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[CONTENT]
INDEPENDENTS’ DAY

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Best Practice for Retailers, Touring, Contracts, Digital Strategy, And More

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• DIY Tour
• Brand Your Band

50 CAN'T-MISS UPCOMING INDIE RELEASES
Including: Pitbull, Spoon, Nikki Sixx, Trisha Yearwood, And Aesop Rock

4TH ON THE BILLBOARD 200 CHART: MAROON 5

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Independent Thought

Innovative Digital Strategies Lead The Growth Of Indie Market Share

In mid-May, about a month before Sea Level Records in Los Angeles was slated to close, the owner of the small indie retail shop was discussing the labels that had helped keep his doors open since 2001. Without hesitation, the first label Todd Clifford mentioned was Merge Records.

An obvious choice, perhaps, considering the gold Merge strung with Arcade Fire and Spoon, the latter of which is gearing up for the biggest release of its career (and featured on page 21). But it wasn’t Merge’s act that Clifford was praising; it was a concept so simple that countless indie execs surely kicked themselves for not thinking of it sooner.

In 2005, Merge began offering a free digital download with each vinyl purchase. Numerous labels have rightfully copied the move (Sub Pop, Touch & Go), one of the first to harmoniously marry the physical and digital worlds.

Vinyl obviously isn’t blockchain business; it proved that old industry models can help fuel new ones. While Clifford chose to leave the retail world behind—he stresses his sales were up every year since 2005—some of the indie sellers that have survived are now finding that vinyl accounts for 20% of business, and digital is not as frightening asanticipated (see page 30).

There are plenty still stubbornly sticking to the CD as the format of choice, even some in the indie community, but EMI finally learned what many an indie has known for years—consumers want MP3s, and the interests of the consumers come ahead of retailers, distributors and any tried-and-true method of selling music.

And now comes the hard part: making sure the short-term gain in customer loyalty translates into long-term profits. It’s believed that the growth of the indie community during the past few years—take a look at the increasing number of indie titles at the top of The Billboard 200 (see chart, page 54)—is largely due to the growth of the Internet. A scan of the top-selling titles during the past 10 years would lend support to such a theory, as Billboard’s Independent Albums chart has drastically changed as the Internet has matured.

In 1997, for instance, three of the top-10 selling titles were “Jock Jams” compilations, and the year-end indie chart for 1999 is a celebration of gangsta rap and wrestling-related releases. Compare that with 2005 or 2006, when the year-end indie chart was a diverse crop of acts and labels, ranging from Lil Jon to Bright Eyes to Hawthorne Heights to Jason Aldean to Arctic Monkeys.

And such labels as Sub Pop, Merge and Matador, among many others, can boast a digital market share that’s more than double that of its physical.

For the Record

The story on Link in the June 2 issue should have stated that his “Beat’N Down Yo Block!” album sold 147,000 copies, according to Nielsen SoundScan.

In Backbeat in the June 9 issue, the caption for a photo taken at the annual Musoexpo should have included the identification of the individual standing to the right of West Hollywood mayor John Heilman as Nic Harcourt’s manager, Bobby Urban.
MICHAEL COPPEL CONGRATULATES P!NK ON THE STUNNING SUCCESS OF HER 2007 AUSTRALIAN & NZ TOUR: THE HIGHEST SELLING AUSTRALIAN ARENA TOUR EVER BY A SOLO ARTIST

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Thank you for inspiring all of us. If I could go to the store and buy a “can of Silverstein” it would be the first thing I would do every day.

Your Biggest Fan,

Tony

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LATEST NEWS FROM billboard.biz

QUINCY JONES HITS BRANDING HIGH NOTE
Composer/producer Quincy Jones is launching a slate of lifestyle and digital media products via a new joint venture with the Robert Thorne Co. The new company, called Quincy Jones Enterprises, also has hired management company the Firm to help develop new film and TV projects. The team will pursue deals with suppliers and retailers in professional and consumer audio; coffee-table and how-to book publishing; clothing and accessories; grooming; home decorating; and educational materials. The digital media endeavor is anchored by quincyjones.com, future site of Quincy's Vault, an online archive of unreleased audio, video, photos and outtakes documenting Jones' work.

APPLE RESPECTS TO EC
Apple has met its June 21 deadline by responding to the European Commission's antitrust concerns over the pricing of its iTunes online music store. Officials will now study the response before ruling on whether further action is needed. Universal Music Group has been granted a further extension, until June 29, to reply to the same concerns. The EC sent its statement of objections to Apple and the four music majors in April.

SPENDS FOR LATIN SPINS
A Lawsuit Shines The Spotlight On Radio Payola
Nearly a decade after a payola scandal shook the Latin music world, a lawsuit filed by a former Fonovisa VP of promotion has many in the industry saying that enough is enough—but that without stronger enforcement, the practice will remain the price of doing business.
Daniel Mireles alleges in a wrongful-termination suit filed in Los Angeles that he was fired after he refused to keep bringing dozens of PDs. Mireles alleges he received $720,000 between January and May 2006 to go to PDs after it was laundered by a third-party promotion company calling itself Chelsea Rose.

In the suit, Mireles says he was investigated for suspected payola in the ’90s, when two Fonovisa executives pleaded guilty to payola-related charges. Along with the label itself, which was convicted of a tax violation in the case, the three parties together paid nearly $1 million in fines and one exec received two years' probation.

Attorneys for Mireles and Fonovisa parent Universe Communications declined requests for comment.

Mireles' lawsuit, filed in November and recently brought to light in Billboard sister publication Radio & Records, has raised eyebrows in the Latin music world, not so much over the allegations themselves, but that they have been publicly voiced.

Payola. Latin managers and label representatives consistently tell Billboard, is widespread and affects all genres of Latin music equally—though, they insist, it is hardly limited to Latin radio.

After then-New York Attorney General Eliot Spitzer looked into payola and settled with all four major-label groups and several large radio chains in 2005, a subsequent FCC investigation resulted in a consent decree signed by Clear Channel, CBS, Entercom and Citadel this year. The radio companies agreed to reform their practices in dealing with indie promoters, and to devote a certain number of hours to independent or unsigned acts.

However, Spitzer's investigation did not specifically target Latin stations or Latin labels.

Unlike the trips and favors that Spitzer exposed, payola in the Latin market is largely a cash business that mirrors what happens across Latin America, where "they just tell you upfront how much it is," says one Latin label owner who asked not to be named.

When he protested a Tijuana programmer's price of $5,000 for two spins per day for a month, the label owner says he was told, "Believe me, I have plenty of groups begging me to pay them, and they pay me more." "

While some in the industry say that actual pay-for-play still happens, others say the model has changed. Today, at least one insider claims, labels pay ad revenue for promo spots, with the tacit understanding that the money will also be applied to a certain number of spins.

Regardless of the system utilized, the consensus is that payola will get a track to the entrance into radio and movement into top spots. Later, research will determine how long the track stays at the top.

An independent Latin publisher says Latin labels are particularly beholden to album sales spurred by radio success, since they've been slower than their mainstream counterparts to embrace alternative revenue streams like online, digital and licensing for film and TV.

That's especially true in the regional Mexican format, the top-selling Latin subgenre, which is populated by many small labels and stations but dominated by powerhouses like Fonovisa.

Five of the top 15 songs on Billboard's regional Mexican airplay chart this week are by Fonovisa artists, acts signed to Disa and Univision Records, which like Fonovisa fall under Univision Music Group, occupy another six spots.

Radio consultant Luis Villareal, VP of McVay Media's Hispanic division, believes that as with indecency on the airwaves, Latin stations have been able to duck the attention of regulators. But with Mireles' allegations coming out in the post-Spitzer era, there could be "added pressure for some heads to roll.""
CRÜÉ SUES
Mötley Crüe has filed a lawsuit against Carl Stabner, a manager who represents Crüe drummer Tommy Lee, seeking more than $20 million in damages. The suit alleges that Stabner, who serves as CEO of Sanctuary Artist Management, devised a "self-serving scheme" that promoted disastrous reality TV shows and took Lee away from touring with the band. The suit seeks damages for lost earnings, lost profits and diminished brand value. Also named as defendants are Sanctuary Group and Sanctuary Artist Management. In a statement, Sanctuary Artist Management said, "Mr. Stabner and Sanctuary will vociferously defend this lawsuit, which is utterly and entirely without merit or basis."

LUCKY PREPS DENIM TOUR
Rock'n'roll-rooted and vintage-inspired Lucky Brand kicks off its Denim Highway, Tour June 26 at its corporate office in Vernon, Calif., with a live performance by Mexico's Kinky. The bus will then trek across the United States, visiting universities, summer hot spots and music festivals.

WMG PARTNERS CORDLESS, RYKODISC
Warner Music Group is partnering its digital label Cordless with Rykodisc, a move intended to give Cordless artists access to Rykodisc's staff and distribution while enhancing Rykodisc's digital offerings. As part of the restructuring, Wilco frontman Slim Moon has been named senior director of A&R and artist development for Rykodisc. He was named A&R executive with Warner imprint Nonesuch last year.

