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Happy Holidays from Napster!

Happy Holidays from Napster®!

Happy Holidays from Napster®!
SOLD OUT

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QUOTE OF THE WEEK

"I’m very afraid of formula—it’s tragic because it burns so quickly and the candle is out for somebody in two to three years."

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Get the first look between the bullets!

Find out Wednesday what everyone else finds out Thursday.

NEW!

Billboard CHART ALERT

Get a jump on the competition with Chart Alert, Billboard's new early chart notification system.

Every Wednesday morning, you'll get the freshest chart data including debuts, weekly sales, chart news, industry trends, and progress reports as well as early chart data for the Billboard 200, Country, R&B/Hip-Hop, Digital Tracks, Heatseekers and more.

Go to billboard.com/chartalert for registration and more information.
Who's Best?

Array Of Acts Up For New Artist Grammy

BY CHRIS MORRIS

LOS ANGELES—Some industry observers will bet you half a buck they know who will win this year's Grammy Award for Best New Artist.

Standing out commercially in a wide-ranging field of nominees, rapper 50 Cent is a solid favorite among retail and radio handicappers polled by Billboard.

"There's a lot of talent there, and it's a very diverse bunch," says Jon Zelner, VP of top 40 programming at Infinity Broadcasting. "50 Cent probably wins [because of] the amount of airplay and albums sold."

This year's best new artist field is unusually broad stylistically, spotlighting music in rock (Evanesence), pop (Fountains of Wayne), rap (50 Cent), R&B (Heather Headley) and reggae (Sean Paul).

BREAKTHROUGHS IN '03

Led by singer Amy Lee and guitarist Ben Moody, Gothisued, Christian-inflected hard rock band Evanescence blasted to the top in 2003 behind "Bring Me To Life."

The song—originally from the "Daredevil" soundtrack—lofted the Little Rock, Ark.-bred band's Wind-up debut, "Fallen," to No. 3 on The Billboard 200. So far, the collection has moved 3 million units, according to Nielsen SoundScan.

Fountains of Wayne, the band fronted by songwriters Chris Morris

Viva, Universal: 'No Payola Deal'

BY WOLFGANG SPAHR

BERLIN—Universal Music Germany and music TV channel Viva have denied signing a deal that press reports here have described as a potential case of payola.

According to a report in the Dec. 8 issue of German news magazine Der Spiegel, Universal signed a secret agreement with Viva to secure up to 50 exclusive slots on the channel's video clip rotation list for new acts for a period of one year.

In a statement, Universal denied the existence of any "secret arrangements." It also said Universal Music Germany chairman/CEO Tim Renner insists that the contentions Der Spiegel made are "very largely" wrong.

Renner says there were "never any talks" about such an agreement, "much less a deal" aimed at limiting or buying Viva's editorial independence.

The Der Spiegel report stated that videos to be included on the list would be determined in meetings between Viva representatives and Universal executives. In return, Universal would pay Viva 18,000 euros ($22,000) per video picked for broadcast and a share of more than 0.20 euros (24 cents) per unit from the sales of CDs by the artists involved.

Renner concedes that Universal had been in talks with Viva to "develop a model" to better allocate its video production budget. That model would have the TV channel opt for or against a video by a newcomer at an earlier stage than before, judging acts from audio recordings.

Based on that litmus test, Universal (Continued on page 87)

Foes Trade Barbs Over Future Of P2P

BY JILL KIPNIS and SUSANNE AULT

LOS ANGELES—Amid the recent growth of legal download services, file-sharing proponents continue to butt heads with the music industry.

The two sides debated strategies aimed at resolving the ongoing battle regarding peer-to-peer services at HollywoodFo rum's Music 2.0—The Digital Music Summit, which took place Dec. 8-9 at the Universal Hilton here.

"The music industry has been actively selling a big lie [that] peer-to-peer is a rogue industry," keynoter Wayne Grosso said. Grosso is the former CEO of file-sharing network Grokster and the current CEO of file-sharing program creator Optisoft SRL.

Last April, a U.S. district court ruled that P2P companies Grokster and Streamcast were not liable for copyright infringement by users of their networks (Billboard, April 28). The case was appealed, and oral arguments will begin Feb. 3, 2004, at California's Ninth Circuit Court of Appeals.

Grosso said the record industry would be foolish not to embrace this technology, despite the Recording Industry Assn. of America's lawsuits against P2P users. P2P could be a "savior to the music industry, because it can significantly reduce distribution costs," he said.

Such services as Apple's iTunes maintains its own music files for downloading, while individual P2P users store files on their computers.

Grosso hopes that labels start licensing more of their content to the P2P services, though the labels will need to be better compensated as P2P users trade files on networks for free.

"The intelligent solution is a compulsory blanket licensing scheme," Grosso says, where P2P users would pay (Continued on page 87)
In 2003, The Hill Did Little With Music

BY BILL HOLLAND

WASHINGTON, D.C.—Not one bill affecting the music industry was passed in the first session of the 108th Congress. Few bills introduced in 2003 even made it to committee level, and others never even got a hearing at the subcommittee level.

According to Hill veterans, any legislation that does not create a consensus among conflicting interests will continue to languish in 2004. Bills championing one side of an issue, such as Digital Millennium Copyright Act reform, will have a steep hill to climb. Such legislation would give more leeway to Internet companies and broader consumer fair-use exemptions, such as allowing home copying.

Bills giving the record industry broader enforcement power might also find resistance.

“Consensus is the key in this Congress, no question,” says Mitch Bain- wol, chairman/CEO of the Recording Industry Assn. of America and a longtime publisher/or policy player. “Partic- ularly so this coming year, because it’s an election year. It’s going to be a short session.”

Industry lobbyist and House senior staffer Mike Remington says of intellec- tual property legislation in the first session, “It wasn’t checkmate so much as check. Non-consensus bills canceled each other out.”

Besides piracy and online world adjustments, the other industry-related issues on the legislative table are media concentration, inspection of pay-for-play and bullying tactics toward artists (see table, page 89).

Only federal bills tangentially related to industry issues saw major action in 2003. One was a congressional “reso- lution of disapproval” of the June Fed- eral Communications Commission ruling that allowed greater consoli- dation of TV and radio companies. Amounting to a Congressional veto, the measure passed as part of a huge appropriations bill, but only TV own- ership caps were affected.

The other bill, still pending but awaiting only a Senate floor vote, is a measure by Sen. Joseph R. Biden Jr., D-Del., that targets “rave” promoters who use such events to allow drug use. The dance community says the legislation is overbroad.

Hill veterans say some other fac- tors were at play in the meager legislation. (Continued on page 89)

Columbia Puts Headlock On WWE Product

BY ED CHRISTMAN

NEW YORK—World Wrestling Enter- prises has moved its music franchise to Columbia Records. In Janu- ary 2004 it will release the “WWE Originals” album, featuring star wrestlers performing new songs writ- ten mainly by the company’s resident maestro, Jim Johnston.

The agreement calls for three albums over two years, with a rolling option to renew. It also brings the WWE’s music division under the same distribution umbrella as its larger home-video label, which is already han- dled by Sony Music Entertainment.

The marketing of albums will be shared between Sony and the WWE. The latter’s promotions will revolve around its nine hours of weekly TV pro- gramming and its online site. Sony will take the lead in working releases through traditional record marketing.

“Each of us will be putting our strength [behind the album],” Johnston says. He also serves as musical director at the WWE, along with writing, pro- ducing and performing on the albums.

Columbia Records Group president Bill Botwin says the label’s marketing campaign will “body slam this event.”

Sony Music previously issued “WWE Forceable Entry” in April 2002. (WWE subsequently changed its name to WWE after a legal challenge from the World Wildlife Fund.) The 2002 release features such name acts as Kid Rock, Creed and Limp Bizkit covering the entrance themes of the WWE wrest- lers. That album has scanned about 500,000 units to date, according to Nielsen SoundScan.

“WWE Forceable Entry” was issued under a WWE deal with Koch Enter- tainment, which handled marketing and distribution for the albums that fea- tured the theme music played on the WWE’s shows. The five albums released under that arrangement have raked up sales of about 4 million copies.

(Continued on page 87)
Larry Douglas. 1942-2003
A Loving Father
The Best Friend One Could Ever Have
Simply put - One of God's Finest
Universal Makes Move Into Mainland China

BY STEVE McCLURE

HONG KONG—Undeterred by the rampant piracy in the region, Universal Music is the latest major label attempting a move into the massive potential market of China.

Universal Music Southeast Asia (UMSA) announced Dec. 5 two major developments in its strategy for the Greater China market.

It will set up two new offices in mainland China during first-quarter 2004. Effective immediately, it is also combining the operations of Universal Music Hong Kong and Universal’s Hong Kong-based subsidiary, Go East Entertainment, which specializes in Chinese-language repertoire.

Asked what makes China attractive despite its alarming piracy level—estimated by the International Federation of Phonographic Industry to be 91%—London-based Universal Music International president/CEO John Kennedy offers one simple explanation: 1.3 billion people. "There is an exciting possibility to tap into a 1.3 billion-inhabitants market," he says.

These latest efforts are part of a strategic plan for the region, he says. "We are in China to sign local acts, exploit our international catalog and develop regional acts." The company already has an office in Shanghai, and UMSA president Harry Hui tells Billboard that Universal plans to open new offices in Beijing and the southern city of Guangzhou.

"We have been doing business in China successfully and profitably, and we believe that it is the right time to deploy more resources in China," says Hui, noting that the mainland Chinese music market will continue to suffer from piracy for the foreseeable future.

(Continued on page 88)
Recognizing The Artists

The millions of people who tuned in to the Billboard Music Awards on Fox this week saw a seamlessly choreographed show featuring the year's top artists, who sang and danced their way through some fabulous numbers. But what the public rarely sees is the incredible amount of work that goes on behind the scenes to put together such a world-class production.

The billboard press and the entertainment gossip shows on TV often carry reports about the misbehaving antics of rock stars. There's certainly no shortage of boorish behavior, chemical dependency or dysfunction in this business. What's really astounded on the public—and rarely reported—is just how hard these artists work and how much time and effort they put into their music. That side of the business is clearly evident behind the scenes at the awards show.

Putting on an event of this scale for live TV involved literally hundreds of people during several weeks. But the pressure was really on in the two days before the show. As the hours wound down to airtime, final touches were still being added to the set, production details were being worked out and the artists were on a strict rehearsal schedule.

While Beyoncé ran through her number—with a surprising cast of 80 dancers—circular saws roared backstage, and you could hear workmen pounding nails. Even so, she never missed a beat.

Clay Aiken patiently went through his song three times. At the producer's request, he even practiced walking to the podium over and over to get the pacing right.

So it went for Pink, Evanescence, Sting and many other performers. All of them displayed a degree of professionalism that would surprise even the most jaded industry critics. What's really surprising is how easy they made it all look on air. Maybe that's one reason why the public tends to take performers for granted.

A number of critics have questioned why the events are so popular. It's not the awards themselves that count so much; rather, it's the opportunity to see so many artists showcase their music.

Since the death of the young musician—a staple of TV in the 1950s and 1960s—the chance for the public to see popular music performed without paying a hefty price for a concert ticket has become rare. Humans have a natural proclivity to quantify and rank everything. Lists can be found in the toms of ancient Egypt. Billboard is the authority on charting the music industry, so it's only natural that we take time out to recognize those who have performed so well during the year. But this show is really dedicated to the artists who took time out of their busy lives to perform for all of us.
I Believe We Are At A Time Of Unprecedented Opportunity

Plenty Of Reasons To Be Cheerful

Editor’s note: The following is an excerpt from a speech by BMI president/CEO Frances W. Preston at the Media Center at the Museum of Television & Radio in New York.

Despite what you’ve heard and read, the American music industry is very much alive.

The past two years have been extremely difficult. I know you have seen the litany of bad news: illegal sharing of copyrighted music over the Internet is rampant, record sales are down significantly and record companies are responding by making substantial cuts in their workforces.

But in the midst of all of this bad news, I believe we are at a time of unprecedented opportunity. I believe this to be true for our company, BMI, and for the music business as a whole.

I should start by saying that my optimism is grounded in personal experience. BMI has just completed the most successful year in its 64-year history.

Our revenues and the royalties we pay out to the 300,000 songwriters, composers and music publishers we represent are both at historic highs. We just signed the largest radio license agreement ever—worth a total of $1.6 billion through 2006. We are adding important new customers in the new media, including AOL, Yahoo and Microsoft Network, and we now license more than 3,000 Webcasters and other digital businesses.

In my view, the digital age is a sea change that will lift all boats. It will be beneficial here in the United States and equally positive as we develop truly global audiences for artists in all genres of music.

But we must recognize that we are engaged in a deep structural change in the music business—a watershed in the way the business is shaped and the way it relates to the public.

For example, the public is responding enthusiastically to the legitimate distribution of music via the Internet. Nagster, that infamous illegal file-sharing engine, was reborn earlier this month and in their first week reported over 300,000 songs sold at about 99 cents each.

Apple Computer’s iTunes, which had a head start, sold more than 1.5 million songs during that same week. And both Wal-Mart and Microsoft, powerhouse in their sectors, have announced legal download services for early next year.

As Billboard noted recently, online sales are outpacing sales of singles at record stores by a margin of 5-to-1.

BMI is also closely watching the momentum of music in the wireless world, what is now being called the “mobile entertainment industry.”

In Japan, where many of these technologies seem to get their start, the Japanese copyright organization, JASRAC, collected more than $113 million in royalties for ring tones on cell phones last year. The ring tone market in the U.S. is exploding. At BMI, we believe that market will be worth more than $135 million at retail in the United States next year.

The consumer acceptance of this new form of music distribution is accelerating at an unprecedented rate, going from almost nothing four years ago to an industry expected to top $11 billion worldwide by 2005.

Portable digital music is going to be one of the most important revenue streams in the music industry overall. Ring tones are just a part of the picture. Companies like T-Mobile are beginning to offer music and other entertainment to computer users who connect their laptops wirelessly at Starbucks and McDonald’s in thousands of locations nationwide.

These music downloads are all legitimate and generate a revenue stream that goes back to the creators and copyright owners.

While the digital age is changing the structure of the music business here at home, we are seeing more and more songwriters and artists carve out a truly global career with audiences around the world.

Last year, Shakira enjoyed worldwide success and was honored as the writer of BMI’s Song of the Year, “Suerte,” at our Latin Music Awards. There are similar success stories from songwriters and artists hailing from Sweden, Norway, France, Russia, Australia and the U.K.

To ensure these international creators and copyright owners receive their royalties quickly and accurately, we have developed new digital tools to enable an international system for the exchange of copyright information and music performance.

In the year 2000, BMI—together with our sister copyright organizations in France, Germany, Spain and Italy—founded an international technical alliance we call FastTrack.

By 2004, FastTrack will have added members in virtually every major market and have a combined repertoire representing more than 86% of the world’s music. FastTrack has truly become the de facto standard for international copyright administration in the 21st century.

I hope that you can see why I am so encouraged about the future of our business. We are seeing the beginnings of huge and entirely new revenue streams from the mobile entertainment market; we are converting downloading to a legitimate and highly profitable new retail business.

We make it possible to build careers for songwriters and artists on a global scale with a speed and efficiency never before imaginable. I am excited by what the future holds for our songwriters and composers, and there has never been a better time to invest in music copyrights.

By Frances W. Preston

It is almost fashion these days to rip Christina Aguilera—particularly, it seems, by those that have little or none of her talent.

Kelly Osborne and Avril Lavigne are prime examples of those critics that do not measure up to the extraordinary talent of Ms. Aguilera.

Neither Osborne nor Lavigne even deserve to be mentioned in the same breath as Aguilera when the subject of vocal range or creativity is discussed.

God has given this young woman a voice that could move the souls of the angels. Aguilera has, in turn, been truthful to her gift, honing it, developing her talent under the trying circumstances of a much-less-than-privileged upbringing.

The result is a performer of great vocal talent who also leaves the unique imprint of her own sensuality, steely intensity and femininity upon her music.

Show me another singer among her contemporaries who can sell a song with such conviction. I am willing to bet you can’t. Christina Aguilera is quite simply the greatest American chanteuse since Billie Holiday.

Those that deride her for her perceived naughtiness and perfectionism should take a look at all the great artists of history. They were subject to similar complaints. If she allows herself a certain swagger, then we all should. She has earned it.

Jason Daniel Baker
Toronto

Youth Swears Off Downloading

My name is Brian Carpenter, and I am writing in response to your ad about free advertising space for communicating my feelings about illegal downloading of music.

After reading the article about illegal music distribution, I have some thoughts. Being 12, I will admit I have downloaded free music. But after learning about what’s happening to my favorite artists and how they’re losing money because of people downloading their music without paying, I stopped right away.

You think that all these artists have loads of money, so what the heck—why not download just a little free music? But you don’t realize that that’s exactly what the rest of America is thinking, and all of these free songs will eventually add up to one large sum of money being lost by these artists.

Thank you for informing me of this problem. I started reading Billboard because I am helping my mom, as she is helping a fast rising unsigned band called Miggins to stardom.

And I realize that if everyone downloads their music they may fall short of reaching their dreams to become superstars.

Brian Carpenter
Walnut Creek, Calif.

Carter Was Rockin’ Before Clinton

In reference to “For Music, It’s Politics As Usual” (Billboard, Dec. 6), Wes Orshoski states in his page one story that “Former President Bill Clinton was arguably the first ‘rock’n’roll president.’” I must make the argument that Jimmy Carter is definitely the first “rock’n’roll president,” having utilized numerous concerts by rock’n’roll bands to fund his early run for the White House.

The Allman Brothers Band performed numerous concerts across the country, with all the funds going to the Carter campaign to keep his fight alive. Other acts including the Marshall Tucker Band, Wet Willie, the Charlie Daniels Band and Lynyrd Skynyrd all participated in helping get Carter elected.

And once elected in 1976, the Tucker Band, Sea Level (an Allman Brothers Band spinoff) and the Charlie Daniels Band all performed at the various inaugural balls.

Naturally, other acts were involved in the Carter campaign as well. It was the Southern rock acts that came to the campaign’s rescue in the early days.

Mike Hyland
VP/GM
Caption Music/ALV Music

Yes Tribute Much Appreciated

I just want to thank Billboard for giving! Yes the time of day to celebrate 35 years of the greatest music around.

Rolling Stone wouldn’t give them the time of day.

All they’re interested in is when Britney Spears will pose half-nude for them again! Finally, there’s a magazine that gives two hoots about Yes.

Christy Evrin
Sunrise, Fla.

www.billboard.com
www.americanradiohistory.com
Childs Back In Biz With New Inspiration

It has been nearly a decade since singer/songwriter Toni Childs released her last album, "The Woman's Beat," in 1994 on A&M. After a debili-
tating bout with Graves' Disease and various label woes, she is standing tall, eager to be heard once more.

"One of the big problems is how we, as women, see our-
selves," Childs says. The song "acknowl-
edges that within ourselves is where our true power lies. It's time to declare what you want to do and how you want to create your life. If you're the first to say, 'I'm going to raise myself up, the world will respond to that.'"

Childs has bigger plans for the song than the documentary: "This is a call to other women who would like to write a song like I've written or a song they've already written, and we could put together a compilation.

Childs hopes to follow the album's release with a V-Day (Continued on page 18)

The Beat

By Melinda Newman

mnewman@billboard.com

What inspired her to write again? Childs was performing in "The Vagina Monologues" in her adopted home of Kauai, Hawaii, when "Mono-
logues" creator Eve Ensler attended a performance.

A big fan of Childs' music, Ensler asked the artist to write a song for "Until the Violence Stops," a documentary about V-Day that will premiere at the January 2004 Sundance Film Festival before airing Feb. 17 on Lifetime Television.

V-Day is the global move-
ment, founded by Ensler, to end violence against females. Individual com-
unities hold benefits to educate people about the violence, with the money raised going to more than 1,000 local organizations.

The result of Childs' efforts is "You Are Beautiful," a song about self-esteem.

Latin Fans Love Romance

Male Crooners Are Mainstay Of Genre's Sales

MIAMI—Rap, hip-hop and hard rock may dominate mainstream charts, but in Latin music, romance reigns—and it almost always does so at the hands of a male crooner.

At No. 1 on this issue's Top Latin Albums chart—after debuting there last week—is Mexico's premier romantic group, Los Temerarios, with an album titled "Tributo al Amor" on Fonovisa.

At No. 3 is another romantic crooner, Mexican Marco Antonio Solís, with a greatest-hits album, "La Historia Continúa . . ." (Fonovisa). His song, "Si No Te HubierasIDO," is what the protagonists of sexy film "Y Tu Mamá También" danced to in the now legendary jukebox scene.

Continue moving down the chart, and you'll find Luis Miguel, crooner supreme, at No. 10 with "33" (Warner). At No. 14 is Puerto Rican heartthrob Chayanne with "SinceroyCenro" (Sony). Both albums debuted at No. 1 on the chart, as did "Almas del Silencio" (Sony), the romantic, Spanish-language return of another crooner, Ricky Martin.

(Continued on page 18)
Shady/Aftermath/Interscope artist led the finalist tally with nods in six categories. TV’s Lil Jon and crew picked up statuettes for R&B/hip-hop group, independent album artist and independent album of the year.

OutKast’s award marked a milestone in music’s digital revolution and highlighted the importance of legal downloads. The award honors the act whose track achieved the most legal downloads from the Internet during the chart year.

“Winning one of the industry’s first digital awards means a lot,” Andre 3000 said of the Arista act.

MORE THAN A PRETTY FACE

Twain captured top country artist, country albums artist and country album for “Up!” The Mercury artist also performed her chart-climbing single, “She’s Not Just A Pretty Face.”

Citing such artistic influences as Dolly Parton, Queen and Stevie Wonder, Twain praised her R&B albums as “a different kind of recognition. Every time you go into a concert, the fans show their appreciation for you. However, this is a chance for the industry to recognize us as well. (It says), We know the fans are behind you, and as an industry we’re happy to recognize that.”

Among the evening’s highlights was the Century Award, given to Sting for distinguishing creative achievement. Making the presentation of Billboard’s highest honor was Stevie Wonder, who received a standing ovation from the audience.

“He’s a great writer, who’s also a great artist and writer,” Wonder said of Sting prior to the awards show. “I have a great appreciation for his music.”

Sting told Billboard during rehearsals, “The important thing about this award is who gave it to me.”

“Stevie Wonder, in my opinion, is a higher being. He’s a guy’s who’s able to hold down a groove and make songs with harmonic development structure work. And that’s not easy. Then I look at the list of people who’ve won this thing before, and I’m humbled. I just hope I can live up to it.”

Before accepting the award, Sting performed “Send Your Love” from his new A&M album, “Sacred Love.” It was the first time a Century Award honoree had performed at the BMA.

The award-winning 3 Doors Down (Republic/Universal) accepted trophies for duo/group of the year and Hot 100 group artist, while Audioslave (Interscope/Epic) received the Modern Rock Artist of the Year award.

Evanesence and Trapt also picked up two awards. Evanesence was named new group artist of the year, and its single “Bring Me To Life” (Wind-up, received judging for soundtrack single of the year. Warner Bros. act Trapt’s “Headstrong” was named Mainstream Rock track of the year.

Evanesence and Trapt were among the winners announced at the show but not presented with their awards on-air. Also receiving awards not presented during the broadcast were Chicago—winner of new R&B artist and No. 1 Rhythmic Top 40 track of the year for “Right There” (Distinguishing Tha Peace/Capitol)—and Josh Groban, who was named Classical Crossover artist and won Classical Crossover album for his self-titled 143/grepsi-Warner Bros. debut.

Aiken Makes Good

Additional winners included “American Idol” runner-up Clay Aiken, who received an award for best-selling single of the year for his debut “This Is The Night Bridge Over Troubled Water” (RCA). Aiken, the son of go-delgued ribs throughout the telecast, performed his fighting single “Invisible.”

The Black-Eyed Peas took home the Mainstream Top 40 track of the year for its crossover hit “Where Is The Love” (A&M/Interscope), marking the group’s first major industry accolade.

“American Idol” host Ryan Seacrest was the show’s MC. The event also featured spirited performances from Evensence, No Doubt, Foo Fighters and Pink.

Following in the footsteps of such acts as Creed and Britney Spears from past BMA, Evanesence performed off-site. This time, it was in Las Vegas’ “neon graveyard,” with its discarded signs lit up for the occasion.

Providing “color commentary” throughout the program were husband-and-wife team Nick Lachey and Jessica Simpson.

Award presenters included Celine Dion, rappers Chingy, Fabolous and Daryl “D.M.C.” McDaniels, ‘N Sync’s JC Chasez, “American Idol” alum Kelly Clarkson, Jimmy Lee, newlyweds Dave Navarro and Carmen Electra, Fox TV stars Paris Hilton and Nicole Richie (“The Simple Life”); and cast members of “The O.C.”

The broadcast was produced by Bob Bain Productions. Its ratings increased from the previous year. According to Nielsen Media Research, the 2003 BMA scored a 6.2 rating/10 share, which equals 9.8 million U.S. viewers.

The complete list of 2003 BMA winners appears on billboard.com. The year-end charts will appear next week in Billboard’s Year in Music double issue.

Additional reporting by Melinda Newman in Las Vegas.

WONDER LEFT AND STING

Sting: 2003 Century Award Honoree Stevie Wonder Makes Heartfelt Presentation

The 2003 Billboard Century Award was presented to singer Stevie Wonder at the Dec. 10 Billboard Music Awards. Following is a transcript of Wonder’s presentation and Sting’s acceptance speech.

Wonder: Thank you so much. Thank you. Now if you all can keep that up, keep that happening, I promise you by March we’ll give you something to listen to. OK, maybe April.

OK, anyway, back in the 1970s, Gordon Matthew Sumner was a teacher in the northern British industrial town of Newcastle. He changed his career to a musician, and he changed his name to Sting. He truly writes songs and performs songs in the key of life. Songs about philosophy, politics, religion, environment, sex, love and death. And even songs about life after death. Songs like “If I Ever Lose My Faith in You,” “Fields of Gold,” “Message in a Bottle,” (sings) “Every Breath You Take,” (sings) “Rosanne” and “If You Love Somebody Set Them Free” (sings “free, free, set them free”).

The list goes on and on and on, and the awards and the accolades are huge. Five Grammy Awards for sound- Emitkett hemnontem unsustainable in the Rock and Roll Hall of Fame, millions and millions and millions and millions records sold. He just released his eighth studio album, “Sacred Love,” and once again, Sting takes us on an amazing journey of musical and emotional exploration.

