together. You might need to come up with a budget to help pay for this team. That could come out of your pocket (*to be deducted as an expense*) or taken from a fund set aside by the client. These strategic alliances will help you achieve success in the long run.

Develop a plan for surviving during the lean periods

It often takes a while for your client, and therefore you, to start making money. Even when there is income, it is often difficult to maintain a consistent flow over a long period of time. There will inevitably be periods of time when things slow down, especially during the recording stages where there is little income coming in from performing, merchandise, endorsements, or other sources. The remedy is to have different clients in different genres all at different stages of their career.

For example, you might have a Rock band and a Pop/R&B band. The Rock band can be on tour while the Pop/R&B band is in the studio recording. This way, in addition to royalties from previous recordings or Film/TV licensing, you can have income coming in from the Rock band's tour while the Pop/R&B band finalizes their recordings, and then switch schedules. It is also a good idea to think about ancillary income from your bands' songs, including licensing, merchandise sales, etc. The plan is to arrange it so that the lean periods do not all happen at the same time for all your clients. You should also take advantage of 'aftermarket', which essentially means additional sources of income from your client's records after the initial release. This could be anything from compilations and remixes to releases in different formats, cover versions, etc.

UNDERSTANDING DIFFERENT TYPES OF DEALS

Some of your clients may be interested in you finding some type of deal for them. In these instances it would help for you to know what types of deals are available for artists, producers and songwriters. Keep in mind that since the music industry is constantly changing, it is impossible to predict all the types of deals that may be available in the future. It is also worth noting that it is significantly more difficult to work out a deal with a major record label, publisher, sponsor, merchandising company, etc., than it is with an independent company.

Most of these definitions are basic, but should be good enough to give you some idea of the different types of deals available. In addition, there are some deals that I have left out only because of how irrelevant they are to the independent artist, and included some deals that are slowly but surely falling out of use. In all cases, consult with an experienced entertainment attorney when presented with a contract of any kind.

Following are some of the deals that you may encounter:

- **Demo Deal**

In this rare scenario a record label will give an artist some money to record a demo. The demo fund ranges from, for example, \$1,500 to \$5,000 for three songs. The label will have, for example, a 60-day period in which to decide whether to sign the artist or not.

If they do not like what they hear and choose not to sign the artist they will have a 6-9 month matching right (*or right of 'first refusal'*). This means that if any other label offers the artist a deal in that time frame, they will have the right to match the other label's offer before the artist can move on. The artist will normally keep the demo once they move on, and in some instances may even be allowed to release it independently.

- **Development Deal**

A development deal is somewhat like a demo deal, except that the terms and options last for a little bit longer and the purpose is slightly different. In this scenario the record label and the A&R rep will spend some time, normally about six months, working with all aspects of the artist's package to try and bring it up to the level where they can commit to spending more money on a full release. Budgets for development deals range from \$10,000 to \$35,000. If the artist fails to mature to the appropriate level they can be let go, again saving the label the money associated with a full-scale release. These types of deals are happening less and less now as labels seek to reduce their risk exposure by signing artists that are already well-developed.

- **Recording Deals (Contracts)**

These are contracts signed between record labels and artists usually with a multi-year, multi-album commitment from the record label to provide the recording budget, approve the process of hiring producers and selecting songs, oversee the graphic design process, manufacture the record, distribute and market the record to retail outlets, put in place promotion to help sell the record, collect money and make payments, and in some cases provide tour support. There is a big difference in the levels of financial and procedural commitments made between major record labels and independent labels.

Independent labels generally have less of a budget to spend, sign shorter deals with less commitment, but offer higher royalty rates with shorter accounting periods.

- **360 or “Multiple Rights” Deals**

360 (*or Multiple Rights*) Deals are basically recording contracts in which artists share not just revenue from their album sales but concert, merchandise and other earnings with their label in exchange for more comprehensive career support. Traditionally, record labels participated in royalties mainly from sales of the artist’s recordings, and sometimes from other deals structured around the sale of recordings. 360 deals allow the label to receive royalties from a wide range of income sources related to the artist, including ticket and merchandise sales from tours/performances, publishing income, artist branded products, etc.

- **Singles Deals**

A Singles Deal is a contract between a record company and an artist or producer providing for one single to be recorded and released, but usually containing options for additional singles and/or albums in the event the first single achieves commercial success. Singles are often released in the form of ringtones or some other digital representation. These types of deals are structured as a way for the label to test the viability of an artist before committing more funds to a wider release.

- **Upstream Deals**

Major record labels have begun to arrange upstream deals as a way to eliminate the risk of spending millions of dollars on artists with no guarantee of a return on investment. They accomplish this by signing distribution deals with successful independent record labels.

In some instances, the independent labels receive operating capital for signing and developing artists. The independent labels get their records distributed and marketed through the major record label distribution system, and once sales of the independent record reach a certain plateau, the record is 'upstreamed' into the major label system. The assets of the independent label can also be transferred to the major label in exchange for sharing of the royalties.

- **Option Deals**

Option deals (*also called step deals*) are arrangements where, for example, a songwriter receives a partial payment towards a creative fee for writing a song for a film production, commercial, or other project. Upon completion of the song, the writer submits a demo to the company. If the company approves the song, a further payment is made and the song is recorded for synchronization. Final payment is made if and when the song is actually synchronized or otherwise used in the completed project. If the song is not used, the songwriter keeps the initial payment(s), and usually retains full rights to the work, though there may be some conditions.

- **Distribution Deal**

A distribution deal is an arrangement between an independent label or production company and a major (*or larger*) label whereby the latter distributes the former's product to retailers. In this arrangement the independent label or production company is responsible for manufacturing, packaging, and delivering finished product to the distributor. In distribution deals where the independent label or production company does all its own marketing and promotion, the distributor typically retains 20% to 30% of the product's wholesale selling price.

When the distributor provides marketing services, it either charges direct costs of advertising and promotion back to the label, deducts the expenses from the label's share of sales revenue, or retains a higher royalty on sales to cover marketing costs. These deals are generally offered to labels and production companies with provable sales histories. The types of distribution deals that independent artists have available to them are mainly those of digital distribution varieties to online stores like iTunes, Amazon, etc.

- **Pressing & Distribution Deals (P&D)**

A Pressing & Distribution (*P&D*) deal is a type of distribution deal in which an independent label delivers finished masters and artwork to the distributor, and the distributor then assumes responsibility for manufacturing, packaging, and distributing the finished product. In some cases, P&D deals also provide that the distributor handle all marketing of the product, and the independent label is paid a royalty (*typically 15% to 20% of the product's retail price*)

- **Production Deals**

These are contracts either between record companies and record producers, or record producers and recording artists. Sometimes a record company signs an artist and then hires a producer to produce the album. In other instances a record producer finds an artist and signs them to his or her production company in order to produce an album that can be shopped to a record label. An independent artist is more likely to encounter a production contract than a recording contract early on in their careers. If the producer has major label (*hit song*) production credits, then an unsigned artist can use this as a vehicle to get on the radar screen of the major label A&R reps.

- **Master Lease Deals**

A Master Lease Deal is an agreement between a record company and producer (*generally, one with major label production credits*) whereby the record company obtains exclusive rights to reproduce, distribute, and sell a recording for a stated period of time, after which those rights terminate and revert back to the producer. The producer furnishes a completed master recording. In some cases, the producer also furnishes camera-ready artwork for album covers. The record company assumes the responsibility and expenses of manufacturing, marketing, and distribution, paying the producer a percentage of each unit sale. The producer is generally responsible for paying artist royalties from the gross income received from the record company. The record company typically assumes responsibility for paying mechanical royalties to music publishers that control the song copyrights on the recording.

- **Licensing Deals**

A license is a grant of permission for a company or individual (*licensee*) to use a song or an album in a project. In exchange for payment, copyright owners give permission in the form of a written agreement known as a license. The legal copyright owner keeps all copyright ownership of that song or album even while the licensee uses it. Copyright owners earn money when people pay for the right to use the song, such as including a song in a movie or a compilation recording. Owners of the master recording (*generally the record label on major recordings, but often the performers on independent recordings*) can also issue licenses for the use (*or synchronization*) of their masters in a production.

- **Foreign Licensing Deals**

Foreign licensing deals are an ideal way for musicians to get their albums released overseas. In these instances, the copyright of the album remains with the original copyright owner. The deal is more of a manufacturing/distributing/marketing deal where the licensee (*company licensing the product overseas*) pays for the costs of releasing the album in their territory in exchange for a percentage of sales after expenses are recouped. These deals usually apply only to a specific album and not to the artist's entire catalog. The contract will usually require the licensee to release the album within a specific time frame or else lose the license and return the product to the licensor. The licensee is normally allowed to sell off all remaining product at the end of the term.

- **Merchandising Deals**

Major record labels are committing less and less money to the area of tour support for their artists. Merchandising deals have become a significant factor recently in helping to offset the huge cost of touring, and can enable bands to make touring a reliable source of income. The two main areas for merchandising are retail/mail order, and tour merchandising. With retail merchandising, it is quite common to license rights to a company, either in general or on an item-by-item basis, in return for a royalty per item (*e.g., shirt, jacket, baseball cap, etc*). With mail order, most of the response from the public comes from inserts within albums artwork or on band websites / MySpace profiles advertising a range of products that fans can buy.

- **Single Song Deals**

Single song deals are agreements between the writer and the music publisher in which the writer grants certain rights to a publisher for one or more songs. In single song deals, the writer is often paid a one-time recoupable advance for each song.

- **Exclusive Song Writer (or staff writer) Deals**

Under these deals, the songwriter generally grants all their publishers' share of income to a music publisher. The writer's services are exclusive to the music publishers for a specified period of time. Thus, any compositions written within that period belong to the music publisher. These deals are usually offered to writers with some degree of success. Because the writer has a track record of writing hits, the publisher feels confident that it will recoup its investment. In return for signing away exclusive rights to some or all of the writer's songs, the writer gets paid by the publisher a negotiated advance against future royalties. The advance amount naturally depends on the writer's bargaining power and on the competition in marketplace, if any. Under a staff writer deal, the writer is often paid on a weekly or quarterly basis. This agreement can be either tied to, or independent of, a record contract.

- **Co-publishing Deals**

Under these deals, the songwriter and the music publisher are "co-owners" of the copyrights in the musical compositions. The writer becomes the "co-publisher" (*i.e. co-owner*) with the music publisher based on an agreed split of the royalties. The songwriter assigns an agreed percentage to the publisher, usually (*but not always*), a 50/50 split. Thus, the writer conveys $\frac{1}{2}$ of the publisher's share to the publisher, but retains the writer's entire share.

In a typical "75/25 co-pub deal," the writer gets 100% of the songwriter's share, and 50% of the publisher's share, or 75% of the entire copyrights, with the remaining 25% going to the publisher. Thus, when royalties are due and payable, the writer/co-publisher will receive 75% of the income, while the publisher will retain 25%.

- **Administration Deals**

Administration deals are made between songwriters/publishers and independent administrators, or between songwriters/publishers and other music publishers. In an "admin deal," the songwriter self-publishes and merely licenses songs to the music publisher for a specified term and an agreed-upon royalty split. Under this arrangement, the music publisher simply administers and exploits the copyrights for another songwriter/copyright owner. Under this coveted arrangement, ownership of the copyright is usually not transferred to the administrator. Instead, the administrator gets 10-20% of the gross royalties received from administering and exploiting the songs for a certain period of time and for a certain territory.

- **Collection Agreements**

Collection agreements are like administration deals where the songwriter retains the copyrights, except that the publisher does not perform exploitation functions. Like an accountant or business manager, the publisher merely collects and disburses available royalty income.

- **Sub-publishing Deals**

Sub-publishing deals are basically music publishing deals in foreign territories between a US publisher and a publisher in a foreign territory. They are like admin or collection deals (*with no ownership of the copyrights being transferred to the sub publisher*), but limited to one or more countries outside the US. Under this publishing deal, the publisher allows the sub-publisher to act on its behalf in certain foreign territories. Often, they are limited to a group of countries, such as European Union (EU), GAS (*Germany, Austria, and Switzerland*), Latin America, etc.

- **Purchase Agreements**

Under these agreements, one music publisher acquires in whole or in part the catalogue of another music publisher, sort of like a merger of companies. In this case, "due diligence" investigation is done to determine the value of the catalogue being purchased.

- **Collateral Contracts**

These are contracts that are entered into simultaneously by the same parties to deal with separate, but related, issues. For example, a singer-songwriter might enter into a recording contract with a record label and a publishing contract with the record company's music publishing division at the same time. Careful attention must be paid to potential conflicts of interest arising out of such arrangements.

- **Endorsement Deals**

Musical equipment companies have a financial interest in having high profile musicians with album or touring/performing credits endorsing their products. The hope is that fellow musicians will buy products endorsed by musicians they respect and/or admire.

Musical equipment manufacturers prefer to approach musicians who have sold a lot of product or have credits on major record label releases or tours, achieved significant radio airplay, and/or attracted a lot of attention on television, the internet, and in the print media. However, it is possible to land an endorsement deal with smaller equipment manufacturers that are trying to expand their reach into other territories or achieve more sales than their regional competitors.

Endorsement deals usually require the musician to endorse the product by mentioning the product in ads and interviews; including the product name, image and/or logo in album liner notes; conducting clinics or teaching seminars; and/or endorsing the product at trade shows. In exchange for this added exposure, the manufacturer will usually pay the musician a fee, give them free product, and/or offer them a substantial discount on equipment purchases. As one would expect, endorsement fees usually go to the high profile musicians, while the discounted or free products go to the independent artists. Endorsement deals for independent musicians depend on the musical proficiency or skill of the musician, how well the musician is known/admired, the number of times the musician performs, the number of albums or downloads sold, the size and demographic makeup of the fan base, and the type of instrument the musician plays. Some equipment manufacturers have information on their websites regarding submission policies for endorsement deals.

These are just some of the deals you or your client might encounter along the way. As mentioned earlier, make sure you consult with an experienced entertainment attorney (*and accountant where applicable*) when presented with a contract of any kind (*and particularly one that requires the transfer or assignment of rights*).

UNDERSTANDING THE ROLES OF THE DIFFERENT INDUSTRY 'PLAYERS'

In order to be an effective manager you will need to understand how the music business works. This basically means that you will need to understand the roles of some of the other music industry professionals you may encounter. You will need to know what each of them does and understand how and when to use them in the course of conducting your business.

Contact information for many of these people can be found in some of the more reputable music industry directories available from companies like **Pollstar** (<http://www.pollstar.com/>), **Billboard** (<http://www.orderbillboard.com/>), and the **Music Business Registry** (<http://www.musicregistry.com>) and others.

Following is a description of some of the different players you might encounter in the course of performing your duties:

- **Artists & Repertoire (A&R) reps**

A&R reps work for record labels and are charged with the responsibility of scouting and signing artists, selecting material for them to record, assigning producers, overseeing recording sessions, and developing marketing campaigns for recorded releases in cooperation with artist managers and other record company departments, such as marketing, publicity, promotion, international, etc.

- **Backline Techs**

Backline techs are individuals, usually musicians as well, who set up, tune, fix, and break down equipment (*drums, guitars, keyboards, etc.*) for the band members on tour. They sometimes play a role in the show itself by operating guitar effects pedals, programming keyboard sequencers, and replacing broken strings, drum sticks, guitar picks, etc.

- **Booking Agents**

Booking agents generally work with artists to book and arrange performances and/or tours. In other words they find employment opportunities for artists. They negotiate fees with venues and other interested parties and receive a commission (*usually around 10%*) for their work. Booking agents usually have solid contacts with venues, bookers, festival organizers, promoters and other presenters, and can usually get them on the phone when you cannot.

Booking agents can be invaluable when it comes time to organize a tour. Booking agents also determine how much the band gets paid, the pricing of tickets, what day the tickets go on sale, which venues the artist plays in, which cities the tour is routed to, etc. The agent also decides which radio stations will do ticket promotions (*free giveaways*). Keep in mind that the larger booking agents tend to be interested in working with artists who are signed to a label and have financial tour support, or a touring history, loyal fan base, great reviews and media coverage, industry and/or public “buzz”, substantial radio airplay, etc. That means that it is better for a beginning artist to play and fill smaller venues, develop a loyal ‘paying’ fan base, organize street teams to help with show promotion, develop unique publicity and promotion campaigns, get some college or commercial radio airplay, and garner solid media coverage and industry buzz before approaching booking agents.

- **Camera Operators**

The duty of the Camera Operator is to take video footage and provide shots that end up on the large screens visible during stadium (*or large arena*) shows.

- **Carpenters**

Like the name suggests, the role of the carpenter is to build and maintain the stage set (*e.g. drum risers, props, special effects and custom stage pieces, etc.*).

- **Distributors**

The distributor is essentially a “middleman” between the record label and retail stores (*or anywhere the general public purchases music from*). Distributors attempt to convince retail stores to buy and stock label products. They provide the warehouse space and inventory management systems, and ship products to their retail accounts as ordered. An additional function for the distributor is to invoice the retail stores and collect money for product sold. They then pay the record label any money owed according to the terms of the distribution contract. It is the record label’s job to produce and provide the finished product as well as to promote the record to the general public and make them aware of where they can make purchases. On some occasions distributors will offer to manufacture and distribute the records in return for a larger percentage of the sales price. These types of deals only get offered to labels or artists that have a track record of solid sales and a relatively large catalog of releases.

The major label distribution system involves some other industry players as part of the network. These include one stops, rack jobbers, and record clubs. One stops are middlemen who buy records from labels and then make them available to local record stores that prefer the convenience of one stop shopping. Rack jobbers are middleman that buy records from labels and then stock them in the racks that they operate within retail stores. Record clubs buy recordings from labels and then resell to their members at discount prices.

- **Event Service Representatives (ESR)**

Event Service Reps work as a liaison between the various departments of the venue and the show promoter. Their duties include tracking and documenting venue expenses, enforcing the venue/promoter contract, and making sure the venue gets paid. Their jobs become critical during events where the promoter is running the show (*where the promoter rents the venue, books the talent, signs sponsors, coordinates the publicity and promotion, and collects the money*).

- **Front-of-House Engineers (FOH)**

The Front of House Engineer is the person that mixes the band's live show and controls how the audience hears it. All the output signals from the musicians microphones and instruments (*DI outputs, microphone outputs*) are fed into the main console (*mixing board*). The front of house engineer applies and controls the volume and effects (*e.g., EQ, compression, gate, reverb, chorus, etc.*) before feeding the overall sound to the main monitors (*speakers*) in the venue.

- **Lighting Designers**

The Lighting Designer designs the lighting sequence that takes place during a live performance. Lighting designers are usually brought in well before the show takes place, and they select the movement, placement, number, and color of lights for the show. The lighting designer does not always tour with the show, sometimes leaving that up to the lighting director (*although they sometimes double as such*).

- **Lighting Directors**

The Lighting Director operates the lighting system on the day of the show and executes the lighting sequence designed by the lighting designer. The lighting director uses a 'lighting design' (*plan*) created by the lighting designer to guide them through the show. Sometimes the lighting designer and lighting director is the same person. The lighting director also tells the spot operators where to shine the spotlight and what cues to look for.

- **Lighting Techs**

The Lighting Tech, also referred to as an electrician, sets up, focuses, and maintains the band's lighting system.

- **Mechanical Right Societies**

A Mechanical Right Society is an organization formed to license mechanical rights to record manufacturers (*e.g. record labels*) and others on behalf of affiliated song copyright owners, music publishers and songwriters. Mechanical right societies collect mechanical royalties from licensees and periodically distribute the earnings to members. They charge their affiliates a commission of gross mechanical royalties collected.

The main mechanical right society in the United States is the Harry Fox Agency (HFA), a division of the National Music Publishers Association (NMPA). They can be reached online at <http://www.nmpa.org>.

- **Merchandisers**

Merchandisers are companies that pay bands and singers for the right to sell their merchandise (*T-shirts, hats, etc.*) at concerts, retail stores or on the Internet.

- **Monitor Engineer**

The Monitor Engineer controls the sound that the musicians hear on stage through the stage or earphone monitors. They operate a separate mixing board that feeds the sound from the equipment and microphones back to the stage or earpiece through monitors that the musicians can hear. In complex monitor setups, each musician can hear a separate mix.

- **Music Directors**

There are generally four different types of music directors you may encounter working within the music business. Music Directors (*or MD's*) can be found at radio stations screening and selecting recordings for airplay. At commercial radio stations, this job is being done more and more by consultants and group Program Directors than by Music Directors. The second type of Music Director is a person hired by an artist to audition, rehearse and lead a backing band on tour or during select performances. The third type of Music Director scores and arranges music for films, television programs, commercials, or library services, and who usually also conducts the orchestra recording the music for such usages. Hotels, resorts, theaters, churches, arts centers, community centers, etc., employ the fourth type of Music Director to organize musical events, book musicians, lead in-house orchestras, etc.

- **Music Publishers**

A music publisher attempts to exploit musical copyrights on behalf of themselves and the songwriters they represent. They take care of the administrative duties involved with finding uses for the copyrights (*songs*), negotiating licenses, collecting fees and distributing money to the writer(s) or other publisher(s) involved. Songs can have many uses besides being recorded on an album. Songs provide the mood for movie scenes and set the vibe for TV commercials and a host of other productions. Publishing, like copyright, is a very complex topic that goes beyond the scope of this e-Book. Like almost everything else related to the business of music, you must make sure you have an entertainment attorney look over any paperwork presented to you by a publisher (*or anyone else for that matter*).

- **Music Supervisors**

Music supervisors are the people responsible for securing music for use in films, TV shows, video games, etc. They participate by finding, suggesting and negotiating for the rights to use recorded music in films and other projects. They are in constant communication with music libraries, music publishers, record labels, songwriters and composers, etc., and help to manage the music budgets appropriated by the production companies responsible for the projects.

- **Performing Rights Societies**

There are four main performing rights societies in the United States: The American Society of Composers, Authors & Publishers (**ASCAP**), Broadcast Music, Inc. (**BMI**), SESAC (*formerly the "Society of European Stage Authors & Composers", but now simply* **SESAC**), and **Sound Exchange**.

Three of these organizations (*ASCAP, BMI, and SESAC*) collect payments for licensed public works on behalf of their member copyright owners. They negotiate fees, monitor and collect royalty payments from establishments and venues (*e.g. restaurants, nightclubs, bowling alleys, radio stations, etc.*) and make payments to their writer and publisher members. Sound Exchange compensates recording companies and artists for the use of their music by digital music service providers.

You can join ASCAP and BMI as a songwriter and/or a publisher member, and Sound Exchange as an artist or sound recording copyright owner. Entry into SESAC is by selection. Each organization has different criteria for accepting or rejecting applicants. They can be found online at <http://www.ascap.com>, <http://www.bmi.com>, <http://www.sesac.com>, and <http://www.soundexchange.com>.

- **Product Managers**

Product Managers are the people at major labels in charge of coordinating, overseeing, and/or directing the manufacture and release of product. A record company product manager's duties include the assembly of master tapes, label copy, copyright information, credits, liner notes, graphics, artwork, etc., which are forwarded to the pressing plant, mastering lab, and printers. Product managers work closely with other departments to schedule release dates and coordinate marketing activities.

- **Professional Managers**

Professional Managers manage and market songs for music publishers. Other names for professional managers include song pluggers, catalog managers, or creative managers. In addition to plugging songs, the position sometimes also includes other duties, such as scouting, signing, and developing talent, producing demos, and interacting with licensees.

- **Program Consultants**

Program Consultants are independent experts hired by radio stations to assist in increasing audience share. Program consultants may devise or revise a radio station's format, play list, image, marketing strategy, etc.

- **Program Directors**

At radio stations, the Program Director is the person in charge of planning and scheduling programs, and has the ultimate responsibility for the material and personnel selected for programs. The Program Director (PD) decides what the overall programming for the radio station should be. At commercial radio stations the PD performs the function of generating audience share and ratings with input from consultants, group PD's, brand managers, and Indie promoters.

- **Publicists and PR Firms**

Publicists and PR firms (*many times the same thing*) attempt to generate publicity through the media for their clients. They normally get paid a weekly, monthly, or per-project fee for their efforts. The publicity efforts can help artists to attract industry and public attention, publicize a release or tour, and increase the fan-base. Publicists assist in getting articles, interviews, reviews, features and news items written about their clients, as well as responding to inquiries from media personnel and other individuals. PR firms can also be instrumental in securing sponsorship deals for tours.

- **Pyrotechnicians**

Pyrotechnicians are responsible for assembling and igniting pyrotechnic effects at concerts or other performance events. Pyrotechnics are among the most dangerous effects used on stage, and many states and cities require that Pyrotechnicians be licensed before they can legally use pyrotechnics on stage.

- **Quarterbacks**

In the area of radio promotion, “quarterbacks” are people that are consulted to run your overall marketing campaign. They coordinate activities between the radio promoter, booking agent, publicist, retail promoter, etc. When you have a complex campaign under way, it helps to have a single point person that all individuals can report to.

- **Radio Promoters**

Independent radio promoters (*often called “Indies”*) attempt to achieve radio airplay for their clients. After records are sent to the radio stations, the Indies make follow-up calls in an attempt to convince the program directors (PD) to add their client’s songs to the play lists. They feed PD’s information about the marketing and promotion campaign, the artist’s performances and/or tour schedule, airplay on other influential stations, retail activity, media coverage, distribution plans, publicity efforts, radio trade ads, unit sales information, etc. The radio campaign can run anywhere from a few weeks to a few months and can cost anywhere from a few thousand to tens of thousands of dollars.

- **Record Producers**

A good record producer is like a good film director. Their job is to get the best performances out of all the musicians and singers, keep the studio sessions running on time, act as a liaison between the band and the recording engineer, communicate with the record label A&R rep, file all the necessary talent releases and related paperwork, and keep the project within the allotted budget. A good producer will help keep the artists inspired and motivated, and prevent them from reaching for the same predictable riffs over and over again. Many times producers play the role of talent scouts and are the ears of the record labels in their area. As a manager you will want to make relationships with as many good producers with contacts and credentials as possible.

- **Riggers**

The Rigger is the person responsible for safely setting up and hanging the light and sound points in the arena. They work in coordination with the ground rigger, who assists in measuring out the points, as well as setting up the chain-driven motors that suspend the points. The ground riggers also prepare cable for bridle and dead hangs.

- **Route Persons**

A Route Person is a salesperson assigned to service retail clients in specific sales territories. Record distributors hire route people to sell and deliver product to retailers, set up merchandising displays, mount posters, arrange flats, etc.

- **Selling Agents**

Selling Agents (*also called music jobbers*) are appointed to sell printed music to retailers on behalf of music publishers. The selling agent is usually a print publisher with expertise in designing, printing, distributing, and selling sheet music.

- **Stewards**

A steward (*also known as a shop steward*) is a union official or a union contractor who hires and supervises musicians and insures enforcement of terms in union agreements with producers. Stewards are also the people hired to help supervise or manage a concert or other event.

- **Talent Buyers**

Unlike Booking Agents, who work for themselves, Talent Buyers are employed by hotels, clubs, casinos, and other venues to book talent. Talent Buyers do not receive a commission on the artist's performance fees, but instead receive a salary from the venue that hires them.

- **Talent Scouts**

Talent Scouts usually work under the direction of A&R reps. Talent scouts assist the A&R reps by seeking out, evaluating and recruiting new talent and material. They are the ones that can often be found in clubs and on the streets listening and looking out for up-and-coming talent, and more commonly now searching the internet for talented artists that are creating a "buzz".

- **Technical Directors**

Technical Directors are people in charge of set design, construction, and control during a live performance. They can usually be found on larger tours and shows where major label artists are performing.

- **Trackers**

Trackers are people assigned to check radio stations, trade magazines, record stores, distributors, etc., in order to monitor the progress of marketing efforts for a commercial record release, making note of weekly radio adds, chart entries, chart movement, airplay rotation, sales, etc. Nowadays, companies can utilize solutions like Big Champagne (<http://www.bigchampagne.com>) and others to track all this data.

- **Traffic Managers**

In large recording studios, traffic managers are the people in charge of scheduling studio time for clients. These large studios usually have between three and seven different studios in one complex with multiple recording/mixing/mastering/editing projects taking place at one time.

- **Unions**

The two main musician unions in the United States are the American Federation of Musicians (**AFM**) and the American Federation of Television & Radio Artists (**AFTRA**). The AFM negotiates terms of employment for session musicians with record companies, setting union scale and pension contributions for recording sessions. AFTRA is also an AFL-CIO affiliated union, but is geared more to protect and promote interests of actors and other professional performers, and broadcasters in television, radio, sound recordings, non-broadcast/industrial

programming and new technologies; though some musicians and vocalists affiliate with AFTRA rather than the AFM. AFTRA negotiates terms of employment for actors and announcers with broadcasting networks, local stations, and production companies, setting union scale and pension contributions for broadcast work.

SOLUTIONS TO COMMON MANAGEMENT CHALLENGES

As a new manager, it is tempting to think that the life of a manager is going to be full of glitz and glamour, celebrity parties and awards show appearances, sold-out performances and frenzied press conferences, with large amounts of money rolling in from commissions and constant praise heaped on you from your client, your peers and the music industry in general. In the beginning, nothing could be further from the truth. You should serve yourself a large dose of reality before you venture out into the field of artist management.

There is no doubt that there are many rewards to be had if everything is planned out well, your clients are talented and as committed to working as hard as you are, you create and take advantage of opportunities as they arise, and you have some luck on your side. The smart manager is the one who is willing to consider many of the problems that may occur in the course of doing their job.

Even though some solutions are offered, you should spend some time thinking about the problems presented in this chapter and then try to come up with other challenges and solutions that best fit your circumstances. In addition, you should attempt to envision additional scenarios that could prove to be problematic so that you don't get caught flat-footed when they occur.

Following are just some of the many challenges that you could encounter in the field of artist management, with suggested solutions.

One of the group members is not interested in signing the management deal.

As you approach a group with a management offer, you may encounter a situation where one of the members is not interested in signing with you. The first thing you should do is attempt to find out what the individual band members' objections are. The person may think that you are unqualified. They may have had a bad experience with another manager previously, or some industry person may have warned them against signing with you. Something you did in the past may have been brought to their attention. They may simply be nervous about signing anything with anyone. They may think that they don't need management or that they can and should handle management duties themselves. Whatever the case may be, try and address their concerns if you are interested in signing the group. You may need to convince the person that you are safe to sign with, that the rumors are untrue, that they really do need management, and so on. If there really is something negative in your past that they have been made aware of, you should come clean and explain your side of the story and how you have rectified the situation.

If something negative has taken place in the past, do not try and pretend that nothing happened if there is a record somewhere of something negative you did. How do you expect the band to trust you if you start the relationship off with a lie? The manager-artist relationship must be based on mutual trust. Do not try to sign the group without the signature of the objecting member, or get the objecting member kicked out of the group.

All members of the group have to agree to and sign the management contract in order to be bound to it. As tempting as it is, do not try and get the objecting group member fired, unless they are indeed a liability to the group and the rest of the group agrees that they should go. If you fail to convince the group to sign with you, the best option is to withdraw your offer and move on to another group. They may see the light at some point in the future and approach you again about managing them.

Lack of (or bad) communication between you and your client.

This is a very common problem that occurs between managers and their clients, and if not worked out early on, can lead to the end of the relationship before anything good can happen. Communication skills are absolutely vital in the field of artist management, since bad communication creates a vacuum in which others can spread negative propaganda and misinformation. Not only do you have to be able to communicate well with your client, but also with all the other industry professionals as well (*e.g. producers, label A&R reps, publishers, booking agents, concert promoters, publicists, licensees, hired musicians, etc.*). You and the client will have to be on the same page at all times in order to avoid misunderstandings.

Band members or artists should feel comfortable talking to you about anything that concerns or interests them at any time, and you should do your part to maintain an open-door policy with them. Your clients should know that all correspondence must go through you and be discussed before being acted upon. Besides talking on the phone, texting, twittering, or sending emails back and forth, you should try to schedule regular meetings with your clients to review progress reports and discuss ideas and concerns the client may have. All ideas and concerns should be addressed as soon as possible.

Keep in mind that the client is looking to you for career advice as well as ideas and suggestions, so make sure you remain up-to-date with industry news before setting up your meetings. The more credible you are with information, the more likely the band will take your communication with them seriously, and the more they'll look to you for communication instead of bringing in outside sources. An absolute must-read is Billboard (<http://www.billboard.biz>); although you should also check out other sources like the New York Times (*entertainment section online*) or even occasionally the Wall Street Journal and Forbes for in-depth entertainment news and analysis. Keep up with the local music industry news and newsmakers in your area, since the local area is where your artists are most likely to get their industry news from or encounter other industry players.

One member is (or more members are) not interested in a deal you've worked hard to line up.

As a manager, you will spend much of your time trying to figure out how to get deals for your clients. These may include record deals, publishing deals, licensing deals (*domestic and international*), merchandising deals, sponsorship deals, distribution deals, endorsement deals, band & brand deals, cosmetic deals, acting roles, modeling gigs, and more. It is not unusual to find resistance to the deal that is on the table from one or more members of the group. You can avoid (*or limit*) much of this resistance by communicating well with the group or artist BEFORE spending time trying to line up the deals. You should know how the group or artist feels about each type of deal, and have a sense of whether or not they would even be interested in signing the deal if it materialized. If you feel strongly about a deal, you should discuss this with the group or artist beforehand and explain to them the advantages of the deal as it relates to their long-term plans.

Do not waste valuable time talking to industry professionals and having an attorney negotiate a deal just to have the group or artist refuse to sign it. This will not only cause stress between you and the group/artist, but will also ruin your reputation among the music industry community.

Some group members working harder than others in the group.

It is not unusual to find that in a group, one of the members is working harder than all the rest; or one of the members is lazy and hardly does anything other than play their instrument or sing. If not addressed quickly, this can lead to serious morale issues or even the breakup of the group. The best way to handle this situation is to designate tasks to each member so that all members feel like they are contributing to the overall success of the group, and each of the members are pulling their fair share of the load. If some members feel that they are contributing more to the group than they should be, they will start to insist on a larger percentage of the profits, which could lead to other members complaining, some members quitting, or the group breaking up. It is possible that some members perceive their contribution to be greater even when it isn't, so this has to be dealt with delicately yet decisively.

Besides rehearsing and performing, tasks that can be designated to group members include: sending newsletters to people on the band mailing list, conducting social networking campaign, sending materials to street team members, responding to emails, creating or updating electronic press kits (EPK's), organizing articles and materials for band meetings, making follow-up phone calls, designing and ordering promotional materials, updating the band website or social networking profile, uploading materials to sites for promotion, maintaining the band tour van, passing out flyers / postcards / samplers, sending press releases about the band to the media, preparing for band rehearsals, auditioning musicians, and much more.

Whatever you do, make sure that the tasks are spread out so that each member feels that the rest of the members are doing the same amount of work, and that the value placed on the work each member is doing is similar. If a particular member seems to be the weak link in the chain, and the entire project is being held back because of their lack of focus or contribution, then you might want to consider discussing getting rid of them. Such a decision would have to be voted on by the whole group or dealt with in the manner detailed in the band partnership agreement. This decision can be complicated if that member also happens to be the lead singer, songwriter, or most talented member of the group. In the end, you will have to consider doing what is best for the group as a whole.

Band members refuse to sign a band partnership agreement.

One of the first things you should do as a manager is to get the band to sign a 'band partnership agreement'. The reason why you should get this done immediately is because it is much easier to get the band members to agree to terms of an agreement while they are still friends and before a deal with substantial amounts of money is on the table. If you don't get this done early, chances are that there will be problems trying to get it done later on.

This agreement is crucial because it spells out the rights and responsibilities of each band member, indicates how assets are divided, details the procedures that must be followed and principles that must be adhered to, and a whole lot more.

Topics covered in the band partnership agreement may include:

- Ownership of the band name and logo. Names and logos could belong to a single band member, several band members that might have come up with the name and/or created the logo design, or to the band as a whole if the name and logo was a group decision.

- Band member hiring and firing. Who will have the right to hire and fire band members, and how will that procedure be carried out? This will have to be spelled out in the agreement.
- All band partnership services should be detailed in the agreement.
- Band sharing of profits and losses. The band members will have to decide what should be considered a profit or a loss, and what percentage of profit and loss each member should take or be responsible for.
- Ownership of band sound recordings and publishing. This issue is the single most complicated issue and the most contentious one to deal with, especially if the band partnership agreement is left until later on to sign. Chances are that the sound recording will belong to the whole band, unless some members are “the band” and others are just “hired guns”, or the band assigns the rights to the sound recording to a record label. The publishing will belong to the writer(s) of the songs the band records, unless they sign publishing deals. Often, there will be confusion as to who exactly wrote the songs or whether or not all the band members contributed to the writing in the course of recording.
- Band termination. The band will have to determine what events will constitute the dissolution of the band (*e.g. death of a lead member, initiation of a lawsuit against the band, etc.*), and what should happen to profits, taxes, property, debts, etc., once the band is dissolved
- The agreement should determine the manner in which band disputes will be handled (*e.g. counseling, mediation, arbitration, through the courts, etc.*).

These are just some of the main issues that should be included in the agreement, and no doubt you will need legal assistance in drafting the partnership agreement. Most importantly, get it done early, and if one or more of the members don't want to sign it, insist that problems will only be compounded if they wait until later.

The band or an artist breaches the management contract.

You may find that, at some point in your management career, a band member or artist will intentionally or unintentionally breach the contract. If the breach is minor, you may just want to talk to the artist and bring up your concerns. If it is a major breach, the first thing you should do is bring that breach to their attention in the manner spelled out in your contract (*e.g. via registered mail, email, phone call, band meeting, etc*). The contract should also indicate the amount of time the member or artist has to attempt to remedy the situation, and what you should do if the deadline passes with no resolution. You should attempt to work things out internally and get the situation resolved early. Try to keep out of the court system as much as possible, unless the breach involves large sums of money or potential damage to your reputation. A substantial and intentional breach of the contract is usually a sign that the “marriage” is in trouble, and often, even with the intervention of attorneys, this leads to the complete breakdown of the relationship. If all the parties involved follow the spirit and word of the contract and communicate clearly and in good faith at every opportunity, breaches can usually be avoided.

As a manager, you’re “in over your head”.

It often takes a while to find a band or artist that meets all your expectations of what a band / artist should be, and when you find one it’s quite easy to get lost in the magical moments and move in to offer them a management contract before taking stock of your resources. Initially, you may think that great songs and good looks are all you need to get the band to the next level. The band you sign may be extremely talented and expect you to walk them right into the Sr. VP or A&R’s office at a major label and get them a multi-million dollar deal. You may even believe that much yourself, until you find that there is more to the game than that and it’s all taking much longer than you expected.

At that point, you may start to feel like you're in over your head and have bitten off more than you can chew. The best way to avoid this in the first place is to not promise what you can't deliver. Talk to the band about a realistic game plan before you sign them and let them know that you will all need to do a lot of work before success can be attained. You should take the time to build your database of contacts, which includes influential voices and tastemakers within social networking circles, attorneys with music industry contacts, record producers with credits, booking agents, publicists, music publishers, venue bookers and promoters, media contacts, industry 'gatekeepers', and independent label A&R reps for when the time is right to present your band / artist for review. It will take you a while to gain the trust of the people that you need to have relationships with, so the sooner you start, the better. In addition, the band / artist will be looking to you for career advice, so the more you know about every music business-related topic, the more confident you will be about the answers you give. Being knowledgeable about all aspects of the music business and having lots of industry contacts will help you feel in control of your situation, and prevent you from feeling like you're in over your head.

Somebody is trying to 'cut-in' on your management duties.

Every once in a while you will come across somebody who is trying to "cut-in" on your management duties. Sometimes this is unintentional, while at other times it is intentional and malicious. It could be a friend of the band's, a club booker, a publicist, a radio promoter, a record label proposing a 360 deal with in-house management, or even an A&R rep; but most of the time it will be an attorney. Many attorneys fail to realize that their job, if a band or artist already has a manager, is to give 'legal' advice, not 'career' advice. Many attorneys have been known to overstep their boundaries and cut-in on management duties, so you should be aware of this as you retain an attorney to draft or negotiate contracts for you.

Ideally, an attorney should advise you on the wisdom of asking for a large cash advance when the contract doesn't provide for an adequate promotion and touring budget, or the legalities of the 360 deal being offered; and but not whether the bass player should be replaced or not. An attorney should advise you on the correct language needed to address an assignment of rights; but not whether the gig in Grand Rapids makes sense as part of the tour route.

Even while maintaining your management duties, don't be closed to outside ideas, and always address issues that have been introduced by outside sources. However, you should communicate to your clients very early on that you will not tolerate other parties acting in the capacity of personal manager, and remind them of the reasons they signed with you in the first place. If things start to get out of hand, try to talk to the client about why they trust somebody else's opinions over yours and attempt to correct the situation; then gently remind them that they signed an 'exclusive' deal with you for management. Most problems can be avoided with a policy of clear, frequent and open communication.

People attempting to bypass the manager in order to communicate directly with the artist.

Every once in a while somebody will offer something directly to your client without going through you. A lot of people in the music business with no clue of how things work think that a manager is only necessary for artists signed to major labels. When your client instructs the individual to contact or meet with you, they disappear into thin air. Even worse, some of them continue to communicate with your client and ignore you or refuse to talk to you at all. Any legitimate business professional should have no problems whatsoever talking to you about anything pertaining to your client's music career.

To prevent this kind of behavior, instruct your clients that all communication must go through you for review and discussion before any action is taken. As a manager, you will need to act as a buffer against these types of individuals and approaches.

Somebody spreading rumors about the manager in order to get the artist to leave.

The higher up you rise in the music business the more likely it is that you will become a casualty of industry politics. It is fairly easy to make enemies in the music business, even without knowing it. Enemies can appear in the form of a disgruntled ex-employee, an artist whose demo you didn't like, a former band member you fired, a jealous manager, an angry journalist, an arrogant A&R rep, and so on. The main thing for you to understand is that sooner or later, it will happen to you. The best way to handle this situation is to confront it head on and address it early with your client. If you deal with people honestly and do what you promise to do, you should be able to minimize the damage that could result from nasty rumors spreading faster than you can stop them. If you have a good reputation within industry circles, you should be able to find people to help defend you from attacks.