DAD-ROCK DEBUT
Wilburys Travel To Top Of Charts Around The World
LONDON—Dads across the globe have united to return the Traveling Wilburys to chart success on the back of huge Father's Day sales.

The Traveling Wilburys Collection (Rhino), which compiles the two albums by the supergroup featuring Bob Dylan, Jeff Lynne, Tom Petty and the late George Harrison and Roy Orbison, scored five No. 1 debuts around the world. The package, which also includes bonus tracks and a DVD, hit the top spot in the United Kingdom, Ireland, Australia, New Zealand and Norway, and debuted in the top 10 in the United States, Denmark, Germany and Spain and on Billboard's European Top 100 Albums chart.

In the United Kingdom the compilation moved more than 110,000 copies in week one, according to the Official U.K. Charts Co., knocking Rihanna from the top and eclipsing first-week sales for Bon Jovi's "Lost Highway."

The original albums, 1989's "Traveling Wilburys, Vol. 1" and 1990's amusingly titled follow-up "Traveling Wilburys, Vol. 3," had modest U.K. chart peaks of No. 16 and No. 14, respectively. In the United States the original issues climbed respectively to No. 3 and No. 11. Both were consistent catalog sellers before their deletion a decade ago.

"We anticipated a top five record," says Dan Chalmers, London-based VP of Rhino U.K.-International. "But Bon Jovi was a big challenge for us. Once we saw the first midweek on Tuesday was No. 1, we responded to demand and invested more money in TV advertising, which paid off with 30,000 sales across the weekend."

Rob Campin, head of music for U.K. retailer Virgin Megastores, puts the sales surge down to a mixture of pent-up demand, the lure of additional DVD and audio content, and clever Father's Day-targeted marketing.

For the last 10 years, we've had fans of Jon, the Beatles, F.L.O. Tom Petty and Roy Orbison asking for it in-store," Campin says. "So there was no risk of us underestimating demand. It was good that they put it out for Father's Day to coincide with the extra footfall in-store, but any week of the year it would have done well."

That's borne out by the album's performance in Australia, where it shipped gold (35,000 units) in its first week, despite Father's Day not being due Down Under until Sept. 2. Sydney-based Warner Music Australia VP of marketing and promotions Mark Ashbridge says a further marketing campaign is planned around that date.

"We expect this to go right through until Christmas for us," says Gavin Ward, Sydney-based managing director of the 200-store Leading Edge retail chain, noting its sales were also negligible retail, with only 50 sold.

While details are still being worked out, the releases are also expected to be marketed through point-of-purchase tie-ins with other "TWC-licensed products as well as through the network's radio and online divisions."

The network, which reaches 93 million U.S. households, plans to release additional music packages in the future.

TUNES IN THE FORECAST
The Weather Channel Enters The Record Business
It's almost as familiar as the Weather Channel's (TWC) man-on-the-beach, Jim Cantore: the music that plays in the background six times per hour during the network's signature "Local on the 8s."

This fall, Billboard has learned, two packages of that music will be available to consumers when Nashville-based Midas Records releases "The Weather Channel Presents: Best of Smooth Jazz" and "Best of Instrumental Classic Rock."

While licensing details and track listings are still being worked out, music played on the channel includes such acts as Pink Floyd, Clearwater, Clapton, Nancy Wilson and Trey Anastasio. Though the 25-year-old network has previously licensed items ranging from apparel to weather radios to umbrellas, this marks the first time it has entered the licensed-entertainment category.

The move is the brainchild of TWC VP of licensing and merchandising Shari Pace and Ken Markman, a principal with KKM Global Brand Strategies, the licensing agency for TWC.

The music has long been a source of interest for viewers. "People have been writing in for years to ask where they can get the songs," Pace says, noting that the network publishes monthly playlists on its Web site.

But TWC waited for the right opportunity before it expanded its brand into the record business. "There's been some demand built up over the years, and that's a good foundation for us to launch on," Pace says.

Nashville-based entertainment marketing and management firm the Consortium, which was called in to connect TWC with a label partner, identified client Midas.

Robert Morrison, head of sales and operations for the Koch-distributed label, says the music will be available via traditional retailers plus several non-traditional outlets with whom TWC is already working.

Consortium partner Mike Martinovich says the albums, tentatively scheduled for mid-September release, will be marketed a number of ways, including utilizing the crawl that appears across the bottom of the TV screen during "Local on the 8s."

While details are still being worked out, the releases are also expected to be marketed through point-of-purchase tie-ins with other TWC-licensed products as well as through the network's radio and online divisions.

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HOME FRONT
Mauldin has spent more than 30 years in the music business working as a producer, record executive and entrepreneur. In 1995, he became the first African-American president at Columbia Records, heading its black music division. He is also the father of Jermaine Dupri, president of Island Records' Urban Music division.

Now in its seventh installment, What Teens Want explores opportunities for marketing and advertising to teenagers through music, film, TV, sports and media. Attendance for the latest edition of the day-and-a-half-long event—which is hosted by Adweek, Brandweek, Mediaweek, Billboard, The Hollywood Reporter and Nielsen Entertainment, and presented by the N—grew to a new high of 350.

MAULDIN, ATLANTIC UNITE FOR SCREAM STAR JV

The Scream tour, a multi-act hip-hop event headlined by T.I. and Ciara, is the first project under the initiative. Also on the Scream lineup are Young Joc, Lloyd and T-Pain.

Mauldin's Mauldin Brand Agency will produce and market the 24-city trek, which is expected to stop in Chicago, New York, Atlanta, Miami, Detroit, Baltimore and Washington, D.C.
“...Oh, the sweet smell of success”
[Handle With Care]

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Presenters in- cluded the Clash’s Mick Jones, Slash, Nick Cave and Oasis’ Noel Gallagher. The awards are voted for by MOJO readers and the U.K. monthly music magazine’s editorial team. —Mark Sutherland garners a platinum award for 500,000 shipments. The list included two diamond awards (250,000 ship- ments), nine gold (100,000) and 23 silver (30,000). Impala inaugurated the awards in November 2006 to recognize independent trade shipments, including download sales, across Europe. —John Hayward The German arm of the IFPI says it has taken criminal action against 25,000 illegal music downloaders from January through May this year. The labels body says it has successfully forced 5,000 people per month to pay compensation. A team of 90 investigators, funded by the IFPI and employed by Hamburg-based rights tracking company ProMedia, manually search the Net to track down users of illegally downloaded music. In turn, these users’ Internet protocol addresses are forwarded by IFPI Germany to the public prosecu- tor’s office, which brings charges under German copyright law. The IFPI then offers to settle out of court. An IFPI spokesman says the settlement can be “between a few hundred and several thousand euros,” although an estimate of the total amount yielded to date isn’t available. IFPI Germany chairman Michael Haentjes says every downloader so far has settled. —Wolfgang Sahr The band releases its fifth full-length album, “Twilight of the Innocents.” July 2 on Infectious Records via Warner in the United Kingdom, with a U.S. release scheduled for early 2008. It’s the final album in the current deal, and band manager Stephen Taverner of Out There Management says the next contract will be structured around German delivery of a set number of tracks during a defined period of time. Releases will be scheduled year-round, with the band’s official Web site playing a crucial role in marketing directly to the fan base. “It’s going to be a full-time job,” Taverner says. “But there won’t be the intense pressure you get with a traditional album release. The label will be able to spread the cost — and the risk.” Once sufficient singles — likely to be available on 7-inch vinyl as well as downloads — have been issued, a compiled CD will be released. Taverner does not rule out doing a deal with another label, but the band hopes to continue its longstanding relationship with Warner Bros. U.K. manager Richard Marsden, who is enthused at the prospect of doing things differently. “I’ve worked with Tim since he was 15,” Marshall says. “Ultimately, we’ll back up his cre- ative talent and work with the band on different ways of re- leasing the music.” The pioneering deal is be- lieved to be the first of its kind for an established artist, although Wheeler is convinced it won’t be the last. Radiohead, which is currently without a deal, is on record as saying it wants to get away from the re- strictions of the album format, but hasn’t yet decided how its new material will be released. Media reports that dance act Faithless is about to embrace a similar business model have been denied by the band’s U.K. publicists. But Creation Records founder Alan McGee, who recently folded his Popones label in favor of concentrating on artist management, says Wheeler’s vi- sion is “absolutely right.” "The way music’s consumed now has changed," McGee says. "MP3s have made it about the song again. Unless you’re over 35, you don’t put a CD on. You get your iPod and pick out in- dividual tracks.” Melanie Armstrong, product manager of music for U.K. market-leading brick-and-mortar retailer HMV, concurs that digital technology makes it “in- evitable” that some bands will pursue digital-led models. “However, I don’t believe this heralds the start of some kind of mass movement away from albums,” she adds. “Ash have always tended to do their own thing, and this certainly won’t hurt their progressive cren- dentials or their PR profile, though the impact on their commer- cial potential may be a differ- ent matter.” Taverner denies the move is a gimmick aimed at attracting publicity for the band’s new record. “It’s a very serious change in the way Ash do business,” he says. “Somebody has to have the balls to try and change things, because the industry can’t carry on the way things are.”
Somewhere in the earliest part of the 21st century, it became obvious that a profound paradigm shift had taken place in the relationship of rock’n’roll and music licensing. With the end of the rock era (1965-1994) the rules began changing just as fast as the technology. During the height of the rock era, if one of your songs was used in a TV commercial, your career was on the way up. And after the late ‘60s, hit singles weren’t even cool again until the ‘80s. But now the opposite is almost true. If you don’t have a song in a TV commercial your career is over. I’m exaggerating slightly but you get the point.