Sting: Thank you Stevie. You’re my teacher, my guru, my inspiration. You’re a higher being, and I love you.

So, when I got the phone call telling me I was going to win the Century Award, I thought it a little pre-emptative, as it’s only 2003. But I’m thrilled anyway, and I only hope I can live up to the acclaim. But I’d like obviously to thank everyone at Billboard for this great honor and also want to recognize and pay tribute to my good friend and mentor, the former editor and co-founder of this award, Tim White.

“Now, if I’ve learned anything at all in the quarter-century I’ve spent in the music business, it’s this: You can’t sing for millions of people in your career, or maybe just one. You can sell millions of records, or none at all. You can win Grammy Awards, Century Awards, or never win a damn thing; it doesn’t really matter. If you play music with passion and love and honesty, then it will nourish your soul, heal your wounds, make your life worth living, whether you were successful or not at all.

So here’s what I’ve learned in five short words: Music is its own reward. Thank you. Good night. I love you.
Backstage At The Billboard Music Awards

Compiled by Melinda Newman and Gail Mitchell in Las Vegas.

IN A YEAR CHOCK-FULL of highlights, Beyoncé, who won four Billboard Music Awards, was quick to recall her top moment: "It was the first week my album ["Dangerously in Love"] came out. I was so nervous, and it debuted at No. 1. It was my first solo album, it just was a memorable week. Everything seemed like it was going right, the single ["Crazy In Love"] was so huge and all the buzz, I just felt like all my work paid off."

R. KELLY WAS THIS YEAR’S GO-TO GUY for hits, as evidenced by his four BMA honors, his production and songwriting talents. "I love writing for other people," said Kelly, whose extensive credits include collaborations with Michael Jackson and Britney Spears. "It’s not about the money; I just ask that the artist be passionate about the music. If there’s no passion, then for me, it’s like Superman and kryptonite. I have to stay away.

Having completed five albums of his own, Kelly is turning his attention to other projects, including a new twist on Ronald Isley’s "Mr. Biggs" persona. Kelly, who choreographed the dance routine for his own "Step in the Name of Love" BMA performance, has also written four movies that he’s shopping.

NO DOUT LISTED to "thousands of songs" before decide to cover Talk Talk’s "It’s My Life," according to lead singer Gwen Stefani. The tune, which the band performed at the BMAs, "is the first cover we’ve ever [recorded], so we wanted it to be right," she said. "It’s the one that kept hitting us in the heart."

Stefani is starting work on a solo album, which will likely include participation from all of her No Doubt bandmates. Bassist Tony Kanal has already co-written a song with Stefani and is co-producing part of the project. "It’s different than [writing for the band]," he said. "You’re not thinking about how you are going to play these songs live. For Gwen, we’re referencing a lot more dance stuff; she really wants to make a dance record."

FOR CLAY AIKEN, the loss of privacy has been the hardest part of dealing with his sudden burst of fame. "I realized if I’m going to do this, then I’m going to have to take the good with the bad, and, hopefully, it won’t kill me or anything," he said. The instant notoriety and constant traveling has made Christmas shopping a frugal affair, admitted Aiken, whose song "This Is the Night/ Bridge Over Troubled Water" was named the best selling single of the year. "I’ve had to get a little creative this year," he said. "I haven’t done as much shopping in the stores. It’s been all about the Skymall catalog."

AMY LEE OF EVANESCENCE has a few words for fans clamoring for the follow-up to the band’s multi-platinum debut, "Fallen." "We’re going to spend as much time as it takes. Don’t bother me!" she said with a laugh. "Don’t think I’m going to churn something out in two weeks, because it’s going to take longer than that." She has been writing while on tour but admitted, "The writing can only happen when the tour is totally done and you can just sit there and write with a piano and no distractions. And that’s not really going to happen until March." Evanescence—which performed the soundtrack single of the year, "Bring Me to Life," on the show—also won the award for new group artist.

PINK, who performed new single "God Is a DJ" on the awards show, admitted she was "really kind of heartbroken" when "Trouble," the first single from her new album, "Try This," didn’t succeed at radio. "I’m kind of spoiled. I’ve never had to deal with that before, you know," she said. "But at the same time, I truly believe in my heart, and I talk about this with my friends all the time, that if something doesn’t happen, then there’s another opportunity knocking at your door."

Singing "Trouble" accompanied only by acoustic guitar at the American Music Awards was "one of the coolest things I ever got to do at an awards show, so fuck it, ‘Record sells, record schmells.’ I get letters that mean more to me than any chart position ever could."}

SHANIA TWAIN, who was named country artist of the year, took a brief break from music this year to film a small role in the upcoming Jude Law film "I Heart Huckabees." However, don’t expect to see much more of her on the silver screen. "It was my first time on a movie set. I enjoyed it, but would I want to put everything else aside and dedicate myself to doing something like that? I don’t know," she said. "I’ve got so many more songs to write. I think I’d get a bigger thrill writing something for a movie, a screenplay. I’m certainly not an actress, that’s for sure."

FANS OF STING will see the artist in a new light when his sold-out "Sacred Love" tour starts in January...literally. "This tour will be a little more theatrical than usual," the Grammy Award honoree told Billboard. "I normally just concentrate on musicians and a few lights, really, but this time we’ll have a little more visual imagery than normal, because we can. I never see the show, I see the audience, so I’ll be interested to see their faces when they see the new show. But the artist always has the best seat in the house."

STEVIE WONDER says he and Sting have been "talking for years about collaborating [on an album], which I’m sure we’ll do." In the meantime, Wonder is wrapping work on a new album he hopes will be released in March on Motown. Mixing jazz, blues, R&B, hip-hop and spiritual music, the album will feature such intriguingly titled cuts as "What the Fuss." He’s also prepping for his eighth annual House Full of Toys holiday benefit Dec. 20 at the Forum in Los Angeles. In addition to the Wonder man himself, the lineup includes Michael McDonald, India. Arie, Anthony Hamilton and Ruben Studdard.

OUTKAST IS NOT CONTENT to rest on the laurels of its multiple Grammy Award-winning "Speakerboxx/The Love Below." Members Andre 3000 and Big Boi begin work on an HBO movie in the new year. Big Boi declined to reveal further details about the movie. He did note, however, that the duo’s next album will be the film’s soundtrack. In addition to the pair’s self-named clothing line, Andre 3000 announced he has an unnamed personal clothing line on the way: "Fine clothing for fine people." The duo took home the award for digital track of the year for "Hey Ya!

HAPPY COUPLE Jessica Simpson and Nick Lachey, who provided commentary throughout the telecast, have been sifting through endorsement offers. "It’s all great stuff," Simpson said. "Everything that’s on the table, I’m pretty much grabbing at. We just haven’t had deals finalized." Lachey said there are a few items he might have doubts about. "I’ve always been a little leery of the doll thing," he said. "Just the idea of someone walking around with a bad replica of my already ugly mug is pretty frightening to me. However, he had no hesitation about a Nick and Jessica toilet seat. "That’s absolutely OK. If people want to sit their bare bums on my face, that’s fine."

BLACK EYED PEAS scored a massive hit in 2003 with "Where Is The Love," which was named Mainstream Top 40 track of the year. The tune’s themes are universal, according to group member will.i.am. "The song’s subject matter was in the same vein as people’s mind-set right now. It’s all timing," he said. "I think it’s more than just the war. It’s what we find important socially. People think there’s importance in capitalism and materialism and it’s all backwords."

CHINGY STRUCK A CHORD with fans with the hit "Right Thurr" because of "the accent and the way I said thurr," the artist said. The song captured the Rhythmic Top 40 title at the BMAs. Although he’d received some local airplay in his native St. Louis with earlier material, he said hearing the song for the first time in other markets was "cool. I thought, ‘It’s doing pretty good.’ Now when I hear it, I go ‘I’m sick of this song!’"

In addition to touring and working on a new album in 2004, Chingy said, "I’m hoping to get into a little acting. I’m looking at scripts right now.”

SMOKEY ROBINSON has just released his first CD of spiritual music. Called "Food for the Spirit," the project is the debut release on Robinson’s own label, Robso Records. Now available at 1-800-Smokey4, the title will receive national distribution starting in March through Liquid 8.
The 2003 Billboard Music Awards

Star-Studded Events Light Up Vegas

The 14th annual Billboard Music Awards, held Dec. 10 at the MGM Grand Garden Arena in Las Vegas, were highlighted by performances from No Doubt, Sting, Beyoncé, Clay Aiken, R. Kelly, Evanescence, Foo Fighters, Shania Twain and Pink.

The ceremony was preceded Dec. 9 by the Billboard Bash, sponsored by Vegas Magazine, at Studio 54 in the MGM Grand Hotel. Billboard also hosted a private party at Fiamma in the MGM Grand before the awards ceremony. (Photos: Chris Farina, Kevin Mazur/WireImage)

Pink gives a high-powered performance of her new single, "God Is a DJ."

Billboard Music Awards host Ryan Seacrest gets the crowd going with his opening monologue.

Paris Hilton, left, and Nicole Richie, stars of Fox's "The Simple Life," share a laugh during their presentation.

Clay Aiken belts out his hit "Invisible."

Trapt, which won two awards with its single "Headstrong," introduces Pink.

The members of 3 Doors Down receive their awards for duo/group of the year and Hot 100 group artist.

Audioslave's Brad Wilk, left, and Tom Morello take home trophies for modern rock artist and rock artist of the year.

Sharing a moment at the pre-awards show party at Fiamma, from left, are VNU Business Media VP of licensing and events Howard Appelbaum, Action Gaming president Ernie Moody, Billboard Live CEO Mitch Chait and Billboard president and publisher John Kilcullen.

Celine Dion, left, and Shania Twain congratulate Sting, center, on his special Century Award honor.

Enjoying the Fiamma party, from left, are the Gary Group VP/GM Dana Glassburn, Baker & Taylor VP of music Steve Harkins, Darryl "D.M.C." McDaniels of Run-D.M.C., Billboard advertising director Joe Maimone and VNU eMedia director of sales Jeff Green.

Beyoncé with her four awards, including one for Hot 100 female artist of the year.

Foo Fighters' Dave Grohl rocks during the group's performance of "All My Life."

Best-selling single of the year winner Trapt, which won two awards with its single "Headstrong," introduces Pink.
Winners of three awards, Lil Jon & the East Side Boyz get things crunk as they accept their statuettes for R&B/hip-hop group of the year.

Three-time winner Shania Twain performs "She's Not Just a Pretty Face."

Celebrating at the Fiamma gathering, from left, are Warner Music Group advertising assistant Lisa Kim, Billboard advertising director Aki Kaneko, WMG advertising VP Carol Sneyd, Billboard president and publisher John Kilcullen and WMG advertising manager Teresa Knight.

Pictured at the Fiamma pre-show party, from left, are Billboard advertising director Joe Maimone, Navarre Distribution music marketing manager Anne-Marie Ganje, New World Aviation VP of sales and marketing Paul Schulte and Billboard director of integrated marketing and business development Nathan Misner.

Billboard R&B senior writer Gail Mitchell and R. Kelly enjoy the Billboard Bash.

Newlyweds Dave Navarro, left, and Carmen Electra greet fans on the red carpet.

Billboard Century Award winner Sting performs "Send Your Love" from his new album, "Sacred Love."

R. Kelly, who took home four trophies, closes the show with a red-hot performance of his current single, "Step in the Name of Love."

Las Vegas headliner Celine Dion announces 50 Cent's artist of the year award.

Nicole Richie, far left, looks on as the Black Eyed Peas' Fergie, apl.de.ap and will.I.am accept their award for Mainstream Top 40 track of the year for "Where Is the Love?"
Offspring Stays Vibrant By Challenging Itself

BY WES ORSHOSKI

About a half-hour before the Offspring took the stage at a recent holiday show for WXTM (92.3) Cleveland, the wings were typically empty and quiet, aside from guitarist and drum techs buzzing by and the occasional passing security guard.

But as it grew closer to the band’s 8:40 p.m. start time, crowds began to form on both sides of the stage for the first time during the night. Members of the other acts on the bill—Korn, Adema, Ill Niño, Story of the Year—as well as staffers and local DJs were gathering for the penultimate band of the night.

While the other acts on the bill may be enjoying more buzz at the moment or even more airplay, it seemed clear that the Offspring was not only the most experienced act on the bill but also the most respected band of the night.

It was a moment that defines the rare position in which the enduring SoCal punk act finds itself after 19 years as a band and a slew of modern rock radio hits.

The Offspring is one of the few acts being played by nu-metal-focused modern rock stations that has both respect and years of commercial success under its belt.

Getting to this point did not come easy for these survivors of the early-’90s alt-rock boom, guitarist Noodles (né Kevin Wasserman) notes with a laugh.

“We’ve had a lot of people point out how long we’ve been together, but for the first 10 years, it’s what we did as a hobby. We saved up our money to travel across the country and go out on weekends and summer vacations.”

“We spent way more money than we ever made doing it, just because it’s what we love to do, it’s fun,” Noodles adds. “So now, to be able to do it and make money at it, it’s just gravy. We feel like we’re just super-lucky to be in this position.”

KEEPING IT FRESH

The band wouldn’t be in that position had it not made a habit of going out on a limb creatively.

Since breaking through with the singles “Come Out and Play (Keep ’Em Separated)” and “Self Esteem” (from 1994’s “Smash”), the Offspring has made repeated successful forays into pop and ska, helping it sell 13.2 million albums in the U.S. during the past nine years, according to Nielsen SoundScan.

The act’s seventh disc, “Splinter” (issued Dec. 9 on Columbia), even finds it plunging into hip-hop with funky first single “Hit That,” featuring former 2 Pac keyboardist Ronnie King.

It’s a song that offers “something different, something that people haven’t heard from us before,” frontman Dexter Holland says.

Taking those types of risks has not only yielded the band’s biggest hits but also kept things fresh for its members.

“Punk music is what inspired me to start a band; it’s totally where we came from and what I love, and it’s still a big part of all our records,” says Holland, the band’s chief songwriter. “Half this record is pretty much fast, melodic, whatever, punk stuff. But you kind of get bored just doing that after a while. I do.”

MIXING IT UP

“There are some bands like the Ramones where a lot of their stuff sounds similar and there’s something you love about it anyway, and that’s great, and some bands pull that off really well. For us, I feel like I need to mix it up a little bit more—just try new ideas as a way of keeping it interesting for us.”

Pushing the envelope even further is the ’30s crooner “When You’re in Prison,” a joke song made to sound like a scratchy old record. It’s a tune based on an idea that seemingly came out of nowhere, an idea that Holland initially wasn’t sure how to bring to fruition.

“At first, I wasn’t even sure how you, like, physically, make a song sound like the ’30s.” Ultimately, the cut was tacked on to the end of the disc, which was produced by Brendan O’Brian (who also helmed 2001’s “Conspiracy of One”).

The door for such risk-taking was flung open by the success of “Smash,” Noodles says.

The guitarist notes that the band initially saw the singles from that album, the songs that put it on the map—“Self Esteem” and the quirky “Come Out and Play”—as risks.

Of the latter, he says, “We were worried that our fans were going to hate it; we didn’t expect it to blow up on radio. Both were slower songs, and our fans were just mostly punks at the time.

“Ultimately, we just went, ‘You know what? They’re great songs. They’re funny.’ I loved ‘Come Out and Play’; it just made me laugh, even though it was a serious song. So we decided to throw them on there, and it has just been the philosophy we’ve had ever since. It’s like, ‘Do we like this song? Do we think it’s a good song? You can’t worry about how it’s going to be perceived by anybody and whether or not the fans are going to start screaming ‘sellout.’”

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ANDREA BOCELLI
Despite changes in trends and demographics, crooners continue to be the mainstay of Latin sales, Latin tours and Latin radio. “Spanish-language adult contemporary stations are often identified in Spanish as romantica [romantic] in format,” says David Gleason, VP of programming/special projects for Univision Radio. “And they most definitely use the ‘romantica’ term to image and position. So it’s easy to see that love, romance and sensuality are a bigger part of Spanish adult contemporary than the equivalent format in English. Warm-voice crooners, Gleason adds, are such a big part of the format because they “quite simply, sound romantic.”

**FEMALES ARE SALES TARGET**

When it comes to sales, the bulk of Latin music doesn’t target the young, male buyer. It targets female buyers who lean toward handsome, romantic male singers.

As a result, all Latin labels, unlike their English-language counterparts, have male crooners as a fundamental part of their rosters. And they invest major dollars in developing such acts.

Two of the top priorities at Universal Music Latino are up-and-coming crooners Luis Fonsi and David Bisbal, who won this year’s Latin Grammy Award for best new artist.

Warner boats two established male soloists, Miguel and Ricardo Montaner, while Sony supports Chayanne and Martin, and BMG has Alexandre Pires, José José, Juan Gabriel, Jerry Rivera and Cristian Castro.

Together, these singers encompass a wide range of styles, from established, classic acts like José José to purveyors of a more youthful sound, like Bisbal and Fonsi, who writes much of his own material.

In the middle are artists like Pires and Castro, who appeal to younger and older listeners alike.

“You can go in another direction, but you always have to preserve what’s classic,” says Castro, whose album “Amar Es,” released in September, is at No. 23 on the Top Latin Albums chart. “The melody has to be there. When you lose the melody and begin to rap or incorporate those new beats, I like that, but you lose the singer. Especially this type of singer.”

This type of singer sticks largely to melodic ballads and is acknowledged to have an excellent, soothing voice.

“It’s fundamental to sing well and to have the proper repertoire,” says songwriter/producer Roberto Liví, who has worked with the premier balladeers in Latin music and who now has his own record label, Megamusic. “You need a great song and a great singer. That never goes out of style.”

While Latin music has a lengthy tradition of singer/songwriters, big balladeers tend to look outside for the bulk of their repertoire, even if they do some writing themselves.

In turn, that type of voice and repertoire lends itself to the perennial string arrangements that dominate Spanish-language radio.

“Historically, I think it has to do with the roots of Latin music, which, in my opinion, comes from Italian bel canto,” says Grammy-winning songwriter/producer Rike Santander, who is currently producing albums by crooners Bisbal and Alejandro Fernández.

“One of the main characteristics in the music is the melody, which is far more elaborate than in English-language music, where it’s more the hook and the groove. These kinds of melodies imply ballad singers.”

At a radio level, even artists who do incorporate beats and hooks have found that they get played on the air are their more melodic, romantic ballads.

The top song on the Billboard Hot Latin Tracks chart for five consecutive weeks, for example, is “Mientes Tan Bien” by Mexican duo Sin Bandera. Although Sin Bandera is characterized by its blend of pop and R&B, “Mientes Tan Bien” is a straightforward, highly melodic song.

In fact, the widely followed rule of thumb when it comes to radio is that the first single ought to be a ballad, because Latin stations in the U.S. have an easier time playing melodic ballads than uptempo, beat-based songs.

“I sincerely don’t think that R&B grooves will ever replace this [type of romantic sound],” Santander says. “It may expand. But romantic music is at the root of what being Latin is. “And Latin people are romantic, more so than Anglos,” he adds. “Latinos are more emotional; they get depressed, they cry more. And they need songs to beg forgiveness, to get drunk to, to propose to. That’s part of their essence.”

**The Beat**

**Continued from page 11**

Tour in 2005.

The artist is now working on her first album since “The Woman’s Boat” for Woodland Hills, Calif.-based indie label Sovereign Records.

**WOMAN TO WOMAN:** On Dec. 2, Billboard sister publication The Hollywood Reporter and Lifetime Television held their annual Women in Entertainment Power 100 Breakfast.

The high-profile event was an affirmation of the clout that females possess in an industry still dominated by men. The highest-ranking female in the music industry on the list was Judy McGrath, president of MTV Networks Music Group, at No. 10. She was followed by Sony Music Entertainment executive VP Michele Anthony, who clocked in at No. 12.

Other music executives on the list were Elektra Entertainment Group chairman/CEO Sylvia Rhone (No. 30), Warner Music Group executive VP/CEO Helen Murphy (31), Universal Pictures and Universal Music Group president of film music Kathy Nelson (37), Columbia/Star Motion/Picture Group president of worldwide music Liza Volback (38), Island Records president/Island Def Jam Music Group executive VP Julie Greenwald (45), songwriter/Real-songs founder Diane Warren (46), artist/Maverick Entertainment cofounder Madonna (67) and VH1 GM Christina Norman (83).

In my opinion, glaring omissions included BMI president/CEO Frances Preston and ASCAP president/CEO Marilyn Bergman. Former Epic Records president Polly Anthony, who is usually on the list, was left off this year but will undoubtedly return next year, when she starts as president of DreamWorks.

Here’s the rub: Even counting the omissions, it is upsetting that there are so few women of power in the music industry. Yes, there are females in high positions, including record promotion and music publishing, but they aren’t the final decision-makers. When one looks at the five major-label groups, other than Michele Anthony and Murphy, there are virtually no women in high-level corporate positions other than communications.

Who’s to blame? The answer is, in part, ourselves. We women are so busy trying to stay ahead that we aren’t nurturing others at our level or helping to groom those females at lower levels. There are some fine organizations that support women—such as Women in Music or the Step Up Organization—that tackle a wide range of women’s issues, but these companies can’t reach their goals if women at high levels don’t participate.

The situation isn’t going to change until women stop competing with each other and realize that any time a female gets ahead, it’s a victory for all women.

I’ve been blessed to have wonderful mentors who have guided, advised and inspired me. They were all men because there weren’t women in my sightlines doing what I was doing. It’s the obligation of those of us who have achieved a level of success to mentor those who will one day fill our shoes.

Additional reporting by Margo Whitmire in Los Angeles.
Jerkins Tries His Hand At Film Scoring With ‘Honey’

Rodney Jerkins is among the growing number of music producers and hit songwriters venturing into the world of film scoring. He tells Billboard that it is part of his plan to expand business for his music production company, Darkchild Entertainment.

Jerkins composed score music for Universal Pictures’ “Honey,” which opened Dec. 5 in U.S. theaters. He also wrote and produced several songs for the “Honey” soundtrack, released Nov. 25 on Elektra Entertainment. The soundtrack features Blaque’s “I’m Good” (the album’s first single), Yolanda Adams’ “I Believe,” Misey Elliott’s “Hurt Sunthim,” Fabolous “Now Ride” and Tweet’s “Thugman.”

“Honey,” directed by music-video veteran Bille Woodruff, stars Jessica Alba as a dancer/choreographer trying to make it big in the entertainment industry. Several R&B/hip-hop stars have roles in the film, including Elliott, Lil’ Romeo, Ginuwine, Tweet and Jadakiss. Jerkins also has a cameo in the film.

The Grammy Award-winning Jerkins has worked with many of the top names in the business, including Destiny’s Child, Jennifer Lopez, Britney Spears, Michael Jackson, Whitney Houston and Mary J. Blige. Jerkins says, “In the music industry, I’m well-known, but in the film world, I’m dealing with people I’ve never talked to before in my life.” He adds of working on the film’s score: “The biggest adjustment was the pressure of writing music which had to be ready the next day. I had to be on point. There was no room for making mistakes, but I was up for the challenge.”

Jerkins says he landed the job of scoring “Honey” largely thanks to Paris Davis, the music supervisor for “Honey.” Davis and Jerkins previously worked together on hits for R&B/pop singer Brandy. Grammy winner Mervyn Warren also provided the film-score music for “Honey.”

To prepare for his first major film-score job, Jerkins says he studied such musical movies as “All That Jazz” and “Flashdance.” He also consulted with director Woodruff on an almost daily basis to get information on the next scene being filmed.

Jerkins adds, “It made me understand music on another level. The whole point of movie music is to bring out the emotions in a scene.”

He says that producers who come from a music-industry background are better-served by branching out into other forms of entertainment: “You have to look at [music] production on a whole bigger scale, like in movies and TV.”

Now that he has gotten a taste of the movie industry as a film composer, Jerkins says he is hooked: “A lot of times in movies, they’ll just license old songs. But I want to be the guy they call to bring something new to the table.”

Next up for Jerkins: He has been tapped as executive music producer for Miramax Films comedy “My Baby’s Daddy,” scheduled to open Jan. 9, 2004, in U.S. theaters.

Jerkins has written songs for the film, and he says he wants the “My Baby’s Daddy” film soundtrack (whose artists will include Snoop Dogg and Joe Budden) to be released on his Darkchild record label. Jerkins tells Billboard he is in discussions to find a distributor for the label.

CASTING NEWS: Hilary Duff will star in the New Line Cinema drama “Heart of Summer,” due in theaters sometime next year. As with her previous film, “The Lizzie McGuire Movie,” singer/actress Duff will play her musical skills in “Heart of Summer,” which is being described as a coming-of-age film set at a performing-arts school.

Ludacris has landed a supporting role in the ensemble feature-film drama “Crash” from Bull’s Eye Entertainment. Ice Cube is starring in “Are We There Yet?,” a comedy from Revolution Studios and Ice Cube’s Cube Vision production company.

Dave Matthews is part of the cast of “Because of Winn-Dixie,” a 20th Century Fox family drama due in theaters next year. Also for 20th Century Fox, Tyrese is co-starring in adventure film “The Flight of the Phoenix,” and Queen Latifah stars in the comedy “Just.”

Latifah is also developing a “Barbershop” spinoff tentatively titled “Beauty Shop” while also starring in Lions Gate Films’ “The Cookout,” whose cast includes Eve and Ja Rule.

Mandy Moore stars in two upcoming roles for Warner Bros. Pictures: the animated film “Race to the Moon” and the romantic comedy “Chasing Liberty.”

LL Cool J is co-starring in the drama “Edison” for Emmett/Furla Films. Method Man has a supporting role in “The Other Side of Simple,” a New Line Cinema action thriller. Raelewon and Fat Joe have landed roles in the drama “Coalition” for Ariola Productions.

PRODUCTION DEAL: Walt Disney-affiliated Beacon Pictures has inked a deal for two films starring Nia Long and Lil’ Kim. The films are “The Other P” and “Shorty.” The latter film was previously being developed by Universal Pictures before Beacon picked up the project.

Cecilia Bartoli Sets Salieri’s Story Straight

Italian mezzo-soprano superstar Cecilia Bartoli is always on the lookout for an adventure.

And she isn’t limiting herself to Rossini or Mozart; it’s the spirit of discovery that’s of interest.

Whether it’s exploring the music of Pauline Violot-Garcia (as she did on the album “Chant d’Amour”) or contemplating working with such contemporary composers as Pierre Boulez and Hans Werner Henze, Bartoli is diverging from easy successes and the crossovers that dominate the charts.

