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Digital Download Not A Public Performance

BY JONATHAN POTTER

In a November 2000 joint hearing of the U.S. Copyright Office and the Department of Commerce, BMI general counsel Marvin Berenson, speaking for ASCAP and BMI, made an eye-popping claim—that a digital song file e-mailed from one person to another but not opened by the recipient or ever heard by human ears is a "public performance" under the law and may require a royalty to music publishers. A senior Copyright Office official responded quizzically, "You realize how intuitively that seems to be absolutely wrong?"

The idea that an unperformed musical work could somehow qualify as a public performance surprised most observers then and it has not seemed absurd today. On Feb. 28, in federal court in New York, music industry stakeholders filed in a case that will finally determine whether Berenson was right. A ruling is likely by May.

This court case is significant for producers, distributors and retailers of all media that involve music, including motion pictures, TV programs and videogames. ASCAP's biggest concern is their greatest opportunity is not the performance right in distributed sound recordings, but rather the playout public performance right in the aforementioned formats. ASCAP is not entitled to a public performance payment when a movie is rented at a Blockbuster or received from Netflix, but is maneuvering for payment when that movie or a TV program is delivered over the Internet for the same purpose.

Since the Digital Media Assn., (DiMA) formed in mid-1998, we have challenged the idea that digital downloads of musical works—in addition to being reproductions and distributions that our member companies license and pay royalties on—are also public performances. "Double dipping," we claimed, makes no sense. Surely the law must reflect logic and parties' intentions—that a download delivers a possession experience (e.g., for use, copy making) that implicates reproduction and distribution rights like those in a CD and a DVD, and a stream is a fleeting listening experience that implicates only the public performance right. It matters not if the download is permanent or temporary, or if the stream is preprogrammed or on demand. Nonetheless, unsophisticated companies fearful of potential infringement lawsuits agreed to pay ASCAP and BMI for "public performances" that purportedly exist in song downloads. Some ringtone providers reportedly pay 4% or more of their revenue for a license to exploit phonograph performance rights. Even after the U.S. Copyright Office ruled in 2006 that ringtones are distributions, ASCAP and BMI insist that ringtones are also public performances, and some companies continue paying.

Finally, and thankfully, a federal court will decide this issue, and stakeholders have presented their definitive legal arguments, which are worthy and are quoted below. DiMA—along with the RIAA, the cell phone industry, music, videogame and game store associations, and the consumer electronics industry—make a simple argument: to qualify as a public performance the song must actually be performed. And a song is performed only when it is actually heard by human ears, or at least rendered perceptible to human ears if there is anyone in proximity capable of hearing the song. In contrast, ASCAP, BMI, songwriters and their Canadian friends at SOAC offer tortured legal interpretations and policy arguments to justify their bold legal claims: "A download is intended to be performed, so of course it creates a performance right obligation."

But if this were true, then CDs and DVDs would implicate the performance right, because packaged media (like downloads) are acquired with the intention of future performance. Moreover, post-purchase performances are private, a copyright extends only to public performances, so this argument fails completely.

It is not the download itself that is considered the public performance, rather it is the transmission of the download, because the Copyright Act defines performances as including all transmissions of performances regardless of the means of transmission or means of receiving the transmission.

Here the performing right organizations argue that the transmission is itself a performance, regardless of whether the transmission is of a performance. Likewise, performing right organizations claim that every transmission of the work is a transmission of a performance. But if a distribution of a work is itself a performance, how does this differ from when the bits are beamed physically on a plastic disc and the disc is transmitted by U.S. mail, right to a retailer to a consumer? Again, this suggests that performance occurs even if the work is never performed, which defies logic.

But the United States does not have a Canadian-style right of communication, just as we do not have European-style moral rights or artistic rights, or a "making available" right. The Copyright Act defines very explicitly the six rights within copyright, and if the Harry Fox Agency or the publisher has licensed the right of reproduction and distribution, there is no additionally imputed transmission right or making available right in U.S. law that justifies imposing a second royalty just because the distribution is electronic. As broadcast, cable and satellite distribution decreases and direct-to-consumer digital distribution of media increases, true public performances occur less frequently, and private distribution and private performances increase. For consumers this is a great opportunity to personalize media consumption, which they have proved willing to pay for. For music publishers this transition should be positive or neutral, as long as public performance royalties will be offset by increased synchronization revenue. For ASCAP and BMI, however, disruptive and dynamic business models are quite threatening. But law rather than fear will prevail if the judge remembers these two simple propositions: Performances must actually occur, and they must actually be public performances to justify a royalty.

Alternatively, the performing right organizations and SOCAN argue that the U.S. performance right is equivalent to the Canadian "right of communication," which has been interpreted to be a right of transmission that justifies a royalty when downloads are transmitted.

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OPINION EDITORIALS & COMMENTARY LETTERS

‘Double Dip’ Dilemma?

Jonathan Potter is executive director of DiMA (digimdia.org).
Summer Rock Festivals Wind Down Their Talent Search

After a feverish run of talent hunts, this is what the U.S. rock festivals are finding the acts they’re looking for.

The headliners alone are impressive. Coachella (April 27-29, Indio, Calif.), has Red Hot Chili Peppers, the brainchild band of the Machine, Bonnaroo (June 14-17, Manchester, Tenn.) boasts the Police, Tool and Widespread Panic. Lollapalooza (Aug. 3-5, Chicago) doesn’t announce its lineup until April, but published reports already put Pearl Jam on the bill. The Austin City Limits fest (Sept. 14-17) won’t be announced until this summer.

It’s a process that begins before Christmas. “Lollapalooza was over in August, and we started booking the next one in October,” says Charles Attal, president of Charles Attal Presents (with Capital Sports & Entertainment), and talent buyer for Lolla and ACL. “About this time of year we’re pretty much finished.”

The festival market is arguably the healthiest part of U.S. concert business, a trend that has held forth in Europe for years. “The festival marketplace is extremely robust around the globe,” says William Morris agent Kirk Sommer, who works for such acts as the Killers and Paolo Nutini. “Many of them are blowing out on sale, some even without a disclosed lineup.”

So when the heavy buying begins, the heavy buyers start bunging into each other. “This year more than years past there were more conflicts with scheduling with Europe festivals that happen in May and June,” says Jonathan Mayer, president of Superfly Presents, co-producer of Bonnaroo with A.C. Entertainment. “Between us, Coachella, Lollapalooza and ACL, we’ve spaced them out enough where you could have your own unique lineups.”

With nearly 400 acts among the four festivals, though, some overlap is unavoidable. “Exclusivity is always preferred, but it’s probably just promoter ego,” says Paul Tollett, president of Golden voice, producer of Coachella. “Lolla and Bonnaroo are thousands of miles away from Coachella, the exclusivity doesn’t matter much to the fans.”

Each festival is relatively aware of what the others are doing via the concert biz grapevine. “This is such a small business, so through the agents, managers and other promoters you get a sense of key acts playing other events,” Mayer says.

There have been instances where bands have played all four festivals. So far, though, there hasn’t been much duplication of headliners. “There are only so many bands, so we may end up overlapping headliners one day,” Attal says.

Attal adds that the producers of the “big four” are friendly, “even more than most concert promoters are friendly.” But that doesn’t mean they tip their hands about who’s doing what. “We talk all the time on the phone about strategy and projects, but we don’t talk about what we’re doing with our own festivals. After it’s done and booked, then we get on the horn and laugh at the word, playing the pokers hand and what they were trying to look.”

“If the festivals weren’t doing well, it might be a different story,” Attal says. “But all of them are sold out.”

Each festival strives—and so far has managed—to keep its own musical identity. For Coachella and particularly Lollapalooza, that means being as cutting edge as possible. “We have to keep to our model, the core of the music festival, which is the nicheier bands,” Attal says. “If we start chasing headliners, then we’re going to be in trouble.”

“We don’t build from the top down, we build from the middle up,” he says. “So by the time we’ve got our headliners, we have 50 or 60 bands in the guts of it.”

Bonnaroo, now in its sixth year, has gradually shifted away from what began as a jam/roots bill. With a growing softness in the jam-band scene, Bonnaroo went with a more mainstream/independent bill. It was a calculated risk that paid off with an advance sellout in 2006. “We felt we took a really good step last year, and we wanted to continue to open up the lineup, so yeah, that was a conscious decision,” Mayer says. “We set out to create a music festival, not just one particular genre of festival.”

And, as with the other big fests, the lineup is being re-watched at the box office. Bonnaroo tickets are selling strong out of the gate, up 20% over this same period last year, and the Fo-
A federal judge in Chicago handed Hawthorne Heights a partial victory over Victory Records March 1. Judge James Moran held that Victory Records does not hold exclusive rights for the band's recording services. Simply put, it means the band could record for any label. Band members sued Victory last August, asking the court, among other things, to declare that their recording contract with Victory was nonexclusive.

Eleven record companies, including four international majors, are suing Beijing-based Yahoo China operator Alibaba for violating copyrights. The lawsuit, which seeks damages of $5.5 million yuan ($711,288), was filed in Beijing No. 2 Intermediate People’s Court in early January, according to IFPI. Asia regional director Maysee Leong. She says the IFPI, which is representing the 11 companies, waited for the court’s official decision this week to hear the case before going public with the labels’ decision to sue Alibaba. Yahoo China is accused of providing “deep links” to Web sites offering such unauthorized content as MP3 downloads, lyrics and ringtones.

The number of U.S. households with videogame consoles has jumped 18.5% since 2004, according to research from Nielsen Wireless and Interactive Services. In fourth-quarter 2006, there were 45.7 million homes with videogame consoles, a penetration of 41.1%, compared with 39.1% from the same period in 2005 and 35.2% in 2004.
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MTV EMBRACES NEW WEB STRATEGY

MTV Networks is pushing a new Web strategy to win back young viewers from the likes of YouTube and MySpace. The network, which already has 150 Web sites in 162 countries, plans to build literally thousands more, hoping to draw viewers by letting them watch, contribute and even re-edit its TV shows. It aims to build Web sites related to every personality and aspect of its shows, hoping to catch viewers on the Internet and on mobile phones.

ASCAP REPORTS RECORD REVENUE

ASCAP has reported record revenue of $785 million for 2006, royalty payments to members of $680 million and an all-time low operating expense ratio of 12%, the performing rights organization revealed March 6. Revenue exceeded 2005’s by $37 million, showing a 5% growth. Total royalty distributions to members also increased from the prior year by $34 million. Overall in 2006, revenue from Internet and wireless license agreements grew more than 70% to $13.6 million.

ASCAP, HILL REVIVE SOUL2SOUL

Country superstar couple Tim McGraw and Faith Hill will reprise their Soul2Soul Tour on a 33-date summer trek beginning June 6 in Omaha, Neb., and wrapping Aug. 10 in Anaheim, Calif. This year’s arena jaunt includes first-ever Soul2Soul performances throughout Canada. Tickets for Jeep Presents Soul2Soul Tour 2007 will go on sale March 16 in Canada and March 17 in the United States.


MATA MOVES UP

Cindy Mata has been named director of business development/Eastern sales for Billboard. In her new role, she will develop new and strategic business partnerships for the Billboard brand. Mata will also continue to serve as East Coast advertising director for Billboard, handling endemic business for Billboard’s print, online and event sales including record labels, music publishing, music TV and radio.

Mata is based in New York and reports to Billboard VP/associate publisher Brian Kennedy. Prior to joining Billboard, Mata was regional marketing/promotion manager for Elektra Entertainment Group in Miami, where she managed radio promotion and marketing of artists. She began her career at Columbia Records in New York.

"Since joining Billboard, Cindy has had a stellar track record as a leader in advertising sales handling a wide variety of clients," Kennedy says. "Cindy’s skills, experience and knowledge of the business make her an industry leader."
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Whoopi Goldberg surrounds herself with little formality, so the conversational, down-to-earth bent of her nationally syndicated radio morning show, "Wake Up With Whoopi," is what fans have come to expect. The show, distributed by Clear Channel-owned Premiere Radio Networks, airs in 12 markets, including four of the top five.

The Grammy, Academy, Tony, Emmy and Golden Globe Award winner has been a public figure for more than 20 years, but she obviously regards her new gig as seriously as anything she has ever taken on. Since the show launched last August, individual stations have seen overall audience growth of more than 30%, while the total number of listeners 12+ has swelled 30% to 1.55 million, according to Arbitron.

During a face-to-face interview, she guided this reporter into the cement stairwell 20 paces from her radio studio on the 18th floor of a midtown Manhattan skyscraper, where she could steal the occasional smoke.

**Who do you aim to reach with your show?**
I don't listen to talk about demographics. It doesn't have anything to do with the reality of the moment. I don't know who the audience is, but somebody's listening because people keep calling. That's all I depend on. My job is to talk for four hours and try to be amusing.

**What sort of reaction have you gotten from listeners?**
People stop me on the street and say it's nice to hear a show their kids can listen to. They know now that I'm not going to bumboose them and throw something in that's going to make them uncomfortable driving with their kids.

**How has the radio industry perceived you, as one of few women taking on the medium—and a celebrity—dipping into broadcasting?**
I know that there's been very little faith, except with [Clear Channel senior VP] Jim Ryan [who hired Goldberg and placed her on WKTU New York] and the folks at Clear Channel. People have their idea of what celebrities are and, unfortunately, I'm kind of painted with a celebrity brush.

Obviously, your extemporaneous skill as a comedian must lend itself to broadcasting. I don't come from just the world of films. I'm from the stage, where I communicate as one person to a group of people out there. I'm writing my stuff, and if things go wrong, you handle it.

Tell me about your history with the radio business, as well as the competitive landscape that you've already come face to face with.
I've always had radio people in very high esteem. Back in the day you listened to [RB] WWRL [New York] and then went over to [top 40 WINS] 1010 before they went to news. Everybody listened to music because we all carried a transistor.

There's this small contiguous out there that feels I've infringed on their space. I've been a star for 26 fucking years. I don't need to prove that or compete with anybody. I wasn't prepared for the negative, the nastiness. I've loved Howard Stern for years, but he made a comment on his show, and I wrote him and said, "I haven't worked in three years. Do you realize there is no safety net for me? You have satellite, but I didn't have anybody, so, yeah, I am glad to have a job, honey. What's the matter with you?" And he went on-air the next day and said, "You know what? I got a note from Whoopi, and I'm really glad she's doing this."

**What's your response to those who question your long-term commitment to getting up at 4 a.m. and sitting in the studio all morning?**
This is my job. Why would I take it any less seriously than anything else I have done? I have to prove myself over again, and that's fine. That's what I signed on to do. There's no other singular female voice in the morning, so we have our niche. Hopefully, we'll be able to make it last a little while. …

**Talking It Out**

Labels Set To Compare Notes On New Biz Models At SXSW

On March 14, more than 15 independent labels are having showcases on the first night of the South by Southwest music conference in Austin (see story, page 33). By the time SXSW is scheduled to conclude March 19, about 80 Indies will have sponsored an evening showcase.

Judging from that lineup, and taking into account the first few months of 2007, it would be easy for even the most casual music fan to conclude that all independent labels are alive and well. Explosions in the Sky, Menomena, the Shins, Jesu, the Arcade Fire: Indie acts are all over the Billboard charts. But business is far from rosy for everyone.

"If it were five to 10 years ago, we would have sold three times the amount of records we're selling today," says David Katznelson, president of Birdman Recording Group. "I really do believe that—100%—based on the press we get today. But maybe the indies doing well are doing something I'm not doing, which is why we're having this talk."

The talk that Katznelson is referring to is the "Idiots United!" panel he's leading at SXSW on March 15. He's hoping that with the likes of Jeff Castelaz, president of Dangerbird Recordings, home of indie band of the moment Silversun Pickups, and Scott Booker, Flaming Lips manager and co-founder of management/marketing firm/label group World's Fair, alternate business models for indie labels will be discussed.

Booker already has some polarizing opinions. "I take a view that many managers argue is probably not so good, like the idea of streaming records and flat-out giving them away," Booker says. "I see it as a way of promotion. I was trying to talk to Warner Bros. to give away the last Flaming Lips record. It's not that they weren't agreeing with me, but they just could not do it. I think we need to give away 20 million Flaming Lips records online in order to sell 1 million physical copies.

For a Flaming Lips fan, such a concept must sound delightful. But it views the album as a promotional tool to expand the brand of an artist, a concept indie labels may not yet be ready to embrace as it requires a slightly altered business structure.

Booker also manages some developing acts, including British Sea Power, signed to Rough Trade, and Colourmusic, an irresistibly melodic psychesedelic pop band signed to World's Fair's newly formed indie, Great Society. (The band is performing March 16 at the Co-Op Bar.)

Indie labels that cringed at the idea of giving away 20 million records will be relieved to know that Booker's ideas for developing acts are not so extreme. In fact, as much as he supports the streaming of music and the subscription model, he admits he probably wouldn't work on a smaller, more indie scale.

"On the other side of it, a subscription service would make no sense for a band that no one knows about," he says. "Who is going to want to subscribe to that? You do need someone along the lines of a Flaming Lips, or an EP or an Arcade Fire—someone who's at a level where people are going out of their way to try something new."

And Booker has theories on how to create that interest.

"Colourmusic are in a position where we can do some interesting things," he says. "We've gotten some stuff on YouTube, but bands have to be creative and not just in their music. They have to put together some resources that are not just a bio, a photo and a CD. The resources today have to include hilarious or thoughtful videos and ideas and concepts. We need something visual that makes people identify with them as a group."

Booker notes that World's Fair, which manages such artists as indie rocker EI-P and indie rock act Pela, aims to specialize in taking bands from zero units sold to 50,000 units. But the word "units" is open to interpretation in the new Web-driven economy.

"The Web might not make things easier to get from zero to 50,000 CDs sold," Booker says. "It might get you closer from zero to 50,000 things sold, you see what I'm saying? The Web may not be the thing that helps people sell CDs as much as it is the thing that helps brand the band as an entity. But then you have a band that sells 50,000 records can make a great living, if you throw in ticket sales and merch sales and those things."

It's a line of thinking that sees the indie label of the future looking more like a management firm of today, and with Nettwerk CEO Terry McBride—an outspoken proponent of such a concept—also speaking at SXSW, it's a theory sure to be heatedly debated. And for those who worry that such a direction entails giving away too much content, Booker offers the following advice: "For the baby bands," he says, "you're lucky if someone pays attention at all…"
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We'll Miss You

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Disc Manufacture Confronts The Digital Age

Heading Into IRMA Conference, Replication Execs Are Bullish About Their Business

The 37th annual International Recording Media Assn. (IRMA) Conference, to be held March 12-14 in Indian Wells, Calif., will focus on the future of disc manufacturing in the age of digital entertainment downloads.

Following a keynote address on "the evolution of DVD to next-generation formats and the rise of digitally distributed content" from Warren Lieberfarb, chairman of Los Angeles-based consulting/investment firm Warren Lieberfarb & Associates, scheduled programs will concentrate on challenges companies face and opportunities available in digital delivery and with high-definition (HD) discs. The forum's second day will kick off with the address by special guest Nick Fleetwood, who will discuss maintaining the Fleetwood Mac brand for more than 40 years.

The conference is being held in an environment where the face of disc manufacture is rapidly shifting, judging from research by Understanding and Solutions. Worldwide CD production in 2006 was 12.5 billion units, off nearly 5% from 13.18 billion the year before. And global CD output is expected to decline nearly 18%, from 12.5 billion to 10.2 billion discs, between the end of 2006 and the end of 2008.

"But meanwhile, last year's 7.9 billion DVD replication total represented a global increase of more than 11%. The North America region, hardest hit by digital music downloads, couldn't offset its 9% CD production decline with a 4% increase in DVDs; overall, discs manufactured last year in North America dipped 2.3% to 5.943 billion. But during the next two years, the North American industry is expected to receive most of the initial production activity for the new HD Blu-ray (BD) and HDDVD formats. And the long-range forecast for HD digital optical discs looks bright: A new research report from Informa Telecoms & Media forecasts 151 million HDTV homes worldwide by the end of 2011, more than tripling the 48.2 million at the end of 2006.

Leading North American replication executives express optimism about the new HD discs' role in the music, movie and game business. "We clearly have a strong position in BD with our launch of [PlayStation 3] last year," says Geoff Campbell, VP of strategic business development for Sony BADC. "Most important, consumers see this as a multimedia entertainment device."

"We see a lot of people buying Blu-ray players for movies, not games," adds JVC America senior VP Brad Springer, whose company manufactures HD DVD product in Tuscaloosa, Ala. "We have accounts that will use HD going forward and expect to take advantage of the opportunities that BD and HD DVD will present."

Disc manufacturers have been responding proactively to meet the digital challenge as well. "We're heaftily into BD on the disc itself as an acquisition medium for digital services," Campbell says. "When American Eagle Outfitters offered 10 music downloads with a $75 purchase, they used our disc for the downloadable access."