And a hit single that actually sounds like rock’n’roll? We should all live long enough to see that again.

So in 2002, while I was meeting with various sponsors for my “Underground Garage” radio show, I’d take the extra time with the ad agencies to try and convince them to use more up-and-coming bands in their TV spots.

My three simple reasons did convince a few.

One, a big star is going to overwhelm your brand. I remember Beyoncé doing a commercial, but who cares what the product was? Two, it’s cheaper. For the tens of millions spent on Beyoncé, you get 30-60 new bands. Band, matter, song, all in. And third, it’s a hip thing to do, and it’s a good thing to do. The fans of the band will appreciate it and never forget it. It might help break a new artist and you get the credit, and much more brand recognition for all the right reasons. “Did you see that cool new band in the Coke commercial?” type stuff. Also helping the indie world these days, and always has, is movies. “Spider-Man” just became super-important, using up-and-comers and indie tracks for its soundtrack, a refreshing and unusual move for a major flick. I don’t know who started it—Allen Moyle’s “Pump Up the Volume” with Christian Slater comes to mind—but it’s good for the movies and good for the music world, which, now more than ever, must rely on the sympathy of strangers. See you on the radio.

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**COOLEST GARAGE SONGS**

**TITLE** | **ARTIST / GARR**
--- | ---
**1.** | CODE FUN / THE WHITE STRIPES & WARNER BROS
**2.** | SHE’S MY GIRL / THE BEATLES & DANNY SAWS / THE 5,600 / WGANG
**3.** | RENTACROWD / THE 5,600 & JOHNNY O’DONALD / UNIVERSAL
**4.** | DANCE THE GO-GO / THE BREAKERS & FANZUL
**5.** | ICKY THUMP / THE WHITE STRIPES & WARNER BROS
**6.** | BABY 81 / BLACK REBEL MOTORCYCLE CLUB & RCA
**7.** | THE WEIRNESS / THE STOOGES & VARIOUS ARTISTS & CBGB FOREVER & VARIOUS ARTISTS
**8.** | YOUR TRULY, ANGRY MOB / KISSER CHIEFS & UNIVERSAL
**9.** | GLITTER IN THE GUTTER / JESSE MALIN & ADELINE
**10.** | WEAPON OF CHOICE / BLACK REBEL MOTORCYCLE CLUB & RCA

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**COOLEST GARAGE ALBUMS**

**TITLE** | **ARTIST / LABEL**
--- | ---
**1.** | ICKY THUMP / THE WHITE STRIPES & WARNER BROS
**2.** | BABY 81 / BLACK REBEL MOTORCYCLE CLUB & RCA
**3.** | THE WEIRNESS / THE STOOGES & VARIOUS ARTISTS & CBGB FOREVER & VARIOUS ARTISTS
**4.** | YOUR TRULY, ANGRY MOB / KISSER CHIEFS & UNIVERSAL
**5.** | GLITTER IN THE GUTTER / JESSE MALIN & ADELINE
**6.** | WEAPON OF CHOICE / BLACK REBEL MOTORCYCLE CLUB & RCA

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**BOXSCORE**

**ARTIST(S)** | **Attendance** | **Promoter**
--- | --- | ---
**1.** | TIMBIRICHE / ARIANA NEGRIL & WACO CITY & 9,466 & CIE
**2.** | TIM McGRAW & FAITH HILL / GENERAL MOTORS & 29,047 & LIVE NATION
**3.** | TIM McGRAW & FAITH HILL / 27,704 & LIVE NATION
**4.** | SASHAQUIN MUSIC FESTIVAL: BJOERK, BEASTIE BOYS & OTHERS / THE Gorge, White, Wash & 34,908 & June 13
**5.** | KENNY CHESNEY, SUGARLAND, TAYLOR SWIFT / Pizza Hut Park, Frisco, Texas & 21,069 & LIVE NATION, CIRQUE DU SOLEIL
**6.** | CIRQUE DU SOLEIL’S "DELIRIUM" / CIRQUE DU SOLEIL, CANADA & 10,625 & LIVE NATION, CIRQUE DU SOLEIL
**7.** | TIM McGRAW & FAITH HILL / 16,682 & LIVE NATION
**8.** | ROYAL MAN GROUP / TIBOR, ENTS AFA, June 27 & 9,000 & CIE
**9.** | TIM McGRAW & FAITH HILL / 11,300 & LIVE NATION
**10.** | KENNY CHESNEY, SUGARLAND, TAYLOR SWIFT / THE Gorge, White, Wash & 11,551 & LIVE NATION

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**FOR MORE BOXSCORES GO TO** MUSICFIRST.COM
Indie acts are topping the charts more than ever before, while their labels innovate their way to market share gains—now 20 percent and still growing—becoming more attractive to former major label artists and new, major talents. With an in-depth look at indie darlings and dealmakers, digital strategies and market-share data, Billboard's Independents' Day has arrived. Let the music ring.
Once Poised To Be A Major-Label Star, The All-Girl Bay Area Band Will Rock Its Next Album In The Free World

BY KATIE HASTY
PHOTOGRAPHS BY PATRICK FRASER
Allison had butterflies in her stomach before they met that day, but, after leaving nothing unsaid, felt better. She cried briefly in the car ride over, scared that her best wasn’t good enough, mourning the end of an era, but then also relieved to know she didn’t have to impress anybody but her friends. Torry flanked her, easily turning Allison’s spirits around: “Don’t say that you can’t do better! Of course you can!” Brett drank wine and studied the menu, confident that nobody did anything wrong—people grow apart, people break up. Maya was happily humming the George Michael tune “Freedom”—ironically, a song about staying together.

On a very cold day in New York in early 2006, the Donnas—singer Brett Anderson, bassist Maya Ford, drummer Torry Castellano and guitarist Allison Robertson—met for dinner with their new-ex, Atlantic. After a day of meetings, both sides conceded that they wanted different things from their relationship.

The year before, the band split up: Brett had graduated from high school and gone to college to study graphic design, and Maya, Torry and Allison had gone to college to study music. Brett had been playing music since middle school and had become as notorious for their punk-rock attitude and raucous on-stage presence as for their metal-tined rock. They signed to California-based Lookout Records directly out of high school, releasing four records that, combined, sold more than 110,000 copies by the time they signed to Atlantic in mid-December 2001—shortly after they’d turned drinking age.

But after two Atlantic albums and more than 500,000 sales later, their partnership with the major label came to an end.

According to the group, it was the best meal they ever had with Atlantic. “We were all full of good food, having good conversation. You could tell that everyone loosened up—that things were over and that it was so right,” Robertson says. “But, hey, we’re still friends. It was for the best.” Atlantic picked up the tab for dinner. The band announced the split on a fan message board in May.

Determined to move on, the Donnas have embarked on a new era in their career. In a joint venture with Redeye Distribution, the group has started its own label to release its currently untitled effort in mid-September.

“Whatever formula we were in wasn’t working for us, so now we’re carving out a new formula. After 14 years and a few other deals, I guess this makes it the new-new-new-new formula,” Anderson says with a laugh. Ford adds: “This is what everyone’s been waiting for.”

‘I DON’T WANNA GO TO SCHOOL NO MORE, SO/RADIO RADIO. GIMMIE GIMMIE.’

—Lyrics From ‘Gimmie My Radio’

In 1997, after having released a handful of raw singles through Bay Area indie labels, the Donnas signed with Lookout under the management of Joey Minkes and label co-owner Molly Neuman. The first of its four punk- and metal-influenced rock’n’roll albums was 1998’s “American Teenage Rock ‘n’ Roll Machine,” the last was 2001’s “The Donnas Turn 21.” It was the latter album that earned the group its first Billboard chart ink on Heatseekers and Top Independent Albums, selling 4,000 copies in its first week.

The Donnas were poised to break to the next level, much like another well-known, former pop-punk Lookout band: Green Day. After making two albums for the indie in the early ’90s, Green Day signed with Reprise, which would later release the blockbuster “Dookie.” Green Day had sold only about 80,000 records before making the leap, so by comparison the Donnas seemed well poised. Indeed, the Donnas were in search of commercial success on a grander scale than they felt Lookout could provide; they desired a label that was experienced with, and had the resources for, breaking new talent on commercial radio, TV and beyond.