Her recent album, the critical and commercial success, “The Salieri Album,” is the latest step on that path.

“It’s fascinating to open a manuscript," Bartoli marvels. “You feel as though you’re not looking just at a wonderful piece of music but that you’re looking into the composer’s soul. That excitement translates into your performance as an unfiltered connection between you and the composer.”

But there was a special need for the project, the mezzo says; after all, Antonio Salieri wasn’t just a neglect ed composer but a demonized one. He was the villain of phenomenally popular play and movie “Amadeus.”

The film exalted Salieri personally and professionally, Bartoli says. “I recently learned that the filmmakers actually made a point of choosing the least interesting bits of Salieri’s music that they could find, to make him look bad compared to Mozart,” Bartoli says.

“When I saw Salieri’s manuscripts for the first time at Vienna’s National Library, I was totally amazed. This was music written by a so-called minor composer.”

“If you listen to the arias from Armida, which is the last selection on the album, you hear a masterpiece,” Bartoli says. “It’s a piece that looks both back and forward. The aria takes place in a forest, and Salieri brings in the sounds of nature in a style that we might associate more with Beethoven and his generation. Don’t forget that Salieri taught Beethoven, Schubert and Liszt. So Salieri occupies a very interesting place in history.

“We were rescuing Salieri twice,” Bartoli adds. “Once from the neglect of history, and once from the reputation of ‘Amadeus.’”

AWARDS ALL AROUND: San Francisco’s Philharmonia Baroque Orchestra has just been named ensemble of the year by Musical America. Led by longtime music director Nicholas McGegan, the PBO has reached a first with this award: No other period-instrument ensemble has ever received this prize.

Meanwhile, Seoul-born (and now Berlin-based) composer Unsuk Chin has won the 2004 University of Louisville Grawemeyer Award for her Violin Concerto. The Ensemble Intercontemporain has recently recorded a disc of Chin’s works for release on DG.

INDIES DOMINATE: In yet another sign of the times, the recently announced Grammy Award nominations show the independent out running the majors this year, with Naxos leading the lineup.

Other indies with projects in the running include ECM, Harmonia Mundi, Hänssler, the Philadelphia Orchestra Assn., Reference, Albany, Bridge, SFS Media, Naxos, Gothic, Cambria and Varèse Sarabande.
In From The Beginning:
Black Sabbath to Ozzy Osbourne to Ozzfest to The Osbournes...
LONG MAY IT CONTINUE

35 Years

TO THE OSBOURNES,
Ozzy, Sharon, Aimee, Kelly, Jack,
and the Osbourne dogs:
Minnie, Maggie, Crazy, Lola, Martin,
Baby aka New Baby, Colin, Peggy Sue,
Pipi, Mr. Chips, Ruby, Sugar, Sunny and Buster

“OUR BEST FRIENDS,
A MAJOR PART OF OUR
JOINT FAMILY, OUR LIVES
WOULD NOT BE THE
SAME WITHOUT YOU.
WE LOVE YOU”

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Chartered Accountants and Business Management
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Tel: 020 7267 6899 Fax: 020 7267 6746

Colin, Chin, Hardy, Jacqui, Edwina, Angela H, Frank, Lars, Peter,
Del, Clive, Patsy, Yong, Chris, Lynne, Lucy, Angie, Ann, Bernard,
Tom, Steve, Nutan, David, Sean, Angela P, Patel, Bobby, Christine,
Pepe, Jonathan, Jeremy, Graeme, Matthew, Andrew, Hannah,
Arthur, Phil, Sheryl, Mansoor ...and the rest of the staff.
The Osbournes: The First Family Of Rock’n’Roll

BY CARLA HAY

Ozzy Osbourne has been many things throughout his multi-platinum career: lead singer of Black Sabbath, successful solo star and a veteran touring artist. But as Ozzy marks the 35th anniversary of his solo career, there is no doubt that his starring part in MTV reality series "The Osbournes" ushered in a most unlikely role for him: that of mainstream pop-culture icon.

Much has already been said about Ozzy and his family in the saturation media coverage that followed the success of "The Osbournes," which documents the lives of Ozzy, his wife/manager Sharon, and two of the children, Kelly and Jack (the Osbournes daughter Aimee does not appear in the show). The reality show, which debuted March 5, 2002, on MTV in the U.S.—holds the record for the highest-rated series on MTV. "The Osbournes" also grabbed hit status when it aired in other countries, including Canada and Great Britain.

The show's Emmy Award-winning first season drew an average of 5.3 million U.S. viewers per episode, according to Nielsen Media Research. Ratings for the program's second season declined to an average of 3.6 million U.S. viewers per episode, but that figure is still impressive for a basic-cable network. Not surprisingly, the Osbournes and MTV have re-upped for a third season, is expected to begin in 2004, despite Ozzy's ATV accident Dec. 8.

On Dec. 11, MTV premiered "The Osbournes Family Christmas" special, featuring celebrity guests such as Jessica Simpson and OutKast's Big Boi. Unlike other middle-aged rock stars whose glory days are behind them and are contemplating retirement, Ozzy has become a bigger star than ever. And he shows no signs of slowing down.

"Ozzy is a living legend," says Epic Records executive VP/GM Steve Barnett, who was Ozzy's ATV accident Dec. 8. Ozzy is one of the few artists who's maintained his relevance with a young audience. He's stayed true to his craft, and he's very special. He's an incredibly passionate man, and in some ways he defies categorization."

(Continued on page 42)
CONGRATS OZZY,

35 YEARS IS A GREAT RUN.

AND DON'T WORRY ABOUT ME,
I'M NOT MAD ANYMORE.

I'M GLAD I COULD HELP.
Ozzy: ‘Truth Is, I Don’t Know What I’m Doing’

BY CARLA HAY

Ozzy Osbourne is the first to admit that when he signed up to star in “The Osbournes” reality-TV series on MTV, he had no idea that the show's success would make him a media sensation.

For a rock star who has been hated by many critics and rejected by much of the music establishment throughout most of his career, Osbourne has reached a new level of widespread popularity that has amazed many, including the artist himself.

During the first season of “The Osbournes” in 2002, Osbourne talked candidly to Billboard about the TV show that has made him more famous than ever. His comments reflect his perspective of the show at that time.

What do you think of reality shows and becoming part of this huge business of reality programming on TV?

I don’t understand reality shows like “The Real World” or “Survivor.” I don’t understand TV, period. I know what I like and I know what I dislike on TV. I like watching historical documentaries.

How involved have you been in making decisions about your TV show?

The show wasn't my idea. My wife said, “We're going to do this show,” and I just went along with it.

The thing that pissed me off the most when we started doing the show was that the cameras were at our house for Christmas Day and New Year’s Day. I thought at the time, “We don’t have a day off from this!”

MTV sends me rough cuts of the show’s footage, but I have no idea what MTV will end up doing with the footage. Reality shows often get criticized for being staged and for people acting up for the cameras. Set the record straight: Is any part of “The Osbournes” staged?

The show is all about the way I really live. That’s the way my family and I are all the time. So I don’t see the funny side of it, like other people do. I don’t get the joke.

I’m not coming up with any jokes beforehand. Everything I say and do is spontaneous and real. There’s no script.

There’s been so much said about “The Osbournes” show. What has surprised you the most?

All the hardcore TV critics who like the show, I didn’t expect that to happen.

So far, most people have had a good reaction to the show, but I don’t really give a shit what people think. This is my life as it really is. If I had a formula to make a hit TV show, I would’ve done this a long time ago and be the wealthiest man in the world.

How have you and your family handled the media glare and intrusion into your private lives?

I think we’ve all handled it pretty much the same. My kids are doing a good job handling it. For me, filming the show has been like this: You get out of bed, you scratch your balls, you have a shower and then you go about your day. The show hasn’t changed my life in that way because I don’t know what I’m doing anyway.

People on reality shows say they often feel self-conscious, and they censor themselves because they don’t want to make fools of themselves on TV. How do you deal with cameras following you around almost all the time?

You know yourself better than anyone else in the world, and if you can get used to cameras following you and getting in your face—once you get over that barrier—you can still be yourself. I don’t put up on proper airs or talk differently to appear more educated. I can’t live that way.

Over 10 years ago, I did a video that filmed the making of “No More Tears.” I was f***ed-up drunk, like crying drunk, and a friend of mine in the press asked me how could I do something like that with the cameras rolling. I don’t know any other way to live. I can’t be one way on camera and another way off camera.

The camera crew has been great. The worst thing would’ve been to have someone in the camera crew you don’t like. When the people you work with are nice people, it makes it easier to have cameras around.

Some people say that all this exposure has hurt your credibility. How do you respond to that, and is there anything you wish you’d done differently?

The truth is, I don’t know what I’m doing. I’m not a business mastermind; my wife is. So I can’t take credit for what’s happened.

I can’t criticize myself for anything about the show, because it’s my life and I can’t change what’s already happened. The only difference is that now millions of people will see my life in reruns.
The enduring success of Ozzfest, the hard-rock touring extravaganza named for its perennial headliner Ozzy Osbourne, comes down to its “coolness” quotient. Or, more precisely, the summer event’s lack of it.

For Sharon Osbourne—the singer’s spouse/manager, who is credited with bringing Ozzfest to life—the concept behind the successful rock’n’roll festival is simple. “We don’t overthink it and try to ‘out-cool’ ourselves,” she says.

“Some of these tours are trying so hard to be cool and cutting-edge, and that’s fine,” she continues. “There are loads of cutting-edge bands that don’t sell tickets. Sometimes they’re so cool that nobody fucking knows about them.”

Obviously, being cool is not an overriding concern for the Osbourne camp.

And that’s why, insiders say, Ozzfest has managed to thrive in an unforgiving touring festival marketplace, achieving strong numbers year after year. Since its inaugural run in 1996, Ozzfest has grossed a staggering $146.5 million from 236 shows that have drawn 3.8 million headbangers, primarily to outdoor amphitheaters.

“We’re still not cool—as far as the industry’s concerned—which is fine with us,” Sharon continues. “As soon as you’re perceived as cool, you’re dead. There are so many agents, promoters and managers out there that are cool, but that doesn’t keep us all in business.”

For Ozzfest, “consistency wins the day,” says Rob Light, head of the music division for Creative Artists Agency, agent for Ozzy and Ozzfest. “The ebbs and flows of rock music has always been cyclical, and to this day—including his days with Black Sabbath—Ozzy is still the flag bearer for this type of music.”

Ozzy has long been a road warrior. “Nobody has toured like Ozzy,” Sharon says. “Over the past 32 years, he’s only missed two years of touring. That’s what he loves: connecting with a live audience.”

And while Ozzy still tours as a headliner without the Ozzfest trappings, the festival has in many ways defined his touring career, at least for the current generation of rock fans. A testament to Ozzfest’s stature among the metal faithful is the tour’s performance in 2003, perhaps the most competitive road environment ever for the genre.

It was a crowded summer indeed for hard music, with Metallica’s Summer Sanitarium stadium tour, the return of Lollapalooza, a much-hyped Kiss/Aerosmith double bill and dozens of smaller tours on the road vying for the money and time of rock fans.

But Ozzfest more than held its own, grossing $23.5 million and drawing 481,857 people.

“We still came out smelling like a rose,” says Jane Holman, VP of Clear Channel Entertainment (CCE), longtime producer of Ozzfest. “That says a lot for the bands we had.

(Continued on page 28)
CREATIVE ARTISTS AGENCY
salutes Sharon & Ozzy Osbourne

You both rock!
Then, now, and always.
We are proud to have a relationship that goes beyond a business transaction... a true heartfelt friendship that has proven to stand the test of time.

Thanks for letting us be a part of your journey.
Thank You Ozzy & Sharon
for 8 amazing years with more to come!

Thank you Aimee, Kelly, Jack, Minnie and Maggie for sharing;
and thank you Colin, Michael, Dana, John and Tony for being
the hardest working support team ever.

Clear Channel
Entertainment
Ozzfest
Continued from page 24

on the bill and for Ozzy and Sharon. The brand holds true."

In tough economic times, 26 bands and 12 hours of music is perceived as a deal. "I think what we do more than anything is give good value for the money," Sharon says. "We always try so hard to get the best of the new and old music in the hard-rock genre, and the kids know what they will get with Ozzfest."

KNOWING YOUR AUDIENCE

The movers and shakers on the Ozzfest team have been remarkably consistent in a business not especially known for that characteristic. Holman has been involved with producing Ozzfest since 1997, first with PAX, then with SPX and now with CCE.

"We have had the honor and pleasure to work with Sharon, Ozzy and the Ozzfest for the past nine years, and it's been one of the greatest, most adventurous, humorous and gratifying rides any agency could hope to be on," says agent Mitch Rose at the Creative Artists Agency.

"The longevity of Ozzfest is due to the fact that we stay true to the genre," Holman says. "We know who our audience is, and we don't try to be all things to all people."

CAA's Light concurs. "It's simple," he says. "They have been very true to the spirit of the music and, therefore, true to their audience. There has never been any confusion associated with what Ozzfest is all about."

Overextending a festival's appeal contributed to the downfall of major multi-act tours, ranging from the first run of Lollapalooza to H.O.R.D.E. "Sometimes one plus one plus one doesn't equal six. Sometimes it equals two," Holman says.

Through it all, Ozzfest has maintained to keep its credibility with notoriously cynical hard-rock fans, who can spot a sellout a mile away. Holman says the biggest difference she noticed after the TV show "The Osbournes" broke loose on MTV was that people no longer confounded her with Sharon Osbourne. "I used to ride around [on] the golf cart at shows, and people would ask me if I was Sharon," she recalls. "Now they know I'm not."

And Ozzy's portrayal as a lovable dad—albeit a foulmouthed, bumbling one—apparently hasn't hurt his stature with fans, either.

"Ozzfest is more in the mainstream [since the show started], but we still have our core audience," Holman says. "I don't think it has hurt Ozzy's cred. Even death-metal kids grow up, fall in love and have babies. They still listen to music." Which is basically the case with Ozzy. "He's got the big house and the kids, but he didn't sell out," Holman says. "He still rocks."

PLATFORM FOR EXPOSURE

For a genre with limited means of exposure, Ozzfest has put emerging bands in front of thousands of people, with production values and presentation they could never hope for otherwise.

"We've always tried to introduce new bands to people," Holman says. "The Ozzfest second stage has always been a showcase for up-and-coming bands trying to make their mark in the world of heavy metal. That's a hard nut to crack."

The list of bands that have broken out following a stint on Ozzfest is a long one. System of a Down, Incubus, Slipknot, Godsmack, Static X, Queens of the Stone Age, Disturbed, Crazytown, P.O.D., Mudvayne, Taproot, Drowning Pool and Chevelle all played Ozzfest in their early days.

A chance to see new bands is a big part of the attraction of Ozzfest, along with all the ancillary concourse attractions.

"Fans know exactly what they will get—12 hours of great music, exposure to fantastic new bands, great headliners and a midway environment that's always fun," Light says.

Because of this, talent meetings are focused. "Our talent-buying philosophy is 'We want to dance with who brung us,'" Holman says. "We stick with the type of music we know our audience wants to hear. We try not to bring back the same bands, unless we know the audience is yearning for a particular band. And we rule out the people who are writing ballads."

Sticking true to its roots has helped Ozzfest establish what may be the touranding brand out there, an ongoing franchise that breeds anticipation among the loyal.

"People make plans to go before the bands are announced," Holman says. But she quickly points out that the brand is still not bigger than the bands.

"The Ozzfest name is definitely a brand, but the bands are important to everybody," she continues. "You can't for one second discount the bands that play on Ozzfest, starting with Ozzy, the godfather of it all."

Success in a highly competitive hard music year like 2003 holds well for future outings. "As long as Ozzy wants to do it, there will always be an Ozzfest," Light says.

Charting Ozzy

In a chart career that spans more than 33 years, Ozzy Osbourne has amassed six top 10 albums, including one with his former band, Black Sabbath. His most recent studio set of new material, "Down to Earth," opened at No. 4 on The Billboard 200 in 2001 with his biggest Nielsen SoundScan sales week ever, moving more than 152,000 in its first week. Not so shabby for a man who first appeared on a Billboard chart on Aug. 29, 1970, when Black Sabbath's self-titled debut entered The Billboard 200.

Titles on this chart are ordered by peak position on The Billboard 200. If more than one title peaked at the same position, ties were broken by the number of weeks spent at the peak. If ties still remained, they were broken by the number of weeks on the chart, and then in the top 10 and/or top 40, depending on where the title peaked.

The Billboard 200 Albums

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<tr>
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<th>Title</th>
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<th>Debut Date</th>
<th>Label</th>
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<tr>
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<td>&quot;Ozzmosis&quot;</td>
<td>No. 4</td>
<td>Nov. 11, 1995</td>
<td>Epic</td>
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<tr>
<td>2</td>
<td>&quot;Down To Earth&quot;</td>
<td>No. 4</td>
<td>Nov. 3, 2001</td>
<td>Epic</td>
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<td>3</td>
<td>&quot;The Ultimate Sin&quot;</td>
<td>No. 6</td>
<td>Feb. 15, 1986</td>
<td>CBS Associated</td>
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<td>&quot;Tribute&quot;</td>
<td>No. 6</td>
<td>May 9, 1987</td>
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<td>No. 7</td>
<td>Oct. 5, 1991</td>
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<td>No. 13</td>
<td>Nov. 29, 1997</td>
<td>Epic</td>
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</tbody>
</table>

*Black Sabbath*
Sometimes, change can be a good thing...

Congratulations To The Osbournes
From Your Friends At Sanctuary Records Group

THE NEW ALBUM
IN STORES NOW
FEATURING CHANGES WITH OZZY AND KELLY
Sharon Osbourne’s Tragedy And Triumph

BY CRAIG ROSEN

Wife, mother, manager, Ozfest founder, cancer survivor, reality TV star, talk show host, Emmy Award-winning producer: Sharon Osbourne is all this and more. Her husband and client Ozzy describes her as an “absolute, complete lunatic workaholic.” Judging by her current activities and past accomplishments, that’s an apt description.

“When you think of the great managers, she is one of the select few,” says Merck Mercuriadis, CEO, Sanctuary Records Group.

Sharon’s latest endeavor, “The Sharon Osbourne Show,” debuted on Sept. 15. The syndicated, hour-long, talk variety show tapes five episodes, four days a week (two shows are taped on Thursdays) on a Hollywood sound stage. Sharon landed the talk show after a guest spot on “The Rosie O’Donnell Show” that left the host raving to Telepictures president Jim Paratore about Sharon’s potential as a talk show host.

“Sharon has this life experience and this point of view that she brings to everything that is unique,” Paratore says. “Women look at her and see her as someone that has been through a lot—held her family together, dealt with all their problems, dealt with her own illness. And not only has [she] survived, but [she] has been successful as a mother and a businesswoman, and they find it inspiring.”

According to Nielsen Media Research and based on ratings through Nov. 23, the show is averaging a 1.5 rating, which represents about 2.5 million viewers. Among 14 midday talk shows, “The Sharon Osbourne Show,” broadcast primarily on WB affiliates, ranks fifth among women 18-34.

(Continued on page 32)
We wanted to {expletive} congratulate you on 35 {expletive} years and 40 million {expletive} albums sold in a language you would {expletive} understand.

Congratulations Sharon and Ozzy. With love and respect from your extended families at Epic Records and Sony Music.
Sharon
Continued from page 30

While not working on the show, Sharon, 51, tends to the things that kept her busy before she became the star of her own daily talkfest—namely managing the career of Ozzy Osbourne, planning the next Ozzfest and serving as the matriarch of America’s favorite reality-show family.

While Sharon may appear to be on a personal and career high, she’s faced her share of tragedy along with the triumph. In July 2002, Sharon was diagnosed with colon cancer. She underwent chemotherapy and approached the disease with the same tough attitude that made her legendary as a manager, even allowing MTV to document her treatment on “The Osbournes.”

“You can’t look at it as ‘poor me’ and ‘why me?’” she told Rolling Stone writer Chris Heath.

“That’s all a crock. I got it, and I think to myself, ‘There are millions and millions of people who have much worse than me. What the fuck do I have to worry about?’”

And to help those millions inflicted with the disease who can’t afford screenings and health care, she started the Sharon Osbourne Colon Cancer Foundation.

She has also battled a weight problem and substance abuse, and she stood by her husband and, more recently, her son, Jack, as they dealt with their own much publicized addictions.

While all the drama on “The Osbournes” may provide laughs to millions of MTV viewers, there has been little humor in Sharon’s personal struggles.

Born Oct. 10, 1952, in London, she had show business in her blood. Her mother, Hope, was a dancer, while her father, Don Arden, managed such rock legends as Gene Vincent and the Small Faces before moving on to hard rock band Black Sabbath, fronted by one Ozzy Osbourne.

Growing up the daughter of Arden got her a first-hand lesson in the history of rock’n’roll.

Sharon has said her earliest memories include meeting Bill Haley and Sam Cooke before she was 10 years old. She reportedly witnessed how her father used intimidation as a weapon in business and followed his footsteps into the managerial business, first working as a receptionist at the age of 15 in his management offices. “If he’d been a butcher, I’d be slicing lamb chops now,” she once told the U.K.’s Guardian newspaper.

However, Arden was less than pleased with Sharon’s choice for her first client. In 1983, according to the Billboard book “Rock Movers & Shakers,” she bought out Ozzy’s contract from her father and had Ozzy leave Jet Records, Don Arden’s label, to sign exclusively with Epic/CBS.

“I knew that there was a whole underground army of people all over the world that loved him,” Sharon told Barbara Walters during an interview broadcast on “20/20.”

It wasn’t easy, but Sharon saw taking Ozzy as a client as her only option at the time.

“It was that or starve, basically,” she told Rolling Stone. “Because when I left my father, I left everything. I had nothing, absolutely nothing. Ozzy was broke because he’d just gone through a divorce and literally walked out the door and left everything. So we had nothing. And it was, ‘We make it or we fucking starve and I end up working at [U.K. department store] Marks & Spencer.’ I didn’t have a plan, I didn’t have anything. I just went feet first and bulldozed my way into it.

“And it was very difficult,” she continues, “because people were still very intimidated by my father, and our parting was not amicable. It was very, very bad. So people were scared to talk to me because of my father. It took a long time.”

By published accounts, there was such a rift between Sharon and her father that they didn’t speak for nearly two decades. But they finally reportedly patched things up in the wake of the Sept. 11, 2001, terrorist attacks. And Arden walked Sharon down the aisle when she and Ozzy renewed their marriage vows on New Year’s Eve 2002.

Although Sharon’s decision to take on Ozzy angered her father, her hunch that he could launch a successful solo career was on the money.

Ozbourne’s 1980 solo debut, “Blizzard of Ozz,” reached No. 21 on the Billboard Top album chart—and has since been certified four-times platinum by the Recording Industry Assn. of America. That bested his former mates in Black Sabbath, whose 1980 effort “Heaven and Hell” peaked at No. 28 and has been certified platinum.

On July 4, 1982, Sharon and Ozzy married, but the honeymoon was short-lived. During a visit to attempt to reconcile with her father, the dogs on his property attacked Sharon, leaving her bloodied and scarred. She was pregnant at the

(Continued on page 36)
ARIGATO
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FOR
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THE MADNESS AND THE MUSIC!
FROM JAPAN WITH
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She earned a reputation as a tough-as-nails manager known for a confrontational style.

"The Ozzfest Live" album in 1997 before it was shuttered.) Divine’s releases include "Iommi," a star-studded solo effort by the Black Sabbath guitarist; Ozzfest collections from the 2001 and 2002 tours; and Sabbath’s "Past Lives," a live set recorded in 1973 that was remastered, remixed and released in 2002.

Then there’s "The Osbournes," the reality show that became a ratings record-breaker for MTV and picked up an Emmy Award for best non-fiction reality program in 2002.

Sharon negotiated a deal for a third season of "The Osbournes" after complaining to Walters on "20/20" that MTV’s cameras had become too invasive. By the time the new deal was in place, Sharon had changed her tune, noting on her talk show that "there’s been a hollow empty feeling in my heart since the MTV crew left the Osbourne residence.” She added in a statement, “How lucky am I to have MTV with us for another year filming home movies of my family ... and pay us for it?”

Terms of the new deal weren’t disclosed, but the last time "The Osbournes" re-upped with MTV, sources estimated the deal to be worth between $5 million and $20 million.

That lucky streak continued in summer 2002, when Sharon announced she’d struck a deal with Disney-owned Miramax Home Entertainment to release the first two seasons of the show on DVD. That deal was reportedly worth $7 million.

More recently, Sharon rolled the dice again, announcing that both Ozzy and her daughter, Kelly, were splitting from Sony Music, with which the family has been associated since Ozzy launched his solo career in 1980.

“We’ve had 23 great years together,” Sharon said in a statement. “We’ve shared many great successes, but sometimes you have to search out fresh blood to get fresh ideas, which is a philosophy that every record company, especially Sony, understands.” Even with the split, son Jack continues to work as a talent scout for Epic Records.

During his time with Sony, Ozzy racked up nine multi-platinum albums, two platinum and one gold, and has sold more than 13.5 million albums since SoundScan began monitoring sales data in 1991.

While Ozzy has yet to announce a new label deal, he did turn up on a duet with Kelly on “Changes,” a revamped version of her Epic debut “Shut Up.” The set was issued by Sanctuary in late September, which has distributed some Divine Recordings releases in the past.

As for the future, a new season of “The Osbournes” will air in 2004, the next Ozzfest is in the planning stages, a Black Sabbath boxed set is due from Rhino early in the New Year and chances are strong the music industry will be hearing more from Sharon Osbourne.
Dearest Oz!

Huge f*****g congratulations on achieving the un-f*****gthinkable! and occasionally the unmentionable.

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Thanks, by the way for your lovely present after the Jubilee gig (none of the other mean bastards sent me anything)

Love to Sharon & the kids and keep on f*****g rocking.

Love, Phil Collins (f*****g drummer)
‘Osbournes’ Bring Huge Boost To Licensing

BY WES ORSHOSKI

Matt Hautau, the point person for “everything Ozzy” at Signatures Network, the singer’s licensing company, was a teen when the solo career of the former Black Sabbath frontman began taking flight in the early ‘80s.

With a laugh, Hautau recalls the polarizing impact then of the Ozzy name and his sharp-edged red and yellow logo.

“At the time, the guys you watched out for were the guys wearing Ozzy shirts,” he recalls. “They were the ones who would probably kick you around school if you looked at them sideways.”

My, have things changed.

While there was a time not that long ago when Ozzy’s name, image and logo were synonymous with evil to many, these days everything from jack-in-the-boxes to rubber ducks carry his logo and likeness.