Major label recommends that band artist finds new management.

It is not unusual (*and actually quite normal*) for a major label to ask the band to sign with an 'A-level' management firm before offering them a recording contract. This is often because the label wants to make sure that the band is represented by a manager that is able to properly manage the artist at that level. A-level managers know how the game is played and understand how the "wheels are greased", and therefore don't make a big stink about things that might appear somewhat out of the ordinary to an inexperienced manager.

In addition, things at the major label level can move very fast, and windows of opportunity can close before a manager with no clout or connections can take advantage of them. A-level managers can get their calls returned by top booking agents, sponsors, brand partners, publicists, attorneys, media personnel, publishers, concert promoters, tastemakers, gatekeepers, and so on. An unknown manager, even with a band on a major record label, may wait hours before their calls or emails are returned, often at the cost of a major financial or promotional opportunity. Major labels also know that it is easier to communicate with an A-level management firm that they've done business with before. These managers have reputations around the world and know what to turn down and when to take advantage of opportunities. A new manager may be tempted to go after every offer, often diluting the 'prestige' of the artist and the major label. A new, inexperienced manager may also accept offers that should be declined, or decline offers that should be accepted.

Complicating matters is the fact that even independent labels are starting to offer artists 360 deals that provide for in-house management as part of the deal. Be prepared to deal with these situations. You should have a clause in your contract that describes what should happen if (*or more likely, when*) these situations arise. It is often better to release your artist or band for a 'buy-out' fee and limited future commission (provided for in your sunset clause) from the major label or independent deal than to hold the band or artist back and have them resent you for it. You can use the fact that you got the band signed (*along with some of the money you made from the deal*) to sign other artists to your management company. If you play ball and go along with this, you will even have some good connections within the major or mini-major label system that you can use to shop material to in the future. Make sure that you recoup any money that you might have spent on the band in the early days and ask the band if they can thank you in their album credits, on the band biography, and in interviews.

Of course, if you feel strongly about keeping the band signed to your management company and feel that there are better ways for the band to achieve long-term success without taking advantage of the opportunity presented to them, then you should make your feelings known and explain the way forward to the band.

Manager lacks contacts.

As a new manager, you may find yourself with very few serious music industry connections in the beginning. If you intend to be in the business for a while and retain artists on your roster, you will need to remedy this situation as soon as possible. Start in your local region and attempt to get to know everybody who is in the music business, including local club and venue owners, promoters, record producers, recording/mastering engineers, club DJ's, other managers, record labels, publishing companies, music editors from local publications, radio station personnel (*especially college radio*), music industry media, and so on. Attend all local music seminars, workshops or conferences that come through your area, and join any local music associations and organizations that are available. Utilize the internet and follow (*and be-friend*) influential music industry voices and tastemakers within social networking circles.

Once you've tackled the local scene, you should spread out to the regional, national and international scenes. You will have to do some research in order to find the names of and contact information for industry people outside of your region, but there are plenty of directories available that you can purchase, including those from The Music Business Registry (<http://www.musicregistry.com>), Billboard (<http://www.orderbillboard.com>), and the series of directories from Pollstar (<http://www.pollstar.com>).

Making deep connections takes a while to accomplish, so you should start even before you sign your first act. If you've already signed an act, you need to move fast. You will need to build trust between you and a contact before they start taking or returning your calls, or responding to your emails or social networking "probes". Keep in mind the principle that people will want to work with you if there is money to be made (*i.e., if there is something in it for them*). Nobody is interested in simply doing you a favor. Don't make contact with somebody and immediately start shoving demo tapes in their faces or spamming their inbox with mp3 attachments or links. Begin by wishing them a happy birthday (*amazing how much you can discover from social networking sites*), telling them you enjoyed their panel discussion, congratulating them on their latest release, etc.; and then work from there by keeping them in the loop about the small successes that your artist has. Eventually you will have a large database of contacts from which to select for your shopping or partnering purposes.

Keeping the record label focused.

Most artists (*and some managers*) think that getting signed to a major label (*or to any label, for that matter*) is the pot of gold at the end of the rainbow where they can just relax, let the label do all the work, and watch the checks come rolling in. The bottom line is that if you don't take steps to keep everybody at the label excited and motivated, you may soon find your band at the bottom of the priority list and eventually dropped from the label altogether. As a manager, you will have to make sure the label is paying adequate attention to your band and spending the necessary resources as promised in the contract. There may even be times when you and your band have to spend your own money to pay for an independent publicist, tour promoter, radio promoter, or retail marketing rep to help with your record.

You will have to spend time on the internet building your mailing list and working on putting together an independent street team for additional help. Don't count on the label to do everything for you, and keep in mind that any additional investment you make should pay off for you and the band in the long-term in terms of CD, download and merchandise sales, gig attendance, licensing fees, sponsorship opportunities, and so on.

Decent progress has been made, but you seem to have reached a plateau.

Another common problem that you may encounter is one where you feel that, even though decent progress has been made, your artist's career seems to have reached a plateau. You might find that the industry buzz is fading, the social networking campaign isn't gaining any more momentum, you aren't getting any new gigs, CD/download sales have peaked, interview requests are down, radio airplay has stopped, and in general things are just somewhat flat. At that point, you should take stock of what you have accomplished so far and try and get your hands around what the problem might be. There could be any number of things that could be happening. Your contacts may no longer be available to help you; the industry may be done with your artist's sound (*or not ready yet for your artist's sound*); your budget may not be sufficient for the tasks that need to be done; the business models for signing or booking artists may have changed; the industry may be flooded with artists that sound just like yours; you may be having a hard time making enough of a buzz to stand above the crowd; you or your clients are losing faith in the project; you're unable to allocate enough time to the project to get it to the next level; you are having a hard time figuring out new ways to sell CD's/downloads and merchandise; you are unable to formulate creative ways to market and promote the group or the shows; your client isn't ready to take advantage of new revenue streams available in the music business; and so on.

The first thing you should do is analyze everything you've done up to date. Obviously, some things aren't working as well as they should, and you need to take a look at what needs to be added, removed or adjusted. You will need to come up with fresh ideas to move the project forward. Depending on the nature of the band, either a short break or an aggressive re-start will be required. Focus on creative ways to do the things you've been doing all along, and find ways to add some fresh things to the mix. Find different incentives to get people to come to your shows, buy your CD's/downloads, and sign up to your mailing list. Your ideas will be shaped by the type of music you do and the types of people that make up your fan base. There are no "one-size-fits-all" solutions available, so you will have to do some creative thinking with your client.

You may have to come up with some additional money to execute your new ideas, or allocate lots more time to the project. Your band might need a different long-term strategy, a new sound/style, a replacement singer or musician, creative musical production, outside songwriters, a fresh look or style, new photos and/or videos, an update to their website or social networking profile, more entertaining content for their YouTube channel, a story that can garner media attention and coverage, and so on.

Perhaps you might need to play less often in your town, or more often in other areas, or release a CD/DVD of the live show. Maybe you need to change the number of people in the band, or replace the lead singer. Perhaps your area is saturated with bands just like yours and a change of scenery is what's required. Maybe the A&R reps you knew all got fired and you need to make new contacts at the labels who will listen to your demos. Perhaps you need some unique items to add to your merchandise list besides the same T-shirts and mugs you've been selling all along. Maybe you need to work on buying on to a tour as an opening act with an artist on a major label in order to increase your exposure. Perhaps you need a more aggressive publicity campaign or different remixes of your songs for radio/internet airplay.

Maybe you need to do more interviews to display your bands personality to the public. Perhaps you have to wait until your band's sound 'cycles back' into the public's taste. Perhaps you need to find some sponsors or brand partners to help fund a more expansive tour in order to reach a larger fan base. Perhaps your social networking campaign needs to be re-energized. Maybe you need to invite and pay some high-profile guest musicians/artists to perform on your tracks.

The bottom line is, don't keep doing the same thing you've been doing and expect different results. If you try a bunch of new things and nothing seems to be working a couple of years later, it may be time for you and the band to move on to other things. They may need a new manager, and you might need a new band.

The band or artist is spending too much of the budget recording the album.

This section pertains mainly to managers with bands signed to (*major*) labels with a large recording budget. Bands have been known to spend too much time and money on the recording process and on buying equipment for their personal use. It is your job as the manager to inform them about the lack of wisdom of being "production rich and promotion poor". It doesn't matter how good your recording is if there isn't any money left over for promotion or outreach. Promotion costs a ridiculously large amount of money, and without adequate exposure, your record will be a needle in a musical haystack unable to be found among the thousands of records being released every month.

A great song does not have to take two years and \$3,000,000 to produce. Some bands are known to record 'never-ending' albums, claiming to be perfectionists and endeavoring to get it 'just right'. Work with a good producer that can help you get the record finished on time and under budget, then spend the rest of the money on publicity, promotion and tour

support. Remind the band that there comes a point when an extra hour in the studio won't necessarily sell an extra CD or concert ticket. Besides, all that money is being charged back to the band and will very likely leave them un-recouped (and "un-wanted" by anybody else) at the end of contract term.

Manager has problems with another member of the team (publicist, promoter, agent, attorney, producer, etc.).

From time to time, you may find yourself having problems with other members of the team that have been hired or retained to help with the project. You should first take stock of what the problems are. If the problems or issues are personal and the team member is valuable to the project, then you will have to find a way to work with the team member until they can be replaced by somebody of equal value.

Personal problems include things like the attorney you retained is your ex-fiancé and you can't stand her new husband; you overheard the booking agent saying he preferred the opening act to your band; the record producer you hired has bad breath; your concert promoter is hitting on your girlfriend; and so on. Most of these types of personal problems can be ignored until the end of the tour, deal negotiation, show, studio session, etc. If, however, the problems relate to the job performance of the person you hired or retained, then you will have to use your clout as manager to rectify the situation.

Part of your management duties involve working with the band to hire or retain people to help with the project. If the problems include things like the attorney missing deadlines to hand in drafts or contracts, the accountant embezzling funds from the band account, the producer losing master files or recordings, or the agent not paying you what's owed from the tour advance, then you will have to talk to the people you hired and, if necessary, fire them if they don't fix the problems.

Whatever you do, you must act decisively and quickly in order to avoid damage to both the project and your reputation. Here you will be required to put emotions aside and deal with the situations strictly from a business standpoint.

Band / artist wants out of the management deal.

There may come a time when, for one reason or another, the band or an artist wants to get out of the management deal. As a manager, you can usually prevent this from happening by not promising things you can't deliver, by doing everything you said you would do, by keeping the band busy and progressing, and by communicating well with the band or artist at all times (*especially when the going gets tough and they start to get disillusioned*).

The most common reason why bands or artists want out of the deal is that the manager has breached a clause in the contract, or hasn't managed to get them where they wanted to go. It is crucial that you periodically review your contract to make sure that you aren't breaching any of the clauses contained within. It is very easy to forget about a contract after you've signed it, especially if you put it away in a file cabinet somewhere and never take it out. It is your responsibility to spend some time educating the band or artist about the realities of the music business before you sign them. You should stress the importance of formulating a game plan that culminates in the band or artist being able to earn a living through music; with or without a major label contract. If, despite all your efforts, they still want out of the deal, you should probably consider parting ways amicably since it will be almost impossible to get them maintain faith in you or to trust you and participate in the plans you have set out for them if they are unhappy with you and/or the situation. Of course, you would need to address issues related to your commission owed, deals signed under your management supervision, future commissions, etc.

These are just some of the challenges you may encounter as a manager. No other position in the music industry requires as much flexibility as that of artist management. Despite the challenges, however, no other position in the music business presents you with the opportunity to positively affect the lives (*and livelihoods*) of band and musicians that you love.

COPYRIGHT BASICS

It is extremely important for managers to understand the nature of copyright law and how it relates to the material that is being recorded and/or performed by their clients. Having a general understanding of copyright basics will allow you to explain certain things to your clients and help them avoid the types of scenarios we often see played out in the court system.

Another thing to keep in mind is that entire books have been written on the topic of copyright, and an in-depth discussion of copyright law is beyond the scope of this e-Book. It is highly advisable to retain the services of an experienced entertainment attorney to review all paperwork relating to the copyright and publishing interests of your clients, particularly if contracts are exclusive or involve the assignment or relinquishing of rights.

Generally speaking (*and in very simple, “plain English” terms*), there are two copyrights involved when a song is written and recorded (*in the United States; since copyright laws are different in other parts of the world*).

1. One copyright is that of the “**musical work**”. The copyright in the musical work initially belongs to the **authors** of the music and/or lyrics (*i.e., writers of the lyrics and/or composers of the music; or a company if the song is a “work-for-hire”*).

2. The other copyright is that of the “**sound recording/performance**” of a musical work. The “authors” of the sound recording are initially the ***performers or producer (i.e., musicians and/or singers performing on the recording, or the producer of the recording)***. Particularly in the major label system (and often even with indie labels), ownership in the sound recording is transferred to the labels by written assignment.

Among musicians and songwriters, there is often a lot of confusion surrounding the authorship status of songs (*i.e., who exactly wrote what?*). Much of this has to do with a combination of strong egos and a lack of knowledge about copyright law. In the “knowledge vacuum”, a few myths have been allowed to become fact, including the most famous one of all that “*the lyrics make the song, everything else is simply arrangement*”. In fact, this is what the copyright law states regarding subject matter (*with some important elements bolded for effect*):

102. Subject matter of copyright: In general

a) Copyright protection subsists, in accordance with this title, **in original works of authorship** fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.

Works of authorship include the following categories:

1. literary works;
2. **musical works, including any accompanying words;**
3. dramatic works, including any accompanying music;
4. pantomimes and choreographic works;
5. pictorial, graphic, and sculptural works;
6. motion pictures and other audiovisual works;

7. sound recordings; and
8. architectural works.

Note that the phrase “*original works of authorship*” places emphasis on the fact that the authorship (*writing and composing*) must be original (*i.e., not copied from someone else*) to qualify for copyright protection. When mention is made of the categories of authorship, “*musical works, including any accompanying words*” is used to describe the category of what we would consider “songs” today. In no place does the law ever mention the fact that only the lyrics make the song. In fact, on the copyright Form CO used to register works with the copyright office (<http://www.copyright.gov/forms/formco2d.pdf>), the author information section allows for the selection of “Music” or “Lyrics” to indicate authorship of the musical work (and “Sound Recording” to indicate authorship of the sound recording). Therefore, both the musicians who write/compose the music and the lyricists that write the words can register as authors.

Most of the problems arise during the writing or recording sessions when the lyricist tries to determine whether or not musicians should get writing credits. The answers aren’t always so clear, and each situation is unique. To avoid problems it is always best to discuss, prior to writing the songs, who exactly should (*or will*) get writing credits when all is said and done. It is easy enough to determine that whoever writes the lyrics should be a (co-)writer. In terms of the music composition, however, the solution is more complex, and generally involves whoever comes up with the chords for the whole song being given writing credits as well.

Keep in mind that even when the lyrics are written (*including a vocal melody*) 10 different musicians will come up with 10 different chord progressions (*i.e., even with lyrics present, the music doesn’t just write itself*), thereby making the music an “original work of authorship” (*assuming the chords aren’t copied from another song*).

A lot of lyricists like to take sole songwriting credit of a song by classifying the musicians as arrangers and the music as simply arrangement. Arrangement may apply to, for example, a string arrangement composed around the chords. The bass line, however, is probably based on (*no pun intended*) the root of the chords that have already been written, and therefore normally wouldn't be considered an original work of authorship unless they were so original and recognizable in their own right to constitute authorship. Once again, avoid problems by deciding ahead of time who will be given songwriting credits once the songs are completed.

You can use the eCO system or fill out the Form CO to register your works online by visiting the Library of Congress website at <http://www.copyright.gov>. On the Form CO (*if you choose to use it*), select "Performing arts work" to register the musical work, and "Sound Recording" to register the sound recording. Paper forms (*e.g. Form PA for the musical work and Form SR for the sound recording*) are being phased out, but you can order them online at the website if, for example, you don't have a credit card to use online or don't trust the online system of making payments. For all options, you will need to **a)** properly fill out the form, **b)** include a sample of the song or sound recording as instructed, and **c)** pay the fee.

Technically speaking, your song or original work of authorship is copyrighted the moment it is reduced to a fixed medium that can be perceived, reproduced, or otherwise communicated for a period of more than transitory duration. The main reason for registering your works at the library of congress' Copyright office is that it provides a formal record of the date your work was registered. This certificate of registration could be used in a court of law to help you recover money damages in the event that somebody infringes on your copyright.

You can signal your copyright ownership on paper with the symbol © and/or the word ‘copyright’ along with your name and the year of creation (e.g., © copyright 2009 John Phillips). If you record your words and/or music onto a CD or as a file (e.g., .wav, .mp3, etc), you can signal your copyright ownership with the symbol ® along with your name and the year of first publication (e.g., ® 2009 John Phillips) on the CD or in the metadata of the song file.

Using Other People’s Copyrighted Material

On occasion, you or your client may find it desirable or necessary to cover someone else’s song on a recording. If you intend to record your own version of someone else’s copyrighted work, you will need to get a mechanical license from them. This will grant you permission for the mechanical reproduction, distribution and sale of a song copyright in audio-only format. If the song has previously been released to the public you may reproduce it by taking advantage of the compulsory mechanical license provision of the copyright law. This can be exercised by serving a notice of intention on the copyright owner, usually the music publisher.

You can find out who the publisher is for any given song by contacting ASCAP, BMI, or SESAC or even the Harry Fox Agency. They can be reached online at <http://www.ascap.com>, <http://www.bmi.com> and <http://www.sesac.com>. The Harry Fox Agency can be reached at <http://www.nmpa.org>. If, however, the song has not been previously released to the public, you will have to negotiate directly with the copyright owner for the right to reproduce the song.

If you intend to use a sample from a song or album you will have to obtain a master use license directly from the owner of the sound recording. For major label recordings, the owner of the sound recording is almost always the record label.

The owner of the sound recording is usually identified somewhere on the recording itself, along with contact information in the form of a mailing address and/or a website. In addition, you will also have to get permission from the owner of the underlying song; normally the publisher. That means that you will have to get two 'permissions' to use a sample that has been lifted straight off of a previously released recording. Failing to do so will constitute an infringement of the copyright owners' exclusive rights. It is recommended to use a music clearance specialist to assist with obtaining the rights to use samples within your compositions.

As mentioned earlier, there is a lot more to copyright law than we can cover in this e-book, and this is just supposed to give you an overview of some of the important items. It is always advisable to retain an experienced entertainment attorney to draft and/or look over any paperwork you may be presented with concerning copyright, particularly as it relates to an assignment of rights or work-for-hire.

THE CURRENT STATE OF MAJOR RECORD LABELS

Now that we've covered some of the "foundational" aspects of artist management, let's turn our attention to the state of the music business; and in particular, the state of the major record labels within the music business. The phrase "major labels" refers mainly to the four major labels that dominate recorded music; EMI, Sony Music Entertainment, Universal Music Group, and Warner Music Group.

The music industry is currently going through a tremendous amount of change and turmoil. The reduction of profits (*largely due to recorded sales declines, rapid advances in technology, the negative effects of a global recession, restructuring costs, the impact of file sharing on peer-to-peer networks, music streaming, and a perception that major labels release mediocre music wrapped around single hits*) has forced the major labels to think about ways to deliver content to consumers in ways that produce fair and predictable returns.

As music consumption moves away from the CD model and towards downloading, streaming, subscriptions, mobile technology and apps, and "cloud" models, major labels have had to start thinking of ways to share revenue from multiple income streams with their artists (*via "360" or "multiple-rights" deals*) in ways they never did before. This (*wanting a share of income derived from multiple sources*) is causing artists with contracts up for re-negotiation to leave the labels and court non-traditional investors, partner with brands and sponsors, or release their projects themselves directly to their fans.

With shrinking profits and a reduced number of artist signings, the major labels have laid off staff (*including some A&R reps*), outsourced some work done by their own departments (*like legal and marketing*), and sold off some real estate (*including office space and recording studios*); fueling speculation that the labels are going out of business.

But, the major labels, far from going out of business, have something working in their favor that few people realize or even appreciate. That “*something*” is woven deep into the fabric of our society in general, and in the American psyche in particular. That “*something*” is the fact that we, as a society, need heroes and superstars. Indeed, we can’t live without them. Think of all the superstars (*singers, athletes, actors, dancers, comedians, magicians, reality TV stars, authors, poets, philosophers, etc*) that have brought joy and inspiration to your life. If some governing body decreed that starting tomorrow, it would be forbidden to have heroes and superstars, we as a people would revolt. That decree would not stand. Throughout history, we have always embraced heroes. And, as a fairly recent phenomenon, we have desired superstars. In the world of entertainment – and in music in particular – the major record labels are (*and have been*) responsible for delivering those global superstars to us. As yet, no independent record label or investment group has managed to produce an international musical superstar completely outside of the major label structure (*although, in this age of social networking and globalization, that may soon change*).

As it currently stands though, only the major labels have the vast financial resources and deep support infrastructure necessary to develop superstars and deliver them to the people. The labels also have a lot of experience and expertise in the business of creating musical superstars that are capable of having great influence on the general public. And the reason why there will continue to be a need for major labels (*even if they consolidate, downsize, outsource tasks, go under different names, or otherwise restructure*), is that there is a constant need for “fresh”

superstars. The standards of “cool” shift with the times, and the stars of today must make way for the superstars of tomorrow; therefore there is a need to develop new ones every few years to replace the older ones.

Even though the current conundrum is one of how to get people to pay for the music they are listening to, once a new superstar is created (*figuratively and literally speaking*), then the majors can look to cash in on income sources other than CD sales. Consider that superstars like Celine Dion, Madonna, Beyonce, etc, are generating hundreds of millions of dollars from fragrance collections, fashion collections, endorsement and sponsorship opportunities, artist-branded products, etc; income sources from which the major labels hope to tap into in the future with artists they sign now.

The role of the major label A&R rep

Even though there are fewer A&R reps at the major labels, their expertise is still something that the labels rely on to help them figure out who to sign. Although the process is now very statistics- and data-driven, the “signing” process generally begins by the A&R rep finding (*or being presented with*) an artist that they think has that certain “*x-factor*” that is necessary to develop into a superstar artist. Artists or bands almost always come to the attention of major label A&R reps from ‘solicited’ (*i.e. known or well-respected*) sources. Even when an A&R rep discovers talent that they find promising, it almost always takes a second or third opinion from a respected and trusted source, along with some due diligence, before the rep considers making a move towards signing. Solicited sources include upstream deals from independent labels, talent scouts, other A&R reps, attorneys, producers, managers, publishers, booking agents, song writers, signed artists or musicians, and now more frequently from contest winners or artists benefiting from high levels of TV/internet exposure.

A&R reps also spend a lot of time doing their own research. As far as most A&R reps are concerned, except for the occasional internet sensation, news headliner, or reality TV breakout star, no artist worth signing today ever comes completely out of nowhere. Indeed, most major labels already have a good idea about which artists they want to sign, yet they keep an eye open for talent that pops up on their “radar”. Every active artist leaves a trail of some kind, and emerging talent always appears on the industry radar in such a way that the reps begin to take notice.

The A&R reps check out data and statistics about artists’ online activities, social networking profiles, information gathered from music industry data aggregators, feedback from respected industry sources, tastemaker reviews, influential bloggers’ recommendations, sales data, artists’ performance and touring history, college/internet/satellite radio station playlists, buzz ‘on the street’ and on the internet, reputable mix-tapes, and on occasion (*though rarely*) live shows or artist showcases. A&R reps also take notice of artists that other A&R reps at major labels are interested in.

The A&R rep must truly believe that the artist is going to be a superstar for the label and be able to perform hit songs, become a brand ambassador, and positively impact the company’s financial bottom line immediately. In order to minimize the risk, an A&R rep will conduct research and take into account the age of the artist, the presence of the “X-factor”, the ability of the artist to have an impact at radio, the branding potential of the artist, the writing and performing abilities of the artist, sales from any independent releases, any existing radio airplay, reviews and articles in major regional or national music publications, show attendance figures, television and/or internet exposure, word-of-mouth in the clubs, mailing list size, artist’s team (*e.g. manager, attorney, agent, etc*), previous deals and their outcomes, past and potential merchandise sales, past and potential sponsorships deals, past

and potential movie roles, past and potential modeling gigs, past and potential endorsement deals, previous or pending lawsuits, etc.

Armed with a Profit and Loss statement (P&L), the A&R rep at a major label will attempt to convince the appropriate people that the artist is worth investing money in and can provide the label with a solid return on the investment (ROI). Most often, though, A&R reps don't have to go very far to find talent. Most of the talent is already present "in the industry pipeline" from solicited sources (*e.g., friends of artists already signed to the label, writers already signed to major publishing companies, bands opening up for acts already on the label, artists "upstreamed" from indie labels, friends or relatives of industry "big-wigs", backup singers or musicians on major label recording projects or tours, artists discovered by hit producers or songwriters, referrals from attorneys who have relationships with the label, etc*). Talent is rarely ever discovered from a demo tape sent in to the company. The only chance a complete "unknown" has in getting major label A&R attention is if, as mentioned earlier, they explode on the scene by being an internet sensation, news headliner, or reality TV breakout star.

How major record labels evaluate and sign talent

Because of the reduction in profits from CD sales, major record labels have started signing new artists (*and increasingly artists still at the label*) to 360 deals (*or "multiple rights" deals*) that give the labels a share in the income generated from multiple revenue sources, including concerts, sponsorships, endorsements, merchandising deals, subscriptions, licensing deals, artist-branded products and services, clothing and fragrance lines, and more. All the major record labels - and increasingly independent labels - have started to include multiple rights language in their contracts with newly signed artists.

In order to facilitate this arrangement, some labels have hired people to run management, touring, merchandising, sponsorship, branding, etc, divisions in their offices or outsourced some of the work to outside “label services” companies.

A mere fraction of the artists that pursue major label deals ever achieve the objective, and it is a mathematical certainty that the overwhelming majority of artists will never sign a deal of any kind with a major label. Pursuing a major label deal to fund an artist’s recording and tour today is akin to playing the lottery. You could chase the deal for many years yet never get within a hundred miles of signing a deal; all the while squandering countless opportunities to get things done independently. In addition, most deals that get done at the major label level are deals with artists who are already “in the pipeline” (e.g., *upstream deals from independent labels, sources with connections to people in the major label system, signed songwriters with publishing deals, producer-signed or recommended acts, background singers/instrumentalists on major label projects, etc*) or otherwise appear on the major label’s radar (*from music sales figures, fan base size, touring history, merchandise sales, social network stats, industry buzz, television contest positions, etc*). Taking all this under consideration, your efforts as an independent artist are much better spent setting things up to release recordings and fund tours on your own.

But, as mentioned earlier, major labels are always looking out for the next round of superstars that can replace the current ones once the fans tire of them. They look for artists that can be developed into a brand that can be monetized; for example, branded magazines, nightclubs, artist-branded ad-supported video channels, recorded products, electronic gadgets, clothes, footwear, cosmetics, etc. With the introduction of 360 deals, the major labels are looking forward to sharing in the income generated by the artist from multiple sources.

Consider the fact that in 2008 – 2009 (*according to Forbes' Celebrity Valuations*), Beyonce Knowles earned \$87 million from starring roles in two films; an expanded fashion collection that includes jewelry and eyeglasses; sponsorships with Nintendo, Crystal Geysler, and General Mills; and Endorsements with L'Oreal, Giorgio Armani, and Samantha Thavasa handbags. From the label's perspective, these artists have been developed into brands and are only able to get these deals and generate this income because of the efforts and resources the labels provided to the artists as part of their recording deals. Therefore looking forward, major labels can position themselves as "branding" companies and sign 10 – 20 artists per year and build them into future "Beyonces" under 360 (*multiple rights*) contracts obligating them to split a percentage of the income generated from multiple sources.

While considering an artist's potential, it can also be of interest to a label if an artist receives a lot of exposure (*in the form of hundreds of thousands of hits, impressions, or views*) on the internet (e.g., YouTube) or from a popular television or internet competition, contest or show. This exposure provides the artist with an instant fan base of several hundred thousand or even a few million people that the label can immediately exploit. Since the artist has already been exposed to those people, promotion and publicity costs can be significantly less than would be if the artist was an unknown entity. The label can also count on a percentage of these people to purchase tickets, music, or artist-branded merchandise and other products/services from the label.

Most labels (*and in particular, major record labels*) have a pre-set budget allocated to going after artists they have already expressed an interest in signing. For those artists, Profit and Loss (P&L) statements will have already been created indicating the level of return on investment (ROI) that will be provided by the various income sources associated with signing the artist.

The P&L will give the label an idea of the amount of money they can make signing the artist as well as where to draw the line once negotiations begin. If a bidding war ensues with other labels, or the artist's attorneys ask for too much money, the label (*unless they REALLY want to sign the artist*) will know when to back out and look to sign another artist instead.

The four major labels are currently not good at (*or interested in*) artist development; i.e. working with artists in the early stages of their careers (*as well as artists in most genres with sales under 10,000 units or so*), yet they are the only ones that can take an artist with some exposure, buzz and/or sales and "break" them on a national and international level at radio, on TV, in print, on the internet and at retail. Some of the labels under the umbrellas of the majors (*particularly those with "upstream" deals in place*) do a better job of artist development than their corporate parents. But, because of the enormous expenses involved in the endeavor, the music the major labels release must appeal to the largest segment of the music-buying population in order to create a large enough fan base to provide a good return on the label's investment. Niche projects do not work well in the major label system, and therefore ideally should be released independently, or matched up with a brand, connected to a sponsor, or shopped to an independent label with major label distribution.

In addition to not being good with artist development, major labels are generally not very interested in signing unknown/untested and/or older artists. Indeed, the four major labels seem to be highly obsessed with the youth market and younger artists. This is because younger fans (*even though they seem to be responsible for most of the illegal downloading activities*) are typically most passionate about entertainment in general. Research shows that younger fans are the most influential drivers of new music, new media, new platforms, new devices, and hardware; and have the power to make or break new music and other entertainment-related releases.

Young fans are impulsive and respond very quickly and passionately when they feel emotionally connected to someone in the entertainment field. Because they are most susceptible to peer-pressure, young people in large numbers follow the trends of what is considered “cool” in terms of music and entertainment at any given moment and would rather jump on the bandwagon of what everybody else is listening to than be left out. They are also most likely to purchase artist-branded products that the label can generate additional income from. Young people in general spend most of their money on entertainment (*including music, sports, video games and movies*), since their parents are responsible for their welfare (*food and clothing needs, not to mention a place to live*).

Since major labels are part of large corporate entities, their responsibilities are first and foremost to their corporate parents, investors, and shareholders. Generating massive profits to fund acquisitions, maintaining high stock prices (*so that their investors don't take their money elsewhere*), and paying out dividends that shareholders rely on for their spending and investing needs are priorities to all corporations; including major record labels. So, except for some of the so-called “mini-majors” that work with niche and older artists (*e.g., Blue Note with Jazz, Def Jam with Neo-Soul, etc.*), major labels tend to place a high priority on younger artists; or artists that can appeal to a younger demographic (13 – 25 year olds).

OPTIONS FOR THE WAY FORWARD IN TODAY'S MUSIC BUSINESS

As an artist (*or artist representative*), there are several options that you can look into in terms of a way forward in today's music business. Some (*although not all*) of the options include:

1. Positioning yourself to sign a deal with a major record label.
2. Pursuing a deal with an independent record label (with major label distribution).
3. Pursuing a “brand and band” / strategic partnership deal.
4. With funding from an investor, recording your products and outsourcing essential label services.
5. Recording and releasing your own products (DIY).

Let's briefly discuss each option.

Positioning yourself to sign a deal with a major record label.

The consensus now is that the major labels are undergoing fundamental structural changes, and that in this difficult transition period artists and their managers are wise to stay clear of the major label system. For the vast majority of artists, building a fan base, producing recordings independently, and touring will be the only options available to them if they wish to pursue a career in music. However, there are a couple of things to keep in mind if you represent a young artist with branding potential and wish to pursue a major label contract. Firstly, the artist must fit the major label profile (*as discussed earlier in this section*). Secondly, unless the artist is already in the major label pipeline, they must create enough of a “buzz” that they show up on the label's “radar” screen (*or get the attention of someone who can present them to the people with signing authority at the label*).

While Pop/Rock artists can gain attention and create buzz by playing live shows to audiences of respectable size (*e.g., 500 people consistently*), garnering college radio airplay, and selling products and merchandise, and Hip-hop artists can get the attention of the majors by getting songs placed on reputable mix-tapes or being attached to producer “camps”; other artists can create a buzz by generating entertaining content online and developing a large fan base and sales track record utilizing social networking tools. Generally speaking, once you generate enough buzz and/or have some proof of sales to get the attention of a major label A&R rep (*or somebody whose opinion they respect*); someone connected to a major label will approach you if you fit the profile.

In addition to generating buzz, some other roundabout ways you can go about getting in the “back door” at major labels include:

- Getting the attention of “solicited sources” with connections to people in the major label system. Solicited sources include attorneys who have negotiated deals with or been responsible for signing artists to major labels, influential industry tastemakers whose opinion is respected by A&R reps at major labels, established producers and songwriters, etc.
- Approaching and befriending “baby bands” already signed to major labels. You can find information about major label artist rosters in directories like Pollstar’s Record Company Directory (<http://www.pollstar.com>). They also have an Artist Management Directory that you can use to find information on the artist’s management companies and approach them with offers to provide background vocals or backing instrumentals for recordings or tours. You can also discuss the possibilities of opening for the band on tour.

- Approaching producers who have major labels credits. You can find contact information for Record Producers from directories like the one available at HitQuarters (<http://www.hitquarters.com/>) and others. You can offer your services as a demo singer, background vocalist or instrumentalist/musician, or ask (or pay/hire) them to produce you and/or forward a demo to their contacts.
- Approaching published songwriters (writers signed to major publishing companies). Again, approach them and offer them your services as a demo singer or background vocalist/instrumentalist. Signed songwriters are a little more difficult to locate, so you will have to do a little digging around in order to get contact information for them. Try the Music Publisher Registry from the Music Registry (<http://www.musicregistry.com>) as a starting point. Many artists on major labels began their careers as signed songwriters first, and then worked their way in as artists once a few songs they wrote became hits.
- Shopping your demo to independent record labels that have “upstream” deals with major labels (a situation where artists on independent labels get “upstreamed” to their major label distribution partner once certain sales thresholds are met at the indie level). Pollstar’s Record Company Directory also lists the independent labels that have distribution through major labels that you can approach.

If you are interested in getting the attention of major labels and can’t get in through the back door, then you can utilize techniques that we will discuss later on in this manual and elsewhere to create the buzz necessary to appear on major label’s radar.

Pursuing a deal with an independent record label (with major label distribution)

If you lack the resources and (wo)manpower to release your own records, then you might want to look into the option of signing with a major label-distributed independent label. If you opt to take this route, it is in your best interest to seek out independent record labels that have the necessary resources available to adequately promote your records to the general public, as well as the major label distribution deals in place to enable people to find your products both at retail and in all the major digital stores. If the label can only offer you digital distribution (*e.g. CD Baby, Orchard, Tunecore, etc*), then you are better off recording and releasing your products yourself through those same digital distribution channels.

In this age of music streaming and digital delivery (*and considering that both retail stores and CD's themselves are predicted to become obsolete*), taking into account retail distribution may seem like a waste of time. However, it is worth considering the fact that labels with major label distribution in place have the financial resources necessary to fund your tours and promotional campaigns that their non-distributed counterparts do not, and even if retail stores and CD's become obsolete, can re-direct the money that would have gone to retail marketing towards touring and branding efforts instead.

If you are interested in approaching independent labels that have major label distribution deals in place, you can begin your search by purchasing a copy of the Record Company Directory from the Pollstar store (<http://www.pollstar.com/>) which includes contact information for independent labels with major label distribution.

You can also check the web sites of the main distributors in the United States here and locate contact and demo submission policy information for the independent record labels whose product they distribute:

- ADA (<http://www.ada-music.com/>) – (recently merged into WEA)
- Burnside Distribution (<http://www.bcdistribution.com/>)
- E1 Entertainment Distribution U.S. (<http://www.kochdistribution.com/>)
- EMI Music Marketing (<http://www.carolineb2b.com/>)
- EMI Label Services & Caroline Distribution
(<http://www.carolinedist.com/>)
- Harmonia Mundi USA (<http://www.harmoniamundi.com/>)
- The Mountain Apple Company
(<http://www.mountainapplecompany.com/>)
- MVD Entertainment Group (<http://mvdb2b.com/>)
- Naxos of America (<http://www.naxos.com/>)
- RED Distribution (<http://www.redb2b.com/>)
- Redeye Distribution (<http://www.redeyeusa.com/>)
- Sony Music Entertainment (<http://www.sonymusiccentral.com/login.jsp>)
- Super D Independent Distribution (<http://www.sdcd.com/>)
- Tate Music Group (<http://www.tatemusicgroup.com/>)
- The Orchard (<http://www.theorchard.com/>)
- TravelVideoStore.com (<http://www.travelvideostore.com/>)
- TVT Records (<http://www.tvtrecords.com/>)
- Universal Music Group Distribution (<http://www.umgdb2b.com/>)
- WEA Corp (<https://new.wea.com/login/>)

Combined, the music released by these companies account for an estimated 90 percent of the U.S. music market.

Pursuing a “brand-and-band” / strategic partnership deal

Brands (*companies*) are constantly trying to reach potential customers in order to turn them into consumers. Seeking an alternative to advertising, companies sponsor events like conferences, conventions, sporting events, galas, and concerts that have the potential to attract potential customers. While many brands continue to sponsor events, others have decided to bypass the ‘middleman’ and began putting together their own branded events in order to reach customers directly. In the process, companies have discovered that bands/musicians have a way of connecting with fans on a much more emotional level than can be done through interruptive advertising. Brands therefore look for bands/musicians that can act as “brand ambassadors” on their behalf and connect with the desired target audience.

So, what exactly attracts your band to a brand? The most important thing to a brand is a strong personality fit between the artist and the brand that enables them to create impactful, integrated multimedia campaigns that connect and resonate with their target audience. To avoid a backlash from the brands’ customers and the artist’s fans, there needs to be a belief that the brand and the band / artist could be “friends” in real life. A brand will take their business objectives into consideration, along with an understanding of how their customers relate to music, when deciding on what type of band (or artist) to work / partner with. Something else of importance that brands factor into the equation is how easy or difficult it is to get all the rights and permissions from the various stakeholders (*music publishers, record labels, artists, etc*) necessary to make a launch successful and profitable. How available and accessible an artist is (*for performances, interviews, recordings, appearances, etc*) and how much it costs for the artists to render their services also matters.

Brands also look for ways that they can measure the results of the partnership and calculate the return on investment in a reliable way. If your band is attracting a demographic (*of considerable size*) that a brand is also trying to reach, then that might also make a good fit in their eyes. An interested brand will want to know the artist's audience profile and ensure that it matches with the brand's campaign objectives. Identifying the demographic to a brand requires bands and their managers to proactively survey their fan base in order to get some demographic data (*e.g., age, gender, geographical location, annual household income, hobbies, spending preferences, etc*).

Many bands are unable or unwilling to do this since it can scare away potential fans and requires existing fans to take time out to fill out surveys. But, if offered as an option along with a gift or discount offer (*like an exclusive song download or a discount on tickets or band merchandise*), then the data you collect will prove to be invaluable to direct your marketing activities as well as to influence or influence a potential brand partner. You can utilize services like mozes (<http://www.mozes.com/go/music>) to run real-time fan polls and get information from your fans in a fun and interactive manner.

As with most other partnering scenarios, the more clearly defined your image is, the more 'buzz' you have about your band, and the larger and more loyal your fan base, the more brands will want to partner with you and make you a "brand ambassador" for their campaigns. And just like the three bears in the children's story, most medium-sized brands like artists and bands to be 'just right' – not too cold (*i.e., not a completely unknown artist/band*), but not too hot either (*i.e., not a major label artist/band*). This is because they like bands that have a loyal and sizable following yet are unencumbered by many of the legal and accounting entanglements inherent in the major label system. Of course, major corporate brands generally associate with major label artists because they are interested in the global reach that comes with that association.

Some brands have gotten into the game of artist development, creating a new kind of record company that funds band's recordings and tours. Some have even set up recording studios where their artist 'partners' can record. In these instances, the relationship is mutually beneficial, with bands contributing the 'hip' factor and 'emotional connection' and brands providing large amounts of money no longer readily available from traditional record companies.

The band-and-brand relationship also has some considerable perks for bands. Unlike what typically comes with signing to a label, bands in band-and-brand relationships do not often give up any of their rights (*sound recording ownership, writing & publishing*) since the brand is mainly interested in reaching the audience and selling them their own products and/or services. Except for occasions where the brand commissions the band to write a custom song as a work-for-hire, the band gets to keep the copyrights on their original songs, as well as their trademarks / service marks, logos, etc, and they maintain their creative freedom in terms of recordings, logos, videos, tour production, merchandise design, and so on. Another perk is that mid- to large-size brands have a tremendous amount of reach in terms of distribution since their products already have a pipeline into the marketplace, thus streamlining the process of getting the band's CD's, downloads and merchandise to the fans. Brands also have a lot of marketing expertise and know how to get the attention of fans as well as the media.

Over time, most fans have come to understand that brands and sponsors are an important part of the equation when it comes to putting a tour together, and have come to tolerate a certain amount of brand exposure as long as the messaging and interaction isn't too heavy handed. This is helping to create a new model where some companies are considering coming up with a particular 'sound' for their brand (*like a soundtrack to their product*), which could work in your favor if the sound they are looking for happens to be what your band is already doing.

So, if you're interested in partnering with a brand, define your image clearly and keep on increasing your fan base. Utilize solutions like RockDex (<http://www.rockdex.com/>), Band Metrics (<http://www.bandmetrics.com/>) and others to provide brand partners with quantifiable data about your band. Make sure you show up in charts that measure activity on social networking sites like YouTube, Twitter, last.fm, imeem, iLike, Facebook, MySpace, PureVolume, etc. Create entertaining YouTube videos with keywords / key phrases that attract a lot of 'eyeballs' (*views*) and subscribers to your YouTube channel. Build genuine friendship and loyalty with your fans so that they follow your movements and spread the word out to their friends. Videotape your shows and capture the emotional connection you have with your fans. Conduct demographic surveys and keep a tally of the number of fans on your mailing list. Create as much buzz as possible wherever you can and you will eventually appear on a brand's radar when the fit is right. Even though most of these deals are currently structured between major brands and major (*or ex-major*) label artists, we can look forward to medium-sized brands getting more active in the game and partnering with independent artists and bands in order to reach consumers on a more emotional level.