“We knew we had something a lot bigger on our hands and that we wanted to happen next couldn’t happen at a label of Lookout’s size,” Neuman says. “The girls dream of arenas and knew they wanted to be on the radio. They wanted to be on MTV. ”

“When we were in high school, we were never cool and we wrote songs about it. We were like, ‘We don’t wanna come to your stupid party anyway.’ And that was our first fan-base—some people related to it. When things picked up for us, we realized we wanted to throw our own party. [Signing] was a way we could get heard and see everyone,” Anderson says.

Castellano adds, “We wanted to be on the radio. We’d love to. We didn’t expect MTV and radio to happen immediately, but we were ready for it.”

The group negotiated with labels and ultimately chose Atlantic in 2001 under the direction of A&R reps Nick Casinelli and Mary Gormley. The appeal of the Donnas was immediate; Casinelli says, who was moved to work with the group after checking out one of its gigs. The Donnas were a commanding presence onstage and, more important, were ambitious offstage, insist that they knew “who they were and what they wanted.”

“Like any group coming from a very indie minded back- ground, it was a struggle signing them because they were so fiercely independent,” Casinelli says. “Their big thing was that no matter what they did, they did it together and they did it their way. No one player would stick out and be ‘the star.’ All the photos and videos shot together, the interviews together, everything was as a group... They wouldn’t be done-up or looking like anybody they weren’t. ”

“This was a group that was cutting its teeth with covers of Shonen Knife and riot girl’s Muffs at a time when other youngs swooned over the Whitney Houston/Kevin Costner match-up in ‘The Bodyguard.’ The band signed on the dotted line for Atlantic the same year Backstreet Boys moved millions of ‘Black & Blue’ and Alicia Keys, Janet Jackson and Jennifer Lopez dominated the singles charts.

Ultimately, Atlantic’s deal “was the least Big Brobery,” Anderson says. “They had one of the smallest advances, but that’s because of how much control we knew we would be given. When we heard other labels’ initial pitches, it was like, ‘So, how about you drop your instruments and we’ll come up with a choreographed dance for you to do?’ Atlantic was like, ‘Yes, of course you may headbang.’ ”

The group’s Atlantic debut, 2002’s “The Donnas Turn 21,” bowed atop the Heatseekers tally while its sassy single, “Take It Off,” made some headway at radio, peaking at No. 17 on Billboard’s Modern Rock chart. (It was later added to PlayStation 2’s “Guitar Hero” repertoire.) The album has gone on to sell 424,000, according to Nielsen SoundScan.

The band posed for magazine covers, performed on “Saturday Night Live” and “TRL” and “did everything right, press-wise,” says former Atlantic/Donnas publicist Nick Stern, who now runs 7-10 Music and manages DIY kings Clap Your Hands Say Yeah. “The Donnas were a press dream. They wouldn’t say no to anything unless it was something raunchy, like a ‘Playboy’ spread or taking off their clothes for Maxim.”

“They were a little hesitant at first to license or synch their music to anything because it was important to them that they don’t push away their fan base, like might’ve hurt their credibility,” Atlantic Records Group senior VP Kevin Weaver says. Weaver spearheaded efforts to insert the Donnas’ music into commercials (the 2006 Nissan Xterra), film (“Mean Girls”), videogames (“MVP Baseball 2003”) and TV (theme song for the 2006 Winter Olympics U.S. Women’s Snowboarding Team). “But after they saw the value and exposure it brought them, they started embracing almost anything that I presented. They’d skip out on girly stuff, like maxi pads and shampoo spots, just because they didn’t want to come off as just a girl band or a band that’s pretty good... for a girl.”

“We want anybody of any age to listen to us,” Anderson says. “And if I was a 13-year-old boy in middle school, I wouldn’t go around telling people I listen to a band that did a tampon commercial.”

‘IT’S TIME TO TEAR IT UP / I NEED ANOTHER HIT BEFORE I’M DONE/ SO DON’T WAIT UP FOR ME’

—Lyrics From ‘Don’t Wait Up For Me’

(Forthcoming)

For a multitude of reasons, the Donnas’ October 2004 release “Gold Medal” fell flat. To date, the set has moved only 87,000 copies, though it bowed at No. 76 on The Billboard 200. Lead single “Fall Behind Me” topped out at No. 29 on the Modern Rock chart. “Gold Medal” sold 79,000 in its first 12 months, whereas “Spend the Night” moved more than 360,000 in its first year.

From 2001 to 2004, Atlantic underwent a number of changes because of Time Warner’s spinoff of Warner Music Group to a new group of investors. The band saw a new lineup of personnel by the time it was working on “Gold Medal.”

“No matter who was working there, everyone was working their hardest for us. Still, though—and I know everyone says this—if you join a major, a few months later it’ll be like a new company,” Castellano says.

“We all knew they wanted more pop out of us, but we didn’t feel capable of being any more poppy than we already were. They would want pop, but we didn’t know who it was we should...
be sounding like," Robertson says. "Gold Medal" was a little more artistic, something a little different, and it just wasn't accepted in the way that we wanted it to be, from a commercial perspective. It fell in between pop and rock formats and, in a changing radio marketplace, it just didn't come at the right time," Minkes says. "It's always been a challenge for female bands to get on rock radio, and it's harder for a label to work a record that doesn't do well at radio right away."

"We thought we were going to have a massive hit, we expected it to be bigger than "Spend the Night," Weaver says. Despite a well-received run touring with Maroon 5 in early 2005, sales increased only slightly on the road. It became clearer that the Donnas were in a rut with Atlantic. The foursome had fulfilled its two-record contract, with an option for a third. The band started on the next album, though the label cut back the advance; ultimately, the Donnas never recouped on their Atlantic deal. In negotiations, Atlantic was willing to fund an album with a crossover hit, extending the album's sound isn't always right for the radio, and it's never right for anyone," Ford says. "We could've worked and worked for a pop single, but then it probably wouldn't have gotten played on the radio anyway."

"WE'RE OVER, I'M DONE/YEAH, IT'S TIME TO HAVE SOME REAL FUN."

-Lyrics From It's On The Rocks!

To say Redeye wanted the Donnas is an understatement. The decade-old, Haw River, N.C., distribution company's release roster has included Public Enemy, Nick Lowe, Gern Blandsten Records, the Mars Volta and Pulp. In the days leading up to getting the June 19 deal memo in place—Minkes gives special credit to the Donnas' attorney, Grossman Indurisky partner Kenny Mesaros—Redeye bear out a couple of other serious contenders for the Donnas' next album with old-school enthusiasm and dedication.

"From our standpoint, they're a crowning jewel," Redeye co-owner/label manager Glenn Dicker says. Redeye "were on us before they even heard the record. When Molly first put the feelers out, like, 'Hey, maybe we need a partner,' they were all over us. They knew our history and were excited about us as a band," Castellano says.

Having signed on for the joint venture, the Donnas face wanting widespread attention as an independent entity. "Luckily for us, after more than a dozen years, there's already a lot of name recognition, audio recognition, visual... We have something, a notoriety, to work off of already, and now we can launch what we want on any different avenue," Neuman says. It is the Donnas brand that the group must now bank on to propel it into mainstream success. Dicker acknowledges as much. "The initial idea kicked around to promote the record is to really work with their pre-existing fan base and give them more," he says.

Even though the band entered talks with other majors after its departure from Atlantic, the group ultimately wanted more control and profits from its records. Whereas the band earned only royalties (16%, according to Minkes) at Atlantic, the Donnas' new Redeye deal guarantees a 50/50 split from sales, plus co-ownership of the masters and a record-to-record contract. Redeye's deal is for North America, leaving the Donnas to choose international distributors.

The new album's sound isn't a major departure from what the band has played before. Produced by Jay Ruston, who has helmed the boards for acts including Jars of Clay, Meat Loaf and the Polyphonic Spree, the set is chock-full of big singalong choruses, fast '80s guitar licks and an upbeat pace. With not a ballad to be found, it mixes glam-rock with punk and pop, inspired by the band's rekindled love for Def Leppard and Billy Idol, according to Ford.

Two of the songs originally written before the split from Atlantic made the final cut for the album: "Wasted" and "Here for the Party." The former bounce, dance-rock anthem still boasts a blistering solo and even a key change, but would also fit nicely into a mix of the current crop of British garage-rock acts like the Fratellis, the Kooks or Louis XIV. "Here for the Party" plays exactly as one would imagine a song of that title to sound, with a Joan Jett-like call to arms, nah-nah-nahs, oh-yeahs and big, billowing guitar riffs.

The group has already begun streaming "Don't Wait Up for Me" via MySpace, the song appropriately opens with the sound of a stadium-sized crowd cheering as the crew encourages the object of its affections to "loosen up/drain a cup" as the electric guitars chug to the rhythm of clapping hands. Writing-wise, "I wouldn't say we did much of anything different after leaving Atlantic, though it helped that we had more time than we've ever had before to write it. It was very liberating not to have a deadline," Ford says. The final track list was whittled down from 30 songs, written in more than a year, to 13. "We've always loved bands like Cinderella and [Motley] Crue, but we also always enjoyed pop music," Ford says. "We haven't deliberately moved in any direction."