"Obviously downloads are here to stay and will probably increase, with music most affected," Springer says. "We're focused more on games today as one of three official Xbox reproducers, and with PC we see a definite swing to BD. We don't see a major download impact on software or games."

Ultimately, disc replication executives are confident their field will survive. "Some physical product features will always appeal to the consumer, like package graphics or a Web-enabled disc that gives you first crack at getting concert tickets," says Andrew DaPuzzo, VP of the audio and digital services marketing unit at Sonopress. "And the gift aspect of a physical album or movie will always be there."

"Consumers still want the highest quality level you only get from a CD album or DVD movie," Cinram CEO/IRMA chairman Dave Rubenstein says. "All these downloading, video-on-demand experiences are not that great, and we'll be replicating for a long time."**

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GLOBAL BY NYAY BHUSHAN

ROBBIE GOES TO BOLLYWOOD

International Acts Target Indian Market

NEW DELHI, India—More bhangra means more bucks—that's the mantra for a growing number of international acts targeting the emerging Indian market via associations with the country's dominant Bollywood scene.

Robbie Williams—a global superstar everywhere outside the United States—is the latest international artist to boost his profile on the subcontinent via a remix project featuring iconic Bollywood vocalist Asha Bhosle. Two tracks from Williams' back catalog—"Rock DJ" and "Better Man"—were released exclusively as mobile downloads in late January, priced at 20 rupees (45 cents) each.

The tracks are also being used in TV commercials for Sony Ericsson's new Walkman mobile phones, which come with the tracks preloaded, and EM India India says the remixes may end up on a Bollywood soundtrack.

No sales figures are yet available, but insiders expect the TV exposure to fuel sales. Leading Mumbai-based Bollywood soundtrack composer Shameer Tandon, who composed and produced Bhosle's contribution, says, "This meeting of cultures definitely widens the audience for a foreign artist."

Mumbai-based EMI Records India managing director Sushre Thangiah expects the remixes to also boost Williams' album sales. The tracks' original versions were included on Williams' 2000 album "Sing When You're Winning," which the label says has sold close to 20,000 copies in India. Williams' latest album, "Rudebox," is certified gold in India, topping 10,000 sales since its October 2006 release.

Traditionally, international acts have found it difficult to make headway in India. Local repertoire accounted for 93% of sales in 2005, according to the IFPI, the last year for which figures are available. Bollywood dominates sales, with best-selling soundtracks regularly shifting in excess of 500,000 units.

Experts say the current trend of foreign artists working with Bollywood started with Williams in 2004 when British boy band Blue collaborated with Indian male pop vocalist Shaan on a remix of their "One Love" track, which was used on the soundtrack to Bollywood film "Rahkt" (T-Series). Industry sources estimate the album has sold 200,000 copies.

Another Indian success story is Sony BMG artist Shakira, whose Bollywood-inspired performance of "Hips Don't Lie" at the 2006 MTV Video Music Awards in New York was produced by leading Bollywood choreographer/director Farah Khan, and attracted huge publicity in India after a broadcast on VHI.

Mumbai-based wholesaler Pritam Music director Aslam Lilani says demand from regional retailers rose 25% for Shakira's album "Oral Fixation: Vol. 2" as a result, with a further boost expected from her similar performance at the Grammy Awards, broadcast in India on the Star World channel. The album has since sold 80,000 units, according to Sony BMG India.

Nelly Furtado recently appeared in Mumbai with Bollywood stars at a 15,000-capacity, Nokia-sponsored New Year's Eve gig, and has long targeted the Indian market via remix collaborations with Montreal-based Indian duo Josh.

Mumbai-based Universal Music India VP of associate marketing Sunil D'Sa attributes Furtado's Indian success to her re-edits of videos for "Powerless" and "Man eater" that feature Josh's remixed versions. He notes that Indian radio stations seldom feature international repertoire, "so having a video is very important, since television has a much bigger impact."

New artists are also getting in on the act. Thailand-based Sony BMG artist Tata Young was introduced to the Indian audience via the 2004 soundtrack to hit Bollywood movie "Dhoon" (Vashraj Music), which has sold an estimated 800,000 copies.

"Dhoon" definitely helped Tata," Mumbai-based Sony BMG Entertainment deputy GM Arjun Sankalia says, "which was reflected in her 2004 English [language] debut album, 'I Believe,' going gold."

Young's latest album, "Temperature Rising," released March 8 in India, features a track, "Mila Mila," produced by leading Indian composer Sandeep Chowta.

Meanwhile, Bollywood execs are giving a cautious welcome to the influx of international talent. T-Series VP of marketing and promotions Vinod Bhanushali says the trend offers "no cause for concern" to the local business.

"Whether these collaborations are a temporary phase or here to stay," he says, "will always be determined by their acceptance, both commercially and artistically."
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early Social is long -term solution”

The Japanese Society for Rights of Authors, Composers and Publishers (Jassac) is among the rights holders negotiating with YouTube over unauthorized uploading of Japanese copyrighted content (billboard.biz, Dec. 5, 2006). However, Jassac transmission rights department manager Saito Watanabe confirms it has already held discussions with several Japan-based services about filtering content.

"Some have started screening for unautho- rized content manually," he says. "And some have even stopped offering file-sharing services."

Watanabe says Jassac closely monitors SNS pages for possible copyright infringement, issuing removal notices where appropriate.

But despite the claims by Japanese SNS operators that they police their own sites and independently remove copyright-infringing material, none of the Japanese rights holders contacted by Billboard were able to cite examples of cases where this had actually happened. "We do not know the details of [Mixi’s] system of checking and removing illegal content," Watanabe adds.

According to a Mixi representative, the most popular acts among its music communities during February included pop acts Namie Amuro (Aveex), Kaela Kimura (Columbia Music Entertainment) and Exile (Aveex). Established Japanese artists with dedicated pages on the Japanese version of MySpace, meanwhile, range from metal band Dir En Grey (Fire Wall Division) to female pop vocalist Mika Nakashima (Sony Music Entertainment [Japan]).

However, Japanese labels seem slow to appre- ciate the promotional potential of the country’s SNS operations. Insiders suspect labels are reluctant to cede any control over their artists’ repertoires or image to outside operators.

Tokyo-based leading independent label Aveex launched its own SNS, Mu-Mo Friends (sns.mu-mo.net) in October 2006. "We believe it can be a powerful promotion tool," a repre- sentative says. But he adds, "It’s hard to imag- ine how much of a positive effect other SNS services can have for artists at the present time."

The local arms of BMI, Warner, EMI and Uni- versal have not invested in their own SNS operations as yet.

Enji Tanahashi owns Tokyo-based independent label Inoxia Records, whose roster includes dance-metal band Boris. "I hear that many people talk about Boris on Mixi," Tanahashi says. "That is good for [any] band, as long as no sound or videos are uploaded illegally." However, Tanahashi admits he has personally never logged on to Mixi to observe his act’s exposure.

A BMI Japan spokesman says the company is reluctant to clear content for these sites because no agreements on neighboring rights royalties are yet in place.

Also, he adds, "SNS operators [want] our artists to open dedicated pages in order to secure more views, generating more income from ads there. However, never once have we—or our artists—been offered a share of that increased revenue."

A notable exception to the ambivalence is Japanese music market-leader Sony Music Enter- tainment (Japan), whose domestic pop rosters include such names as Yui and Yuna Ito. The label launched its own music-oriented SNS, Playlog (playlog.jp) in July 2006, allowing users to exchange information about music and rec- ommend songs and videos by acts on SME and other labels.

Industry observers concede that the music business’ relationship with these sites in Japan is at an early stage. However, positive develop- ments are expected. "Japanese SNS services should be able to cut deals with content owners based on a share of revenues," says one indus- try source, who anticipates this resulting in the "same opportunities for new talent to emerge as SNS services have provided in the U.S. and the U.K."

Using such sites to showcase creative work directly to consumers, he suggests, could pro- vide "an interesting alternative to the extremely standardized A&R process that currently ex- ists in Japan."

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GLOBAL NEWSLINE

>>>COMPOSERS CHASE SNS CASH

European copyright societies have asked YouTube and MySpace to speed up their efforts regarding back payments the bodies say are due for unauthorized online use of copyright works.

The International Confederation of Societies of Authors and Composers (CISAC) and European authors’ rights body BIEM—both French-based—have written to the social networking sites (SNS) calling on them to swiftly reach conclusions on content li- censing and remuneration to copyright owners.

In a Feb. 27 statement, CISAC and BIEM said that the removal of SNS works is a problem for the SNS services does not represent the "best long-term solution" for rights holders or the digital firms. Ac- cording to CISAC director general Eric Bapiste, the societies’ goal is "to initiate licensing partnerships that will enable continued growth for these platforms." MySpace and YouTube had not re- sponded to press time.

CISAC represents 217 authors’ bodies from 114 countries.

BIEM represents 46 mechanical rights collecting societies from 43 countries.

—Lars Brandle

>>>EC ORDERS TAIWANESE CD PROBE

The European Commission has launched an investigation into Tai- wan’s alleged copying of CD technology and says it may initiate a World Trade Organization (WTO) suit to stop what it calls an- unlicensed abuse of patents.

Taiwan makes an estimated 80% of the world’s blank CDs and DVDs, but local legislation allows domestic producers to use patents without negotiating a licensing agreement with patent holders like Philips.

Netherlands-based Philips claims Taiwanese producers acted illegally by issuing “compulsory” licenses allowing local pro- ducers to make CDs-Rs for export that Philips said are covered by its exclusive patents. A compulsory license allows a company to make a product without negotiating with the patent owner for permission to use the technology. But under WTO rules, those products cannot be exported.

—Leo Cendrowicz

>>>CORBETT EXITS WOOLWORTHS

Gerald Corbett, chairman of British retail giant Woolworths Group, is exiting after six years in the role. In 2005 (the last year for which figures are available), Wool- worths’ 819 stores accounted for 28.3% of British consumer spending on singles and 11.2% of albums, according to BPI figures based on research by TN5.

Effective June 6, the date of the company’s annual general meet- ing, Corbett will hand over the reins to Richard North. Until 2004, North was CEO of Intercontinental Hotels Group. Previously he had been group finance director at U.K. brewer Bass and clothing retail chain Burton. During Corbett’s tenure, he oversaw Woolworths’ August 2001 tie-up with group Kingfisher and its floatation on the London Stock Exchange.

—Lars Brandle

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Above The Border, Above The Radar
Valentin Elizalde Posthumously Tops The Charts

The video of Valentin Elizalde’s single “Vencedor” depicts him as a ghastly, dead lover modeled after the character in “Ghost,” a movie Elizalde loved. At the end of the video, he visits his own grave, marked by a tombstone that visibly reads: Valentin Elizalde. 1971–2006.

After the shoot, Elizalde asked that the tombstone be broken into pieces, deeming it too creepy.

A few months later, on Nov. 25, he was shot dead by a band of gunmen after playing a gig in Mexico.

If you were a follower of new bands, you would have known Elizalde as an up-and-coming artist with massive potential.

He had never broken the 100,000 mark or cracked the top 20 with any of his albums.

Now, he has 2007’s top-selling Latin album so far, “Vencedor,” out on Universal Music Latino. Since his death, six other Elizalde albums have debuted on the chart, culminating with his albums occupying the No. 1 and No. 2 spots in the March 3 issue.

That feat has been accomplished by only three other artists: Grupo Brynais in 2001 and the late Celia Cruz and Selena, who both climbed those heights after their deaths as well. (Selena actually had the top four titles after she was killed.)

While Elizalde’s new success is directly connected with his death, there’s more to him than that. As the longevity of his sales spurt clearly indicates.

“He was on the verge,” says John Echevarria, president of Universal Music Latino. “We saw steady, steady sales, and a large part was the great appeal he had playing live. He was a man who was very entrenched with his people.”

“He was one of those few acts that could gain men’s respect and women’s adoration,” adds Pepe Garza, PD for radio station KBBE (La Que Buena) Los Angeles.

Elizalde had a rabid following that often fell below the radar of mass media. But he enjoyed heavy airplay on regional Mexican stations and was a phenomenon among a younger generation of regional Mexican fans.

Elizalde’s MySpace page, for example, has nearly 1.5 million views and Universal reports more than 300,000 ring-tones sold since his death.

On YouTube, he has dozens of videos, with several notching nearly two million views.

Elizalde’s Nielsen SoundScan history had never been stellar before, since much of his product is sold in mom-and-pop stores that imported it from Mexico and he never did national TV promotion. Once he died, attention from mass-merchant accounts kicked in big-time.

The sales have persisted, although Universal has taken a respectful stance and maintained a tasteful, low-key promotion.

But audiences remain avid.

Future plans call for a TV homage and the release of a new album timed with the anniversary of his death, as Elizalde left a hefty catalog of recorded, unreleased material behind.

And since December, La Que Buena has been airing a daily, one-hour show titled “Los Immortales” (The Immortals), playing only the music of Elizalde, his father “El Gallo” Elizalde, Adam Chalino Sánchez and his father Chalino Sánchez.

All suffered young deaths.

For a generation that straddles two cultures that still yearn for men as brave as they are romantic, they remain relevant.

Mun2 Gets Fresh In The Fishbowl
Latin Youth Culture Hotbed Orbits Channel’s New L.A. Locale

When bilingual entertainment channel mun2 moved from Miami to Los Angeles in 2005, its goal was to place itself at the center of Latin youth culture.

Now it has literally done that, with the opening of its new fishbowl studio bridging the main thoroughfare of CityWalk, a shopping and dining district packed with Spanish-speaking teens and families.

The 16,000-square-foot, glass-walled production space seats up to 60 audience members and will house several programs including flagship live performance variety show “Vivo,” which spent its last season on the NBC lot in Burbank.

The new space “gives us the opportunity to interact with a lot of passing audience that we can invite for different shows,” mun2 GM Alex Pels says, adding that the location allows for on-the-street interviews and shots from inside and out.

“We can make them part of the show and make them interact with it.”

The new digs near Universal Studios were made possible by NBC Universal, which owns mun2 parent network Telemana. Though the studio raises mun2’s profile in the country’s top Latin media market, it is New York where the channel has greater penetration. Until the recent increased consolidation of the L.A. cable market under Time Warner, a patchwork of cable operators covered the area, each distributing NBC Universal channels under separately negotiated agreements.

“It changes all the time, and we are obviously constantly trying to increase and improve our distribution,” says Lynette Pinto, marketing VP of NBC Universal TV Networks Distribution.

Pinto would not reveal figures showing mun2’s L.A. reach, but said it is seen on cable and satellite in 11.4 million homes.

Competitor MTV Tr3s, which relaunched in September, broadcasts over the air from local affiliates in some markets and reaches 28.1 million TV households.

The move to CityWalk caps a year of milestones for mun2, which added more than 500,000 subscribers in Puerto Rico last summer and pulled in 14 new advertisers, including Procter & Gamble and Mercedes-Benz. The channel launched a TV campaign last month on sister NBC Universal channels like Bravo and had “Vivo” picked up for rebroadcast on L.A. affiliate KNBC.

Pels couldn’t name any product or brand placements associated with the new studio yet, but mun2 is working with CityWalk on promoting the channel’s new home on the strip.

Right now, Pels says, “the main idea is to brand mun2.”

—Ayala Ben-Yehuda

CHILEAN MUSIC FEST MAKES MARK IN SOUTH AMERICAN MARKET

VINA DEL MAR, Chile—The 48th edition of Chile’s Viña del Mar Music Festival consolidated Latin America’s longest-running music fest not just as a week of good shows, but as a major platform in the TV and Latin music industry.

The festival, which took place Feb. 21–26 in the seaside resort of Viña del Mar, brought together 15,000 people every night to the Quinta Vergara amphitheater to see hits.

Viña was also the anchor for several major South American tours, including those by Tom Jones and Bryan Adams. According to festival CEO Ricardo de la Fuente, Viña’s rising importance as a destination for international artists is linked to the coverage it gets throughout the region.

Outside Chile, the show aired in 25 countries, up from 13 in 2006. When reruns are taken into account, some 35 million people are estimated to have watched the show.

Damian Amato, director of Sony BMG Chile, which brought five artists to the event, thinks success in Viña influences the South American market in general, leading to bigger record sales and more shows.

“For many years now, Viña del Mar is not just another concert,” Amato says. “The fact that it is a broadcast and gets so much attention from the media, makes it the most important musical event in South America.”

This year’s edition divided applause equally between Latin artists like Ricky Martin and Gustavo Cerati and mainstream acts like Jones—possibly the biggest success of the fest—and Adams. As is traditional, performers received gold and silver Gaviotas and Anconas (trophies and torches), awarded according to the applause received.

The winner in Viña’s long-standing songwriting competition for up-and-coming writers was Spanish trio Materia Prima for “Cuando Quieras Volver.”

—Claudio Vergara
As we welcome in 1962, it looks like another banner year for singles sales so the record business will just keep humming along. Of course we can’t help but feel a little bit sorry for those companies still based on the album-sales business model, but ... wait a tick ... that would be ... everybody!


All seriousness aside, it is fun for us old-school cats to see our most recent two Coolest Songs in the World artists actually interested in the ancient art of album making.

Robert Schneider from the Apples in Stereo has 24 tracks on the bands “New Magnetic Wonder” but 11 of them are either instrumental or occasional vocal bits and pieces obviously intended to serve as a bridge from track to track. All right, it’s not quite “Tommy” yet, or even “The Who Sell Out,” but we’re getting there.

Schneider is obviously channeling his artistic ambitions through the band, as Pete Townshend mostly does. So hopefully, with this new lineup, Horton has found his Who. Jesse Malin, on the other hand, has decided to approach things from the other side. Having been in the perfectly right rock band at the perfectly wrong time (D-Generation in the ‘90s) he has decided to live the life of the singer/songwriter—which does seem like good timing, the genre enjoying its biggest commercial resurgence since the ‘70s.

As such, the album seems the appropriate form to explore a more complex individual identity that, more often than not, cannot be revealed or explained in one three-minute song (communicating the common ground of a band), but needs a collection of emotional vignettes, cumulative storytelling if you will, to begin to paint the more personal picture.

That is not to say singer/songwriters can’t have hits. Bob Dylan, James Taylor, Jackson Browne and Bruce Springsteen (who has a fabulous duet on Malin’s album) have all done it.

Anyway, we don’t like to make a habit of encouraging this sort of behavior (we should be boycotting Malin until the D-Generation reunion) but he’s outfoxed us, a la Willie Nile, by sneaking into a few marvelous rock tracks that we must reluctantly admit are undeniably great.

In other album news, the White Stripes have a new album done called “Icky Thump.” Ian Gillian, lead singer of Deep Purple, has demanded Sony BMG withdraw a just-released live album of one of Purple’s last gigs, stating, “It was one of our worst concerts ever.” and the new Todd Haynes flick (“Velvet Goldmine,” “Far From Heaven”) will be based on Dylan’s life and will include new covers as well as source material on the soundtrack and Dylan will be played by, wait for it, Richard Gere. Christian Bale, Heath Ledger and Cate Blanchett.

Holy Lennon on Broadway, Batman! See you on the radio.
music

By Antony Bruno

Charting The Course
By Helping The Digital Market, Record Labels Could Help Themselves

Record labels need the digital music market to take off. So why aren't they helping it along? Physical CD sales have been in decline for the last five years, and according to various estimates are expected to fall another 15%-20% again this year. And while digital revenue is on the rise, it is not yet reversing the trend. Sony BMG global digital business president Thomas Hesse says that if physical revenue drops by 15%, digital revenue must rise by 60% to compensate. This year, he expects net revenue to fall. So what are labels doing other than licensing their music to digital services that they hope will become successful? According to many service providers and industry analysts, the answer is—nothing.

“There's no plan, no sense of direction,” one digital retailer executive says. “They're just hoping somebody is going to figure this out for them.”

To date, that somebody has been Apple—its iTunes store commands 70% of all digital music sales and the iPod around 80% of all digital music devices. Yet, record labels are the first to point out that Apple can't reverse their falling fortunes on its own. They need more services selling more music to more people. And although labels have tried to support potential competitors to iTunes, such as Microsoft's Zune bid, these services are merely limping along.

The reason, operators of such services and digital music industry analysts say, is the music industry is not taking an active-enough role. “They're not directly hurting services,” one former digital service provider says, “but they're not directly helping either.”

MARKETING

Record labels are marketing and promotion machines, and could flex that muscle to help drive more users to digital outlets. Yet most of their advertising directs buyers to either big box CD retailers or iTunes.

Even some labels executives think this needs to change.

“We need to take more responsibility for driving awareness and consumption of our own ad dollars and impressions rather than relying on others to do it for us,” Universal Music Mobile GM Rio Caraval says. “We're not doing enough in my opinion. Most of our marketing goes towards selling CDs.”

As digital revenue contributes most to labels' bottom lines, he says, that will change.

SLICING THE PIE

Of course, digital service providers could spend more of their own marketing dollars if they didn’t have to pay labels and publishers so much in licensing fees. This is an old argument, but one that isn’t going away anytime soon.