The smash success of “The Osbournes” reality-TV series on MTV turned the Ozzy licensing game upside down.

In the years leading up to the series’ 2002 launch, Hautau says that Ozzy’s name and image still held some of their edge—even though the singer was entering his third decade in rock’n’roll and music and pop culture were evolving.

Many of the Ozzy products created by San Francisco-based Signatures Network at that time were very gothic, such as candleholders, crosses and, of course, T-shirts. These items used the Ozzy logo more often than Ozzy’s own likeness, Hautau says.

In the late ‘90s, the Ozzy brand was still strong, allowing the singer and his wife/manager, Sharon, to launch the hugely successful annual metal bonanza Ozfest—featuring some of the heaviest and darkest bands the mainstream has to offer.

But as soon as “The Osbournes” became a hit for MTV, Signatures received scores of requests for Ozzy products with a PG tone. And at the same time, new doors opened for Signatures Networks, Hautau notes.

Bobblehead dolls, bobblehead pens, backpacks, lunchboxes, mugs, underwear, puppets, postcards, air fresheners, board games—all hit retail in the months that followed the launch of the TV show.

“When you get a property as hot as ‘The Osbournes,’ it happens almost overnight,” Hautau says. “[But] it doesn’t happen that often. It’s like a fire alarm goes off. The phone starts ringing constantly. People will say things like, ‘Oh, somebody’s already done T-shirts? Somebody’s already done stickers? What if I do really giant stickers?’ People start varying their product line or thinking up products they could apply the license to.”

The MTV hit also arrived at a slow time for licensing, Hautau adds. “There was about an 18-month period in licensing where there was no hot property; people were waiting for the next big thing,” he says.

The show immediately changed many people’s perception of Ozzy. Hautau says, “Before, I think people still thought of Ozzy as the guy who hit the heads off bats or [doves] in the late ‘70s and early ‘80s. [He was thought of as] the prince of darkness, Hautau says.

Yet not everyone jumped on the bandwagon, he notes. Major chains like Wal-Mart weren’t picking up Ozzy- or “Osbournes”-related items, as the show focused on parents and family members proficient in the art of profanity.

And Signatures, he notes, did not approve everything. “We turn down far more categories than we decide to license,” Hautau says.

One such proposal was the creation of a NASCAR race car. “[NASCAR] wanted to do an ‘Osbournes’ car for a Busch Series race, and they wanted the family to show up. It’s like, what’s the connection, really? At some point, you’re either about something or you’re about just getting out as much product as possible.”

Signatures’ most successful items have a specific connection to the show—items like “The Osbournes” bobbleheads that featured audio clips of such memorable lines as Ozzy screaming “Sharon!”

Prior to the launch of “The Osbournes,” Hautau says Signatures had approved about five licenses through which about 100 Ozzy products were created. The company now has granted about 35 licenses, which has resulted in more than 500 products hitting the marketplace.

By the time Ozzy launched his solo career in 1980, he had already gained an infamous reputation while fronting Black Sabbath, perhaps the most sonically sinister band ever.

But over the next three years, that reputation grew further thanks to the surreal drive- and bat-beheading incidents. Boosting his dark reputation were the covers for his now-classic three albums—“Blizzard of Ozz,” “Diary of a Madman” and “Bark at the Moon.”

Thanks to his edgy logo and ghoulish images of the singer posed with skulls, inverted crosses or below a full moon, fans embraced the Ozzy brand.

And as nostalgia grew in the late ‘90s for such artists as Ozzy, Kiss and Alice Cooper, demand grew for the album-image-based products of such toymakers as Art Asylum in Brooklyn, N.Y., and McFarlane Toys in Arizona.

Asylum created an Ozzy-in-the-Box modeled after his werewolf get-up on the cover of “Bark at the Moon.”

When Todd McFarlane, CEO of McFarlane Toys, planned an Ozzy action figure, one of his company’s first music-related products, he recalls he was “concerned with [conjuring] up the Ozzy stereotypes.”

You know, what people think of when they think ‘Ozzy.’ When you say Ozzy, everybody has a knee-jerk. We wanted to actually hit the knee-jerk.”

McFarlane chose the image of Ozzy from the early ‘80s—the scary, demonic one.

While many fans may remember just how scary the singer appeared in those days, McFarlane recalls with a laugh that Sharon doesn’t exactly remember what her husband looked like at the time.

“The wives have a bit of distortion on how ‘study’ their boys actually were,” McFarlane says. “If you were to take a look at the first Ozzy we did, he was like a Greek god! Sharon was very into it. I’m sure at one time, when he was young and thin, he looked something like that, but I don’t think he was quite as chiseled as we [made him].”

McFarlane’s figures helped open the door for all sorts of three-dimensional, classic-rock-related items, says Adam Unger, VP of Art Asylum.

At the time, both companies were looking for a way to “bring the Ozzy fan into the toy world, to sort of get them over to a different aisle,” Unger says.

Once McFarlane and Asylum had paved the way to the toy stores, licensee Craig Wolfe, owner of Celebriducks, had an easier task when Signatures Network last year asked the company to create a set of Ozzy Osbourne rubber ducks. To date, the company has sold more than 5,000 sets of the four ducks—with the likeness of Ozzy, Sharon and their irrepressible offspring, Jack and Kelly.

As with a few other Osbournes products, the ducks didn’t get immediate approval, Wolfe says. Son Jack, he says, wasn’t sure how a duck fits into his public image. But eventually he came around.
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Osbournes

Continued from page 21

president Van Toffler says, “Ozzy is downright lovable. In many ways, he’s the heart and soul of the Osbourne family. He represents everything that’s right about rock’n’roll—you go with your gut and say what you feel.”

THE WILD RIDE BEGINS

Ozzy’s journey in the music business has been a virtual roller-coaster ride.

Born Dec. 3, 1948, in Birmingham, England, John Michael Osbourne, nicknamed Ozzy, might have been just another high-school dropout with a prison record (for burglary) and doomed to a dead-end existence had he not discovered his musical calling.

With the Beatles as his biggest influence, a teenage Ozzy decided to pursue a full-time career in rock’n’roll. He hooked up with a series of unknown bands that went nowhere fast in the late ’60s, including Rare Breed, the Black Panthers and Approach.

But Ozzy’s fate was sealed in 1969, when the Birmingham band he performed with at the time changed its name to Black Sabbath. The group had previously used the names Polka Tulk Blues Band (later shortened to Polka Tulk) and Earth. Ozzy—Black Sabbath’s classic lineup of guitarist Tony Iommi, bassist Terence “Geezer” Butler and drummer Bill Ward enjoyed a wild ride during the next decade. The occult-inspired, decadent imagery that the band embraced led to controversy but also a rabidly loyal following, influencing countless people.

Beginning in 1970, the band released several hit albums, toured the world and pounded out such classic heavy-metal anthems as “Paranoid,” “War Pigs” and “Iron Man.”

By the late ’70s, serious rifts in the group were beginning to show. Ozzy quit Black Sabbath in 1977 and rejoined a few months later. Then in 1978, he was fired. By 1979, the singer was at a low point, without a record deal. Many wrote him off as a has-been.

Ozzy’s marriage to his first wife, Thelma, was also crumbling, and the couple divorced in 1981. They had three children: Elliot, Ozzy’s adopted son from Thelma’s previous marriage; Jessica, born in 1973; and Louis, born in 1975.

With Ozzy’s solo career seeming hopeless, manager Don Arden—who had shepherded Black Sabbath’s career in the latter half of the ’70s—parted ways with Black Sabbath and decided to manage Ozzy. Arden’s daughter, Sharon, worked with her father and also took a special interest in Ozzy.

Sharon was steadfast in her belief that as a solo artist, Ozzy would become an even bigger star than he was with Black Sabbath.

By 1980, Ozzy was signed to Arden’s Jet Records, which was affiliated with Epic Records and Epic parent CBS/Sony. (Sony Corp. purchased the CBS Records Group in 1988 and renamed the company Sony Music Entertainment. When Ozzy parted ways with Jet in the early ’80s, he remained signed to Epic.)

MAYHEM AND DEBAUCHERY

If Black Sabbath was known for mayhem and drug- and alcohol-induced debauchery, the solo Ozzy bootied his reputation up to an even more outrageous level. With the help of Sharon, Ozzy assembled a backing band, and his first solo album, “Blizzard of Oz,” was released in 1980. The album (which included signature song “Crazy Train”) and supporting tour were hits.

“I first met Ozzy at a recording studio in England in 1979" (Continued on page 44)
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Osbourne
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or 1980, when he was recording his [debut] solo album," says Harvey Leeds, Epic senior VP of artist development and mar-
ket ing. “Ozzy was sitting outside on the grass, and I remem-
ber he pulled me into the studio because he couldn’t wait to
play me his new songs. I remember hearing [“Blizzard of Oz”] tracks ‘Mr. Crowley’ and ‘Crazy Train’ for the first time
and thinking that this was the greatest music in the world
and it would become an instant classic.”

“Blizzard of Oz” also sparked the creative songwriting
partnership of Ozzy and guitarist Randy Rhoads—whom
many consider to be one of rock’s greatest guitarists—and
bassist Bob Daisley.

By 1983, Sharon had fully taken the reins of Ozzy’s career
by becoming his manager. But to do that, she had to buy out
Ozzy’s management contract from her father at a reported
cost of $1.5 million. The deal caused a bitter rift between
father and daughter, and they remained estranged for almost
20 years until they reconciled last year.

MADMAN TO STATESMAN

It was during the “Blizzard of Oz” era that Ozzy’s reputa-
tion as the ultimate “madman of rock” took on a life of its
own. It was fueled by Ozzy’s antics, including an infamous
1981 incident in which he bit off the head of a live dove dur-
ing a meeting with record-label executives.

“I wasn’t there,” Epic’s Leeds says, “but it was literally
the ‘bite heard around the world.’” Within moments of that hap-
pening, everyone at the company knew that there was an
artist named Ozzy Osbourne at the label.”

Later that year, Ozzy’s second solo album, “Diary of a
Madman,” was released. It was another hit.

But more controversy followed during the Diary of a Mad-
man tour. In 1982, Ozzy bit the head off a live bat that was
thrown onstage during one of his concerts. (Although, in
this instance, Ozzy has said he thought the bat was fake.)
That same year, he was arrested for urinating on the Alamo
memorial shrine in San Antonio. Ozzy was banned from per-
forming in San Antonio for several years afterward.

Then on March 19, 1982, tragedy struck when Rhoads
was killed during an airborne joy ride that ended when his plane
crashed into a house. The accident also killed pilot Andrew
Aycoc and Ozzy’s hairdresser, Rachel Youngblood. Ozzy, who
was not in the plane, saved the life of a man who was in the
house at the time—a fact that often gets buried under the
negative stories about the rock star.

“Ozzy has an uncanny ability to spot new talent. He’s always interested in the underdog.”
—STEVE BARNETT, EPIC RECORDS

If Rhoads’ untimely death was Ozzy’s low point that year,
his marriage to Sharon could be considered one of the high-
lights of his life. The couple married July 4, 1982, in Hawaii,
with drummer Aldridge serving as the best man.

Throughout the ‘80s, Ozzy garnered more multi-plat-
imum records and successful tours. But he was dogged by
stints in rehab, hospitalizations for injuries and lawsuits
against him claiming that his songs caused teenagers to
commit suicide. None of the lawsuits were successful.

The ‘80s marked Ozzy’s first public reunion with Black
Sabbath, when the band performed at Live Aid in 1985. The
decade also ushered in the birth of Ozzy and Sharon’s three

Ozzy made his feature-film debut in 1986, ironically playing
a fundamentalist preacher in “Trick or Treat.”

In 1989, Ozzy had his first top 10 single on The Billboard
Hot 100: “Close My Eyes Forever,” a duet with Lita Ford,
which reached No. 8 on the chart.

In the 1990s, Ozzy was still producing hit records and
tours. At a time when many of his peers were semi-retired
or struggling to fill theaters and clubs, Ozzy was still draw-
ings crowds to arenas. He had become an elder statesman
of rock, but with a less controversial image than in the pre-
vious decade.

The man who had been reviled by so many critics and
naysayers as a madman was taking on an air of mainstream
respectability.

THE ROCK DOESN’T STOP

In 1994, Ozzy received his first Grammy Award for best
metal performance with vocal for “I Don’t Want to Change
the World.”

In the early ‘90s, Ozzy was misdiagnosed with multiple
sclerosis (MS), leading him to prematurely announce his
retirement from touring.

His 1992 No More Tours trek was one of his most suc-
cessful, and a highlight was another Black Sabbath reunion
at the tour’s conclusion in Costa Mesa, Calif.

When Ozzy discovered that he did not have MS, he dis-
missed thoughts of retiring. He returned to touring in 1995;
he later released his comeback tour Retirement Sucks.

“Ozzy puts on some of the greatest live rock’n’roll shows I’ve ever seen,” Leeds says. “If he stopped touring, I don’t
know what he’d do with himself.”

In 1996, Sharon launched the successful annual Ozzfest
tour, with Ozzy as the headliner. Ozzfest has since become
the premier touring festival for heavy metal and hard rock acts.

“Ozzy always takes care of his opening acts,” Epic’s Bar-
nett notes. “He’s had a great instinct for bands that are
going to be big. He brought Incubus and Limp Bizkit out
on the road before they became huge. He has an uncanny
ability to spot new talent and nurture them. He’s always
interested in the underdog.”

The year 1997 marked another Black Sabbath reunion
(with Bordin filling in for Ward on drums), and that sum-
mer’s Ozzfest tour featured Ozzy not only performing a solo
set but also one with Sabbath.

The next year, the reunited Black Sabbath continued its
Ozzfest trek in Europe, and the band’s “Reunion” album was
released—the first in 20 years to feature all original mem-
bers. The reunion continued in 1999, with the band featured
on that year’s Ozzfest.

By the end of the ‘90s, the world got to know a kinder,
gentler Ozzy. Weird animal incidents were behind him, and
he appeared in such major-studio movies as “The Jerky
Boys” and Howard Stern’s “Private Parts.” He later added
to his filmography with cameos in “Little Nicky” and
“Austin Powers in Goldmember.”

In 2000, Ozzy won another best metal performance Gram-
my Award for Black Sabbath’s version of “Paranoid” from
the “Reunion” album.

By this time, Ozzy had become so accepted by the main-
stream that he was more likely to appear on TV as a harm-
less jokster than as a self-destructive lunatic.

It was around this time that an MTV show would change
the singer’s life forever.

HIS HUMOROUS SIDE

It may be common knowledge that “The Osbournes” TV
series had its origins in the family’s 2000 appearance on “MTV
Crisis,” a program that showcases the homes of celebrities.

But what may not be widely known is that years before
MTV labeled “The Osbournes” the world’s “first reality sit-
com,” Ozzy had been toying with the idea of having a forum
to show his more humorous side.

According to Epic’s Leeds, “The MTV show is a natural ev-
olution of Ozzy wanting to show his comedic talents. He has
said if he wasn’t doing music, he’d want to be a stand-up
comedian. We were even talking about doing a spoken-word
comedy record about 10 years ago. Another idea he had was
doing a parody of the movie ‘My Dinner With Andre’ called
‘My Dinner With Ozzy’.”

MTV executive VP of series and movie development Lois
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Osbourne

Continued from page 44

Clark Curren says that not long after the Osbournes’ appearance on “MTV Cribs,” she had dinner with the Osbourne family.

“Sharon kept telling all these great stories about what their family life was like,” Curren recalls. “And then she finally said, ‘Why don’t you move in your cameras and film us for a regular series?’ From the minute we saw the first footage, we were amazingly enthralled.”

Although daughter Aimee chose not to participate in the show, Ozzy, Sharon, Jack and Kelly became media darlings. What followed were numerous Osbournes merchandise items, endorsement deals and the family’s ubiquitous media presence. Most observers believe that the show’s impact has been far-reaching, not just on TV but in the broader pop culture.

“The Osbournes’ [has been] a flash point for other celebrities to get their own reality shows,” says Stan Soocher, University of Colorado at Boulder associate professor of music and entertainment studies. “Doing a reality show is no longer considered a bad career move. ‘The Osbournes’ was the first reality series to show the inner workings of a dysfunctional but loving rock ’n’ roll family.”

MTV’s Curren adds, “Ozzy has picked up more fans from both ends of the younger and older spectrum because of this show. MTV had more people tune into the channel who normally wouldn’t watch MTV if it weren’t for the show. And I don’t think Ozzy would’ve been invited to events with the president of the United States and the Queen of England if it weren’t for the show.”

But with such massive success comes inevitable backlash. Critics have blasted the Osbournes for overexposing themselves. A common complaint about “The Osbournes” is that the show has worn out its welcome with the public; critics point to its declining ratings as proof.

MTV’s Toffler says, “If we listened only to our critics, MTV wouldn’t even be on the air. We listen to our audience first and foremost, and they don’t want ‘The Osbournes’ to go away.”

The show’s second season was criticized for being less humorous than the first. Heavy topics covered in the second season included Sharon’s cancer treatment and Kelly lashing out from the pressures of fame and a new singing career.

The third season will likely not shy away from Jack’s recent stint in rehab and Ozzy’s ongoing struggle with drug and alcohol abuse. In July, the Osbourne family also lost long-time tour manager Bobby Thomson to throat cancer.

MTV executives say that although Sharon decides what can and cannot be filmed for the show, the series is ultimately a collaboration between the Osbournes and MTV.

MORE COMPLEX THAN HE LOOKS

People in the industry who work with Ozzy often say that there is more to him than the mumbling, sometimes disoriented rock star people see on TV.

“Ozzy’s a lot more intelligent than people think he is,” Curren says. “He adores history, he reads a lot and he even listens to classical music.”

Toffler agrees. “He’s not the kind of guy who sits at home and listens to heavy metal all day. He’s everything he’s cracked [up] to be; he can be irresponsible and freewheeling, but he’s also very traditional in a lot of ways,” he says.

Leeds adds, “He’s a rock ’n’ roll animal, but he’s also a charitable, warm human being who’s a loving father and husband.”

Michele Anthony, executive VP, Sony Music Entertainment, adds: “One of the things that make their family so strong is the fact that their strengths are complementary—with sales of over 35 million records as a solo artist, there’s no doubt that Ozzy is one of the most creative and popular artists in entertainment today, and Sharon’s visionary approach to management has enabled her to set new standards of excellence in the entertainment business.”

People close to Ozzy note that his charitable side often does not win as much media coverage as the wild rock ’n’ roll stories about him. For example, Leeds recalls that at one of Ozzy’s concerts, the singer met a wheelchair-bound fan who wanted to ride his wheelchair across the country but did not have enough money to do so.

“Ozzy literally pulled money out of his pocket—hundreds of dollars—and gave it to the fan as seed money for his trip,” Leeds says. “I always see Ozzy meeting with needy people.”

Ozzy has also donated his money, time and services to dozens of charities through the years, including the International Rett Syndrome Assn. Leeds, whose daughter has Rett Syndrome, a developmental disorder, says that one of his most treasured memories of Ozzy is of the rock star wearing a suit and tie in a lawsuit to go toward Rett Syndrome research. “He told me he was doing it for my daughter,” Leeds says. “I was really touched.”

WHAT THE FUTURE HOLDS

It’s anyone’s guess how long “The Osbournes” TV series will continue, but MTV’s Curren says the network will keep doing the show as long as the family wants to.

Toffler adds, “Ozzy may put on a tough façade publicly, but the truth is that when the family’s away, he gets very lonely when he’s not out on the road. The TV production crew has become like family to him. If anyone is pushing to do more episodes, it’s probably Ozzy, because he’s the one who misses the crew members the most when they’re not there.”

Much has been said of the huge increase in payment the Osbournes (namely, Sharon) negotiated to keep their reality show going. For the first season, the family was reportedly paid $200,000. They reportedly received $2 million to $5 million for the second season and approximately the same amount for the third.

Factoring in merchandising and other deals related to the show, all told, the Osbournes could receive at least $20 million for their participation in the series, by one estimate.

“The Osbournes are just exploiting the show’s success for all it’s worth,” Soocher comments. “In entertainment, you want to go out while you’re on top, but the fact that the Osbournes are overexposed won’t hurt Ozzy in the long run. They’ll stop doing the show when the ratings become an embarrassment for MTV or when Sharon thinks the show won’t work for the family anymore.”

Toffler does not deny that the opportunity to make more money was one of the chief reasons why the series has continued. But he explains, “It would’ve been disingenuous to abandon the show because it’s not as lighthearted as the first season. The whole charm of the show is that it’s a family that is by no means typical, but the audience relates to how they deal with life.”

No matter what the fate of “The Osbournes” is, in the future for Ozzy looks busy indeed.

He is writing music for a “Rasputin” musical, which Ozzy hopes to launch on Broadway at an undetermined date. Also in the works is a feature film based on his life. MTV Films/Paramount Pictures is said to be in the running to bring the movie to the big screen.

And, of course, Ozzy will continue to tour the world.

But the next chapter in Ozzy’s recording career remains an open question. Earlier this year, Sharon announced that the Osbournes were leaving Epic/Sony and would explore new opportunities in the music business.

Epic had no comment on either the departure or on how many albums Ozzy may still owe on his contract.

However, Barnett says of Ozzy, “It’s always a pleasure working with him. He’s got millions of fans around the world, and his legacy will be carried on for generations to come.”
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Two New Venues Come to Nashville

BY RAY WADDELL

Recognizing a need on national and local levels, artist management executives have undertaken two separate music venue projects in Nashville.

The first is the Trap, which opened one year ago as a 1,000-capacity room across from Nashville’s Titans Coliseum, owned in part by manager Evy Wooley (George Strait, Lee Ann Womack). The second is an unnamed project for the city’s Music Row area by Garth Brooks management-team execs Bob Davey and Kelly Brooks, who are hoping to open in 2004.

GOOD BUSINESS SENSE

Agents and promoters are welcoming both projects.

“We’re supportive and pleased to see these types of developments,” says Ron Baird, agent at Creative Artists Agency for such artists as Shania Twain and Martina McBride. “We’re always glad to see new venues and opportunities for an artist to perform.”

Baird adds that a manager entering the venue business makes perfect sense in today’s environment.

“To a great extent, the rule today is, ‘There are no rules,’” Baird says. “For a manager to be in the club business makes as much sense as an artist being in the record-label business. They both represent opportunity.”

Co-owned by Wooley and restaurateur Steve Ford, the Trap has hosted many country music acts but has also booked such artists as Rob Dylan and Billy Bob Thornton. Nashville-based Outback Concerts promoted those shows, along with Dwight Yoakam, Delbert McClinton, Joe Nichols and Robert Earl Keen.

“The shows I’ve brought in have all done well, starting with Bob Dylan last April that sold out in advance,” says Darin Lashinsky, the talent buyer who handles the Trap for Outback. “He says and Doyle are still very much in the design process of their project, which is being developed with Pino Squillace, former operator/partner of Nashville’s defunct Cafe Milano.

The target capacity of the entertainment and dining facility would be between 500 and 1,500.

Now, on Bonham explains, venues must identify solid business opportunities for sponsors in addition to offering standard signage packages. “We are finding ways to directly and measurably impact the bottom lines of these companies that are investing in partnerships,” Bonham says.

LOOKING FOR OPPORTUNITIES

Dick Sherwood, president of Front Row Marketing Services (a naming-rights subsidiary of Comcast-Spectator), is hunting for corporate sponsorships for the old Civic Centre in Ontario; the Prince Georges Stadium in Bowie, Md.; and the Desoto Civic Centre in Southaven, Miss.

The key to talks, he says, is realizing that “sponsors are looking to get a lot from their buildings. They want the luxury suite, tickets and signage.

“But what you see, more often than not, is that they say they want the business opportunity,” Sherwood continues. “If they are a bank, they want all the bank accounts of the building. If they are a telecommunication company, they want to be the building’s telecom provider.”

A possible business relationship that Glendale Arena can offer. Groff says, is incorporating a sponsor into the arena. Westgate, the apartment community that will eventually surround the venue. Westgate, the developer that also worked on the Glendale Arena, can use construction materials from a home improvement sponsor or offer office space to potential venue partners.

Houston’s Toyota Center, whose naming rights were sold by the Bonham Group in July, is getting two of its luxury suites to make room for a display of a Toyota Tundra truck.

“If you’re sitting in the bowl [of the venue], you’re going to see the truck,” Bonham says of that value-added option for the car sponsor.

A recent Dodge sponsorship went beyond the walls of the arena to impact host town Hidalgo, Texas. Global Entertainment Marketing Systems (GEMS) negotiated naming rights deals for the city’s Global Spectrum-managed Dodge Arena.

Different sections of the venue’s parking lot are named after Dodge car models. The city’s six Dodge dealers will be able to display cars in and around the building. GEMS VP Wayne Davis says. Plus, Hidalgo city officials are contracted to buy all of the city’s vehicles from Dodge, a division of Daimler-Chrysler.

“They want the whole ‘Dodge Country’ thing,” Davis says. “And [the arena] is the biggest thing there is in [Hidalgo].”


“It’s a win-win for both parties,” AEG chief marketing officer Sharon Hunter says. “We’re obviously going to drive business through them.”

The AEG project is located in the area formerly occupied by the Castle Door, a showcase/private party facility they acquired for $1.8 million.

“We’ve been looking at this project for close to two years, and we’ve had our eye on this piece of property,” Brooks says. “It has a lot of pluses; it’s accessible and close to downtown.”

The property is adjacent to the arena’s Roundabout Plaza, a large retail and office development currently under construction.

VENUES NEEDED

“It would be nice to bring live music back to Music Row,” Brooks says. “There are not a ton of places to play in general in Nashville. We’ve talked to everyone, and carefully this will help meet that need.”

Brooks says he and Doyle have been paying attention to what’s been going on at the Trap—and elsewhere. “I’ve seen venues in Nashville for the past couple of years than the previous 12 combined,” he says.

And what has he learned? That there is an audience that wants more.

Today’s corporations also are pushing for shorter-term deals, according to Davis and Sherwood. Signing onto 10-year partnerships is becoming more attractive than the usual 20-year arrangements, they say.

“Companies have gone belly-up... they want to make sure it’s something they can afford,” Sherwood explains. Davis agrees.

The Dodge Arena deal, for example, is for two five-year terms worth $200,000 annually. That’s typical for secondary-market arena sponsorship deals, which generally can pull $150,000 to $450,000 per year in title sponsorships.

WARY VENUES

Because of recent rocky sponsor relationships, venues are just as careful in bringing on board a naming-rights partner. Firmly established companies are better picks than startups, owners say.