On "Girl Talk," the group returns to one of its earliest forms in sound and presentation, as Anderson grows. "You've been talking trash again?Oh no! Don't pretend you're not my friend... Shut up/Show me what you're made of." "What Do I Have To Do" opens sounding a lot like the intro to the White Stripes' "Blue Orchid" before Robertson's heavily distorted wail kicks in while Castellano tears a page from Kiss' "Rock and Roll All Night" book of cowbell. Ford particularly likes "What Do I Have To Do," one of the album's fastest tracks, containing the lyric, "I'm being too nice/you're being too cold... It's about this guy who was torturing me," Ford says. "It was a good way to get the whole thing off my chest. We all need a little turbulence in our life."

Robertson has the opportunity in nearly every track to show off her chops, with solos abundant and her mix upfront. The group appropriately closes the album with "When the Show is Over," the closest the record gets to a song about heartbreak, with a sad descending melody and a simple closeout of solo guitar. "But I'm still all alone/when the show is over," Anderson laments.

The band plans to aggressively court college radio, to turn the video campaign for its first single viral and to continue reaching out to fans through its message boards, MySpace blog and other online social networks. Minkes hints at an animated series based on the girls—they are working with Tomorrow's Brightest Minds, which worked on two of the Donnas' previous videos—and plan to reach out for placement with sites like iTunes and Yahoo.

The band is preparing for an aggressive touring schedule this fall with help from longtime agent William Morris. "That was our original love anyway," Castellano says. "We may have been in a lot of magazines and we pride ourselves on putting out good records, but we win over the most hearts at our live set." "It's like all along the way we've been collecting these powers and upgrading," Anderson says. "Starting our own label is the ultimate upgrade. Size-wise, there was a glass ceiling at Lookout, so we tried to get higher. When we went to Atlantic, we thought that we could reach the top, shoot the moon."

Now the band is back in indie land, new deal in hand and with new sets of expectations. "We've always been a wild card, being girls and being rock'n'roll," Anderson says. "But now, if people don't buy our record, we'll at least know we did what we wanted."
Billboard's Carefully Curated Look At The Best Of What The Indie World Has To Come In 2007

Little Labels, Major Releases

THE ART OF THE HUSTLE
Latin Indie Rapper Pitbull Works Overtime For Major-Label Results

BY LEILA COBO

Successful artists need a relentless streak, and that's exactly what has fueled rapper Pitbull's quick rise to fame. Four years and two studio albums with indie TVT later, the artist continues to be a world-class self-promoter. Ahead of the fall release of a new album, "Boatlift," his life is one of perpetual motion: weekly visits to DJs, nonstop appearances and performances and mixtapes released on the back seat of his Mercedes, readily available to hand out at any opportunity.

With a weekly TV show ("La Esquina" on mun2) and an endless stream of collaborations (from Lil' Jon and Jim Jones to Ken-Y and Gloria Estefan), Pitbull might seem almost ubiquitous to some. But that, he contends, is what you need to stand out as an indie artist looking to reach different audiences.

"We're as aggressive as we can," says Pitbull, who cites mixtapes and the Internet (he has 600,000 friends on his MySpace site) as basic promotional tools. "We can't spend as much money as a major label, but you can be more creative and more innovative and think out the box more."

Pitbull (real name Armando Christian Perez) is a Cuban American (born in the United States to Cuban parents), bilingual and versed in his roots. He raps mostly in English, albeit with healthy doses of Spanish. His fair skin and light green eyes defy the stereotype of what a rapper should look like, but his sound and persona appeal to lovers of urban music, whether they be African American, white or Latin.

This unusual blend is an asset to Pitbull in an increasingly bilingual and multicultural world. But it also presents obstacles for him and his label.

"It can be challenging in that at radio you have to work with many different formats to connect with the consumers," TVT executive VP Paul Burgess says. "His pan-appeal across the board is really the great strength of Pitbull as an artist and as a brand. And I don't think we've capitalized on that to its full extent."

TVT will attempt to do that with "Boatlift," a collection of dance, urban and pop-leaning tracks. Not to be confused with "El Mariel," released last October (El Mariel is the name of the boatlift that brought hundreds of thousands of Cubans to the United States in the 1980s), "Boatlift" is an eminently urban album sung mostly in English, save for the track "Pregúntale."

Ironically, "El Mariel" was also more urban than Latin, but the Spanish-language title threw fans, retailers and radio off track, as did the single "Ay Chico," an English track with a single Spanish-language phrase. Compared with Pitbull's debut, "M.I.A.M.I.," which has sold 606,000 copies in the United States, according to Nielsen SoundScan, "El Mariel" has shifted 203,000.

Now, acknowledging the need for clarity, he's gone for an English title. And TVT, acknowledging the need for a unified push, is working with a more defined strategy.

"The singles we're leading with will not be particularly Latin songs," Burgess says. Already, the track "Sticky Icky," produced by Lil' Jon and featuring Jim Jones, has been leaked to radio, creating heavy buzz in the urban market. But first single "Go Girl," a catchy track featuring Young Boss and Trina, won't street until the end of June.

"So, TVT hasn't officially been behind the launch of a single and a video and a campaign yet," Burgess says. "With the muscle of the label, we'll hopefully see it explode in radio."

With its catchy refrain, it's conceivable that "Go Girl" will make it onto top 40 radio. After all, Burgess says, although Pitbull is a hip-hop artist and a great rapper, he also has great pop appeal.

Pitbull himself says his biggest records are club tracks like "Culo," "Shake" and "Ay, Chico."

Indeed, his beginnings hark back to club culture, when his friend Lil' Jon—already signed to TVT—would allow him to get onstage and freestyle during his shows. It was there that he caught the eye of Brian Leach, then head of A&R for TVT (and now president of Jive Records). By that time, Pitbull had already visited, without results, every major and indie Latin and mainstream label in the market. What finally sold Leach was hearing the unsigned Pitbull interviewed on New York's R&B/hip-hop station WQHT (Hot 97) two nights in a row.

"It wasn't the talent; it was the hustle," Pitbull says with a laugh. The talent, he says, would evolve, crystallizing in overwhelmingly catchy songs like his first single, "Culo," which didn't appear on any of Billboard's Latin charts. But that song, and others like it, quickly gained a following with urban fans. Eventually, propelled by the evolution of the Latin rhythmic format, multiple Pitbull songs, most in English (save for "Dame," featuring Frankie J and Ken-Y), garnered chart ink.

The fact that Pitbull often took it upon himself to distribute the singles directly to programmers no doubt
helped his cause.

"He's an excellent, excellent self-promoter," says DJ Laz of WPOW (Power 96) Miami, one of the first stations to play Pitbull. "Whether he's pushing a Latin album or a new hip-hop album, his nickname should have been 'grind.' He did not take no for an answer."

However, Laz says, what finally made Pitbull work was his songs. "Whether we're doing a Hispanic festival or a completely urban, hip-hop festival, he knows how to rock."

For Pitbull, his duality is a sign of the times, and a forecast of the future.

"When you've got Beyoncé doing a Spanish record, that shows you the power of our community," Pitbull says. "So, being bilingual and doing the music I do will make all the sense in the world three years from now. [Right now] I'm the only one who's fluent in Spanish and English. There's going to be plenty more to come. But I want to show the label how I can aggro and tap dance between different cultures."

All Eyes On Aesop

Definitive Jux's Top-Selling Rapper Lightens Up

BY MICHAEL D. AYERS

As an MC and beat producer, Aesop Rock has always been associated with a dark kind of art. But his outlook is less bleak on his fourth record, "None Shall Pass," due Aug. 28 via Definitive Jux.

"Many of the songs involve this sort of warped yet positive reflection on growing up," says Aesop Rock, who turned 30 last year. "The things that were fun to me as a kid were nothing like what's fun to me now, and I guess that's where some of the interesting stuff comes into play. The vibes get strange, only because the times were strange in hindsight."

Aesop Rock is Definitive Jux's best-selling artist and one of the more revered names in independent hip-hop, having shifted 307,000 copies of three full lengths and two EPs in the United States, according to Nielsen SoundScan. "This is the biggest record we've put out," label CEO-founder Amarechi Uzoligwe says. "People have a very strong connection towards him, and they want to see him win."

Several other factors have contributed to Aesop Rock's new, lighter mood, including his collaboration with former co-founder John Darnielle.

"He is a lyric-heavy writer, as am I," Aesop Rock says. "He puts a lot of time into what he writes, and stresses the importance of a well-crafted line."

Definitive Jux plans to tie all the marketing aspects to the central themes of this record, with San Francisco-based artist Jeremy Fish collaborating on the artwork and videos. "Even the press photos will mean something," Uzoligwe says. "Everything will have a connection and hopefully take Aesop to the next level."

In light of the expectations of his label and his past success, Aesop Rock says he's consciously trying to avoid themes of "braggadocio" this time around. "For me a lot of that seemed out of my system this time around, or maybe just not important to this record," he says. "I have this constant feeling of there being so much uncharted land in the world of hip-hop."