With funding from an investor, recording your products and outsourcing all essential label services

If your artist has a track record (*sales, buzz, touring, fan base, etc*) and you have an investor with adequate resources to fund a project, then you might consider the option of recording products in-house and then outsourcing all the essential label services to another company to do the necessary marketing, promotion, publicity, distribution, radio, and booking legwork. If this is an option you wish to pursue, make sure you undertake the necessary due diligence efforts necessary to insure that you make the right decisions in terms of the structure of the company, the artists you sign, the investors you partner with, the legal and accounting

procedures you employ, and the label services company you hire. Make sure that everybody's expectations are not only realistic, but also achievable. At this particular time in the evolution of the music business, it is extremely difficult to provide substantial returns on an investor's investment outside of the major label system.

The most crucial aspect affecting the success of this endeavor will be the artist (*talent*) that you sign. For this option to work successfully, you must have an artist that is not only very talented vocally (*for recordings*), but must also be able to play well live, comfortably embrace social networking, write songs that have great licensing potential, and perform songs that are in genres that are radio (*terrestrial, internet, satellite*) friendly. In other words, the ideal artist candidate will be one that is similar to an artist that would be signed to a major label.

This model will require the starting of a company (*most likely an LLC*) that provides the stakeholders (*artist, manager and investor*) with shares of all profits from all sources; similar to the 360 (*multiple rights*) deals seen at the major label level. In that event, income will need to be generated from CD/download sales, tickets, merchandise, licensing, subscriptions, sponsorships, endorsements, branding deals, etc. You will need to be able to market, publicize and promote the projects using all means necessary (*social networking, radio airplay, media coverage, live shows, videos on the internet, etc*).

If you are going to bring an investor on board, it is of extreme importance that the artists you sign to the company roster have a great vibe/attitude (*enabling them to attract fans and build a large mailing list through social networking efforts*) are able to record great songs (*providing income from CD/download sales*), perform well live (*providing income from ticket and merchandise sales*), write music that is licensable (*providing income from licensing music to Film, TV, Games, etc*), have a marketable image/brand (*providing income from fees from*

sponsors and/or brand partners) and fit in music genres that can receive radio airplay (*providing both promotion from airplay as well as income from royalties collected by performing rights organizations*). Artists that don't have the ability to generate income from multiple sources will not be a good fit for a situation that involves investors. If you have a niche project that you believe in that doesn't fit the mold of a multiple source income generator, then you should consider starting a roster that includes at least one "major label type" artist that can generate enough income from multiple source to provide the necessary funding to bankroll the other smaller projects on the roster.

If you choose to take this route, you will need to be able to provide an investor with a business plan that shows them what type of projects will be funded, how much funding is required, where the money will be spent, what the risks are, what the competition is, and how profits will be made. Business plans for music projects are difficult to write because the inner workings of a music company are quite unlike those of most other businesses. With valuable advice provided by a qualified accountant and experienced entertainment attorney, however, you should be able to put a decent plan together. In addition to other resources, the Music Business Registry (<http://www.musicregistry.com>) publishes a "**Music Attorney, Legal and Business Affairs Guide**" that lists music business attorneys you can consult with.

With funding or investors onboard, some label services / consulting companies you can look into include companies like My Rocket Science (<http://www.myrocketscience.com/>), Fahrenheit Media Group (<http://www.fahrenheitmediagroup.com/>), Neurotic Media (<http://www.neuroticmedia.com/>), EMI Label Services (<http://www.carolinedist.com/>), A&R Worldwide (<http://www.anrworldwide.com/>), and other similar services. As they become increasingly available in the future, companies similar to these will be started and/or staffed with personnel from the major label system

who have been laid off due to downsizing and consolidation. Some of them will (and some currently do) operate with the “no unsolicited materials accepted” policies similar to those of the major labels, so prepare to approach them from the “back door” as explained earlier.

Recording and releasing your own products (DIY)

If your artist doesn't fit the major label profile or you don't wish to shop to an independent label or partner with an investor, then you can look to release the project independently and realize income for your artist from multiple sources including touring; licensing music to film, TV, etc; selling CD's/downloads/merchandise; negotiating endorsement deals; and/or connecting with a sponsor or brand that values the artist's sound/look/fan base. You should also look for ways to monetize any other talents/skills that the artist possesses including, for example, acting, painting, producing, dancing, writing books or poems, or some other skill like martial arts, etc.

The rest of this manual is geared towards providing you with the information necessary to successfully record and promote your own products.

NOTE: *In the following sections we will be addressing the reader as the artist. This text was originally written for artists and keeping it this way will help you to see things from the artist's point of view.*

GETTING YOUR BAND BUSINESS AFFAIRS IN ORDER

Naming the Band

If you are a solo artist, then you will probably be using your real name or making up a stage name. Sometimes solo artists hire musicians with whom they want to perform (*e.g. "Sarah Jones & The Professionals"*). In other instances musicians will get together and make up a group name. If that is the case, the name should be something memorable and catchy, since it will be used on all advertising materials and in every promotional campaign.

Before you decide on a band name (*if you're not using your real name*), check on-line to see if the name comes up in a search, or if anyone is using the name in a URL, has a YouTube channel using the name, or is otherwise conducting social networking campaigns using the name. If somebody else is using that name, then try the name with a different spelling or try a different variation of the name. A better suggestion is to use another name altogether, otherwise people will search for you and keep coming up with results of the other person instead. This is important since social networking is a very cost-effective way to promote your music, expand your fan base, and keep people informed of what is going on with the band. Also, don't name your band something popular that will bring up thousands of search results ahead of yours; like "New York", or something.

It may also be a good idea to go to your local city hall or relevant venue and register the band as a business. You can search online for the relevant business license office or Office of the Treasurer where you can get information on filling out your business license and all associated costs. At this stage, you should also be able to get a Tax ID number assigned to your business so that you can open up a band bank account in your business name. You will also be able to check if anybody else is using your proposed name as a business, and if not, register it so that nobody else can.

Most people bypass the step of checking with a Trademark attorney to inquire about the likelihood of confusion between their name and another company's name because of the costs involved. The least you could do is request assistance from the United States Patent & Trademark Office at <http://www.uspto.gov>. You can also try visiting ASCAP (<http://www.ascap.com>) and BMI (<http://www.bmi.com>) to see if the name you want to use is already being used by another artist / band.

Keep in mind that this will not necessarily protect you from someone who has been using a name for a period of time without registering it. What it will prove in the event that somebody challenges your use of the name is that you at least attempted to conduct research about the name. Even if you are using your real name, it is not automatic that you will be free of any trouble. Suppose, for example, your name was Michael Jackson and you were a musician. Surely there would be the likelihood of confusion if you put out ads announcing your gig as a Michael Jackson performance, or released a CD using the same name, even if it really was your name.

The Band Bank Account

Once you have registered your band as a business, as well as applied for a Tax ID number, you will be able to open up your bank account. Having a band bank account will enable you to receive checks or other payments in your band's name and write off band expenses. You can also open up a PayPal business account attached to the bank account and collect payments online for subscriptions, autographed CD's, tickets, band merchandise, donations, pre-orders, etc. You would also be able to write checks from the business account for equipment purchases and rentals, supplies, rehearsals, band member payments, etc., and keep the receipts for your tax records.

Keep in mind that any income you make is subject to taxation. Work first with an accountant to establish the correct legal structure for your band business (*e.g., sole proprietorship, partnership, corporation, etc*), and then set up a routine for keeping track of all your income and expenses. Rather than wait until the end of the year to come up with the funds to pay your taxes, it is advisable to put aside a certain percentage of all your income in a band account as you earn it. If you keep all your receipts for purchases, expenses, etc, you can work with an accountant to figure out what items are deductible. Utilize software solutions like Bandize (<http://bandize.com/>), or Quicken (<http://quicken.intuit.com/>) and others to help you keep your band's financial information organized.

GETTING THE BAND TOGETHER AND READY FOR GIGS

Pre-booking Gigs

Even if you don't have your band together, now would be the time to try and pre-book some gigs if you can. Doing this will provide the incentive to take auditions, rehearsals and gig promotion seriously from the beginning. Pick up a copy of the **Indie Venue Bible** (<http://www.indievenuebible.com>), the **Musician's Atlas** (<http://www.musiciansatlas.com>), Billboard's **Musician's Guide**, or Billboard's **International Talent & Touring Guide** (<http://www.orderbillboard.com>), or similar directories in your country of residence to find clubs/venues with a capacity of 150 – 300 that would be happy to have you bring 40 – 80 people on a slow Monday, Tuesday, or Wednesday night.

Ask the venue booker if they could let you play there on an off night and retain 100% of the \$5 - \$15 cover charge to pay the band members and any equipment rental costs (*and the venue can make money from drink sales*). You can count on each band member to bring at least 5 – 10 people to the first gig, and the rest will be people that respond to your social networking campaign, mailing list outreach, and street team promotional efforts. Book at least 2-3 gigs if you can, but don't schedule them too closely together (*or at least not closely together in the same town*) since fans may opt to go to one show or another, but not both (*or all three*), thereby reducing the numbers that you are counting on to both pay the band members and impress the venue booker.

Another option is to visit your favorite clubs or venue and see if you can find a group that complements your sound to talk to about an opening slot. Call up a local charity or non-profit organization to see if they need a band to play for a fundraiser or charity benefit.

If you don't have a band, pre-booking gigs is a good strategy at this point because it is easier to find serious musicians when you have a gig pending than when you do not. Get the gig first - any gig you can especially at a venue on an off night (Sunday - Wednesday) - and then hire the musicians or put together the band for it. Band rehearsals will be conducted in a much more serious manner if you do it this way. Offer to pay band members the typical going rate for musicians in your city (*usually \$75 - \$150 each*). Your options for gigs at this point will be quite limited since you may not have promotional materials just yet, but take what you can get and use that to both gain experience and develop content of your venue EPK (*electronic press kit*).

Hiring Musicians

With a few gigs on the calendar, the next step would be to hire the musicians for the performances. You should carefully consider the number of musicians you need to accomplish your goal. Don't get too many musicians under the assumption that a fuller sound will be achieved. The more people you have in your group, the more personalities there will be to deal with, the harder it will be to coordinate schedules, and the more expensive it will be to book. You want things to go as smoothly as possible in the beginning, so the fewer musicians there are to "referee", the better. You can always get more musicians for bigger gigs later on or when the pay justifies it.

Ways to find musicians

The single best way to find musicians is by asking around and getting referrals from friends, other band members, venue or talent bookers, open-mic/karaoke hosts, event promoters, recording studios, rehearsal studios, local booking agents, or even record stores. Musician's reputations travel far.

You will be able to find out if somebody is a flake or hard to deal with before you select them to be in your group or be a backing musician. If somebody is a great musician, the word will spread around quickly as well. Don't be afraid to approach a band during a break in their set to ask them if they could either play in your band or recommend another musician who could. Often times, musicians will be willing to do extra gigs to make some extra money.

You could search for bands and musicians in your local area via online classifieds like **Band Mix** (<http://www.bandmix.com>), **Band & Crew** (<http://www.bandandcrew.com>), **Craigslist** (<http://www.craigslist.org/about/sites>), or on MySpace and others, and email them to see if they are interested in playing in your band or know somebody who might be. On some social networking sites, you can search by city and state, or even narrow it down to a particular zip code. If you find somebody you think you might be interested in, it is always a good idea to go to a gig and actually watch them perform before offering them a position in your band.

Another way to find musicians is to look through the classifieds of your local free weekly publications and/or their associated web sites. In the music section of the classifieds you will find musicians who are available and seeking gigs. You can call them up or email them and ask them to send you a link where you can hear their performance along with information on what gigs they've done (*if any*). Once you've narrowed down your selection to a few candidates, try to set up a meeting (*or audition*) where you actually talk to them face-to-face as well as hear them play. Never trust a recording of a musician without actually hearing them play live in front of you or at a gig.

You could also place an ad in your local free weekly or on Craigslist, etc., looking for musicians. You can find these free weeklies in newspaper stands and some coffeehouses/cafes located around town. Many of these publications will not charge you to run a “musicians wanted” ad. If you run one, be VERY specific as to what exactly you are looking for. Explain what type of music you will be playing and what type of instrumentalists or vocalists you need, as well as what your budget is and the fact that you are just setting up the band. This will narrow down the number of people who will respond.

You could also search on-line for “musician’s referral services”. Once again, make sure you get packages or website links from musicians and meet with them before you decide to hire them for your band. Many of these services will be free to post and view classifieds, but some of them charge a fee. You could also try calling recording studios or placing flyers in music stores, rehearsal studios, and other places where musicians hang out. Describe what you are looking for in terms of musical instruments, musicians’ style, and so on. Include your hotline number or web site URL where musicians can find out more information about auditions, positions yet to be filled, directions, etc.

Auditions

As people contact you about auditioning for the band, you should give them a list of cover songs that you would like them to perform, or provide mp3’s of some songs you’ve already recorded (*if you have some*). Set up auditions where you have different musicians show up at different times to perform. If you hear a musician that impresses you, note down their name and ask them to come back the following day in order to play with a group of other musicians that you may be considering hiring. Even if you think, for example, a bass player sounds great alone, it is important to hear how they sound in a group since that is how your band will be made up.

Take detailed notes at the auditions and when possible, tape each musician (*audio and video*). You should also make sure you ask a lot of questions during the audition.

Questions to ask include:

- What styles of music do they enjoy performing?
- Do they currently play in any other bands?
- What other music-related commitments do they have (recording, touring, etc)?
- Who are their musical influences?
- What is their general weekly schedule (work, school, etc)?
- How many days a week can they rehearse?
- How long have they been performing?
- What types of performances have they done in the past (e.g. open mics, showcases, clubs, arenas, stadiums, etc)?
- What instruments do they play?
- Do they write music?
- Can they sing (backgrounds, leads)?
- Have they recorded any music before (studio, live)?
- Do they have reliable transportation?
- Do they have a place that can be used as a rehearsal space?
- If you are creating a band as opposed to hiring musicians to back a recording artist, are they willing to help pay for things that can help the band's progress (e.g. studio/rehearsal time, promotional items, touring costs, etc.)?
- Do they have any connections in the music business that can help the band (e.g. manager, producer, agent, attorney, label A&R, promoter, club owner, publisher, studio owner, etc.)?

Use these questions and any others you can think of to help you pick the right members for your band.

Once you have the band members picked, you should set up a meeting to welcome everybody and go over the band rules.

The first band meeting

A good way to save yourself some time after the audition is to have everybody call a voicemail hotline or visit your web site a week after the audition for updates on who got selected. There you will have the names and band positions of all the people who “made it”. You can then call only the ones who made it in order to give them information about the meeting. That will save you from having to call or email all the other people that didn’t make it. If their names are not on the list, they will know they didn’t make it and won’t expect any communication from you. Another option is to create a “rejection” email template to send to everyone that didn’t make the cut. Whichever option you choose, make sure you keep ALL the names on file for future reference. You could always use them in an emergency if one of your musicians gets sick, quits the band, or can’t make it to a gig.

After you’ve taken a look at and a listen to all the members that you would like to have in your band, you should set up a band meeting. This is where everybody gets to meet all the other members of the band and where you tell everybody what your goals are.

Following are some things you can discuss:

- **Goals** – You should tell people what your short and long-term goals are. For example, your short-term goal may be to record some material and get good paying gigs around town to create a buzz. Your long-term goal may be to either get a record deal or successfully release your own record and tour around the country (*or internationally*). It is also crucial that you ask each of the band members what their short and long term goals are.

If you have a serious conflict in goals, now would be the time to take care of the issues and either get on the same page or let the person go.

- **Expectations** – This meeting is the place to discuss your expectations. If, for example, a band member is expecting to get paid \$100,000 for their first show, then it is safe to say that their expectations are rather unrealistic and don't match either with your expectations or with what is realistically achievable at this stage in the band's development. Once again, taking care of this now is better than waiting until later.
- **Schedules** – You will need to know what everybody's general schedule is. This is necessary in order for you to set the best rehearsal schedule and estimate how many nights a week you will be able to rehearse and how many days a month you will be able to perform. Discussing scheduling also lets you know if it will be possible to tour with all of these musicians. Having to wait to verify each band members' schedule while trying to book a gig can often cost you the gig. Try and set the schedule so that everybody knows when the first rehearsal is at the end of the meeting. If someone is having major problems with the general schedule, you are better off letting them go right now. If scheduling conflicts develop, it will be much easier to replace a band member at this stage than to wait until you are half way through your tour.
- **Band partnership agreement** – Most bands do not have this, but I would suggest that every serious band should have one. This should be discussed at the first meeting. This agreement will clarify issues like band ownership, band name and trademark(s), band member responsibilities, profit and loss sharing between members, firing and hiring decisions, rules of conduct, penalties for breaking rules, and so on.

This agreement isn't written for what happens when everything goes right...it is written for what happens when everything goes wrong! It is much better to write this while everybody is still respectful and on good terms than to try and figure things out in the middle of a major band fight or lawsuit.

A band partnership agreement can be anything from a very simple one-page document, to a complex, multi-page contract with dozens of attachments and addendums. How you choose to set yours up will depend on how serious you are about your business and how many issues there are to address among the band members. If you plan to do this for the long term, then there are a lot of things that you may want to consider in your agreement.

Your band partnership agreement may include things like:

- The name of the band partnership (*which can be the band name*);
- Each band member's contribution (*money, equipment, expertise, rehearsal space, recording space, web/graphic design, photography, etc*);
- What each band member should receive as a result of such contribution;
- The nature of the band activities (*performances, merchandise, etc*);
- What other activities each band member can engage in outside of this partnership;
- Who owns the band name and logo (*trademark/service mark*)?
- What happens to the band name and logo should the band partnership dissolve?
- Who owns the recordings of the band (*the master sound recordings*);
- How are the songwriting duties shared, and how are the songwriting and publishing royalties assigned?
- How do the musicians share in the band's profits and losses?

- How are band meetings arranged?
- How will the band vote on issues?
- Who will keep the band's banking books and records?
- What events will trigger the dissolution of the band partnership?
- What will happen to the band assets after dissolution of the band partnership?
- How will the band deal with leaving members or the addition of new members?
- How will leaving members be paid?
- What will happen in the event of a dispute (*e.g. settled internally, mediation, arbitration, court*)?

As you can see, things can get complicated if you want to set things up properly. You can take the above issues and write up a contract in your own words, and as long as you all agree with the terms and sign the document, you will have a binding agreement.

It is highly recommended, however, that you retain the services of an experienced entertainment attorney to draft the contract and make sure that everything contained in the contract is legal. The Music Business Registry (<http://www.musicregistry.com>) has a **Music Attorney, Legal, and Business Affairs Guide** that you can use to locate attorneys in your area. If you need assistance locating an affordable attorney, you can try contacting the **Volunteer Lawyers for the Arts** in your city at <http://www.vlany.org/legalservices/vladirectory.php> (*or similar organization in your country of residence*), where you can get very useful, low or no-cost legal / accounting assistance.

- **Equipment issues** – This is where you evaluate the condition of each member's equipment. For example, what type of drum kit does the drummer have? What is the condition of the bass player's rig? Do you have a mixing board, monitors, outboard gear, microphones, and speakers to use at venues that don't have sound?

These types of issues should be handled now so that you can establish the best sound for your band and develop a necessary budget for repairs or equipment upgrades.

- **Song list** – This is where you discuss and hopefully set the band song list. A song list is literally a list of all the songs that you will be playing as a band. Along with this song list should be recordings of all the songs so that each band member can listen to (and even learn and chart) their parts before the first rehearsal. If possible, have chord charts available for musicians that can read them. If you are doing cover songs, you should have made a compilation of all the songs from the various sources for all the band members. If you are doing original songs, then you should either have them already written or be prepared to write them together as a band from scratch. If you are writing from scratch you would need to set aside the necessary time to write.
- **Contact information** – You should exchange all necessary contact information with each band member. Make sure you get everybody's phone number, e-mail address, mailing address, and emergency contacts.

Writing Sessions

If the band has been put together as a group (*as opposed to a singer with a group of supporting 'hired guns'*), then you should set up a series of writing sessions. Use this time to actually write the songs, and not for rehearsing. Once you've written enough songs for both an album (*or a selection of singles for download*) and at least a 1 hour live show, then you should schedule the rehearsals. If you are a solo artist and are hiring musicians to support you live, then you should write your songs and have them charted (or at least be able to communicate the music to the hired musicians) before setting up the rehearsals.

As soon as you have finished the writing process, copyright the material. This is because many manufacturing plants require that you provide proof of song / master ownership before they can agree to manufacture any CD's for you. Copyrighting your material is a good thing to do anyway, even if you will only be recording songs as singles for downloading and don't ever intend to manufacture any CD's. Sometimes bands break up before ever getting a chance to release any product, and if the breakup is messy it may not be possible to get everyone to agree as to who wrote what and who qualifies as a writer or publisher. The time to deal with this is now, when you are not only still on good terms, but when the songwriting process is still "fresh" and everyone can agree as to who the writers on each of the songs are (*even if it's only one person*). Review the earlier chapter on Copyright basics, and then fill out the necessary copyright forms online at the copyright office web site at <http://www.copyright.gov>.

Setting up Rehearsals

Rehearsals are best used to work out performance ideas and put the show together. Rehearsals should cover the song order, instrumentation, solos, segues, activities between songs, background vocal parts, choreography, stage plot and design, lighting, and so on. Ideally, you should not use this time to LEARN the songs themselves, since everybody should have learned the songs from the writing sessions or from the recordings you gave them previously.

Before you set up your rehearsals, consider (*depending on the style of music you perform*) purchasing one (*or all*) of the DVD's available from **Tom Jackson's Onstage Success** website (<http://onstagesuccess.com/>). These DVD's can help you set your band apart from all the others at your level.

In today's age of dwindling music sales, most musicians will make their money from live shows (*ticket sales*) and merchandise sold at the live shows, in addition to licensing music for use in Film/TV productions and sponsorship/endorsement deals. Having your band sound (*and look*) great will increase your fan base and enable you to get better paying gigs and bring you to the attention of potential brand partners and sponsors.

Rehearsing

You can find rehearsal spaces by looking through the classifieds section of your local free weekly and/or its related website. You can also ask other local musicians for recommendations, in addition to searching on-line (*e.g., on Craigslist, etc*) for rehearsal space. Don't rule out a garage or basement as an option for rehearsals, if you can find a way to do so without disturbing the neighbors.

Many rehearsal spaces rent out space by the hour or by the month. Some spaces have blocks of time for one price - like a 3-4 hour block for \$65, for example. You should be able to find space for \$15 - \$45 an hour or \$500 - \$1200 a month. Some places are even less, while others might be a little more. It is sometimes possible to find bands to share a monthly space with. If you choose this option, be sure to write out a little contract spelling out the exact days or times that you will be sharing the space, how much each of you will be paying per month, and under what conditions you can get kicked out. Also discuss what happens if somebody damages equipment belonging to another band while rehearsing.

Try and book space a few weeks ahead of time so that all the band members know the schedule. Keep in mind the traffic and parking conditions and don't schedule times that will prove to be inconvenient for some of the band members. Most rehearsal spaces have cancellation policies that you should find out about ahead of time.

Usually, you will have 24 - 48 hours to cancel a time slot that you previously booked or else get charged the rehearsal fee. If you book time a couple of weeks in advance, you will have time to coordinate the schedule with all the band members and still have the flexibility to cancel the session if you are unable to get everyone together for a rehearsal. If, however, you are having too much trouble coordinating the musician's schedules, book the date that most people can attend, and then figure out an extra rehearsal to get everybody else up to speed. If you take the advice offered earlier, you will have spoken to potential band members about their schedules before hiring them, thereby minimizing the frequency of scheduling conflicts.

Try and record your rehearsals, and then review the recording or footage later in order to evaluate how the rehearsals are progressing. Sometimes magical things happen during rehearsals that are unplanned. Once recorded, it is possible to add it into the repertoire at future rehearsals. If you have a sound engineer who will be doing most of your live mixing (*and/or recording*), consider inviting them to a few rehearsals so that they can familiarize themselves with your sound and song order, musical sections, instrumentation, etc. Once you feel that you have the show pretty well rehearsed, ask the engineer to come by and record one full show's worth of music that you can mix down and make a master recording from. You can use this to make copies or create EPK's to send to promoters, venues, booking agents, etc., or even create a full length live CD/DVD for sale at gigs or as downloads on your web site.

RECORDING YOUR MUSIC AND MAKING IT AVAILABLE FOR SALE

As mentioned earlier, it makes no sense to plan a performance or tour if you don't have a recording, or at least some singles/downloads in addition to merchandise available for promotional and sales purposes. If you are going to go through the effort of recording and subsequently promoting and publicizing yourself to the general public, you might as well attempt to receive remuneration from multiple sources.

Thinking about the future of the music business is a scary proposition (although most find it exciting). The music industry is currently undergoing a tremendous amount of turmoil and change, and nobody knows exactly what the future holds. Industry professionals are contemplating all the ways in which music might be listened to and/or paid for, what types of devices people will use, how music will be found in the vast ocean of content, and on and on. No matter what happens, though, the important thing is that people WILL still need music to listen to. Whether they access it from a "cloud" or get it piped directly into their brains, it will still be music they are listening to.

Writing great songs is what you must concentrate your energy on. Write the best music you can write (*and then re-write it to make it even better*), and then perform it to the best of your ability. Make sure you are totally in love with your music first, and then spend time strategizing the promotional efforts that will result in people finding your music, becoming your fans, and purchasing downloads and merchandise. If your music can't touch people's souls, you might as well stop right now and do something else.

More so than ever before, the quality of your music (i.e. the writing and performing of it) is going to determine your future in the music business.

Think about that phrase as you continue through the rest of the manual. Music is the soundtrack of people's lives, and if you can write and perform songs that connect with people emotionally, they will want to listen to your songs frequently and make the music part of their lives. Once that happens, you can further monetize that relationship through live performances and merchandise sales, and partner with sponsors and brands to reach consumers through music.

Recording Your Music

You will have several options available to you as you consider recording your material. You can record yourself or your band during a rehearsal or live performance; build your own studio to record in; or book some studio time at one of your local studios. If you intend to record material merely for the sake of sending packages to venues, talent buyers, booking agents and promoters, then a recording of a rehearsal or live performance is fine. If you want to release a CD and/or make downloads available for sale on your website or iTunes, Amazon, etc., or want to submit material for radio airplay, Film/TV licensing, and as part of your promotional campaign, then recording in a studio (*yours or otherwise*) under more controlled conditions will be more appropriate.

If you need assistance raising funds for your recording (or building your own studio), consider resources like **Power Amp Music** (<http://www.powerampmusic.com/>), **Kickstarter** (<http://www.kickstarter.com>), **Slicethepie** (<http://www.slicethepie.com/>), **feed the muse** (<http://www.feedthemuse.net/>), **ArtistShare** (<http://www.artistshare.com>), **SellaBand** (<http://www.sellaband.com/>), and others.

Most studios advertise their services in local free weekly publications (*and on their associated web sites*). You can usually find these publications in music retail stores, some coffeehouses/cafes, or in street boxes/newsstands. You can also browse internet classifieds sections (*like Craigslist, etc*) or ask fellow musicians for information on where they recorded their projects.

If you are interested in purchasing your own gear to enable you to record your own projects, the learning curve is pretty steep (*and beyond the scope of this manual*), but doing so will allow you to record new material any time you feel like. Keep in mind that using equipment and software isn't something that everyone can do instinctively, and if it doesn't come naturally to you, you might be better off coming up with a budget each time you need to record something or teaming up with a producer or somebody else who has access to a studio.

Whichever way you choose to go, you should rehearse well before the recording session and not waste time at the session practicing material or wondering what you should be doing while the clock is running. Of course, if you are running your own studio, you can waste as much time as you wish. Otherwise, you should know exactly which songs you are going to record and in what order. You can always test demos of your songs on sites like **thesixtyone** (<http://www.thesixtyone.com>), **SoundOut** (<http://www.soundout.com/>), or **OurStage** (<http://www.ourstage.com/>) and others for listener feedback/comments before committing time and resources to a full recording.

Also, you might consider letting your fans hear some of your demos and gather feedback from them regarding which songs to record. Providing a two-way conversation about your music with them can help cement the artist-fan relationship and build a solid base of virtual street team members that you can activate later to spread the word about your music.

While you are in recording mode, you might also want to consider taking the time to record “volumes” of original music for sale on special occasions (e.g., *Valentine’s day*, *Mother’s/Father’s day*, *Birthdays*, *Weddings*, etc) and **Public Domain (PD)** Christmas/Holiday music for Film/TV production licensing purposes.

Companies are always in need of music that can complement a product or service during holidays or on special occasions, and having music that fits the bill can provide you with additional income long after the recording itself is finished. Having this music available also offers you the potential to earn extra income by performing the material at events on special occasions, or generating extra income by licensing the songs along with your original recordings to Film/TV/Games, etc. productions. You can send your recordings to **music libraries** (<http://www.musiclibraryreport.com>) that can get the songs placed in Film/TV productions or even with companies that add music to products sold to customers on special occasions.

Make sure that the music you record is original, or is in the public domain; and doesn’t contain any un-cleared samples. Beginning your licensing efforts early is important because it generally takes several months to receive royalty checks from your Performing Rights Organization after your songs have been used in a production.

If you don’t have a producer assigned to your project, it can be beneficial to have somebody else present at the recording session who knows the band’s sound and can act as that “third ear” to help produce the recording. This is because it is difficult to be subjective about your own performances while you are in the process of recording. It is important to have somebody whose opinion you respect (*like a competent record producer or another trusted musician*) otherwise you will merely end up arguing with each other over takes and wasting a lot of time in the studio.

Mixing Your Music

Once you're done recording, it will be time to mix all the individually recorded tracks onto a two-track master (*.wav or .aif file, CD-R, ¼" tape, etc*). While mixing, keep in mind the English idiom that "*too many cooks spoil the broth*"! When all the band members are involved in the mixing session, chaos usually ensues. Individual band members invariably will want to hear themselves increasingly louder and more prominent in the mix, and eventually what you have left is one loud mess. It is advisable to keep the overall number of people in the control room during the mixing session to a minimum; consisting preferably only of the engineer, the designated producer, and one or two members of the band who know most what the finished product should sound like. Run the mix by the other band members after the session, and control the urge to want to re-mix the songs over and over again.

In addition to a full mixes of each song, make sure you also mix versions of the songs without the lead vocals (*TV mixes*) as well as versions of the songs without any vocals at all (*instrumental mixes*). It is easiest to do these 3 mixes as you go through each song. These mixes can come in handy for live performance purposes as well as for licensing to Film/TV/Games, etc.

Mastering Your Music

The next step in the process is "mastering". This is where you arrange the songs into their correct album order, apply final equalization and compression, perform any additional processing that is necessary to achieve a professional sound, remove excess noise from the recording, perform fade-ins and fade-outs, check for audio anomalies, create a uniform sound and volume level from one song to the next, insert copyright, ISRC and UPC information into the song files, and so on.

Whether you choose to master your songs after you mix them will depend largely on what you intend to do with the finished product. If all you are doing is making a recording to send out to talent buyers, booking agents, promoters, etc., then you can just make copies after your mix and send them out. If, as is recommended, you want to actually sell your product or offer masters for Film/TV licensing purposes, then you should go ahead and spend a little extra money mastering your recordings after you mix them (*even though it is debatable whether or not a listener can appreciate the mastering efforts in ear buds, on laptop speakers, or out of a smart phone*).

If you wish to have an ISRC for your songs (*unique numbers that identify each individual song*), then you can do so by requesting the necessary information from the agency in your country of residence (http://www.ifpi.org/content/section_resources/isrc_agencies.html).

Mastering is usually done at a separate facility, although it is also often offered at the same facility where the recordings are mixed. For best results, I would suggest taking your mixed recording to a separate facility that specializes in mastering. You can search online for mastering facilities. You can also ask recording engineers at local recording studios to recommend a mastering facility. Talking to bands in your area is yet another option. The hourly fee for mastering is usually more than that for mixing; between \$35/hr - \$300/hr (*and in some instances even more*). However, it takes less time to master a recording than it does to mix it, and you can usually master a 13-song album in 6-8 hours if there isn't too much "fixing" to be done to the mix. If you write music that you consider "mainstream", then an option would be to test the songs' "hit potential" using services like **uPlaya** (<http://uplaya.com>) and others in order to get feedback on the hit potential of songs before you master them and manufacture a minimum run of CD's.

Hiring Publicists and radio promoters

Publicists and radio promoters can be assets to your team if you can afford them. Unfortunately, most independent artists cannot afford the \$10,000+ it would cost to hire a publicist for a six to fourteen week campaign (*and multiple times more for a radio promoter*). In addition, the sheer volume of products and services that require publicity make it extremely difficult for unknown independent artists to generate any meaningful coverage in the mainstream media arena. Nonetheless, doing a minimum amount of carefully planned publicity (*even DIY*) is worth the effort as part of an on-going long-term strategy involving talent buyers, booking agents, venue bookers and promoters for your shows and/or tours. Publicists work with bands and artists to connect with fans, get the attention of industry players, as well attempt to get the media (*radio, television, internet, and print*) to write articles about them, conduct interviews with them, and/or review their CD's or live shows.

If you have the money, now would be the time to call around and decide which publicist and/or radio promoter you want on your team. Some radio promoters also provide publicity services. The reason you should contact them now (*if you choose to pursue this option*) is that they are usually interested in working with you on deciding which songs to service to radio (*college, internet, satellite*), what promotional materials to manufacture, where to route your tour, which distribution channels to pursue, etc. They usually prefer to consult with you before you put your package together so that they can make some suggestions and allow you time to make any changes. If you waited to contact them until after designing your artwork and recording and manufacturing you CD/DVD, merchandise and promotional materials, it would be too late to make any corrections that are deemed necessary. Of course, you always have the option to do things the way you want to, regardless of what a publicist or promoter thinks.

You can find publicists and promoters online, as well as in directories like The Musician's Atlas, the various Billboard directories, and the Indie Contact Bible, to name a few. Don't despair if you can't afford to hire a publicist or radio promoter and have to handle publicity and radio promotion duties on your own. For most independent musicians, "do-it-yourself" (DIY) is the only realistic option available today. After utilizing resources like **The Virtual Publicist** (<http://www.thevirtualpublicist.com/>), the **Indie Bible** (<http://www.indiebible.com/>), and others, you can sign up to sites like **ArtistData** (<http://www.artistdata.com>) or **Music Arsenal** (<http://www.musicarsenal.com/>) to help keep your publicity and promotion activities streamlined and organized.

Graphic design & photography

If you intend to manufacture your products, try and get a good photographer to take some pictures for you, as well as somebody who knows about graphic design to design your CD and merchandise artwork and logos. At this stage, you should consider having all the photography and graphic design work done for not only your CD/DVD cover (*or digital e-cover*), but also for your website gallery images, posters/postcards/flyers images, and merchandise images (*logo design, photography, and graphic design for T-shirts, etc*). The best way to find photographers is also to ask locally (*other musicians, record stores, recording studios, publicists, modeling agencies, local photography schools, etc*), or search online classifieds like Craigslist and others. Make sure you see the photographer's previous work and talk to them about your vision before hiring them for a shoot. Once again, make sure you discuss who owns the copyright on the design or photographic materials produced.

No matter who you get to do your graphic design, make sure you include your contact information on all your products or merchandise that is available for sale. Make sure you put your web site or social networking URL's on the artwork as well. When adding credits, make sure you include all the necessary and correct copyright notices on the artwork.

Examples of copyright notices include:

For the photographer – All photographs © copyright 2010 John Major

For the lyrics – © copyright 2010 Sarah Jones Publishing, BMI. Lyrics re-printed by permission

For general copyright notices (*websites, song metadata, etc*) – © copyright 2010 Sarah Jones Records

For the physical CD – © 2010 Sarah Jones Records All rights reserved

Make sure you get all the necessary releases or permissions to use the photos, as well as define clearly who owns what (*e.g., the photographer generally owns the photos unless you agree otherwise in writing, etc*). Your CD graphic designer should work closely with your CD manufacturer. If your manufacturer offers graphic design templates, make sure your graphic designer uses them. The templates can usually be downloaded from the manufacturer's web site. These templates include exact measurements to ensure that your artwork is submitted according to their specs. If you use your own design templates, you could end up with artwork that doesn't fit their specs, causing a delay in the process and possibly costing more money.

CD Manufacturing

In this era of mp3 players, smart phones, streaming internet radio, social networking, and the impending “cloud”, the physical CD is practically a dying breed. However, some consumers who, whether they are less tech-savvy than other consumers or simply prefer to hold a shrink-wrapped CD in their hands, still prefer physical CD’s over downloads. In addition, premium products (*like enhanced CD’s/DVD’s with “glorious” artwork, exclusive songs, artist’s autograph, hidden tracks, extra video footage, VIP passes and tickets, video games, etc*) may still have the potential to be sold on your website and alongside merchandise at live shows and concerts, so don’t rule them out of your inventory entirely if you wish to have more product options available for your fans. In addition, many college radio stations and even some reviewers still prefer music submissions to be made in the form of a physical CD.

If you intend to manufacture CD’s or DVD’s and plan on doing so for a while (*even though many artists and labels today are recording and releasing single downloads only*), you might consider getting a bar code for your company. Most distributors will require your products to have UPC codes on them, so keep that in mind as well if you intend to distribute your CD’s to retail (as opposed to only selling downloads on your own site).

If interested, you can begin the process by visiting the GS1 US site and applying for a bar code for your company here (<http://www.gs1us.org/joinpc>). There is an annual membership fee that you will need to pay, which is determined by the number of unique products you need to identify and your company’s gross annual sales revenue, so only get one if you plan on manufacturing several releases.

When it comes to manufacturing your finished product, you will have to shop around and allow plenty of time before scheduling a release / listening party or announcing a street (*release*) date for your product. It's not unusual for problems to occur during the manufacturing process and you'll need extra time to correct problems that might occur. Problems range anywhere from the company taking longer than promised to deliver the product, to them printing the wrong materials or quantities and shipping packages to the wrong address. Make sure you shop around for different manufacturers and, when possible, ask other people who have worked with the manufacturer how their project turned out.

Since most people nowadays prefer to purchase (*if at all*) downloads instead of CD's, you might consider offering music download cards from companies like **FizzKicks** (<http://www.fizzkicks.com>), or **Dropcards** (<http://www.dropcards.com>) and others; or consider creating "deluxe" products (like custom USB products - <http://www.customusb.com/music.html>) out of the materials you are manufacturing. Deluxe products could also include bonus material in the form of additional songs and/or videos, enhanced packaging/artwork, bonus merchandise (*e.g. poster, t-shirt*), exclusive recordings, or CD/DVD combos. Thinking about these items now will enable you to manufacture all the products at the same time and include them all as part of your initial release. You can also take these items with you to sell at shows and earn extra income.

You can search online for manufacturers or pick up a contact directory from **Billboard** (<http://www.orderbillboard.com>). Your local free weekly sometimes contains advertising from manufacturing plants. **The Musician's Atlas** (<http://www.musiciansatlas.com>) is also a source for contact information that includes manufacturers. Some popular manufacturing options include **Disc Makers** (<http://www.discmakers.com/>), **Oasis Disc Manufacturing** (<http://www.oasiscd.com/>), **Crystal Clear Media Group** (<http://www.crystalclearcds.com/>), and others.

Don't necessarily make a decision based entirely on the prices you see, because some of these prices don't include everything that you might need. Manufacturers sometimes put low prices in their advertising in order to get you to commit, and then hit you with "extras". Asking around and getting referrals is still the best way to go about finding a suitable vendor. You might also consider making a short run order (*of perhaps 100 or so CD's*) and printing your inserts and j-cards from a manufacturer, and then purchasing CD cases separately.

Some manufacturers also offer graphic design services. This can be of help in terms of one-stop shopping. They can also offer lower costs for the design in consideration of you using them to manufacture. This usually works out okay, so if you don't have too much time or money, you can look into this option.

Most manufacturers participate in the International Recording Media Associations (IRMA) Anti-Piracy Compliance Program. This program requires them to obtain and maintain proof of intellectual property rights and trademark authorization from you. This, in plain English, means that you have to prove that the recording masters that have sent to your manufacturer belong to you.

If you do indeed manufacture physical CD's, make sure you fill out the online copyright forms and submit the necessary number of sound recordings to the copyright office for copyright purposes. You can find all the information at their website at <http://www.copyright.gov>. You should also register with a **Performing Rights Organization (PRO)** responsible for collecting performing royalties in the region where you reside (http://en.wikipedia.org/wiki/List_of_copyright_collection_societies). You should also look into registering with **Sound Exchange** (<http://www.soundexchange.com/>) for collection of digital performance royalties.

Once you receive your CD's from the manufacturing plant and release them for sale, you may also want to track your sales by registering your titles with **Nielsen SoundScan** (<http://en-us.nielsen.com/tab/industries/media/entertainment>).

Merchandise

Even though most experts advise you to wait until later on (*when you go on tour*) to manufacture your merchandise, you may consider manufacturing some t-shirts at this stage since you can sell the items on your website even before you go on tour. In addition, merchandise can be sold to fan club members that sign up for your subscriptions, or given to street team members as appreciation for them helping to promote your band.

You can manufacture a minimum set of items (e.g. t-shirts) from companies like **Sell Merch** (<http://www.sellmerch.com/>), **Zazzle** (<http://www.zazzle.com>), or **Extra Mile Merch** (<http://www.extramilemerch.com/>) and others. You could also use services like **CafePress** (<http://www.cafepress.com>) to create and sell t-shirts with little upfront cost, although the quality of the merchandise may be of slightly lower caliber than those offered by some of the other vendors.

Setting a Release Date for Your Recordings

The battle rages on about when exactly CD's will become obsolete, with some saying they already have become so and others saying that it will happen within the next 3-5 years. In the meantime, many people are still buying CD's, even if at lower levels than in the past. The choice is yours as to whether or not you want to manufacture CD's at all or just stick to recording individual songs (*singles*) for digital download purposes.