Enron, Trans World Airlines and PSINet are among the companies that folded and left their sponsored venues—housing the Houston Astros, St. Louis Rams and Baltimore Ravens, respectively—in the lurch. Minute Maid, brokerage firm Edward Jones and M&T Bank have since taken over their respective sponsorship rights.

“The domino era gave everyone cold feet,” Davis says. “All those arenas, like PSINet Stadium, had companies that were in and then they were out. People are looking for more blue chips.”

Venues can also protect themselves by doing background checks.

“Much more research is being done today than five years ago,” observes Bonham, who says his company is in talks with Enron for sponsorship rights. “They’ve been proving a project weeks before the public announcement of the company’s financial troubles.

“We’re much more cautious about companies,” he says. “We negotiate with,” Bonham says. “We want clear evidence that the company has financial wherewithal.”

Bruce Eskowitz, president of New York–based marketing for Clear Channel Entertainment, says that “research and doing your homework are always important.”

CCE is searching for naming-rights partners for planned amphitheaters in Tampa, Fla., and Birmingham, Ala. But if names must be switched for venues, there is limited upheaval. Eskowitz says. “You get corporations that have become more tolerant of the place.

In March, CCE rechristened its Glen Helen Blockbuster Pavilion in Devore, Calif., as the Hyundai Pavilion at Glen Helen. “People are used to naming rights,” Eskowitz says. “It takes time to accept a new name, but people are quick today. A lot of the arenas and stadiums have been through rechristenings.

Davis notes that Hidalgo residents seem receptive to Dodge’s beefy corporate presence in their town: “They are enamoured of the fact that a national brand is coming into a community of their size.”
BILLBOARD.COM

Touring Music

Haynes Readies For Yuletide Jam

Warren Haynes—perhaps the hardest-working guitarist in the business, between Gov’t Mule, the Allman Brothers Band and Phil Lesh & Friends—will reprise his Christmas Jam Dec. 20 for the 15th year. Held at the Civic Center Arena in Haynes’ hometown of Asheville, N.C., the loosely structured concert benefits Habitat for Humanity.

“We started out in a little club, then moved to a bigger club, then [a 2,400-capacity] Thomas Wolfe Auditorium, and now the Civic Center, which holds about 8,000,” Haynes says. He adds that this year’s show is virtually sold out.

This year’s lineup also includes Greg Allman, John Bell, Funky Meters, North Mississippi Allstars, the Sonny Landreth Band, Stained Souls and Keller Williams.

Among the special guests are Jeff Austin, Mike Barns, Doug Belote, Sam Bush, John Cowan, Tinsley Ellis, Audley Freed, Col. Bruce Hampton, Jimmy Herring, Andy Hess, Dave Johnston, Michael Kang, Kevin Kinney, Danny Louis, Edwin McCain, Todd Nance, Paul Riddle and Dave Schools.

IMPRESSIVE FEAT: Cross Canadian Ragweed sold out Billy Bob’s in Fort Worth, Texas, Nov. 28, with some 6,000 Ragheads in attendance.

By the end of the night, Ragweed had broken Billy Bob’s beer sales record by $3,000. Ragweed’s New Year’s Eve show is set for Saengerhalle in New Braunfels, Texas, with Wade Bowen and Stoney LaRue.

CGR’s new album, “Soul Gravy,” will be released March 2, 2007, on Universal South Records.

THE ART OF COMPROMISE: The Assn. of British Concert Promoters has reached a compromise with the Performing Right Society regarding the tariff applied to classical concerts and recitals in the U.K., reports Lars Brandle, international editor for Billboard Bulletin.

The agreement, announced Dec. 4, ends a long-running dispute, which the ABCP last year referred to the U.K.’s Copyright Tribunal (Billboard Bulletin, Nov. 4, 2002).

The PRS receives a fee from promoters, event organizers and, in some cases, venue owners, for large concert events that contain copyrighted material that the society controls. Under the new agreement, the PPRS will receive a fixed rate of 4.8% of net box-office receipts from ticketed events, retroactive to July 1, 2003. A discounted rate of 4.5% will apply for prompt payments.

The ABCP had opposed PPRS’ initial rate proposal, which was to increase the tariff in annual increments from the 2000 level of 3.3% to about 7.5% by 2007.

The agreement was reached in mediation ahead of a potentially costly Copyright Tribunal hearing that had been set for Jan. 12, 2004.
Satellite Radio Gives Lyrics Free Rein

BY RASHAUN HALL and GAIL MITCHELL

Seeking every edge they can get over terrestrial radio, the satellite radio programmers XM and Sirius are touting the unscored nature of several of their rap/hip-hop channels.

"The popularity is so hard to imagine with the way hip-hop is part of the culture, not only in terms of music but fashion, style and verbiage," says Steve Harris, VP of programming for Washington, D.C.-based XM.

XM programmer Leo G says, "XM's Raw channel emulates the lifestyle by programming with a mix-tape mentality. For those listening the hip-hop lifestyle, mix tapes have become a form of promotion and marketing for record labels and new projects," he explains.

"Raw exudes this, from the music to the raw-qualities to the personalities to the production in between. There hasn't been anything yet that's crossed my desk that's too raunchy."

That same philosophy is in play at New York-based Sirius, whose uncropped rap is featured on the Hip-Hop Nation channel.

"We've got bits around the country submit mixes," says Geronimo, Sirius program manager for rhythmic formats. "Everything you hear on-air is anything you would hear off the air in a normal conversation. That's all part of the idea of being uncommitted. We don't have to worry about angering sponsors; I don't have to look at any other station to see what it's doing. If it fits, we'll put it in, no matter what the lyrical content."

The channels primarily target male listeners 18-35 and also offer a variety of special segments. Raw operates with six on-air personalities, including Leo G.

PLENTY OF VARIETY

In addition to a countdown show, Raw devotes an hour daily (9 p.m.-10 p.m.) to playing hip-hop from a specific region: its "On Blast" segment highlights newly released albums.

More live broadcasts of hip-hop concerts and other events are on Raw's agenda following its success in airing the D.C. stopover on the Def Jam Vendetta tour.

Besides Hip-Hop Nation, Sirius' other genre-related channels include Street Beat (rap hits), Backspin (old-school hip-hop) and Wax

NuMillennium Bids Time

Indie Distributor Works Toward Chart Breakthrough

Two-year-old NuMillennium "hasn't had that big hit yet," co-partner Hank Caldwell says. But the company is definitely working on it.

A distribution company designed to assist the "small guys," NuMillennium is currently represented on the Top R&B/Hip-Hop Albums chart by rapper Cash Solo ("Life in General" through Wonderboy) and R&B singer Kalvin Bishop ("Do What I Gotta Do" on Briesia/Mohak).

Caldwell is an indie label proponent who has held executive stints with Solar Records, Epic and Platinum Entertainment. His partners in NuMillennium are lawyers Kendall Minter and Ed Strickland (Tommy Boy, Chrysalis).

"Between us, we've got 90 years in the business," Caldwell says. "There's no age limit on marketing and promotion, so we're trying to guide smaller labels in terms of those areas as well as company setup. We've found that most young labels are all dressed up and have nowhere to go. The one thing that kills them is their bank."

NuMillennium has its own distribution deal through Koch and maintains offices in Atlanta and Los Angeles' Northridge neighborhood.

NuMillennium focuses primarily on R&B and hip-hop and is currently working with 10 labels, including Atlanta-based Briesia/Mohak.

That is the production firm's label operated by former Five Stairsteps member Keni Burke.

Burke finished Bishop's album in June; it was released in September. A Tricky (Tricky Spears) remix of the single "Tell Me It's Alright" was recently serviced to radio. While "working to pay bills" before his album debut, Bishop sang backup for Bobby Brown and Whitney Houston.

ON THE RECORD: Blackground Records/Universal isn't just readying a new Toni Braxton album. The label is also prepping for the early second-quarter release of newcomer Jada. The 13-year-old R&B singer is collaborating with some heavyweights, including Mike City and the Underdog. She also does a mean cover of the 1993 SWV hit "Weak," Lead single "Leave (Get Out)" goes to radio in early January 2004.


www.americanradiohistory.com
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Music R&B/Hip-Hop

Toronto’s IRS Seeks U.S. Success

Canada isn’t known for home-grown hip-hop... yet. That may all change with the help of IRS (Instinctive Reaction to Struggle).

Slip-N-Slide founder Ted “Touché” Lucas will retain 100% ownership of the label, with Capitol providing promotion and marketing support. Capitol will also distribute Slip-N-Slide catalog and new acts. The first new release will come in March 2004 from dancehall artist Don Jute.

2004 releases by Trick Daddy and Trina will still be released through Atlantic.

The Toronto-based trio of MCs Korry Deez and Black Cat and DJ-producer T.R.A.C.K.S., is quickly staking its claim with debut album “Welcome to Planet IRS” (Avatar). “Hip-hop (in Canada) is influenced by various kinds of hip-hop down there—East Coast, West Coast, South,” T.R.A.C.K.S. says. “So, Toronto, Ontario, has a very eclectic vibe in terms of the music scene. You’ll find that people here take influences from various genres of music. That shows through in our music.”

“Welcome to Planet IRS” features Avatar labelmates Planet Asia, as well as fellow Canadian MCs Nick Natics, Dan-e-O and Wise-K, among others.

The group, which is signed to Universal Canada at home, released the album stateside Nov. 4. The album is called “Our A&R at Universal Canada went down to L.A. and met up with some people at Avatar,” Korry Deez says. “They were really interested in putting out our project. They were willing to put the dedication and work into getting it out.”

Black Cat adds, “They seem to understand that it takes a little while for us to break into the scene (in the U.S.). It made us a little more comfortable knowing that they weren’t expecting us to blow up overnight.”

SLIP-N-SLIDE’S NEW HOME: Slip-N-Slide Records and Films has inked a worldwide distribution deal with Capitol Records. The Miami-based label serves as home to Trick Daddy, Trina and Duice Poppi, among others.

NEW BRED: With the success of acts like Lil Jon & the East Side Boyz (Billboard, Dec. 13) and the Ying Yang Twins (Billboard, Dec. 13) on a roll, The New York-based indie has upped its hip-hop roster with the signing of Miami-based rapper Pitbull.

The Cuban-American MC, who was recently recognized in The Source magazine’s Unsigned Hype column, will be featured on “That’s Nasty,” a collaboration with Lil Jon and Lil Scrapp, from TVT’s new “Crunk & Disorderly” compilation. His debut album will be released in 2004.

BANNER GIVES BACK: David Banner is giving back to the community with his Crank It Up contest. The Mississippi-based MC-producer is giving away five scholarships. Game pieces will be randomly placed within the first 300,000 copies of his new album, “NBIA: Baptized in Dirty Water,” due Dec. 23 (SRC/Universal).

The five recipients will each receive $10,000 scholarships that can be used toward any post-high school education including college, graduate school, community college, trade or vocational school. If the winner does not plan to further his or her education, Banner has insisted that the prize be transferred to someone of the winner’s choosing who does. All prizes must be awarded no later than Feb. 28, 2004.
### Hot Latin Tracks

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### Greatest Gainer

- **Si No Me Ames**
  - **Edinna Navarro**
  - **Sony BMG**

### Tropical Airplay

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### Billboard December 20, 2003

- **December 20, 2003**
- **Hot Latin Tracks**
- **Greatest Gainer**
- **Tropical Airplay**
- **Regional Mexican Airplay**

**www.billboard.com**
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**BMG Pacts With Bogotá’s Channel**

**BY GUSTAVO GOMEZ**

BOGOTÁ, Colombia—After finalizing a five-year distribution deal with Sony Music, BMG Colombia has launched a new partnership with Bogotá-based Channel Music.

The agreement means that Channel becomes the sales and marketing arm of BMG in Colombia, under the supervision of BMG Chile. BMG Colombia closed its offices here more than five years ago and turned over its distribution to Sony.

The Channel music company is mostly owned by Invermac, a media company owned by Grupo Bavaria that has a vast array of business interests. Channel Music is headed by managing director David González, who says that in addition to its BMG operations, Channel will have the capacity to sign its own artists and expand into different areas of the music business.

“We are the exclusive representatives of BMG in Colombia, but we have our own music product,” González says. “In the near future, aside from venturing into DVDs and concert promotion, we’re also planning strategic alliances with other multinational labels.”

Channel’s first signed act is Dr. Crapula, a rock/ska band that recently performed at Bogotá’s Rock al Parque fest. It already has its first album out, “Dele Vuelta al Disco.” González expects to sign other local acts soon.

BMG’s association with Channel comes after six months of negotiations that have taken place since BMG’s distribution deal with Sony Colombia expired last summer.

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**América Latina**

**NEWS FROM SOUTH OF THE BORDER**

**In the Region:** In a recently published study of piracy, the International Federation of the Phonographic Industry concluded that in Latin America, two out of every three albums sold are pirated. In Colombia, 65% of all albums sold are illegal, while in Mexico, the percentage of illegal units sold is 68%. The percentage of pirated product is even higher in Venezuela, at 75%, Ecuador is at 90%, Peru at 98% and Paraguay is at 99%.

**GUSTAVO GOMEZ**

**In Argentina:** Journalists from around the country cast votes to determine the winners of the Clarín Awards, organized by Argentina’s largest daily, El Clarín. The awards, which took place Nov. 25 at the Colón Opera House, honored 2003’s most important artists in music, theater, TV, radio and film. Winners in the music category were Baharánicos (rock act of the year), Intoxicados (best new rock act), León Gieco (best pop act), Emme (best new pop act), Eduardo Falú (best folklore act), Horacio Salgán (best tango act) and Martha Argerich (best classical music act).

**MARCELLO FERNANDEZ BITAR**

**In Puerto Rico:** In what has become a holiday tradition in Puerto Rico, Barco Popular de Puerto Rico broadcast its 11th annual Christmas special Dec. 7. Titled “Ocho Puertas” in honor of the popular nightclub that was home to numerous singer/songwriters in the ’60s, ’70s and ’80s, it featured performances by veteran acts like Lissette, Chucho Avellanet, Danny Rivera, Andy Montañez, Lucy Fabery, Nydia Caro, Glenn Monroig, Alberto Carrion and Renée Barrios. Many of them made a name for themselves performing at Ocho Puertas. New featured acts included Luis Fonsi, Michael Stuart and Vivian. The special aired locally on six channels. In the U.S., it aired nationwide on Telerumbo and PBS stations. “Ocho Puertas” was available for sale as a CD/DVD pack the next day at banks and music stores. Proceeds will be donated to a benefit entity.

**RANDY LUNA**

**In Mexico:** Sergio Andrade, former manager/partner of singer Gloria Trevi, has been extradited from Brazil to Mexico to face kidnapping, rape and child corruption charges. After three years behind bars in Brazil, Andrade arrived in Mexico Nov. 29 and is now in jail in Chihuahua. Singer Trevi and backup singer María Raquel Portillo are also in the same jail awaiting trial on charges of child sexual abuse. Trevi, who was also jailed in Brazil, was extradited last year to Mexico along with her son, who was born in a Brazilian prison. The child’s father is Andrade. Andrade was accused of sexual abuse by Karina Yapor, a young Mexican fan of Trevi’s who joined the singer’s entourage in 1994.

**LEILA COBO**

---

**Beat Box**

**By Michael Paoloetta**

**mmpaoletta@billboard.com**

**Madonna Scores Club Play Hat Trick**

In this issue, Madonna has three titles on the Hot Dance Club Play chart: “Me Against the Music” with Britney Spears (No. 2), “Nobody Knows Me” (No. 4) and “Nothing Fails” (No. 30).

This has not happened since the Feb. 9, 1985, issue, when U.K. trio Bronski Beat had three titles on that chart: “Smalltown Boy” (No. 2), “The Age of Consent” (No. 20) and “Why” (No. 75).

Additionally, “Nothing Fails” is Madonna’s 45th Club Play entry; “Nobody Knows Me” and “Me Against the Music” are her 41st and 42nd top 10 hits on the chart.

“The only surprise if “Me Against the Music” reaches the chart’s summit. If this does indeed happen, it would be the Maverick/Waver Bros. artist’s 30th No. 1 on the chart. Also worth noting is that Madonna and Bronski Beat debuted in the early ’80s, when disco splintered into a variety of sounds. But unlike the U.K. trio, Madonna continually changes with the times. Her new EP, “Remixed & Revisited,” which debuted at No. 115 on The Billboard 200 in the Dec. 13 issue, effortlessly intertwines rock and electronic. Could a full-on rock album be next?

**RED-BLOODED WOMAN:** In the latest “Queer Eye for the Straight Guy” news, Katie Minogue is confirmed to shoot an episode of the hit Bravo/NBC series in New York the week of Dec. 14. Expect the episode to air around the Feb. 10, 2004, release of “What’s That Sound”—the soundtrack to the reality show—and Minogue’s own “Body Language,” both on Capitol.

**COMING OUT OF HIDING:** Star 69 recording artist Suzanne Palmer is putting the finishing touches on her much-anticipated album. The long-overdue set finds Palmer collaborating with Orange Factory, Angel Moraga, Eric Kupper and Star 69 owner Peter Rauhofer, among others. Those desiring a “classic fit” of producer Carolyn Clarkson. For info, e-mail info@m3summit.com.

**CH-CH-CHANGES:** After nearly 14 years at MTV, Mark Ebersow has parted ways with the network. A staunch Madonna supporter, Drotower was the director/supervising producer of MTV news development. He can be reached at mark.drotower@aol.com or 212-675-7747.

**TRACK OF THE WEEK:** LCD Sound System creates the perfect party vibe on “Yeah” (DFA Records), which brings together “Disco Inferno”-shad- ed baselines, “H.A.P.P.Y. Radio”-hued percussion, acid house disorder and post-punk disaffected vocals.

Additional reporting by Keith Caulfield in Los Angeles.
**Western Music Welcomes New Label**

**BY DEBORAH EVANS PRICE**

NASHVILLE—In a genre that has struggled in recent years to find viable distribution, the emergence of Wildcatter Records is being watched by members of the Western music community who hope to see a new label flourish.

With distribution through Sony RED and innovative marketing plans in place, executives at the new label are eager to make their mark.

Based in Graham, Texas, and funded by principal partners from the oil business, the label launched in May as part of a venture that will include a Western resort and live music/entertainment venue (Billboard, June 21).

Wildcatter Ranch will hold its grand opening in April 2004 for day trips and select activities. The entire resort, also located in Graham, is slated to open in the fall of 2005.

**WILDCATTER’S LEADING LADY**

The record company will bow in February with its debut release from veteran Western music artist Joni Harms. "Let's Put the Western Back in the Country."

Harms won the top female vocalist accolade last month at the Western Music Assn. Awards and nabbed song of the year honors for "Cowboy Up." She offers the start-up operation instant credibility.

Harms, who lives on a ranch in Oregon, has previously recorded for the Universal, Capitol, Warner Western and Real West labels. Warner Western is now defunct, and Real West has scaled down its roster and cut back on its release schedule. (It did recently issue a new R.W. Hampton album, "Troubadour.") Real West's parent company, Four Winds Trading, remains a key player in the Western/Native American distribution scene.

"The folks that are out there doing Western music need a home," Harms says of the many artists trying to keep the genre alive through a predominately independent music scene. "There needs to be some real quality Western labels coming together to make the kinds of records that can compete on radio stations."

Harms praises the efforts of independent artists who record and distribute Western music at fiddling and cowboy gatherings. But she says that for the genre to have a chance, "we need a strong Western label."

Wildcatter CEO Mickey Dawes notes, "There's absolutely, positively a market for Western music that has a commercial look and feel and instrumentation that can be brought to mainstream America."

He appreciates the acoustic campfire music that has always been prevalent in the Western genre but says his goal is "to promote contemporary Western music that has full instrumentation and is done in a very robust manner."

Dawes says Wildcatter's aim is to "produce Western music that has such a high commercial value that it can appeal to people who prefer classic country music or Western music."

"One of the things that has always intrigued me about Joni is her image," Dawes adds. "She's established a unique look that always attracted me."

Dawes says Wildcatter's interest is to "produce a record that has that sound and is a true反映 of Joni's personality."

Harms: "We need a strong Western label."

**ALL HAIL THE RETURN OF THE DRINKING SONG**

After a period in the politically correct '90s where very few drinking songs became hits at country radio, it appears the good, old-fashioned elbow-bender tune is making a comeback.

Tracy Byrd scored this year with "Ten Rounds With Jose Cuervo" and "Drinking' Bone." Other big 2003 hits include Keith and Willie Nelson's "Beer for My Horses," Keith's "I Love This Bar," Joe Nichols' "Brokenheartsville" and Alan Jackson & Jimmy Buffett's "It's Five O'Clock Somewhere."

Country programmers say the PC tone of the '90s swallowed up drinking songs, but the genre is making a comeback.

"Everyone was concerned about the image and identity of country music in the '90s," WWYZ-Hartford, Conn., PD Justin Case says. "We steered away from the drinking and cheating songs."

WCOL Columbus, Ohio, PD John Crenshaw agrees that drinking songs "temporarily went away during the rise of political correctness and zero tolerance."

"American Country Countdown" host Bob Bolton says, "For a while in the '90s, people were sorting through legitimate concerns about some of the consequences of irresponsible drinking. With the increase in awareness and the decline in sales, the ascents of the deceased country singers and writers again feel more comfortable with the subject."

Kingsley also thinks the deaths of such icons as Waylon Jennings and Johnny Cash have "spurred renewed interest in some of the subjects they made famous."

Moon Mullins, director of country programming for Journal Broadcast Group, points to such factors as "the [Mothers Against Drunk Driving] activity, female domination of the charts [and] female-targeted programming" for the decline of the drinking song in the '90s.

But now, he says, "it seems the women like the drinking songs as much as the men."

KMDL Lafayette, La., PD Mike James says all of these factors led to a "cycling of the format," to the point where much of the music had become incredibly bland and vanilla, all style and no substance. Finally, country music became so 'soft' and politically correct that men were leaving the format in droves, and women who liked to have fun were not that far behind.

"Fortunately," James adds, "the pendulum has finally begun to swing back to a more balanced position, where it's okay to sing about having a few beers, as long as you have a designated driver for your horse."

There are numerous theories as to why this resurgence is about. "We ran out of cheating songs," Crenshaw quips, adding that the "next hot trend is songs about mama, of course."

Steve Harmon, morning man at KFWR (the Ranch) Fort Worth, Texas, says, "We are back to our roots: beer, bat and ammo."

Many programmers say the return of drinking songs reflects a lighter national mood or, as Harmon says, "the need to get to that mood."

Case says, "We are coming off a tough time in our nation's history. These songs reflect our need to experience a release through music. These songs are the soundtrack of the many thoughtful songs we had after 9-11. Plus, they are pretty good."

KPKF Kansas City, Kan., PD Dale Carter agrees. "In the wake of 9-11, the country needed a reminder and songs like that tend to be a release."

Chuck Geiger, PD of KZSS Wichita, Kan., says, "Everything has been so serious, it's time to bust out and have a few. Remember, the music is fun, so is the format."

Crenshaw adds, "We can all use some comic relief every once in a while. Perhaps this renewed popularity shows us we were taking ourselves a little too seriously."
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### Billboard Hot Country Singles & Tracks

**December 20, 2003**

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**Top Bluegrass Albums**

**December 20, 2003**

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<th>#</th>
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<td>RICKY SKAGGS &amp; STEVEN STILLS</td>
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R&B/HIP-HOP

► NICK CANNON

Producer: Various

RELEASE DATE: Dec. 9

NICK CANNON is quickly becoming a triple threat, Star of TV (Nickelodeon’s “The Nick Cannon Show”) and film (“Drumline,” “Love Don’t Cost A Thing”), Cannon is now trying his hand at music. The 21-year-old wears many hats on his much-delayed self-titled debut for Jive, Singles like “Gigolo” and “Feelin’ Freaky” portray Cannon as a hard-working, soulful kid. The name of Fillmore Slim. Meanwhile, he plays “the boy next door” on tracks like “I Owe You” and “Whenever You Need Me.” Cannon’s true potential as a party MC—à la Nelly or Chaos—comes through on “Get Crunk Shirts.” Featuring Ying Yang Twins and Fatman Scoop, this Blaze-produced track provides the perfect bal- ancement of cranky and old-school hip-hop. While Cannon shows potential, the overdose of samples and guest artists including R. Kelly, Mary J. Blige and B2K overshadows his efforts.—RH

COUNTRY

► TRACE ADKINS

Comin’ On Strong

PRODUCERS: Scott Hendrick, Trey Bruce

CAPITOL 93849

RELEASE DATE: Dec. 2

Armed with an imposing presence and a big, bodacious baritone, it is surprising that this subject matter has eluded Trace Adkins. Here, he reunites with producer Scott Hendrick, and once again, it is a solid, commercially viable pairing. Lead single “Hot Mama” is a racy romp, while the title cut is a panoramic midtempo that Adkins delivers with authority. He has a real way with a ballad, well-demonstrated on “Then Came the Night” and “Unstained.” Adkins lends a world-wide-creatable to “I’d Sure Hate to Break Down Here” and “Baby’s Gone,” then smolders on the hard-charging “One of These Days.” He strutts his good-ef- feet boy stuff on the likable redneck ramp “Rough & Ready,” which will never receive radio airplay but perfectly showcases the utter coolness of being uncool.—RW

LATIN

► SERGIO DALMA

De Otro Color

PRODUCER: José Ramón Flores

Universal Music Latino 0000523

RELEASE DATE: Nov. 22

What is it about raspy voices? Spanish pop singer Sergio Dalma has such a voice—emotive, too—and it serves to make even inconsequential material more compelling. Which is not to say that his latest studio album, “De Otro Color” is inconsequential. But it’s straight-ahead, ear-catching pop that nevertheless has a good degree of sophistication. Opening track “Déjame Olvidar” is a head-scratcher. (Continued on next page)

CONTRIBUTORS:


Note: 5228


OTHER RESOURCES:

• ESSENTIALS: Re-issued albums of special artistic, archival and commercial interest. Certain reissues of albums can be found in the Billboard chart potential. [VITAL RESOURCES: Recommended albums of special artistic, archival and commercial interest. Certain reissues of albums can be found in the Billboard chart potential.]