And though he's already working on more music, the prerelease jitters are still there. "One day I wake up and press this all to the world. It's a strange feeling," he says. "I am confident that the product is pretty good, but unfortunately that doesn't count for shit in the nerves department."
TAKING THE NEXT STEP

Cult Favorite Animal Collective Jumps To Domino BY TODD MARTENS

When experimental indie rock act Animal Collective scored an underground hit with its 2005 album "Feels," the band didn't exactly expect larger labels to come courting.

The Collective's psychedelic atmospheres seemed right at home on adventurous U.K. indie FatCat, a small label that was well-suited to deal with the group's shifting lineup, as well as its insistence on playing largely unrecorded material live. But court it did, and Animal Collective spent nine days meeting with nine different labels.

"Everyone did kind of smirk," says manager Brian De Ran with Leg Up Management. "We figured we would talk to everyone, but didn't think anyone would go for everything.'

But Domino Records was happy to oblige, and will release Animal Collective's "Strawberry Jam" Sept. 4. It comes after three years of steady growth for the group. "Feels" has sold 43,000 units, an improvement over 2004's "Sung Tong" (27,000), according to Nielsen SoundScan.

Even with a new deal, Animal Collective has maintained a great deal of independence, so much so that De Ran did not find out until January that band principal Noah Lennox would be releasing an album under his Panda Bear alter ego in March of this year. The latter came out on Paw Tracks, which the act continues to maintain separate from Domino (see story, page 26).

"As we began talking with the band about working together, they were very upfront about the myriad of permutations in which Animal Collective-related releases could come at a moment's notice," Domino U.S. head Kris Gillespie says.

After completion of "Strawberry Jam," guitarist Josh "Deakin" Dibb announced he'd be taking some time off from the group, but stresses he is still very much a member.

"It's essential to us," Dibb says of the group's ever-shifting roster. "People come and go."

Dibb and David Portner are responsible for the more guitar-heavy sound of "Strawberry Jam." If "Feels" saw Animal Collective moving away from the avant-folk world, the new album is even more aggressive in its atmospheric rock approach, as every melodic crevice is packed with an assortment of ideas.

"It's heavy and driving and forceful in a way that I feel like 'Feels' was not," Dibb says. "Sonically, that album was much more gentle. We wanted this to be a lot more electronic."

Animal Collective has been touring as a three-piece this spring, and has already moved on from the "Strawberry Jam" material.

"They're playing the record that will come out in 2009," De Ran says. "The audience is their guinea pig."

Move The Crowds

Chiodos Signs Autographs Until The Last Fan Leaves

Chiodos works hard for the money, and it's paying off in advance of the Sept. 4 release of its next Equal Vision album, "Bone Palace Ballet."

The post-hardcore group's focus on fan interaction has helped propel it onto the Vans Warped tour and Billboard's charts. Its 2006 release, "All's Well That Ends Well," reached a career-best No. 3 on Billboard's Top Heatseekers chart and No. 164 on The Billboard 200. It has sold 159,000 copies in the United States, according to Nielsen SoundScan.

On last year's Warped, the Davison, Mich., natives stuck around after every show for autograph signings, and they plan to do it again this year once the tour kicks off June 29 in Pomona, Calif.

"We sign every day because we just love meeting people," frontman Craig Owens says. "It goes anywhere from an hour to four hours, until the last kid's done."

Influenced by such veterans as Saves the Day and At the Drive-In, Chiodos' music jumps from a heavy mash-up of metal and punk one minute to electronic blips and keyboard textures the next.

The band is holed up at a Lexington, Ky., studio recording "Bone Palace Ballet" with producer Casey Bates. About 11 songs are complete, and demos are already posted on Chiodos' MySpace page.

In addition to fostering the burgeoning career of Chiodos, the Equal Vision roster boasts other up-and-coming bands such as Circa Survive, whose latest release, "On Letting Go," peaked at No. 24 on The Billboard 200 and No. 2 on Top Independent Albums. Coheed and Cambria and Armor for Sleep were picked up by the majors after initially meeting breakthrough success with Equal Vision.

According to director of marketing Tom Mullen, Equal Vision is focusing its efforts on text messaging, ringtones, merchandise, TV ads and a massive pre-order campaign through Warped, rewarding fans who sign up with a free T-shirt.

-JM
NASHVILLE STAR SCALES DOWN
Yearwood's Indie Debut Due In Late '07
BY DEBORAH EVANS PRICE

With the chart-topping success of singer/songwriter Jack Ingram and platinum-selling newcomer Taylor Swift, Big Machine Records has been cruising along quite nicely. But in signing Trisha Yearwood, the Nashville-based indie shifts into a higher gear.

"It's a dream come true," Big Machine president Scott Borchetta says of signing Yearwood. "She's one of the best singers on the planet. She knew that I had the desire for her to be here and when she was able to close up shop (at MCA Records), we came to an agreement pretty quick."

Yearwood is equally excited about her relationship with Big Machine. "[Independent] used to be sort of a dirty word in this town," she says. "If you weren't on a major label, you didn't have a lot of chance to succeed. It's completely different now. Big Machine has become a major player in less than two years and that's pretty impressive."

Big Machine, which is distributed by Universal, launched in September 2005. "We had to get everything together, get the team solidified, go to work and be attractive to someone like Trisha," Borchetta says. "We've been very fortunate that we were successful early and were able to make the kind of noise that would appeal to her."

Yearwood says she was rooting for Borchetta when Big Machine launched. "But I wanted to see what he would do before I would consider jumping on that ship. You just can't deny the success that they're having and it made me really take a serious look."

Yearwood has known Borchetta for years. They first met in the '80s when she was a receptionist for MTS Records and he was working at the label in promotion. Later he was at MCA and helped propel her first single, "She's In Love With The Boy," to No. 1 on Billboard's Hot Country Songs chart.

The artist hoped to issue a hits package with new material on MCA during the fourth quarter, but Universal Music Group Nashville executives opted not to proceed with that plan. So instead, she's in the studio with longtime producer Garth Fundis working on her Big Machine debut.

"We've gotten 10 songs recorded," Yearwood says. "We were thinking the release date would be in '08, but now we might be getting the fourth quarter of '07."

After 15 years on a major label, Yearwood is excited about her future on an independent. "The Internet has changed the way we do business dramatically," she says, "and I think independents are a little bit more able to roll with it. Huge conglomerates move slower. It's hard to change the way they've done business for 30 years. Independents have the flexibility to say "How do you want to do business?" That makes it very appealing to artists."

If Spoon actually delivers a hit, Merge will be prepared. "Ga Ga Ga Ga Ga" comes four months after the wildly successful sophomore effort from labelmate Arcade Fire, "Neon Bible," and is primed to surpass the sales of "Gimme Fiction," which has sold 164,000 units in the United States, according to Nielsen SoundScan.

But whereas Arcade Fire is indie-to-the-core, turning down licensing opportunities and mobile initiatives, Spoon is more open to traditional music biz maneuvers. The band allowed Jaguar to use "I Turn My Camera On" (from "Gimme Fiction") in a commercial, and "Ga Ga Ga Ga Ga" will mark the first time Merge will dip into the ringtone market.

 Licensing was a smart move, manager Ben Dickey says, since it gave the band "a little safety net." Daniel notes that "Ga Ga Ga Ga Ga" contains the work of nearly 13 guest musicians, the most ever in Spoon's career, and a luxury that could not have been afforded in the past. The band also sprung for granular expenditures such as hiring Jon Brion (Aimee Mann, Kanye West) for some of the new album's production.

"Ga Ga Ga Ga Ga" leaked to the Internet in mid-May, and Merge has since added a 12-track, 22-minute EP to first pressings of the album. Daniel notes it's mostly "demos of songs that never really went anywhere," but insists that it "sounds cool on the EP."

As Spoon has grown, Daniel notes, so has the pressure to provide bonus material to retailers. "It's the value-add," he says. "We were never asked for it before the last record. I don't think it really has anything to do with us. I think it's more about retail record sellers now who want help. We're happy to give them help."

The band's gradual build has attracted the attention of many an outside label, but Daniel is not easily swayed.

"We were approached heavily by some heavy hitters who did not walk delicately," Daniel says. "All it boils down to is this: I still think Merge is the best situation for us. I like the guerrilla aspect of eight people in an office building in North Carolina putting out your record. It feels real."

The Indies issue
Fresh From Backing Winehouse, Dap-Kings Reunite With Sharon Jones
BY GAIL MITCHELL

The names Sharon Jones and the Dap-Kings may not immediately ring a bell. But the group's sizzling mix of soul and funk sure does.

It's the Dap-Kings' organic, Stax-influenced sound that sharply flavors half the music on Amy Winehouse's "Back to Black" album, including hit singles "Rehab" and "You Know I'm No Good." The eight-member band also backed Winehouse on the singer/songwriter's recent U.S. tour.

And of late, producers like Mark Ronson and Kanye West have swung through the Bushwick neighborhood of Brooklyn, N.Y. to work in the all-analog Daptone Studio. Meanwhile, Rufus Wainwright, Lou Reed and They Might Be Giants have tapped the soulful rasp of Jones—remains of Mavis Staples and Etta James—into service.