With some fans firmly in the download camp while others stick to the “old school” world of physical CD’s, it might be wise (*at least for the time being and depending on the style of music you write/record/perform*) to offer as many options as financially possible for your fans of all ages to purchase your music. Another thing to keep in mind is that many college radio stations (*for those of you pursuing radio airplay*) still prefer physical CD’s to be submitted for airplay consideration over mp3’s and download links. This may change in the future, but is generally still the case as of this writing.

If you are manufacturing CD’s/DVD’s, you should set a release date at this time. Release dates don’t work for download-only recordings because fans will want access to the singles immediately as you record them. For physical recordings, however, a release date is essentially the date that you will make your recordings available to the general public for sale. Any packages you send out to talent buyers, booking agents, promoters, publications, radio stations, etc., should mention the release date.

Do not set your release date until AFTER you have received your product from the manufacturer. Once you have the product actually “in your hands”, you need to give yourself enough time to effectively promote the release, plan and schedule your release / listening party, send out packages to your radio / media / retail / industry contacts, and book shows for your band. This usually means you should set a release date about six to eight weeks after your CD’s arrive at your door. In that time, you should have all the items you need for your packages along with all the directories you need for your contact information.

Creating Your Mailing List

Now that you have your band together, you should immediately begin to put together your mailing list. Information you collect should include at least the person's name and e-mail address. It is sometimes a good idea to also include a phone number and a space for comments. If you can collect a zip code as well, that would be helpful in terms of gig or tour promotion since you can target fans within specific geographical locations for each show. Get each of the band members to contact all the people they know and add them to the mailing list.

Remember that even your friends, family members, co-workers, acquaintances, and neighbors should be on your mailing list because they could all potentially buy your CD's and merchandise and come to your shows; as well as tell their friends, acquaintances and family members about you, who in turn could tell their friends and family members about you, and so on. At a minimum, make sure you get people's email addresses so you can send them newsletters, updates, product information, gig calendar reminders, etc.

Once you have the beginnings of your mailing list started, you should make an on-going effort to add names to it. Use social networking campaigns to expand your circle of friends and fans. Everywhere you go offline, mention to people the fact that you have a band and a CD coming out. If they express any interest whatsoever, offer to add their names to the mailing list so that you can keep them updated about shows and merchandise and CD availability. This applies whether you are at the grocery store, coffee shop, office building, ball game, or anywhere else. Create a method where you can quickly and easily add someone's name and email address to the list. If you have the capabilities to do so on your website, offer your fans some of your songs (*streamed or downloaded*) in exchange for their email address.

It is generally easier to get an e-mail address from someone you've just met than a phone number. Most people feel that e-mails are less intrusive on their privacy than phone calls. Having a lot of names on your mailing list is not only impressive to talent buyers, venue bookers, labels, etc., but is also the easiest way for you to promote your first show and get people to attend. If all the band members make this an ongoing effort, you should be able to add two or three names to your mailing list every day. This would amount to sixty to eighty new names a month, even if you aren't doing any gigs.

If you don't have a system of your own for collecting fan data and sending out emails, you could try solutions like **FanReach** (<http://www.reverbnation.com/fanreach>), **FanBridge** (<http://www.fanbridge.com/>), **Band Letter** (<http://www.bandletter.com/>), and others.

MATERIALS FOR YOUR PHYSICAL KIT

You should put together the promotional materials that you might need for booking gigs and getting media coverage or radio airplay. Just like any good business plan, your media package or press kit should constantly be evaluated and updated. The kit should never stay the same and should never be presented the same way to different people. For example, a package that you send to a venue booker or talent buyer isn't necessarily the same as one you would send to a college radio station music director or a freelance writer at a publication. A photo that works well for a website gallery may not necessarily work well for an article in a magazine, and so on.

Media Area on your Website

Before you begin your outreach campaign, make sure that you've created a Media area on your site that provides access to a digital media kit or electronic press kit (EPK). Even though this area is designated as a "media" area, you should make it accessible to other people that might be interested in the information, including potential sponsors and brand partners, concert promoters and talent buyers, etc. Alternatively, you could create several different areas for each interested party to enter, but have them access the assets (*e.g., music, photos, biographical information, etc*) from a common area.

In the media area, interested parties should be able to find downloads, high-resolution headshots and images, biographical information, tour dates, recent press releases, band logos, pictures and video footage from recent events, interview request forms, notable quotes or testimonials from influential music industry professionals, etc. Offer both high-quality un-compressed (.wav, .aif) and lower quality compressed (.mp3) versions of your songs for review.

Physical Kits

For the occasions where a physical kit is requested, there are some basic items that you should have available at all times for presentation. As we go over this list, realize that not all of these items go into every kit, or are appropriate for every occasion. Generally speaking, less is more; so carefully customize your kit for each recipient with the minimum number of items provided that are necessary to satisfy the needs of the recipient.

In the case of an Electronic Press Kit, many of the items described below can be presented in a section of your website or generated in the form of a PDF document. If you plan to send physical packages, here are some of the items you might include, depending on the circumstances (*and carefully following the instructions provided to you by the recipient*):

- **Cover letter** – For occasions where a cover letter is required, make yourself some band stationary (*letterhead, business cards, envelopes*) utilizing your band logo that can be used for business correspondence. When required, your cover letter will basically describe what you have sent, why you have sent it (*e.g. for booking consideration, for a possible review, for money from a sponsor, etc*), a brief breakdown of any important information (*e.g. upcoming release party, important showcase, etc*), your contact information (*where you can be reached*), and a notice of when you will follow up.

You should also mention any conversation or correspondence you may have had with the recipient; for example, “*As a follow up to the conversation we had last Thursday....*” Your cover letter should be short, no longer than two or three paragraphs, and fit on one page. The rest of your package will include additional information that the recipient can use to formulate a response.

- **Music** – When sending music in a physical press kit, carefully follow the instructions provided by the recipient. If the recipient requests a manufactured CD complete with artwork and liner notes, don’t send in a CD-R demo or links to mp3’s; and vice versa. In addition, your best 3 songs from the CD should also be uploaded to your EPK for review or download.
- **Photo** – If you are sending someone a kit in the mail, the industry standard for photographs is 8 x 10, black & white, glossy photographs. Of course, if you have an online EPK, the pictures will be in the form of high-resolution JPEG’s. If you are a band, you will need a photo of the entire band. If you are a solo artist with band members / musicians that are “hired guns”, then you should have a picture of just yourself. It is always a good idea to have two types of photos taken that cater to the needs of the recipient. One type is the studio or location shot, which is basically a set of posed photos of the band in a photo studio or out at some location (*indoors or outdoors*). The other type is the “live shot”, which is a set of photos of the band performing live, preferably in front of enthusiastic fans. Regardless of the type of photo you create and send, make sure that the personality of the band or artist comes through in the picture.
- **Biography** – Your biography is a summary of interesting and important things about your band. You should attempt to keep it no longer than one page in length.

Topics that industry people find interesting in your bio include famous producers you've worked with, guest appearances or duets on the recording, famous family members you might have, major deals you've signed, tours that you've been on, college or commercial radio airplay you've received, articles that have been written about you in major publications, famous songwriters involved in the recording, film soundtracks to your credit, internet buzz you've received, sponsors or brand partners you've signed with, etc. If you don't have a lot of credits, you should include information about the street date and/or availability of your products, where you're from, what style of music you perform, your background or the background of the band members, etc. The bio that you send to "industry" people need not be the same as the one you put on your website for your fans to read.

You may write the bio yourself if you have a way with words. If not, there are several options you can look into. You can pay someone (like Dan Kimpel - <http://www.dankimpel.com/>) to write a bio for you. Another option is to call your local college radio station, newspaper, or television station and ask if they can recommend a writer. Many of these individuals are making their way up the ladder and may be willing to write articles or biographies for little or no money. Don't bother calling a major radio station or newspaper, though. They barely have time to respond to legitimate news articles and are busy trying to meet deadlines. You could also try talking to a student who is attending some type of journalism course. Of course, you could also ask other musicians who they would recommend.

- **Fact sheet** – Not every musician has enough impressive information for a full-page biography. Besides that, it is sometimes necessary to send condensed information to someone who doesn't have much time to read a lot of information. For this type of occasion, you can put together a fact sheet. This is a one-page sheet of information with bulleted facts about you and what you have done.

Information you would include would be similar to what would be in a biography. As usual, you would have all your contact information on this sheet as well as a small photo.

- **Quote sheet** – Not every musician has a quote sheet, but if you can put one together it would add to the package. This is basically a collection of quotes from reviewers, editors, promoters, radio personnel, writers, etc., which are collected and condensed onto one page. If you don't have reviews or quotes, you should consider using resources like **Review You** (<http://www.reviewyou.com/>), the **Indie Contact Bible** (<http://www.indiebible.com/>), and others to get a few quotes together for media kit purposes. If you get a review or quote, you don't have to include the entire quote. Just take the best part of the quote and credit the person who made it. For example:

“Unlike similarly fashioned recordings, this project doesn't get lost in preachy rhetoric.”

Larry Flick – Billboard Magazine.

If you can manage to get 5-7 of these together you could put them all on one 8 1/2 x 11 sheet of paper. As with everything else, you should include your band name. Put “Quote sheet” as the heading, and include your mailing address, contact name, phone number, fax number, e-mail address, and web page URL across the bottom.

- **Press clippings** – Press clippings are newspaper or magazine articles / features that are taped onto a page and photocopied (*in the case of a physical press kit*) or scanned and uploaded to your website (*in the case of an EPK*). Once again, not every musician is fortunate enough to have articles written about them in print publications. If you can pull together a few articles or reviews written about you from any publication, you should cut out a section that includes the publication's name and issue date.

You can then glue or scotch-tape these clippings onto a sheet of plain white paper. Title the page “press clippings”. At that point, you can make photocopies from the “master” and include the copies in your package or scan them for your EPK. Don’t put too many clippings on a sheet, and don’t put too many sheets in your package either. If at all possible, try and fit them all on one page, and include only the most impressive features. Just like quote sheets, if you don’t have any fabulous features, don’t include any at all. But if you do, include your mailing address, contact name, phone number, e-mail address, and web site URL across the bottom.

- **References & Testimonials** – It is often very helpful to get club managers, booking agents, promoters, or other bands to say something positive about their working experiences with you. You could also use references from music editors, radio station personnel, festival presenters, music store managers, etc.
- **Lyric sheets** – Only include these if specifically asked for them. For example, you may be asked to provide lyric sheets for your songs if you are sending a package out to a music publisher or a talent buyer for a charity event; or even if you are sending a music video out to a television or internet station for potential airplay. It is possible that a venue might ask for lyric sheets to see if they are interested in booking your type of band or not. In any case, have them handy in the event you are asked. You could also have your lyrics available on your web site where you can point people to.
- **DVD** – Most bands cannot afford to put together a decent DVD. However, when done well, having a DVD can increase the odds of signing with a booking agent, landing an opening slot on a tour, getting a gig at an important venue, or getting a writer from a publication to attend and review one of your shows. You could also upload your footage onto YouTube or into the EPK section of your own web site.

If the cost of hiring a company to shoot footage for you is prohibitive, then having students from a film school shoot and edit your DVD is a good way to save money and works as a benefit for both parties. More often than not, you will be left with a fairly good DVD for promotional use. Another good option is using equipment from your local public access television station. Most of these offer training on their equipment as well as volunteers that you can use to help shoot your DVD. Search on-line for “public access television” stations in your area. An alternative option is to rent some video equipment (*mainly cameras, lens, and lighting*) to videotape your live shows and then editing the footage on your computer using readily available video editing software.

- **Folder** – If mailing out a package, all these materials should be placed inside a folder. You can pick up folders from your local office supply store. Pick up the ones that have a slot for your business cards inside, and include a business card with your contact information and address. Include a band sticker on the front of the folder. If you have a band logo, include it as part of the artwork. Also, put the name of the band, the contact person, address, phone number, fax number, web site or MySpace URL, and a picture of the band on the outside of the folder.
- **Tri-fold brochure** – This is a cost-effective way to send out information in a small packet. You can send a tri-fold brochure instead of sending out your entire press kit in certain situations. The brochure should include your band name & logo, some band pictures, a short bio, some descriptive quotes about your band and music, some quotes and testimonials, a short list of accomplishments or awards, and your contact information. You should also include a link to your EPK. The brochure can be mass produced and mailed for much less than an entire package. If the recipient is interested they will ask you to send the whole package, or you can point them to the media area your web site or to another location where your EPK is available.

PUBLICIZING AND PROMOTING YOUR RECORDINGS

The entire process of getting people to purchase your products involves a specific formula. Everything you do from this point forward should be to move people through the process and eventually to the place where purchases happen. The formula is as follows:

1. First someone has to **FIND** you, or be told about you.
2. Then they have to **HEAR** you (*your music*), see you (*your photos*), and/or both hear and see you (*your videos*).
3. Then they have to **LIKE** you (*if they don't, they move on*).
4. If they like you, they then have to decide whether to go along for a free ride (*streaming, free downloads, etc*) or **PAY FOR** your products (*CD's, paid downloads, subscriptions, show tickets, merchandise, donations, etc*).
5. Once they decide to pay for your products online, the process must be quick, easy, convenient, and painless (*i.e. music purchases must be completed in as few mouse clicks as possible while offering delivery as fast as possible in as many formats as possible to be listened to at the buyer's convenience in as many places as possible*).

Getting the maximum number of people to find you is just the beginning of the process, and you will need a massive amount of exposure, views and listens to translate to even modest sales. Therefore, you will need to employ as many promotional and publicity-related techniques as are financially possible (*or as relate to your type of music*) simultaneously in order to generate the income you desire. Don't just pick one technique and put all your eggs in that one basket.

You will also need to be consistent and persistent with your efforts over a period of time to achieve results. With all this in mind, you should begin promoting your band and recordings long before your first gig and even before any official release date. This is because it takes people a while to warm up to something they've never heard before.

Pre-promotion is necessary to make people aware of your songs, the release date, and the name of your band. People are much more likely to attend your shows when they know what you sound like and are familiar with some or all of your songs. Having videos, pictures and song samples on your web site or social networking profile offers visitors a glimpse of what you have to offer. Pre-promotion also makes industry people (*including media, talent buyers, labels, publishers, distributors, promoters, booking agents, etc*) aware of who you are.

Mainstream radio is still the number one way in which most people find out about music, and it influences them to then go online to find out more about what they've heard, what that artist is up to, and what other people are saying about the music they have heard. People also respond to music recommendations made to them by people that they like, know, respect, or trust (*i.e., friends, family members, associates and acquaintances, and people within their networking circles*).

Another way that most people hear about (*new*) music is by chance encounter (e.g., someone stumbles upon your profile while looking online for something else, someone happens to walk by a poster of yours somewhere, a social networking friend or follower has your song in their playlist, your song gets recommended online because it sounds like another song, someone gets handed a sampler by a street teamer, someone happens to be at a or pass by a club where you are performing, someone hears one of your songs used by someone in a YouTube video, etc).

Since you will most likely not achieve the airplay saturation on mainstream radio that's necessary to make yourself well-known to the general public, encouraging word-of-mouth recommendations from your fans and positioning yourself to benefit from chance encounters will be the way that most people find out about you. That means that you will have to be in as many places as possible in order to increase that likelihood that somebody bumps into you or your profile somewhere, and then ends up telling someone else about you and purchasing CD's, downloads, show tickets, and merchandise.

Utilize some of the following techniques in this manual, as well as any other strategies you may think about, to increase the likelihood of a fan's chance encounter with your music.

Social Networking

Major record labels still have at their disposal commercial radio (*airplay*), network and cable television (*music videos and talk show/late night appearances*), the internet (*YouTube and Yahoo/MSN etc. home pages*), movies (*artist roles*), and mainstream print media (*celebrity and gossip publications, etc*) to influence and reach fans. But for independent artists, chance encounters on the internet, offline street team marketing, and social networking are the ways that fans will be reached and nurtured.

Social networking sites play an important role in promoting and publicizing your music to the general public. We cannot cover all the social networking sites in this e-book because there will always be new social networking sites-of-the-moment, so you must do the legwork of keeping abreast of which of the latest ones are most popular, active and effective. When you begin your campaign, instead of just networking within the typical circles of friends, musicians, and people in the music industry that everyone else does, you should make an effort to visit social networks that are based on particular interests other than music.

Consider hobbies or special interests that you may have, and then find networks that allow you to socialize with like-minded people to whom you can display your musical skills and talents. There are dozens of special interest social networks you can find. For example, Action Profiles (<http://www.actionprofiles.com/>) is a social networking community for action sports enthusiasts. PatientsLikeMe (<http://www.patientslikeme.com/>) is a community of patients, doctors and organizations to inspire and empower persons with life-changing diseases, and so on. Use services like Simler (<http://simler.com/>), Ning (<http://www.ning.com/>) or Twine (<http://www.twine.com/>) and others to discover information around your interests, and then connect with like-minded people that can become fans and buyers of your music, tickets, and merchandise.

You should at the very least register **Twitter**, **imeem**, **Facebook** (Artist Page), and **MySpace** accounts, in addition to creating your own personal website or blog that will survive the comings-and-goings of all the latest social networking sites. You should also register a **YouTube** channel and frequently post interesting, entertaining, and compelling content that gives people insight into your personality and music, as well as a reason to return for more viewings. Viewers that subscribe to your YouTube channel get notified when you post new content, so this is a great way to introduce new songs to your fans and give them a sneak-peek into your live shows or rehearsals. There are literally dozens of such sites you can set up as part of your fan building strategy, depending on the demographic you are trying to reach.

Starting your social networking campaign early will be of benefit to you down the road when your social networking statistics show up on sites like **Next Big Sound** (<http://www.nextbigsound.com/>) **RockDex** (<http://www.rockdex.com/>), **Band Metrics** (<http://www.bandmetrics.com/>), and others.

You can use the data collected by these sites in future negotiations and dealings with venue/talent bookers, promoters, brand partners, labels, sponsors, etc.

Consider social networking a “discovery mechanism” as opposed to a “sales mechanism”. Use it (*and encourage your fans to use it*) as a way for people to discover your music and decide if they like it or not, and then seek to monetize that relationship down the line on your (*or your distributor’s*) website store as well as at your live shows. It’s important to utilize the sites correctly and target people in your area for promotion for live shows and regional tours; people within 100 miles of your home base or city. Once you’ve built a solid base of ‘friends’ and ‘followers’ in the region, you can then begin to expand outwards to other cities, states and countries with the idea that some of these fans will end up coming to your shows and/or purchasing CD’s, downloads, or merchandise.

Of course, it doesn’t hurt to have fans in cities beyond your home base, so even while you concentrate on your local area (for increased gig attendance), continue to reach out beyond your home base for fans that can purchase music products and merchandise online. While promoting, you can update all your different social networking sites simultaneously using services like HootSuite (<http://hootsuite.com/>), Ping.fm (<http://www.ping.fm>) and others.

Begin your music social networking campaign by searching for tastemakers, bloggers, and interesting/entertaining people (*including other musicians*) who already have a large following or are an influential voice in your area of interest. You can also choose to follow people who follow major label bands on Twitter that you think you sound like, or search for people who have bought music from iTunes from artists who sound like you (*or whose music is similar to yours*).

If you specialize in a particular type of music, or have a hobby or interest that has a social network online, try and find ways to become friends with or follow the ‘leaders’. Listen to the conversations for tone and content before jumping in and being part of a social networking group.

You can use services like **Twitter Search** (<http://search.twitter.com/>), **Collecta** (<http://collecta.com>), or **twendz** (<http://twendz.waggenredstrom.com/>) and others to search for and keep tabs of twitter conversations about particular people or subjects you are interested in, or services like **wefollow** (<http://wefollow.com/>) to search for and follow different hash tags and search terms; and then begin following and interacting with people once you are comfortable with the tone of conversation. You can also join networks like **Ning** (<http://www.ning.com/>) and others to (as the site suggests) “create and join new social networks for your interests and passions”. Follow people who have had conversations about purchasing music from major label artists that are similar to you, and then find ways to communicate with them and introduce your music to them over time.

Keep in mind that social networking, done effectively, is not about “selling”. The right course of action is to spend time investing in the relationship between you and your potential fans so that the relationship can be monetized later. Treat people in social networking circles the same way you would treat them if you met them at a bar, restaurant, nightclub, library, café, grocery store, etc. In those instances, you wouldn’t launch into a high-pressure product sales pitch, so don’t do that while in social networking circles. If you do, you’ll turn people off and end up with few followers or friends. Instead, paint a picture of yourself by being interesting, entertaining, inspiring, or educational (*depending on your personality*); contributing meaningfully to conversations; and providing something for other people in the network to gravitate to.

While networking, you can occasionally make reference to the fact that something interesting happened at a show, or offer some other conversation-generating tit-bit that will turn the conversation towards your music. Keep in mind that while you are conversing you are also marketing and branding yourself. Interact with people in social networking circles in ways that make them feel part of a two-way conversation and action (*like running contests or suggesting meet-ups at interesting places*). Show your personality by sharing photos using services like **Twitpic** (<http://www.twitpic.com/>) or **DailyBooth** (<http://www.dailybooth.com/>) and others; and images and video using services like **yfrog** (<http://www.yfrog.com/>) and others. Once you begin to attract a base of friends and followers, open up a two-way dialogue and interact with them frequently.

Once you get your social networking campaign under way, research various methods of streamlining your campaign by utilizing resources like the **Involver Social Marketing Suite** (<http://involver.com/gallery.html>) and others.

Word-of-mouth

Engage your fans to play leading roles in your virtual street team. Encourage them to spread the word about your music to their circle of friends, family members, and associates. Remember that each one of these friends, family members and associates have their own larger circle of friends, family members and associates, all of whom trust recommendations made from within the circle. This effort can generate a more loyal following than can be done from simply pushing propaganda on forums, blogs, social networks, etc. Give your fans instructions on what to say about your product availability and shows, while at the same time listening to what they have to say and collecting feedback on what they are hearing from people in terms of favorite songs, opinions of live show performances, suggestions for new recordings or products, etc.

Have a two-way conversation with your fans and use them as focus groups. Without being too pushy, try to get some demographic data from them (*e.g., age, location by zip code, gender, etc*) in order to customize your mailing list outreach.

YouTube AudioID & VideoID

Consider utilizing **YouTube's AudioID** and **VideoID** products (<http://www.youtube.com/t/contentid>) to track the viewing metrics of YouTube users that are using your songs in their videos. Unless the users are using your songs to attempt to cause damage to your image and/or reputation, you should allow them to use your music but contact them to request that they act as part of your virtual street team. If they are using your music, it means that they like it. You can have them direct their enthusiasm of your music to their viewers, fans, friends, family members, neighbors, and associates. If the videos are generating a lot of traffic, offer the user some of your other songs that they can use in any other videos they produce, as well as free tickets to shows or merchandise.

Blogs

Even though most of your outreach efforts should be targeted to potential fans, you shouldn't entirely overlook the importance of some of the influential tastemakers on the internet. Getting an influential or respected blogger to fall in love with your music and recommend it to people can pay dividends, and can make an impact on hundreds or thousands of people immediately. In addition to using resources like **The Virtual Publicist** (<http://www.thevirtualpublicist.com>), you can use lists like the one available at **The Hype Machine** (<http://hypem.com/list>) and others to search for music bloggers that might find an interest in your music. You can also create an account on **Blogger** (<https://www.blogger.com/start>) in order to find and comment on other blogs.

As with everything else, read some of the blog archives to get a sense of an individual blogger's likes and dislikes before reaching out to them about your music. If they live in your area, invite them to a show and offer to put them on the guest list and provide them with some drink tickets.

Song downloads

Consider offering your fans, in addition to streaming, the option of downloading some of your songs (*in 128k mp3 format*) from your site. Doing this is not so much more different than handing out CD samplers on the street; except for the fact that you are doing it online with no manufacturing costs. Make sure that when you do this, though, any mp3 tracks you have for sale are of higher quality; like 320k mp3's and/or one or more of the lossless file formats (*e.g. Apple Lossless or FLAC*). Sites like **Bandcamp** (<http://bandcamp.com/>) and others allow you to offer your songs to fans in multiple file formats. **ReverbNation** also has a widget that you can utilize to give people free downloads of your music (http://www.reverbnation.com/main/widgets_overview).

Allowing some free lower quality downloads offers the listener the opportunity to enjoy your music anywhere they have the ability to play mp3's even when they don't have access to the internet to hear the streams on your site. You don't necessarily have to offer them all of your songs, but the offer should allow your fans (*for a limited time*) the ability to download mp3's from your site, not just to listen to free song streams or hear 30 second song samples. If possible, create a system where you collect people's email addresses in exchange for access to the song downloads area of your website so that you can send out gig information and other news (*Bandcamp, mentioned above, allows you to do this*).

Online Strategic Partnerships

Locate websites of charities, individuals and companies that have products or services that cater to people that are of similar demographics to your fans. When you find a site that is suitable, contact the owner and inquire as to whether they would be interested in incorporating a music player into their site that will allow visitors to play (*and/or even download*) your song (*or some songs*). Inform the owner that doing this will not cost them or their visitors anything, and that the music will be a nice fit for the type of people that visit the site. You can then have them (*or their webmaster*) add a player similar to one of the Reverbnation widget players (http://www.reverbnation.com/main/widgets_overview) to their site. Don't worry about monetizing the music directly from their web site. If people like the music, they will have all the necessary information from the song description metatags to get to your site and make a purchase or sign up to your mailing list. Make sure that the songs have the correct tags (*artist name, song name, album title, keywords, URL*) and include your picture. You can allow people to just stream the song from the player, or enable them to download the song.

Record pools (DJ Pools / Music Pools)

You may be interested in utilizing record pools – also known as Music Pools or DJ Pools - if your music is Dance (*and its related sub-genres*), Urban (*e.g. R&B, Rap*), or Crossover (*e.g. Top 40, Pop, CHR*). Other styles of music don't work so well in the nightclubs and therefore would not benefit from the utilization of record pools. For a listing of record pools in your area, you can visit **TJs DJs** (<http://www.tjsdjs.com/rpd.php>) or **Music Pools** (<http://musicpools.nwdma.org/index.htm>), or use your preferred search engine to locate a listing of record pools.

Some of the listed music pools are no longer in business, but once you've located a useable list you should gather the addresses and phone numbers of all the record pools in your promotion region. The preferred approach is to send a copy of the song (*CD, vinyl, or mp3, depending on the pool*) along with a response / bounce back card to the record pool director to see if your music is something that would be appropriate for their record pool. If it is suitable, they would then send back the response card (*or call / email you back*) and instruct you to send enough product for all their members to be serviced. Each pool may have anywhere from 50 to 200 members, so you would have to have enough promotional product to service all the pools in your area. If your songs are not suitable or if your product isn't available in their preferred format, they would send back the response card or call/email you to let you know that your music is not a good fit for their pool.

If someone at a record pool is interested and you send out a shipment, try and remind the pool director of your release date and have the DJ's play the music right around that date. You can also ask the pool director if the DJ's can give you some feedback on the crowd response in the club when they play your song(s). This feedback could be used (*with permission*) in your quote sheets as part of your promotion materials.

Submit your songs for licensing to Film/TV, etc.

Now that you have material that is recorded (*and more importantly, mixed and mastered*), you should put aside some time to research places to submit your material for licensing in Film, TV, Advertising agencies, Games, etc. It takes many months for the results of your licensing efforts to pay off, so the sooner you begin the process, the sooner you will start to see the checks. The details of music licensing are beyond the scope of this e-book, but you can find out much of the information from many of the music library websites as you conduct your research.

If you have the right material, you stand to potentially earn tens of thousands of dollars a year from the use of your music in a variety of productions and formats. A good place to begin researching places to submit your material is the **Music Library Report** (<http://musiclibraryreport.com/>). There you can find users' reviews of the different music libraries before deciding where to submit your material. You can also pick up a copy of the **Film & Television Music Guide** from the Music Registry (<http://www.musicregistry.com/>).

You can also license music to users directly from your own website using services like **LicenseQuote** (<http://www.licensequote.com/>) and others, or program your own solution that enables you to do so. Before you submit your material to music libraries, however, don't forget to copyright all your material (<http://www.copyright.gov>) and affiliate with a **performing rights organization** of your choice (e.g., <http://www.bmi.com>, <http://www.ascap.com>, etc) as both a writer and a publisher member, as well as Sound Exchange (<http://www.soundexchange.com>) as a recording artist / sound recording copyright owner.

Create Video Content for Publicity Purposes

Consider creating video content to upload to sites like **YouTube** (<http://www.youtube.com>), **Dailymotion** (<http://www.dailymotion.com>), **Vimeo** (<http://www.vimeo.com/>), etc. Many potential fans like music to have a visual component to it. In other words, the experience of listening to music is enhanced when you add a visual element to it. Any video content you create should serve two purposes. One purpose of creating videos, in addition to heightening the auditory experience of your music, is to give your fans some insight into you and your music, including behind-the-scenes, making-of, live shows, rehearsals, in-studio, backstage access, sneak-peek, demos in progress, and "things you might want to know about me" footage.

The second purpose is to create entertaining, compelling, and captivating footage that can be used to generate new fans and keep current fans interested and coming back. Your footage should be interesting and entertaining enough to get people to not only watch it and come back, but also to share it with their friends and increase the number of people subscribing to your video channel and mailing list. In addition to footage about you and your music, encourage people to provide feedback, make comments, and spread the videos virally. Increase the chances of this happening by making the content entertaining, interesting, useful, inspiring, educational, encouraging, insightful, etc., depending on your personality. As you shoot footage, consider asking your fans for feedback on what they want to see you record and offer in your videos.

You should begin by setting up a YouTube channel in you or your band's name, and then continue by uploading content to it consistently in order to get people to come back. Make sure you add videos to your channel regularly so that your fans have something interesting to talk about and share with their friends. You will need to create and upload a lot of footage to your channel not only because people will expect and appreciate the material, but also because your production quality will get better over time as you learn from early mistakes and make improvements. Make sure to check on the comments and communicate with your fans so that they feel relevant and appreciated.

Create Extra Materials for Promotion and Sale

It is imperative to set aside some money for the purchase of promotional items for your release. These promotional items include things like music cards / digital download cards, t-shirts, postcards, posters, fliers, stickers, etc.

Consider asking your fans what merchandising items they would be interested in purchasing or receiving for free at a gig, as part of a subscription, etc. Some of these promotional items can be very useful in enabling people on the street (*who can't find you online*) to become familiar with who you are and what your project is about. Many of these promotional items can be sold or given away at gigs as well as from your website. In addition, retail stores that sell your CD's on consignment may be willing to put up some of your posters or fliers, thereby increasing your profile and sales.

You don't have to purchase all these items for your campaign, or even all of them right away, depending on what type of music you write/record and what budget you have available. The thing to keep in mind, however, is that if nobody knows about you or your product, how can they possibly decide if they like it enough to buy it? You must find ways to promote your image and your product to the people on the street as well as online. Also, retail stores like to know that you are finding different ways to promote the CD's that you are asking them to carry on consignment.

There are many places that offer these items and the first place you should check is on-line. Sites like **Dropcards** (<http://www.dropcards.com/>), **FizzKicks** (<http://www.fizzkicks.com/>) and **DiscRevolt** (<http://www.discrevolt.com/>) offer music download cards that you can use either as promotional giveaways or as ways to sell downloads. Services like **CustomUSB** (<http://www.customusb.com/music.html>) enable you to create custom USB music products that you can sell to your fans or use as promotional giveaways to virtual street team members and/or subscription members.

You can also manufacture a minimum set of merchandise items (e.g. t-shirts, etc.) from companies like **Sell Merch** (<http://www.sellmerch.com/>), **Zazzle** (<http://www.zazzle.com>), or **Extra Mile Merch** (<http://www.extramilemerch.com/>) that can be used for promotional giveaways as well as made available for sale at your website or merchandise tables at your gig. You could also use services like **CafePress** (<http://www.cafepress.com>) to create and sell t-shirts with little upfront cost in order to figure out which designs sell before ordering a minimum run from the other sites for sale from your website or at gigs.

Subscription Area

Create a subscription area on your website in which you offer fans, for a monthly and/or annual fee, premium or exclusive products, content and services including things like *free songs; monthly live performances; custom compositions; album sneak-peek listening sessions; discounted music, tickets, and merchandise; exclusive photos; behind-the-scenes footage; pre-sales; live chats; videos; special edition and/or premium products; collector's items, limited edition vinyl, backstage access; meet-and-greets; member's only after-parties; VIP status; entries to monthly raffles; custom ringtones; member goodie bags; custom artwork; annual get-togethers*; and anything else you can think of.

Be creative with what you offer, and make sure by asking for feedback that the subscriptions include items of value that your fans will appreciate. After all, fans won't want to pay a monthly subscription fee for things that have no value, or that can be had without signing up for the subscription. You can use solutions like Caribou CMS (<http://www.cariboucms.com/>) and others to offer subscription content to your fans.

Sending Packages to the Media

If you don't have a publicist working for you, now is the time to contact or send out press packages to the media in order to attempt to get some reviews, interviews, or articles. The reason to start early is that the media operates on set schedules and deadlines. You can't just send a package and expect to have an article written the same day it arrives there. Even if you get one written, it will take a while before a review or article appears in print. So start the media outreach process early and attempt to have a buzz created by the time your performances begin and you release your CD/DVD.

If you are handling publicity yourself, you can utilize services like The Virtual Publicist (<http://www.thevirtualpublicist.com>) or resources like the Indie Contact Bible (<http://www.indiebible.com/>) and others to make the job of finding indie-friendly media outlets and contacts easier. The main purpose of sending your packages to the media is to publicize your record release / street date, along with any shows you may have coming up. You should have already set the release date by now (if you are releasing physical CD's/DVD's).

Initially, don't bother sending your packages to the "big-name" media outlets (*e.g. Billboard, Rolling Stone, MTV, VH-1, BET, etc*). These publications and TV outlets only care to write about, review, or interview major label artists that their readership and viewership are already familiar with (*or who the major labels are pushing*). In other words, the people who read these magazines and watch these TV stations want to read about and look at famous people they recognize, identify with, are inspired by, etc. The few exceptions to this rule are if you have an incredible story or weird angle that the press can talk about in order to interest their audience.

The mainstream, commercial media outlets operate to make money, and not necessarily to break new bands. Your best bet would be to send your press packets and releases to local publications, local television and college radio stations, and all music related websites. If you are handling publicity duties yourself, you can use services like **ArtistData** (<http://www.artistdata.com>) or **Music Arsenal** (<http://www.musicarsenal.com>) to help keep things organized and streamlined. You can use **Billboard's Publicity wire** (<http://www.billboardpublicitywire.com/>) and/or the **Music Industry News Network** (<http://www.mi2n.com/>) and others to send newsworthy press releases about your project to the media.

The trick to dealing with the media is to think about everything from their point of view. Think about what the media NEEDS, and not what you want. It's obvious what you want. You want exposure. But what do the various media outlets need? They need information and stories that will keep their listeners, viewers, and / or readers interested, entertained, and informed. The media like stories that are current, relevant, informative, inspirational, controversial, shocking, timely, etc. Look for the angle within your story to pitch.

Put together a list of media people that you think would be interested in your story. Conduct research to find the places that write reviews or articles about independent bands. Consider non-music publications and websites as well. In terms of print publications, start your search locally, then regionally, and then work your way out nationally and internationally. Take a look around your city, and pick up copies of all the publications, particularly the ones that include a lot of independent music-related articles. Watch television and see which shows feature local bands. Search on-line for places that review or showcase independent artists. In every instance, attempt to find contact information of the person you should send your packages or links to.

Always check what the submission policies are, and to whom you should send your media packet. Notice if a publication writes reviews, and if so, who generally writes these reviews. If you send a package out to an entertainment editor, for example, you may have to follow up before any review or article is written. The thing to remember is that the bigger the publication, the less likely it is that you will actually get a review or article written. Start with the smaller, more independent publications and web sites where your response will be better. In addition, most publications fill their space with advertising first, and then fill the left-over space with news, articles, reviews, etc.

Putting Together a “Marketing Book”

At this point you should put together a “marketing book” that contains all your marketing and promotion plans and efforts. It doesn’t have to literally be a book, but does need to be a solution that enables you to enter data and make updates and corrections as necessary. This is what you will use to keep track of your promotion plans as well as to chronicle how well or how poorly the plans are working. It should be as detailed as you can possibly make it. Each time you have an idea or concept that you want to try, you should write it down in the book or enter it into the database and document the progress or lack thereof. You should be able to input information into the book or database each week or sometimes daily depending on the volume and type of activity taking place.

If you signed up for Music Arsenal, Artist Data, or some other similar service, you can use that as a working solution to input and update your data. This marketing book / database serves two distinct purposes. One, as mentioned above, is so that you can document how effectively your plans are working and make adjustments as necessary. The other purpose for your marketing book is that the data can come in handy if it becomes necessary to shop your band to brand partners, record labels, publishers, distributors, investors, licensees, or sponsors.

Sponsors and brand partners in particular like to know what type of marketing and promotion efforts you have undertaken previously, and what strategies worked or didn't work so that they know how to move forward with your project if they choose to sign you.

USING PUBLICITY TO BUILD YOUR FAN BASE

If you've paid attention to the music scene in your region (*or any other region, for that matter*), you've no doubt noticed the abundance of musicians in the musical jungle out there. Chances are, with a computer, a microphone and some cracked software, your next door neighbor is probably working on a 'hit' record in their bedroom right now.

With all the activity going on, how does one break through the clutter and build a large enough fan base to make a music career worthwhile? In our zeal to embrace the music business 2.0 models, we have lost appreciation for some of the 'old-school' publicity methods that worked so well for so many musicians for so long. Good, old-fashioned articles and interviews seem like old dinosaurs to today's independent musician community, yet even with the gloomy economy and the scuttling of some once-venerable publications, there has never been a time when such a variety of publications (*both in print and on the web*) existed in such large numbers.

With readership and viewership ranging in numbers from a few thousand to several hundred thousand, a well-placed series of articles or perfectly-timed set of stories can go a long way towards exposing an artist, building a fan base, packing venues full of enthusiastic fans, attracting industry attention, and selling large quantities of CD's, downloads and merchandise.

So, the question on most musicians' minds is: "*how exactly do I get an article or story written about me?*"

Following are some steps for you to follow in your quest for coverage:

- The first step is to find a story angle of interest about yourself (*if you are a self-managed artist*) or your client (*if you are a manager*). Consider something other than your music for an angle. For example, aside from being a musician, perhaps you are also an experienced diver, or have survived a hunting accident, or operate a graphic design business from a tree house, or are seeking financing in an economic downturn, or are an expert in a specific area, or have overcome a medical condition, or have been the victim of a work-at-home scam, or traveled to 40 countries in 40 days, or any other angle you can think of.
- The next step is to sign up for services like **epresspass** (<http://epresspass.com/>), or **Help-a-Reporter-Out** (<http://www.helpareporter.com/>), and others that alert you to 'Journalist Requests'. In the same way that companies put out classified ads looking for employees, journalists put out requests for subjects for stories they are working on for their newspaper, publication, website, TV station, or Radio station. These requests include a description of the type of person they are interested in as a subject, the type of article they are writing or interview they are conducting, their contact information, and the deadline for receiving the necessary information. This is where you have a chance to match up your story with a journalist looking to write about it. Remember, though, that just like James Frey discovered on the Oprah Winfrey show, it doesn't pay to lie about your story.
- While perusing the listings, look for as many journalist requests as specifically apply to your story, and then carefully follow the directions as requested by the journalist.

What is important is for you to make sure that, along with the requested information; you insert references to your artist/band name along with the fact that you are a musician. Without these references the article may be a good read, yet be of no benefit to your music career since the readers, listeners or viewers will not know that you are a musician or be able to search for you in order to purchase CD's or downloads or come to your show. Think about how impressive it would be to get 1 percent of 275,000 readers or viewers to your next gig.

- Continue fulfilling journalist requests even if/after you've received coverage. At a minimum, you can use these placements in your bio and as part of your one-sheet, which in turn could lead to your fans taking your music career more seriously and purchasing CD's/downloads and merchandise.

The logic behind this strategy is that if people can relate to or otherwise empathize with or be inspired by your story, there is a good chance that they will probably also relate to your music. People with similar tastes and of similar background are likely to relate to each other and have certain preferences (*like in food, music, clothing, entertainment, etc*) in common.

Even though you or your client has a lot in common with other musicians, the reason why you should think of angles unrelated to your music is that music publications are largely interested in writing about major label artists and musicians, so your chances of getting articles or stories written in major music publications are slim to none. This doesn't mean, however, that you should ignore journalist requests that specifically ask for musician subjects, since these present opportunities for the exceptions to the rules.

DISTRIBUTION FOR YOUR RECORDINGS

As with most musicians, your music sales will take place initially and mainly at gigs and/or from your website and other sites serviced by your distributor. As an immediate solution, you can arrange it so that people can buy autographed products directly from your web site using services like **PayPal** (<http://www.paypal.com>) and others for a lower price than from other sites (for example, \$8 -\$10).

If you have an account registered, you can also sell music directly from your Facebook account using **Nimbit's Mystore** (<http://www.nimbit.com/mystore>). In addition to offering music for sale on your website, you should look into companies like **TuneCore** (<http://www.tunecore.com>), **The Orchard** (<http://www.theorchard.com>), **ioda** (<http://www.iodalliance.com>), **CD Baby** (<http://www.cdbaby.com>), **RouteNote** (<http://routenote.com/>), and others for digital distribution since most people prefer to make purchases from iTunes and Amazon, etc., than from an individual artist's website.

Other options for digital distribution include **Universal Motown Republic Groups'** <http://www.unimodigitaldistribution.com/> and <http://www.republicdd.com/>, **Island Def Jam Music Groups'** <http://www.idjfirstlook.com/>, and **Interscope/Geffen/A&M's** <http://www.interscopedigitaldistribution.com/> (*all powered by TuneCore*).

These distributors will handle all the secured credit card order taking and fulfillment for you. They will issue checks for CD's and downloads bi-monthly, monthly or quarterly (*depending on who you sign up with*) for all sales that take place in the previous month or quarter. Make sure you read the contracts carefully beforehand since some of the abovementioned sites offer exclusive services, which means that you can only sign with them for all of your online music distribution.