Music: Billboard Picks

ALBUMS

Edited by Michael Paolotta

Pop

AZURE RAY

Hold On Love

PRODUCER: Eric Bachmann

Saddle Creek 54

RELEASE DATE: Oct. 7

Much beloved by Nobby and Bright Eyes’ Conor Oberst, the Aths, G- bbed female duo of Orenda Fink and Maria Taylor makes its full-length debut for its label. The result is atmospheric, brooding, and backed by Fink’s voice, which can be an alternative to Paul McCartney’s at its most potent on “Look to Me,” “The Drink We Drank Last Night,” “These White Lights Will Back To Make Blue” and the title track. But Fink and Taylor manage to sustain the hushed, deeply melancholy vibe for the duration of the album. Like most of the songs, “Hold On Love” is somewhat airplay-resistant, but the set’s attractive and affecting soul should translate into solid sales. (For the Killer Queen

MOUNTAINERS

Messy Century

PRODUCERS: Mountainers

Earache 261

RELEASE DATE: Nov. 18

Ah, variety—it is the spice of life. Just ask Liverpool, England’s Mout haneers. Like much of the UK this year from fellow chameleon —like Brits A Band Of Bees, the first full-length effort from this quirky three-piece is a smorgasbord of shifting sounds and styles. “Messy Century” finds the trio dabbling in everything from punk-guitar style to French- electro-pop (“A Part From This”) and “Yellow Submarine-era” Beatles (“K7 Theater”) to Beta Band-esque electronica-folk (“Riben”). None of this is exactly a revelation. But Mountainers are a band long on eccentricities and charm. “Messy Century” is filled with enough win- ning change-ups to qualify it as a sleeper treat.—BG

ANA MONTGOMERY

Lynn in the Face of Love

PRODUCER: Evan Frankfort, Buzz Clifford, Anna Montgomery

Anna Montgomery

Anna Montgomery Records AMR-5050

RELEASE DATE: Oct. 28

Los Angeles-based singer-songwriter Anna Montgomery has much in common with the likes of the Doo- bloe Brothers, Phoebe Snow, Macy Gray, Alison Moyet and Shelley Lynne. Like these artists, Montana- gomy does not subscribe to any one musical style, instead she embarks and revels in all things jazz, R&B, blues, soul and pop. This musical philosophy was very much on display at recent performance at Joe’s Pub in New York, where the artist opened for Lynne. With “Lynn in the Face of Love,” Montgomery delivers a very fine debut indeed. The set reveals an artist who is honest when it comes to matters of the heart and who ably captures L.A.’s street life with keen precision. Choice cuts include “Off Ramp Dancer,” “Julie Knows,” “Nothin’ After Lovin’ You” and the title track. To purchase, log on to annamontgomeryband.com.—MP

ANA MONTGOMERY

The Happiest Days of Our Lives

PRODUCERS: various

Double Agent 200

RELEASE DATE: Oct. 4

What began in the mid-90s as a post-high-school art project the formation of My Favorite—has turned into something incredibly real. Hailing from Long Island, NY, the five-member group’s favorite spot a fondness for melody and melancholia, New Order and Saint Etienne. The Smiths, too. “The Happiest Days of Our Lives” —a compilation of the quintet’s three EPs and brand-new material (as well as a bonus disc of 14 remixes) is post-punk dance-pop with heart, impassioned lyrics saddled alongside the most sunny of early-80s-etched instrumentation. The sublime vocal stylings of Andrea Vaughn and Michael Grace Jr. are tailor-made for such musical terrain. Tracks like “The Suburbs Are Killing Us,” “L = F,” “Burning Hearts” and the title track are as infectious as they come.—MP

THE CREATURES

Habit

PRODUCERS: The Creatures

RPM/4

RELEASE DATE: Nov. 4

No one could have predicted the hit top half of the chart in the corresponding tandem. CRITICS’ CHOICES (4): New releases, regardless of chart potential, highly recommended because of their musical merit. All albums debuted on Billboard and/or the appropriate chart. www.americanradiohistory.com
Singles

Edited by Chuck Taylor

**R.E.M. Dangerous**
**PRODUCERS:** Pat McCarthy, R.E.M.  
**WRITERS:** Buck Houser, John Doe, Elvis Summers  
**PUBLISHER:** Warner-Tanemane/Temporary Music, BMI  
**Warner Bros. 101253 (CD promo)**  

Mary J. Blige featuring Eve

**MARY J. BLIGE FEATURING EVE**
**NOT Today** (3:38)  
**PRODUCER:** Dr. Dre  
**WRITERS:** various  
**PUBLISHERS:** various  
**Geffen/Interscope (CD track)**

Mary J. Blige's latest album, "Love & Life," is decidedly upbeat. It spotlights an artist who is enjoying what life has to offer. But Blige being Blige, a few shadows had to make their presence known among all the sunshine. "Not Today" is one such moment. It begins with Blige lamenting, "This is another one of those heartbreak hotel joints for the ladies." From here, over raw beats and haunting cinematic strings, Blige delivers a deftly-manged song that could stand to be a floor filler for the late '90s on the now-defunct Giant Records. They charted seven singles, including breakthrough hit "26 Cents." She emerges here with a new deal on Universal South and makes an impressive step forward as a solo artist. Blige's voice resides just the right balance of hillbilly heartache tempered with self-assured sophistication. She proves an affecting storyteller on this well-tuned tune by Deanna Bryant and Mary Cannon-Goodman about a prodigal offspring returning to the family fold. In this case, it's a little sister who moves to California and gets badly battered by life's circumstances until her sister brings her back home to mother's unconditional love. Wilkins' capable vocals bring the story to life, and the steel-guitar-drenched chorus immediately plants itself in listeners' minds and will prompt them to sing along. This should signal an exciting new chapter in this talented artist's career.—**DEP**

**HOLIDAY**

**LEON REDBONE**
**Christmas Island**  
**PRODUCERS:** Cary Hildall, Leon Redbone  
**August/Rounder 11661 3158**

**ERIC REED**  
**Merry Magic**  
**PRODUCER:** Eric Reed  
**Max Jazz MXJ302**

**WOLFGANG CHRISTMAS Moods**  
**PRODUCER:** Michael Wolf  
**Artemis CD-512261**

**STEVIE LUKATHER & FRIENDS**
**Mistletoe**  
**PRODUCERS:** Elliot Scheiner, Stevie Lukather  
**Bop City/Imagination Entertainment DHS1573**

**VARIOUS ARTISTS**  
**Nativity: A Life Story**  
**PRODUCERS:** various  
**www.nativtyny.com**

**NEW & NOTEWORTHY**

**YELLOWCARD Past. Present and Future**

**(3:18)**

**PRODUCER:** Neal Avron  
**WRITERS:** Yellowcard, Peter Mosely  
**PUBLISHER:** not listed  
**Capitol 18294 (CD promo)**

In the spirit of Good Charlotte, Blink-182 and Fountains of Wayne, new kid on the block Yellowcard is striving to make not just a live tour but an overall show. They've been building their tour for two years and are gearing up for a national tour. The band, which includes singing drummer, harmony vocals and guitar, bass, keyboards and drums, are also recording their debut album. With "Past. Present and Future" possessing all the manic fervor of a teen rock anthem, as lead Ryan Key longs for the magic of his pubescent love: "If I could find you how things would get better/We could leave this town and rock forever." A chorus as catchy as a cold ices the cake. Coming up: another year on the road, starting with the Van's Warped tour 2004.—**CT**

**HOLIDAY**

**JET**
**Back Door Santa**

**(2:14)**

**ELEKTRA 1956 (CD promo)**

**JESSE MALIN**
**Xmas (3:29)**

**ARTEMIS RECORDS 210 (CD promo)**

**BUCK HOUND**
**Cow Pies for Christmas**

**(3:00)**

**MCA NASHVILLE (CD promo)**

**HOUSEWIVES ON PROZAC**
**I Broke My Arm Christmas Shopping at the Mall**

**(2:19)**

**B.T. PUPPY RECORDS (CD single)**  
**Contact: 917-301-5635**,  
**ASHANTI**
**Hey Santa**

**(1:54)**  
**M.I./Island Def Jam 15980 (CD promo)**

**MARTINA MCBRIDE**
**Silent Night**

**(3:23)**

**RCA NASHVILLE (CD promo)**

**SARA EVANS**
**O Come All Ye Faithful**

**(4:50)**

**RCA NASHVILLE (CD promo)**

**DVD**

**Trouble No More: The Making of a John Mellencamp Album**

**Redline Entertainment 780088**

**RELEASE DATE:** Oct. 28  
**“Trouble No More,” with its focus on classic American roots music, marked an ambitious departure for John Mellencamp; this DVD splendidly documents its painstaking creative process. Filmed in black and white, the intimate, inside-the-studio scenes are unfurling, even showing Mellencamp’s increasing irritation over session delays. But it is also a portrait of the artist’s consummate professionalism, full of memorable moments like rehearsing a kazoo chorus on Howe Gelb’s “Down and in the Bottom" and researching the sources of his controversial anti-war revision of “To Washington." The program concludes triumphantly with his dis-
ASCAP Honors Adams, Others

The eighth annual ASCAP Foundation Awards and Scholarships Reception was held Dec. 3 at the Walter Reade Theater at Manhattan’s Lincoln Center.

Broadway lyricist Lee Adams received the Richard Rodgers Award for his lifetime achievement in American musical theater. Charles Strouse, Adams’ collaborator on “Bye Bye Birdie,” “Applause” and “Golden Boy,” presented the award and performed a version of “Those Were the Days,” the classic “All in the Family” TV theme that the pair also co-wrote. Composer Ned Rorem was handed the foundation’s Lifetime Achievement Award in Concert Music by fellow composer John Corigliano. Tener Scott Murphy honored Rorem by singing two of the composer’s art songs. Songwriter George David Weiss also garnered a Lifetime Achievement Award with, Jimmy Webb presenting. Particularly inspired was the choice of David Johansen to salute Weiss with two of his biggest hits, “Lullaby of Birdland” and “What a Wonderful World.”

Presenter Ginny Mancini, meanwhile, focused attention on a special accessory. At the lectern to award the foundation’s Henry Mancini Music Scholarships, she pointed to her lapel pin—a postage-stamp portrait of her late husband, Henry, in a cooking mood—to be issued April 13, 2004, by the post office.

“The postmaster general said that there’s never been such a buzz over the launch of a stamp in the history of the U.S. postal service,” Mancini says. She credited her husband’s buddy Clint Eastwood’s unveiling of the design at the Henry Mancini Institute’s Mancini Musicales (Billboard, Aug. 10). “I’m using it as a marketing tool for music education, because had Henry not had that in school, he never would have ended up on a postage stamp,” Mancini continued. “It’s the classic case of a kid from the wrong side of the tracks, and the thing that made his life special was music in school.”

ASCAP’s award spirit continued the following night, with its 36th annual Deems Taylor Awards for outstanding print, broadcast and newsmaking coverage of the song rather than just [showing the couple, in typical Bolly-wood fashion, courting] on the slopes.” Describing “Kal Ho Na Ho” as “a timeless narrative and true Bollywood kind of story,” Subramaniam relates how the Khan character arrives in New York and “breaks out in song” when he first sees Zinta. “So it’s a pretty tongue-in-cheek pretty woman thing, with an English melody and English hook—but set in Hindi. It’s quite a mishmash.” Roy Orbison Music (BMI) president Barbara Orbison notes the enduring appeal of her late husband’s immortal hit.

“She was skeptical because the hook is in English, but it’s even worked in the Northern part of India, where the more urban bhangra music is very strong.”

The revised, bhangra-inflected version of “Oh, Pretty Woman,” Subramaniam notes, “captured everybody’s imagination. We released the album with the title song as the first [movie] trailer and were never sure [“Oh, Pretty Woman’] would be a stand-alone song. But within one week came fan- tic calls from our distributors saying it was the hit.”

Subramaniam salutes the song’s “picturization,” meaning its function as an elaborate song-and-dance centerpiece—a Bollywood specialty. He also notes that the song, which is sung by Shankar Mahadevan and Ravi “Rags” Khote, builds upon the original “Oh, Pretty Woman” chorus with new Hindi lyrics by Javed Akhtar.

The film features reigning Bollywood superstar Shah Rukh Khan and current Indian “it” girl Preity Zinta.

Screenwriter Raman Johar “wanted to use it where Shah Rukh sees Preity for the first time,” Subramaniam says. “So we filed for the publishing clearances and did an official, ‘clean’ interpretation.

“Many [Bollywood] movies have ripped-off songs,” Subramaniam adds, “but this time it was clearly done—and more importantly, reasonably well thought-out in keeping the basic

Mastery: Leon Zervos has joined the staff of talented engineers at New York mastering studio Sterling Sound. Previously, Zervos, who began his career at EMI Studios in Sydney, was senior mastering engineer at New York’s Masterdisk. Among his credits are such albums as Aerosmith’s “Nine Lives” and Avril Lavigne’s “Let Go,” as well as surround projects including “Supernatural” and “Shaman” by Santana and Willie Nelson’s “Live in Amsterdam.”
Music Gets Less Space At Virgin

BY BRIAN GARRITY

NEW YORK—At Virgin Megastores it's move over music and say Hello Kitty. Virgin Entertainment Group (VEG) North America is planning to cut back on floor space devoted to underperforming CD product at some of its key Virgin Megastore locations to make room for more DVDs, clothing and novelty items like Hello Kitty.

VEG recently unveiled what it is calling its model store of the future with a high-profile launch of its redesigned Virgin Megastore in San Francisco. The prototype design is expected to be extended to Virgin Megastores in New York and Los Angeles next year, following a test period at the model store.

"There's more to music than just music, and that's the way we've tried to set up the [San Francisco] store," Virgin Entertainment Group North America CEO Glen Ward says.

'LIFESTYLE' PRODUCTS

VEG executives say the focus of the redesign will be on "lifestyle" products that appeal to the music and DVD buyer. About 10% of the floor space at the store—roughly 4,000 square feet—will now be dedicated to products other than traditional CDs, DVDs and books.

The San Francisco store now features such higher-margin goods as consumer-electronics products, fashion from Ben Sherman and Blue Marlin, band merchandise, games, accessories and adult DVDs.

VEG executives concede that the move in part reflects the declining sales environment for music. Ward says, "It's a commercial realization of what's happening in the music market."

"We all love doing what we're doing. But we have to be commercial about it and make sure there's a good financial return," he adds.

The company expects that music will account for half of the revenue in its redesigned stores—down from a previous level of 60%. DVDs will account for 30% of revenue, with the balance shared by books and new lifestyle products.

VEG executives say they are making the move with minimal cuts to the selection of music offered in its stores.

"We've invested heavily in our auto-replenishment system. That's enabled us to free up a lot of space in the store," Ward says. "So we have the range, but we don't necessarily have to carry the frous and fives of stock."

The push into product lines besides music is nothing new for Virgin, which has long sold books and videos. Nor is it new for specialty

(Continued on page 66)

McFarlane Adds Hendrix, Elvis To Action-Figure Series

BY WES ORSHOSKI

Since launching its line of music action figures in the late '90s with re-creations of Kiss band members, McFarlane Toys has immortalized some of the biggest acts in rock history.

The Beatles, Ozzy Osbourne, Alice Cooper, Jim Morrison, Jerry Garcia, Metallica and Janis Joplin have all been cast in plastic by the Arizona-based toymaker.

But the rights to a Jimi Hendrix figure—the one license that company head Todd McFarlane had sought the most—proved elusive. Until now.

McFarlane finally got that green light from Experience Hendrix, the merchandise company run by the rock icon's half-sister, Janie Hendrix.

Now sharing shelf space with Hendrix's recordings at such chains as Tower and Virgin is a 6-inch replica of the virtuoso modeled after his famed appearance at Woodstock.

With his left hand flashing the peace sign and his right gripping the neck of his white, upside-down Stratocaster, the mini Hendrix sports a red bandanna, bell-bottom blue jeans and a white shirt with fringes.

McFarlane is selling the figure in two configurations and hopes to make additional Hendrix figures. The existing figure is sold alone or with a stage modeled after

(Continued on page 67)
Allen Expects Good Things From Bronfman Buyout

It's a little early to tell what the Edgar Bronfman Jr.-led buyout of Warner Music Group will mean for WMG's indie distribution arm, according to Alternative Distribution Alliance (ADAA) president Andy Allen. But Allen is upbeat about what the changing of the guard means for his company.

"I'm enthusiastic about what the opportunities are," Allen says. "It could be a huge boon."

As of the first week in December, Allen had been present at just one meeting with Bronfman, who called senior WMG execs together for an introductory sit-down shortly after the buyout was announced in late November (Billboard, Dec. 6).

Allen had anticipated that another meeting, which would address some divisional number-crunching and budgetary concerns, would take place as early as the week of Dec. 8. Whenever a company changes hands, concerns arise about the future of its various internal entities—especially when immediate cost savings are a concern.

But Allen says, "We think our segment of the business has some pretty significant upside. [You] have to emerge with a plan that doesn’t just entail cost-cutting."

He also sees current WMG chairman/CEO Roger Ames’ future role as Bronfman’s second at the privatized company as a positive, since "Ames has certainly been a friend to ADA."

In Allen’s view, WMG’s exit from the Time Warner corporate matrix is nothing but positive.

"I love the idea of a privately held music company, and a music company only," he says. "The business will prosper doing things that make sense for a music company and not just doing things that make sense for a larger company that a music company is part of."

As far as ADAs 2003 business goes, Allen anticipates that the distributor will see slightly improved sales for the year, despite sluggish performance through the first nine months.

"I think we'll be up [for the year]. This is the best fourth quarter we've ever had."

He attributes the gains in late-year sales to the continuing performance of albums by Interpol (on Matador) and the Shins and Hot Hot Heat (both on Sub Pop). These labels are enjoying their best year ever at ADA, according to Allen, and Beggars Banquet and Touch & Go have also come on strong.

Allen says another major fourth-quarter plus has been the surprising performance of New Line’s soundtrack for “Elf,” the season’s box-office hit starring Will Ferrell.

FROM COPPOLA’S HEART: The first release from Francis Ford Coppola’s new DVD line, American Zoetrope, will be the director’s 1962 musical, “One From the Heart.” The two-disc set arrives Jan. 27, 2004, through the Ryko-distributed Fantoma Films line (Billboard, July 19).

Zoetrope’s edition of the visually sumptuous film will include a 5.1 mix, full-length commentary by Coppola and documentaries, deleted scenes and videotaped rehearsals. Music fans should welcome demos and alternate takes of Tom Waits’ score (performed by Waits and Crystal Gayle in the film), a music-only track, a documentary focusing on Waits’ role in the making of the film and subtitles with the complete lyrics of the songs.


Small Stone is operated by Scott Hamilton, a founding member of the staff of wacky Detroit magazine Motorbooty. The label, a self-styled “stoner rock” enclave, has albums due from Acid King, Men of Porn and Dixie Witch.

Rotters Golf Club—which was formerly distributed through Caroline as a subsidiary of the Digital Hardcore label—was founded by Andrew Weatherall, a member of electronic act Two Lone Swordsmen. The February release of the Swordsmen album “Peppered With Spastic Magic” kicks off the NAIL deal.

Virgin

Continued from page 65

Richard Branson says.

"We believe we must have a huge multi-channel offering to compete in today’s environment."

"It’s one of adapting and still sticking to our principles but being commercial about it as well."

Branson says, “Unless you invest and evolve, you’ll die in any industry.”

Additional reporting by Melanie Newman in San Francisco.

Virgin

Also begin buying used product in exchange for store credit—a program Virgin is billing as “recycling.”

Used product will be sold to an undisclosed third party that sells used DVDs and CDs. Virgin will not sell used product directly to consumers.

Virgin concedes that while VEG has been loath to get into the used market, it is too big to ignore completely.

"It’s one of adapting and still sticking to our principles but being commercial about it as well."

Branson says, “Unless you invest and evolve, you’ll die in any industry.”

Additional reporting by Melanie Newman in San Francisco.
Value Central Successfully Exits Chapter 11

In a year when four Chapter 11 filings ended with the retail chains either being liquidated or sold to a competitor, it gladdens the heart to see Value Central Entertainment successfully emerge from Chapter 11 on a stand-alone basis.

It did so Nov. 18, thanks to "great support from the suppliers," says Rob Perkins, president of the chain. "We are happy that we successfully negotiated the process, and we are excited about future prospects. We hope to be a great distributor of our suppliers' products for many years to come."

The company managed to successfully navigate the process with the ownership intact ... at least that of the Value Music owners who gained total control after a merger between that chain and the Central South Sound Shop chain went sour.

In emerging from Chapter 11, the $15 million debtor-creditor relief loan from Fleet Financial converts back to a traditional revolving credit facility. Along the way, the chain closed approximately 55 stores, leaving it with about 70, Perkins says.

The plan calls for the chain to pay on a pro-rated basis, in installments over seven years, a $10.5 million note to the five majors who were secured creditors behind the bank.

That puts the majors' recovery at upwards of 50 cents on the dollar, one financial executive with a major says. In addition, the note is convertible to a minimum of 50% of the company's common stock, should the chain be sold before the payout is completed.

The unsecured creditors, on a pro-rated basis, get two lump-sum payments totaling $1.5 million, which have to be completed before Dec. 31. Those pairs should give independent labels and distributors about 8 cents on the dollar.

A key ingredient in the reorganization has been the remarkableness of the stores to diversify beyond music. Store inventory now includes budget DVDs, used items, nostalgia-type product and some merchandise typically found in stores like Spencer Gifts, Perkins says. For example, on Black Friday, music as a percentage of total sales was in the low 50% range, while last year it was 10 percentage points higher.

Speaking of the Thanksgiving weekend that kicked off the holiday selling season, Perkins points out that while music sales may have fallen 3.5% from last year, overall, November was stronger for the chain and likely for the music industry as well.

Perkins says that moving up street dates for such albums as those by Jay-Z, 50-Cent and Korn to earlier in the month helped "spread out sales over the course of November. Customers probably came to the store more times." In the past, crowded fourth-quarter release dates resulted in some records getting lost in the shuffle.

OUT IN ARIZONA: The Zia/Impact Music company has gone through some changes, sources say. Zia is now being run by Brian Fabar, who replaces Craig Brunn as GM. Fabar previously managed the Wherehouse store in Phoenix. One store has closed, leaving the chain with six stores: four in the Phoenix area and two in Tucson. Another one-stop bites the dust, as the company is closing its Impact Music operation. After a vicious round of phone tag, Billboard was unable to connect with Fabar for comment.

PRELIMINARY RESULTS: Best Buy says it posted an 8.6% comparable-store gain on the way to generating $6.03 billion in total revenue for the third quarter ended Nov. 29.

That's up 18% over 2002's third-quarter sales of $5.13 billion, excluding the revenue of Musicland, which the company sold earlier this year.

The chain did say it expects to report earnings of 35 cents to 37 cents per share when it announces its complete third-quarter results next month.

Best Buy says entertainment software accounted for 21% of total revenue, down from 22% last year. But it said DVDs and CDs both showed double-digit same-store gains. U.S. operations accounted for 90% of revenue, or $5.43 billion, while Canadian Best Buy and Future Shop stores generated $600 million.

Toy Series

Continued from page 65

Hendrix's amp setup at Woodstock, where he delivered his famous, frayed version of "The Star Spangled Banner."

The standard figure retails for between $12 and $15. The deluxe version, which is also packaged with a miniature microphone and stand, stage base and effects pedals, goes for about $20.

CAPTURING AN ERA

With some of the figures, such as his set of Metallica re-creations, McFarlane says he likes to immortalize a certain time in the artist's career.

With others, like Osbourne, McFarlane looks to capture a popular image of the singer. In Osbourne's case, the metal god was made to look evil and ferocious, akin to his pre-"Osbournes" image. (The figure was created prior to the launch of the artist's reality show.)

"We're sort of looking to, Yeah, that's what I have when I close my eyes and think about these people," he says.

His Hendrix figure seems to be a combination of both: The artist is captured in his Woodstock garb, but he's not generally remembered for flashing the peace sign—it usually for such stunts as setting his guitar on fire or playing it with his teeth.

But for Janie, the mix was perfect. "I thought it was great. I was like, 'Wow, they really got it,'" she says.

And that was a relief, because through the years, concern that manufacturers might not get Hendrix's facial features exactly right was one of the reasons she resisted McFarlane's proposal.

Prior to this figure, the Hendrix estate had not done many three-dimensional products, the main exception being a porcelain mini-Hendrix figure McFarlane had created.

Janie's interest in karate hero Bruce Lee helped pave the way for the Hendrix figure.

Not only is she a fan of the late martial arts master, but there are some parallels between Lee and her brother: Both attended Seattle's Garfield High School, both are buried in the city and both died young.

McFarlane had created a Lee figure that impressed Janie enough that after getting a positive response from fans and co-workers, she decided to take the plunge, unsure whether an action figure was appropriate or if it would turn out as well as it looked on the preliminary sketches.

"We just went OK, closed our eyes and dove in," she recalled.

She opened herself up to the idea of another three-dimensional product, she says it was a no-brainer that McFarlane would be the one to make it.

"We better to do it than McFarlane," she asks. "They've been in the industry a while, and they've done a lot of top stars and icons, and they're very much respected by the fans."

"We looked at his previous figures, their hair, and it was like, 'Wow, they really have it down' as far as the outfits, how the outfits look on them, and, mainly and most importantly to us, their facial features. They really captured the expressions on their face; they just looked so life-like, but miniature."

The figure is partially based on the body of McFarlane, which he says is not much different from Hendrix's.

"I'm just going to have to digitize their boss in different Hendrix poses and used that data to sculpt the prototype. McFarlane Toys had used digital imaging once before, scanning the heads of each member of Metallica.

MORE LEGENDS TO COME

McFarlane hopes to do one or maybe two additional figures of Hendrix, who would have turned 61 on Thanksgiving Day. One may be based on his appearance at the Isle of Wight festival, says Janie, who is 41.

The toy maker is also renowned for leasing videos for the likeness of Korn and a long career in comics (he created the "Spawn" empire)—says he may produce up to three versions of his latest music project: Elvish.

Plans are in the works for a McFarlane Elvis figure styled after his 1969 comeback special, during which he performed in black leather. He says that later Elvis figures may be modeled after his early Vegas period, as well as his '50s rockabilly era.

He is also working on his fifth series of Kiss figures, as well as a new, more true-to-life-looking Ozzy.

McFarlane hopes to win over the gatekeepers in the Rolling Stones, Led Zeppelin and Aerosmith camps, from whom he's already had rejections. In addition, he hopes to create a miniature John Lennon as a solo artist and real-life versions of the Beatles. (His previous Beatles figures were based on the "Yellow Submarine" animated film.)

Often, those gatekeepers—mostly managers—need to see it, while he's saying, "No, we've never done toys. We don't do toys," he says. "And we keep doing the same thing we did with Hendrix: 'Have you seen our product? Go to our website, take a look; we'll send you some stuff.'"