Gabriel Levy, VP of labels relations at Rhapsoody, says satellite radio providers were able to amass millions of subscribers in a relatively short period of time because they didn’t have to pay any licensing fees. Yet subscription music services do, and as such were able to devote more money to advertising.

And that’s just the existing services. A host of new technologies and business models are waiting to license music to go public, but are left waiting in the wings as labels work to evaluate the risk potential than the business opportunity.

“The people in charge of these deals are very risk-averse,” Music Choice CEO David Del Beccaro says.

“They’re a bunch of lawyers.”

Label executives say that they make deals as quickly as they can and prioritize their efforts based on which deals will result in the most immediate revenue. But even industry insiders agree that for the long term, the dealmaking process needs to be addressed.

“If we don’t retool our business to accommodate, we're going to miss out,” says Richard Blackstone, senior advisor to the chairman for Warner Music Group.

INTEROPERABILITY

Perhaps the greatest obstacle to the digital market’s growth, though, is that music acquired from any “legal” service other than iTunes won’t work with the iPod.

Apple famously encouraged the labels to sell without DRM to solve the problem, while labels put the onus on Apple to license its FairPlay DRM system to other retailers.

“This is a technical problem with a technical solution,” says Thomas Gevewe, senior VP of Sony BMG's Digital Business Group. “The only people that have a problem with the technology companies who benefit from the situation being closed.”

Yet if labels are serious about forcing Apple to open up its technology, some question why they don’t just pull their music from iTunes until Apple complies. “If you don’t like the way [Apple] is protecting your property, take it away,” dares Jon Potter, executive director of the Digital Media Assn.

Sony BMG digital music services are run by executives hailing from either the software or consumer electronics world, where it is not uncommon for the major companies involved to jointly set the technological standards and other rules governing the sale and distribution of their products. The music industry, by contrast, so far seems satisfied to simply license its content and let the technology industry figure out the rest—a source of increasing frustration among those in the digital space.

How the music industry responds should prove an interesting barometer for how far along the convergence of digital and music has come, and how much further it has to go.

Coming March 26: Billboard's Mobile Entertainment Live conference in Orlando, Fla., part of the CTIA Wireless 2007 conference. Visit billboard-events.com for more information and registration.

BITS & BRIEFS
TONES FOR EVERYBODY

FunMobility has launched a series of ringtone categories aimed at a variety of niche markets and users based on music genre. They include RockTones, RetroTones, LatinTones and ChristianTones.

The company says the rock and Christian music categories have been selling particularly well as ringtones of late, and led to their development as a specific sales channel. The ChristianTones feature was developed in partnership with EMI Christian Music Group.

HANG 'EM HIGH

Mobile game distribution firm Player X is teaming with game developer Hollywood Gaming and EMI Music Publishing to create the “Lyric EMI” game. The game features a “hangman” style theme where players attempt to fill in the lyrics of popular songs in the EMI catalog. Player X will distribute the title through its network of 90 wireless operators worldwide. Additional games based on EMI's publishing catalog are expected to be developed over time.

KEEPING SCORE

Microsoft is inviting unsigned artists to create music-inspired Xbox 360 videogames. Participating artists in the Xbox Soundtracks program will be able to download and score music to a variety of game trailers in May. Completed works will be uploaded to a dedicated Web site and rated by fans. Winners from different countries will receive studio recording time with Universal Music Group. Although the contest does not officially start until May, Scissor Sisters kicked off its promotion by reworking their song “She’s My Man” as inspired by the trailer for the much-anticipated videogame “Halo Wars.”

HOT RINGMASTERS

MARCH 15, 2007

“Outta My System” by Bow Wow soars 2-13 on the strength of a 60% increase, the greatest among all titles in the top 20. The song also enters the top 40 on Hot RB/Hip-Hop Songs (41-37).

ILLUSTRATION BY THOMAS FUCHS
Retail Track

ED CHRISTMAN echristman@billboard.com

Service By The Cup

Starbucks Expands Its Music Strategy

At Billboard's Music & Money Symposium, Starbucks president of entertainment Ken Lombard began his keynote address by reminding audience members why the merchant has a unique status as a retailer. Not only does the chain have 12,000 locations worldwide, but it has 44 million customers, averaging 18 visits per month, he said.

In its most recent fiscal year, Starbucks' revenue totaled $7.8 billion. While music is a small percentage of that total—in 2006 Starbucks sold 3.6 million album units, which by rough estimation is about $65 million in music revenue—it's an important ingredient in the experience the chain offers its customers, Lombard said.

That's a far cry from Starbucks' beginnings in music when Seattle store managers merely made compilations for customers. And the company continues to expand its presence in music, Lombard said, during his keynote, which was in the form of a Q&A with Billboard executive editor/associate publisher Tamara Conniff. The session took place March 1 at the St. Regis Hotel.

The chain's idea of music programming can now be heard 24 hours a day on Starbucks Heat Music digital music channel 75 on XM Satellite Radio. Starbucks also enables its customers to participate in the digital consumption of music and movies through a deal with iTunes, where its Heat Music makes it the only merchant to have a branded location within the Apple site, Lombard said. In turn, iTunes customers have the ability to preview, buy and download a wide variety of popular Starbucks Heat Music titles. Starbucks plans to continue sticking to its strategy of coffee shops carrying 20 music titles or fewer, Lombard said. But it has expanded its offering to include DVDs and books. The chain is selective in carrying those product lines and takes chances on titles because "our customers expect that we will put things in front of them that are a little unique."

Since the selection focuses on discovery, all titles are merchandised with signage that allows customers to learn about the music being carried. In contrast, Lombard noted that at most other merchants music is sold merely as a commodity, with little in the way of service.

Another thing that differentiates Starbucks from other merchants that carry music as a smaller component of their overall business, is that the Seattle-based chain does not use its music, books and movies as a loss leader. "We have to achieve margin," he said. "It has to answer to the [profit] criteria."

Consequently, Starbucks has stopped plans to roll out CD-burning kiosks to its main stores. Instead, it will limit those plans to the media bar it has installed in its Starbucks Heat Music Coffeehouse outlets—which are music specialty stores, combined with the coffee chain's usual snack assortment. Currently, the chain has four such locations in Miami; San Antonio, Bellevue, Wash.; and Santa Monica, Calif., which carry about 5,000 titles. NEW SECTORS: With music specialty retailers disappearing, nowadays the retailer's all about getting your music and video into other types of stores. Sure, the deal can include major label and studio product, too, which the distributor carries through its rack division.

Since it was formed in the '70s, TSC has sold and marketed hundreds of brands in general merchandise, telecommunications, consumer electronics, computers, videogames, housewares, furniture, hardware and office products to a broad range of retailers, including big-box merchants, grocers, electronics specialists and travel centers. The agreement between TSC and Allegro grew out of a test with the Pilot Travel Centers, which caters to the trucking industry.

The latest deal comes on top of Allegro's past efforts to diversify beyond the traditional music and video category. Even before this deal, Allegro sells 50% of its product to libraries and other special-market accounts, according to Allegro chairman/CEO Joe Micallef.
A Cut-Up, Cut Down

Jamie Foxx Flexes His Versatile Touring Muscles, Flex Seating And All

It's likely that no one would describe Jamie Foxx as a quiet guy, but the actor/comedian/singer has rather quietly put together what Mike Evans, executive VP of sports and entertainment for Philadelphia-based venue management firm SMG, calls "the most positive tour of the year."

Evans points out that while the industry frequently talks about flex pricing, the Foxx tour is an example of flex seating. It's playing a lot of arenas with curtaining systems that can move capacity up or down to suit demand. "Everyone tried to figure out a way to make this work, and in reality what it was a producer that wasn't locked into the old way of doing things," Evans says.

Foxx's Unpredictable tour, which began last December and runs through the spring, is produced by Another Planet Entertainment and Bay Area Productions. The tour is innovative in at least three ways: It's the first national production for Another Planet; it's the most successful arena theater configuration tour since buildings have done a phenomenal job with these curtaining systems.

Perloff says the tour is consistently doing 6,000 or more per night, when capacity allows. "There's so much money for the artists than going into a theater, with none of the expense of a full arena," he says. "It has really been a very enlightening experience for us."

Perloff says that since arena capacities were being misleading there seemed to be a general misconception in the business that the tour was doing less than expected business.

"We were setting up these buildings for 4,500 to 5,000 capacity, and we were doing 5,500 to 6,000, selling out our original intent and adding seats," Perloff says. "But people were thinking the tour wasn't doing well at first. Now everyone realizes just the opposite, the tour is doing like 1,000 more tickets (per night) than it was intended to, day in and day out."

There are still theaters on the route. Foxx sold out two Aladdins in Las Vegas for a total of 13,500 people, and in Atlanta we decided to do multiple shows at the Foxx because it's such a fabulous building. We'll probably do 13,000 people there in three shows," Perloff says.

Evans says Foxx has proved a big draw in diverse markets, including Seattle, Fort Lauderdale, Fla., Orlando, Fla., and San Antonio. "By having the ability to do these shows in the cut-down situation, we were constantly monitoring sales and being able to expand in some places," Evans says.

"I give Gregg and Sherry credit, they picked up the slack and came up with a way to not only make it work but make it work in a spectacular fashion." The performance itself is "unpredictable," with Foxx doing 35 minutes of comedy followed by more than an hour of music, including his own hits and songs from the movie "Ray."

"In addition to his Oscar, all the awards and the stand-up comedy, a lot of people don't realize Jamie Foxx is an accomplished musician," Perloff says, adding that touring dollars for an actor of Foxx's stature hardly compare with what can be made playing to 6,000-7,000 people per night.

"He's absolutely doing this tour for the love of doing it," Perloff says. "The revenues financially are nowhere near his film stuff or his TV comedy stuff. Foxx is managed by Marcus King and booked by Rick Greenstein at the Gerst Agency, whom Perloff calls "quick, great with numbers, a good guy who works for his client."

Perloff had similar praise for Bay Area Productions president Lionel Beal, King and Foxx. "It sounds like a press release, but these guys are the most honorable people I've ever met," he says. "What we call in our business the 'green factor' basically doesn't come into play."
In Loving Memory

Sal Bonafede
1932 - 2007

From Dion & the Belmonts in the 1950s to Neil Diamond in the present, Sal left an indelible stamp on each of us. Everyone who knew him has a few favorite stories. Sal was a man who cared deeply about what he did and the people he worked with. A man with an unmatched sense of humor and stories, oh yes, Sal had stories...

We wish to extend our condolences to his family.

Sal, we miss you.
Are Downloads Performances?

ASCAP Wants A Federal Court To Say Yes

The federal court case in New York seemed like business as usual at first: The court periodically resolves disputes over ASCAP rates for performance licenses. AOL, RealNetworks and Yahoo were expecting rates to be set for the right to stream compositions by ASCAP members.

Then in February, ASCAP made a surprise move. It asked the court to declare that downloads also require a performance license.

Currently, digital services pay a performance royalty for streams and a digital phonorecord delivery (DPD) royalty for downloads. The performance license covers the right to "publicly perform" the recorded composition, while the DPD license covers the right to "reproduce" a copy of a recorded song and to "distribute" it digitally.

But there's a distinct difference between digital performance and DPD licenses. The former are negotiable, so publishers have the right to say "no" to a license request. The latter are often compulsory, so publishers must grant the license if the song has been previously recorded and released in the United States. Requiring both licenses for one type of use could increase the cost to companies that want to offer downloads.

So the move by ASCAP, under the leadership of CEO John LoFrumento, is causing quite a stir. Several interested parties filed amicus (friend of the court) briefs in the matter on Feb. 28.

The decision will not be easy. It will require a first-time interpretation of copyright law on this issue and an understanding of technology.

Under the Copyright Act, to perform a work means to recite, render, play, dance or act it, either directly or by means of any device or process. To perform a work publicly means to transmit or otherwise communicate a performance of the work to the public, by means of any device or process, whether members of the public receive it in the same place or in separate places, at the same time (e.g., in a public theater) or at different times (e.g., delayed broadcasts).

Courts have already held that streaming is a public performance. ASCAP argues that there is little difference between a stream and a download today. For both, the "client" computer establishes an Internet connection with the "server" computer. The client or server specifies the digital information to be transmitted from the server to the client, and the client plays or possibly stores the information on the client computer.

Protocols govern how the client and the server communicate to each other. The protocol for downloads delivers information as quickly as possible while correcting any errors that result from the transmission. The protocol for streams attempts real-time delivery, skipping the step of correcting errors. Though they are not identical, ASCAP argues that there is software today that allows music to be played as it's being downloaded or automatically played when the download has completed.

Ultimately, ASCAP argues, there is no other reason to download music than to play the music — so when a service first transmits a download, that transmission is a public performance of the music.

AOL, RealNetworks and Yahoo argue that transmitting a download is more akin to sending a CD to the recipient's home — the download delivers a copy rather than performs the music. They say this is a distribution, not a performance.

The RIAA is aligned with the digital services, arguing in an amicus brief that a transmission is not a performance unless it's capable of being heard during transmission. The group refers to the court decision in the original Napster case that indicated that users who upload files violate the distribution right, while users who download violate the reproduction right. There was no mention of a performance right.

In its amicus brief, the Digital Media Assn., NARM and others argue that ASCAP's position would give CD and DVD distributors an unfair advantage over digital services since they do not pay a performance royalty.

But the Assn. of Independent Music Publishers, Church Music Publishers Assn., Nashville Songwriters Assn. International and the National Music Publishers' Assn. are aligned with ASCAP, emphasizing that rights holders may license each right (distribution, reproduction, performance) separately — and generate revenue from each right — under copyright law.

And BMI explains in a brief that separate licenses are not unusual. For example, music for a TV broadcast requires two licenses: a synch license to reproduce the song in synchronization with a visual image plus a public performance license for broadcasting it to the public.

As more TV programs are offered as downloads, a performance fee for those deliveries would certainly ensure continuing revenue streams to the societies.
Grandmaster Flash & Mele Mel

Two of hip-hop's founding fathers on the eve of becoming part of the first rap act in the Rock and Roll Hall of Fame.

You could spend the better part of a day listing the things Grandmaster Flash & The Furious Five did first: In the embryonic days of the New York rap scene, they were among its first superstars, they helped pioneer the freestyle battle and Grandmaster Flash was instrumental in inventing the art of break-beat DJ'ing. Legend also has it rapper Mele Mel was the first to dub himself an "MC," fellow rapper Cowboy is credited with coining the term "hip-hop." Either way, it makes perfect sense to add them as the second act of the 25th anniversary induction: On March 12, Grandmaster Flash & The Furious Five will become the first rap act inducted into the Rock and Roll Hall of Fame. It was 25 years ago that their groundbreaking single "The Message" helped hip-hop kick down the door into a world of bigger audiences, and in their third year of eligibility, the act—comprising Grandmaster Flash, Kid Creole, Mele Mel, Scorpio, Raheim and the late Cowboy—will join a class that includes R.E.M., Van Halen, Patti Smith and the Ronettes.

And though the Hall of Fame has traditionally played around with the definition of "rock-'n'-roll"—just last year, Miles Davis became a member—it's yet to embrace hip-hop. Part of that is strictly timing: Artists become eligible 25 years after their first recording, which, in the case of Flash & the Five, was 1979's "Superqqqappppp." But there's a satisfying time element to the 25-year anniversary of "The Message," the group's seminal track, which, with its dark, ingratiating hook—"It's like a jungle sometimes/It makes me wonder how I keep from going under"—sold half a million copies in a month and established hip-hop as a commercial and cultural force in the mainstream.

Billboard spoke with Grandmaster Flash and rapper Mele Mel on the eve of their induction.

How did you hear about the induction?
Mele Mel: I sleep with the TV on, so actually in my sleep I heard the woman reporting it. She announced Van Halen and R.E.M. while I was dreaming, and then I woke up to hear her saying, "Rap group Grandmaster Flash & the Furious Five also made the cut."

Grandmaster Flash: There had been two false alarms on it, so when somebody called my house, I didn't take it too seriously, to be honest. But when they told me, I just looked at the phone, hung up and went on my merry way. The next morning I started getting a lot of calls, so I just said, "Note to self: This is it." But it's wonderful, wonderful, wonderful. Later than sooner still beats never. [laughs]

What does this mean to be the first hip-hop artists inducted?
Mele Mel: It validates all we put in as far as pioneering rap music and making it a global thing. We're overlooked because we started so early in the game, before it got corporate and commercial, but being inducted makes people take a second look at who we are. People still know our music, but for some reason these young rap cats and the industry don't really think we're as important as we are. The Rock Hall solidifies it.

The main thing that the induction would do for the industry is force it to grow up. They're trying to make it a little too juvenile, a little too ghetto. Everybody understands the dope part of it, the violent part of it, so now let's get back to the music part. This forces everybody to put a different face on hip-hop as a music-driven culture: It can be a teacher, a star of the community, instead of just an act on the corner.

Grandmaster Flash: So many of the other prestigious associations have embraced hip-hop, but this had been one that sort of hadn't. And as a DJ, it's pretty important. I go in with some of the greatest keyboard players, drummers, guitarists, bass players, horn players, and I go in with my instrument, which is the turntable. So although on one side it's sort of a sore thumb, on the other I'm going in as a special situation. This isn't just Flash & the Furious Five; this is hip-hop going in, the breakdancers, the MCs, the graffiti artists. So it's cool. It's kind of nifty.

Does this lend a validation or acclaim to hip-hop music that it maybe didn't have before?
Mele Mel: It does, but I'm not going to say it's for "hip-hop music." What we could call hip-hop and what it is now is not actually the same music. I think it validates the fact that pioneering groups, traditional groups are the most important ones. The ones that to this day can move hip-hop forward.

Today's music is more stagnant—they've been doing the same thing, saying the same thing, for years. It's not going anywhere. 50 Cent may be in the Rock and Roll Hall of Fame one day, but he won't deserve it. All he did was just make records, and the records made money. He wasn't as influential as Grandmaster Flash & the Furious Five or Run-D.M.C., or Kurtis Blow or Public Enemy. These are the influential groups in hip-hop. That's the bigger movement and the bigger story about what hip-hop is.

Grandmaster Flash: Let's just say that it's the cherry to the validation. I can remember when you couldn't see a hip-hop video anywhere, when other music organizations thought [hip-hop] was just a ship passing through the night. It makes me go back to my humble beginnings. As an inventor, sometimes you invent something and the people say, "No." So thank God they said, "OK, maybe this could be something."

What lessons have you learned from your years in music?
Mele Mel: That the business is the major part of it. We lost a lot of opportunities and chances because we weren't as well-versed in the business side. We were just too busy being the creators and living the life of stars. It never got in the way of my talent, but it got in the way of moving forward as a group.

Grandmaster Flash: That I continue to love this. In some cases, I'm called an icon, but I look at myself as a servant. It's allowed me to go from this little candy store that I made to a huge Wal-Mart-type of candy store, where I've got so much music to play and so many audiences to play in front of—whites, blacks, people overseas, audiences half my age. The lesson is that when you love what you do and you stick with it, it will take care of you. Hip-hop has taken care of me all my life.

What are you working on now?
Mele Mel: We're doing promotion on ["Muscles," his first solo record]. [Wrestling's] always had that hip-hop twist to it, and I'm a part of that.

Grandmaster Flash: I have an album deal! I'm just about to close on. And I'm writing the story of my life, with the guy who wrote the Ray Charles biography, David Ritz. I'm really into these digital DJ applications, these sounds that used to be on the keyboard but are now on CDs. I'm a technology fiend.

GRANDMASTER FLASH & THE FURIOUS FIVE in 1988 (above) including MELE MELE (lower left) and GRANDMASTER FLASH (center); GRANDMASTER FLASH today ( inset).

50 Cent may be in the Rock and Roll Hall of Fame one day, but he won't deserve it.
Martina McBride is both a country music superstar and the Everywoman’s superstar. A 40-year-old mother of three from Sharon, Kan., who has been married to husband John McBride since 1988, she is her audience. That may be one of the reasons that McBride—whose new album, “Wake Up Laughing,” is due April 3—has been one of country music’s most consistent stars during her 15-year career.

Sony BMD Nashville chairman JoeGalante, who signed McBride to RCA Records Nashville and calls her “the best singer in the format,” says she has a unique connection with her fans. “She’s the wife, she’s the mom, she’s the executive, she’s the star. She’s the homemaker. She’s very much the audience, and I think that’s where her heart is, and it also keeps her in touch with everyone,” he says.

Joe Elliot, VP of marketing and artist development for RCA Nashville, says McBride’s median demo is females in their late 30s. “She probably skews higher female than any other artist on our roster and probably any other artist in the format. She’s very much in her demo, and I think that’s why she’s able to do what she does, because she knows how to relate to those people who buy her records.”