Consignment

As discussed earlier, the future of music consumption is projected to be mainly via downloads, streaming, mobile devices, "cloud" technology, and/or subscriptions. In this scenario, most (*if not all*) music retail stores are predicted to go out of business. In the meantime, however, some music consumers still purchase their music from retail stores because they either **a)** don't have access to the internet, or **b)** don't trust making purchases online or don't have a credit card to use for online shopping. Some people may also not be able to attend one of your gigs in order to purchase your music. In that regard, some musicians should consider the option of making their music available to fans at retail stores for a limited time.

If you choose to pursue a consignment deal, make sure that you limit your manufacturing to a minimum number of physical CD's and make sure that the retail stores you select are within your promotion area (*i.e., the area where you live and can perform live, put up posters, distribute flyers, get coverage in local publications, receive airplay on area college or non-commercial radio stations, conduct social networking with people in the area, have interviews on local radio and TV stations, etc*).

As an independent artist without a distributor, a large budget, an album catalog, or a previous sales record, the only way to get your CD's into regular retail stores is by a method called "consignment". This is a scenario where a store agrees to stock a few of your CD's for a few months and then pays you for any items sold at the end of the consignment period. If there are any unsold CD's left at the end of the consignment period, they will return those to you or agree to carry them for another period. The store retains a percentage of the sales price based on your consignment agreement. If your CD's sell before the end of the term they will order more from you under the same arrangement.

Not all record stores accept independent products for consignment. Most 'mom-and-pop' stores will accommodate this arrangement, but most of the larger chain stores only accept product from 'real' distributors. The normal way to get your CD's in national chain stores is to go through a distributor who has an account with the store. Some chain stores only order product from their corporate headquarters. It doesn't hurt to try asking a manager at a major retail chain outlet (*e.g., Barnes & Noble, Borders Books & Music, etc*) about consignment, as some stores in your area might be willing to take a chance. Most likely, however, you will be told that their corporate policy is to not accept consignment product from independent artists. Getting 'real' distribution is best left to labels that have multiple artists on their roster, a substantial marketing budget, retail experience, predictable sales, and a sales track record. One way to get your product distributed nationally even without a track record is to find an independent record label that has national distribution and shop your CD to them. If interested, they will license your record and distribute it through their distributor to the retail stores. In these instances it still helps if you have some money to contribute to the marketing since this will help your project gain traction among all the other label's releases.

If interested in pursuing the consignment option, you should stick to stores that are located within an area that you can effectively promote in, which is usually your hometown region. It makes no sense to have CD's sitting in a store in another state for months that nobody will buy because they've never heard of you and don't know your product exists. If you put your CD's in a store and fail to do any promotion, you will have a hard time convincing the store to carry your products again at the end of your consignment period. Only put products in stores located in other areas if you are going on tour and have fans or street team members that can promote in that area.

Start off by putting together a list of retail accounts that you would like to have your product in. You can use a directory like The Musicians Atlas (<http://www.musiciansatlas.com/>) and The Musicians Guide to Touring and Promotion (<http://www.orderbillboard.com/>) or resources like Music Arsenal (<http://www.musicarsenal.com/>) and others for a list of stores that take product on consignment. You should also consider non-music retail stores for consignment consideration (depending on the style of music you write/perform), including, for example, new age stores (<http://www.newagedirectory.com/>), tattoo parlors (<http://www.everytattoo.com/tattooparlors.shtml>), surf shops (<http://www.surflines.com/surfology/surfshops.cfm>), art galleries, churches and Christian bookstores, etc. You can also drive around your local area and stop by every "mom and pop" record store (or specialty store that plays or would be interested in playing music in your genre) that you come across and ask them if they take CD's on consignment.

If you are getting any radio airplay (*particularly college and non-commercial*), ask the radio stations that are supporting your music to recommend retail stores where you can put your CD's in. You can also ask them for the name of the particular 'buyer' (*independent buyer or consignment rep*) so that you can ask for them directly when you call.

The stores would love to hear that a radio station that's playing your music recommended them to you, and that could help with the high-visibility positioning of your CD's within the store.

Keep in mind the fact that you don't want your CD's/DVD's sitting in stores for months without selling, so you should only have a few stores stocking your product. Select stores in your area in such a way that each store is no closer than fifteen minutes or so from the next one selling your CD. Call ahead of time to set up an appointment with the buyer in charge of consignment products. You could also go by the store and ask for the person in charge of accepting consignments. They will usually tell you whether or not they are accepting consignments, who to talk to, what time to come in, and what to bring with you (*i.e.*, *CD's*, *posters*, *samplers*, *one-sheets*, *etc.*). They usually work by appointment so you should be very flexible and able to accommodate their schedule.

Retail stores are taking a risk stocking your CD's/DVD's because those products will be taking up limited shelf space with no guarantees that any will be sold. It is your job to let them know how you are promoting your products and what shows you have coming up. The more they know about your promotion and marketing efforts, the more likely they are to stock your product. Always bring an extra promotional copy for in-store airplay. Some stores will also accept posters if they have the wall space, and samplers, stickers and postcards for you to leave at a designated counter. Each store has different policies on consignment, so work with each one to find out the most effective way to promote your products. You should also take this time to ask the store manager if you can perform in the store, or even in the store parking lot, as part of your promotional campaign. Not all stores will be open to this, but it doesn't hurt to ask. You can offer to share the cost of a local ad in the newspaper promoting your CD's availability at the store. Do as much as you can afford to show the level of commitment you have to your project.

It only takes a few minutes to fill out a consignment contract if the store is interested. It is important to make sure that your product is placed alphabetically in the right section of the store. You don't want your independent Folk/Bluegrass CD placed in the Hip-Hop section of the store since no potential buyers will ever find it there. Make sure you put your retail information on your website, social networking profile, sampler artwork, flyers, posters, and band hotline after you have all your retail accounts set up. You should have all the stores' contact information on the consignment contract that you sign. You should use this contact information to email or fax gig information to the store. That means that every store within a certain radius of where your gigs are should receive an email or fax announcing the gig a couple of weeks before each gig. The stores will then be able to make sure they have your CD's stocked on the shelves or posters put up in anticipation of sales. Of course, you will have to make sure you announce the CD availability at your gigs and on your gig promotional items (*flyers, posters, postcards, samplers*) so that people know where to go to make a purchase. If you have a merchandise table at your gigs, give fans coupons that they can take to the store to get a couple of dollars off the price of a CD (*coordinate this with the stores first, and make sure the couple of dollars comes out of your cut and not the store's*).

You should use the retail contact information to keep the stores informed of any and all of your publicity and promotion efforts, including radio airplay, public appearances, reviews, interviews and articles. This will often increase the chances of you getting better positioning within the store, as well as encourage the stores to order more products from you now or in the future. Also, major record labels keep in touch with retail stores to see which artists have substantial regional sales; so the more they hear your name, the more interested they will be in offering you some type of deal (*e.g., recording, pressing & distribution, licensing, etc.*) if that is something you are interested in pursuing.

Make sure you read the consignment contracts very carefully. In the contract, you will have all the information regarding how much you will receive for each unit sold, when you will receive the money, how long the consignment term is, and who is responsible for checking the product. You should ask the store for somewhere between \$7 and \$10 for your CD's. The store will add on a certain amount, usually \$5 to \$8. As a new artist, you should not expect people to pay \$17.99 for your CD's, so keep that in mind as you consider your pricing options. You will be able to sell more units if you price your CD's low, and the fans you make now will buy your next CD for more money, as well as go to your shows and buy your merchandise. Some stores will purchase a few units from you upfront for cash. Since you are selling directly to the store and not going through a distributor, all the money from sales will go directly to you. Retail stores are much more reputable than distributors when it comes to getting paid, but make sure you hold onto your contract and take it into the store with you when it comes time to collect.

Remember to keep track of which stores you have your product in. Periodically check to see if your product has sold out and if you need to re-stock. Some stores don't want you to pester them by coming by too often, but be professional and let them know that you simply want to "help them to help you". Check if they would like more posters, or if you can put some samplers at the counter for free giveaways. Also, notice which stores people are buying a lot of CD's from and which stores still have all the units you left them with. This will allow you to decide whether it is worth it to keep your product in certain stores, or where you need to spend more time promoting.

Make sure you do not rely entirely on consignment sales from retail stores. It takes a lot of promotion for people to go to a store and buy your CD's, and it takes a while to get paid from the retail stores.

Make sure that, in addition to digital distribution (*e.g.*, *CD Baby*, *Orchard*, *Tunecore*, *IODA*, *etc*) you also sell product directly from your web site and/or Social Networking profiles. Most stores don't like the idea of you selling your music online, so don't brag about selling product on your web page when you're visiting retail accounts.

The Distributor

Since some people still purchase music from retail stores, we will discuss the ways in which the products arrive there. Keep in mind, however, that music retail stores will not be the place where the majority of music purchasing activities happen in the future. Most people are going to be accessing their music playlists online and through mobile devices and the "cloud"; and both distributors (*of physical products*) and music retail stores will be out of business in the new model. In the meantime, however, let's discuss the current role of distributors in the music business.

The distributor is the middleman between the record label and the retail stores. Distributors provide the network to place your product into retail outlets. They will attempt to convince the retail stores to buy and stock your product. They provide the warehouse space and inventory management, and ship products to the retail accounts that place orders. An additional distributor function is to invoice the retail stores and collect money for product sold. Distributors process returns (*unsold products*) from the retailers, generate sales reports, and pay money owed you according to the terms of your distribution contract. It is your job to produce and provide the finished product, as well as promote your record to the general public to make them aware of where they can make purchases.

Most independent artists and record labels will not qualify for distribution until they have put out several successful (*i.e., money-making*) releases, have a 2 – 3 year operational history, and have good management in place. For those that don't qualify for direct distribution, the suggestion would be to approach other independent labels that have major label distribution deals in place and pitch your recording to them for distribution. If you have some money to contribute to the marketing of your project, that could help move the deal forward.

If you are interested in approaching independent labels that have major label distribution deals in place, you can begin your search by purchasing a copy of the **Record Company Directory** from the Pollstar store (<http://www.pollstar.com/>) which includes contact information for independent labels with major label distribution. You can also check the web sites of the main distributors in the United States here (*and locate contact information for the independent record labels whose product they distribute*).

The main distributors in the United States include:

- ADA (<http://www.ada-music.com/>) – (*recently merged into WEA*)
- Burnside Distribution (<http://www.bdcdistribution.com/>)
- E1 Entertainment Distribution U.S. (<http://www.kochdistribution.com/>)
- EMI Music Marketing (<http://www.carolineb2b.com/>)
- EMI Label Services & Caroline Distribution
(<http://www.carolinedist.com/>)
- Harmonia Mundi USA (<http://www.harmoniamundi.com/>)
- The Mountain Apple Company
(<http://www.mountainapplecompany.com/>)
- MVD Entertainment Group (<http://mvdb2b.com/>)
- Naxos of America (<http://www.naxos.com/>)
- RED Distribution (<http://www.redb2b.com/>)
- Redeye Distribution (<http://www.redeyeusa.com/>)

- Sony Music Entertainment (<http://www.sonymusiccentral.com/login.jsp>)
- Super D Independent Distribution (<http://www.sdcd.com/>)
- Tate Music Group (<http://www.tatemusicgroup.com/>)
- The Orchard (<http://www.theorchard.com/>)
- TravelVideoStore.com (<http://www.travelvideostore.com/>)
- TVT Records (<http://www.tvtrecords.com/>)
- Universal Music Group Distribution (<http://www.umgdb2b.com/>)
- WEA Corp (<https://new.wea.com/login/>)

Combined, the music released by these companies account for an estimated 90 percent of the U.S. music market.

When thinking about distribution, you should always keep your street date (*or release date*) in mind. The street date is the day (*as close as you are able to predict*) that your CD's will be made available to the public. Since it takes a long time to set up distribution (*anywhere from two to six months*), you should start the process long before your street date in order to give the distributor enough time to have the product available at retail.

Pressing & Distribution (P&D) Deals

A Pressing & Distribution deal is a type of distribution deal in which an independent label delivers finished masters and artwork to a larger label / distributor, and the label / distributor then assumes responsibility for manufacturing, packaging, and distributing the finished product. Generally, P&D deals also provide that the major label / distributor handle all marketing of the product, and the independent label is paid a royalty (*typically 15% to 20% of the product's retail price*). These deals are typically out of range for most independent artists / labels with no previous sales or distribution track record.

Qualifying for Distribution

As mentioned earlier, most of the larger (*national chain and international*) record stores only accept material from a distributor, or order product from their corporate headquarters. Most national distributors prefer to work with a label that has multiple artists on its roster, a commitment to releasing several projects every year, an adequate budget allocated for marketing, and a sales track record. If you are unable to qualify for national (*or even regional*) distribution on your own, a good option is to research distribution companies that place products in the types of stores that you would like to have your CD's in and find out the names of the labels on their roster. You can then contact the labels directly to see if they would be interested in signing you to a distribution deal so that your records can be distributed through them. You would still have to record and possibly manufacture your own records, but at least you could get them distributed to the retail accounts through this arrangement.

If you have an investor or otherwise have a sales track record and access to a large budget you can consider trying to get distribution for your label or release. However, before you consider distribution, there are some things you will need to be aware of. An important consideration is the fact that the future of music consumption will not be in the form of physical CD products, but more in the form of downloads, streaming, mobile devices, and "cloud" technology. Before you consider undertaking the considerable costs of distribution (*number of CD's to manufacture, shipping costs, costs of distribution-related marketing and promotion, impact of returns, etc*), keep in mind that the future of music consumption is heading in another direction.

If you indeed choose to pursue physical distribution, following are just some of the things you should consider, along with some of the things a distributor will want to know from you.

1. Your CD's will need to be 'bar coded'. You can get a bar code by becoming a member of the **GS1 US**, formerly the Uniform Code Council (<http://www.uc-council.org>). When you become a member, your company will be assigned an identification number for your company's use (*company prefix*). You will need this number to create your own bar codes. The number of unique products you need to identify, along with your company's gross sales revenue will determine the fee you will pay for your bar code. Even though you can get bar codes from some manufacturing companies, pay the cost of getting your own bar codes if you are going for 'real' distribution. It is possible that you have already manufactured your CD's without the bar codes on them. In that event, you can remedy the situation by printing stickers (*or decals*) with the codes on them and sticking them to the back of your CD's.
2. You will need to have a suggested price list for all your products.
3. You will need a marketing plan and proposed budget for your upcoming releases. The distributor will need to see that you understand the true costs of distribution and that you have the necessary budget committed for all the tasks. You will need to show that you are able to create a demand for your artist's CD's.
4. You will need to have a planned release schedule, with projected sales and initial ship out on each title for the upcoming year.
5. As mentioned earlier, most national distributors will require you to have a sales track record for multiple artists. To prove that, you will need a sales report for at least the previous two years. You will need to list in the report each title (*account*) individually, and list sales by account.

You will need to show the return ratio by title as well as gross sales per title. The return ratio will identify how many of your units shipped were returned to the distributor by the retailer. Retailers (*stores*) accept product on a “100% return privilege” basis. This means that if a retailer orders 75 CD’s from you (*via your distributor*) but is unable to sell them, they can ship them back to you for full credit or a refund of the price it paid for the records. Records sent back to the distributor as unsold from the retailer are known as “returns”. Since the records are being bought from and returned to the distributor, it is the distributor who will have to refund the money or offer the credit, which comes out of your account ultimately but means that the distributor has not made any money on those units. Having too many CD’s returned is a bad sign, and a good reason for the distributor to be cautious about signing you. In order to deal effectively with returns, distributors will hold a certain percentage of the money paid by the retailer in “reserve” (*on hold*) until such time as they are confident that the stores will not return any more products for credit. Only at that point will you get paid on records sold at retail.

6. Most national distributors will want to see marketing plans and SoundScan reports for your last 3 or 4 releases, as well as the marketing plans for your next 3 or 4 releases. The plans should indicate the budgets for consumer advertising, retail advertising / co-op, publicity, radio promotion, touring plans, and marketing efforts.

7. Most national distributors will want to know how much product you have on hand for each title. It will not be a good sign if you only have a few or no CD’s available, or are unable to quickly manufacture more as needed.

8. Some distributors will ask you for a bio / history of the label and its key personnel. It helps if you have people on your team with retail, distribution, promotion, and marketing experience and credentials. Most distributors will want to know how many people you have on staff.

9. Most distributors will want to know who has distributed you before. This can prove to be awkward if you've had a bad experience with a distributor and are looking to sign with another one. Make sure that, if you leave a distributor, it is because of something they did wrong (*e.g. not paying you on time, not distributing your products to accounts as required, etc*). Sometimes distributors go out of business, forcing you to look elsewhere for distribution.

10. Almost all national distributors will want you to sign an exclusive agreement with them, meaning that no one else can distribute your products as long as you are under contract with them. This makes sense since with multiple distributors there would be too much confusion for the retailers regarding who to order and re-order from, where to send returns, who to coordinate retail programs with, etc. It is often possible to sign an exclusive national and non-exclusive international deal with the same distributor, thus retaining the option to sign with different distributors in territories overseas.

11. You will be required to remove all products you have on consignment or previously distributed before signing with a distributor. Keep this in mind since it may take a while to track everything down and make sure all products are removed.

12. You will need to provide the distributor with promotional copies of your CD's as well as "one-sheets" to send to the retailers. It is important to make sure that your promotional copies have holes punched through them in the area of the bar code, and the shrink wrap is removed to prevent any unnecessary returns. Some copies will also be needed for in-store play. A one-sheet is an 8½" X 11" page that provides essential information about the release to distributors and retailers.

Information on your one-sheet can include album title, song titles with descriptions, the artist's name, your album cover photo, quotes from reviewers, a description of your style / genre, a brief bio, names of musicians, your barcode, your catalog number, suggested list price, your tour schedule, media and marketing campaign, etc. Many distributors will have one-sheet templates that you can use.

13. Most distributors deal only with replicated CD's as their format of choice, and not CD-R's, cassettes or vinyl (*although vinyl seems to be making somewhat of a comeback lately*). For certain types of music, however, cassettes or vinyl may be acceptable (*e.g., vinyl for record pool DJ's, cassettes for people in countries where access to cassette players is still dominant, etc*).

14. Each of your CD's should have a "catalog number" on the spine. This catalog number identifies the CD as yours for the sake of record keeping and accounting and is usually printed on the spine of the CD along with the artist name and album title.

15. Many distributors will want to know certain things about the artist and label. For example; is the artist well known; does the label have an adequate co-op budget; does the label have digital and international rights to the project; what are the key markets the label expects to sell the product in; is there a radio and retail campaign scheduled; is there a publicity campaign involving the media, is the artist touring or performing; does the artist / label have any soundtrack or TV placements, does the quality of the recording measure up to standard within the genre; are there any well-known guest musicians on the album; can the label manufacture enough CD's quickly if there is a sudden demand for them; is the label committed to marketing the project for up to a couple of years if necessary; does the label have any more upcoming releases; does the label have any material in its catalog that can also be sold; does the label sell products to one of the distributors competitors; does the label already

have CD's stocked in the stores? These are the types of questions that will need to be answered.

16. Because distribution is a risky proposition, many distributors are known to ask the label for up-front fees that help cover costs. Some even ask for a bond or take a lien on the masters. You will have to be aware of this before moving forward.

17. Your CD artwork will have to meet the standards of other products in the same genre available at retail.

It's also important to know that your relationships with publicists, radio promoters, marketing companies, booking agents, and managers can sometimes help convince distributors to do business with you. This is especially true if the companies mentioned are known to the distributors in a positive way.

Research

Once you've committed the finances for a roster of three or four acts, and each act is performing extensively with active promotion and publicity, it may be the right time to pursue retail promotion and distribution. Most importantly, you will need to have the funds necessary to see the projects through. When analyzing your funds, decide whether you will start with a regional campaign before expanding nationally (*recommended*) or push immediately for a national distribution campaign (*not recommended for new artists*). Many things will have to be in place in order for you to go national; so don't be too anxious to head that route right away.

If your budget is limited and you only have one or two acts (*projects, albums, etc.*), you might want to consider consignment, shopping your projects to independent labels with distribution in place, or one of the many regional distributors for a regional campaign. Regional distributors are sometimes more willing to deal with artists with only one or two releases as long as they are willing to commit some resources to helping promote the record. These regional distributors often partner with distributors in other regions, so if your sales do well and you need to expand beyond your local area they will be able to help you expand your distribution.

Read all the music and business publications available in order to ascertain the financial status of potential distributors (*particularly Billboard* – <http://www.billboard.biz>). The last thing you want is to be exclusively tied to a distributor that goes out of business a few months into your campaign, leaving you with unpaid invoices and merchandise locked in the warehouse as assets in bankruptcy court. Before committing to a specific distributor, make sure you contact some of the labels on their roster to find out what type of relationship they have. Ask the labels if the distributor is shipping out product as required, making payments on time, withholding too much in reserve, requesting too many promo copies, etc. You will not get this information from the distributor.

Align yourself with distributors that deal with products from within your genre and understand your style of music. Also, conduct some research to evaluate whether or not the distributor deals with stores that stock your type of music. Try to establish how many sales and marketing reps the distributor has on staff since these are the people who will be pitching your products to the retail stores. Another important question to ask is how many labels the company currently distributes, since a distributor with too many labels and too few sales reps is one you definitely want to avoid.

Initially, you should select independent distributors over major label/distributors because they do essentially the same thing, but fewer sales will be required of you from an independent distributor. Major distributors prefer artists/labels that have national exposure, not just regional recognition.

Not all distributors are capable of getting your products into every retail account. If you have products that need to be sold to specialty stores, then you will need to conduct research that enables you to find out which distributors service or have relationships with the specialty stores you're interested in. The best thing to do in this case is to decide which stores you want your product in, and then find out who the distributors are that service that store (*i.e., which distributors the stores order from*).

The distributors that are sympathetic towards independent labels will usually have a submission policy displayed on their website. Otherwise, call or email the distributors and ask about their submission policy. Review the policy and pay close attention to the instructions. The policy will indicate what materials they want you to send and what you need to have in place in order to qualify for distribution. Conduct some research in order to find out whom to contact at each distribution company. Once you've sent in the information, expect some type of correspondence with the distributor regarding whether or not you've been accepted. If you get accepted, keep in mind that this is just the beginning of the distribution road, and the journey ahead will be long and hard.

The Distribution Process

Your distributor will have a contract that they will want you to sign. It is extremely important to have your contract reviewed and negotiated by an experienced entertainment attorney. There are many things about a distribution contract that are beyond the scope of this manual and that you will not understand on your own; grant of rights, term, products and

territory, prices and payment, manufacturer and distributor obligations, relationship of the parties, reporting, trademarks, service marks, and trade names, confidentiality, termination, publicity, warranties, liability, modification, assignments, etc. One of the more important items to discuss with the distributor is how much money (*as a percentage of the amount owed you*) they will hold in 'reserve' in case retail accounts return product to them, and when that money will be liquidated out of the account and paid to you. If they hold too much of a reserve for too long a time period, you may end up seeing very little money for a very long time. To worsen the situation even further, distributors are notorious for not paying independent labels unless the labels have other projects in the pipeline that the distributors are interested in. Talking to other labels on their roster may help shed some light on this situation.

It is very important to understand that it is best to go region-by-region with a first album from a new artist. Don't try to go national with the first album; leave that for the second or third album (*if everything goes well and you make money from the first one*). It usually takes the first album to make people familiar with the artist and aware of the songs. Trying to move across the country too fast could cause you to burn through your resources faster than you can make money back from sales, putting you in financial crisis and jeopardizing your distribution relationship.

It is also very important that you discuss the "retail buy-in" with your distributor. This is a crucial step towards a successful retail sales campaign and will have to be done in each city where you intend to have distribution. These retail buy-in campaigns (*also known as "placement programs"*) can be expensive, often costing from \$3,500 to \$20,000 per city. Most retailers and distributors produce publications in which you will place advertising for your products. You will also include in this effort the cost of "Price and Positioning", "Co-op", and "Point of Purchase" (POP) advertising.

Price and Positioning is a strategy whereby your products are priced to entice the consumer to make a purchase (e.g. \$12.99 SALE), and your products are positioned so that they are easy to find. Co-op advertising is when the ad costs are divided between two or more companies. In a typical label / distributor / retailer Co-op relationship, the retailer agrees to purchase a certain number of records from the label (*via the distributor*) in exchange for ads that promote the records on sale at that retail store. Co-op ads can be produced for radio, TV, or print media. Co-op strategies can also include pricing discounts, store displays, TV spots, or any other way to increase visibility and product sales. Point of Purchase typically refers to the promotional graphics focused on influencing consumer behavior at the moment of the purchasing decision. These include posters, postcards, in-store signage, customer giveaways, and other related custom graphics that let people know about the artist and album availability.

It is important to remember that distributors have a lot of other clients who need their attention and sales commitment. You will have to keep your sales rep updated weekly about things that are happening; including live shows, radio airplay, newspaper articles, TV appearances, soundtrack placements, positive reviews, promotion activity, in-store performances, special remixes, etc., so that they can pay attention to your release and make sure that the stores are well stocked with your product. If you don't keep them updated, you will get lost in the vast catalog of the distributor and probably sell very few copies, which in turn will result in a high percentage of returns from the retailer and an end to your distribution relationship. Your sales rep should be very comfortable selling your products to the retail accounts, and the more information you give them regarding promotion and publicity activities the better they will be able to convince the stores to stock more product.

In addition to keeping your sales rep informed about all your promotional efforts, it is also wise to encourage them to offer incentives to the retail accounts in order to help generate more orders. Incentives include offering discount prices on CD's bought in 'box lots' (*large quantities*), delayed billing, discounts on money due if paid on time, free records (*e.g. 1 free CD for every 10 the retailer purchases at wholesale price*), and so on.

Your distributor will place an initial purchase order for you to ship CD's (*or any other products*) to their warehouse. The shipment you send should include a packing slip detailing what was ordered, what has been shipped, the number of units in the shipment, and the distributor's purchase order number. Your shipment will also include one-sheets and any other materials that can be used to help sell your CD's to the distributor's retail accounts. Promotional CD's (DJ's) will be included in your shipment so that the retail stores can try out your CD and possibly place it in their listening station. Make sure, as explained earlier, that the artwork on these CD's is clipped, punched, or otherwise marked to discourage stores from returning the CD's as unsold product (*for credit*) at the end of the listening station promotional period.

The one-sheet you supply to your distributor should spell out what the "Suggested List Price" (SLP) of your CD is (*the suggested price that the stores will sell the CD to the general public for*). For example, the list price for your CD could be \$15.98. Generally, labels sell their CD's to the distributor for 50% of the list price. On a CD with a list price of \$15.98, for example, the distributor would pay the label \$8.00.

Your distribution contract should spell out what the billing cycle is. You will bill your distributor by sending them an invoice for the amount they owe you.

The invoice is sent to the distributor's Accounts Payable department, and should include the invoice number; information regarding what was shipped; shipping date; unit price; amount due; and the distributor's purchase order number. If you've shipped the distributor several different CD's, each one should have its own purchase order and invoice.

Depending on your contract, the distributor will normally have 30, 60, or 90 days after receiving the invoice to pay the amount owed you. They will hold in reserve (*i.e., not pay you*) a certain percentage of the amount owed in case their retail accounts return unsold product to them. For obvious reasons, if products are returned as unsold, the distributor cannot pay you for them since no money was made. In addition, the distributor will only pay you (*less the reserve*) for product actually shipped to the retail accounts and not for your product that is still sitting in their warehouse waiting to be shipped. This means that if you sent your distributor 5,000 CD's and 3,000 of them are shipped to the stores, the distributor will only pay you for the 3,000 units shipped to the stores and not for the 2,000 CD's still sitting in their warehouse. Keep in mind that, unless you have a sales track-record and more products in the pipeline that need distribution, it will be unlikely that a distributor will pay you promptly what you are owed; if they pay you at all.

Unfortunately, because of the arrangement described above, the worst thing that can happen to you as a start-up label is that you get a hit record on your hands and you don't have a large enough budget to manufacture more product to keep sending product through the pipeline to meet demand. You won't be seeing any cash from your distributor for months, and if you don't have the cash available, you will find yourself unable to take advantage of an opportunity that strikes only once in a very long while for most record labels and artists. Make sure that you have enough cash available even after executing an aggressive marketing and promotion campaign.

Once your distribution is under way, you should make sure that you are doing all you can to promote the record and send people to the stores where your products are stocked. Keep in mind that you cannot promote a record indefinitely, so you should have other records or projects in the pipeline so that you have enough material to follow the current release and keep the distributor happy. Distributors are more likely to pay you if you have other products that might interest them.

Changing Distributors

There may come a time when, for one reason or another, you have problems with your distributor. It could be that the distributor is refusing or unable to pay you money owed; or the distributor is unable to get your products into the kind of retail stores you are interested in being in; or you feel “lost in the shuffle” among dozens of other labels on the distributor’s roster; or the distributor is going out of business.

Before you make any moves, you will need to review your contract to see what it says about ending your relationship. If it is possible to move your catalog to another distributor, you shouldn’t expect it all to happen overnight.

Following are some things that you should expect to do in the course of changing distributors:

1. Review your contract, and then inform your original distributor about the change in distribution (*following the procedures set out in your distribution contract*).
2. At your expense, the original distributor should ship whatever is left of your product from its warehouse to the new distributor (*or wherever else you may need your products shipped to*). It makes the most sense to not ship your product until you have new distribution in place.

Otherwise, you will pay the shipping from your original distributor to your own location, and then from your location to a new distributor.

3. You should issue credit to your original distributor for products shipped to your new distributor.

4. Expect a payment from your original distributor for money owed you. Do not expect 100% of all the money owed since the original distributor may still have to deal with returns from the stores. You can expect about 85% of the money to be paid at this time.

5. After about six months, the original distributor should make a final payment and return any product it has remaining to you. You should pay close attention to all the things that made you leave your first distributor once you have your new distribution in place. At this point, you should work even harder to keep good communication lines open and do all you can to help the new distributor sell your records. The last thing you want is to sever yet another distribution arrangement and have to start things all over again.

Finally, keep in mind that distribution is what every musician wants, but not what every musician needs or can afford. In addition (*as mentioned previously*), the future of music consumption will take place away from retail stores, so the more you invest in this option at this time, the more you will be tied to a system that will soon become obsolete. The bulk of your financial output should probably be in other areas at this time, including tour support and social networking efforts. Think long and hard about what the true costs of distribution are before jumping in.

RADIO PROMOTION CAMPAIGNS

Podcasts, Satellite and Internet radio

For most independent musicians, podcasts will serve as “radio stations on the internet”. There are hundreds of different podcasts playing music and providing audio content to thousands of listeners every minute of the day, and this can provide an avenue to get your music heard in places where you could never perform or even promote yourself effectively. You can register and upload your songs to sites like **music alley** (<http://www.musicalley.com>) and **Podsafe Audio** (<http://www.podsafeaudio.com>) and others that serve as a “one stop shop” for podcasters to find music to play on their stations. Services like **MusicSubmit** (<http://www.musicsubmit.com/>) also service your music to podcasts. If you want to handpick individual stations to submit your music to, you can search for podcasts that play your style of music or even ones that focus on topics of interest to you on sites like **PodcastAlley** (<http://www.podcastalley.com/>) or **Podcast Pickle** (<http://www.podcastpickle.com/>).

Even though podcasts individually reach just a few hundred people, they collectively reach audiences in the hundreds of thousands and can have an impact on increasing your fan base if you manage to get your music played on dozens of stations. Don't concentrate only on the ones that play music, since even the ones that cover other topics could play your music if there is a connection that can be made between the lyrical content and the topics of interest.

Find podcasts that address hobbies or interests of yours and approach the hosts about the possibility of exposing your music to their listeners.

The **Indie Contact Bible** (<http://www.indiebible.com/>) contains contact information for thousands of radio stations that play music by independent artists, and online radio directories like **Radioguide** (<http://www.radioguide.de/>) provide links to radio stations websites around the world. You should also submit your songs to **Pandora Radio** (<http://submitmusic.pandora.com>), but you must have physically manufactured CD's and not just mp3's in order to submit your music. Consider submitting your music to **SIRIUS XM Radio** (http://www.xmradio.com/onxm/features/43-xmu_musicsubmission.xmc) as well, in addition to internet radio stations like **Jango** (<http://www.jango.com/music+promotion/home>) and **iheartradio's New!** (<http://www.iheartradio.com/new2/signup/index.html>).

Non-commercial / College Stations

As an independent artist, you should focus on areas of radio where you can make an impact in terms of awareness over time. There are plenty of on-line, college, and high school stations that will play music from independent artists. Airplay information can be used in your press kit to get better gigs, interviews, reviews, or attention from a booking agent. Since it takes a while for you to convince certain college stations to listen to your material and add it to their play list, you should begin that process early. Another important thing to remember is that it takes many radio stations playing your song(s) at the same time to make an impact in terms of CD or download purchases or ticket sales for live shows. Except for the ones that enjoy breaking new acts, radio stations generally do not want to be the first or only ones playing your songs. When promoting to radio, you should always keep your release / street date in mind.

It is always helpful to have radio stations playing your songs right around the release / street date and onwards. Try and co-ordinate all radio airplay with any shows that you book on the college campus or at nearby venues. Promoting to specialty shows on college radio stations yourself without the aid of a radio promoter can be a time-consuming effort, but if you have a small budget and need the radio airplay information for your biography and media kit / EPK, then you have little choice but to put in the necessary time.

In addition to information found in print directories like the Indie Bible and search engine results, you can utilize lists like the one at **Fat Campus** (<http://fatcampus.com/collegeradio.htm>) and the **Intercollegiate Broadcast System** list (<http://www.frontiernet.net/~ibs/Stations1.html#Station%20Top%20Anchor>) to locate college radio stations to send your material to.

Start with college radio stations within the region where you will be performing with your band and promoting your product. Also look into all the on-line radio stations that play your type of music. Make sure you research the type of music that each radio station plays, and only highlight the ones that play your style of music. Check the station website and/or call or email ahead of time and find out whom to send your package to. As an independent artist, don't be afraid to ask what you should send in your package. This will avoid all the wasted "extras" that most people send that usually have no impact whatsoever towards increasing the chances of receiving airplay.

Making contact

At the beginning of your independent radio campaign, target college radio stations, non-commercial stations, internet radio stations, high school radio stations, and mix / specialty shows on commercial stations for airplay.

Ask your fans or get feedback from people in other cities about which radio stations should be contacted. They know their city better than you do. Use the internet to do much of your research since printed directory information can quickly become outdated.

For your campaign to be effective, you need to have as much radio activity going on at one time as possible. This can be quite a challenge since radio stations won't necessarily play your songs according to your schedule, but always keep a schedule in mind. Attempt to have all the radio stations play the same song (*your "single"*) at the same time. This is not always possible since some stations may feel that another song on your album caters more closely to their listening audience. Since high school and college radio airplay does not lead to massive amounts of CD sales by themselves, always incorporate all the other promotional efforts (*live performances, social networking, street team promotions, media publicity, etc.*) into the game plan.

Make sure that your music, from a quality standpoint, is ready for radio airplay. Unless otherwise informed, don't send a demo (*CD-R*) or mp3 attachments and music links to a radio station. Almost all of them prefer you to send replicated CD's with artwork. Never blindly send packages out to radio stations. Call first and verify a contact name and address of the Music Director (MD). The MD decides which songs to add to the play list. The Program Director (PD) decides what the overall programming for the radio station should be. Sometimes the PD and the MD is the same person at a college radio station. Unless they are producing their own show on the station, DJ's usually have no power in deciding what gets played on the air, so don't bother sending packages to them. The only value is if a DJ really likes a song and mentions it to the MD.

The package

Your package should include a condensed biography, your CD, a radio one-sheet (*with album cover, artist name, album title, music genre, album release date, website info, track listing with brief song descriptions, quotes, and contact info*), a band photo, and a press release that can be read on the air. Generally, you should send a CD with 12 songs or less, or an EP to college radio. Make sure that the first song has a lot of energy and a short intro section. Put a sticker on your CD indicating which song(s) you want the MD to consider for airplay.

Once you've sent your package, don't call the station endlessly to ask why they aren't playing your song yet. Make one follow up call to the Music Director 2-3 weeks after you've sent the package to make sure the CD is at the station, then probably every other week to check on its progress. Some stations are okay with an email to the MD letting them know when you will be calling (*which also allows them to email you back before you call with a status update*). When you call, mention the name of the band, the date you sent the package, and what style the music is. If your package hasn't been received or reviewed yet, ask when would be a good time to call (*they will probably review the package now that you've mentioned it*). Take down the notes and call back then. If they reviewed the package and want to add a song to the play list, ask for which song they have in mind and when they expect to add it.

Don't be afraid to offer to drive over to the station with pizza, free CD's, stickers, T-shirts and tickets for the air staff. Offer to do an on-air performance or CD giveaway around the time of the proposed airplay. If, however, they reviewed the package and decided not to add it to the play list, don't try and convince them otherwise. Ask them for any quick advice as to possible improvements and thank them for their time. They'll appreciate your professionalism and remember you the next time you send something.

Just because they didn't want to add a song from your current CD this time doesn't mean they'll never add any other song at another time. When you do send your package, mention all the other promotion you will be doing, as well as all the places you will be performing at. In your cover letter, let the appropriate person know that your band is available to come by the station for a visit, an on-air interview, or a free CD giveaway party. Find a way to make your radio promotion fun and exciting. Figure out a way to run some type of contest or event that will make the listeners remember you, your song, and the radio station.

Go to the radio stations in your promotion area during a lunch break and buy pizzas for the on-air staff. Record station ID's for each radio station that you are promoting your songs to (*e.g.* "Hi, this is Sarah Jones, and you're listening to KHIT 97.5FM"). If you feel adventurous, record a station jingle and send it to the station. A station jingle is a very short song that includes the station name, frequency (*e.g.* 97.5FM) and call letters (*e.g.* KHIT) along with something funny or fashionable that will interest the listeners if played on the air. Do anything that will make you and your song stand out from all the others.

A few weeks and months after submitting your music to these stations (*if you are handling radio promotion yourself*), you can use services like **streamSerf** (<http://www.streamserf.com>), **Mediabase** (<http://www.musicinfosystems.com/faq/index.asp>), **Nielsen BDS** (<http://en-us.nielsen.com/tab/industries/media/entertainment>) or CMJ's **Airplay Manager** (<http://www.cmj.com/airplaymanager>) to track where your songs are being played.

Specialty / Mix show Radio

Some commercial stations have specialty / mix shows that part of their programming. A specialty show or mix show host does a one or two-hour show where songs are played that may not normally be played during prime time. The individual hosts normally pick their own music for the show, and this is sometimes where new songs are tested with the listening audience. Airplay of individual songs during specialty shows are usually limited and don't normally result in large-scale exposure. Despite this, it is better to gain some exposure during these shows than none at all. Specialty show spins can be used to create a buzz, energize fans on social networks, add information to your bio, impress club and venue bookers, influence the media (*especially local weeklies*), and get the attention of some indie record labels.

Commercial Radio Airplay

Most people would agree that commercial radio is the single best way for major label artists to reach millions of fans. Most people would also agree that, because radio is this powerful, major record labels spend enormous amounts of money promoting their artists to radio and influencing the radio station playlists. For independent artists, even airplay received from mix shows or achieved by submitting songs to individual radio stations or a pool of stations using resources like iheartradio's New!
(<http://www.iheartradio.com/new2/signup/index.html>) and others is not the same as the airplay that artists on major labels receive.

Even if (*as an independent artist*) you have the budget to pursue commercial radio airplay, your money would be better spent on other things (*e.g. tour production and promotion, social networking initiatives, street team marketing, etc*).

This is because when you pursue commercial radio airplay, aside from the occasional spin in a station in your home town, you will be unable to break into the “system” that is currently in place. Promotional fees will be accepted by the radio promoters for doing the physical work (*mailing out or submitting songs to radio, making follow-up phone calls and emails, etc*) and the charges will be levied for postage, supplies, etc., yet at the end of the day, any resulting airplay (*if any at all*) will probably fail to pay back even the costs of the promotion itself; let alone earn a profit.

Major labels have a lot more to offer radio stations (*e.g. exclusives, artist visits, listener prizes, meet-and-greets, concert tickets, music availability at retail, nationwide marketing, etc*) than independent artists, even if an independent artist has the money to spend in radio promotion fees. The radio stations can also count on the fact that if they support a single, the major labels have the marketing and distribution muscle to make sure it will be available for listeners to purchase in all available formats. Radio stations can also count on a steady supply of hit songs from major labels, the same of which cannot be said of independent labels.

Having said all this, however, pursuing radio airplay can serve a purpose for the artists that have access to adequate levels of funding and a connection to a major label (*via a distribution deal, etc*). There are still many booking agents, promoters, venue bookers, retail accounts, labels, publishers, etc, that are influenced in their decision-making by information about radio airplay from an artist. Having some radio airplay information to put in a media kit or EPK can sometimes help an artist to get attention from the abovementioned people. If you pursue radio airplay, make sure that you have adequate funding to do all the other things that are necessary (*and even more important*) for you to succeed in building a large fan base and selling music products and merchandising.

Don't spend your entire budget on radio promotion because that alone won't enable you to realize your musical goals.

The most cost-effective ways for independent artists and labels to submit their music to radio stations (*whether or not it results in actual "plays"*) is to use services like **NEW! Discover & Uncover** (<http://www.clearchannelmusic.com/new2/signup/index.html>), **Yangaroo** (<http://www.yangaroo.com/Products/DMDS.aspx>), **RADIODIRECTX** (<http://www.radiodirectx.com/index.php>), **Airplay Direct** (<http://airplaydirect.com>), **MusicSubmit** (<http://www.musicsubmit.com/>), etc. You can also use the Radio Station World's global station directory (<http://radiostationworld.com/>) or the Radioguide directory (<http://www.radioguide.de/>) and others to locate radio stations around the world to manually submit your music to. Keep in mind the fact that "sending" your music to radio stations is different from "promoting" your music to radio station. Sending your music to the stations simply means that the music is submitted in the hopes that someone at the station will listen to it and play it. Promoting the music means that someone (*a promoter*) will communicate with the appropriate people at the radio station in an attempt to convince them to play the music.