McFarlane says he's not afraid of the word "no," he just wants to ensure that the folks he's talking to are fully educated about what they're saying no to.

"You've got to make sure that when you're saying no to that the guys see that it's actually more like a plastic statue and not something silly and we keep at it, because you never know what changes the agenda—sometimes it's new management, sometimes [an artist] will see one of our figures and go, I want one of those!"

Whether he's talking to the manager of a late rocker's estate or to Gene Simmons himself, McFarlane says he tries to impress upon them that he is his figure to "be that poster that you loved so much and that shirt you loved so much as a kid. I want to bring that image to life."
Zumba Gets Promo Deal

BY LEILA COBO

MIAMI—Thousands have become caught up in Zumba, the exercise method that enables participants to work out to a varied, danceable collection of Latin music. After a solid hour of doing tango, cumbia, merengue, cha-cha and rumba in quick succession, people not only sweat up a storm but also get the dance lesson of their lives.

Zumba was created by Colombian choreographer Beto Pérez, who has become a Miami celebrity thanks to classes that draw hundreds of people.

And thousands—more than 300,000, to be exact—according to Zumba Productions—are scooping up the five Zumba Fitness videos on sale through direct marketing and the Internet. The tapes retail for $19.95 each and $59.95 for a package of four.

Now, Pérez and his Zumba products are poised to achieve widespread recognition with a major sponsorship deal with Kellogg's.

The agreement—which went into effect this year and extends through 2004 and possibly 2005—calls for the production of two videos to promote Kellogg's product. One, titled “Zumbando Con Special K de la Cintura Para Abajo,” will be available as a mail-in offer with the purchase of Special K cereal. The second, titled “Zumbando Con Kellogg's,” is a workout for parents and children.

According to Alberto Agnon, owner of Miami-based Zumba Productions and Pérez's manager, the initial shipment of “Zumbando Con Kellogg's” will be approximately 200,000 copies.

An 18-wheeler Kellogg's truck will go to supermarkets and function as a stage for promotional dancers.

Regardless of the creative marketing, the secret to Zumba's success lies in the music it uses.

“Music is 80% of the class,” Agnon says. “What Beto does is create choreography over each hook. But at the same time, he transforms it into an aerobic exercise.”

While original recordings are heard in Zumba classes—from Kumbia Kings' “Shhh . . .” to Prunko's “El Preso”—the same originals will not be heard on the tapes. The cost of royalties is prohibitive, so Zumba tapes use covers versions as well as music penned specifically for the workouts.

A new Zumba video will feature music written by songwriter-producer Sergio Hinojita. It will be available in March 2004.
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Nights Get Weird

With Cooper
MC Solaar Blazes Online Promo Trail

EastWest France Claims Initiative Is A ‘World First’

PARIS—EastWest France is claiming a “world first” for its recent downloading-friendly launch of the latest album from local rapper MC Solaar.

The new album, “Mach 6,” was released Dec. 1 and entered the IFOP/Tite-Live official French album chart for the week ended Dec. 6 at No. 2. Initial shipments were 350,000, according to the label.

EastWest’s innovative launch strategy—developed with the active participation of MC Solaar—allowed extracts from the album to be freely swapped and shared on the Internet for a limited period before release.

The promotional venture was designed as a proactive answer to Internet piracy, according to the label. “MC Solaar’s response to piracy is not to criticize but rather to provide solutions,” EastWest France managing director Michael Wijnen says.

ANSWER TO PIRACY

The rap star was among those handing out 300,000 free promotional CD-ROMs of the new album, his sixth. The discs were distributed Nov. 24 in Paris, Marseilles and Lyon through free French newspaper Metro (Continued on page 87)

File Sharing Under Fire

Taiwan Levels Charges Against P2P Service

This story was prepared by Tim Culpan in Taipei, Taiwan, and Tom Ferguson in London.

The International Federation of the Phonographic Industry has welcomed the decision by public prosecutors in Taiwan to file criminal charges against the country’s largest peer-to-peer service.

The IFPI says Taipei-based Kuro is one of the largest unlicensed online music P2P services in Asia. Kuro’s management team is charged with copyright violation under Taiwan’s Copyright Law.

The charges have been filed by the Taipei District Public Prosecutors’ Office against Kuro chairman Chen Shou-teng, CEO James Chen and GM Victor Chen. Kuro user Chen Jia-hui, aTaipei secretary, is also named in the charges. She was found to have some 1,000 illegally copied songs on her PC.

IFPI Taiwan secretary-general Robin Lee says the labels body and the prosecutors wanted a case against a user and a service provider as a tactic to ensure conviction.

However, Lee insists, “our major target is not the user.” He says IFPI Taiwan’s current primary quarries are Kuro and another local P2P service, Ezpeer.

Taiwan’s Copyright Law was passed in 2002, making copyright violation a criminal offense as well as a civil one. IFPI Taiwan filed a criminal complaint with the Public Prosecutors earlier this year, alleging that Kuro was knowingly aiding and abetting copyright infringement, for profit.

The prosecutors’ office filed charges Dec. 4. IFPI Taiwan formally welcomed the decision Dec. 8 at a Taipei media briefing and issued a call for Kuro to cease its operations immediately.

Kuro is a centralized P2P service that charges users to distribute copies of music files among themselves using a modified form of the original Napster technology.

(Continued on page 74)

Korean Labels Target Individual Downloaders

BY MARK RUSSELL

SEOUL, South Korea—The Recording Industry Assn. of Korea is taking legal action for the first time against individuals it claims are guilty of illegal file sharing.

The RIAK has presented the names of 50 people to the Seoul District Prosecutor’s Office and asked that they be charged with copyright violation. The labels body describes the individuals as “supernodes.”

According to the RIAK, that means the individuals are music file sharers who have been downloading more than 1,000 files per day for the past several months.

A spokesman for the Prosecutor’s Office confirms that the RIAK allegations are being investigated but says no charges have yet been filed. The RIAK drew up the list with the help of a local Internet research firm the group hired.

‘AN ISSUE OF EDUCATION’

South Korean record industry executives declined to be interviewed. But Lee Yeong-ah, deputy director of the intellectual copyright division at the Korean government’s Ministry of Culture and Tourism, says that those targeted are misinformed rather than criminally inclined.

“It’s an issue of education,” Lee says. “Many people do not know about copyright and do not have an opportunity to be trained, so they need a chance to learn. I don’t think those people who share music files are part of organized crime; they’re just normal people.”

The RIAK has previously taken legal action against file-sharing Internet sites, with mixed results. At its peak, South Korea’s most popular service, Soribada, had more than 8 million users, but the RIAK shut it down in July 2002.

The file-sharing system returned that fall as Soribada 2, a peer-to-peer service with no centralized computer servers. Last May, local courts ruled that Soribada 2’s creators were not responsible.

(Continued on page 74)
### Japan

**Singles**
1. "Tenohira/Kurumi" - May 15
2. "Lack" - May 22
3. "Love Love Manhatten" - May 29
4. "12-Gatsu No Love Song" - June 5
5. "In My Soul" - June 12
6. "Genso No Hana" - June 19
7. "Rock With You" - June 26
8. "Your Name Never Gone" - July 3
9. "Real World" - July 10
10. "Ring O' The Jolly" - July 17

**Albums**
1. "Exile" - Exile Entertainment / Rhythm Zone
2. "AKO" - American In Love Letter / Polydor
3. "Hyde" - Matsumoto
4. "GACKT" - Gyoten
5. "Crystal Kay" - Real
6. "Misia" - Rika & The End Collection

### United Kingdom

**Singles**
1. "Leave Right Now" - June 13
2. "Sam" - June 20
3. "Love On Top" - June 27
4. "Let It Snow" - July 4
5. "The Love Is" - July 11
6. "Believe In The Miracles" - July 18

**Albums**
1. "The Will's Lonely" - July 1
2. "The Beatles" - July 8
3. "AOR" - July 15

### France

**Singles**
1. "Mon Etoile" - June 6
2. "Schick Mien Nen Engel" - June 13
3. "Love On Top" - June 20
4. "I'm Not The Only One" - June 27
5. "Shut Up" - July 4
6. "Everyday Girl" - July 11
7. "Crying" - July 18

**Albums**
1. "L'universaux" - July 1
2. "The National" - July 8
3. "Instant Meh" - July 15
4. "The Darkness" - July 22

### Germany

**Singles**
1. "Rock Is The Key" - June 6
2. "My Love" - June 13
3. "Closer" - June 20
4. "Me Against The Music" - June 27
5. "I'm Not The Only One" - July 4
6. "Everyday Girl" - July 11
7. "Crying" - July 18

**Albums**
1. "The Very Best Of" - July 1
2. "The Greatest Hits" - July 8
3. "The Ultimate Collection" - July 15
4. "The Very Best Of" - July 22
5. "The Very Best Of" - July 29

### Canada

**Singles**
1. "Something More" - June 6
2. "2 2 + 5" - June 13
3. "Hey Yai" - June 20
4. "Trouble" - June 27
5. "Me Against The Music" - July 4
6. "Baby Boy" - July 11
7. "Nothing Kills" - July 18
8. "Sunshine" - July 25

**Albums**
1. "Sarah McLachlan" - June 1
2. "Bruno Pelletier" - June 8
3. "Various Artists" - June 15
4. "Josh Groban" - June 22
5. "Sheryl Crow" - June 29
6. "Hilary Duff" - July 6
7. "Various Artists" - July 13

### Italy

**Singles**
1. "Devuleveme El Aire" - July 1
2. "Guilty" - July 8
3. "Me Against The Music" - July 15
4. "Nothing Kills" - July 22
5. "One More Chance" - July 29

**Albums**
1. "Ligabue" - July 1
2. "Eurovision" - July 8
3. "Europeo" - July 15
4. "R.E.M." - July 22
5. "La Danza Delle Streghe" - July 29

### Spain

**Singles**
1. "Bustamante" - July 1
2. "Angels Brought Me Here" - July 8
3. "Pretend" - July 15
4. "Into You" - July 22
5. "In The Shadows" - July 29

**Albums**
1. "Un Chico" - July 1
2. "Deltagoodrem" - July 8
3. "Red Hot Chili Peppers" - July 15
4. "Astrid" - July 22
5. "Behind Blue Eyes" - July 29

### The Netherlands

**Singles**
1. "Eens Schuinit... / Heb Je Een...?" - June 6
2. "Cowboy" - June 13
3. "Afscheiding" - June 20
4. "So Yesterday" - June 27
5. "Traffic" - July 4

**Albums**
1. "Frans Bauer" - June 6
2. "De Poema's" - June 13
3. "Robert Don" - June 20
4. "Red Hot Chili Peppers" - June 27
5. "Metallica" - July 4

### Sweden

**Singles**
1. "Ville Iskogen" - June 6
2. "Starkare" - June 13
3. "Hey Ya!" - June 20
4. "Where Is The Love?" - June 27
5. "What The Hell" - July 4

**Albums**
1. "Lunzell" - June 6
2. "The Replacements" - June 13
3. "Peter Larmar" - June 20
4. "Peter, I Love..." - June 27
5. "Jan Werner" - July 4

### Norway

**Singles**
1. "Hey Ya!" - June 6
2. "There's Gotta Be More To Life" - June 13
3. "The Head Is An Engine" - June 20
4. "It's My Life" - June 27
5. "Shut Up" - July 4

**Albums**
1. "Lunzell" - June 6
2. "The Replacements" - June 13
3. "Peter Larmar" - June 20
4. "Peter, I Love..." - June 27
5. "Jan Werner" - July 4

### Switzerland

**Singles**
1. "Schick Mien Nen Engel" - June 6
2. "Music Is The Key" - June 13
3. "The Holiday" - June 20
4. "Me Against The Music" - June 27
5. "Shut Up" - July 4

**Albums**
1. "Lunzell" - June 6
2. "The Replacements" - June 13
3. "Peter Larmar" - June 20
4. "Peter, I Love..." - June 27
5. "Jan Werner" - July 4

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*Hits of the World is compiled at Billboard/London.*
**Finns ‘Lord’ It Over ‘Rings’ Musical**

Finnish contemporary folk group Värttinä will compose the music for the first stage musical adaptation of J.R.R. Tolkien’s “The Lord of the Rings,” to premiere in London’s West End during spring 2005.

Directed by Matthew Warchus, the project concludes the band’s 20th anniversary with a bang—marking the international release of its 10th set, “Rings,” and world touring. The new set made No. 24 in leading world music magazine Songlines’ 2005 list of the “essential 50 global albums of all time.”

Värttinä has already started creating the music for “The Lord of the Rings” in conjunction with the show’s musical supervisor, Chris Nightingale. He will also collaborate on songs with Indian composer A. Rahman.

**AFRICAN JOURNEY:** During the past decade, DJ Christos (Christos Kat- saltis) has established himself as one of South Africa’s premiere house and kwaito producers. Christos has played an integral role in seminal group Boom Shaka and achieved success with the duo DJs at Work.

The long-awaited second solo album from the DJ/producer/remixer/ songwriter/ writer was released recently. “Spiritual Journey” (ICCP Record Co/EMI) is a 12-track odyssey that takes its inspiration from Christos’ Greek Orthodox faith.

Incorporating musical styles from deep house to commercial pop with African music and gospel, it is finding favor with hip urban music lovers of all faiths.

“I am a religious person, and the music takes you on a spiritual journey, starting with the mellow stuff and then really blowing up before slowing down again,” Christos says.

**DIANE COETZER**

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**COMMON CURRENCY**

A weekly scoreboard of albums simultaneously attaining top 10 chart status in three or more leading world markets.

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**BILLBOARD DECEMBER 20, 2003**

[America’s music charts and industry news](www.billboard.com)
Strutting On A Bigger Stage

Canadian Jazz Pianist Kaeshammer Releases Fourth Album

BY LARRY LeBLANC

TORONTO—The recent international success of such jazz-styled acts as Norah Jones, Diana Krall, Jamie Cullum and Michael Bublé bodes well for Canadian jazz pianist Michael Kaeshammer. The artist's fourth album, "Strut," was issued Nov. 25 in Canada by Toronto-based independent Alma Records, initially as an online-only release. A Japanese release by JVC Victor followed Dec. 8.

Kaeshammer says he relishes performing boogie-woogie and stride styles. "I can't believe I do something that I would do anyway at home," says the 36-year-old German-born pianist who lives in Victoria, British Columbia. Until earlier this year, Alma was distributed in Canada by Festival Distribution in Vancouver. It is currently in final negotiations with a new distributor. The album will be released in Europe through Sony Music in early 2004.

Kaeshammer's recordings are unavailable in the U.S., although he often tours there. He is managed and booked by Doug Kirby of Live Tour Artists in Oakville, Ontario. According to Alma president Peter Cardinal—who also produces Kaeshammer—the pianist's previous two Alma albums have sold “30,000 to 40,000 units” in total, mostly off-stage. "We've had good numbers with him," he says.

The album includes a handful of Kaeshammer originals and his take on American standards "Blue Skies," "When It's Sleepy Time Down South" and a medley of Fats Waller's "Sunny Morning" and "Handful of Keys."

Its 2000 predecessor, "No Strings" (Alma)—which was partly recorded in New Orleans—and "Strut" have echoes of that city's musical past. On the Kaeshammer original, "Almost a Rag," he melds Jellyroll Morton's version onto a Professor Longhair-like backbeat. There's also a cover of Longhair's "Cry to Me," featuring one of Kaeshammer's occasional lead vocals.

"Strut" was recorded at Red Manors studio near Peterborough, Ontario. Joining Kaeshammer are veteran New Orleans drummer Johnny Vidacovich (who also played on "No Strings"), bassist Ben Wolfe, guitarist Kevin Breit and keyboardist Richard Bell.

Recording "No Strings Attached" with local legends like Vidacovich, Art Neville and James Singleton in New Orleans was enthralling, Kaeshammer says. "What put me in awe was the street signs," he adds. "I walked around streets I had heard in songs." Kaeshammer studied classical piano as a boy for seven years in his hometown of Offenburg, Germany, but also absorbed his father's collection of records by Louis Armstrong, Earl Hines and Sydney Bechet.

At 13, recordings by fellow countryman Vince Weber inspired him to seek out the recordings of such American boogie-woogie masters as Albert Ammons, James P. Johnson, Meade Lux Lewis and Pinetop Smith. New Orleans pianists Professor Longhair and James Booker also figured heavily. "Those two are my main guys," Kaeshammer says.

"Strut" was the pianist's first attempt at boogie-woogie piano in clubs, concerts and festivals throughout Germany. Upon graduating from high school, he moved to Canada and embarked on a musical career.

The release of Kaeshammer's debut album, "Blue Keys," in 1996 on BSB Productions—which Cardinali estimates has sold 7,000 copies—led to performances with the Vancouver Symphony Orchestra, two European tours and dates with Ray Charles and Taj Mahal. It was followed in 1998 by "Tell You How I Feel." (Alma), which teamed him with producer Cardinali and Canadian jazzers Doug Riley, Guido Basso and Phil Dwyer. Cardinali says he immediately recognized Kaeshammer as a "desirable addition" and "a young soul in a young body." He recalls, "I said, 'This kid is incredible.'"

Continued from page 71

Taiwan

The subscription service, launched in 2001, claims to have 500,000 paying customers. The IFPI says more than 5 million music files are available for copying on Kuro at any one time.

The indictment is "fully consistent with court decisions in other countries, including the U.S., Japan and Korea," London-based IFPI chairman/CEO Jay Berman says. "People need to understand that legal action can and will be taken against those who distribute copyrighted work without the permission of the creators," Berman adds.

The Kuro action follows an earlier file-sharing case that was settled out of court in November. It involved Chung Jian-zhi, a 22-year-old student from Taipei County, who was found to have downloaded 700 songs through EZpeer.

Acting on a tip from the IFPI, police tracked down Chung through his IP address with the cooperation of his Internet service provider. Prosecutors decided to defer indicting him after he apologized for his behavior and agreed to stop downloading music for free.

"The prosecutor wanted to give the guy a chance, and we agreed," Lee says. However, Lee insists the Chung case was "important, because it was the first case of its type in Taiwan."

The charges did not include the P2P provider, because the IFPI was keen to set a precedent that a file sharer could be prosecuted.

The labels body accepted an apology and suspension of the case for two years on the condition that Chung did not repeat the offense. If he does, the prosecutors can restart court proceedings.

Under an agreement worked out by all parties involved, Chung also promised to help IFPI Taiwan in its efforts to promote the notion of copyright and to place an advertisement in a local newspaper apologizing for his actions.

He ad appeared Nov. 21 on the front page of a section of Taipei-based China Times, one of Taiwan's three biggest newspapers.

In a statement, IFPI Taiwan insisted that the outcome "clearly indicates that users are liable and should not take the advantage of exploiting such illegal Web sites to download music."

Ruby Hsu is an attorney from Taipei-based law firm Economy Law Office, which represents IFPI Taiwan. She says the labels accepted Chung's apology because they knew that "the prosecutor was sympathetic toward the young man."

The result means that no finding of guilt was legally recorded against the defendant. Hsu agrees that "if the court had found him guilty, that would have helped our position." But she insists, "we don't think legally we lost the case."

Hsu says she is more confident of a court conviction in the Kuro/Chen action, because the prosecutors seem more "active and committed" to the latter case. She suggests Chen's status as a worker, rather than a student like Chung, was a factor in the decision to prosecute.

Shortly before press time, the Taipei District Public Prosecutors' Office confirmed that EZPeer CEO Wu Yi-Ya had been indicted on copyright violation charges Dec. 9, sible for the content it users shared. Although no IFPI officials would go on record about its current stance on file sharing, the association's Web site carries comments by Korea Music Copyright Assn. spokesman Lim Hak-yeon. "Unlike traditional file-sharing programs," Lim says, "music files used by Soribuda 2 users do not pass through a central server, which makes the courts believe that Soribuda is not responsible for the free music swapping."

However, Lim adds, "some has to be responsible for copyright violations that erode revenue of the offline record companies, and that is the individual users."

Insiders confirm that the RIAK decision was inspired by the Recording Industry Assn. of America's lawsuits against file sharers in the U.S.

Cable service providers in Korea fell to 28.8 million in 2002 from 45 million units in 2000, according to the RIAK. The group attributes the decline to the rise of piracy and illegal file sharing.

South Korea has the highest level of broadband penetration in the world, at 75% of all households, according to U.K.-based online research company Point-Topic.
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Dear ‘Diary’: Great Sales!

The best sales week to date in Alicia Keys’ still young career, 618,000 copies, keys another rally for album sales. The big start for her new album, “The Diary of Alicia Keys,” is the third-largest opening week of 2003. Overall, this is the year’s fifth-largest Nielsen SoundScan frame. 50 Cent scored two weeks above 800,000 for “Get Rich or Die Tryin’,” Linkin Park grabbed an opener of more than 800,000 for “Meteora” and Norah Jones raced through 621,000 copies in the week after “Come Away With Me” hauled off an armful of Grammy Awards.

On her own ledger, Keys more than doubles the best week that her first album saw, when it rang 241,000 copies in Christmas week 2001.

Certainly that first outing, “Songs in A Minor,” built a considerable fan base, having sold 5.6 million copies to date, according to Nielsen SoundScan. It also built her enough celebrity to fetch a handsome media rollout for the new album, including three shots on “Good Morning America,” a rare two-night stand on “The Tonight Show With Jay Leno,” an appearance on MTV’s “Total Request Live” and a non-performing visit on “The Oprah Winfrey Show.”

March Of Ives Takes 54 Years

It usually doesn’t take very long from the time an artist debuts on a singles chart until they also show up on the equivalent album chart, whether it be pop, R&B or country. So it is extraordinary to have an artist make his debut on Top Country Albums this issue 54 years, 10 months and one week after first appearing on the Billboard country singles chart.

Actor/singer Burl Ives debuted on the country singles chart Feb. 12, 1949, with “Lavender Blue (Dilly Dilly),” a song that peaked at No. 13. After top 10 hits in 1949 and 1952, Ives did not chart again until 1962, when he had three top 10 singles in a row: “A Little Bitty Tear” (No. 2), “Funzy Way of Laughin’” (No. 1) and “Call Me Mr. In-Between” (No. 3).

Despite that run, Ives never had an album appear on Top Country Albums until now. It didn’t help that the Top Country Albums chart wasn’t introduced until 1964. Ives made his debut on the pop albums chart in February 1962 with “The Versatile Burl Ives” (No. 35), followed four months later by “It’s Just My Funny Way of Laughin’” (No. 24). In December 1964, he made his third and so far final appearance on this chart with “Pearly Shells” (No. 65).

In 1965, Ives had a successful holiday album, “Have a Holly Jolly Christmas.” His recording of “A Holly Jolly Christmas” has become a perennial, which helps explain this issue’s No. 65 debut of “20th Century Masters: The Best of Burl Ives—The Christmas Collection” (Decca/MCA Nashville) on Top Country Albums.

Ives did not live to see his country album debut. He was 85 years old when he died on April 14, 1995.
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<th>Peak Position</th>
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<td>Andy Griffith - [2,000,000]</td>
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The BILLBOARD 200 A-Z (LISTED BY ARTISTS)

<table>
<thead>
<tr>
<th>ARTIST</th>
<th>TITLE</th>
<th>UNIT &amp; NUMBER DISTRIBUTED LABEL</th>
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<tr>
<td>The Beatles</td>
<td>&quot;A Day After Yesterday&quot;</td>
<td>2 Weeks at Number 1</td>
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<td>ROD STEWART &amp; JENNIFER LOPEZ</td>
<td>&quot;As Time Goes By...The Great American Songbook Vol. 1&quot;</td>
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<td>JOSH GROBAN</td>
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<td>SARAH MCLACHLAN &amp; ANNA NID</td>
<td>&quot;Afterglow&quot;</td>
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<td>SHERYL CROW</td>
<td>&quot;Cry&quot;</td>
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<td>ALICIA KEYS</td>
<td>&quot;The Diary Of Alicia Keys&quot;</td>
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<td>NO DOUBT</td>
<td>&quot;Enema Of The State&quot;</td>
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<td>BETTE MIDLER</td>
<td>&quot;Columbia holidays Vol. 3&quot;</td>
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<td>HARRY CONNICK, JR.</td>
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<td>MICHAEL BUBLE</td>
<td>&quot;Columbia Recordings: Masters Vol. 2&quot;</td>
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<td>JOHN REUBEN</td>
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<td>&quot;Echos&quot;</td>
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<td>SENSE fails</td>
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<td>EAGLES</td>
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<td>BRYNTE SPEARS &amp; GARDEN</td>
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<td>STING</td>
<td>&quot;Sacred Love&quot;</td>
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Songs data compiled by Nielsen SoundScan

Sales data compiled by Nielsen SoundScan

Top Internet Album Sales reflects physical albums ordered through Internet merchants, based on data collected by Nielsen SoundScan. Leading internet Billboard charts, catalog titles are included in the Internet and SoundScan charts. All albums with the greatest sales gain this week. Recording Industry Assoc. of America (RIAA) certification is shown in parentheses. Certification of Red-label albums (below left) is based on sales of physical albums (CDs) and digital downloads. Certification of Gold-label albums (below right) is based on sales of physical albums and/or digital downloads. RIAA certifications are for albums that are currently certified. Certification levels for both Red-label and Gold-label albums are based on sales of 500,000 units (Diamond). Certification of Red-label albums are for albums that have sold over 100,000 units (Platinum). Certification of Gold-label albums are for albums that have sold over 80,000 units (multi-Platinum). Sales data includes both print and pre-sale data through the Internet. (© 2001 BillboardBusiness.com, Inc. and Nielsen SoundScan, Inc. All rights reserved.)

Over The Counter

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<th>DECEMBER 20, 2003</th>
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**Billboard**

**Score data compiled by** Nielsen SoundScan

**Top Pop Catalog**

1. **NUMBER 1**
2. **GREATEST GAINER**

**Top Heatseekers**

1. **NUMBER 1**

**Top Independent Albums**

1. **NUMBER 1**

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**Catalog rankings are based on data that have taken less than 130 on The Billboard 200 in the chart issues of other albums. Sales/World sales reflects combined week's sales as reported on Billboard's Top Pop Catalog. The Heatseekers cites the best selling albums by now and developing artists, defined as all titles with at least two consecutive weeks in the top 40. The Top Independent Albums is a chart of the best selling independent albums, including those that have no major label distribution. The Billboard 200 chart is compiled using sales data from Nielsen SoundScan. Nielsen SoundScan collects data from a network of retailers across the U.S. and Canada, providing a snapshot of sales trends throughout the music industry. The charts reflect the most accurate and comprehensive sales figures for the Billboard charts. The charts are updated weekly, and all sales figures are based on the current week's data.**

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**www.billboard.com**

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**American Radio History**

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**Billboard 2000 December 20, 2003**

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** Nielsen SoundScan**
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Listeners Certainly Know Keys’ ‘Name’

In addition to topping The Billboard 200 and Top R&B/Hi-Hop Albums (see Over The Counter, page 77), Alicia Keys takes the crown on Hot R&B/Hi-Hop Singles & Tracks with “You Don’t Know My Name.”