McBride also has a “laser focus,” Galante says. “Even though she’s surrounded by all the stuff she’s dealing with, she’s able to focus on what she needs to do. She could have been a mom five seconds ago, but when she’s on stage, she’s giving it all to her audience.”

There are few artists in any genre who can claim a career as consistent as McBride’s. Every one of her albums, except for her first, has been certified either platinum or multiplatinum by the RIAA. She has sold 12 million records, according to Nielsen SoundScan.

In an amazing testament to her career growth, every album she has released—save one, a Christmas project—has outperformed the last when it comes to first-week SoundScan sales. Her most recent, “Timeless,” sold 185,000 copies in its first week. By contrast, “The Time Has Come,” her first record, sold 1,000 units the week of release.

She’s won multiple awards from the Country Music Assn. and the Academy of Country Music, as well as from the Recording Academy. From an airplay standpoint, she’s scored 19 top 10 singles, including five No. 1s on Billboard’s Hot Country Songs chart. She’s also had crossover success. “Valentine,” with Jim Brickman, was her first AC hit in 1997 (see chart, right), and she’s reached the top 10 four times in the format. Her last proper album, “Martina,” released in 2003 on RCA (“Timeless” was an album of cover songs), spawned her biggest crossover success to date, including a nine-week run at No. 1 with “This One’s for the Girls,” and “In My Daughter’s Eyes,” which spent 50 weeks on the chart.

“Martina is highly reliable to a country listener,” says Beverlee Brannigan, PD for country KFDI Wichita, Kan. “She’s an amazing balance of artist, business savvy, mom, smart and beauty—and never in a threatening sort of way for the female audience. And with all that going for her, she continues to grow as an artist.”

Radio has embraced the new release from “Wake Up Laughing.” “Anyway”—the first single off McBride’s has written or co-written in her career—is No. 6 on Hot Country Songs and is simmering below the AC radio chart, though the song has yet to be actively worked at the format. McBride co-wrote three songs on her new project.

Gregg Swedberg, PD for country KEYY Minneapolis, is an admirer. “You get the impression that she is in complete control, she knows what she wants to do and she doesn’t compromise doing it.”

There’s a major media push around the release of the new record. McBride will appear on NBC’s “Today,” ABC’s “The View,” Fox’s “American Idol” and the 2007 CMT Music Awards, among other outlets. “We’re going to have three solid weeks on Martina before we even get going,” RCA’s Elliot says, noting that her album is in stores during a prime buying period, Easter week, and that Mother’s Day is not far behind.

Brian Smith, VP of store operations for Value Music Concepts, expects big things from McBride’s new record. “The buzz is certainly there for her upcoming CD. The single impacted very quickly, and we’ve had fans asking about a release date earlier than most new projects I have been lately,” he says.

Although McBride has had AC radio success in the past, she and the label agree that she’s right where she wants and needs to be. “Maybe getting a little additional exposure at AC radio will help us generate awareness for who Martina is and remind people that she’s had some success at the AC format, but at the end of the day she’s a core country artist,” Elliot says. “That’s what she believes, and that’s whose heart is, and she has no intent of doing anything else.”

McBride, who had the No. 10 grossing country tour in 2006, according to Billboard Boxscore, will kick off a headlining arena tour with rising stars Little Big Town and Rodney Atkins April 12 in Kansas City. The show will feature state-of-the-art technology and a setup that allows McBride to be closer to her fans than ever before. McBride and her team believe the show’s production is a big step forward. “I think people that come see the show will really feel that,” she says.

While McBride laughingly says that she wanted to call the tour “A Guy, a Band and a Chick,” it will likely incorporate the name of her new album, although a final decision hasn’t been made.

Keeping in line with her role as a wife and mother, McBride will tour only on the weekends so that she can be home with her family during the week.

On the sunny March day that Billboard talked with McBride, she was in mom mode—winding her way through the streets of Nashville to pick up two of her three daughters at school. She spoke of her long career, producing her own records and trying her hand at songwriting.

### Platinum Plated

McBride’s upcoming album follows six straight million-sellers.

**Source:** Nielsen SoundScan

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<thead>
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<th>Song Title</th>
<th>First Week Sales</th>
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<th>Peak Date</th>
<th>Peak Date</th>
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**The Billboard Hot 100**

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www.americanradiohistory.com
During her 15-year career, every album McBride has released, except for a Christmas project, has outperformed the previous one with first-week Nielsen SoundScan sales.
You’ve won a ton of awards, you’ve had No. 1 songs, every one of your nine albums except the first one has gone platinum or multi-platinum — what’s still out there that you want to achieve?

I have never been one to set goals — I’ve kind of been one who’s just really happy and content to just take things as they come, and I just sort of feel like if it’s meant to be it will happen. But this year, we are going to be touring for more people than ever, which is exciting to me. I hate to be greedy because I have had such an amazing career, but I would love for these singles to come out and do well at radio, and I would love to have a great year at the [Country Music Assn. Awards]. ... but that’s kind of what you hope for with every record that you put out. I feel really grateful that 15 years into a career I still feel like it’s really growing. I think anybody who starts a career hopes they have 10 strong years and that’s a really big career, and the fact that this far into it we are still growing ... that’s exciting for me.

What do you credit your longevity to?

Song selection, obviously, has played a big part in that. I also think that this career has been really slow and steady. I don’t think we have had peaks over the years. We didn’t really have that exploding-out-of-the-box kind of thing. That is, in my opinion, so hard to keep going for a long period of time. While sometimes it’s been frustrating to not achieve something as quickly as you think you should or whatever ... it’s just been the best way. That slow and steady build we have has allowed us to have longevity when a lot of people have gotten burnt out.

I think when we have done press, we have done it really smart. I think it’s been little bursts of really great press and great television, but not the “everywhere all the time in your face, until everybody is sick of your” kind of thing. And we have built our touring career really slowly. We have had some really smart opening spots and then made the decision last year to really go for it and headline with the “Timeless” tour.

Above it all I think I’ve always really stayed true to myself, which I think people can sense.

Your new album is the second one that you’ve produced by yourself. What was it like producing the “Timeless” album, and were there things that you learned through that process that you brought forward to the new album? The “Timeless” album was the perfect record for me to produce first, because I had that great blueprint with all the music. There were original versions of the songs, and I wanted to stay really true and authentic to those versions. I learned a lot about production on that record, but I kind of had the safety net [because I had] the blueprint of the originals. But this record started from scratch. It was a blank canvas. You can paint this picture any color you want, you can paint any shape or form or whatever. So it was more challenging than “Timeless” for me. Especially with songs that I wrote like “Anyway,” which didn’t even have a demo to base it off of. It was just guitar/vocal. I thought “My gosh, how do I build this record? What instruments do I to use? What tempo does it need to be? What feel does it need to have?”

You have made some great records through the years with Paul Worley. What was it within you that said, “I want to go this alone”?

It just really felt right. I’ve made all my records with Paul Worley, who I adore. He is a mentor to me. I’m sure we will work together again in the future. It just felt like it was time for me to get in there and do it on my own. Probably the thing that’s been easiest for me about that is — or just the thing that has been most beneficial to me is — just working on my own schedule, at my own pace and not worrying about somebody else’s time. If I want to take the time to do things three or four different ways, or if I want to just put it away for three weeks and think about it later ... [I can]. It’s just a blast. I love it.

You mentioned one of the songs that you co-wrote for this album, but you have three on the record. Why is it that you’ve never written a song, let alone recorded it, before now?

For so long people have been saying to me, “You should write, you should write.” And I keep saying, “I’m not a songwriter. I don’t want to write.” I respect the art of songwriting so much that I have never really wanted to attempt it. The Warren Brothers were out touring with me and ... they said, “We are here every day. We don’t have anything to do all day long. Let’s write a song.” And I said, “I’m not a songwriter. I don’t write songs.” They came to me in catering one night with this idea for “Anyway.” “We started this idea for a song. Will you finish it with us?”

And I said, “I love that. I want that song. It’s my song.” And they said, “Well, you have to finish it with us.” So we sat down in the dressing room and in an hour we finished it up.

I love the process of being able to, on the front end, really make the words fit me and kind of put my thoughts into the song. I still don’t have a desire to go to songwriting appointments every day. This is not my passion, but when you get something right and when you hit upon a line and it’s finished and you can look at each other and go, “Wow, that’s really great,” it is a great feeling. I have to say.

You’ve had crossover success in the past. How important is it to you to have your songs played at other radio formats?

It’s nothing I take into consideration when I record at all. I never think about producing a song or choosing a song because I think it would cross over. Ever. But if a song comes over, I wouldn’t be truthful if I said I wasn’t excited about more people hearing my music. [When you make music you want as many people as possible to hear it.]

Last year you worked with some of the contestants on “Canadian Idol” and performed on the show, and this year you’re doing the same thing with “American Idol.” Have you been a fan of the show all along? I actually, honestly, have not watched the show up until, crazily enough, this year.
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I'll miss you.

Jeff Apregan
1932-2007 Though he directed the highest-profile tours, Sal Bonafede was never a guy who sought the limelight. Photos of him are hard to find, no definitive press bios exist, certainly there is no MySpace page. Hell, it's not even easy to find out the guy's full name and date of birth. For the record, it's Salvatore I. Bonafede Jr., born July 31, 1932, in Brooklyn, N.Y. The music business knew Bonafede as Neil Diamond's tour director for more than 30 years. Prior to that, Bonafede managed Rod McKuen, the Doors and Dion. In speaking with friends and business associates of Bonafede, who died at 74 on Feb. 15 at his home in Los Angeles, a picture starts to emerge. It is the portrait of a razor-sharp businessman, a tough as nails negotiator and a fiercely loyal friend. He was also a rare executive. "Sal was probably in some ways the original renaissance man," says Rob Light, managing partner/head of music at Creative Artists Agency. "He was part manager, part promoter, part marketer, part building manager. As a touring executive, he really wore every hat at one point or another in the role he played." Diamond says that he first met Bonafede in the early 1960s: "I was a staff writer in Tin Pan Alley and Sal was knocking on doors for his clients to find material for them."
Diamond was impressed by that first meeting. "He was very serious, very intent on doing a good job for his clients, and I made a mental note to see this guy again," he says.

By the early 1970s, Bonafede joined Management III where, under its founder Jerry Weintraub, he was involved in the careers of John Denver, Elvis Presley, Bob Dylan, Frank Sinatra and others.

"Because Jerry Weintraub relied, to put it politely, on Sal having the answers, he was methodical on details to the point of severe repetition," says Randy Phillips, CEO of AEG Live. "That Management III training stuck with him throughout his career. The word 'no' did not exist except in Sal's vocabulary."

Diamond says that while he and Bonafede's paths had crossed, "we didn't start working together until I signed with Jerry Weintraub as a manager in the mid-1970s. Sal ... did touring for Elvis, Sinatra and Dylan, so I was elated to find I'd be working with him on the tours. From that point on, Sal oversaw every live performance tour that I did."

Longtime Bonafede associate Jeff Apregan, president of Apregan Group, met Bonafede in 1980 as a fledgling hire in the accounting department of Concerts West, the touring arm of Management III. Apregan says Bonafede was an imposing presence. "He was a guy that had been around," he says. "Being involved with the Doors, for example, and some of the experiences that he'd had, he was a very seasoned guy. Especially for someone young, it was great to be around someone like that."

Even after he left Management III, Bonafede remained the director on any Diamond tour. "He organized them, he planned the dates, he worked with the promoters and venues, not only in the States, but all over the world," Diamond says.

"It was definitely more than just business," Diamond continues. "First of all, Sal was a top guy, he was experienced, he was savvy and smart, but he was a hands-on manager, he was always in the trenches with me. You don't forget things like that."

Bonafede was a meticulous tour planner. "Sal was involved in all of the deal structures and routing and trying to figure out what was best at any point in time," Apregan says. "He was a perfectionist. He cared very deeply about doing things right. I learned more from working with him than anyone I've ever worked with." Apregan agrees that Bonafede was a hands-on manager. "He was a very sharp guy, he had a great memory, he had certainly had lots of experience in a lot of different markets and buildings," he says. "He knew where to look to be able to anticipate problems, head things off at the pass."

Last year in a Billboard special on Bonafede, Diamond spoke of finding his work on Diamond's tours rewarding personally and professionally. "How many artists have had the type of career Neil has had?" he asked rhetorically. "I'm very proud to have headed up his team all these years."

In addition to Diamond, Bonafede played a key role in producing Michael Jackson's international "Bad" tour. He was also a booking consultant for the United Center in Chicago, HP Pavilion in San Jose, Calif., and Xcel Energy Center in St. Paul, Minn.

Bill Wirtz, CEO of Wirtz Corp., which owns the Chicago Blackhawks and co-owns the United Center, was the first to forge such a relationship with Bonafede. "In 1994 we operated an open building for all concerts, and he represented us until the day he died," Wirtz says. "He knew what kind of person I was, he knew what we wanted. We put a price on his services, and it was worth every penny of it. We had great concerts, and we negotiated fair and equitable deals through Sal."

As the live business consolidated and changed, Bonafede adapted. Apregan says: "Arenas started wanting to be more proactive and competitive, and Sal was a natural guy for those kinds of people to want to work with because he had such deep relationships with managers, promoters, artists and so on." Apregan says. "Certainly as the business evolved and venues became more competitive, he was actively engaged to help consult venues. Light points out that Bonafede was part of a shrinking pool of larger-than-life executives who built the business, and Phillips agrees. "Sal grew up in the business when you built a career painstakingly, one live show at a time," Phillips says, "before MTV, the consolidation and rigid formatting at radio and the Internet forever changed and, as he used to vocalize, 'ruined the business.'"

Diamond is thankful for "30 incredible years" with Bonafede. "He did some amazing runs for me. We did 11 nights at Madison Square Garden [in New York], 10 nights at the Forum [in Los Angeles]. Just this last tour a couple of years ago we did 70,000 people at Woburn Abbey in England and 80,000 people in Dublin, and Sal was the guiding force behind the whole thing. From a professional point of view, you can't underestimate his loss."
You are a tough act to follow.
Thanks for all the great years, we’ll miss you.
Sal Bonafede
Respected by all who knew him

Irreplaceable, he will always be remembered with great affection - a true friend.

Barry Clayman, Michael Cohl, Arthur Fogel, Michael Rapino, Phil Bowdery and all at Live Nation
South By Southwest Confab Tests The Marketing Mettle Of Independent Labels

BY TODD MARTENS
ILLUSTRATION BY ANDREW BANNECKER

Last summer in Chicago, Vice Records GM Adam Shore helped orchestrate the In/Out Music Festival, a two-day affair featuring the likes of Bloc Party, Lady Sovereign and The Streets, among many others.

Shore has had plenty of experience putting on shows, thanks largely to the South By Southwest Music & Media Conference and Festival (SXSW) in Austin, which takes place this year March 14-18. (The music conference overlaps with the South By Southwest Interactive and Film Conferences that begin March 9.)

The Vice Records name has been hard to miss at SXSW, and this year will be no different. Vice will stage a Saturday night showcase and two unofficial SXSW parties featuring acts not on Vice. But Shore quickly learned that booking bands for SXSW does not necessarily prepare one for orchestrating a festival in another city. SXSW, after all, plays by different rules.

"When I booked In/Out I was so difficult to get the bands we wanted because everyone wanted top dollar to play, and it was a low-price festival," Shore says. "But at SXSW, all the bands are there, and everyone is dying to play shows. Bands aren't even asking us for money. They're just asking for beer."

There's no doubt SXSW has spring break-like qualities: the late nights, the beers, the barbecue and the rock 'n' roll. The festive-like atmosphere persists even though the music business hasn't had much to celebrate during the past few years. So far, 2007 is no different.

Overall U.S. album sales are down, about 1.5% from the same period last year, and sales at the top of the chart are dwindling, according to Nielsen SoundScan. It used to be a rare occurrence for an album to top The Billboard 200 by selling fewer than 100,000 units, but in 2007 it has already happened three times.

Yet SXSW continues to grow.

Last year SXSW had its largest music attendance to date with more than 14,000 registrants and 12,000 attendees who purchased wristbands for club access only. And there's no shortage of labels lining up to stage showcases.

This year alone, more than 90 labels, many independent, have committed to hosting official SXSW showcases. Billboard's showcase March 15 at Bourbon Rocks will feature LoneLady, Georgie James, Christian Scott, Griff Rhys, Ron Sexsmith and the Redwalls.

"It's a great opportunity for us to knock about 20 birds out of the sky with one stone," says Glenn Dicker, label manager for Yep Roc and Rudeye Distribution. His companies are celebrating their 10-year anniversaries at this year's SXSW, and Dicker says the promotional aspects of SXSW are invaluable, citing the amount of press, press buyers and international partners in attendance.

Barrak Records head Josh Rosenfeld says SXSW makes it easy "to have lots of meetings without flying all over the earth, and to find better Mexican food than can be found [at MIDEM] in Cannes."
BUZZ
BOUND

In-demand acts play multiple shows throughout the week for attention.

talked about acts before and after SXSW; the band’s music had been widely available on the Web weeks prior to the February release of the group’s debut.

The Internet fandom, coupled with its chart hits in the United Kingdom, likely stole some thunder from one of the Arctic Monkeys’ first major U.S. shows. “It just came down to timing,” Gillespie says. “The band’s success just got out well ahead of us by the time March rolled around. It was still a great show, but it wasn’t quite as propulsive as the Franz show two years earlier.”

Touch & Go’s Ransom says SXSW performances rarely translate into an increase in sales. To her, the benefit of bringing a band to Austin or arranging a tour around SXSW is to help secure press for later in the year. For that reason, the label opted to have Ted Leo skip SXSW since his new album comes out in March and most press would have already been secured.

And it’s a positive, Ransom says, even if the overcrowded nature of SXSW prevents a journalist from checking out a band.

Memphis Industries co-founder Ollie Jacob witnessed that effect two years ago, when hundreds of attendees lined up and were shut out of a performance by dance-pop ensemble the Go Team. He’s anticipating—even hoping for—a similar reaction with the Pipettes, one of the most sought-after bands going into SXSW, who have just signed with Interscope imprint Cherrytree Records.

“The Pipettes is going to be a little bit like the Go Team show, I hope,” Jacob says. “People aren’t going to be able to see it. It’s a bit shifty, really, but that’s kind of what you’re there for. You want that general buzz and excitement, and it’s the show that you can’t get into where you say, ‘I bet that was amazing.’”

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Billboard Highlights 10 Acts To Watch At SXSW

Among the legions of acts booked for this year’s South by Southwest Music and Media Conference and Festival March 14-18 in Austin, here are 10 that people will talk about, as profiled by Ayala Ben-Yehuda, Jonathan Cohen, Todd Martens and Michael Paolletta.

THE PIPEPTEES
Sure, the Pipettes revel in the ‘60s girl group sounds of the Ronettes and the Shangri-Las. And yes, they even conjure up cool memories of British sister-in-song, the bee-hived Mari Wilson, who covered similar musical ground in the ‘60s.

Still, the trio, who hail from the British seaside town of Brighton, manages to make songs like “Ask Shapes,” “Your Kisses Are Waiting On Me” and “Dirty Mind” sound positively modern.

In fact, this of-the-day sensibility permeates “We Are the Pipettes” (Memphis Industries), due for a U.S. release on Interscope imprint Cherrytree Records.

GIRL TALK
At 25, Gregg Gillis has become the hipster party soundtrack du jour as Girl Talk, whose albums, particularly last year’s “Night Ripper,” and live shows are stitched together with hundreds of samples from all corners of pop music’s recent past.

Girl Talk concerts inevitably become a mass of sweaty, half-naked bodies, a place where Beyoncé, Wu-Tang Clan and Biggie collide joyously with the Pixies, Kansas and Wings.

The samples on the Gillis’ releases aren’t cleared by copyright owners, but that hasn’t stopped this Pittsburgh artist from continually reaching a wider audience.

MALAJUBE
Montreal’s post-Arcade Fire music scene remains red hot thanks to bands like Malajube. The group’s latest Day to Care album, “Trompe-l’Oeil,” crowns intense yet supremely melodic tracks with singer Julien Mineau’s French-only lamentations.

“After Arcade Fire, a lot of Montreal bands got the idea that they, too, could make it big outside Quebec,” Mineau recently told Billboard. “I just thought the only way of doing it was by singing in English. That’s fate.”

The group’s South by Southwest stop comes as part of a 26-date North American tour.

continued on >>>p36
Calvin Ayre, Founder and CEO of Bodog Entertainment, has created the Bodog Battle of the Bands, with grueling live performances across Canada.

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MARGOT & THE NUCLEAR SO AND SO’S
This Indianapolis-reared, eight-piece outfit pricked up ears with its 2005 indie label debut, “The Dust of Retreat,” which was then picked up and re-sequenced last year by Artemis.

However, the group is now a free agent in the wake of Artemis’ dissolution and will head to Austin on the back of a short Midwest tour. References to Neutral Milk Hotel and the Decemberists seep through the crannies of Margot’s evocative chamber pop, brought home by frontman Richard Edwards’ rich voice.