The core of this growing mainstream awareness is the combustible pairing of Jones and the Dap-Kings. Another sample of their meaty brand of soul and funk can be heard on the Caroline-distributed Daptone Records release "100 Days, 100 Nights," due July 31. Its predecessor, 2005's "Naturally," has sold 15,000 units in the United States, according to Nielsen SoundScan.

Founding member Gabriel Roth says the original material on "100 Days, 100 Nights" more closely captures the group's raw sound. "We're not trying to dig into cliches of the past, which can be a pitfall for someone working in a traditional genre. With more rootsy R&B and a gospel influence, this record gets a lot closer than the last one."

Relentless touring stateside and overseas is responsible for the group's resonating musicianship, as is the members' Twenty associations. It was 1996 when Augusta, Ga.-based Brooklyn transplant Jones began vocalizing on records by Desco Records' house band, the Soul Providers (now called the Dap-Kings).

Earlier, Jones honed her chops doing studio backup work, opening for R&B acts and singing in wedding bands and at church. During a slow period in the late '80s, she served as a corrections officer at Rikers Island. But music is her true calling.

"I've been singing for as long as I can remember," says Jones, who grew up listening to Aretha Franklin, Motown and Stax. "I did this so people can hear some real, live music."

After gigging as the house band for ESPN's Espy Awards in July, the Dap-Kings will reunite with Jones for an October tour. "We're grateful for the outside collaborations, but we don't want to dilute our own work until it becomes the pop sound on the radio," Roth says. "We just trying to make a few good, honest records."...
Thinking Big

Nikki Sixx Wants The World To Know About His New Book, Album

Following the success of tell-all autobiography "The Dirt" in 2001, it stands to reason someone from '80s rock act Motley Crue would eventually attempt a publishing encore. Bassist Nikki Sixx will deliver his on Sept. 18, when he releases "Heroin Diaries: A Year in the Life of a Shattered Rock Star" via MTV/VH1 Pocket Books, a division of Simon & Schuster.

The book pairs diary entries written during a struggle with drugs in the mid-'80s with modern-day commentary from Sixx and those around him. Thoughts and reminiscences with exes, bandmates, record biz execs and family members are all presented through Sixx's drug-induced haze.

Sixx found the diaries in storage, and spent years compiling them for the book. Looking back, he sees them more as a commentary on the record business than a put-down of a lurid rock'n'roll lifestyle.

"We have managers and record company people saying that there was this massive machine, and nobody was willing to take it off the road and fix the broken wheel," he says. "It would have cost them money. It was more important to keep the business rolling than confronting me. I was left out there to die. 'Hey, let him shoot up, and don't ruffle his feathers. I want my 15%.' That's how it works."

A portion of the proceeds from the book will go to Sixx's charity, Running Wild in the Night, a fund-raising initiative for Covenant House California, which aids struggling youth. "Heroin Diaries" will be accompanied with what Sixx calls "a soundtrack," an album of songs inspired by the book and recorded with his band Sixx AM.

The latter will be released by Sixx's management firm, Allen Kovac's Eleven Seven Music, and distributed via Warner Music Group's indie pipeline the Alternative Distribution Alliance. While Eleven Seven has an upstreaming agreement with Atlantic, Kovac says there are no long-term plans to bring the album—which ranges from straight-ahead Crue-styled rockers to heavily orchestrated rock productions—into the Warner system.

Sixx, however, certainly has blockbuster ambitions. "I really like the concept of keeping things on the street and then taking them out of the ballpark," he says. "I like starting it virally and working with MySpace and spreading it from the Internet. The goal is you end up at 'Oprah,' and it's all for the common good of spreading this book out there."

If it reaches such mainstream heights, Sixx is fully aware that many fans will be more drawn to the "Behind the Music"-like tales of the book rather than the intense look at a junkie caught up in a music industry act.

"You have to be drawn to the car race because you think there's going to be a car crash," he says. "So if that's what it takes, fine. If people want to read this book to see how fucked up my life was, and to see how many drugs I took, and to read about my crazy sexcapades, then fine. But in the end, every time the book sells, it's going to put money into a bank account to keep some kids off the street."
Charles Caldas

The CEO of Merlin—the indies’ new digital licensing agency—takes a break from fighting for parity with the majors to talk online sorcery with Billboard.

When Charles Caldas pulled Merlin out of his hat at this year’s MIDEM trade fair, the message that accompanied it was magic to the ears of the independent music community. The new digital licensing agency says it will empower the indies as the “virtual fifth major,” banding the worldwide independent community together on a scale never seen before.

In the six months since the announcement, Caldas and his family have uprooted from his native Melbourne, Australia, to London to drive ahead his vision. Few industry executives know the issues confronting the indies better than Caldas. Prior to his relocation, he was at the helm of Shock Entertainment Group, which claims to be Australia’s largest independent music and entertainment distributor, employing more than 200 staff.

He has also served as a board member of the Worldwide Independent Network, the Australian Recording Industry Assn., and the Australian Independent Music Assn. (AIM)—and fought back from a life-threatening illness.

With Merlin scheduled to be up and running by the end of June, he will now aim to bring the same magic touch to its quest for equality with the major labels on such Web 2.0 services as YouTube.

Why did you set up Merlin? Do the indies really get a raw deal currently?

The path to market for all record companies has changed remarkably quickly. There also seems to be a growing divide in terms of the value of copyrights that independents attract and the fact that you have very large corporations announcing massive deals with major labels and nothing in the independent sector. The independent sector is very large collectively, but it is very scattered, very disparate, and there is no really effective mechanism by which services that are looking to license product can actually engage with that sector.

What are the goals of the service?

Short term, to get the organization properly incorporated. We’ve appointed an interim board that I’m working with, which consists of nine people from around the world. It’s going to be a nonprofit organization, owned by its members, governed by an elected board of independent rights holders from around the world. A year down the track, we’d like to be established as a clear central point for the independents’ rights holders to use in a way that they see fit. Beyond the short term, it is to start looking at some targets in terms of the companies we feel should be engaging in a more positive way with the independent sector. Certainly the broad goal would be to actually have a vehicle that can speak on behalf of the global independent sector, because none exists at the moment.

How will Merlin be financed?

The first year’s financing has come from [European indies trade group] Impala. Impala had a [partial] settlement with Warner based on some market concessions in terms of a potential merger [with EMI Group]. It’s very encouraging that a body like that, which has a strong history of protecting its members rights, has actually identified Merlin as a body that they want to support.

If the Warner-EMI merger does not happen, will that upset funding?

From where I sit, no. We need to be clear that the decision to fund Merlin via Impala was made by Impala. But our aim is to become funded by our own activity as quickly as possible. My aim is to have a self-sufficient organization that is cost-effective for its members to use, that’s transparent, that is operating in a way that benefits the entire community.

Impala’s deal with Warner caused friction, with U.K. labels Ministry of Sound and Gut splitting with AIM in protest. Are the indies now all on the same page?

I think so. I feel very arm’s length from that. To me, that was a local issue. As much as Merlin has been mentioned as a recipient of some of the funds of that settlement, I don’t think it changes the role that Merlin plays. Certainly, no one I’ve spoken to is questioning Merlin in light of that deal.

How does Merlin intend to compete on a level playing field with the four majors?

On a global basis the independent community is about 30% of the market. It’s very easy for a new service that is looking to license music for a new kind of online usage to go to Universal and tie up a quarter of the world’s repertoire in one conversation. The independent sector is far harder to engage. It’s a basic business proposition that says, “If there’s a central entry point and it’s easy to engage with the sector through one point rather than thousands, then hopefully those efficiencies can result in deals which follow through to the membership.”

In January, you announced a deal with Shawn Fanning’s Sno Cap that would allow artists and labels to sell MP3 downloads from their MySpace pages. Are any other deals in the pipeline? Nothing at this point in time. The real focus in the short term is getting the organization properly built.

You’ve also had some personal challenges. A few years ago, you took a break from the industry and left Shock. What was behind that decision? I had been at Shock for 15 years, which is a long time for any industry. In the music industry, it’s probably a ridiculously long time. On a personal level, I felt it was time to reassess where I was, where I wanted to be. That whole period coincided with a brief illness that I had. But for me it was time to step out and reflect. And 15 years seemed like a good enough milestone to do that.

Your illness was a lot worse than that—it was a spinal infection. I was hospitalized for a while and on antibiotics for a long time. In retrospect, it allowed me to hone in on all the areas that I’ve been more and more interested in—the new-media area, the changing metrics of distribution, the challenges for the independent sector.

You helped build one of Australia’s most successful music companies. What were the key elements in that success?

At its heart, it has always been driven by the people in the company who work with the music. The company started at a time when independent labels didn’t have very effective paths to market within Australia. The growth just came because there were a lot of passionate people who really believed in what they did. Other than that, it was about running a sensible business. It’s a reasonably extraordinary story. When it started, there were six people in a smoky sunroom. It’s now a company which controls quite a lot of the market.

If you were a betting man and going to put money into the music industry, what would be the safest return?