If you have an adequate budget to do so, some options for paid radio promotion services include companies like **Planetary Group** (<http://www.planetarygroup.com/index.php>) or **Howard Rosen Promotion** (<http://www.howiewood.com/>), among others.

As mentioned earlier, you can use services like streamSerf or Airplay Manager to track where your songs are being played. If you are working with a radio promoter, they will likely use airplay monitoring services like Mediabase (<http://w2.mediabase.com/mmrweb/NewMusic.asp>) and others to track any radio airplay that might be happening.

Promoting to commercial radio

Before you decide to promote your song to commercial radio, consider your status in the business (*indie artist DIY, artist on indie label with only digital distribution, artist on indie label with major label distribution, etc*) as well as the budget you have available. If you are an independent artist and don't have enough money to commit to a full-scale commercial radio campaign (*even an entry-level one*), then you may consider 'downgrading' to non-commercial / college radio or skipping the entire commercial radio promotion campaign altogether.

A realistic budget to consider for radio promotion is between \$15,000 and \$150,000 per song for three to six months of promotion; depending on the genre you're dealing with (*e.g. Pop, Rock, Country, Hip-Hip / R&B, Latin, Dance/Club, etc.*). Keep in mind that you will need to have even more money set aside for other costs, including marketing, manufacturing, distribution, publicity, advertising, tour support, music videos, online promotion, etc.

If your situation warrants it and once you have the budget set up, the first step towards promoting to commercial radio is mailing your CD's or delivering singles via digital download to the stations. If you are working with an independent radio promoter and opt to do the mailing yourself (*to save some money*), they will give you a list of stations to mail to or do the mailing for you.

There are also radio station submission services that submit our music digitally in the form of mp3's. You should NOT send a full CD to commercial radio stations (*i.e. a CD with more than one song*), or even CD-R's that are 'burned' from your computer. Replicate 'real' CD's with artwork (*minimum 300 – 500*) to send when doing a commercial radio campaign. For radio-only CD runs, keep the barcode off the artwork. Keep your mailing (*or digital delivery*) to a single from the album, and service that single to all the radio stations in your campaign. It helps if you have done some research to determine that the single you are sending is the right one; in other words, the 'hit' from the album. Do not send multiple albums (*releases*) to the station. Concentrate on one release / campaign at a time.

You should try and produce several versions of the single on the same CD, including:

- 1) **The radio version** (*no more than three and a half minutes long, and free of profanity*);
- 2) **The album version** (*as appears on the album*);
- 3) **An a capella version** (*just the vocals*);
- 4) **An instrumental version** (*just the music*); and
- 5) **A Re-mix / Dance version** (*if applicable and you have one*).

Radio stations sometimes use a capella and instrumental versions for commercials, liners and station ID's. Make sure the artwork on the singles includes the title, artist name, song lengths, record label name, contact info, versions of the single, and which album the single is from. Use only standard CD jewel cases with your CD (*i.e. not cardboard, slim cases, etc.*). Make sure the artist's name and song title are on the spine of the case, and include the same information on the outside of the case as in inside so that someone can read it without having to open the case. Include the 'add date' on the outside of the package.

The next step involves a radio promoter or yourself (*if you are taking the DIY route*) calling (*or faxing / emailing*) all the stations where CD's were mailed out to (*or downloads delivered to*) and giving them information about the song / project. This information includes adds and / or spins already happening at other stations, sales figures from the album, live shows, print reviews or articles, TV appearances, street promotion, distribution information, positive industry comments, social networking buzz, and so on. This information has to be fed to the stations continuously (*usually weekly*) for as long as the campaign is in effect; normally three to six months.

The next step to consider in terms of commercial radio is whether to buy trade ads. Buying trade ads serves as a way to get important information to the decision-makers at radio on a weekly basis even if you don't (*or can't*) reach them by phone / fax / email. Radio station personnel read these trade magazines constantly, and if you have an ad in one or all of them you'll increase your visibility even if it doesn't guarantee you any airplay. Buying ads also shows that you are serious about your project and committed to spending whatever is necessary to promote the music. Advertising in the trades tends to be cheapest between January and April, so if you're on a limited budget, those months might be the best time to run your radio campaign.

When promoting to radio, it is important to keep in mind the difference between "adds" and "spins". An "add" simply means that a radio station has added your song to their music library so that it is available. It does not mean that you are actually getting any airplay or being added to the playlist. Getting "spins" means that you are actually getting airplay on the station.

An important aspect of the commercial radio promotion campaign is the “add date”. This is the date that you want to convince the radio stations to add your song to their playlist. The radio promotion campaign will need to begin roughly four weeks before this add date and continue for three months to twelve months, depending on the results and the budget allotted. Most of the campaign after the add date is conducted in order to get the station to actually play (*or ‘spin’*) the song.

Most independent artists pursuing radio airplay will want to concentrate on non-commercial and college radio. The money is probably better spent this way, and whatever is saved (*by not running a commercial radio airplay campaign*) can be rolled into other aspects of the campaign; like social networking, posters / flyers, promotional materials, merchandise, tour production & support, building street teams, web promotion, etc.

Performance Rights Organizations (PRO’s)

In any event, before you send your songs off for potential radio airplay, make sure you have joined one of the Performance Rights Organizations (PRO’s) of your choice. These PRO’s are set up to negotiate performance fees with the radio stations, handle all the collection duties, and pass on what is owed to the writers and publishers. Without getting too technical, radio stations are required to obtain a performance license and pay songwriters and publishers a performance fee in order to play (*perform*) their songs on the air. It would be a major pain for songwriters and publishers to negotiate individual licenses with and collect fees from each and every radio station in the world. The best solution is to have one company handle all this for you.

Enter the Performance Rights Organizations. They issue blanket performance licenses to radio stations that allow them to play every song in their repertoire.

The three main Performance Rights Organizations in the United States are **ASCAP** (<http://www.ascap.com>), **BMI** (<http://www.bmi.com>), and **SESAC** (<http://www.sesac.com>). You can only belong to one of them at a time, so check out each of their websites for registration information. Also, you should register with **Sound Exchange** (<http://www.soundexchange.com/>) for the collection and distribution of digital performance royalties when your songs are performed on internet and satellite radio.

DEALING WITH VENUE BOOKERS AND BOOKING AGENTS

Once you've got your products in place (*available on your website and on iTunes, Amazon, etc., and at retail*) and have the beginnings of a publicity and radio campaign going, then it is a good time to turn your attention to live performances and tours.

The most efficient way to book gigs is with the assistance of a talent booker or booking agent. But, in order to deal effectively with talent buyers, venue bookers and booking agents, you have to understand where they are coming from. These people are in business to make money, and not to run a charity. Venue bookers use certain criteria to help them make their booking decisions.

Among some of the more important questions venue bookers consider are:

- How many PAYING people (*preferably of drinking age*) do you normally draw to your performances?
- Do you have a large mailing list of LOYAL fans that will come out to see you perform?
- Do you have a promotion/publicity/marketing plan for your shows?
- Depending on whether or not they receive a cut, how much merchandise do you sell per show?
- Have you created any significant amount of local (*or regional*) "buzz" in the area?
- What other venues have you performed in (*and is the venue size similar to theirs*)?
- What is your reputation among other agents, promoters, venue bookers, industry personnel, etc. (*i.e. are you a pain in the a***)?
- What slots has your band played (*opening slot, headliner, etc*)?

- Do you have effective promotional materials that you will use to promote the show?
- Is there any word-of-mouth from other performers who have performed at the venue in question?
- Is there any interest from major or independent record labels?
- Has anything been written about your band in the local/regional newspapers and magazines?
- Do you have any Television or internet exposure or radio airplay?
- Are you playing anywhere else in the same town within two weeks of your proposed date?

Booking agents, whose income is earned in the form of a commission (*normally 10%*) rather than from drink sales, etc, consider different questions, including:

- What is your hometown?
- What venues have you played?
- What is your touring market (*regional, national, international*)?
- What is your upcoming tour schedule?
- Do you have a competent “team” in place (*manager, publicist, radio promoter, label A&R person, tour manager, etc*)?
- What is your current average pay for each of your shows?
- How many shows do you currently perform every month, and how many shows would you like to perform per month in the future?
- What promotional/publicity/marketing methods do you currently employ?
- Do you have a touring vehicle, and do you have your own PA/lights if necessary?
- What materials have you released (*CD’s, DVD’s, downloads, etc*)?
- Do you have a press kit or EPK (*including bio, photos, and video with live footage*) or one-sheet available?

Most independent artists will not have many of these things in place, and therefore will not be able to attract the attention or interest of a major booking agent. Booking agents work on a commission basis (*generally 10% of booking fees generated by a booking*). Consider that major label artists command substantial fees per show (*e.g., Alicia Keys gets roughly \$100,000+ per show; Brad Paisley gets up to \$300,000 per show, etc*), from which a 10% commission can yield the booking agent \$10,000 - \$30,000 per show. Multiply those figures by the number of different artists and the total number of shows in a year, and you can see why the larger booking agencies work with established artists only. An independent artist generating \$500 - \$2,500 per show, on the other hand, would yield the booking agent commission in the range of \$50 - \$250 per show; hardly what would be considered worthy of putting in time for. Once you establish a touring track record, however, you should be able to attract the interest of a smaller booking agent.

As an independent artist, you should consider doing things yourself in the beginning and then seeking assistance when you can no longer handle everything yourself and need assistance expanding your performance area outside of your hometown. Build your fan base using promotional and publicity techniques discussed in this e-book and elsewhere (*e.g., social networking, video content, samples and free song downloads, music cards, flyers & postcards, street teams, etc*), and then use your mailing list to invite people to shows that you put together yourself at venues that will let you perform on an off night and keep what you collect at the door. Make sure you keep meticulous notes of the number of people that attend your shows, the amount of money collected at the door, the amount of CD's and merchandise you sell, etc., so that you can use this data when conversing with venue bookers and booking agents. You can use solutions like **Bandize** (<http://bandize.com/>), **Music Arsenal** (<http://www.musicarsenal.com/>) and others to help to organize all your information.

If you are having a hard time attracting the attention of venue bookers or promoters for paying gigs, then take the initiative to build a fan base online (*by utilizing social networking strategies, activating virtual street teams, creating compelling YouTube video content, etc*) and then finding a small venue in your town that will let you play on a weekday night and keep 100% of the cover charge. When you do this, don't count simply on your friends and family members to make this work. You will have to build a genuine fan base of at least 200 – 300 people in your area and get half of them to attend the shows.

You will have to have good music and compelling content online to attract fans that will do more than just download your music for free. Once you get going, plan to do a few of these until you have developed a decent size draw and mailing list as well as a reputation for hard work and “promotional savvy”. Then videotape a few of these shows and use the footage to create a live show DVD (and footage for your EPK) which you can then send to venue bookers along with testimonials, sales figures, gig attendance numbers, etc.

You can find contact and booking information for venue bookers and promoters in resources like the **Indie Venue Bible** (<http://www.indievenuebible.com/>), Billboard's “**Musician's Guide to Touring and Promotion**” (<http://www.orderbillboard.com/>), Pollstar's “**Talent Buyer Directory**” (<http://www.pollstar.com/>), **The Musicians Atlas** (<http://www.musiciansatlas.com/>), and others.

When dealing with venue bookers, booking agents or promoters, the number of people you think (*or know*) you can bring to the show, as well as how you're going to promote that show, should be your main pitch. If you haven't done any shows in that area yet, you can utilize information from sites like **eventful** (<http://eventful.com/demand>) to prove to a venue booker that you have fans in that area who are willing to pay to see you perform.

In order to create demand if you haven't played in a particular venue or city, you will have to utilize social networking techniques, launch virtual and physical street teams, garner radio airplay (*college, internet, satellite*), as well as conduct off-line promotion (*e.g., music download card & sample giveaways, flyers, etc*) to build a fan base of people that will want to see you play live. It is also very important for bookers to know that you're not playing in too many venues in the area close to the time you wish to be booked. If you can convince these individuals that you have an impressive mailing list and fan base, performance track record, sales history, and an effective promotion campaign to bring people to your show, you will have 90% of the battle won. How good your music is (*although it doesn't hurt if the booker likes it*) will only account for a small percentage of the reason why you are hired. How big your "draw" is, the quality of your promotional efforts, and how many people you can bring to the venue will always be the strong selling points.

As tempting as it may be, do not lie about your draw. Remember that the booking community in each region is not that that large, and people can find out whether you really did draw 500 people to your gig the previous weekend or not. If you cannot draw a big enough crowd all by yourself, consider making friends with a more popular band in your area and offering to open up for them. Do this by going to their gigs with your CD or DVD demo (*or pointing them to your website*) and talking to them about putting on a show together or opening up for one of their gigs.

When you make an offer, however, you must indicate that you are bringing something to the table as well. Promoting the gig through your mailing list and via your social networking sites should at least be able to draw 40 – 60 people to the show. Don't plan on the more popular band letting you feed off of their fans, though. If they accept, take the initiative and call up some club bookers or promoters in the area with this solid offer.

You now will be pitching a well-known band as the headline with you as the opening act. Sell the booker or promoter on the draw of the headlining band in addition to the people you will draw. You now have a much stronger package to sell.

If you are handling the phone calls yourself, you should write out a phone script that you will use with bookers, agents, and / or promoters. This will help you keep on track with what you need to say and not wander off on a tangent with unnecessary chatter. Never just “wing it” when you call venue bookers, agents or promoters. You should custom design a script for the different people you will be talking to, although you will almost always have a similar theme: *the size of your draw and the effectiveness of your promotion*. Before you call, try and think about things from the point of view of the booker, promoter, or agent. They are running a business and are interested in making money from drink (*and sometimes food*) sales, as well as a portion of the cover charge and sometimes (*though rarely*) a percentage of merchandise sales. Keep that in mind as you converse.

Some venue bookers book bands from packages sent to them in the mail or by checking out EPK's from links in band emails. This is usually the case with smaller venues. In addition to including them on your own website, you can utilize resources like **SonicBids** (<http://www.sonicbids.com>) and **Live Music Machine** (<http://www.livemusicmachine.com/>) and others to create EPK's that venue bookers can review online. The larger venues usually book their bands through a booking agency and are less interested in individual bands calling them on the phone. Indeed, some of the larger venues book through their corporate promoter and it is virtually impossible for an unsigned band to get themselves booked without going through the promoters.

As an independent band, your goal should be to concentrate at the level where you will have the most success placing your own calls. Start with the smaller clubs (*40-250 seat capacity*) and focus on making a good impression and establishing a strong draw and large mailing list. Remember that it is better to fill a 150-seat venue than it is to have those same 150 people in a 1,200-seat venue.

The approach

So let's begin at the entry level. You should call first or check online to find out who the responsible venue booker or promoter is, what the preferred method of contact is, and (*if a phone call is required*) what the best time to call is. Generally, the best times to call are between 1 and 5 p.m., but many venues have specific booking hours (*e.g. Tuesdays and Thursdays between X and X time*). You can call or email (or visit the venue's website) to find out if a club has booking hours, what the hours are, and whom you should be speaking with.

Often, the preferred method of contact is filling out a form on the venue website, and/or sending in some materials or providing a link to your EPK. Follow the instructions to the letter if you wish to be taken seriously by the venue booker. If the venue requests that you email them an EPK, fill out a form on the website, or mail out a DVD package, then follow those instructions and **DO NOT CALL THEM!** Even if the venue has specific calling hours, do not try and sneak in an early call to catch the club booker early. Call at the right times and when you get the proper person on the phone, keep it brief and friendly, yet professional. Don't try and hard sell them right there on the phone because most of them will not make a decision right there anyway. Most often you will have to sell them with your package.

While you have them on the phone, tell them that you have just released a record that is available online and at your local retail stores (*via consignment*), and that you are receiving local radio airplay and reviews in some music publications. Tell them that you have a mailing list and a fan base that you can leverage to help you with promotion.

If you have any relevant data from sites/services like **Next Big Sound** (<http://www.nextbigsound.com/>), **eventful** (<http://eventful.com/>), or **RockDex** (<http://www.rockdex.com>) and others, now might be the time to mention some statistics that could help convince a booker that you have a loyal fan base in the region. Also mention the fact that you are available to step in for any cancelled gigs that occur at the venue (*i.e., your band is ready to perform on short notice if another band cancels their appearance at the venue*).

You should have some definite days in mind for gig options, just in case they are impressed with your information on the phone and have some dates available. Know your availability so that you can jump on an offer if one is given. If you don't have a touring track record, the only days you may be offered might be weekdays. Take any day you can get in the beginning and use social networking outreach and street team promotional efforts to build a fan base and generate interest in the show. Once you've proved that you have a following and have a touring and sales history you will be able to get booked for a Friday or Saturday night. In case you get asked, make sure you know how much you want to get paid (*e.g., 100% of the door, a fixed guarantee, etc*). If you don't have a track record you won't have much leverage in the conversation about compensation; but be prepared to discuss this if it comes up. In any event, you should have a booking section on your website with information about your availability as well as your requirements (*fees, production, accommodations, travel, food, etc*) that you can forward the booker to.

Inform the booker that you will be able to promote the show online, on the street, on radio, on television, and through the media. Also mention that you only want to play in a few venues as possible locally so as not to dilute your ticket sales. Diluting your ticket sales means that you are performing so often in one area that your fans have little reason to go to every single show you book. In the larger venue circuit it is the kiss of death to tell a booker that you are performing a gig in the same town on the same week as a gig they just booked you for. Venues will be very impressed that you know and understand this principle. Indicate your openness to present a strong lineup by booking a couple of local bands with decent fan bases to open up for you. Then offer to send them a package, get the correct spelling of their name, and mention when you intend to follow up.

The package

If asked to send one, your package should include a cover letter, a clear recording of what you sound like LIVE (*preferably including a video or DVD recording of a live show showing an enthusiastic audience*), a band picture, a venue list, any relevant references or testimonials/quotes, a band bio, and any other sales or radio/Television information you have. You can put much of this information on a One-Sheet, brochure, or flyer that would make it easier for the busy booker to read. Offer to direct the booker to an Electronic Press Kit (EPK) that you have online that could speed up the process of booking your band. Refer to any previous conversation you may have had with the club booker in your cover letter.

If you have to send a package, the cover letter, flyer, or one-sheet should include information like:

- a) Type of music you play;
- b) Venues or events you have played before and how many people you've brought to previous performances;
- c) Things have been said about you in the press;
- d) Any accomplished musicians or famous people are involved with your project;
- e) Radio airplay or television exposure you've received;
- f) The size of your mailing list;
- g) Your methods of promoting the show; and
- h) Level of sales you have achieved.

The cover letter should not include a lot of unnecessary information or clutter. Your contact information (*phone, email, web site*) should be clearly visible on every item in your package. Don't make it difficult for people to contact you if they are interested in booking you.

The follow-up

Most bookers have a lot on their plates and don't always have enough time to listen to everything that comes in immediately. You can follow up with a phone call or an e-mail, especially if you said that you would. Don't call them four times a day for ten weeks straight. That would become extremely annoying and probably get you nowhere. Having said that, you may have to call or e-mail several times before you get a response, probably every two to three weeks. Try to balance between being persistent and being a pest.

When you follow up, try not to commit to a certain payment or gig date if you are unsure of all the related issues. Don't feel pressured to make a decision just because you are on the phone and you want the gig. Take an offer only if it is good for you in the long term and all the issues have been discussed. If you need to think an offer over, tell the person that you will call them back after checking the schedule with the rest of the band or something. However, set a deadline in order to prevent the negotiations from dragging on for a long time without a decision being made. Have several options available, and if the person hasn't confirmed the issues by the deadline, move on to your next option. If you get rejected, be polite and take any notes you may be given as to why that decision was made; then use that as constructive criticism and move on to another booking opportunity.

Many bookers, promoters, and agents talk to each other. In that regard, it helps to have good references from people who know the person you are trying to get a gig with. Every time you perform somewhere, try and get a quote or testimonial from the person who booked you or ask them if they can be a reference. Another way to get a gig is to make friends with a band that already has a gig at the venue you are trying to perform at. Once you make friends, you can then have the other band approach the booker and put in a good word for you, or even suggest that you open up for them or share the bill.

Sometimes venues prefer to deal with a booking agent who understands the nature of the business and can better deal with the realities and economics of booking a band. In that case, approaching a booking agent to deal with the venues may work if all other attempts at getting your own gigs have failed. Keep in mind, however, that most booking agents prefer working with bands that already have a large following and can be booked in larger venues where more money can be charged (*and made*).

The negotiation

The first thing you should understand about negotiating is that you must always know when to walk away from a negotiation. If you don't, you will always be negotiating from a position of weakness. Identify the things that are crucial in comparison to the things that you can be flexible with. For example, understand why you are taking a particular gig. Know what your overall costs are (*gas, food, accommodations, crew salaries, equipment and vehicle rental, insurance, etc.*) before you begin negotiations. You will often find that you are negotiating for more than just the price. Sometimes, you may want to take a particular gig because of the exposure or because you can sell CD's and merchandise and increase your fan base.

As mentioned earlier, create a booking section on your website containing all the relevant booking information a booker or promoter would need. Include pictures of the band and a band bio. Post some video footage of the band performing live. Put up a gig calendar that displays which dates you are unavailable, as well as notes on which dates you are available to be booked. Indicate your performance fees and any notes about what those fees include (*e.g., fees for various band configurations, different fees depending on the type of show, extra travel and accommodation fees for shows beyond certain distances, reduced fees for non-profit or charity organizations, etc.*).

Include a form in the booking section (*using scripts like <http://www.ultimateformmail.com/>*) where venue bookers or promoters can submit an offer. Use the form to collect information like the proposed show date and time, venue location, venue capacity, show type (*e.g., club, college, festival, fair, corporate, theater, other venue, etc.*), booker's contact information, show details (*money/fees offer, show times, show length, production/backline included, accommodations included, travel included, food included, etc.*), and a section for miscellaneous notes.

If you don't have your own site or are otherwise unable to add a form to your site, you can utilize resources like **Live Music Machine** (<http://www.livemusicmachine.com/>) and others to let venue bookers know about your availability and make offers.

While considering what fees to charge (*or accept*), analyze your costs and conduct research on what other bands with a similar profile are getting paid. When researching what other bands are charging, don't simply listen to what a band sounds like and then charge the same fee just because they have a similar sound. Consider other factors including how many albums they've released, the size of their mailing list, their touring track record, whether or not they have a record label providing tour support, radio airplay, number of followers or friends in their social networks, whether or not they have a booking agent, etc. If a band with a similar profile gets paid \$500 for a show (*you can generally ask them what they get paid if they are an independent band and don't have availability and pricing information on their website*), it would be unrealistic for you to request a \$2,500 guarantee for a show in a similar venue. Keep your fees in line with bands with a similar profile to yours.

Small venues usually have different ways of paying bands. If you have a booking agent, they can generally negotiate things differently. But, if you are an independent artist booking your own shows, following are some of the most common ways of getting paid at smaller venues:

Percentage – This is the most common way new bands are paid by venues. Under this arrangement, the venue pays you a percentage of whatever is collected at the door from the cover charge. The percentage can be anywhere from 30% to 100% of what is collected at the door (the cover charge). This arrangement is generally less risky for the venue booker or promoter. It could be risky for you because if you don't promote the gig and try and get a lot of people to the show, you could end up sharing a mere \$75 with the whole band.

However, if you are able to bring a lot of people to your show and manage to negotiate 100% of the door, you could end up with a more money than the venue could have paid you by the end of the night. Imagine promoting a show effectively and having 250 people show up with a \$10 cover charge. If you negotiated 100% of the door, you would have \$2,500 for you and your band. Sometimes all the bands on the bill share in a percentage of the door, and people are asked at the door which band they came to see in order to figure out how much each band gets. Promote, promote, promote, regardless of what percentage you get at the door. Keep in mind that if you are getting paid 100% of the door, then there is no need for somebody other than one of your people to handle the money; so get someone you trust to collect the money at the door even if the venue has a door person.

Guarantee – Under this arrangement, the venue pays you a guaranteed amount of money, regardless of how many people show up. This arrangement is usually reserved for more established bands or bands that can prove they have a decent draw (*or following*) that can justify the guarantee. Venues will pay the guarantee if they know they can make money from your fans in other ways (*e.g., bar and food sales, percentage of CD's or merchandise sold at the venue, share of tickets sales, miscellaneous fees, etc*). However, there are many venues that will pay guarantees because they have a pre-established budget for bands. Examples of such venues are colleges, festivals, fairs, etc.

Guarantee vs. Percentage – Under this arrangement, the venue will offer the band a choice between the larger of the guarantee and the percentage. For example, if the venue offers a guarantee of \$700 versus a percentage of 75% of the door, the band will get paid the greater of the two. If, at the end of the night, the money collected at the door is \$1000, then the band will receive the percentage (*75% of \$1000 = \$750*) because it is greater.

This arrangement is usually a safe middle-ground since the band will at least know they have a guarantee (\$700) while the venue knows that if nobody shows up they can still afford that guarantee.

Pay-to-Play - In some situations you literally have to pay to rent a venue for your performance. This may be necessary if you can't get booked by any venues because of a lack of track record. In other instances of pay-to-play, you will be asked to buy tickets (*pre-sells*) from the venue and then sell them to your fans prior to the show. In these types of instances the objective is for the venue to lower (or even eliminate) the risk of booking a band that does not have a guaranteed following. An example of a pay-to-play situation works as follows: A promoter gives you 75 tickets to sell to your fans. Before the date of the show, you will have to sell the first 50 tickets and pay the promoter \$500 (the first 50 tickets at \$10 per ticket). You will then be able to keep the money made from the number of tickets you sell of the remaining 25 tickets. The most you will keep from this scenario is \$250 if you sell the remaining 25 tickets for \$10 each. You may find yourself in this type of situation early in your performing career. Of course, this can sometimes be beneficial if you have a large fan base and manage to pre-sell 150 – 250 tickets or more.

The venue / band contract

When you play the smaller venues, you will very often find that the gig is done on a handshake. Very few club bookers even bother with writing out or presenting a contract to the bands they book. You should make a point of at the very least writing down all the items that you have agreed to and faxing it to the booker to keep for their records. This can protect you if you show up at the venue and somebody tries to wiggle out of his or her commitment to pay you. Clubs have been known to 'double-book' bands (intentionally or unintentionally book two bands for the same time slot), and usually the band with the bigger name or the contract in hand wins out; sending the other one packing.

Some unscrupulous club bookers intentionally double-book bands in order to get more people to the club, and then send one of the bands away without paying them. They then keep the extra money from the door and the bar that was generated by the extra people.

Engagement contracts can be anything from a handshake (*verbal contracts are valid*) and one-page documents, to twenty-page contracts with riders and addendum's. Here are some of the items that you may see in or add to a contract:

- The date that the agreement is made
- The name, address, and phone number of the venue
- The capacity of the venue
- The name, address, and phone number of the band and how many band members there are
- The date or dates of the show
- The time of the show
- The length of the show
- The load-in and sound check times of the show
- The time the doors open to the public
- The ticket price
- The merchandise sale arrangement (if you are allowed to sell merchandise like T-shirts, hats, etc)
- The amount to be paid to the band (*percentage of the door, a guarantee, split between bands, etc*)
- The deposit due to the band (*if any*)
- The date the deposit should be paid by
- The person to whom the money should be paid
- The type of show it is (*e.g. concert, festival, battle of the bands, etc*)
- The age restrictions associated with the show
- The recording restrictions associated with the show (*if no recording is permitted*)
- The other acts that are on the bill

- The technical requirements or rider (*any required lights, equipment, etc*)
- The hospitality requirements or rider (*any required lodging, food, etc*)
- The cancellation policy
- The way disputes will be handled (*mediation, arbitration, court, etc*).

As mentioned earlier, you can use solutions like **Bandize** (<http://bandize.com/>), and the **Band Leader** (<http://www.thebandleadersoftware.com/>) and others to keep all your booking information organized and updated.

DIFFERENT TYPES OF GIGS YOU CAN BOOK FOR YOUR BAND

You should always be prepared to find additional and alternative sources for live performances. You will definitely need to use a booking agent for certain types of work, as we will discuss later. Most major booking agents will not be interested in booking you if you are not well known already or have an impressive performance / touring track record. So, it is up to you to get some momentum and buzz going before you consider trying to get one of the larger agencies to take you on as a client. There are some local or regional booking agents who are open to hearing from independent bands, so you should seek them out as you put begin your live performance campaign.

Try and schedule your gigs to take place after your release date (*if you are releasing physical CD's*), so that people who see you perform can buy your products if they like what they hear. You should begin with the gigs that take the longest time to book first; for example, festivals, college gigs, etc. In order to enjoy the full benefits of performing, you should look at all the different places you could perform in, and then attempt to book a variety of gigs that complement each other. For example (*and depending on the style of music you write and record*), you could perform at a café one afternoon, followed by a charity fundraiser performance at night. The next day could be could be a house concert in the evening with a gig at a college campus later that night, and the night after that an on-air radio station performance before a gig at a club venue.

As you can see with this strategy, you can have multiple opportunities to perform in front of different people constantly, which gives you the chance to practice and perfect your show, sell more CD's and merchandise, as well as add fans to your mailing list.

In addition to clubs, there are several other options you have when it comes to performing. Looking into as many of these as possible will help you raise your visibility, add to your track record, sell more CD's and merchandise, and increase your fan base. Some of these require very little work, while others will require some research and expenses in terms of making phone calls and sending packages, etc. When researching performance opportunities, keep your options open, and use this list to spark some ideas. You should be able to add more performance and venue options to the following list as you conduct your research and depending on the style of music you perform.

Some venue and performing options include:

- Music industry conferences / showcases
- College shows (*at on- and off-campus venues*)
- Festivals & Fairs
- Clubs
- In-store appearances
- On-air radio performances
- Radio station events
- House Concerts
- Hotel gigs
- Free, all-ages shows
- Listening parties / showcases
- Cafés
- Outdoor Arts Fairs
- Shopping Center / Mall Store grand openings
- BMI / ASCAP / showcases
- Charity benefits
- Retirement Communities
- Restaurants
- Specialty stores
- Debuts and Premiers

- Holiday events
- Weddings
- Opening slots / side-stage
- Private parties
- Corporate parties
- High Schools
- Cruise Ships
- Churches
- Gig swaps
- Farmer's markets
- Busking

Booking some of these gigs may require the services of a booking agent or promoter. Let's talk a little bit more about some of the gigs mentioned above.

Music conference and showcase slots

Most music conferences (e.g. *CMJ Music Marathon*, *Winter Music Conference*, *Canadian Music Week*, *SXSW*, etc.) offer showcasing opportunities for independent musicians. Most of these showcases are unpaid and have submission fees, but can be used to add to your bio or fill in spots along your tour route. The deadlines to submit applications for these showcase slots are usually a few months before the events, so you will need to start submitting your materials early. You can use resources like SonicBids (<http://www.sonicbids.com>) and others to get information on where to submit your music for showcase consideration.

College gigs

Most colleges book their campus gigs on semester in advance, although some book one year or more in advance. That means you will have to begin submitting your materials to them early with that schedule in mind. Try and tie in your gigs to the college radio station and attempt to get radio airplay around the same time as your gigs.

There are a couple of ways to attempt to get college gigs. One way is to attempt to book the gigs by yourself, while the other way is to go through an agent / promoter to book campus gigs for you. It is also sometimes possible to use some combination of the two. If you are attempting to book your own college gigs, you can search on-line or look through some of the contact directories for a list of colleges.

Find the contact information for the Director of Student Activities or Student Activities board at the colleges, and/or the contact information for any other campus organizations. If you are doing this by yourself, you will find this to be rather time consuming, but if you don't have an agent working on your behalf then you should go ahead and begin compiling your list and making some phone calls and sending out emails.

You can make better use of your time by either looking over the college web site or the contact directory information before calling to find out who the responsible booking person is and what the best time to reach them is. That information may already be at the site and you can move to the next step. Getting the right person to mail your package to might be a challenge at some colleges, but keep your logbook or database handy and write down or enter notes as you call or email.

All colleges have submission deadlines; so keep that in mind as you make your inquires. Note down if the person who used to book the shows has left the campus. Have your packages ready to go out the door or Electronic Press Kit (EPK) ready to present as you contact people. Make sure you note the receiving person's name, the date you sent the package out or provided a URL for the EPK, and when the follow-up date is. If you don't have an EPK, make up a flyer or brochure with all the necessary and relevant information (*e.g. band pictures, price, contact information, testimonials, sales and airplay info, references, etc.*).

Make sure you put your price range in the flyer or brochure. You could say, for example, that you charge \$400-\$1,500 per show depending on travel. Compile 4-5 minutes worth of footage of your best performances that include audience reactions and comments, which can go both on a DVD as well as in your EPK. Include information on the flyer or brochure about how the person interested in booking your band can get access to your DVD/video. Do not actually send the DVDs unless asked to do so since this can become quite expensive in the long run, especially if you don't get booked. You can always initially point them to a location online where they can access your electronic press kit (EPK) containing sound clips and video footage.

The key to getting most of these college / festival gigs is by being persistent but not too pushy. Do not call unless it is crucial, and certainly don't call once you've been told they are not interested. Another thing to remember is that most major label artists who perform on campus ask for a lot of money. Your advantage is that you can, and should, offer to perform for less than the major label artists; for example, between \$500 and \$1,000 (*unless you are a big group*). One of the biggest disadvantages you may have trying to book yourself is that many colleges book their shows using other means. Most colleges book their campus gigs using agents, promoters, or artist contacts directly from conventions.

This brings us to the second way you can attempt to get college gigs. You can submit your artist package through a booking agent who attends conventions where college reps (*campus buyers*) go to book their campus gigs.

The biggest convention is held annually by the **National Association for Campus Activities (NACA)**. Their web page is <http://www.naca.org>. You can submit your packages to any of the agents that book your type of music. If you can get an agent interested, they will submit your package for you to showcase your band at the NACA convention, which sometimes makes a difference in getting your band booked at colleges. Of course, you could join NACA as an agent yourself and submit your own package, but that's an extra expense. Another similar organization is the **Association for the Promotion of Campus Activities (APCA)**, which can be found on line at <http://www.apca.com>. You could, for a fee, submit an APCA artist / associate membership application that will give you access to a campus market directory you can use to book your own gigs. As a member, you will also be eligible for exhibiting and showcasing opportunities at APCA conferences and workshops, and many performance, exhibition and associate volunteer opportunities. Keep in mind that it can be very expensive to take this route, and if you have a limited budget you may want to concentrate on doing the college booking yourself. Many bands have spent money taking this route only to end up with very little to show for it. Do your research before taking the plunge.

Festival gigs

Festival organizers, like college buyers, book their performing acts months ahead of time. This means that you should send in your packages now and look towards performing in the future. Festivals are more suited to certain genres of music like Rock, Singer/Songwriter, Jazz, Blues, Alternative, Country, Classical, World, Metal, and Folk.

For mainstream/commercial music like, Adult Contemporary, Top-40, R&B/Urban, or Pop, festivals are generally not very good sources for gig opportunities. As usual, check festival websites or call / email ahead to find out what their submission policies are regarding band materials, and then follow through and follow up.

Sites like **Festival Network Online** (<http://festivalnet.com/>), **SonicBids** (<http://www.sonicbids.com>) **OurStage** (<http://www.ourstage.com>) and others provide opportunities for you to submit your music to music festivals, craft fairs, etc.

In-store appearances

Every time you meet with a retail store manager to discuss stocking your product on consignment, ask about the possibilities of performing live in their store. Not every store will be interested, but you won't know until you ask. As you might expect, your chances are better with a store that is already carrying your product. Be flexible, and offer to perform a smaller, acoustic set that isn't too loud for their customers, or even to perform in the store parking lot. This will also show the store manager how committed you are to the promotion of your project. They may also carry more of your product in anticipation of increased sales from the upcoming store appearance.

If you get a chance to perform in the store(s), promote it just like you would any other performance. Include the information on your web site and social networking profiles, band hotline, flyers, postcards, and posters. Let people on your mailing list know about the performance, and try and work out a "\$2 off the cost of a CD" or merchandise coupon for people who show up to the in-store performance. To make people show up, offer a raffle contest or some kind of gift giveaway promotion, and try and co-ordinate one with the local radio stations and other media.

The Musician's Guide to Touring and Promotion, and The Musician's Atlas (*along with other directories*) have sections on local stores that will carry your CD's on consignment and information on those that allow in-store performances. Don't forget to use the internet as a powerful research tool. When you find suitable retail candidates, call or email all of them and ask about performing opportunities. Also, drive around town and stop at any independent music store that you see to ask if they can stock your product and let you perform. Keep in mind that the store does not necessarily have to be a music store; specialty stores that cater to a clientele base that is similar to your fan base will work as well.

On-air radio performances

When you make the rounds of your local college, public, and non-commercial radio stations, offer to perform live on the air for the station listeners. Most commercial stations will not let you perform on the air if you are not already well-known major label artist who is promoting to or receiving airplay on the station. Most of their listeners want to hear from major label artists, so your chances as an independent artist are much better at college and non-commercial radio. Once again, the chances of performing live on the air increase greatly if there is already a commitment from the college or non-commercial station to play your songs, or if you have an upcoming gig either at a large venue in town or on the college campus. Let the people at the station know of any upcoming shows you may have and which stores in their area are stocking your CD's. Try and get the college newspaper to write an article on you and your band, and tie this in with the live performance. Give the radio stations a reason to have you on the air.

If they decide to play your music, be creative. Offer to bring pizza for the radio staff or to give away some autographed CD's and band T-shirts to the listeners. Try and work in some type of on-air contest where listeners call in to win something (*preferably of yours*). Think about different ways to make this performance an event, while staying true to your art.

Radio station events

Most radio stations sponsor events. Usually, the larger commercial radio stations have major label recording artists performing at their events, but there is always the chance that a well-known local act will get to open up for a national act on a side stage. The smaller local stations are much more open to having local bands perform at their events. Usually, the radio station personnel put together these events as a way to promote their radio station to the local or regional communities. In that regard, getting to perform at these events is mostly something that is organized internally at the radio stations. However, if you have done a good job promoting yourself locally they may be interested in including you as part of the performance line-up. This could be great exposure if you could make it happen.

If you have enough money (*or an investor*), you can pay to become a (co-) sponsor of one of these station events. As a sponsor, you will be able to hand out your band CD's, samplers, posters, T-shirts, and postcards, or even perform as part of the station event. This option is not cheap, however, usually costing in the low to mid five figures. These shows are not easy to get into, and a lot of times there is a lot of politics involved. All the radio stations have web sites where you can find information on what events the stations have coming up. You can also find information about which clubs their mix show DJ's perform in, and you can then approach them about who to talk to regarding their station events.

House concerts

House concerts are literally intimate concerts or performances put together in somebody's house. This type of show usually works better for acoustic music or musicians who can strip their act down to voice and guitar or flute, piano, violin, harp, etc. The setting for these types of shows is casual and intimate, so obviously a screaming rock band wouldn't work out quite so well. These shows are very popular, and if you can organize them well you can even put a tour together and travel to other regions besides your home town. The trick is finding other people who are willing to promote the shows and host them in their homes. You can start by putting together a show either at your house or at another location you have access to. You could employ the same promotion strategies as you would with other types of shows, except that you wouldn't identify the location of the event until people contacted you first to RSVP.

When doing house concerts, keep things casual and fun. Find a location in the house that is intimate yet well ventilated. Make sure you can adjust the lighting to fit the mood, and have ample access to the restroom or somewhere for people to freshen up and relieve themselves. Offer refreshments when possible. Many people who come to these shows will be willing to pay \$3 to \$10 for the entertainment.

A good suggestion would be to allow people to pay if they feel like it, as opposed to having an official cover charge. This will keep you out of reach of zoning and other local laws concerning establishments that charge an admission for entertainment. For out of state shows you may wish to set a minimum number of people per show paying a minimum price so that you know exactly what you're getting into. The price could include a CD, or you could sell autographed CD's and / or merchandise during the performance.

In addition to other online resources, **Russ & Julie's House Concerts Presents** provides an excellent list of resources and House Concert information located at <http://www.jrp-graphics.com/houseconcerts/resources.html>.

Listening parties / showcases

Listening parties and showcases are usually set up by bands to showcase their new music to industry people or fans. These types of showcases can be an option if you perform music that cannot usually be performed at a regular nightclub (*e.g., Pop, Urban, Rap, etc*). These listening parties can be put together almost anywhere. If you are interested in putting a showcase together, you can locate a club or venue that will let you use the place for free on an off-night (*if you can bring enough people*) or charge you a certain amount of money to rent it out (*pay-to-play*). You could even rent a recording studio or rehearsal space by the hour to use for your showcase. Be creative with your location, and since you probably are not getting paid to showcase, try and find a venue that you don't have to pay for (*or ask people to pay what they can*). You should promote your listening parties and showcases the same way that you would promote your regular gigs (*using your mailing list, social networking, etc*). Remember that even if you intend to invite industry people, it is always impressive to have fans present. This shows the industry people that you have a fan base and are capable of promoting your shows to people on your mailing list.

Shopping centers / malls

Shopping centers and malls are good places to perform if your band performs acoustic, all-ages, kid's music, or "family-friendly" music or cover tunes. Performances at shopping centers and malls must be coordinated through the mall management office.

Some centers have managers whose sole responsibility is to schedule performances for the upcoming season. Some malls do not allow performances because they want to maintain a certain image, but those that do allow performances book them a few months in advance. Most malls will want to coordinate a performance with a grand opening of a store at the mall or some other event like 4th of July festivities or Mother's Day, etc.

Many of them are also concerned about insurance for your event (*in case a monitor falls on some kid's head and injures them and they get sued by the parents, etc*) and also the issue of having to pay you to perform. If you can get your own event insurance (e.g., <https://www.musicproinsurance.com/SpecialEvent.aspx>), and offer to perform for free, your chances of performing will be greatly enhanced. Of course, some centers or malls will be more than happy to have you play without any of the conditions mentioned above, so talk to the management before you make an offer.