THE WATSON TWINS
The twin sisters brought a dose of Southern soul to last year’s elegant solo debut from Jenny Lewis, “Rabbit Fur Coat.”

Now they’re striking it out on their own, bringing some California twang and twilight melodies to their transfixed harmonies.

Still unsigned, the Los Angeles-based duo has been too busy backing up their pal Lewis to settle on a label deal.

AIR TRAFFIC
Expect a blast of hard-rocking Britpop from these newcomers from Southern England.

If an early EP is any indication, arena-prepped guitars cross their way around swanky piano melodies, all of it building to giant vocal cord-straining choruses.

Air Traffic will release its debut on EMI U.K. imprint Tiny Consumer later this year, a label headed by electronic DJ David Kosten, aka Faultline.

MENOMENA
The Portland, Ore.-based act’s recent debut for Barsuk, “Friend & Foe,” is a collection of enticingly oddball arrangements, brimming with melodies drawn from a wild assortment of noises and tape loops.

At times, Menomena sounds like a younger Flaming Lips, with scatterbrain rhythms, gospel crescendos and all sorts of indefinable sounds.

Live, the band is a must-see, swapping instruments and pasting together samples to reconstruct songs from the ground up.

MATT & KIM
To catch a glimpse of what pure exuberance looks and sounds like, head to see Brooklyn, N.Y., indie duo Matt & Kim.

Drummer Kim Schiavino is all smiles as she hammers her way through geeky yet danceable power-pop ditties.

Her giddy rhythms chase the frenetic, videogame-worthy keyboard melodies etched out by her beau Matt Johnson, and the kids don’t know whether to find a partner or throw their fists in the air.

GHOSTLAND OBSERVATORY
Austin’s own Ghostland Observatory has one foot planted in druggy rock clubs and the other firmly on the dancefloor.

The duo of Aaron Behrens and Thomas Ross Turner has kept the indie kids up and moving with its 2006 album “Paparazzi Lightning,” released on Turner’s own Trashy Moped Recordings imprint.

Songs like “Sad Sad City” and “Piano Man” revel in retro synth leads, programmed beats and Behrens’ yelped vocals, an addictive blend that is even more invigorating live.

CECI BASTIDA
Bastida is a former member of pioneering ’90s punk group Ti-juana No and currently a keyboardist and backup singer in Mexican alt-pop star Julieta Venegas’ band.

Now she strikes her own musical path as a solo artist, collaborating on demos with producer Jason Roberts (Plastilina Mosh, Control Machete) and Ozomatli bassist Wil-Dog Abern, among others.

Bastida’s brainy grooves layer vocals, keyboards, electronic samples, acoustic and synthetic percussion in a modern kind of folk that traverses language and borders.
The morale you raise the most may just be your own.

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On Friday, March 16, Billboard returns to Austin with its second South by Southwest showcase. From punk to pop to jazz to garage rock, Billboard will host an evening of music as diverse as the genres represented by its charts. The raw post-punk of U.K. rocker LoneLady will get the evening started at 8 p.m. at Bourbon Rocks (508 E. 6th Street). She will be followed by the catchy dance-pop of Georgie James, jazz artist Christian Scott, a solo performance from Gragg Rhy's of Super Furry Animals, Canadian singer/songwriter Ron Sexsmith, and the now unsigned garage soul of the Redwalls. Last year, Billboard inaugurated its SXSW showcase with Drive-Thru act Steel Train, singer/songwriter Jont and rock'n'roll Jont and rock'n'roll upstarts the Capes and People in Planes, among others. Shortly after appearing in Austin, People in Planes landed at No. 40 on Billboard's Top Heatseekers chart with its Wind-up debut, "As Far As The Eye Can See." A&R reps take note: Three of the five acts playing in Billboard's 2007 SXSW showcase lack label commitments in the United States. Here is a closer look at the lineup:

**LONELADY**

**URL:** myspace.com/hiholelonelady.com  
**LABEL:** Filthy Home Recordings  
**LATEST RELEASE:** "Army/Intuition" (single)  
**MANAGEMENT:** Self-managed  
**SET TIME:** 8 p.m.

It was at SXSW last year that LoneLady made her first appearance outside of her hometown of Manchester, England. Then, she was armed with a guitar, some drum loops and a spitfire attitude. With serrated melodies, howling choruses and dagger-sharp riffs, LoneLady hit as hard as her post-punk forebears the Fall. In 2007, she returns with a drummer, replacing the coldness of her rhythms with some taut, human tension. New single "Army," released on tiny Filthy Home Recordings in her native country, will surely draw comparisons to the raw garage of acts like the Kills, and shows LoneLady tightening the sometimes manic approach of her earlier songs without losing any of the bite.

**GEORGIE JAMES**

**URL:** georgiejames.com  
**LABEL:** Unsigned  
**LATEST RELEASE:** "Hello"  
**MANAGEMENT:** Self-managed  
**SET TIME:** 9 p.m.

The two-song, self-released debut single from Georgie James is instantly grabbing. "Cake" Popular hooks from its opening moments, thanks to a chipper keyboard melody, classic pop harmonies and some tight dance grooves. But there's trouble beneath the sun-shiny exterior, as vocalist Laura Burhenn sings of the war that rages over the tune's suburban imagery. Her other mother misses her only son, "she cries, spinning through the song's '70s dance-pop flourishes. There's plenty more where that came from, as the duo of Burhenn and John Davis have a completed full-length, "Hello," that it is shopping for a label home at SXSW. The single is available from the Web shop for famed Washington, D.C.-based indie label Dischord Records, which was the label home for Davis' previous dancey-pop act, Q and Not U.
CHRISTIAN SCOTT
URL: christianscott.net
LABEL: Concord
LATEST RELEASE: “Rewind That”
MANAGEMENT: The Regime
SET TIME: 10 p.m.
Young trumpeter Christian Scott is in the midst of recording his sophomore album for Concord, which a label rep says should be released this summer. The New Orleans native and Berklee College of Music grad earned a Grammy Award nod for best contemporary jazz album for last year’s “Rewind That,” which has sold 10,000 units in the United States, according to Nielsen SoundScan. Scott’s contemporary sextet is known to throw in the occasional Miles Davis tune among its set of largely original compositions, and Scott brings a heavy dose of hip-hop and R&B influences to his soloing. Fun fact: Scott is the nephew of veteran alto saxophonist Donald Byrd.

GRUFF RHYS
URL: myspace.com/candylionmusic
LABEL: Team Love
LATEST RELEASE: “Candylion”
MANAGEMENT: Alun Liwyd, Sanctuary Group
SET TIME: 11 p.m.
Super Furry Animals frontman Gruff Rhys arrives in Austin fresh from releasing his second solo effort, “Candylion,” and first for Conor Oberst’s Saddle Creek-distributed Team Love imprint. “Candylion” begins with a declaration, announcing that it is “an album of 11 songs for acoustic guitar.” But nothing in Rhys’ world is ever that simple, as space age sounds, bouncy violins and playful vocal melodies adorn his cartoonish psychedelics. On the new album, Rhys toys with country (“Beacon in the Darkness”) and jazz (“’Now That the Feeling Has Gone”). His Austin performance comes in the midst of a U.K. tour. On the horizon, Rhys is working with turntablist Boom Bip on a project dubbed Neon Neon, and slated to be released by the end of the year.

RON SEXSMITH
URL: ronsexsmith.com
LABEL: Ironworks
LATEST RELEASE: “Time Being”
MANAGEMENT: Michael Dixon Management
SET TIME: Midnight
With a 15-year career that has thus far produced eight albums, Sexsmith is coming to SXSW in the midst of supporting “Time Being,” an album released last year in the United Kingdom and in January in the States. The Canadian singer/songwriter has earned a reputation for possessing a novelist’s eye for detail and an elegant approach to songcraft. “Time Flies” sees the artist moving closer to the stark, folkly work of his earlier days, and he’ll continue to support the album throughout the year. The artist will tour Canada in the spring, and hopes to get started on a new album for release in 2008 this summer. In the meantime, Sexsmith co-wrote a song on the new sci from Cherrytree/Interscope artist Feist, “The Reminder,” due May 1.

THE REDWALLS
URL: theredwalls.com
LABEL: Unsigned
LATEST RELEASE: “De Nova” (Capito)
MANAGEMENT: Mitch Marlow Management
SET TIME: 3 a.m.
Retro rockers The Redwalls arrive at SXSW as recent casualties of the Capitol/Virgin merger. Before the Chicago-based act was dropped, however, it had completed a new album, which manager Mitch Marlow says sees the soulful garage rockers bringing a little bit more of a hard edge to its tunes. “It’s grittier,” he says, “but not a forced grittiness.” The group will bring Billboard’s showcase to a close with a smattering of new songs. Has the recent major label drama turned off the act from dealing with majors? “They’re probably too pop for indie, but they’re not really a pop band,” Marlow says. “They’re going to have to forge their own path wherever they’re at. Maybe a major label is still the way to go.”
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Pete Townshend Keynote Among SXSW Highlights

The Who has already scheduled a number of 2007 tour dates in support of "Endless Wire," the first studio album by the surviving band members since they released "It's Hard" in 1982.

But the band's songwriter/guitarist Pete Townshend didn't agree to keynote this year's South By Southwest Music and Media Conference just to hawk his band's new album or revel in past glories.

Townshend and the Who continue to embrace the new-media opportunities presented by an ever-evolving music business. He maintains an active Web site at petetownshend.com, with regularly airings of live footage and the online sale of exclusive products.

Meanwhile, Sirius Satellite Radio has been airing the act's current tour on a Who-themed station. Additionally, Townshend has hinted of a solo project in the works dubbed "Method," which he promises will utilize technology to inspire new forms of audience/performance interaction.

South by Southwest (SXSW) takes place March 14-18 in Austin, overlapping with its film and interactive conference counterparts that begin March 9.

Townshend's keynote is slated for 6:30 p.m. March 14.

Here are some other notable highlights from SXSW's broad range of panels and speakers:

- The Internet era has allowed management firms to more closely resemble record labels, and perhaps no company works both angles as effectively as the Canadian management company Nettwerk, run by Terry McBride.

- McBride has been vocal in his belief that artists should shirk the major-label system and start their own enterprise, and he's vehemently opposed to many of the industry's attempts to thwart file-sharing.

- He'll share his opinions in an interview on March 15.

For a different, more artist-focused position on some of the topics McBride will likely hit on, be sure to catch David Byrne, who has dubbed his address "Record Labels: Who Needs Them?"

The former Talking Heads frontman isn't out to attack the industry. Rather, his presentation, which was first delivered last October at the Future of Music conference, breaks down which artists do and do not need a label. His presentation takes place March 15.

Brazilian music legend Gilberto Gil comes to Austin with a new album and as a political ambassador of sorts. A pioneer of Brazil's "Tropicalia" movement, Gil now serves as Brazil's minister of culture. The musically adventurous/politically outspoken artist is in a unique position to discuss the intersection of government and culture. He'll speak March 14.

For those in need of a quick break from music and barbecue during the week, hit the "Comedy on the Music Circuit" panel with David Cross ("Mr. Show," "Arrested Development") and Patton Oswalt ("King of Queens"), two comedians who have won over the indie-rock set.

Cross has recorded for Sub Pop, and Oswalt will be performing at this year's Coachella Valley Music and Arts Festival in Indio, Calif.
ON THE CHARTS
Recaps Reveal Leading Indie Albums, Labels

This special feature includes year-to-date recaps of the Top Independent Albums, Top Independently Distributed Labels and Top Independently Owned Labels.

The recaps cover the 12-month period starting with the March 4, 2006, issue through the issue of Feb. 24.

The Independent Album and Top Independently Distributed Label recaps are based on weekly results on Billboard's Top Independent Albums chart.

Those lists are limited to titles that are not sold by a major distributor. Ownership ties to a major do not disqualify a title from consideration nor do pick-and-pack arrangements. The only criterion for inclusion is whether the title is sold by independent labels or distributors, as opposed to one of the four major distribution companies.

The recap of Top Independently Owned Labels does include labels that have distribution through majors. Labels that are not owned by one of the four major conglomerates—Universal, Sony BMG, Warner Music or EMI—are eligible to be included, even if they are sold via major distributors. This list is based on weekly performance on The Billboard 200.

All three recaps reflect point-of-sale information compiled by Nielsen SoundScan. Titles receive credit for sales registered during each week they appear on the pertinent chart.

In some instances, titles are originally released independently and are later picked up by major distributors. In those cases, titles receive credit for points only for the period of time when they were sold independently.

### Top Independent Albums Titles

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<th>Pos</th>
<th>Title / Artist / Def</th>
<th>Label</th>
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<tbody>
<tr>
<td>1</td>
<td>THE ROAD TO HERE Little Big Town / Equity</td>
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<td>2</td>
<td>JASON ALDEAN Jason Aldean / Broken Bow</td>
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<td>3</td>
<td>RETALIATION Dane Cook / Comedy Central</td>
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<td>4</td>
<td>IF ONLY YOU WERE LONELY Hawthorne Heights / Victory</td>
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<td>5</td>
<td>A FEVER YOU CAN'T SWEAT OUT Panic! At The Disco / Decaydance / Fueled By Ramen</td>
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<td>6</td>
<td>HUSTLER'S P.O.M.E. (PRODUCT OF MY ENVIRONMENT) Jim Jones / Koch</td>
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<td>7</td>
<td>WHATEVER PEOPLE SAY I AM, THAT'S WHAT I'M NOT Arctic Monkeys / Domino</td>
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<td>8</td>
<td>ZOMBIES! ALIENS! VAMPIRES! Dinosaur Jr. / Drive-by-Thru</td>
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<td>9</td>
<td>I LOVED HER FIRST Heartland / Loften Creek</td>
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<td>10</td>
<td>THE ERASER Thom Yorke-XL/Beggars Group</td>
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<td>11</td>
<td>A PIECE OF MY PASSION Juanita Byron-Flow</td>
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<td>12</td>
<td>WINCING THE NIGHT AWAY The Shins / Sub Pop</td>
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<td>13</td>
<td>A DEATH-GRIP ON YESTERDAY Avey Tare-Victory</td>
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<td>14</td>
<td>YOU CAN'T FIX STUPID Ron White-Image</td>
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<td>15</td>
<td>GREATEST HITS Bone Thugs-N-Harmony / Ruthless</td>
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<td>16</td>
<td>THE POISON Bullet Proof For My Valentine-Trustkill</td>
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<td>EL MARIEL Pitbull-Famous Artists/TVT</td>
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<td>18</td>
<td>THE HEART OF THA STREETZ, VOL. 2 (I AM WHAT I AM) B.G.-Choppa City / Koch</td>
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<tr>
<td>19</td>
<td>STILL SEARCHING Senses Fail-Drive-thru / Vagrant</td>
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<td>20</td>
<td>LAST MAN STANDING: THE DUETS Jerri Lee Lewis / Artists First / Shangri-La</td>
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### Top Independent Albums Labels

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### Top Independently Owned Labels

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"Going to Iraq was a hard-hitting, ground-breaking, intense rock-'n'-roll ride. The audiences were awesome, totally appreciative of our efforts and they loved rocking out to our tunes. It was great to bring the troops some homemade, American rock-'n'-roll Touring with Armed Forces Entertainment was a life-changing experience; unlike anything we've ever done. We can't wait to do it again."

Ethan Isaac, lead singer

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On Her Third Album, A Young Old-School Singer Comes Into Her Own

"Introducing Joss Stone" seems like an odd title for the third outing by an artist who has sold 7.5 million albums worldwide. But the 19-year-old British R&B singer feels like the 14-track set, which comes out March 20 on Virgin, really does mark a new beginning for her.

"People get confused by it—understandably," Stone says with a laugh. "They're like, 'Hang on, were we hearing, like, a fake Joss before?' And I'm like, 'No, no, no... You just weren't hearing my vision. It was somebody else's vision that I just happened to be singing on.'

"So when I say, 'Introducing Joss Stone,' it's like, 'Finally, now they've given me the chance to actually create a piece of art, to create an album that has a start, a middle and a finish.'"

Stone—who was born JoSceLyn Stoker in Dover, Kent—says that her age had much to do with the three-album evolution to this point. Signed by S-Curve Records at 14, Stone debuted with the 2003 covers collection "The Soul Sessions," which sold nearly 1 million copies in the United States, hit No. 39 on The Billboard 200 and gave her two U.K. hits, including her languid version of the White Stripes' "Fell in Love With A Boy."

2004's "Mind Body & Soul" topped the charts in Stone's homeland and peaked at No. 11 on The Billboard 200, selling 1.2 million copies, according to Nielsen SoundScan. But, she says, it felt rushed and, in hindsight, "I don't even think it's a good album. I think it's a CD with a bunch of songs on it."

So despite such high-profile gigs as Live 8 and a Grammy Awards salute to Janis Joplin with Melissa Etheridge, Stone felt she still had something to prove with "Introducing," her debut for Virgin, which absorbed S-Curve. Early in 2006, she began writing songs, including the Jackson 5-influenced "Baby Baby Baby," and "In The Arms Of My Baby," both of which made the final cut. Stone estimates she penned about 60 songs, recording 20 with producer Raphael Saadiq in the Bahamas and finishing at Electric Lady Studios in New York. Rapper Common and the Fugees' notoriously elusive Lauryn Hill each appear on a track.

Saadiq "gets me on a level I don't think anybody else does," Stone says of the former Tony! Toni! Tone! leader. "I've never had anybody care that much about what I think. Not so far."

While his main focus was "not to overshadow her," Saadiq, who played bass on the album, felt it was important for Stone to be surrounded by the energy of a live band, not unlike the way some of her heroes recorded.

"It wasn't like I tried to reinvent the wheel," Saadiq says. "I just went back and said, 'If I was producing for Al Green or Aretha Franklin, this is the production I'd put forth with a person that sings like that.'"

Capitol Music Group president Lee Trink, meanwhile, believes the label is in a solid position to raise Stone's profile even further. "She's had the level of success she's had without really a 'hit' record, which really tends to be an anomaly these days," Trink says. "So the way we're approaching it is we're trying to expand on that. We want to present her as an artist and not just say, 'Look at this great hit song we have. Don't you want this song?'

Stone has already shot a video for "Tell Me 'Bout It," which is being promoted to adult top 40 and triple-A outlets. Trink says Virgin will work the track with Common, "Tell Me What You Gonna Do Now," to adult R&B, and may attack additional formats with other songs from the album.

Trink adds that "when you have an artist like Joss you can sit at the table with almost everybody who wants to get involved," and that to end promotions and exclusive tracks are being set up with Wal-Mart, Amazon, iTunes and SoundCheck. Target will carry a special tour edition of "Introducing Joss Stone" that allows fans early access to her tour, which begins April 27. She will be a featured artist at Starbucks stores, and she will also do AOL Sessions and Yahoo Live sets.

"This is just music I hope will make people feel—that's all it is," Stone says. "I just hope it will make an emotion happen in someone's body when they hear it, and that's it. It's a piece of music—an album that is hopefully good."
THE ENVY CORPS

When the Envy Corps stopped by its nearby Clear Channel-owned radio station last year, the rock quartet had designs on hearing its music on a Sunday-evening local music show. The act didn’t dream it would become one of the station’s top songs of 2006. After all, the band’s single “Rhinemaidens” is a delicately breezy slice of indie pop, with a slight touch of strings, whispy vocals and a slow-burning guitar melody.

The cut would fit comfortably alongside a Death Cab for Cutie or Shins song, but Ames, Iowa, station KCCQ (105.1) is more accustomed to rocking with such acts as Nickelback and Red Hot Chili Peppers. As guitarist Brandon Damer notes, to the college town of Ames—about 25 miles outside of Des Moines—local music is largely centered around metal act Slipknot. (Damer himself played in a band called To My Surprise with Slipknot founder Shawn Crahan.)

PISTOLERA

Pistolera is the brainchild of Sandra Velasquez, a woman who grew up in San Diego listening to the music of Led Zeppelin, Jimi Hendrix, Nirvana and Sonic Youth. But her childhood wasn’t all about the rock’n’roll.

“In the living room,” she says, “my mother was pumping cumbia, merengue and Mexican pop music.” And the result of such a diverse crop of influences can be heard in her music. Pistolera melds the sass of indie rock with traditional Latin sounds to create compelling pop melodies, all of it sung entirely in Spanish. As the band’s booking agent, Alexandria Casarza of Trouble Worldwide, says, “Pistolera’s music is the crossover between the old and the contemporary.”

The quartet’s self-released debut album, “Siempre Hay Salida,” headed Nov. 7, 2006, and Pistolera sold out New York’s Joe’s Pub three days later. The band is playing a showcase March 16 at this year’s South by Southwest festival, and a short European trek is set for April.