In only its eighth week on the chart, “Name” ties 50 Cent’s “In Da Club” for the fastest trip to the top of the chart in 2003. “Name” also moves into the Top 10 of the Hot 100 (10-9) with an audience reach of 78 million, while the 73 million listener impressions at R&B radio bests Keys’ career high of 63 million achieved with “Fallin” in August 2001.

Elsewhere on the Hot R&B/Hi-Hop Singles & Tracks chart, Keys’ labelmate Ruben Studdard nabbed the Hot Shot Debut designation at No. 43 with “Sorry 2004,” racking up nearly 11 million audience impressions in its first full week at R&B radio. “Sorry 2004” follows Studdard’s cover of “Superstar,” which shot to No. 2 on the Singles & Tracks list in June.

HIGH LIFE: Kenny Chesney’s “There Goes My Life” spritits to No. 1 on Hot Country Singles & Tracks in just nine weeks, the fastest climb to the top yet in his career. The speedy ascent of Chesney’s sixth No. 1 beats the 13 weeks it took “The Good Stuff” to ring the bell on the July 27, 2002, issue. Concurrently, Chesney’s album “All I Want for Christmas Is A Real Good Tan” is the belle of the holiday ball this year, spawning the only two seasonal songs to impact the chart so far. The title track rises 53-45, and his refres of “Foolish Home” for Christmas bows at No. 60.

The sounds of the season are also affecting Hot Digital Tracks, as the contemporary classic “All I Want for Christmas Is You” by Mariah Carey jumps 21-9 with 2,500 paid downloads. Unlike our radio and album charts, older titles are eligible to appear on this list, which explains the debuts this issue of Christmas standards “A Holly Jolly Christmas” by Burl Ives (No. 20) and Brenda Lee’s “Rockin’ Around the Christmas Tree” (No. 22).

DOUBLE SIDED: OutKast holds down the top two spots on The Billboard Hot 100, as “Hey Ya!” remains at No. 1 for a second week while “The Way You Move,” featuring Sleepy Brown, climbs 3-2 (see Chart Beat, page 77). “Hey Ya!” holds a substantial lead in audience (128 million listener impressions to 109.5 million) over “Move” and should be able to maintain its perch for at least another week.

“Move” receives the Recording Industry Assn. of America gold certification on the Hot 100 and R&B/Hi-Hop Singles & Tracks chart as the DVD single, which contains both tracks, is certified for shipments of 25,000 units derived from shipments of the DVD, as well as the accompanying 12-inch vinyl, have been linked to “Move” on both charts since that track had the most cumulative audience at the time of the retail release in September.

KING ME: “You Are My King (Amazing Love)” ends the No. 1 run of MercyMe’s “The God I’ve Never Met” after 18 weeks atop billboard.com’s Hot Christian Adult Contemporary and Hot Christian Singles & Tracks chart. The Newsboys’ double chart-topper is the first for the Sparrow label since our Christian radio charts launched in June.

LUCKY STRIKE: Matchbox Twenty wins the war of attrition on the Adult Contemporary chart, climbing to No. 1 with “Unwell.” With more than half of the panel in all-hold mode, “Unwell” is one of the many songs on the list that loses detections. But it does earn a bullet, as it is Billboard policy to bullet a title in its first week at No. 1 despite any spin decrease.
would not produce a video for an act that Viva did not pick.

"Viva was to retain its editorial inde- pendence," Tanner says. "The only change was to the basis on which these decisions are made."

A spokeswoman for Viva Media, the channel's operating company, says: "No final agreement was entered into, either with Universal or on an association level, as the programming staff ultimately rejected the idea."

Sources tell Billboard that the arrangement discussed between Uni- versal and Viva is of a slightly different nature than that outlined in Der Spiegel: If Viva picked a video from a newcomer signed to Universal, the record company would be offered advertising space on the channel at what is said to be "a very attractive rate" to promote the act.

The ad rate represented very "good value for money and was very attractive," a Universal source says. "And it had no influence on Viva's editorial policy."

On the grounds, sources at Uni- versal say that the accusations of payola are "baseless."

The scheme, Billboard understands, was also offered to other labels, but bill- board was not informed if Universal had implemented it or if any acts had benefited from the reduced ad rate.

Renner says that pictures of artists used to illustrate the article in Der Spiegel could also give an incorrect impression that the selection of acts for discussion in the mooted meet- ings would include such internation- al and established ones as Eminem, Bjorn's in the west, 3Lix Bextor and Jeanette. This, he emphasizes, would not have been the case.

Viva selects only six to eight new videos per week to be aired out of 60-80 candidates, including new and established acts.

Any agreement that gave a label an advantage in getting its video clips aired would be an "over form of unfair com- petition," Sony Music Germany CEO Balthasar Schramm says.

Schramm is Universal's only com- petitor to comment on the reported deal. All the other companies, Billboard contacted declined to comment, as did the German Federal Assn. of the Phonographic Industry, the BPW.

European indie labels organization IMPRA, he says. "The alleged agreement [between Universal and Viva] raises the sensitive issue of pay- ola, a practice which is outlawed and universally condemned throughout the music business. It also highlights the dangers of anti-competitive behavior in the marketplace."

If such deals were to become the rule—and Impala says it is concerned that similar arrangements are happening "the association claims it would not be possible for smaller companies to compete on a level playing field."

REGULATOR STEPS IN

A spokesman for the North Rhine- Westphalia State Media Office, which regulates media in the state where Viva is based, says: "After reading the article, we asked Viva for its comments. As soon as we receive these, we shall examine them."

According to the spokesman, talks are already being held between State Media Office director Dr. Norbert Schneider and Viva chairman Dieter Gorny.

Catherine Muhlemann, managing director of Universal Music, Viva's main competitor, also reacted by stating that "editorial and advertising are kept strictly separate on both MTV Central and MTV2 Pop."

She added: "To 'buy' rotation would impact MTV Central and MTV Pop's editorial freedom. MTV is committed to promoting new and upcoming artists, and the principle of editorial freedom remains a priority."

Viva launched 10 years ago in Cologne, Germany, with BMG, Poly- Gram, EMI and Warner Music among its founding shareholders. Gorny has served as CEO of the channel since its launch.

Today, Viva's shareholders include Time Warner (holding 20.6% of the shares) and Vivendi/Universal (15.3%), as well as several private investors or financial groups. Close to 25% of the shares are floated on the German stock market.

Once it became clear that the rest of the German industry had been informed of Universal's plans for a closer relation- ship with Viva at a meeting of the man- agement board of the BPW in August, BMG is said to have refused to join the talks. Universal's chairman, Reinhard Riemenschneider, was said to have been "extremely disappointed," but sources pres- ent at the BPW meeting where the issue was raised tell Billboard that other members of BPW's board decid- ed not to follow Reinmer's lead.

Der Spiegel also claimed that Viva had approached EMI with plans for a scheme similar to the one the magazine said it had struck with Universal. Sources at EMI said that the head of EMI Recorded Music Germany/ Switzerland/Austria who helped the company in October, claims that Gorny had also offered EMI an arrangement along the same lines as Universal's but that he had rejected such plans when he was in charge of the company.

"Buying program time in this way is immoral and unacceptable," he says.

Online Music

Continued from page 5

A tax mandated by Congress that would later be divvied up accord- ingly to the labels.

The congressional tax idea was shot down by Jay Cooper, a partner at law firm Greenberg Traurig LLP. Cooper spoke at the "Digital Business Challenges Facing the Music Industry" panel.


"Companies should be held responsible," said Ron Stone, founder and president of Gold Moun- tain Entertainment.

In response, Electronic Frontier Foundation staff attorney Wendy Seltzer cited the 1984 Sony v. Uni- versal City Studios case (which fact- ed into the April P2P ruling).

In that case, the court ruled that Sony's Betamax VCR was "lawful because it was merely capable of non-infringing use," she said. "We are defending [P2P site] Morpheus on the claim that their technology has substantial non-infringing uses. They should be off the hook for what their users might do."

Despite differing opinions about P2P services, many participants were optimistic about the future of legal music downloading.

"There is unprecedented market momentum heading into 2004," said keynoter Sean Ryan, VP of music services for RealNetworks.

More pricing flexibility will also be key, with lower download costs becoming a possibility, Ryan said.

Apple is optimistic about expand- ing its iTunes service in 2004, according to Peter Lowe, director of iTunes marketing. Lowe was among the event's keynote speakers.

"Apple's goal is to reach "100 mil- lion downloads in its first year," he said. To this end, the company is constantly adding new music to its store. Since its April launch, the service has sold 20 million songs, according to Apple.

BRANDING PARTNERSHIPS

Consumers can now pick from a catalog of "400,000 quality songs, and we have also added 5,000 audiobook titles," Lowe said. "We have content from popular radio shows featured on NPR and other stations."

Apple has also added gift certifi- cates, celebrity playlists and an allowance feature that can set up for their children.

"We've designed our music service to be a key player in making music to be more compelling, he said.

However, online music will be "hypercompetitive," and "There are no borders when it comes to digital media," he added.

He suggested that music rights holders need to learn more music and that hardware must start support- ing multiple formats to please all customers.

WWE

Continued from page 6

wwe.com for a weekly update of the latest developments.

The company's website is updated after research by music retailers indicated that many consumers tend to use P2P networks to discover albums before buying them.

Private Audio, Bringué says, enables people to discover new music via direct-distribution systems like "allowing Internauts" to freely and legally share tracks.

Although WestEnd and French consumers were evidently pleased with the "wwe takeover initiative," retailers have complained that they were left out of the equation.

"We could have streamed the track on our Web site and distrib- uted the CD to that Web site. But Rodolph de Buett, Paris-based music department manager for France's largest specialist chain, FNAC, Buett says the retailer is picking its own, similar projects.

Wijnen counters that the ven- ture’s aim, rather than providing tracks to a specialist retailer’s cap- tive music-buying audience, was simply “to get music to the people.”

The wwe offers a powerful brand that, for the six-month period ended Oct. 24, posted net income of $19.8 million, or 29 cents per share, on sales of $169.1 million. The company has seven live events and four weekly TV shows, the company earns 17% of its revenue from merchandise branded after its wrestling stars—T-shirts, caps, posters, clocks and DVDs. "Wwe Originals" will be released at an $18.98 list price. Johnson wrote the majority of the music, except for a track by Lilian Garcia, which she wrote with some of her friends. Also, John Cena, a rising star at the company, had a hand in writing the song he performs. A solo album is also in the works for him.

"I really wanted to do a record that showcased these people and [their] huge technical talents," Johnson says of the album.

The marketing campaign will kick off with "an extensive direct-response television campaign," Botwin says. It will be separate from any promotion that comes through the wwe’s own shows. "Obviously there will be a ton of promotion on their shows and across all platforms of their proper- ties," he adds.

To help drive store traffic, the label will have an extensive street-team campaign and will buy print advertis- ing in men’s lifestyle publications, Botwin reports.

At retail, Columbia is planning a flow of products featuring the shape of a wrestling ring. Also, it will present in- stores with some of the wrestlers on the album, and Tower Records will run a contest promoting it.

As for radio, the album will be promoted on 100 stations on the second leg of wwe’s "reassurance tour," Botwin says. Botwin says the "Originals” album will enjoy a double launch. The first segment of the mar- keting campaign will coincide with the album’s release, which will include a value-add DVD on the making of the set. The second leg of the campaign will coinci- de with Nossehra—a Super Bowl of wrestling, which is staged every March—will be a re-launch of the album with a different bonus DVD.
China

Continued from page 8

China “has the biggest piracy problem in the world,” according to the IFPI’s most recent report. “The problems in the Chinese market will not go away, but in that environment there are ways of making money,” a characteristically confident Hui says. Kennedy sees some improvements in the way Chinese authorities tackle intellectual property issues. He says that levels of piracy have gone down in Beijing and Shanghai and that officials seem to be “more receptive when we make our point regarding intellectual property issues.”

“As we are going into this market [with our] eyes wide open,” Kennedy explains, “We know there are problems here, but we don’t think these problems can be resolved by staying away.”

Universal’s goal for the mainland Chinese market, Hui says, is to build on its successful track record in Hong Kong and Taiwan, where it has market shares of 35%-40% and 24%, respectively. “Clearly, we’re dominating the Chinese-speaking market,” Hui says.

Kennedy declines to disclose how much UMI will be investing in its Chinese operations but says “it is a sensible level of investment that can be controlled.”

Kennedy says it is challenging to recoup investments in a country where prices are low and piracy is high, but sales are taking off. He also sees major potential in new ways of delivering music, such as mobile phones.

CONSOLIDATION

As part of the restructuring of its Greater China operations, Universal Music Hong Kong, Go East Entertainment and the Chinese Mainland offices will report to Hung Tik, who will be promoted from managing director of Go East Entertainment to managing director of Universal Music (China and Hong Kong). We will streamline the two companies [in Hong Kong] to generate more efficiencies,” Hui says, “and we will continue to invest in local repertoire in Greater China.

“I am confident that our new team and new structure will position Universal for growth in the coming years,” Hui says. “Hung Tik is a very experienced music manager and media executive. Together with the very capable management teams in our two Hong Kong companies, I can think of a better team to lead this effort.”

Hung Tik foresees an increasingly closer collaboration between Hong Kong and China.

“China’s potential is huge, and there will be vast opportunities for us to exploit the market,” Tik says. “Our artists will also be able to enjoy greater opportunities for development. I am very happy to be part of this challenge.”

As part of the reorganization, Universal Music (HK) president Alex Chan Siu-po will leave the company at the end of December to set up an artist management and entertainment company.

Chan Siu-po was among a string of music industry executives investigated by the territory’s Independent Commission Against Corruption following corruption allegations (Billboard, Aug. 9).

Kennedy says the departure of Chan Siu-po and the ICAC inquiry are not related. “Alex wanted to set up his own company,” Kennedy explains. “What we have here is a consolidation process and an individual’s own plans.”

Additional reporting by Emmanuel Legrand in London.

Composers

Continued from page 1

Upon copyrights with illicit peer-to-peer file sharing.

“There is now no judicial discretion or oversight in this process,” Boucher says. “There’s no ability for anyone to insert himself and say, ‘Wait a minute, somebody’s rights are being abused here—you don’t know all the facts.’”

Boucher, a member of the House Subcommittee on Courts, the Internet and Intellectual Property, tells Billboard exclusively that there will be a “concerted effort, with myself a part of it, to trim the sails on that process.”

He predicts that all of the copyright-related bills up for consideration in the next session, the new proposal will have the “best chance for passage next year.”

OPTIMISTIC OUTLOOK

The forecast may be optimistic. Neither the chairman of that subcommittee—Rep. Lamar S. Smith, D-Texas—nor the ranking minority Democrat—Rep. Howard Berman, D-Calif.—support such a change.

“I don’t see a need for major changes in the DMCA,” Smith says. “But I’m always happy to look at proposals by other members of Congress.”

Berman adds, “The DMCA is an essential tool in the fight against piracy. Efforts to repeal or dilute it should be viewed for what they are: an effort to promote piracy.”

With those opinions, Boucher can find itself difficult to get hearing on his bill next year, unless he puts together a formidable number of co-sponsors and supporters.

His track record for legislation to tinker with the DMCA in both this Congress and the 107th weighs against him. Provisions in these earlier bills would have allowed consumer greater “fair use” of copyrighted works. The Recording Industry Assn. of America argues that those changes would come at the expense of industry protections (see story, page 6).

None of Boucher’s bills were ever scheduled for a hearing. The RIAA opposes a change in the subpoena section of the DMCA.

A spokesman says: “Congress included appropriate consumer protections and safeguards within the DMCA to address these issues. And as a frequent judge has noted in the current Verizon lawsuit against the RIAA regarding subpoenas, the DMCA information subpoena process actually affords greater protections than a traditional civil lawsuit advocated by Verizon and others.”

A Hill source familiar with the DMCA’s subpoena section agrees. “There’s never been one instance in the last five years where someone has abused the process. There are protections.”

Anyone calling for an information subpoena must fill out a court clerk’s official form that states, under penalty of perjury, that they believe that infringement has occurred.

“The reason the [Internet service providers] want a change is that it’s more complicated and costs more to file a regular ‘John Doe’ lawsuit, so there’d be fewer lawsuits,” the source says.

On the Senate side, Sen. Sam Brownback, R-Kan., introduced a bill Sept. 16 with a provision calling for modifications of the DMCA’s information subpoena. There was an oversight hearing on the subpoena process Sept. 17 but no hearing on the bill.

Boucher
3003 Music-Related Legislation

<table>
<thead>
<tr>
<th>Bill Name/No.</th>
<th>Sponsors</th>
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<tr>
<td>Amendment to Department of State authorization bill, S. 9157.</td>
<td>Sens. Craig Allen, D-Va., and Patrick Leahy, D-Vt.</td>
<td>Provides $2.5 million for the Department of State to increase anti-piracy efforts around the globe.</td>
<td>Senate passed amendment Nov. 25. Bill awaits vote on State Department appropriations.</td>
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<tr>
<td>Enforcing Federal Copyright Enactment and Copyright Enforcement Act, S. 2038.</td>
<td>Sens. John Cornyn, R-Texas, Dianne Feinstein, D-Calif., and Orrin G. Hatch, R-Utah.</td>
<td>Enforces Internet copyright enforcement, closes loophole in copyright registration process, funds the Department of Justice to add agents familiar with intellectual property theft. Allows courts to decide if a new, updated version of a recording or film, such as an enhanced DVD, is a distinct work having independent economic value.</td>
<td>Introduced Nov. 21. No hearing this session.</td>
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<tr>
<td>Anti-Counterfeiting Amendments, H.R. 3632.</td>
<td>Reps. Lamar S. Smith, R-Texas</td>
<td>Strengthens civil remedies against counterfeiting copyrighted sound recordings and computer software, especially the use of stolen certificates of authenticity that incorporate special ink, holograms, or computer-readable numbers.</td>
<td>Introduced June 2, Subcommittees hearing held June 17. No committee hearing this session. Senate session June 21. No hearing.</td>
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<tr>
<td>The Piracy Deterrence and Education Act. H.R. 2517.</td>
<td>Reps. Lamar S. Smith, R-Texas</td>
<td>Enhances criminal enforcement of the copyright laws, and educates the public about the application of copyright law to the Internet and clarifies authority to seize unauthorized copyrighted works.</td>
<td>Introduced Nov. 1. No full committee hearing this session.</td>
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<tr>
<td>The Public Domain Enhancement Act. H.R. 2601.</td>
<td>Reps. Zoe Lofgren, D-Calif.</td>
<td>Allows abandoned copyrighted works to enter the public domain after 50 years. Requires that U.S. copyright owners pay $1 to maintain their copyrights 50 years after publication. If not, the copyright expires and the work enters the public domain.</td>
<td>Introduced Jan. 28. Committee hearing, but no Senate floor action this session.</td>
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<tr>
<td>The Benefit Authors Without Limiting Accession or Net Copyrights Act (BALANCE), H.R. 1066.</td>
<td>Reps. Zoe Lofgren, D-Calif.</td>
<td>Ensures consumer ability to enjoy legally purchased digital copies of books, music and movies by being able to use them legally on cross-platforms. Bill also ensures that the fair use exemption to the Copyright Act applies to analog and digital transmissions.</td>
<td>Introduced Jan. 7. No hearing this session.</td>
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<tr>
<td>The Competition in Radio and Concert Industries Act. S. 221.</td>
<td>Sen. Russ Feingold, D-Wis.</td>
<td>Aids consumers, small radio station owners and concert owners by prohibiting such anti-competitive practices as pay-for-play by radio and such concert owner giants as Clear Channel.</td>
<td>Introduced Jan. 28. Committee hearing, but no Senate floor action this session.</td>
</tr>
<tr>
<td>The Digital Media Consumers' Rights Act. H.R. 107.</td>
<td>Reps. Rick Boucher, D-Va.</td>
<td>Protects the fair-use rights of users of copyrighted material and allows consumers of digital media to maintain personal copies for their personal consumption. It would also limit the scope of anti-circumvention laws to copyright infringement.</td>
<td>Introduced March 4. No hearing this session.</td>
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**Roundup Continued from page 6**

...continue page 6
The Public, Given The Chance, Will Adapt To Something That’s Good

BY MELINDA NEWMAN

LOS ANGELES—Chances are Phil Ramone has produced the soundtrack to your life—literally.

Dubbed the Pope of Pop by his peers, the nine-time Grammy Award winner is one of the modern music era’s most enduring, influential producers.

Possessed with golden ears, he has worked with music’s elite—Barbra Streisand, Quincy Jones, Bob Dylan, Paul Simon and Rod Stewart, to name a few—but he takes just as much pleasure in producing a newcomer like up-and-coming jazz sensation Peter Cincotti.

He’s also been a technical pioneer: He was the first to use a solid-state console, the first to record in Dolby optical surround sound and the first to use the EDNet fiber optics system that enables producers to record tracks in real time from different locations.

As if all that were not enough, he’s also responsible for one of his history’s most enduring images: He was the musical producer for Marilyn Monroe’s performance of “Happy Birthday” at President John F. Kennedy’s birthday party.

A musician since he picked up the violin at the age of 3, Ramone attended Juilliard on a scholarship. He switched from performing to engineering as his horizons expanded beyond classical music. He then made the move from engineer to producer and has been behind the knobs for five decades.

Ramone is now producing the music for “Beyond the Sea,” the forthcoming biopic on Bobby Darin starring Kevin Spacey. He just finished serving as music director for “The Boy From Oz,” the Broadway play about the life of Peter Allen, starring Hugh Jackman.

Cincotti describes Ramone as the kind of producer “who manages to extract and capture an artist’s best musical work without the artist even knowing it.”

Q: You engineered Bob Dylan’s “Blood on the Tracks” and produced Billy Joel’s “The Stranger.” Did you know they were going to be huge records?

A: Not for the longevity, no. I think you and the band may feel enthusiastic and think, “Wow, that feels like a hit,” and that’s all you get to say. And then people from the record company come over and say, “There’s your hit.” That’s what people used to say about it. They weren’t afraid to say, “That song,” but now it’s too dangerous. But to say something 25 years ago I would last! No. When I went to opening night of “Movin’ Out,” Billy [Joel] and I looked at each other and I said, “Did you ever think?” And he said, “Of course not.”

Q: You produced both of Rod Stewart’s Great American Songbook collections, as well as the album by Peter Cincotti. Why are standards making such a comeback?

A: Over the last 10 years, certainly people decided to look at the classic repertoire—certainly the success of duets with the Sinatra records [which Ramone produced] opened a bunch of doors to look at the music.

I think we then went through a long singer/songwriter period, and then we didn’t look at anything but what was current... [Then standards were] too typically covered, in my opinion. They felt like covers of an idea. I don’t see that anymore. I think people have seriously taken on a stance. People like Norah Jones, Peter Cincotti, Diana Krall, Michael Bublé. You know music survives much further than people give it credit. And I think the public, given the chance, will adapt to something that’s good.

Q: Why do you think Rod Stewart’s collections have done so well?

A: You come on with this music and it has its own elegance and it’s romantic, but it can’t be 2 a.m. in the morning with a guy’s tie undone singing in a nightclub. It can’t be elevator music. So the assignment is, you know, going to be a bit of a pain until you get it right. But Rod’s really easy—you know, he

Q: How do you decide with whom to work? You seem to enjoy working with newcomers as much as superstars.

A: If you believe that the artists are genuine and they are so involved with their passion for music, it inspires you. You can only mentor somebody if they want to be. If they have other preconceived ideas or they have formulas—I’m very afraid of formula—I just think it’s tragic because it burns so quickly and the candle is out for somebody in two to three years. If you’re working with really talented people, they have longevity, and I think that’s part of what I look for.

If an artist wants to work with me because they feel I’ve made some credible albums and there’ve been things that are long lasting, it’s because those artists took the time and we built an idea.

Q: Given the growing popularity of downloaded singles, are you concerned that producers won’t be able to concentrate on making full-length albums anymore?

A: That’s like saying we’re going to the movies and there’s only short subjects. That’s not true. A good trailer will make you come to a good documentary.

I think the art of the album cover. the 12-inch version, gave you something that was visual but also touchable. It added a whole other effect. If you were high-class, you didn’t want a player that played by itself, you won over and put the stylus down very neatly, you lit up a cigarette or a joint and had a glass of wine. I mean, there was a whole ritual. Well the ritual is gone, so what is the next ritual? The next ritual is taking something. People have appetizers, and if it’s worthy, you like the four or five appetizers, you will want that book, that movie, that finished album.

Q: You’ve been part of the music industry for decades. Why are we having such trouble now?

A: If somebody said to me, “What went wrong?” I think it’s when we have to make these quarterly [numbers]. Sometimes a record company would go go go six months and then hit one out of the park so the rest of the year was taken care of. But if April doesn’t work, and June doesn’t work, and July, August, September, and if you don’t have the fourth quarter, you’re out of the business.

What’s happened to January, February, March, April? That’s when I like to put a record out, because that’s when you can quietly sell to an audience. [Labels say] “Well, they don’t have any money after Christmas.” That’s not true.

Q: How have the changes in technology affected studios and producers?

A: Strangely enough, in the last four or five years, technology just took a huge leap forward and cut itself in half with cost. I feel bad because a lot of studios are complaining they spend lots of money on consoles and the rooms, and suddenly the guy around the corner is making a record of high quality with Pro Tools or any of these high-tech stations. But guess what? The person behind it has to have good ears, and the person in front of the mic better be talented.

Q: Over the past 10 years or so, you moved away from rock. Was that a conscious decision?

A: No. I didn’t hear anything. I was developing some rock bands at N2K when it got sold. I was kind of discouraged to turn around and start all over, so that’s when I came up and met with Peter [Cincotti]. If you follow anything that I’ve ever done, I never stick to one thing more than one year. I’m just afraid to get typecast. No, I’m looking for a band, I’m always looking for that.

Q: So you would love to do a really great rock record.

A: Oh, in a minute.
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