Search for malls in your area on-line. You can begin your search at the Wikipedia list of malls in the United States here:

http://en.wikipedia.org/wiki/List_of_shopping_malls_in_the_United_States

Once you find a suitable mall, get the contact information for the management office and call during business hours. Most managers are so busy that they probably won't return your call if you leave a voicemail. If you call and they are not available, just keep calling back until you get them on the line. Remember to start calling early because you won't be able to just set up a performance with a week's notice. If you do perform at a mall or shopping center, see if you can have your CD's available for sale on consignment at a record store near the location of your performance. In addition, ask the manager if you can sell some merchandise at a table next to your performance.

Since there will be lots of mall traffic and children present, have fun and don't forget to add names to your mailing list.

Performing Rights Organization (PRO) Showcases

The three main performing rights organizations (*BMI, ASCAP, and SESAC*) periodically host showcases in many major cities around the United States. These showcases are usually organized for the benefit of members, but sometimes are open to non-members. Doing these showcases would be more for the exposure than for the money since most of them do not pay you to perform. However, if you are just starting out and you need to have some gig credentials to add to your bio, then doing these can be of benefit. These showcases are also good ways for you to rehearse new songs and / or get some feedback on the performances. You can find out about these events by visiting the performing rights organizations' web sites, found at <http://www.bmi.com>, <http://www.ascap.com>, and <http://www.sesac.com>.

Cruise Ships

If you are a singer or musician that can sing or play Broadway-and/or Vegas-style music, then you should consider filling your tour schedule with performances on cruise ships. In addition to the above-mentioned styles, cruise ships also hire other types of acts including cover bands, string ensembles, small orchestras, solo pianists, solo guitarists, "island" bands, impersonators and tribute bands, show bands, variety acts, etc.

The most effective way to get gigs on cruise lines is to go through booking agents like **Proship Entertainment** (<http://www.proship.com/>), **Oceanbound Entertainment** (<http://www.oceanbound.ca/>), and others.

The agencies generally hold auditions across North America, Europe, Australia, and New Zealand, and some of the larger ones hold auditions over the phone in places where in-person auditions are unavailable. Some also allow you to send in a DVD demo of your band's performances. You can also try contacting the music services specialists (*or similarly titled personnel*) at the cruise lines directly and asking them about positions.

Some of the cruise lines you could contact individually include:

- **Cunard** (<http://www.cunard.com/>),
- **Holland America** (<http://www.hollandamerica.com>),
- **Silversea Cruises** (<http://www.silversea.com/>),
- **Seabourn** (<http://www.seabourn.com/>),
- **Oceania Cruises** (<http://www.oceaniacruises.com/>),
- **Regent Seven Seas Cruises** (<http://www.rssc.com/>),
- **Crystal Cruises** (<http://www.crystalcruises.com/>),
- and others.

The pay for performances on cruise ships ranges from about \$1,800 to \$2,200 per month, and room, board, and transportation is provided by the cruise line. Payment is usually made in cash, and besides a small tip (*roughly \$1 per day*) to your cabin steward, you get to keep all the money you make. Keep in mind, however, that you will be responsible for reporting that income and paying taxes on it. Another thing to watch out for is that any money you spend while on the cruise (*souvenirs, drinks, purchases off the ship while docking, etc*) will leave you with very little at the end of the contract, so make sure you spend (*or save*) wisely.

Weddings / Private parties

Depending on the type of music you play, you can always consider performing at weddings and private parties as a way to supplement your income. Keep in mind that you will have a much easier time booking weddings and private parties if you play cover tunes. You can always include a few of your original tunes in the set list. You can book wedding or private party gigs through agents, wedding vendor web sites, or event/party planners.

It usually helps to have a DVD of a wedding or private party that you have performed at. You may have to perform at family weddings or company events in order to put together a 3-4 minute DVD of your performances. Include audience reactions and comments from the bride, company representative, etc. Once you have your package and performance ready you can charge \$500 - \$3,500 or more per wedding depending on the configuration of your band and the services you offer. For example, do you also have to MC the event? Do you have to learn special songs for the couple/host? Are you the only entertainment at the event? Do you have to rent a PA or is one provided? Do you have to hire extra players to get the right sound? Will you have to provide music in between sets? Make sure these questions are answered and let your price reflect the work involved. Try and get a 50% reservation fee and a written contract to protect from losing money if the event gets cancelled.

These are just some of the performing options that you have available to you. Add some ideas to this list and try and do as many of these at one time as you possibly can. You could probably retain the assistance of an agent for some of the other options (*e.g. cruise lines, private parties, casinos, hotels, fairs, corporate parties, etc*).

PROMOTING SHOWS AND ANNOUNCING PRODUCT AVAILABILITY

As soon as you get a show confirmed at a venue and/or complete a recording that is being made available to the general public, you should think about how you are going to promote the show/product. If you fail to adequately promote your show or product availability, few people will show up or make a purchase.

In addition to getting people to attend, there are other benefits to promoting your shows. Many talent buyers, venue bookers, booking agents, and event promoters talk to each other, and if you develop a reputation for being able to promote your shows well, you will be in a great position to get booked at venues in your area and even expand outwards to other regions. Another added benefit to promoting effectively is that record labels get all their information on local up-and-coming acts from bookers, agents and promoters, as well as local and regional label A&R scouts (*if that is something you are interested in*).

You can use sites like **eventful** (<http://eventful.com/>) to promote your shows and even have fans “demand” your show in their town. Sites like these also allow you to provide venue bookers with evidence that you have fans that are willing to come to your shows and pay a cover charge. You should get in the habit of promoting your products (CD’s, downloads, merchandise, etc) at the same time as you promote your shows. Review the earlier chapter on “*Publicizing and Promoting Your Recordings*” for other ideas that you can utilize in addition to the ones in this chapter. Most musicians completely ignore many of the “old-school”, off-line promotion methods because of the internet and technological advances in widgets and gadgets. Fortunately for you, you will be ahead of the game by incorporating some of the old-school methods along with the newer music business 2.0 techniques. We will discuss many different promotional ideas and techniques in this chapter.

Keep in mind that you should carefully pick the ideas that will work for your type of music, and don't spend your entire budget or efforts on one single technique. Some of these ideas will cost you time, others will cost you money, and others will cost you time and money. Think about promotion as a necessary expense that will help you get great paying gigs, increase your fan base and mailing list, get sponsors, and sell more CD's, downloads and merchandise.

Mailing list – As suggested earlier, you should have been making a continuous effort to add names to your mailing list from the time you started your act or band. At this time, you should send out e-mails or postcards to people on your mailing list telling them about your upcoming show(s) and CD / downloads availability. You can use solutions like **FanBridge** (<http://www.fanbridge.com/>) ReverbNation's **FanReach** (<http://www.reverbnation.com/fanreachpro>), or **Band Letter** (<http://www.bandletter.com/>) and others for your mailing list outreach efforts. As tempting as it is to do so, NEVER add someone to your list without them opting in themselves, and make sure you use an email client that allows people to painlessly unsubscribe from the list if they wish to. Provide people with as many opportunities to sign up to your mailing list from all your websites and social networks using widgets like ReverbNation's **"Fan Collector"** (http://www.reverbnation.com/main/widgets_overview) and others. When you send out email blasts, try and include instructions or a "call to action" telling people where buy CD's or downloads, or where to purchase pre-sell tickets to your show, and so on.

When sending out these emails, make sure you give something (*e.g., helpful advice, free download links, important milestone updates, etc*) more often than you ask for something. If you are able to do so, target email messages appropriately by, for example, sending gig announcements to fans according to where they live in relation to the venue.

While keeping your fans up to date, don't email too often and make sure the information you send is actually newsworthy or interesting. Avoid using the same words in your subject line that scam artists and spammers use (*look at the emails in your junk mail folder for examples*), or else your emails won't get through most people's spam filters.

Ideas from past shows or other people's shows – Think about the last five shows you performed or attended and ask yourself what made the shows special. Most people go to shows because of an email alert (*band newsletter, etc*), news from an artist's website, word of mouth (*from a friend or colleague*), or some type of publicity or advertising (*on the internet, radio, television or in print*). Of course, some of the major artists have the advantage of radio airplay, television and internet exposure, and name recognition that you don't have. However, try to take notice of any cute or crazy promotional gimmicks that one of your favorite groups might have employed.

Fans as brand (band) evangelists – Encourage each of your fans to act as brand evangelists and spread the word to their friends, family members, neighbors, and colleagues. Don't assume that just because they are your fans, they will automatically know to do this. Most often, you will have to remind them (*frequently*) to do this for you since most of them will feel as though the only thing required of them is for *them* to purchase your CD's/downloads, merchandise, and gig tickets. Once they've done that, many of them simply wait for the next thing you have to offer so that they can offer their support. Inform them that the best way for them to support you is to spread the word to everybody they know.

Without access to mainstream radio and television, the best way for you to build your fan base is to harness the enthusiasm of your existing fans to help you grow.

Encourage fans to utilize social networking tools that are “music-centric”, like **Blip.fm** (<http://blip.fm/>), **Twitty Tunes** (<http://www.foxytunes.com/twittytunes/>), **imeem** (<http://www.imeem.com/>), and others. If your songs are available on iTunes (*via CD Baby, the Orchard, Tunecore, ioda, etc*), ask your fans to create **iMixes** and include your songs in the playlist that they send to their friends. They can do the same thing with **Amazon Listmania** lists if your songs are available at Amazon. Ask your fans to create and share video ringtones using video footage of your band provided by you (*or from clips from your YouTube channel*) utilizing services like **Vringo** (<http://www.vringo.com/>) and others. Make sure you reward the most active fans with exclusive downloads, autographed items, live chats, free tickets, merchandise, premium products, etc.

Samplers – A powerful way to get people to get a “taste” what you have to offer is to give them a sampler. You can’t go into stores like Costco nowadays without getting your fill of free samples of food from manufacturers trying to market new product. It works the same way for music. What you could do is to make a CD or DVD recording with snippets of a few songs from your album or live show, or give out music download cards offering people the ability to download songs from a website. Depending on the item (*and the space available*), make sure you include your band name, contact information (*web page and/or social network URL’s, band hotline number, etc*), mini gig calendar, names of stores where your CD’s are available for sale, sites where your downloads are available, pictures of the band or artist, etc., somewhere on the packaging.

Give these samplers or music download cards away on the street or to club patrons a couple of weeks or so before your gig. You can give these samplers away to people leaving the venue where you will be performing. It is better to give these away as people are leaving since they are going right to their cars.

If you hand them out while people are going into the clubs they will have a harder time hanging onto them while they do all their “partying”. Limit the radius of your sampler campaign to a few blocks around each venue. You should try and identify places where people who could become fans are likely to gather. One way is to check the websites of radio stations in your area that your music would fit on and look for special events that the station is sponsoring (*movie premiers, summer concerts, store openings, fundraisers, etc*). You can then show up and pass your samplers out to people at the event.

Of course, you will have to be careful to not infringe where you’re not wanted, and indeed some events will only allow products to be passed out by sponsors. It may be prudent to speak with the radio station street team personnel and ask them how they feel about you handing out samplers. You can give these samplers away on the street or to club patrons a couple of weeks or so before your gig, or at any time during the life of your release. Most people have a lot of things going on and a short attention span, so don’t hand out samplers more than three weeks before a show.

When conducting your sampling campaign, pay close attention to the “no soliciting” signs posted in the area. You can usually get away with handing out several dozen samplers before somebody notices you. Don’t be a menace and don’t force your sampler on anyone. Hold the sampler out towards somebody who is approaching you without blocking their path. If they don’t appear interested or don’t want it, simply move the sampler out of their way and allow them to continue unimpeded. If they ask what it is, be prepared to give a short description of the artist and style of music and mention the fact that it is a free music sampler.

Ringtones and wallpapers – Use services like **Myxer** (<http://www.myxer.com/about/share/>) to convert your music into ringtones and share them with your fans. Using Myxer, you can also utilize some of their other tools (*including vanity text codes, MyxerTags for your website, etc*) to promote your music. You can also upload photos for your fans to use as wallpapers that will work well across various mobile phone screen sizes. Every ringtone and wallpaper you create has a set of basic details you can control, such as the title, category (*genre*), and tags (*keywords*) you want to have associated with it. When your content is included in the Myxer catalog, this information helps other people find and discover your content.

Video ringtones – Create video ringtones (*of live shows, rehearsals, studio footage, behind-the-scenes, candid band footage, you just goofing off, etc*) to share with your fans using services like **Vringo** (<http://www.vringo.com/>) and others.

Mobile campaigns – Utilizing services like **Mozes** (<http://www.mozes.com/go/music>), you can create and deliver mobile campaigns that engage fans using text, voice, web, and smart phones applications. As they mention on their website, you can run all of your mobile campaigns, such as:

- Send fans direct links to your songs on iTunes
- Offer fans exclusive artist or band updates via text or voice
- Run real-time fan votes or polls
- Give fans ringtones, audio clips, pictures, videos, coupons, and more
- Allow fans to call your artists or bands and leave messages for them
- Let fans to send text messages or photos to screens at live events

YouTube video soundtracks – There are thousands of YouTube channels that offer tutorial/training/technique videos, and some of these have lots of traffic. Many of these channels use music from major labels without permission, and the labels are starting to crack down and have their songs removed (*especially the ones with high traffic that are using the songs without permission*). If you come across a channel that you like, and you feel that the topic attracts people that are the same demographic as your fans, you should consider contacting the account user and seeing if they would be interested in using one (*or some*) of your songs as a soundtrack to the video.

Make sure that the songs you have in mind fit well with what the videos are portraying. Music always adds an extra dimension of emotion to a video, so it ends up being a win-win situation all around: you get some exposure, and they get to use quality music at little (*or no*) cost. This will not necessarily get you a lot of direct sales, but could get you some exposure and indirect sales (*and/or sign-ups to your mailing list, downloads and merchandise sales, etc*) if somebody likes the song and asks the account holder who the band/artist is.

Amazon Artist Central – Sign up for an **Amazon Artist Central** account that enables you to add mp3's, photos, videos, and a biography to your amazon.com artist store, which is available to millions of listeners (<https://artistcentral.amazon.com/welcome>).

Disc Jockeys – If your music fits in the “DJ-friendly” categories (*i.e., songs you would hear on the radio or played by DJ's in clubs*), consider using services like **Promoonly** (<http://www.promoonly.com/>) or the **Serato Whitelabel Delivery Network** (<http://www.whitelabel.net/>) and others to submit your songs directly to DJ's for promotional purposes. These services work well for music in the styles of Mainstream/Top-40, Rhythmic, Modern Rock, Urban, Dance, Contemporary Christian, Country, Club, Latin, etc.

Interviews – Try to set up some interviews before each gig. A good way to do this is to invite someone from a local newspaper or television station to review your gig, as well as podcasters that are playing your music (*or play your style of music on their shows*). You could offer them an interview that can be conducted in the dressing room or live on the air (podcast site) sometime before the show or during the sound check.

You can also use resources like **The Indie Bible** (<http://www.indiebible.com/>), **Review You** (<http://www.reviewyou.com/>), and others to get reviews to use on your website or on your gig flyers/posters.

Radio station events – What radio station(s) do you listen to? Chances are the music you write and perform sounds like the music on your favorite station. Most radio stations have station events that they announce on the air or on their web site. These events are designed primarily to promote the radio station to people on the street, and could be anything from a store grand opening to a movie premier. Whatever the event, many station listeners show up in order to win station prizes. In keeping with the “birds of a feather flock together” theory, it goes to reason that many people who show up will like your music. In that case, you should show up with a bunch of samplers and give them away to people at these events. Of course you will remember to have information on your upcoming shows as well as information on where your CD’s are for sale along with your sampler. Have your web page URL and band information hotline on the sampler so that people can find out more information once they get back home.

Flyers & postcards – You can print some flyers or postcards that have information on your upcoming shows and CD availability. You should limit your flyer / postcard distribution to cars or people within a few blocks of the venue where you will be performing.

Most areas require permits for flyer distribution, so make sure you are able to do this before you proceed. Don't hand out these flyers indiscriminately. You should only hand them out to people who look like they would like your type of music. Do this a couple of weeks or so before the gig. Most people throw flyers away, so try and get postcards instead. Most people feel a little bit guiltier about throwing away a postcard, or at the very least will look to see what it's about before tossing it. Always include your site URL and your band hotline in case someone wants some more information. The flyer / postcard itself should have all the information about the gig, including venue address, date, and cover charge (*if applicable*). Also mention where your CD's are being sold, especially if they are available on consignment at a local retail store.

Promotional merchandise – Items like t-shirts, stickers, etc can be used for both promotional and sales purposes. You can give away a certain amount of T-shirts and stickers in order to get people to remember the name of your group or act. If you can afford it, try and have an interesting design or logo that is eye-catching. I have found that people will take anything that is free, so you can literally hand these out on the street to people who look like they would buy your music. A smarter way to do it is to hang out at areas where like-minded people hang out, like clubs, stores, restaurants, malls, fairs, conventions, etc.

You will have to be stealthy because a lot of times you will find yourself getting chased away by the security in certain areas. Hand out a few and move on before you get busted. T-shirts and stickers can also be given away on radio stations or as part of a contest. You should also put aside some T-shirts & stickers for sale at your gigs. You can get these from places like **Extra Mile Merch** (<http://www.extramilemerch.com>), **Zazzle** (<http://www.zazzle.com>), **JakPrints** (<http://www.jakprints.com>), or **Sticker Guy!** (<http://www.stickerguy.com>).

Contests and giveaways – Hold contests and giveaways on your web page or with your local radio stations where the winners receive free copies of your CD, exclusive downloads, band merchandise, or tickets to a show, etc. You can also get creative with different types of Twitter contests that energize your fans to interact with you and your other fans. The more fun, interactive, entertaining, and interesting you can make the contest, the better the outcome.

Contests can involve anything from user-generated content, to writing an essay, to sending in funny pictures or embarrassing stories, etc. Have a contest that anyone can enter, but try and make the theme something that would interest the kind of people that would like / buy your music. The other advantage to holding a contest is that you can collect contact information from all the people who enter and later send them invitations to future shows or promotions. If you have a sponsor or brand partner involved in your release or tour, then their products and/or services should be incorporated into the contest as gifts.

Concert listings – Submit your gig information/itinerary to concert listing websites like **JamBase** (<http://www.jambase.com/>), **Musi-Cal** (<http://www.musi-cal.com/>), and others. Your local free weekly may also allow gig calendar information to be submitted for free.

Street teams – Put together teams of people who promote your band and CD on the street, as well as virtual street teams that promote your band online. The people you pick for your street team could be friends or die-hard fans. You can pay for street teams to go around distributing promotional materials for you, but the problem with that option is that these street teams are often promoting several projects at the same time, and yours can get lost in the mix. In addition, savvy potential fans can sense when street teams do not truly believe in your music. Your fans will sound more authentic because they truly are enthusiastic about you and your music.

You can recruit people to be on your street team by announcing it in your newsletter or on your web site or band hotline voicemail. You can also recruit people by going to colleges in your local area and asking around. Use your web site to recruit people and fans from other cities once you start to tour or perform outside of your local area. You will also need street teams in other cities to help you place your CD's on consignment in stores before you get there to perform. Instead of cash payment, offer to give free CD's, T-shirts, stickers, backstage passes, posters, etc., to people on your street team. Fans can also be great street team members. You can ask fans to print flyers and posters from your website and post them around town in exchange for free admission to shows.

Posters – Use large full-color posters to promote your shows and CD availability. In order for your posters to be effective, you must put a lot of effort in creating a highly impactful visual experience that fits your band's style. The poster must tell a compelling story about your band and pull someone who “gets it” in for a closer look. Otherwise, it will be just another poster for people to ignore while they rush around trying to get through their busy day. Make sure your posters include not just your band name, but the style of music your CD or show is, your web site URL, your band hotline number, and the places where your CD's are for sale (*especially if your music is available on iTunes*).

Most independent record stores and other stores that carry your CD's on consignment will be happy to put up posters. If there are no zoning or permit restrictions, posters should also be put up on the streets surrounding the venues where you will be performing as well as the stores that carry your CD's. There are some companies that can put up posters for you for a fee. They usually know the areas where you can put up posters without getting in trouble, but you will need to research which companies have a good reputation before hiring them.

If your budget is limited, go around to high traffic areas that have posters up near venues or stores and put some of yours up. Be careful not to tear down or place your posters over other peoples' posters.

Cross promotions – Cross promotions are rather complex to execute and require the co-operation of at least another business or two; but when they work they can be very effective. An example would be a cross promotion set up between you, a local bicycle shop, and a local radio station or podcast. The way it would work is that you would go out and buy a bicycle from the bicycle shop (*or something your fans would appreciate winning*). This would be the prize that somebody would win from the cross promotion / contest. People who come by the bicycle shop would pick up a free band sampler/sticker and an entry form that requires them to write a short essay about a bicycle. The entry forms would then be sent to the radio station/podcast or submitted to the station/podcast's site and read on the air. Listeners of the station would call in to vote for the winning essay and the winner would be announced on the air on a certain date and win the bicycle.

The reason why this is complex for independent artists is that it is usually difficult to get a radio station to go along with this, but you might have an easier time finding a podcast that has a lot of listeners to participate. You should pick companies that are receptive to independent artists to do your cross promotions with. This is also another way to get your samplers into people's hands, and if they like what they hear, they may come to your shows and buy your CD's even if they don't enter the contest to win the prize. As I mentioned before, pick companies that cater to the kinds of people who would normally buy the type of music you perform.

Sponsored events – You will need to have some money in order to sponsor an event. You could sponsor a radio or television show, a block party, a radio station event, a showcase, a fashion show, etc. This basically means that you pay a certain amount of money as a sponsor, and in exchange for that you get to run a commercial about the band, an upcoming show, or your CD availability. If it is an event you have sponsored then you will be able to hand out band samplers, T-shirts, stickers, and other promotional items that will help people remember you, come to your shows and buy your CD's. Sponsorships are usually expensive and many independent bands bypass this option. Once again, this can be very effective if done correctly, particularly sponsoring a radio station event.

Retail accounts – Email and/or fax gig information to the stores in the vicinity of your gig a couple of weeks before the gig. Make a point to go by the stores and leave some samplers and postcards at the counter with gig information on them. Ask the store manager to put up some posters and place your CD's in a visible location. You could also put a '\$2 OFF SALE' sticker on your CD's for anybody who comes to your gig. Couple this with \$2 off coupons that you hand out at your gig. It doesn't hurt to ask the retail manager whether you can perform at the store and sign copies of any CD's sold during your performance.

Listening parties – Another promotion technique is to host a listening party some time before the official release date of the album (*if you are manufacturing physical CD's*). You can either host this party at someone's house, a recording studio or even live from your website. This is essentially an opportunity for people to hear the album ahead of time and get to see the artist up close and personal. You can use this occasion to take some pre-orders for the album and make some sales ahead of the release date.

The advantage to hosting a listening party on your website is that people who attend do not have to be located in your local geographic area. Indeed, fans from around the globe can log on and participate in a chat while listening to your music and interacting with the artist and other fans. Some people host listening parties at their house, a club venue, or rent a recording studio in order to take advantage of the superior sound systems. However you do it, try to keep it casual and fun and take the opportunity to thank old fans and welcome new ones. You may also have to research ways to have it done online and deal with the technological issues and costs involved.

Local celebrities – Do some research and find out what local celebrities you could invite to perform on your CD. This could include local radio station DJ's, TV personalities, music editors, athletes, politicians, musicians, comedians, business owners, etc. Try to find people who have a higher profile than you and who have an existing fan base or business mailing list. You can ask them to add some vocals to your CD or even appear in your music video or live show. You will not only receive residual promotion from them spreading the word within their own medium, but you will also capitalize on their name in your press kits and other promotional materials. Be creative and try to find people with a common interest, background or political outlook.

Joint venture marketing – Potential joint venture targets include musical equipment manufacturers, clothes stores, hair salons, music publications, music websites, specialty stores, music newsletters, independent TV shows, music blogs, etc. Ask those business / website owners to introduce your product or service to their audience (*via their mailing list, website, etc*). Offer them a percentage of every sale made from their endorsement by activating an affiliate program.

Graphic-wrapped promotional vehicles – This technique works best for Hip-Hop/Rap music and most variations of Urban, R&B Contemporary, and Pop/CHR. You can find companies locally that apply graphics to vehicles. Graphics could include the album cover, pictures of the artist, or visually stimulating graphics with the band's name, release date, band hotline number, and website URL on it. Graphic wrapped promotional vehicles work best when sent out ahead of the release date with free samplers, posters, flyers, stickers, and T-Shirts for the public. It is best to pick the neighborhoods that your target demographic is most likely to live in. The advantage with graphic wrapped promotional vehicles is that people can't throw them out (*like newspapers, flyers, and other direct mailings*), change the station (*like radio and television*), or click them off (*like the internet*). Drivers and pedestrians are exposed to the vehicles and cannot avoid looking at them since they are right in front of them. Check your yellow pages or search online for companies that provide this service.

Mix tapes – This technique works best, again, for Hip-Hop/Rap projects. Mix tapes serve as both a way to get your music out to people on the streets, as well as a chance for music industry professionals to hear what you sound like. The most efficient way to get this done is to submit your music to services like **Coast 2 Coast Mix tapes** (<http://www.coast2coastmixtapes.com/proposal/>) and others, which is better than putting out your own one with other unknown artists. Mix tapes that include major label artists as well are usually taken more seriously, as long as the person putting the project together has “good ears” and a reputation for putting out material that is liked by the people listening to it. In addition, services like these deliver the mix tapes to hundreds of mix tape sites and blogs more efficiently than you could on your own. While utilizing this method, however, keep in mind that the recording industry has been cracking down on some mix tape services that include music from major label artists; so it remains to be seen how long this will be a viable way for independent artists to get recognition.

Discount tickets or CD's – You should consider offering corporate discount tickets or CD's to local corporations or other large companies in your area. You can also offer student discounts to local schools, and extend the offer to the faculty and family members. Your chances will be much better if your style of music appeals to the children's market for schools, or if you perform Adult Contemporary, Smooth Jazz, Easy Listening, Singer/Songwriter, New Age, etc., music for the corporations. You will be surprised to find that a corporation might buy 10,000 CD's from you to give out to the employees, or even buy a block of tickets as a gift to clients.

Band hotline - Believe it or not, some people still don't have access to the internet, or are completely intimidated by technology that is more complicated than a CD and a simple CD player. Many of these people still love music but have given up trying to stay on top of the latest technological advancements of mp3 players and other gadgets, and prefer instead to "stick to what they know". Even though they are intimidated by technology, however, these people are completely comfortable with phones - having used them for many years – and could possibly be interested in buying your music if they heard it and liked it.

As a percentage of the world population, more people have phones than they do computers with high-speed internet access. In fact, there are over 4 billion mobile phone subscribers compared to slightly over 1 ½ billion web users worldwide. Applications are being written for mobile phones that will allow subscribers to access all their entertainment playlists (*music, movies, etc*) at any time from any location, so phones should not be something that you ignore completely.

In order to tap into the phone demographic and depending on what type of music you create, you might want to consider setting up a band hotline/voicemail and include the number on flyers, brochures and/or postcards that you hand out to people on the street.

Set up a voicemail extension where people can listen to your music when they call. You should have information that people can listen to in your band/artist hotline voicemail, including where they can buy CD's and what gigs you have coming up. Information on your band hotline should include your band name, information on the upcoming gig(s) and include some of your music playing in the background. Mention the song titles as well as where people can purchase your CD's or tickets to your shows. Keep in mind that people without internet access are also not likely to make purchases or pay for products online, so consider a post office box or mailbox (*for example*, <http://www.theupsstore.com/>) where people can send checks or money orders to for CD and merchandise purchases.

You can create brochures or postcards with order forms attached that can be handed out during your street team campaign along with flyers, etc., that people can use to make purchases from you. You can also sign up for **PayPal's Virtual Terminal** (<http://www.paypal.com>) and take orders from people via phone, fax, or mail and process the payments on your computer before shipping out your products. You can set up a separate voicemail where such people can listen to some of your songs before sending in a payment.

These are just some of the promotional techniques you can use to help separate yourself from the average musician that does nothing more than put up a MySpace page and upload a few mp3's. Constantly look for ways to be creative with your promotional activities, and stay on top of all the latest social networking technologies that are likely to emerge over the next few months (*and years*).

THINGS TO DO BEFORE, DURING, AND AFTER YOUR GIG

Following are some ideas of things you should do before, during, and after your gig that will help your shows run smoothly, and make people remember you, show up at your other gigs, and even purchase your CD's and merchandise.

Before The Gig

Before you accept a gig, make sure it makes sense for you to do it. Using research data, make sure that you will draw enough people to make the gig worth doing. For example, ReverbNation has an add-on to their mailing list service (<http://www.reverbnation.com/fanreachpro>) that collects additional information about fans who have signed up to your mailing list (*including their zip code*) that can allow you to see which fans reside in the area where your gig is going to take place. There are some other services you can use as well, including Eventful's **Demand it!** Feature (<http://eventful.com/demand>).

Know in terms of gas, food, vehicle rentals, accommodations, equipment rentals, crew salaries, insurance, etc; exactly what it costs you to do the gig. Make sure you are getting paid enough to cover all your expenses and, hopefully, make a profit. Sometimes a decision is made to do the gig because there is a promotional and publicity-related benefit attached.

Whatever the case may be, have a good reason to do the gig.

Once you have the gig, here are some things you should have on your to-do list:

~ Call or email the club, venue, organizer, agent, or promoter to confirm the fact that the show is still on and that no one else has been given your date. Also, get all the details squared away, including the venue address, directions, primary contact at the venue on the day of the event, sleeping accommodations, travel arrangements, car rentals, insurance, equipment rental and / or availability, tickets, paperwork, etc. Find out what the venue photography and videotaping policies are (*some places either won't allow any photography/videotaping to take place, while others will have union regulations that govern those decisions*). Find out if you can sell merchandise at the venue and whether or not the venue will take a cut. If you've signed up for services like **Bandize** (<http://bandize.com/>), **Music Arsenal** (<http://www.musicarsenal.com/>) or **ArtistData** (<http://www.artistdata.com>) or others, you can enter all the pertinent information regarding your conversations into one database in order to keep everything organized.

~ Once your gig is confirmed, make sure that you DO NOT book any other gigs in that area for at least a couple of weeks before and after. This is because booking gigs close together will reduce your draw by giving fans the option of attending one of a few shows instead of giving them only one option to see you play in that area. The urgency and hype of the event will be reduced if you are performing in the same place 4 times in one month, and some fans will miss one show because they can attend the next one, and then miss the next one because they can attend the next one, and so on until they actually end up missing all of them. Make an event or show special, and more people will attend for fear of missing it.

~ This one might seem pretty obvious, but make sure you rehearse your show well and put a lot of effort into making it a memorable experience for your fans. Your show is where you will pull everything together and make some money; IF you rehearse it well and put some time and thought into the production values. Regardless of what style of music you do, your performance must be tight and coordinated. In other words, the musicians should sound like they actually spent time going over their parts and playing as a group. If the band sounds tight, the audience will perceive the show to sound better, which will lead them to purchase more CD's and merchandise as well as sign up to your mailing list. So, whatever you do, do not skimp on rehearsal time!

~ Contact local companies to inquire as to whether or not they would be interested in sponsoring your show. These should be local companies that could benefit from you placing their logos on banners, posters, flyers, and postcards announcing the show, as well as spreading their message to people on your mailing list and those attending the show.

~ Ask the venue booker or promoter if there are any extra things you can do to help promote the show. Inform them of some of the things you plan to do and have them offer some additional things that you can do in coordination with them. Offer to either send them some posters to put up, or go down to the venue (*if it is your hometown*) and put posters up yourself as the gig approaches. This will leave a good impression with the bookers as well as ensure a successful gig and probably an offer to play there again.

~ Find out how much you are getting paid and how you are getting paid. Are you being paid a guarantee? Are you being paid a percentage of the door? Who is collecting the money? If multiple bands are performing, who is counting which fans are coming to see which band?

~ Find out what the policy is on food and drinks. Is the band getting a discount on food and drinks? Is the band getting food as part of the pay? Do band members get drink tickets?

~ Note down what time the doors open and what the venue's guest list policy is. How long before the doors open are you allowed into the venue for a sound-check? What time does the show begin? Is there a back-stage area or dressing room for the band?

~ Ask whether the show is an all-ages show, 18+, or 21+, since the type of show you have will affect your promotion campaign. The audience make-up will also determine what type of show you put together.

~ Get all the details regarding parking. Remember that you have to park and load in all the gear & merchandise. It would be a serious pain to have to drag all your equipment four blocks to the venue in the rain/snow and then have to drag it all the way back at 2.00 a.m. after the show. Find out if the parking is secure in case you have to leave some stuff in the van (*not recommended*).

~ Find out whether the venue is doing any promotion/advertising for the show. If so, are they using your bands name/image in the ads? Will they be willing to add some of the necessary information if you send them some graphics or posters? Do they have a website, and if so, will they add a link to your website? Are you listed in any printed programs being handed out by the venue? Will there be any signage or banners with your band information visible to the audience during your performance? If not, can you bring some of your own banners?

~ Try and get as many lists from the venue as you can (*media list, retailer list, sponsor list, etc.*). Inform the venue that you would like these lists to help promote the show by sending press releases, put posters up, get airplay, etc.

~ It is important to ask whether or not you need to bring your own PA to the show, and also to make sure that you get a good idea about what type of sound system the venue has if PA is being provided for you. If you are providing sound, now would be a good time to contact a couple of sound companies to get quotes. Once you pick a company, get the contract in writing. If the venue is providing the sound system, contact them to make sure the mixing board has enough channels for your band, as well as enough monitors for you to hear yourself onstage.

Most venues should have enough microphones, but double-check anyway. Make sure the system is adequate for your needs, otherwise you'll show up and have to deal with a weak sound system that can make you sound terrible, or even no system at all.

In the worst-case scenario, you may be able to rent some equipment if you feel like the gig is important enough for you to do so. It would be nice if the venue could pay for the rental, but don't expect to just show up and ask them to rent all kinds of things for you. You should take care of all rental issues at the beginning of the booking process.

~ Get the dimensions of the stage from the venue manager or promoter (*or submit your stage plot to the venue*) so that you can make sure your band set-up can be accommodated. Some bands have different set-ups depending on how large or small the stage is. A small stage may mean that you can't have your usual stage props or dancers in your set-up, for example. Make sure you know this before you drive all the way to a gig.

~ Make sure that you get approval for the use of any pyrotechnics or specialty stage props with the venue ahead of time. Some elements of your show may include the use of prohibited materials that run afoul of zoning laws, union regulations, or the venue's insurance policy.

If your stage show requires more than the usual items (*PA, lights, backline, etc*), then make sure you've discussed everything with the venue booker or promoter prior to heading out for the gig.

~ Find out from the venue booker or promoter what order you are on the bill. Find out if there are any other bands performing with you, and if so, who is opening up for whom. Also note whether you will have a DJ playing in between and after your sets, or if you will be the only band on stage all night.

~ Find out whether or not you need to bring your own sound engineer, lighting person, doorman or security, etc. Most venues should provide the doorman and other staff, and promoters should take care of all this if they are putting on the show, but if you are booking your own shows it never hurts to ask. Utilize resources like Pollstars "**Concert Support Services**" directory (<http://www.pollstar.com>), Billboard's "**International Talent & Touring Guide**" (<http://www.orderbillboard.com/>) and others if you need to put together your own crew for the gig.

If your performance fee for the night is based on tickets sold at the door, then you might want to have one of your own people collecting the money at the door. Some venues won't have either a PA or a sound person, and if you don't bring your own sound system you'll have to play out of your individual amps, which isn't a desirable option; especially for the vocalist who'll have to sing through one of the musician's amps.

~ Promote the show on all the social networking sites where you have a presence. Make sure you've set up Facebook, MySpace and Twitter accounts (and any other social networking sites of note) that you can use to promote online. Most people plan their entertainment activities in advance, so give people time to put your gig on their calendar.

Use services like **FanBridge** (<http://www.fanbridge.com/>) or **FanReach** (<http://www.reverbNation.com/fanreachpro>), among others, to send out notices to your fans to spread the word and bring a friend. You could also give your fans an offer for free entry if they bring a friend or two to the show.

Having more people at your show (*even if some fans get in for free*) helps with your overall numbers since industry people are interested in how many people you can draw. Also, if the venue makes a lot of money from drink sales (*because you have a lot of people at the show*), they will be more likely to book you again; perhaps even for a guaranteed amount of money. Most importantly, more people at the show enables you to make more money from CD and merchandise sales, as well as add names to your mailing list from people that might have come with a friend but may not yet be on the list.

~ Send out a press release to the media as soon as you have your gig information confirmed. A press release is an announcement of your gig that you hope the media (*newspapers, television stations, radio stations, bloggers, podcasters, music publications, etc*) pass on to their readers, viewers, and listeners. Keep in mind that the decision to use your release is entirely up to the responsible entertainment editors. In other words, they don't have to include your release unless they feel it has something of value or interest to their readers, viewers, and listeners.

Your release should never be more than one page if announcing a gig. Also, the reality is that you should not expect too much action from the mainstream media regarding your press release. They receive a lot of releases from corporations and major labels that they perceive will have more of an impact on their readers, viewers, and listeners. However, it doesn't hurt to try. An option is to send your release through **mi2n** (<http://www.mi2n.com>) or purchase the **Virtual Publicist Toolkit**

(<http://www.thevirtualpublicist.com>) to handle press release distribution yourself.

~ Contact college radio station DJ's or PD's and internet podcasters to see if they might be interested in interviewing you ahead of the gig and/or playing your music on their shows or allowing you to perform live for their audience. Offer product giveaways for their listeners like complimentary tickets, CD's/downloads, band merchandise, or access to an after party.

~ In order to keep major record labels abreast of where you are performing, submit your tour itineraries to **Pollstar**. You can email your tour itinerary to them at tour_dates@pollstar.com. There are no guarantees that you will be included in their listings, but once they research and cross-reference the dates you may be included. You can also use **ArtistData** (<http://www.artistdata.com>) to submit your show information to concert databases, or add your gig information directly to sites like **JamBase** (<http://www.jambase.com>), **Mojam/Wolfgang's Vault** (<http://mojam.wolfgangsvault.com/contribute/>), **SonicLiving** (<http://sonicliving.com>), **clubvibes** (<http://www.clubvibes.com/>), and others.

~ Send your gig information to all the free entertainment calendars in the city where your gig will be. You can find submission information in the entertainment sections of most of the publications in your area. Start with the free entertainment publications. They will usually contain a section where they will post information on what entertainment is happening at what club on each night of the upcoming week. Don't forget college newspapers. Check on-line for the local radio stations that have an event listing section you can add your gig to.

~ Send an email to all the record stores that have your CD's on consignment within a 10-mile radius of where you have your gig. If your gig is out of town, email all the record stores that are stocking your product. Use the email to let the store manager know about the gig, and ask if they can make sure that they have your CD's out on the shelves in a highly visible location. Ask if they can play your CD in the store or even hand out some samplers to patrons on the days leading up to the gig. Offer to put your CD's on sale, perhaps \$2 off the retail price for people who bring a coupon from your gig to the store. Try and convince them to put up some of your posters until after the gig is over.

~ Send out an email to all the radio stations in your area that you have promoted your songs to. Letting them know about your live shows, CD sales, reviews, and interviews can help them decide whether or not to play your songs on the air. They are more likely to play a song on the days leading up to the gig, as well as invite you to do an on-air performance, interview, or ticket give-away contest. Of course, we are talking mainly about internet radio, college radio or some specialty shows on your local commercial station.

~ Make sure you've sent out all your gig invitations. Let all the people on your mailing list know about the gig, as well as any industry people that you want to invite. Invite media people to come and review your live show. Invite booking agents and promoters so that they can see how you perform live and possibly offer you more gigs at other venues in the future. If you invite industry people to you gig, you may have to buy some drink tickets from the venue to offer them. Send invitations to all the college newspapers and radio stations, as well as to the members of the student activities or program boards at the colleges. Go through your directories and invite people from record labels (*both independent and major*) in your area. Send invitations about three weeks before each gig, that way they have about two weeks notice.

If you send out your invitations too long before that you risk the chance that people will forget about the gig, but don't wait until too close to the gig either. Don't expect everybody to show up, but inviting them keeps your name in their heads.

~ Get your equipment and health insurance needs in order. You never know when you may have your equipment stolen from the van or damaged during a gig. Lost or damaged equipment can set you back financially and totally ruin the momentum and spirit of the band. Insurance coverage does not cost as much as you think it does, and there is absolutely no excuse to not get some, especially if you are going out on a tour. Try contacting companies like **MusicPro Insurance** (<http://www.musicproinsurance.com>), or **Clarion Associates, Inc.** (<http://www.clarionins.com>) and others for your insurance needs.

~ Allow enough time to audition band members, put the band together and rehearse for the show(s). Decide on the song list, wardrobe, stage presentation, lighting theme, band configuration, etc. Decide who should speak on stage and what they should say. Designate the person who should be in charge of the merchandise table and mailing list.

~ Let all the other band members know about the details that pertain to them, including travel arrangements, directions, emergency phone numbers, etc. Set up a location for everyone to meet before you travel to your show. When possible, organize a car pool.

~ Set up a Nielsen SoundScan Venue Sales account with Nielsen in order to report sales of CDs and merchandise at your venue (*if you think you might sell enough to get on the "radar" of music industry professionals*). If your label has been in business for at least 2 years you can set up your account on their website at <http://en-us.nielsen.com/tab/industries/media/entertainment> (*look for the Nielsen SoundScan Venue Sales Procedure PDF*).

~ Make sure that the band members have all the necessary equipment they need for the show. Write up an equipment checklist. This list should be used both when you set up and when you break down.

~ Put together a “chore list”. Each band member should be responsible for a specific chore. For example, one person may be in charge of collecting money after the gig. Another could be responsible for running a final check on the equipment van before leaving the venue. Yet another person could be responsible for the items on the merchandise table or for giving T-shirts to the staff to wear during the gig. In general, you should all help out with everything, but it is more organized if each person can take charge of an area that they will be responsible for.

~ Put posters up at the venue a couple of weeks before the gig letting people know about your band and supplying them with information on where your CD’s are available. Ask your fans and street team members to handle the poster and sampler distribution campaigns for your out-of-town gigs. You should recruit people from your website, mailing list, or band information hotline a few weeks before the gig. Offer the street team members a free CD and waive the cover charge for them to come to the show. Do as much promotion as you can afford to. It isn’t any fun at all playing for 10 people.