When asked what she’d be looking for in a potential label, Velasquez says, “Creative control—that’s always the big one. I’m not interested in labels that demand that we sing in English. . . . I really believe the emotion needs no translation.”

Contact: Sandra Velasquez, info@pistolera.net

RADEMACHER

While steadily Belting out hometown gigs to keep local hipsters happy and its live show sharp, Fresno, Calif.-based Rademacher has been busy touring the nation and self-releasing EPs since 2004. Getting write-ups in blogs and weeklies has been great for the indie-rock quartet, frontman Malcolm Sosa says, but even more thrilling was an e-mailed invitation from Billions Corp. booking agent Adam Voith to open a recent concert for his hot Los Angeles act Silversun Pickups.

“It was really cool someone [at Billions Corp.] even knew us,” Sosa says with a laugh. After playing a few sets at this year’s South by Southwest, Rademacher will spend the summer promoting its full-length debut, “Stunts,” due in June. The album was recorded in L.A. suburb with the help of Earlham’s Aaron Espinoza.

Although Rademacher will release “Stunts” independently, the band has already received inquiries from labels.

“There’s always someone who’s interested,” Sosa says. “We’re planning on releasing it independently. It would be nice if someone gave us a bunch of money—or even a little so we can market it. But I’m pretty confident we can recoup the money we invested and then some.”

Contact: Malcolm Sosa, rademacher1@hotmail.com

—Mitchell Peters
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Improving With Age

Rodney Atkins Perseveres AndProsper

In an era when many labels have abandoned true artist development—blame consolidation and Wall Street expectations—Rodney Atkins stands out as an example of what can happen when an artist is given the time and resources to find his voice.

Atkins joined Curb Records 11 years ago—the same week that a then-unknown LeAnn Rimes signed with the label. While Rimes’ success began almost immediately—her first single, “Blue,” was a top 10 airplay hit in 1996, and her album of the same name sold 6 million copies—Atkins has followed a slower track.

Released over a period of six years, Atkins’ first three singles barely made a dent in the airplay charts. His fourth release, “Honestly (Write Me A List),” was the breakthrough hit. In the early 2004, but his next single, “Someone To Share It With,” reached No. 41.

Atkins’ story easily could have ended there. There are dozens of recent examples of labels dropping artists with more success than him. But thanks to perseverance, things turned out differently.

Curb chairman Mike Curb believes in artist development, Atkins and other Curb artists say. “Mike Curb encouraged me to learn about songwriting, how to write songs, how to go in and produce those songs,” Atkins says. “He allowed me to get in the studio and experiment and learn the process.”

While his first album found him working with various producers, Atkins co-produced his latest release with Ted Hewitt, largely at Atkins’ house outside Nashville. “I took a lot of ownership in the songwriting and the production,” he says. “I became accountable. I said, ‘I want this to be authentic, I want it to be me.’”

In addition to working on the album, Atkins took various side jobs to help pay the bills, including delivering firewood. One of his customers was superstar Alan Jackson. While too strapped for cash to simply keep the check as a memento—“We needed it for Christmas money”—Atkins did make a copy of it with Jackson’s signature on it.

Despite the tough times, Atkins soldiered on. The past 12 months have made all the hard work, frustration and sacrifice worthwhile.

“If You’re Going Through Hell (Before the Devil Even Knows),” a (fittingly) rollicking recommendation to persevere, spent four weeks at No. 1 on Billboard’s Hot Country Songs chart in 2006 and was also Billboard’s most-played country song of the year. Atkins’ next single, “Watching You,” which he co-wrote with Steve Dean and Brian White, is about his son Eli-Jah. It topped the airplay charts for four weeks earlier this year.

The album “If You’re Going Through Hell” debuted at No. 1 on Billboard’s Top Country Albums chart last August and has sold more than 780,000 units, according to Nielsen SoundScan.

And less than a year after delivering firewood to his house, Atkins got to open concerts for Jackson.

“I’ve never been a guy who quits,” Atkins says. “Perhaps some of that resolve comes from his early days on this planet. As an infant up for adoption at an East Tennessee children’s home, he was so sick that two couples who took him home returned him just a few days later. A third couple from Cumberland Gap, Tenn., adopted him as well and, even though his ailments worsened, refused to give him up.

While Atkins admits to more than occasional frustration that his career didn’t take off quicker, he says the process, though slow, made a difference. “There’s a lot that you have to learn to become a well-rounded artist—so that you’re not just out here, ‘Woo-woo, we had a hit, I don’t know how that happened, I don’t know how we got to this point.’”

“Success has meant a move from clubs to arenas for Atkins, who will go out with Martina McBride in the spring. His next single, “These Are My People,” a tribute to small-town America and the stereotypical country lifestyle, is at radio now.

Before co-writing the score for Broadway’s “The Color Purple,” Allee Willis penned memorable R&B and pop hits for Patti LaBelle (“Stir It Up”), the Pointer Sisters (“Neutron Dance”) and Earth, Wind & Fire (“September” “Babe”). Willis has been devoting time to recordings of a different kind—but with no less of an impact. Stored in the Pacifica Radio Archives in Los Angeles is an amazing cache of taped conversations, interviews and readings featuring noted African-Americans whose names are benchmarks in civil rights and black history.

There’s just one caveat. Dating from the ‘50s through the mid ’90s, these tapes are rapidly decaying. Thus, a week after the Grammy Awards, Willis and PRA co-hosted an adopt-a-tape fund-raiser dubbed the Sound of Soul.

In terms of finding a cause I can seriously go to bat for, this is a dream from heaven,” Willis says. She was drawn to the cause following an interview she did at Pacifica’s L.A. outlet, KPFA. “They took me into a vault and I saw this long row of 24-track tapes with names on them like Malcolm X, Martin Luther King, Dorothy Dandridge, W.E.B. DuBois, Langston Hughes. It was absolutely staggering.”

Some 228 tapes gathered by archivist Brian DeShazor were annotated in catalogs that guests perused at the songwriter’s home, Willis Wonderland. Basic adoption ($250) ensured the digital preservation of a chosen tape, the adopter’s name on the new master and future copies plus a CD copy of his own. To the tune of $1,000, adopters secured the above...
The thing with those '60s girl bands is that there is myth around them," Gwennie says. "It's just the songs you listen to. That's the reason we have polka dot dresses and the boys remain in the background. The whole idea is that we can all lose ourselves in this big idea.

Whether it all transcends gimmick status will depend on the strength of the tunes and the Pipelettes, who will play their first U.S. shows at the South by Southwest music conference in Austin (see story, page 33), but they have found plenty of early champions. Most notable is fellow Briton, England, act the Go Team, who introduced the Pipelettes to Memphis Industries.

Since the label released the act's debut "We Are the Pipelettes" last August, a fan base has been budding in America. With limited import distribution in the States via San Francisco-based Revolver, "We Are the Pipelettes" has sold about 2,000 units, according to Nielsen SoundScan.

Touring with the Magic Numbers and the Go Team garnered adoration from bloggers worldwide, and Cherrytree founder Martin Kierszenbaum says he discovered the band online.

"The first thing I saw was the 'You Kisses Are Wanted On Me' video, and I loved it," he says. "I thought they were perfect for us. I want something slightly off, something that can bring the center toward them. The Pipelettes are exactly that."

Cherrytree will release "We Are the Pipelettes" in June, and a full U.S. tour will follow. The major will have rights to "We Are the Pipelettes" for every territory outside the United Kingdom and Europe, but the subsequent two albums will be released on Cherrytree/Interscope worldwide.

Gwennie assures that leaving an indie for a major won't result in any significant changes. "The whole point of us being a concept and being fully formed is so nobody else could mess with us," she says. "It's a way to protect ourselves. And the thing about us is we're really instant. You instantly like or dislike us."

HIP-HOP/R&B BY GAIL MITCHELL

BUCKING EXPECTATIONS

With G-Unit Riding On His Shoulders, Young Buck Gets Versatile

LOS ANGELES—Kicked back behind a publicist's desk at the Interscope Geffen A&M offices, Young Buck dismisses talk of envying the G-Unit armor.

"As a crew we've seen record sales fall off," the rapper—born David Brown—admits. "Attired in a G-Unit T-shirt and jacket, topped off by a backward-facing green cap and pendant sporting the logo of his 615 crew, the Nashville native is left to ponder the lower-than-anticipated sales of 2006 releases by Lloyd Banks ($32,000, according to Nielsen SoundScan) and Mobb Deep (267,000).

"But hip-hop sales overall have fallen," he continues. "This just fuels my fire."

So much so that fans and label executives alike contend the 25-year-old will be the one to reignite the brand after his sophomore set. "Buck the World" (G-Unit/Interscope), drops March 27. Current single "Get Rich or Die Tryin" is No. 55 on Billboard's Hot R&B/Hip-Hop Songs chart.

"G-Unit is still strong," Interscope co-head of marketing Chris Clancy says. "With anything that's been on top, it inevitably rides the roller coaster and goes through growing pains. Buck is proud to brand his own back. And he's the guy who can put the energy back into it before 50 Cent goes out.

"By gauging the tracks Billboard heard as Young Buck previewed the album, Clancy's comments aren't simply hype. With production by Dr. Dre, 50 Cent, Eminem, Polow Da Don and Jazze Pha that surrounds guest shots by the G-Unit crew, Buck's crew 615, Young Jeezy, T.I., Pimp C, T.I., Pimp Songs and others, Young Buck has crafted a strong album.

And Young Buck will also buck expectations with his versatility. "Slow Ya Roll," for instance, teams him with rock act Linkin Park. Addressing AIDS and other life situations, the rapper calls the song "the realist record I've ever done in my life. Everything word here is true."

He takes the rock in "Roll wie hin." The song is further on "Lose My Mind," produced by Eminem. Then there's the moving "Buck the World" with Jeezy.：

Making the songs as "real life as possible" was Young Buck's goal. One song, "Some Have," may have been rooted in too much reality. Borne out of Young Buck's various problems (a 2004 Vibe Awards melee, an alleged altercation with Lil Jon's DJ Will, a recent arrest in Nashville) "Fack Tha Police" ultimately didn't make the cut, although Young Buck offered to clean up the lyrics after the label voiced concern.

Young Buck's first solo outing, 2004's "Straight Outta Cashville," sold just 1 million copies, according to Nielsen SoundScan. Though he 's raises first-week predictions, key G-Unit executive Michael "Shy Money" Clevelands says 300,000 is the number he has in mind when "Buck the World" bows. "It's so fickle in this day and age. But the South has consistency when it comes to sales."
LET IT B

Eclectic U.K. Rapper Targets U.S. College Crowd With Digital Release

Plan B knows how to get your attention.

Plan B opens the rapper from east London—where his Mum knows him better as Ben Drew—in a Soho private members club where, within minutes, he has reduced the idle media chatter to aghast silence simply by ranting at graphic length in rather too loud a voice about a pornographic internet clip he'd recently seen. Plan B himself doesn't even seem to notice that everyone's shut-up—but then his "Who Needs Actions When You Got Words?" album had much the same hushing effect on Britain's liberal intelligentsia when it was released last July by 679 Recordings. The record paints a bleak picture of life at the margins of British society, full of joyless underage sex and casual, pointless violence, despite a worldview that Drew himself describes as "the exact opposite of glamorizing gangsta culture."

This may be the reason his album ultimately appealed more to U.K. broadsheet newspaper critics—who lined up to dub him "the hip-hop Arctic Monkeys" or "the English Eminem"—than it did to traditional hip-hop fans, but it still peaked at No. 30 on the Official U.K. Charts Co.'s albums survey.

His brutal-yet-moral lyrical stance, alongside his tendency to play acoustic guitar on stage and sample Radiohead, sets Plan B apart from even the eclectic U.K. rap pack and means a more cautious campaign in the United States, where the album will receive a digital-only release April 17 on Warner imprint Cordless.

"Historically, it's been nearly impossible for British rappers to break over here," says New York-based Jonathan Hull, director of marketing and business development for Cordless. "Lady Sovereign, Dizzee Rascal, even the Streets haven't really broken through to the mainstream."

Accordingly, Hull says Cordless will target college and alternative tastemakers with pre-Southwest acoustic showcases in New York and Los Angeles on March 12 and 13 respectively, four shows at SXSW (see story, page 33) and by pushing Plan B's alt-rock-friendly underground mixtapes, before targeting the more traditional hip-hop scene later this year.

"His lyrical depth and pure musicianship will speak to both hip-hop and rock fans in the U.S.," Hull says.

Plan B is less circumspect—"No kids in the ghettos are going to be buying my shit, that's for sure," he says with a shrug—but declares he won't compromise his musical eclecticism for U.S. success.

"I want to go to America and be respected for my skills as a rapper and a musician," he says. "But I didn't abide by laws when I sold weed to make my money. So I'm not gonna give a fuck about some unwritten hip-hop laws."
M ost Mouse had been an indie rock standard-bearer for more than a decade when its single “Float On” suddenly became a mainstream hit in 2004. The Epic album from which it was drawn, “Good News for People Who Love Bad News,” went on to sell a whopping 1.5 million copies in the United States, according to Nielsen SoundScan. It was a surprising turn of events for the band, who were once described by Spin as “the angriest, most abrasive band in rock.”

Brock spoke to Billboard about the addition of Marr, the contributions of Mercer and the canons of morning coffee.

For some bands, having their first hit really changes their day-to-day experience. Did that happen with you and “Float On”?

I don’t actually remember there being a moment when the audience was way focused on that song. The songs that were yelled for the most were ones that we still weren’t playing from old records, like “Shit Luck” or something. “Float On” was on the set list quite a bit. The nights that it wasn’t, I don’t remember anyone giving me too much grief.

Sorry if I sounded slightly agitated. Coffee has become an important part of my day. Today, I got halfway through it and it smelled. It was like, holy shit. It wasn’t just sort of your milk, it was like they were pouring it through mold. I’ve been pissed off ever since.

If Johnny had said, “Sorry, I can’t work with you guys right now . . .”

There would have been someone else. It would have been a very different record. He was my first choice. It worked out, so I didn’t have to pursue it too much farther.

So you didn’t seek him out because you were a big Smells fan?

I like the Smells. I don’t get me wrong. But I wasn’t all that nervous about them. One of the reasons I thought he’d be a good person to work with in the first place was that he plays entirely differently than me. He has a much more liquid, fluid style, which I thought would be an interesting contrast to how jagged my voice was. I hate to break it to you, man, but I’ve never been fuckin’ starstruck.

Is he staying on indefinitely or will you just see what happens?

Yeah. Just like everyone. Shit, I’m only in the band until we see what happens (laughs). Indefinitely is kind of the status of everyone in the band and whatnot. That’s about as good as you can get.

Why did you turn to James Mercer for backing vocals?

I keep trying to layer vocals and do different things to make the parts more interesting, but it really just required a different voice. James has a fucking beautiful set of pipes on him. We live walking distance from each other in Portland, Ore., and I don’t see many other people because we’re always touring.

It seems to me there are characters that appear throughout the songs on the new album. Is there an overarching concept?

You saw it right. I had this idea of writing a short book that could go with the CD. All the songs would be about these five people who worked on a fishing boat. Every time they docked in a town or in one way or another, they’d somehow get killed in every song and then start alive again. As much fun as that sounded, actually making an entire record about that limited the emotional scope, so I chose not to pursue it.

What is your perspective to “We Were Dead Before the Ship Even Sank,” due March 20?

I’m sure you will be excited to find out that there is no “Float On” part two on the record. Instead, Brock and company forge ahead with idiosyncratic rockers featuring ukulele and violin and work up a psyche rock lather on the near y-nine-minute jam “Spitting Venom.” The Shins’ James Mercer, whom Brock has known for years, guests on three songs.

For some bands, having their first hit really changes their day-to-day experience. Did that happen with you and “Float On”?

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Operas’s Offensive Guard
From Football To The Footlights, Morris D. Robinson Scores Big

Bass Morris D. Robinson took a bit of a meandering path to the stage of the Metropolitan Opera. Twice named an All-American while playing football at the Citadel in South Carolina before moving on to stints in marketing and as a bouncer, the 6-foot-3-inch, 300-plus-pound offensive guard-turned-bass began singing professionally only in 1999. Since then, however, his profoundly rich and assured tone on the operatic stage is attracting as much attention as his moves on the field once did.

“THE very first opera I heard was the first one I sang in,” Robinson says, chuckling. However, it didn’t take long for him to fall in love with the genre, or for the operatic world to take note of his talents. Currently appearing at the Met as Sarastro in Mozart’s “The Magic Flute” and slated to perform in the Mozart Requiem at New York’s Mostly Mozart Festival in August, the 38-year-old, Atlanta-born Robinson is now signed to Decca—and billed as the first male African-American opera singer to have a contract with a major classical label in more than a half-century.

Robinson has just released “Going Home” (Feb. 20), an album that harks back to the spirituals and gospel hymns with which he grew up as the son of a Baptist minister, from an exuberant “Wade in the Water” to a tender “His Eye Is on the Sparrow.”

As Robinson observes, “My iPod is all over the place—opera, R&B, some hip-hop, gospel, smooth jazz, and I’m getting into house music these days too.” He wants young people in the black community to similarly embrace a panoply of styles. “I do a lot of outreach in schools,” he says. “There’s a small contingent of kids in the community who are already interested in opera, but I want to give all of them an example of someone who looks like them, dresses like them, acts like them, and yet does something in music that isn’t necessarily hip-hop or R&B.”

NEW (AND NOT SO NEW) FACES: With the announcement that 70-year-old Charles Dutoit will step up as chief conductor and artistic adviser of the Philadelphia Orchestra for a four-season contract beginning in September 2008, it will be fascinating to watch whether the orchestra’s current deal with Finland’s Onkline label will continue. It began during Christoph Eschenbach’s tenure in 2005 for a three-year term, with a yearly extension option thereafter. After several years of identifying strongly as a crossover imprint with such acts as Hayley Westenra, Bond, the East Village Opera Company and Russell Watson (not to mention Morris D. Robinson), Decca has announced that it has signed rising American operatic soprano Danielle de Niese to an exclusive contract. Born in Australia to parents of Dutch and Sri Lankan heritage, the 26-year-old singer—who the Times of London recently called an “all-singing, all-dancing superoperasex bomb”—will record a debut album of Handel arias with celebrated early music specialist conductor William Christie and his ensemble Les Arts Florissants. Does Decca yearn to reclaim its legacy as a vocal music powerhouse, or is it seeking out a new source of looks-plus-talent mainstream appeal that sister label Deutsche Gramophon has found in Anna Netrebko?

Ingram Shines At SESAC Awards
Wordspring Music, Christian Pop-Rock Songwriters Honored

Pop/rock tunes dominated the SESAC Christian honors at the performing rights organization’s annual awards dinner March 5 in Nashville. At the top of the list were Jason Ingram, named SESAC’s Christian songwriter of the year, and Wordspring Music, a division of Word Music Publishing, named Christian publisher of the year.

When Word Publishing’s Cindy Wilt and Chad Segura took the stage to accept the accolade, it was Wilt’s song as a publisher. She’s exiting Word after nine years to join True Artist Management and manage Sparrow Records singer/songwriter Matthew West.

Ingram—who penned “Shine,” a major hit for the group Salvador, and Bebo Norman’s hit “I Will Lift My Eyes”—was surprised by his win. “I had no idea,” he told Higher Ground after collecting his songwriter of the year honor. “It never crossed my mind. I am so thrilled. You write and you hope the songs affect people and get out there. It’s cool when you see that really happens.” In addition to being one of the Christian music community’s most sought-after writers and producers, Ingram is also frontman for the Longing. He has also been busy in his Nashville studio producing the debut album for Rush of Fools, a new band on Mides Records gaining steam at Christian radio with the debut single “ Undo.” Ingram says he also plans to work with Norman on his next album as a co-writer and producer.

“Most of the time I’m writing, I’m usually writing with an artist for their project,” he says. “I try to hear from them where their heart is and what they want to say and help them communicate that the best they can. I get a lot of gratification out of hearing other people sing.”

This is Ingram’s second year with SESAC. “I like how focused they are and how much attention they give their writers and their artists,” Ingram says. “I’m happy and proud to be a part of the SESAC family and plan to be here a long time.”

The Christian community is an important part of SESAC’s business. “We have a royalty department that makes Christian music a priority,” SESAC’s John Mullins says. “We’re tracking so many Christian stations that no matter what your format is, you’re going to get paid. That’s what keeps people coming and keeps people referring others. We give great service and we pay well.”

The event, held at Nashville restaurant Sambuca, also recognized writers who have hit the top of the charts this past year. Stellar Kart’s Adam Agee was honored for the band’s hit “Me and Jesus”; Curb artist Tiffany Arbuckle Lee aka Plum for “Better” and Decyfer Down’s Christopher Clonts for the group’s hit “Break Free.” Singer/songwriter Michael O’Brien was honored for “Psalm 40” and “Before the Day,” both recorded by NewSong.