~ Confirm the gig one last time a couple of days before the show. You’ll be surprised how many times a gig gets cancelled and nobody bothers to tell the band about it. It only takes a couple of minutes to call and confirm the fact that you are still on the bill and being expected. If necessary, have your contract handy in case you need to fax it to somebody at the venue that has any questions about the gig.

~ Contact fans on your mailing list and, in addition to reminding them one last time about the upcoming gig, ask if any of them can accommodate some or all of your band members for a night or two (*depending on how many nights you are performing in a particular city*). Besides free tickets and merchandise, offer to do something useful for them like walking their dog, mowing their lawn, or doing their laundry. Another option is “**Better than the Van**” (<http://www.betterthanthevan.com/>), which (*as their slogan says*) is “a community of free places to stay for bands on the road”. Otherwise, reserve any necessary hotel rooms you might need for the band and crew. Make sure that the rooms are reserved in the artist’s or band’s name (*and the names are spelled correctly*) so that there won’t be any confusion during check-in.

~ Ask fans in the area where you will be performing if they can recommend any good places to find inexpensive food, cheap gas, equipment rentals, affordable accommodations, etc. This will come in handy especially if you don’t live in that city and don’t know where everything is.

~ Send out a gig reminder the day before the gig. Don’t assume that everybody remembers the date of the show just because you told them about it a couple of weeks ago. A last minute reminder can increase your draw by getting some people who were “on the fence” about your gig to commit to it. Remember, the more people at your gig, the more money you can make from the cover charge and merchandise sales, and the more likely you will be asked back to perform at that venue.

~ Most importantly, think of anything that can ruin your show if left unconfirmed. Make sure you have an emergency stash of cash (*and available balance on your debit/credit card*) on hand for the inevitable occasion when the venue doesn’t pay you for your gig.

In the event that happens, you should have enough money for gas, food, and accommodations in your emergency fund.

~ If your show gets cancelled, make sure you let your fans know about it as soon as possible; especially if you have some fans driving in from other cities.

During The Gig

~ Be prompt. If you are expected at the venue by a certain time, don't keep the sound person and/or venue manager (*or whoever is there to let you in*) waiting. However, don't show up 4 hours before the time you are expected at the venue and ask to be let in.

~ Limit the number of people on your guest list - Limit your guest list to industry people (*record labels executives, radio stations personnel, retail store employees, promoters, booking agents, reviewers, blogger, etc.*). Most of your friends and family members should pay. Don't try and sneak in 20 people as "roadies" in order to have them avoid paying the cover charge. If your friends and family members want to support and help you, they should pay the measly \$10 cover charge (*or the "pay-what-you-can" charge*) at the door.

~ Use a band stamp or wristband – Have the doorman stamp people's hands with the band's URL or issue people with wristbands printed with codes for them to text for a free download. Most venues use a stamp to identify people who have already paid to get. These stamps usually stay on people's hands even after they wash a few times.

~ Always perform a full sound check whenever possible. If this is not possible, you may have to live with a line check, with the first song serving as the sound check.

Try and arrange for a full sound check with the venue ahead of time, and arrive with enough time to perform one. This will greatly affect how you sound, and since you want to blow everybody away with the first song, it would be a shame to waste it as sound check fodder.

~ If you bring your own sound person with you, make sure they work closely with the house sound person and respect that person's space. If a conflict arises, unless it adversely affects the sound of your show, always yield to the house sound person. Not only do they know their particular sound system better than you do, but they also know how things sound in their room even if things may sound weird to you at sound check. Of course, some venues have people that have no clue about mixing live sound, and in that instance it is okay for you to have your sound person take control of the situation. In those instances, most newbie's will gladly yield to a more experienced sound engineer and use the occasion as a training session and learning experience.

~ Once you've done your sound check, STOP PLAYING. Do not play your instrument or sing into a microphone until you actually begin the first song of your performance; especially when people are in the venue already. This is particularly applicable if the venue is open for happy hour or otherwise open to the general public prior to the show's start time.

~ Have people in the venue wearing your T-shirts – If you have any band T-shirts or caps, it can be a good idea to have people in the venue (*doormen, waiters / waitresses, club managers, patrons, band members*) wearing them.

~ Have a band banner on stage – You should have a banner, or at least a series of posters with the band name positioned strategically on the stage.

~ Have a merchandise table – Set up merchandise table inside the venue and have somebody you trust handle all the transactions. Make sure the person working the merchandise table knows everything about the band, including the band's discography, bio, tour schedule, member names, set list, etc. Make sure the merchandise table is well lit and all items are displayed appropriately. Use CD stands from companies like this (<http://www.cdstands.com/>) to position your CD's in full view and, in addition to having the person at the merchandise table wearing band t-shirts, display the t-shirt on a back wall, or on a t-shirt form. Allow fans to pay what they wish for CD's and merchandise instead of having a fixed price (*unless you have to price-match the headliner*) and have a system for keeping meticulous records of sales (*like <http://www.bandize.com> and others*). Items for sale and giveaway on the merchandise table could include:

- a) CD's, DVD's, or vinyl for sale.
- b) Music download cards for sale or free giveaways.
- c) T-shirts, hats, stickers, etc. for sale and for free giveaways.
- d) Promo kits for interested label personnel, booking agents, promoters, media people, etc.
- e) 8' x 10' glossy photographs for autographing for fans.
- f) Mailing list book or laptop for people to sign up to your mailing list.

Mention and point out the merchandise table from the stage during your gig. Have a laptop available and allow people to purchase CD's, subscriptions, and merchandise at the gig using credit cards (*via services like PayPal*). You can even sell merchandise that you don't have available at the gig and then mail out shipments when you arrive back home (*since people can pay for the shipping with their order*).

~ Start and end the show with your strongest material. Pick two out of three of your best songs and play those two first. End the show with one that is hooky and memorable.

Avoid playing too many songs back-to-back with the same tempo, groove or key. The audience could get bored if too many of them are strung one after the other. Keep dead space to a minimum, and avoid things that require dead space like changing instruments or stage positions. Incorporate new sounds or instruments into the show for variety.

~ While performing, try not to do the same thing over and over for each song. Vary your gestures, facial expressions, body movements, lighting schemes, banter, wardrobe, posture, etc., otherwise the audience will feel (*even if it's not the case*) as though every song is the same.

~ Run a raffle / contest – Give everybody who enters the venue a raffle ticket. At the end of each set, call out a random number from a hat and give the winning ticket holder a free CD or T-shirt. At the end of the last set, give away something a bit more valuable (*but not too expensive*). Make sure you make it fun and invite the winner on stage to receive their prize.

People in the audience will appreciate the interaction, especially if you make the winner say something about themselves on the microphone as they collect the prize.

~ Remind people of your band name – Mention your band name several times during the gig. It could very well be the case that some people in the audience will have wandered into the venue without knowing who is performing. If they leave the show early and don't get a chance to go to the merchandise table, they might still remember your band's name and check out your website later or catch up with you on social networking sites.

~ Speak directly to audience in between certain songs – Engage the audience by saying something about the song that is coming up or the song that you just did.

Mention your website by telling the audience that they can find song lyrics or other information there. Give them some insight as to perhaps why you wrote a particular song, or tell a funny story about something that happened to the guitar player during the recording session. Do some research ahead of time and incorporate local events, birthdays, etc., into the show. If the situation is suitable, try taking a few questions from your fans (*written down on pieces of paper*) and answering them in groups periodically throughout the show. Think of all kinds of ways that you can interact with your fans in addition to performing your songs for them.

~ Make your show visually stimulating – Incorporate something into your show that is visually interesting. Besides merely performing your songs, you should have some type of stage prop or lighting theme that gives the audience something to remember. Think about your music and what type of image you're trying to portray. Even if your music sounds great, try and have something else happening on stage that makes your performance special.

~ Record your show – Depending on the venue policy, try and record your show using a feed from the front-of-house (FOH) mixer. Most professional mixing boards have the capability of sending out a 2-track mix not only to the main monitors, but also to a recorder. If you are able to record that feed into a laptop with recording software, you should be able to burn CD-R's of the show and offer it to people either free with a CD or merchandise purchase, or even as a free gift for attending the show. You could also perform some basic mastering to the tracks (or send out the songs to be mastered) for a live recording that you can sell on your website or submit for digital distribution/fulfillment.

You can also use services like **DiscRevolt's LivePass** (<http://www.discrevolt.com/>) to offer fans live concert downloads available in mp3 format from your website after the show.

Also (*again depending on venue/union policies*) videotape your show so that you can make a DVD to give away or sell to your fans, as well as use as a booking tool to get more gigs. You can also use some of the footage on your website or YouTube channel as a way to promote your band.

~ Live video streaming – Again, depending on any union regulations and the venue’s policy on videotaping, offer live video streaming of your show for people that can’t attend (e.g., fans with conflicting schedules, or who live in cities or countries where you’re not performing). You can use services like **USTREAM** (<http://www.ustream.tv>), **SyncLive** (<http://www.synclive.com>), **Livestream** (<http://www.livestream.com/>), **justin.tv** (<http://www.justin.tv>) or **Qik** (<http://qik.com/>) and others to let people watch and sometimes comment on your show live. Even if you don’t stream the entire show, this will be a good way to let people see what they can expect if they come to see you live, and may make people who were reluctant to buy tickets change their minds and come to another show.

If the venue allows you to use a professional video camera (*or crew*), make sure you let everyone in the venue know that you are taping and allow people who don’t want to be on camera to position themselves in locations outside of the frames (*and make sure the videographer avoids shooting footage in those locations*). Have model releases available for people who are visible in the shots acknowledging your ownership of the footage along with their permission to have their “likeness” in the video. Compensation could be a couple of dollars off the cover charge, some band stickers, a drink ticket, etc. An alternative to using the releases is to have the videographer focus all their shots on the stage, thereby avoiding recording venue patrons.

~ Work your mailing list – Don't forget to get people to add their names and contact information to your mailing list. Make the list available at the merchandise table and have the band members mention it frequently from the stage. Have a laptop handy where people can sign up directly to your mailing list if you are using something like FanBridge or FanReach as a mailing list solution.

~ The band manager should be designated the task of making sure that all VIP's (*label A&R reps, media personnel, industry players, fan club members, etc*) are well taken care of. The manager should walk around talking to anyone who needs to talk to the band's representative. It is important to make sure that all deal offers go through the manager or designated band representative.

~ Don't spend all night asking the bartender or club manager for free drinks, free food and other perks unless those things have already been promised as part of your contract rider. This type of behavior will get reported to the talent buyer, club manager, promoter, or booking agent, making it less likely that you will be invited back in the future.

~ Allow fans to tape your shows (*both audio and video*) if the venue allows the use of cameras. Make sure to ask the venue ahead of time what the taping policies are, since some don't allow any taping at all while others allow taping as long as the cameras (*audio and video*) are not professional (*i.e., point-and-shoot or cell phone cameras might be fine*). Some venues also have union guidelines that must be adhered to.

If taping is allowed, this is an excellent way to promote your band since fans will be likely to post images and/or videos on their social networking sites which serves the purpose of increasing your fan base via word-of-mouth.

At first blush, it seems like people who have a bootleg recording will not purchase the real CD, but you will be surprised how many will become long term fans, buy future CD's, spread the word about your band to their friends, and purchase your merchandise. Also, they can come in handy when it comes to you needing a place to stay while on tour. You should, however, remember to ask for a copy of the tape(s) for yourself when they are done.

~ Take photos during gigs – You should have somebody taking photos of you during your gigs, as well as photos of the crowd and you in between sets. If the venue allows it, use the best camera possible. You can share the photos on **Twitpic** (<http://www.twitpic.com/>) or similar services to let those that can't be at the gig see what's going on. If you have a web page or Facebook account, you can post these pictures there as well as on **Flickr** (<http://www.flickr.com/>) for publicity. You can also use the pictures as promotion for the next time you play at the club, either by posting them on a board inside the club or printing them on flyers that you distribute before the gig. Remember to ask people's permission before you take their pictures, get their names and email addresses, and tell them what you intend to do with the pictures. Do not take or post pictures of people that haven't given you permission to do so, and (*as with shooting video*) keep some model release forms handy for people to sign acknowledging your ownership of the photos and the right for you to use them as you please.

~ End your show at the exact time you were scheduled to end it – Unless otherwise directed by the venue booker or promoter, you should not play beyond the end time of your show, especially if there are other bands scheduled to perform after you. Have somebody off stage keeping track of the time who can give you a signal when there is only time for one more song.

~ If there is another band playing after you, make sure you take your gear off the stage before heading out to mingle with fans and work the merchandise table. If you need to do so, bring along a roadie to help with setting up and breaking down the gear who can also drive the van or mix the sound, etc. If you are able to, ask the band performing after you if they need any help setting up their gear.

~ Mingle – At the end of the gig, don't just pack up your gear and leave. Have a friend or roadie break down your gear, and mingle with the crowd. Thank them for coming (*even if they didn't come to see you*) and try and make friends with some of the patrons. Remember that everybody wants to be cool with the band, so take advantage of that. Talk to people and ask them what they thought of the performance. Mention the band by name so that the name gets “stuck” in their memory. Most importantly, meet people at the merchandise table and sign both purchased items as well as freebies (*photos, CD's, t-shirts, etc.*) for fans. Even at this late stage, it's not too late to encourage people to sign up to the mailing list if they haven't already done so; therefore, don't forget to ask people to sign up as you talk to them.

~ Help out – Help each other break down gear and ask the club manager / booker if there is anything you can do to help them out. Most of the time they will say no, but they will remember that as a nice gesture when it comes time to think about booking a band in the future.

~ Thank the engineer, doorman, waitresses, and club manager / booker – Nobody ever remembers to be nice to these people. If you are nice to them, they will think of you the next time they need to book a band for an important night, and they may even pay you more for your next gig because of how thoughtful you are.

~ Double-check that you have all your gear with you before you leave the venue – Once you have left the venue, it is almost impossible to recover equipment or clothes that you have left behind. Have a list of the equipment you brought in, and check that list off as you load the car/van/bus at the end of the gig.

~ Never leave your van unattended while loading / unloading – This is self-explanatory. Keep an eye on all your gear while loading and unloading. It is amazing how easy it is for someone to pick up a guitar case or backpack out of the van while no one is looking. WATCH YOUR STUFF! Load like an assembly line, where there is always somebody at the van while two or three others are on their way back and forth from the stage / dressing room with gear. You could also have a friend sit in the van while you load / unload.

After The Gig

~ Update the information on your website and social networks. Upload any video or audio content that you recorded at the show, and post any relevant photos to your gallery as well. Let your fans know how everything went, and encourage those that were at your show to make comments about their experience and post their own video footage and/or audio content.

~ Take the opportunity to discuss everything that happened during the show with the talent buyer, club booker, agent, or promoter. If a booking agent was used to book the show, ask them for feedback, since they are frequently involved in discussions with the venue. If everything went well, use this time to try and book another date at the venue. If, however, a lot of things went wrong (e.g. only a few people showed up, a fight broke out, your show started late, etc.), take the time to discuss ways to make improvements.

Showing that you care about the situation will go a long way towards building a good relationship with the bookers. Remember, it's a small world and word gets around.

~ Pay the band members promptly as soon as you get back. Most often, if you received a check as payment from the venue, you will have to wait until the check clears. If, however, you have gotten cash, pay the members right away. Pay the band exactly what you said you would, whether it is a percentage of the door, a guarantee, etc. You can develop problems if you gain a reputation for not paying on time or for paying less than you promised.

~ Send "thank you" emails/letters/postcards – When you get home send thank you emails, letters, and/or postcards to all the important talent buyers, label people, media personnel, promoters, venue bookers, etc, that you encountered or that came to your show.

~ Update your mailing list – Another thing to remember when you get home is to immediately put all the new names that you collected into your mailing list database (*if you didn't have a laptop with you at the gig*).

~ Once you get back, review the video and audio footage from the gig. Take notes of all the things that worked out well and make note of the areas where you need to make improvements. Analyze if the recordings can be released as CD's/DVD's or downloads.

~ Set up a band meeting or rehearsal to discuss all the issues about the gig. Use this meeting to go over things that you can do at your next gig to make it better, and talk about things that worked out really well that you would like to do again. Take note of which songs went over well with the audience and which ones you could delete from the song list.

You should always look to improve your show, and that's what your band meeting should be about. This is also the time to bring up band member issues that need to be discussed, including negative things that may have happened on stage. Never discuss any of this stuff on stage during a gig. All this should be left to the band meeting after the gig.

~ Go around to the stores where you have your CD's stocked on consignment to see if you need to give them some more CD's, posters, or samplers. Let the stores know about how successful the show was and get some of the employee's names and e-mail addresses so that you can invite them to the next gig.

SPONSORSHIPS AND MERCHANDISING

Sponsors can play an important role in helping to offset the costs of recording, manufacturing, touring or performing. Companies are constantly looking for ways to reach customers directly, and concert performances provide a unique way to make that happen. It is getting a little harder to get sponsorships now because large companies are more interested in high-profile artists or bands on major labels with a large fan base. However, liquor companies, for example, are often interested in even smaller bands because they can make their money back from liquor sales at the venue.

Following are some of things that interest sponsors in your band or act:

- What does the band have to offer (*image, fan base, large mailing list, common message, etc*)?
- What is the band's performance and sales track record?
- What are the bands' overall touring goals (*regional, national, international*)?
- How often will the band perform?
- How long will the tour cycle be (*one night, one week, one month, several months long*)?
- What cities (*and/or countries*) will the tour be routed through?
- What are the expenses involved (*equipment rental, band & crew salaries and per diems, car rentals, accommodations, insurance, etc.*)?
- Has the band recorded or toured before?
- What is the target demographic (*or audience*)?
- How well do you know the target demographic?

- How will that target demographic be reached?
- What kind of media coverage will be attached to the tour (*TV, print, radio, and internet*)?
- How many people will be exposed to the band during the campaign?
- In what ways can the sponsor's products or services be integrated into your project, performance, or tour?
- Are there any celebrities involved in your project?
- How will people see or receive the sponsor's message / image?
- What are you requesting from the sponsor (*cash or product donation*)?
- What is in it for the sponsor (*clearly spelled out*)?
- Do you have a way to measure results of the sponsorship?

You will ultimately need to answer all the questions above and more in order to get a sponsor behind you. Remember that any company can be a sponsor, and you can have more than one sponsor attached to your project as long as they are not competitors. You can start with companies that are interested in penetrating the demographic you reach (*or plan to reach*).

If you are touring internationally, you can look for companies that wish to extend their brand name beyond the borders of your country. You may not always be able to get cash. You should keep in mind that products and services given to you for free or at a discount can also be of value. For example, hotel rooms, clothing, equipment, airline tickets, staff, mailing lists, or car rentals can be part of what you ask for instead of (*or in addition to*) cash.

Some companies may be interested in co-branding magazine ads or radio/TV/internet commercials promoting their product alongside yours. All this can help to offset the cost of a tour or album project.

You can begin by calling up or emailing someone at a company and asking for the person in charge of arranging sponsorships. Some companies don't use (*or like*) the term "sponsorship", so try and find out what department within the company deals with 'marketing partnerships' or other initiatives that resemble sponsorships.

Most large companies arrange their sponsorships through public relations (PR) firms, booking agents, sponsorship consultants, in-house departments, or advertising agencies. You may have to work in reverse and conduct research on various PR firms in order to find out who their clients are. When you find a firm that represents a company you are interested in approaching you can call and find out who you can send a package to, or even pitch the sponsorship/marketing opportunity to the PR firm. Once you have a contact you can send them a proposal that includes a cover letter, a one-page document explaining the "what's-in-it-for-them" benefits, and a marketing plan or tour itinerary for their review.

Your cover letter will have all the general details of the events. Following that, you can have pages that explain the tour in more detail and get into answering all the questions the sponsor might have about the event and the benefits. Don't be disappointed if you don't get a lot of interest in the beginning. You may get more interest from smaller companies that find the exposure from sponsoring your project to be worth more than what they could get from buying airtime or running ads.

In the beginning you will have to reach sponsors on an emotional level if you can't lure them with the direct marketing benefit angle. As you build a track record you will find it easier to get sponsors on board.

A brief discussion about merchandising

Many bands look to offset the costs of going on tour by selling merchandise (T-shirts, caps, jackets, etc). The two types of merchandising are **Tour merchandising** and **Retail merchandising**. As their names suggest, tour merchandising is the sale of band merchandise during the tour, while retail merchandising is the sale of band merchandise in retail stores, via mail order, from the band website, etc.

Initially, you will probably handle all your band merchandising duties yourself (*designing, manufacturing, shipping & handling, etc*). Once you start playing to larger audiences, expanding your tour route, and selling more merchandise you may be approached by (*or you may reach out to*) a merchandising company to handle all the details for you in exchange for a percentage of sales. Merchandising deals are possible when you have a large fan base, have been touring a lot to large audiences, and have sold a lot of merchandise.

Merchandising deals are usually signed for a term of one album or tour cycle. Most merchandising deals will require exclusivity. It is possible to get advances from merchandisers ranging from \$0 to \$100,000 and up, but there are some very important things to keep in mind.

Advances are usually based on the band's previous and current merchandise sales numbers, their touring itinerary, the number of cities the band will be performing in, the capacity of the venues, the band's touring history, radio airplay, media coverage, sales track record, etc.

If the artist is willing to take a smaller advance, the royalty rate may be negotiated higher. If the artist is in need for a larger advance, the royalty rate may be lower.

When advances are paid, they are usually paid in thirds; one-third at the signing of the contract, one-third at the commencement of the tour and finally one-third after a specified number of shows have been completed. Unlike label advances, many merchandising advances or payments are returnable if specified conditions in the merchandising agreement are not met. For example, if the artist fails to perform in front of a minimum number of attendees at their shows, or fails to perform a specific number of shows, the advance would be returnable.

The royalty paid on sales of touring merchandise is usually between 25% and 35% of each item sold. The merchandising company will typically pay the hall fees charged by the venues on the tour. The royalties paid on retail merchandising is usually between 10% and 15% of the dealer price. Most bands will only be able to get these types of deals following a second or third album or after they've toured extensively (*150+ dates per year*), built up a large mailing list/following and have a history of selling merchandise.

GOING ON TOUR

Previously for bands, the only way to increase your fan base in other regions was to tour locally (*starting small*), and then make several rounds over a couple of years before establishing enough of a reputation to draw the necessary number of fans to justify expanding outside the region. Nowadays, you can use social networking on the internet to reach fans in areas outside your home region and get some feedback about how many of them would buy tickets to your shows.

Once you've created a large enough mailing list from your social networking campaign you can then send out newsletters and use services **eventful** (<http://eventful.com/demand>) and **Live Music Machine** (<http://www.livemusicmachine.com/>), or utilize data from services like **RockDex** (<http://www.rockdex.com>) and others to find out how many fans/listeners/followers you have in different cities that might be interested in coming to your performance; and then use that information to make smart routing decisions for your tour. You can also use services like **streamSerf** (<http://www.streamserf.com>) to track which radio stations in which cities are playing your songs and route your tour accordingly.

Your local region is the place for you to test how well your show is put together, make mistakes early in the process, and polish up your act before taking the show on the road. This is also the place for you to experiment and find out exactly who your audience is, as well as make some money to help you with tour expenses.

It is also the place for you to gain experience, create a buzz, and get crucial references from venue bookers and talent buyers in your area. Once you have played at most of the important local venues; promoted yourself to the local fans and music industry people; received local radio airplay; publicized yourself to the local media through press releases and interviews; and sold some records at your local retail stores; you can then begin the process of planning a tour.

Things to keep in mind when planning and embarking on a tour

First and foremost, you should make sure that the band is ready to go on tour before you start planning your route. Do you have enough fans to support going on tour? Can you charge enough money for your performances to cover the costs of going on the road? Is the song material strong enough to perform in front of fans and industry people alike in other cities? Do you have any experience performing in cities outside your home region? Do you have somebody with enough knowledge about touring to help you with all the logistics and details (*e.g., booking agent, tour manager, etc*)? Is the overall show strong enough to take on the road? Do you have a publicity and promotion campaign to support the tour? Consider these and many other questions before committing to go on a tour.

Early in the planning stages (*once you've determined that it makes sense for you to tour*), you should strongly consider submitting material to music conferences and festivals that take place in regions you are interested in touring.

Since it is sometimes difficult to get gigs in new cities without a track record, a showcase slot at a club can get you a foot in the door. You can then use that information to book another gig in the same town on an off night.

For example, if you have a Friday or Saturday night showcase slot at a conference, you can try and book a Wednesday or Thursday night show in the same city.

Start planning and routing your tour at least three to nine months ahead, depending on the distance you are planning to travel; the genre of music you perform; and the type of tour you are planning. For example, jazz festivals are often booked up to a year in advance, so starting to plan your tour three to six months ahead would be too late to be included. You will need time to plan and route the tour, confirm all the dates, audition and rehearse the band, hire a road manager, hire the crew (*roadies, driver, techs, etc.*), enlist the help of a travel agent, obtain the necessary visas or work permits, book your accommodations, purchase insurance, promote the shows, conduct publicity campaigns, get the records into stores, send promotional items to the venues, etc.

You will also need to make sure that you aren't breaking any union rules if you are a union member (AFM, AFRTA/SAG) or if you are hiring or performing with other union members. Do your planning ahead of time in order to avoid a situation where you are unable to perform a show at the last minute.

Before you begin planning your tour, make sure you have a permanent and reliable phone and fax number, as well as a fixed mailing address and an e-mail account that you can access from any location (*e.g., a free Yahoo, Gmail, or Hotmail email account*). A laptop will be extremely handy for access to emails while on the road.

If you are working with a booking agent and / or promoter, now would be the time to go over the routing options and analyze whether or not the tour will be profitable.

Discuss all the financing options you have available to you right now (e.g. *ticket pre-sales, record label tour support, deposits, savings, investors, sponsors, promoters, talent buyers, brand partners, royalties, etc.*). This will help you to understand how much money you have on hand, and how much you need to make each day on the road in order to break even on the costs of putting the tour together. Without understanding the financing, it is likely that you will lose money on the tour. You must know exactly how much it costs you each day on the road (air fare, bus fare, train fare, gear and other miscellaneous rentals, hotel rooms, food, gas, auto expenses, laundry, taxes, insurance, medical costs, phone / fax charges, crew salaries, venue fees, ATM fees, commissions, etc.).

Determine the overall cost of putting the tour together and deduct the cash you have available at hand from that. For example, if the overall cost of putting the tour together is \$75,000 and you have \$8,000 cash at hand, the remaining amount of money you need to pay for the whole tour is \$67,000 ($\$75,000 - \$8,000 = \$67,000$). This \$67,000 will have to come from ticket sales, merchandise sales, album sales from the gig, sponsorships, brand partnership contributions, endorsements, donations, miscellaneous payments, and whatever other income sources you can come up with while on the road.

If you need assistance raising funds for your tour, consider resources like:

- **Power Amp Music** (<http://www.powerampmusic.com/>),
- **Kickstarter** (<http://www.kickstarter.com>),
- **Slicethepie** (<http://www.slicethepie.com/>),
- **feed the muse** (<http://www.feedthemuse.net/>),
- **ArtistShare** (<http://www.artistshare.com>),
- **SellaBand** (<http://www.sellaband.com/>), and others.

If you have access to a budget that allows for it, consider looking for a **tour “buy-on”** or **“marketing co-op”** with an established band. This is a scenario where you reach out to a headliner’s agent and/or manager with an offer to pay them a certain amount of money (*e.g. \$500 - \$1,000*) per day for the opportunity to perform with them as a 1st, 2nd, or 3rd act for a certain number of dates (*e.g. 1 - 40*) in venues of a certain capacity (*e.g. 2,500 - 10,000 people*) on their tour.

You will most likely be bidding with other people for the buy-on, so make sure you don’t get caught in a bidding war. Only bid what you can afford to pay, since, in addition to the cost of the buy-on, you will also have to take into account the additional costs of your band’s travel, accommodations, rentals, per diems, insurance, etc.

Keep in mind that the promoters of the tour also have a say in the matter, and the size of your draw will be taken into account as decisions are being made. You will also likely need to make lots of pitches in order to get one accepted. You can use the directories from **Pollstar** (<http://www.pollstar.com>) and **Billboard** (<http://www.orderbillboard.com/>) to get contact information for managers, agents, and promoters (*as well as tour itineraries*).

If you are working a radio campaign, call the stations that are playing your songs and ask them which venues in their market they can recommend for you to play in. Some of these stations may be well outside your traveling range, but if it makes sense to route your tour in that direction, it may be worth the trip in the long run. If you are receiving radio airplay at the time you contact venues (*or bookers / agents*), make sure you tell them which stations you are receiving airplay on and which Program Directors or Music Directors recommended the venue to you.

Put together a planning and routing (itinerary) book, or utilize solutions like **Bandize** (<http://bandize.com/>), **Music Arsenal** (<http://www.musicarsenal.com/>) **ArtistData** (<http://www.artistdata.com/>), or the **Band Leader** (<http://www.thebandleadersoftware.com/>) and others to input all your booking information as you plan your tour and while you are on the phone with venues, bookers, agents, and promoters. Sites like **SonicBids** (<http://www.sonicbids.com>) and **OurStage** (<http://www.ourstage.com>) and others can be helpful in letting you know about gig opportunities and venues that are booking.

As you make your calls, input the date of the conversation, the person's name, the venue or company name, venue capacity, address, phone number, fax number, e-mail address, and comments (*including when to follow up and what was said*). On your calendar, mark a date with a "T" if you have a tentative date and a "C" if you have a confirmed date.

When planning your first tour, try and stick to between 2-4 states surrounding your home market or region (*or a 100 mile or so radius around your home town*). If you are planning a European or overseas tour, it would be wise for you to work with an agent or promoter who is well versed in the issues of international travel and is able to advise you on all the legal, accounting, visa, and language issues associated with such endeavors.

Look at a United States map (*or a map of whichever area you plan to tour*) and map out a route that makes sense. Draw lines from your home through your target touring region and back. Notice if and how the lines make sense. Your route should not zigzag randomly across the country (*or region*). Your route should either be a rough circle or figure eight. Meandering back and forth between cities and zigzagging randomly across the country is a waste of time, money, gas, and energy.

Create a route on the map and then attempt to book gigs in cities along that line on dates that make sense. This means that as you plan your tour, you should call venues in cities along the route with a particular set of dates in mind. Once you have placed those calls, move to the next city with the next set of dates, and so on.

Use feedback provided to you by your fans or information gathered from sites like **Eventful** (<http://eventful.com/>) and others to help you make your routing decisions. This can be quite a juggling act since you won't always get a confirmation right away, and you may have some tentative dates in cities further along the route that occur before dates in earlier cities.

You will have to set some booking deadlines and decide which venues are worth waiting for. You should consider various booking opportunities (*e.g. high schools, colleges, radio station events, specialty stores, house concerts, farmer's markets, coffee shops and cafes, fairs and festivals, opening slots, gig swaps, conventions, churches, malls, etc.*) to help fill in dates (and make some extra money) along the route. Remember that every day on the road costs money (*hotel rooms, gas, food, car or van rentals, etc.*). In that regard, you should attempt to make money one way or another from as many additional sources as possible.

At this stage (*depending on the style of music you perform*), you should have already submitted your media package to college bookers (*or college booking agents*), festival & fair organizers, and industry showcases and convention coordinators. You should follow up on these leads and see which ones fit in to your tour plans. In addition, now is the time to solidify any "gig-swaps" you may have initiated earlier with bands in other cities. You can set this arrangement up in as many cities located along your tour route as you can in order to make money on as many days on the road as possible.

To avoid confusion and miscommunication, always have only one person handle all the booking tasks. This will help cut down on the possibilities of accidentally booking your band in two venues at the same time. Make sure that person doing the booking on your behalf knows everybody else's schedule and can speak for everyone.

As calls are made and communication proceeds, make sure you set booking deadlines. It makes no sense to wait for an answer from somebody for months on end while you hold all your other booking options. If somebody cannot give you the date you are requesting, ask if they could recommend somewhere else in town for you to play that night or on those nights. As you contact venues, try and research what time the public transportation system runs until so that you can plan to end your show prior to the time the last train or bus runs.

As you call around, have your media packages ready to send out, or at least have a website where you can send people to view your Electronic Press Kit (EPK). Always log your phone calls and note down the date your package was sent out as well as the date you have scheduled to follow up. Once you have a date confirmed, note down all the booking details you agreed to (*e.g. how much you are getting paid, what date and time the gig is, what equipment is being provided, who else is on the bill, the load-in and sound check times, etc*) and send this contract to the venue, booker, or promoter. Do this especially if the venue does not have a contract of its own to send you. Ask the promoter or booker for their media list (*a list of publications and media contacts in the area that cater to music*).

Ask them if they can recommend any particular writers or reviewers for you to contact. Send the promoter or venue booker any promotional materials they might need (*e.g., CD's, posters, samplers, postcards, flyers, etc.*) at least 4 to 6 weeks ahead of time.

Keep in mind that the media works on deadlines, so the sooner you can send your materials the better. Ask them if they will be using your band name in their ads. Also ask for them to link your website to theirs.

Get equipment and health insurance coverage before you leave. You never know when your equipment might be stolen from the van or at a venue; or damaged on the road or during a show. Insurance is quite affordable if you consider the cost of replacing all your equipment yourself, and there is absolutely no excuse for not getting coverage for your equipment; especially when you are going on tour.

There are many companies that offer insurance, but a couple of good places to start (in addition to your Homeowner's insurance company) include **MusicPro Insurance** (<http://www.musicproinsurance.com>) or **Clarion Associates, Inc.** (<http://www.clarionins.com>).

Make sure you clarify exactly what is covered before you pay for a policy. You need to be as clear as possible when describing the nature of your needs, including the fact that your equipment will not be in one place all the time since you are on tour. Some insurance companies will not cover equipment that is taken outside your studio or rehearsal space, or they may only cover it if it's stored in a secure location. Ask very specific questions before you sign up.

Try and get people in the other cities (*street teams*) to help you put your CD's on consignment in the retail stores, as well as hand out promotional samplers and T-shirts to people on the street. This type of promotion will help you get more people to your shows.

Send gig invitations to the media and other industry people in the cities where you will be performing. Invite members of the media to review your show and interview you before the sound check or after the show.

Provide drink tickets to industry people if you want them to show up. Call the local radio stations and see if they can play your music around the date of the show or conduct an on-air interview with you on the day you arrive. Send promotional posters and fliers to the venues to put up a couple of weeks before your show. Once the show dates are confirmed, submit your tour itineraries to Pollstar's data processing department at tour_dates@pollstar.com. There are no guarantees to the entry of your dates into their database, but once they research and cross-reference the dates you may be included.

Call and re-confirm all the dates before you embark on the tour. Shows sometimes get cancelled, or venues go out of business, and the last person to know is usually the band. Double-check each show before you leave town, and take a laptop and smart phone with you on the road in order to stay abreast of all the latest information.

TIPS FOR WHAT TO DO ON THE ROAD

Following are some tips for what to do on the road (*while touring*):

- Always carry a sleeping bag.
- Pay off all outstanding traffic tickets before you leave.
- Pay attention to freeway gas and food exits on the road. For example, notice how much gas you have when you see the “Next Gas Stop: 60 miles” sign.
- Pack only what you need. Any extra stuff will only add to the load and junk that you have to haul, which increases your gas costs in the long run.
- Carry some non-perishable food and drinking water with you.
- Make use of microwaves at gas stations that will let you use them.
- Driving the speed limit on long tours saves you gas.
- Renting heavy musical equipment (*e.g., amps, monitors, etc*) in each city might be cheaper (*in reduced gas, wear and tear on the vehicle, and insurance*) than lugging all your own equipment with you for the whole tour.
- Consider the option of shipping several small boxes of merchandise ahead of you to the venues (*with permission*) rather than driving through the whole tour with all your heavy merchandise boxes.
- Eat and sleep well. You’ll play better and have more performance energy over the course of a long tour.
- Don’t change your normal eating habits too drastically on the road.
- Keep all contact information on people you meet while on the road, including venue owners/bookers, promoters, helpful strangers, retail store employees, other musicians, etc. You never know when you need help on the way back or at any other time.

- Keep a handy list of musicians in each city in case you need to replace a sick musician or one of the band members quits in the middle of the tour.
- ALWAYS KEEP AN EYE ON YOUR EQUIPMENT!
- Take a tool kit that includes flares and a flashlight. It will come in handy for both your equipment and auto needs.
- When possible, pack things in boxes instead of suitcases. Boxes can be discarded or broken down when no longer in use.
- On the road, bring an mp3 player, DVD player, laptop, and some games to supplement the music on the radio.
- Make sure your transportation is reliable and will survive the duration of the tour.
- Carry extra windshield wiper fluid.
- Don't bring attention to yourself with fancy logos on your van.
- Whenever possible, park where you can see / hear the van. Don't let people see inside your van.
- Use bike chains to chain equipment cases and bags together inside your van.
- Take a laptop with you. Having access to the Internet while on the road can be a lifesaver. You can research information, contact people on your mailing list, get directions, check the weather and traffic conditions, update your band web page, send and receive e-mail, and so on.
- Bring along a hand truck to help with loading and un-loading heavy items.
- Carry a first-aid kit and check the expirations dates of items where applicable.
- Use traveler's checks instead of cash whenever possible.
- Don't keep large amounts of cash on you. Make frequent bank deposits when you get paid and use your ATM card to withdraw money.

- Have a list of all your equipment and check it before you leave each destination.
- Give each band member a contact list of all the venues, bookers, and promoters involved in your tour. You will have backups if you lose your master list.
- Always carry road maps and bring along a GPS device if you have one (*or rent one*).
- Join AAA and carry your AAA card at all times.
- Make sure you bring your medical insurance card with you.
- Make sure you have backup equipment (*guitar strings, drumsticks, pedals, cables, microphones, fuses, picks, extension cords, etc*) in case you lose or damage something along the way.
- Carry a credit card for emergency situations where a credit card is needed for reservations, booking, or rental.
- Carry a second form of identification for times where that may be required (*e.g. banks, etc*).
- Bring along a set of earplugs and save your hearing over the course of a long tour.
- Bring along some extra rolls of toilet paper (*no explanation necessary*)!
- Let people at home know your tour route and schedule.
- Shows get cancelled, so have a “plan-B” in place. Make sure you have a way to let fans know about the cancellation (which is why you should have a laptop with wireless card or a smart phone available for updates).
- If you’re going overseas, make sure your passport and visa paperwork are in order. Also, ship your merchandise over there before you leave. It is also a good idea to rent most of your equipment once you get there instead of taking it with you.

TIPS FOR KEEPING YOUR BAND TOGETHER

Following are some tips to help keep your band together:

When you have a disagreement with a band member, keep in mind that you are disagreeing with the ideas and not necessarily with the person. Making everything personal is a quick and sure way to break up the band. If you don't agree with a suggestion that somebody makes, mention why the suggestion is not agreeable or suitable and offer an alternative suggestion. If you reach a stalemate, be willing to "agree to disagree" without ruining the friendship.

Try not to have any overt favoritism in the band. Consider everybody's ideas and provide good reasons as to why suggestions from band members are accepted or rejected based on the merits. Keep a log of conversations in band meetings so that you can refer to the notes if somebody should have a complaint of some kind.

Be very careful when it comes to dating band members. Very often, once couples within the band break up, the entire band ends up breaking up also (*especially if the relationship involves a lead member of the band*). Even if the band remains intact, the situation becomes extremely uncomfortable once ex-couples begin to date again either within or outside the band. This can lead to confrontations or other embarrassing situations that can play themselves out at the most inconvenient of times.

Not every issue has to turn into a confrontation. There is a phrase that goes something like this: "*Some fights are worth fighting even if you lose. Other fights are not worth fighting even if you win*".

Pick your fights among band members carefully (*based on principle*), and each time an incident arises, consider whether or not it is worth fighting about.

Split up band duties so that every member has something to do. If one band member is doing everything (*writing the songs, mailing packages, making calls, booking gigs, renting equipment, scheduling rehearsals, arranging accommodations, etc.*), they will end up resenting it, asking for more money, or even quitting. Make everybody feel important by giving them something to do. Also, once you make somebody in charge of something, let them do their job. Don't tell them to do something and then criticize it and say how much better you could have done it yourself.

As much as possible, try and allow each person's secret talent to shine. For example, if the drummer has a good voice, work a song into the set list where they can sing leads or even background vocals. Not only is it good for them and the band, but it also gives fans a nice surprise. If your guitar player is also an artist, use some of their art as a stage prop at your gigs. Be creative and make sure the talent fits in with the group image and game plan.

Never, ever bring up an argument or issue on stage during a show. This can be extremely humiliating and annoying and can lead to people quitting the group (*or even "coming to blows" on stage*). Always wait to address issues at band meetings.

When discussing issues with band members, offer solutions instead of arguments.

Don't harbor ill feelings for a prolonged amount of time. Issues are best dealt with sooner than later. If you bring things up earlier in a constructive way, it will prevent them from blowing up into major fights.

Try and help each other break down equipment at the end of a gig. Offer to at least help carry somebody else's equipment to the van if you are done with your setup.

When possible, try and hang out as a complete band at an all-night diner after the gig. Doing this builds a kind of kinship that doesn't come from merely rehearsing and doing gigs together. You don't have to do this all the time, but every once in a while you should make a point of inviting the whole band out after a gig. Let them know ahead of time so they don't plan to take off with friends or family as soon as you're done with the show.

IN CLOSING

Helping to come up with strategies that fulfill an artist's long-term musical dreams and desires is the goal of every professional artist manager. When the game plan is tailored to fit a particular artist and makes the client successful and happy, you are creating a mutually beneficial relationship worth all the time and effort you spend.

Give your best to each client, or if you are a self-managed artist, give the best to yourself. As a manager you will achieve satisfaction only if you put your best effort forward each time you sign an artist to your roster. Resist the temptation to bite off more than you can chew. Know your limitations, and be honest with yourself in terms of what you can achieve considering the resources you have available. Never think you know everything, because there is always more to learn. Most of all, enjoy what you do and best of luck on all your musical endeavors!

"Today is your day! Your mountain is waiting. So... get on your way."

-Theodor Seuss Geisel (Dr. Seuss)