SESAC writers Krystal Meyers, Timothy Skipper, Aaron Babcock, Colin Rigsby, Steve Taylor, Randy Torres, Alexander Albert, Steven Dail, Andrew Schwab, Jordan Messer, Cody Pellerin, Jack Mooreing, Nate Salzie and Taylor Sitera each received National Performance Activity Awards.

ULTIMATE CASH: On March 6, Columbia/Legacy issued “Cash—Ultimate Gospel.” a 24-track collection featuring some of Johnny Cash’s most memorable gospel performances. The project boasts more than 67 minutes of music spanning 1957-1981. Among the hits included are such classics as “Daddy Sang Bass,” “Peace in the Valley” and “Children Go Where I Send Thee.”

“Cash—Ultimate Gospel” also includes “The Preacher Said ‘Jesus Said,’ Featuring the Rev. Billy Graham; ‘Far Side Banks of Jordan’ with June Carter Cash; and eight tracks recorded with the Carter Family. Fans will hear three previously unreleased tracks—‘My Ship Will Sail,’ ‘It Is No Secret (What God Can Do)’ and ‘How Great Thou Art’—as well. The project was compiled and produced by Greg Geller, previously responsible for 2005’s Grammy Award-winning, six-disc boxed set “Johnny Cash—The Legend” and the 2006 release “Personal File.”
THE BILLBOARD REVIEWS

ALBUMS

ROCK

RELIENT K

Five Score and Seven Years Ago
Producer: Howard Benson
Label: Capitol
Release Date: March 6

This talented Ohio outfit finally broke through to major mainstream success with its last studio album, 2004's "Mmhmm." Relient K now delivers on that promise with the most vibrant, inventive album of its career. “I Need You” is a hard-driving number that showcases the energy and passion frontman Matt Thiessen's lead vocals. “The Best Thing” is pure pop/rock delight with a great melody, and first single “Must Have Done Something Right” is immediately engaging, showcasing the cheeky charm at the heart of the band's appeal. In contrast, “Deathbed” is a look at a man’s life as his final hour approaches. Skilled musicianship and insightful songwriting have earned this band a place in the national spotlight and this terrific album shows it has the goods to shine for a long, long time. — DEP

EDDIE MONEY

Wanna Go Back
Producer: Eddie Money, Randy Forrester
Big Deal/Warner
Release Date: March 13

Within the carefully crafted fare of his 30 years of recording, there’s always been a bar band kind of sensibility to Eddie Money’s music. “Wanna Go Back,” an all-covers set, returns him to those roots—and even features a black-and-white photo of a 15-year-old Money (then Mahoney) and his teen band, the Grapes of Wrath, in the CD booklet. Money’s weathered voice sounds comfortable working its way through such favorites as “Higher and Higher,” “Good Lovin’,” “Jenny Take a Ride” and “Build Me Up Buttercup,” and he closes the set with a timely tribute to James Brown on the medley “Please Please Please” and “Oh Baby Don’t You Weep.” None of these 12 performances supersedes the originals, but as a veteran whose path to the charts these days is hardly right on the money, this is an appropriate gambit to throw into the mix. — MG

ALBERT HAMMOND JR.

You’re to Keep
Producer: Greg Latitude
New Line/Scotchchie
Release Date: March 6

On his solo debut, strokes guitarist Albert Hammond Jr. doesn’t stray far from his main band’s aesthetic. With help from Sean Lennon, Ben Kweller and Strokes frontman Julian Casablancas, “You’re to Keep” oozes with Strokes-ian urban coolness, though Hammond tones down a bit of the swagger and adds a touch of sweetness. “Cartoon Music for Superheroes,” with its toy piano, is a dream-like lullaby: the ukulele and whistling on “Call an Ambulance” are fitting for a stroll in the park; and the sing-songy “Bright Young Things” is pleasantly hazy and catchy. There are a handful of cuts that would have worked on a Strokes album, including one first single “101” and “In Tran sit.” Hammond has found the middle ground between hip edginess and pop playfulness. Hopefully this is an area he keeps exploring. — JM

KEN ANDREWS

Secrets of the Lost Satellite
Producer: Ken Andrews, Justin Meldal-Johnsen, Jordan Zadorozny
Dinosaur Fight Records
Release Date: March 15

Ken Andrews is nothing if not consistent. Both his own projects (Failure, ON, Year of the Rabbit) and his work as a producer/mixer boast an immaculate sonic sheen instantly recognizable to those who have been following his career since the early ’90s. His first solo album initially didn’t sound much different from his other work, with his pleasant voice and stinging production anchoring midtempo songs, several of which never really take off. But the album opens up with repeated listener, perhaps due to his collaboration with the majority of Beck’s live band playing alongside Andrews’ mostly finished demos. Some of the album’s best tracks, like “Secret Things” and “Write Your Story,” combine electronic undercurrents with a live feel for something that both deviates from and expands on his sound. — BT

JAZZ

PAT METHENY AND BRAD MEHLDAU

Quartet
Producer: Pat Metheny
Nonesuch
Release Date: March 13

Recorded in the same studio as last year’s “The Best of Me,” “The New Quartet” features the addition of drummer Matt Wilson to the foursome (only two of the tracks featured Mehluda’s trio teammates, bassist Larry Grenadier and drummer Jeff Ballard). The addition gives the band the finesse of the foursome (seven of 11). Again, simpatico chemistry is on exhibit as Metheny and Mehluda converse with intuitive sensitivities on such pass-onata dialogues as “Long Before,” “So Much Music in the Air” and “Sound of Water,” the latter of which an impressionistic beauty graced by Metheny’s 42-string guitar. Highlights include the easy-going, oblique “Santa Cruz Slacker” and “Towards the Light,” charged with Metheny’s syn, sung, rhythm and a surging rhythmic chug in the midsection. — DO

CHRISTIAN

TOBYMAC

Portable Sounds
Producers: Toby McKeehan, Christopher Stevens, David Wyatt
Frontgate Records
Release Date: Feb. 20

There is a reason tobyMac is one of the Christian industry’s top artists. He continually creates music that is fresh, innovative and absolutely irresistible. He does so once again on “Portable Sounds,” mixing pop, funk, hip-hop and rap into a tasty concoction that is lyrically substantive and musically inventive. Lead single “Made to Love” is a sonic feast that is already a hit on Christian radio and has the potential to cross over to mainstream. “One World” is a buoyant anthem about unity impossible to sit still through. “Hype Man (Tru Dog ‘07)” features his son Truett and shows the apple doesn’t fall from the tree. This album should thrill longtime tobyMac fans and bring new revelers to the party. — DEP

FOLK

JORMA KAUOKEN

Stars in My Crown
Producer: Byron House
Red House Records
Release Date: March 13

Jorma Kaukonen has quite possibly never been further removed from continued

continued on >>p52

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www.americanradiohistory.com
**THE BILLBOARD REVIEWS**

**SINGLES**

**NEW & NOTEWORTHY**

**DR. DOG**

*We All Belong*

**Producer:** Dr. Dog

**Park the Van**

**Release Date:** Feb. 27

It’s not hard to pin down the ’60s pop and ’70s classic rock influences coursing through Philadelphia-based quintet Dr. Dog. The band’s latest album, “We All Belong,” is heavily indebted to the Beach Boys, the Beatles and the Band, yet Dr. Dog manages to borrow from these musical greats to create a sound all its own. There is gritty, fuzzed-out guitars and vocals on the cowbell-laden “That Girl!”, “Alaska” has a soulful, roots-rock feel, and the rustic, stripped-down “Die Die Die” sounds like a chain-smoker’s death wish. At times the band borders on psyche-pop (the flowering Lips-ish “Ain’t It Strange?”), but the most appealing thing about Dr. Dog’s music is its unwavering knack for harmonies and hook-filled choruses, which are best evidenced on album standout “Worst Trip.”—JM

**VITAL REISSUES**

**VARIOUS ARTISTS**

*Stax 50: A 50th Anniversary Celebration* Producers: Cheryl Pawelski, Rob Bowman

**Stax/Concord Music Group**

**Release Date:** March 13

Created in 1957 as Satellite Records, Stax was nicknamed the “little label that could.” And it did. Between 1960 and 1975, Stax became synonymous with raw, unadulterated Southern soul. In contrast to chief rival Motown, the Stax sound (as co-producer Rob Bowman points out in the liner notes) was more “performance and process-oriented” as opposed to Motown’s “more composition and product-oriented aesthetic.”

What shaped this important chapter in music history can be heard on this 50-track, 50th-anniversary collection, which showcases the pioneering progenitors of the label’s sound. Backed by an integrated rhythm and horn section, Stax’s roster grew into a who’s who that included Sam & Dave, Otis Redding, Carla and Rufus Thomas, Johnnie Taylor, the Emotions, Isaac Hayes and Booker T. & the MG’s. These and other acts rolled out unforgettable R&B and pop hits as well as emotion-packed tracks that later laid the creative foundation for such artists as Villi Smith, Alannah and Janet Jackson.—GM

**R&B**

**Young Buck**

*Get Buck* (4:16)

**Producer:** Polow Da Don

**Writers:** various

**Publisher:** various

**G-Unit/Interscope**

G-Unit’s Young Buck parties with producer Polow Da Don to deliver a surefire hit that will leave clubbers rocking, college Greeks stepping and every hustler on American soil nodding. In “Get Buck,” the rapper showcases a winning web of instrumental and melodic ABCs with pure bling via a brass marching band, gospel refrains, references to expensive jewelry and plenty of street cred, all in little more than four minutes. In the hook, Buck sets critics to silence on G-Unit’s recent lack of platinum album sales from pre-eminence. —GM

**COUNTRY**

**TAYLOR SWIFT**

*Teardrops on My Guitar* (3:24)

**Producer:** Nathan Chapman

**Writers:** T. Swift, L. Rose

**Publishers:** various

**Big Machine**

It took time and tenacity, but talented 17-year-old Taylor Swift broke wide open with debut single “Tim McGraw,” displaying solid gifts as a songwriter with a voice so pure and earnest that it could stop time. Follow-up “Teardrops on My Guitar” again demonstrates those qualities and makes it obvious that Swift will be churning out hits for years to come. The straightforward, conversational quality in her lyrics is like hearing the lovelorn confessions of a dear friend. The longing in this song is ultimately relatable, and Swift makes the heartbreaking palatable in a moving performance. It’s tender, sweet and destined to be another hit.—DEP

**AMY WINEHOUSE**

*You Know I’m No Good* (3:22)

**Producer:** Mark Ronson

**Writer:** A Winehouse

**Publisher:** EMI Universal

**Republic**

If such a tactic exists in today’s problematic music biz, Universal is taking the easy way out by launching U.K. sensation Amy Winehouse, whose relaxed old-soul vocals—think Shirley Bassey chilling on a Quaalude—serve as an adventurous-but-pleasant fit for lesser-regimented airwaves at home. Here, she’s been incomparably aligned with Ghostface Killah, who assaults an otherwise cool, bumpy, horn-ridden, trampy track with a ferocious disregard sputter at the midsection, in a blatant attempt to lend rhythmic radio cred before selling the story to top 40. We get the unfortunate need for such a strategy—acknowledging the well-tread lack of imagination among mainstream Yankee programmers. Hopefully, multimedia will open doors to this thrilling debut, as our Brit comrades continue to deliver one forceful artist after another this year (Mika, James Morrison, Lily Allen). “You Know I’m No Good”—in original form—could be no better.—CT

**THE KILLERS**

*Read My Mind* (4:03)

**Producers:** Flood, Alan Moulder

**The Killers**

**Writers:** B. Flowers, D. Keuning, M. Stenner

**Publisher:** Universal-PolyGram, ASCAP Island

Undoubtedly the best track from “Sam’s Town,” The Killers’ epic sophomore set, “Read My Mind” is a gloriously melodic Duran Duran-meets-Springsteen tale about “breakin’ out of this two-star town.” Fusing new wave with pure Americana, it opens with huge synth washes and builds to a dark, romantic swoon driven by muscular rock guitars, while frontman Brandon Flowers delivers one of his best pop hooks to date. Even better, he makes no attempt to hide his crush on the Boss, offering lines like “I pull up to the front of your driveway/With magic soakin’ my spine,” which suggests long nights spent with “Born to Run.” Eighties lovers hungry for more should check out the lush Pet Shop Boys remix.—SP

**TRIPLE A**

**ELIZABETH & THE CATAPULT**

*Momma’s Boy* (2:51)

**Producers:** Dan Mollad, Elizabeth Ziman

**Writer:** E. Ziman

**Publisher:** Ziman Music

**Indie singer/songwriter Elizabeth Ziman and her band the Catapult—a featured Billboard Underground act—serves up a jazz-tinged, soulful version of “Momma’s Boy” in which she coaxes, “If you want a girl to be your mother/Go find another one.” alongside an acoustic rat-a-tat beat, retro keyboards and rapid-fire vocals. Triple-A is an ideal launching pad for the song’s rootsy pop/rock patina, though adult top 40 could also have a fine time crowning Ziman as a new queen. “Momma’s Boy” is a weighty title that will promote savvy listeners to look for more from this budding act, while re-reading outlets that indulge Ziman by breaking type.—CT

**EDITION BY JONATHAN COHEN (ALBUMS) AND CHUCK TAYLOR (SINGLES)**

**CONTRIBUTORS:**

Marsco,concisco, Hilary Cosley, Ben French, Gary Graff, Kori Hanes, Al Mejias, Goo Goo Dolls, Dan Zemel, Charles Perez, Sue P, Pico, Deborah Evans Price, Chuck Taylor, Barn Tabalz, Philip Van Vleck

**PICK A:** A new release predicted to hit the top half of the chart in the corresponding format.

**CRITIC’S CHOICE:** A new release, regardless of chart potential, highly recommended for musical merit.

All albums commercially available in the United States, and eligible. Send album review copies to Jonathan Cohen and singles review copies to Chuck Taylor (both at Billboard, 700 Broadway, Sixth Floor, New York, N.Y. 10036) or to the writers in the appropriate bureaus.

**Additional reviews online this week at billboard.com:**

- Field Music, "Flones of TINNIT" (Wormhole Industries)
- Elvis Perkins, "Ash Wednesday" (X-Records)

**VIDEO:** For an exclusive performance and interview with the band, go to billboard.com/underground.
Daughtry Proves ‘Idol’ Can Rock; In Oscars’ Wake

Clay Aiken already proved it. No doubt, Academy Award and Golden Globe winner Jennifer Hudson will too, when her solo debut album arrives, possibly as soon as the fall.

Meanwhile, Chris Daughtry proves that an “American Idol” talent contest can launch a successful recording career. His band, Daughtry, takes its self-titled album to No. 1 on The Billboard 200, as it sells 1.1 million in its first week. Akon’s “Konvicted” and Fall Out Boy’s “Infinity on High” are the only other albums that have surpassed 500,000 since 2007 began.

The band outsells its second-season “Idol” winner Taylor Hicks (648,000, so far) and runner-up Katharine McPhee (215,000).

Daughtry also stands out as the first rock act to successfully emerge from the “Idol” franchise. The Fox series became an overnight success in the summer of 2003, few pundits thought the show would ever be a breeding ground for rock.

When the 2005 season closed, some observers thought runner-up Bo Bice might put rock’s stamp on the series, but none of the songs from his “Real Thing” caught on at any of the rock formats. Bice’s set has sold 665,000 since its release in December 2005.

By contrast, Daughtry’s “It’s Not Over” has won over multi-platinum formats, bulging at No. 20 on Modern Rock and in the top 10 of both Radio & Records lists: Rock (No. 6) and Active Rock (No. 7).

OSCAR’S MUSCLE: Six of the soundtracks that received exposure from ABC’s Feb. 25 Academy Awards telecast experience double-digit percentage gains, as is the case for digital sales for the five tracks nominated for best original song.

Four of those nominees earned gains of 50% or more. Digital sales of all five nominees total 31,000, up 74% over the tracking week that concluded with the Oscars show, when four of those songs already showed momentum.

Still, the combined total downloads of those five songs sold is less than the new weekly sum of the single-disc versions of the “Dreamgirls” album (posted 16.8 on The Billboard 200, up 19%). Its 7,000-unit increase, good for Greatest Gainer honors, yields 46,000 for the week, with another 7,000 sold for the deluxe two-fer version (12-11, up 13%).

“Dreamgirls” entry “Listen” becomes the best seller of the Oscar-nominated songs (16,000, up 71%).

The Beyoncé recording re-enters Hot Digital Songs at No. 68. Oscar winner “I Need To Wake Up,” by Melissa Etheridge, from Al Gore’s documentary “An Inconvenient Truth,” has the second-best digital total among the five songs (7,000, up 87%). The song was just added to a special edition of Etheridge’s “Greatest Hits: The Road Less Traveled,” but a 59% gain for that set still net fewer than 2,000 copies for the week.

The third-best tally among the five nominees will remain at “Dreamgirls,” entry “All I Need,”” by Jennifer Hudson’s “Love You I Do” doubles its prior-week sales to 6,000.

Beside the two “Dreamgirls” sets, the only other Oscar-related album that appears on The Billboard 200 is “Cars,” which includes Randy Newman’s nominated “(You’ve Had) The Best of Me,” sung by James Taylor. With a 5% decline, the album holds at No. 131; a digital hike of 15% yields a little more than 1,000 downloads for the week.

All five nominated songs were performed on the telecast. Composer Ennio Morricone, the subject of a lavish tribute when he received an honorary Oscar, enjoys a 23% rise (19-11 on Top Heatseekers).

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Market Watch A Weekly National Music Sales Report

### Weekly Album Sales

#### Year-To-Date

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<thead>
<tr>
<th>Week</th>
<th>Album</th>
<th>Digital Tracks</th>
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<td>802,070</td>
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#### 2007

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<tr>
<th>Week</th>
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<th>Digital Tracks</th>
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<tbody>
<tr>
<td>06</td>
<td>101.4 million</td>
<td>158.0 million</td>
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#### Sales by Album Format

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<tr>
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<td>Digital</td>
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<td>Cassette</td>
<td>286,000</td>
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<td>Other</td>
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Sealed 2007
## HOT 100 AIRPLAY

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<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
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<tbody>
<tr>
<td>1.</td>
<td>You</td>
<td>RECKLESS</td>
</tr>
<tr>
<td>2.</td>
<td>This Is Why I'm Hot</td>
<td>SANTA FE RECORDS</td>
</tr>
<tr>
<td>3.</td>
<td>Runaway Love</td>
<td>ELEKTRA</td>
</tr>
<tr>
<td>4.</td>
<td>Say It Right</td>
<td>DREAM WORKS</td>
</tr>
<tr>
<td>5.</td>
<td>Lost Without U</td>
<td>DREAM WORKS</td>
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<td>6.</td>
<td>Buddy</td>
<td>RECKLESS</td>
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<td>7.</td>
<td>Chasing Cars</td>
<td>ELEKTRA</td>
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<td>8.</td>
<td>Go Getta</td>
<td>REBEL RECORDS</td>
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<td>9.</td>
<td>Cupid's Chokehold</td>
<td>CHRONICLE</td>
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<td>10.</td>
<td>Ladies Love Country Boys</td>
<td>SONY MUSIC</td>
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<td>11.</td>
<td>Don't Matter</td>
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<td>What Goes Around Comes Around</td>
<td>MCA RECORDS</td>
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<td>13.</td>
<td>It's Not Over</td>
<td>REBEL RECORDS</td>
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<td>SONY MUSIC</td>
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<td>Break It Off</td>
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<td>I Wanna Love You</td>
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<td>Give It to Me</td>
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<td>Promise</td>
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<td>30.</td>
<td>Go Getta</td>
<td>REBEL RECORDS</td>
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## ADULT TOP 40

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<tr>
<td>1.</td>
<td>It's Not Over</td>
<td>ELEKTRA</td>
</tr>
<tr>
<td>2.</td>
<td>We Fly High</td>
<td>ZEE COM</td>
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## HOT DIGITAL SONGS

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<td>Go Getta</td>
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<td>Cupid's Chokehold</td>
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<td>9.</td>
<td>Ladies Love Country Boys</td>
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<td>What Goes Around Comes Around</td>
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<td>It's Not Over</td>
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<td>Break It Off</td>
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<td>I Wanna Love You</td>
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<td>Give It to Me</td>
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<td>Promise</td>
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## MODERN ROCK

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Data for week of MARCH 17, 2007 | For chart reprints call 646.654.4633

Go to www.billboard.biz for complete chart data
### Top R&B/Hip-Hop Albums

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<td>We Got This</td>
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<td>Guddie</td>
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<td>New Joc City</td>
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### Top Reggae Albums

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<td>1</td>
<td>Welcome To Jamaica</td>
<td>DAMIAN JIRGON MARLEY</td>
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<td>The Trini</td>
<td>SEAN PAUL</td>
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<td>Forever Bob: Marley</td>
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<td>No Place To Go</td>
<td>MARTISHA EYRE</td>
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<td>KIRK FRANKLIN</td>
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<td>Unappreciated</td>
<td>IMAHAJA NAKAHARA</td>
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**Koch Crowns Rap Albums List**

For the third time in its history, independent Koch scored two top 10 debuts on billboard's Top Rap Albums. The label shined as E.G. & The Chopper City Boys earn the pole position with "We Got Tha" while Slim Thugs Presents Bogg Outlawz opens at No. 4 with "Serve & Collec."

Koch was double ended in the June 24 issue, when DJ Khale and a compilation guest starring Young Jeryb bowed in the top 10.

On Top R&B/Hip-Hop Albums, B.G. and Slim Thug also take honors as the latter earns the Hot Shot Debut at No. 10. B.G. "Got tha" and street date violations caused an early bow last issue. Koch also has three titles in the top 10 of Top Rap Songs at Nos. 5, 7 and 10.

—Raphael George

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Data for week of March 17, 2007

Go to www.billboard.biz for complete chart data
<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>WEEKS ON CHART</th>
<th>Peak Rank</th>
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<td>&quot;Ladies Love Country Boys&quot;</td>
<td>Trace Adkins</td>
<td>26</td>
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<td>&quot;Beer in Mexico&quot;</td>
<td>Jason Aldean</td>
<td>11</td>
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<td>&quot;Watching You&quot;</td>
<td>Randy Rogers Featuring Gary Allan</td>
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<td>&quot;Crazy&quot;</td>
<td>Brad Paisley</td>
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<td>&quot;Wasted&quot;</td>
<td>Jason William</td>
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<td>&quot;Rascal Flatts&quot;</td>
<td>Brad Paisley</td>
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<td>&quot;Me and God&quot;</td>
<td>Jason Aldean</td>
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<td>&quot;Don't Make Me&quot;</td>
<td>Blake Shelton</td>
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<td>&quot;Lips of an Angel&quot;</td>
<td>Gary Allan</td>
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<td>&quot;All I Need&quot;</td>
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<td>Joey + Rychard</td>
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<td>&quot;Still&quot;</td>
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<td>&quot;Me and God (I Love You)&quot;</td>
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### HOT LATIN SONGS

| No. | Title | Artist | Week of Entry | Peak Position | Weeks at No. 1 |
|-----|-------|--------|---------------|--------------|----------------|----------------|
| 1   | ESE  | Isabel Acevedo & Alonso López | 2007-03-03 | 1 | 30 | |
| 2   | SOLA | Jenni Rivera & Chayanne | 2007-02-25 | 2 | 22 | |
| 3   | LOS PRIMERA CLASE | Los Primos | 2007-02-11 | 3 | 11 | |
| 4   | TE LO AGRADEZCO, Pero No | Alejandro Sanz Featuring Shakira | 2007-01-14 | 4 | 9 | |
| 5   | MANO UNA SENAL | Los rancheros | 2007-03-18 | 5 | 7 | |
| 6   | SI TU NO ESTAS | De Marco & DJ A. | 2007-02-04 | 6 | 21 | |
| 7   | I WANNA LOVE YOU | Fuentes & Contrafrente | 2007-03-03 | 7 | 15 | |
| 8   | LA MEJOR DAME | Don Omar | 2007-01-11 | 8 | 14 | |
| 9   | QUE ME HICISTE | Pepe Aguilar | 2007-02-04 | 9 | 11 | |
| 10  | SI NOS QUEDARA TODO | Benicio Del Toro | 2007-01-07 | 10 | 10 | |
| 11  | PAM PAM | El可想 | 2007-02-24 | 11 | 10 | |
| 12  | COMO TE NADIE TE HA AMADO | Ruben Blades | 2007-02-04 | 12 | 10 | |
| 13  | LOBO DOMESTICADO | Chayanne | 2007-01-14 | 13 | 9 | |
| 14  | DON'T CRY | Los Primos | 2007-03-03 | 14 | 9 | |
| 15  | TODO'S DJ BEMBO | El可想 | 2007-02-04 | 15 | 7 | |
| 16  | QUE HECE MAMITA | Pepe Aguilar | 2007-02-04 | 16 | 7 | |
| 17  | INMOPLAZABLE | Pepe Aguilar | 2007-02-04 | 17 | 7 | |

### TOP LATIN ALBUMS

| No. | Title | Artist | Week of Entry | Peak Position | Weeks at No. 1 |
|-----|-------|--------|---------------|--------------|----------------|----------------|
| 1   | MI CORAZONCITO | Don Omar | 2007-02-18 | 1 | 20 | |
| 2   | NO SE DE KELLY (MY SPACE) | Don Omar Featuring Wisin & Yandel | 2007-02-18 | 2 | 15 | |
| 3   | COMO ENTENDER | Jennifer Peña | 2007-02-11 | 3 | 13 | |
| 4   | INVIERNOS | Daddy Yankee | 2007-02-04 | 4 | 11 | |
| 5   | SI TU NO ESTAS | De Marco | 2007-02-04 | 5 | 9 | |
| 6   | FLACA O GORDITA | Olga Tañón | 2007-02-04 | 6 | 8 | |
| 7   | PEGATE | Pepe Aguilar | 2007-02-04 | 7 | 7 | |
| 8   | FANTASIA | Alejandra Guzmán | 2007-02-04 | 8 | 6 | |
| 9   | Y QUIERO QUE QUIERAS | Olga Tañón | 2007-02-04 | 9 | 6 | |
| 10  | EL HOMBRE DE MIS DÍAS | Olga Tañón | 2007-02-04 | 10 | 5 | |
| 11  | EL PAPA DE LOS GALEONES... | Olga Tañón | 2007-02-04 | 11 | 5 | |
| 12  | DETALLES | Olga Tañón | 2007-02-04 | 12 | 4 | |
| 13  | TU AMOR NO ES GARANTÍA | Olga Tañón | 2007-02-04 | 13 | 4 | |
| 14  | CHICA VIRTUAL | Olga Tañón | 2007-02-04 | 14 | 4 | |

Data for week of MARCH 17, 2007 | CHARTS LEGEND on Page 68

Go to www.billboard.biz for complete chart data

www.americanradiohistory.com
## Latin Airplay Pop

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## Latin Albums Pop

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## For complete chart data, visit: [www.billboard.biz](http://www.billboard.biz)
**HITS of the World**

**MAR 17 2007**

**JAPAN**

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**UNITED KINGDOM**

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**FRANCE**

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**AUSTRALIA**

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**ITALY**

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**SPAIN**

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**SWITZERLAND**

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The chart shows sales data compiled from a comprehensive pool of U.S. music merchants by Nielsen SoundScan. Sales data for R&B/rap retail charts is compiled by Nielsen SoundScan from a national subset of core stores that specialize in those genres.

- **Albums** with the greatest sales gains this week.
- **Where included**, this award indicates the title with the chart's largest percentage increase.
- **R&B/rap** indicates albums entered top 100 of The Billboard 200 and has been removed from Heatseekers chart.

**PRICING/CONFIGURATION**
CD/DVD prices are flat or equivalent prices, which are projected from wholesale prices. CD/DVD prices are often priced differently, but generally follow the same trend. CD/DVD combo available. *Indicates vinyl LP is available. Pricing and vinyl LP availability are not included on all charts.

**SINGLE CHARTS**
Compiled from a national sample of data supplied by Nielsen Broadcast Data Systems. Charts are ranked by number of gross audience impressions, computed by cross-referencing actual times of airing with Arbitron listener data. The exceptions are the Rhumba 100, Adult Top 40, Adult Contemporary, Modern Rock and Adult R&B charts, which are ranked by total detections.

**RECURRENT RULES**
Songs are removed from the Hot 100 and Hot 100 Album charts immediately if they fall below 100 or gain more than 50 spots per week. Songs are removed from the Hot R&B/hip-hop songs chart if they have been on the chart for 12 weeks and rank below 50. Songs are removed from the Pop 100 and Pop 100 Album charts if they have been on the chart for 12 weeks and rank below 50. Songs are removed from the Top 40 and Top 40 Album charts if they have been on the chart for 12 weeks and rank below 50. Titles are removed from Hot Country Songs if they have been on the chart for more than 12 weeks and rank below 50. Titles are not removed from audience point totals, singles are removed from the Adult Top 40, Adult Contemporary, Adult Mainstream and Hot Dance Airplay charts if they have been on the chart for more than 12 weeks and rank below 50. Titles are removed from the Adult Contemporary, Adult Mainstream and Hot Dance Airplay charts if they have been on the chart for more than 12 weeks and rank below 50. Titles are removed from the Adult Contemporary, Adult Mainstream and Hot Dance Airplay charts if they have been on the chart for more than 12 weeks and rank below 50.

**SINGLES SALES CHARTS**
The top selling singles compiled from a national sample of retail store, music merchant, and internet sales reports collected, compiled, and provided by Nielsen SoundScan. For R&B/hip-hop singles, sales data is compiled from a national subset panel of R&B/hip-hop stores by Nielsen SoundScan.

**CONFIGURATIONS**
- CD single available
- Digital Download available
- 7" Single available
- 12" Single available
- Vinyl Single available
- CD Maxi-Single available
- Configurations are not included on all singles charts.

**HITPREDICTOR**
- Indicates level 1, 2, or 3 of HitPredictor status in the particular format based on research data provided by Promosquad. Songs are listed online by Promosquad using multiple listeners and a nationwide sample of preferably polled music consumer's opinions. Songs are ranked on a scale of 1 to 10, scores are based on weight. Songs with a score of 6 or more (24 or more for country) are judged to have high hit potential, although this is not a guaranteed hit and is based on the strength of available music. For a complete and updated list of current songs with Hit Potential, comments, polls and more, please visit our hitprediction.com.

**DANCE CLUB PLAY**
Compiled from a national sample of reports from club DJs.

**AWARD IVES**

For complete chart data, please visit www.billboard.biz.
# Singles & Tracks Song Index

**Chart Codes:**
- CS (Hot Country Songs)
- H100 (Hot 100 Songs)
- LT (Hot Latin Songs)
- POP (Pop 100 Songs)
- RB/Hip-Hop Songs
- TITLE (Publisher - Licensing Org.) Sheet Music Dist., Chart, Position

## Data for Week of March 17, 2007

### A
- **5TH TIME Around:** Warner Bros. (10.6 million)
- **PAPA HAJI:** Geffen (6.9 million)
- **I'M NOT THE ONE:** DreamWorks (6.3 million)
- **KISSING STRANGERS:** Warner Bros. (6.1 million)
- **THE WAITING GAME:** Sony BMG (5.9 million)

### B
- **B'DAY:** Atlantic (11.2 million)
- **HAPPY:** Atlantic (10.9 million)
- **BARRY:** Atlantic (10.2 million)
- **MAMA:** Atlantic (9.9 million)
- **TIL:** Atlantic (9.8 million)

### C
- **THE GOOD LIFE:** Atlantic (8.9 million)
- **HERS:** Atlantic (8.6 million)
- **YOU:** Atlantic (8.5 million)
- **SAY:** Atlantic (8.4 million)
- **WE:** Atlantic (8.2 million)

### D
- **DANCE:** Atlantic (8.1 million)
- **DANCE:** Atlantic (8.0 million)
- **DANCE:** Atlantic (7.9 million)
- **DANCE:** Atlantic (7.8 million)
- **DANCE:** Atlantic (7.7 million)

### E
- **ELEPHANT:** Atlantic (7.6 million)
- **ELEPHANT:** Atlantic (7.5 million)
- **ELEPHANT:** Atlantic (7.4 million)
- **ELEPHANT:** Atlantic (7.3 million)
- **ELEPHANT:** Atlantic (7.2 million)

### F
- **FANTASY:** Atlantic (7.1 million)
- **FANTASY:** Atlantic (7.0 million)
- **FANTASY:** Atlantic (6.9 million)
- **FANTASY:** Atlantic (6.8 million)
- **FANTASY:** Atlantic (6.7 million)

### G
- **GOD:** Atlantic (6.6 million)
- **GOD:** Atlantic (6.5 million)
- **GOD:** Atlantic (6.4 million)
- **GOD:** Atlantic (6.3 million)
- **GOD:** Atlantic (6.2 million)

### H
- **HANDS:** Atlantic (6.1 million)
- **HANDS:** Atlantic (6.0 million)
- **HANDS:** Atlantic (5.9 million)
- **HANDS:** Atlantic (5.8 million)
- **HANDS:** Atlantic (5.7 million)

### I
- **IF:** Atlantic (5.6 million)
- **IF:** Atlantic (5.5 million)
- **IF:** Atlantic (5.4 million)
- **IF:** Atlantic (5.3 million)
- **IF:** Atlantic (5.2 million)

### J
- **JUMP:** Atlantic (5.1 million)
- **JUMP:** Atlantic (5.0 million)
- **JUMP:** Atlantic (4.9 million)
- **JUMP:** Atlantic (4.8 million)
- **JUMP:** Atlantic (4.7 million)

### K
- **KISS:** Atlantic (4.6 million)
- **KISS:** Atlantic (4.5 million)
- **KISS:** Atlantic (4.4 million)
- **KISS:** Atlantic (4.3 million)
- **KISS:** Atlantic (4.2 million)

### L
- **LADIES:** Atlantic (4.1 million)
- **LADIES:** Atlantic (4.0 million)
- **LADIES:** Atlantic (3.9 million)
- **LADIES:** Atlantic (3.8 million)
- **LADIES:** Atlantic (3.7 million)

### M
- **MADE:** Atlantic (3.6 million)
- **MADE:** Atlantic (3.5 million)
- **MADE:** Atlantic (3.4 million)
- **MADE:** Atlantic (3.3 million)
- **MADE:** Atlantic (3.2 million)

### N
- **NEED:** Atlantic (3.1 million)
- **NEED:** Atlantic (3.0 million)
- **NEED:** Atlantic (2.9 million)
- **NEED:** Atlantic (2.8 million)
- **NEED:** Atlantic (2.7 million)

### O
- **OUR:** Atlantic (2.6 million)
- **OUR:** Atlantic (2.5 million)
- **OUR:** Atlantic (2.4 million)
- **OUR:** Atlantic (2.3 million)
- **OUR:** Atlantic (2.2 million)

### P
- **PAPA:** Atlantic (2.1 million)
- **PAPA:** Atlantic (2.0 million)
- **PAPA:** Atlantic (1.9 million)
- **PAPA:** Atlantic (1.8 million)
- **PAPA:** Atlantic (1.7 million)

### Q
- **Q:** Atlantic (1.6 million)
- **Q:** Atlantic (1.5 million)
- **Q:** Atlantic (1.4 million)
- **Q:** Atlantic (1.3 million)
- **Q:** Atlantic (1.2 million)

### R
- **R:** Atlantic (1.1 million)
- **R:** Atlantic (1.0 million)
- **R:** Atlantic (0.9 million)
- **R:** Atlantic (0.8 million)
- **R:** Atlantic (0.7 million)

### S
- **SAY:** Atlantic (0.6 million)
- **SAY:** Atlantic (0.5 million)
- **SAY:** Atlantic (0.4 million)
- **SAY:** Atlantic (0.3 million)
- **SAY:** Atlantic (0.2 million)

### T
- **THERE:** Atlantic (0.1 million)
- **THERE:** Atlantic (0.0 million)
- **THERE:** Atlantic (0.0 million)
- **THERE:** Atlantic (0.0 million)
- **THERE:** Atlantic (0.0 million)

### U
- **UP:** Atlantic (0.9 million)
- **UP:** Atlantic (0.8 million)
- **UP:** Atlantic (0.7 million)
- **UP:** Atlantic (0.6 million)
- **UP:** Atlantic (0.5 million)

### V
- **V:** Atlantic (0.4 million)
- **V:** Atlantic (0.3 million)
- **V:** Atlantic (0.2 million)
- **V:** Atlantic (0.1 million)
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### W
- **W:** Atlantic (0.9 million)
- **W:** Atlantic (0.8 million)
- **W:** Atlantic (0.7 million)
- **W:** Atlantic (0.6 million)
- **W:** Atlantic (0.5 million)

### X
- **X:** Atlantic (0.4 million)
- **X:** Atlantic (0.3 million)
- **X:** Atlantic (0.2 million)
- **X:** Atlantic (0.1 million)
- **X:** Atlantic (0.0 million)

### Y
- **Y:** Atlantic (0.9 million)
- **Y:** Atlantic (0.8 million)
- **Y:** Atlantic (0.7 million)
- **Y:** Atlantic (0.6 million)
- **Y:** Atlantic (0.5 million)

### Z
- **Z:** Atlantic (0.4 million)
- **Z:** Atlantic (0.3 million)
- **Z:** Atlantic (0.2 million)
- **Z:** Atlantic (0.1 million)
- **Z:** Atlantic (0.0 million)
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MUSIC & MONEY SYMPOSIUM

The sixth annual Billboard Music & Money Symposium, in association with Loeb & Loeb, took place March 1 at the St. Regis in New York. The one-day event gathered the best minds from the music, legal, financial and Wall Street communities for an in-depth examination of the financial realities with which the music industry is contending.

PHOTOS COURTESY OF CARY GERSHOFF /WIREIMAGE

ABOVE: Electronic Arts worldwide executive of music and marketing Steve Schnur, left, with Billboard senior digital/mobile correspondent Antony Bruno.

ABOVE: From left are Stealth Entertainment Group managing director Nick Bolton, Billboard senior legal/publishing correspondent Susan Butler, ATO Records co-founder Michael McDonald, Gold Village Entertainment president Danny Goldberg and Family Tree Entertainment president/CEO Michael "Blue" Williams.


ABOVE: From left are Control Room executive VP of operations/general counsel Ron Millikes, Charles Attal Presents president Charles Attal, Ticketmaster president/CEO Sean Moriarty, Billboard executive director for content and programming for touring and live entertainment Ray Waddell, Signatures Network CEO Dell Furano, Live Nation president of digital distribution Bryan Perez and Metropolitan Talent co-CEO/manager John Scher.

ABOVE: Starbucks Entertainment president Ken Lombard with Billboard executive editor/associate publisher Tamara Conniff.

LEFT: Pictured during the Music & Money Symposium luncheon sponsored by Kobalt Music Group are, from left, Michael Selverse, Esq., Kobalt founder and CEO Willard Ahldtiz, EverGreen Copyrights CFO John Lippman and co-CEO David Schulhof, and Kobalt nonexecutive chairman Tom Teichman.

RIGHT: RealNetworks chairman/CEO Rob Glaser.

ABOVE: Angel Investors founder and managing partner Ronald Conway.

RIGHT: Carlin America COO Caroline Bientock, left, the lucky winner of the jewelry raffle held at the De Beers cocktail reception on the eve of the Music & Money Symposium, shows off her prize with Billboard executive editor/associate publisher Tamara Conniff and De Beers director James Turi.

From left are Bug Music CEO John Rudolph, BMI Music Publishing chairman/CEO Nicholas Firth, Loeb & Loeb co-chairman John Frankenheimer, Windswept CEO Evan Medow and Universal Music Publishing Group chairman/CEO David Renzer.
SEXUAL HEALING
Up-and-coming rock outfit Say Anything has channeled teen angst into a clever video for its new single, "Wow, I Can Get Sexual Too," which premieres March 12 on MTV's TRL. The song's key lyric is "I called her on the phone and she touched herself," and in the clip, frontman Max Bemis places calls to various females from a mansion, as his butter wheels by a gourmet meal. Later, the Fonz himself, Henry Winkler, makes a cameo.

"He's a very good family friend," Bemis told Track of Winkler during a break from recording Say Anything's next album at Virgin Megastore in New York. "We were going to have a hip-hop-style cameo, so we thought maybe Clay Davis to represent. But then we decided to make it more random, and Henry was the first person to come to mind. He's always been really supportive of my career."

In a first, fans who view the video on Yahoo! Music can interact with Bemis by texting "WOW" to 71717, which is displayed on Bemis' phone in the clip. Look for Say Anything on tour with Saves the Day this spring.

FILED: 3/13/07

GET YOUR GROOVE ON
Five years on from the release of "Songs About Jane," which propelled Maroon5 into the multiplatinum stratosphere, the group is ready to return with a new album that's "a little more hyper and excitable; not as laid-back or bluesy as the first record," frontman Adam Levine tells Track. "It Won't Be Soon Before Long," due May 22 via the new A&M/Octone label, percolated for months as the band tried to achieve perspective on its sudden success.

"The first record was so massive that we all started to get a little freaked out," Levine says. "We all started to get a little nervous and wanted to take our time and make sure it was something we all loved. We all became very concerned with the quality of the record, and when you have five different people equally concerned with that, it's going to take awhile. It doesn't happen overnight. We were borderline Fleetwood Mac on this one; it was crazy.

"Maroon5 won't begin a proper tour until September, but the group will suit up as the support act for the Police's July 10 show at Miami's Dolphin Stadium. "I can't wait for that," Levine says. "It's a dream come true. I'd've liked just to have had the concert, let alone open up for them."
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