I would bet on the fact that the independent sector will continue to grow.
Party On
Indie-Centric U.K. Festival Returns To U.S. Shores

As U.K.-based All Tomorrow's Parties proved from 2002 to 2004, breaking an indie-focused, artist-curated festival this side of the Atlantic isn't easy. Already a successful, multiday music event in England, ATP failed to win over an American audience, just as the Coachella and Bonnaroo music fests were taking off.

But this summer ATP will try again, albeit with a little help from the Pitchfork Music Festival. For the opening day of the July 13-15 event in Chicago, ATP is collaborating with Pitchfork to present its Don't Look Back series, which features artists performing acclaimed cult and underground albums in their entirety. The bill includes live performances of Sonic Youth's "Daydream Nation," GZA/Genius' "Liquid Swords" and Slint's "Spiderland."

With a Friday ticket price of $15, the show has already sold out, and ATP founder Barry Hogan appears to have taken a successful first step in resurrecting his brand stateside. "We didn't want to go crazy with it the first time," Hogan says. The ATP name disappeared in America after 2004's Modest Mouse-curated fest on the Queen Mary cruise ship-turned-hotel in Long Beach, Calif. "We wanted to start slow."

After putting its stamp on Pitchfork's festival in July, ATP will host additional Don't Look Back summer dates in Los Angeles, San Francisco and New York with Sonic Youth, Slint, Girls Against Boys and the Melvins.

As for future ATP festival plans in the United States, Hogan says something could materialize within the next 15-18 months. "The plan is for ATP to be back on the map for 2008," he assures.

ATP made its American debut in 2002 in Los Angeles, showcasing such acts as Pearl Jam's Eddie Vedder, Television, Sleater-Kinney, Wilco, Iggy Pop & the Stooges, the Flaming Lips, Deerhoof and the Shins. L.A.-based Goldenvoice co-promoted the shows in 2003 and 2004. But even with such recognizable acts on each bill, ATP lost money two of three years.

When ATP launched in 2000 in the United Kingdom, though, "people were into the idea and willing to go with the flow with some of the bands they didn't know," Hogan says. "There may be 10 or 15 bands you've never heard of, but you might walk away loving a few." Erik Carter, who books Deerhoof and others with the Kork Agency, agrees that many U.S. fans approach festivals differently than overseas. "Everybody (in America) is all about the headline," Carter says.

The key to reviving ATP in the States would be to come up "with a really strong lineup to get people familiar with the concept, then get to a point where we can experiment" and bring more underground artists, Hogan says, adding that a cost-effective ticket price is also important. "One of the reasons Pitchfork works in Chicago is because the ticket price is so cheap. People are willing to pay $25 and take a chance on some of the bands they might not have heard of. They feel like they're getting value for their money."

-Tim Murray Peters

Charting a Path
Avett Brothers Travel Their Own Independent Road

The Avett Brothers have chosen a fiercely independent career path that other indie acts that don't fit into a perfect niche should take note of. The tactics they've settled on—comprising a boutique label, endurance-test touring and fiery performances that recruit loyalists one show at a time—go a long way toward leveling the playing field.

Musically, the North Carolina-based trio blends rootsy instrumentation, revival-meeting intensity, sibling harmonies, ambitious themes and catchy melodies with the odd screaming guitar solo and a pervasive rock attitude. Brothers Scott (banjo) and Seth Avett (guitar), with bassist Bob Crawford, have forged a brilliant onstage alchemy and an effective business model that is now starting to pay off.

The brothers began their musical journey in the hardcore rock and punk worlds. "At that time we felt that if you play somewhere one day someone's just going to show up and say, 'Hey, here's a bunch of money, let's take some pictures of you and you're on your way,'" Scott Avett says, calling from a tour bus somewhere between a stop at the Wakarusa Festival in Lawrence, Kan., and the next gig in Pittsburgh.

"By the time that all got chewed up and spit out," Scott continues, "we kind of took an overzealous attitude of, 'Nobody wants to help us, so let's just do this.'" So the band created Avett Brothers Inc. in 2002. "We don't know any other way to do it," Scott says. "Boo, our bass player, booked our first tour, a three-week-long run up the East Coast, over to Chicago and into the Midwest. We just day by day pushed it, pushed it, pushed it." Not that they didn't give the "system" a shot. "We had meetings with large labels where the person we played in the conference room would sit there and say, 'I think you're great and all, but I have no idea where you guys fit into some radio category.' We realized quickly that that was another obstacle that we would have to overcome," Scott says.

In 2003 the band signed to manager Dolph Ramseur's Ramseur Records, where the Avett Brothers and the members' various side projects pretty much make up the label roster. "We really partnered up (financially) right down the middle, and it works really well with us," Scott says. "We really just share responsibilities and I'm starting to be convinced that when you're going independent it means find one guy, one label, one band per label, and get out there and you both focus on it." Veteran agent Paul Lohn of New Frontier Touring, instrumental in breaking the Dixie Chicks before that trio moved to Creative Artists Agency, began booking the Avett Brothers in 2003. Lohn set out to make the brothers a solid hard-ticket act in major markets, and now they're seeing their best sales ever.

Lohn says the Avetts are putting up their best numbers "specifically in markets where they have performed four or more times, as their success is commensurate with the number of appearances in each market." He adds that an AB show is similar philosophically to a Grateful Dead show. "They never play the same show twice, they let the mood and environment dictate the content, and they let the passion of the moment take the song where it will, so that there is a very real, very personal experience.

Paolo Nutini offers this advice: "Request packaged goods with shelf life and clean socks on your rider." Beyond that, Sommer advises, "Change your oil once a week, play each show as if it were your last, actively engage your fans at the merch booth until the lights are out, hold the drummer accountable for all accounting."
When Christian Bernhardt moved to the United States to finish his law degree, the German-born owner of Emeryville, Calif.-based Kork Agency admits, "I didn't even know what a booking agency was."

But with the help of a friend in 1997, Bernhardt began booking shows for little-known noise-rock bands in Minneapolis and was hooked. Now, more than six years after moving to Northern California and founding the Kork Agency, Bernhardt oversees two North American offices, eight employees and a diverse roster of nearly 175 artists, many of them indie.

With such clients as Aesop Rock, ... And You Will Know Us by the Trail of Dead, Atmosphere, Beirut, CocoRosie, Deerhoof, the Gossip, Mates of State, Of Montreal, Peaches, Sage Francis and Xia Xiu, among others, Kork has between 10 and 30 tours on the road at any given time. And while Bernhardt describes the small to midsize venues Kork traffic in as "completely clogged," he says he still turns a profit while maintaining his independence.

Have declining album sales changed the way indie artists tour?

More and more bands realize that touring, if done right, can create quite a bit of income aside from record sales. The point of touring originally was to promote your record. But it's has shifted to make money as well.

So then how has booking bands changed since you first started?

Nowadays there are way too many small bands out there that want to get on the road. When I started booking, the rule was — at least for the size of bands I booked — that you started booking about two months in advance. Now you need to start placing holds and reserving venues some eight months in advance ... It's completely clogged up. It's insane that I have to book a 100-capacity room tour six months in advance. Maybe the answer would be that venues refuse to book certain acts further out than four months in advance.

Does Kork only book acts that are signed to a record label?

No, I used to, only because we needed the support of the label to make it work. Since the Internet has become such a strong force, we occasionally take on bands that don't have a label, but have strong label interest. ... There are also bands we book that aren't established yet. We pick them up because we have a feeling they will go places, and because we know that once the band's record is out they're going to get sowed up by the Agency Group or William Morris [Agency].

As the owner of a boutique booking agency, is competing with larger agencies a major challenge?

...
The Domino Effect
Indie Label Finds Acts To Match

By Lars Brandle

With a roster that includes two of Britain's biggest breakout bands of the last five years, Domino Recording lately has been making success look easy. But when it launched, hit records were the last thing on the label's agenda.

Today's achievements are a far cry from the day in 1997 when a 25-year-old Dropout Records founder Laurence Bell launched the label, aided by a £5,000 ($9,340) government grant. Back then, Domino wasn't even intended as a home for British talent — it launched as a U.S. licensee for U.S. albums by such alternative acts as Sedaloh, Royal Trux, Pavement and Elliott Smith, and soon became a byword for noncommercial, left-of-center rock.

But after guiding Franz Ferdinand to global stardom and turning Arctic Monkeys into the U.K. scene's first genuine rock phenomenon since Oasis' mid-'90s heyday, Domino is one of Britain's highest-profile indie labels. It has sold millions of CDs and become accustomed to winning major plaudits.

How did this transformation happen? Bell says the label's Road to Damascus moment came in the late '90s when it refocused its A&R. "We've always provided a home to an eclectic bunch of people who choose to do things in different ways, but wanted to find more artists who shared the same ambition we did—that were willing to give it their all," Domino director John Dyer points to the signing of U.K. band Clinic in 1999 as a key A&R moment. Although

Clinic has had little commercial impact, "they were feted by bands like Radiohead," he recalls, "and supported them on a U.S. tour. That created a real frisson in the American industry, helping put Domino on the map over there."

Bell says, "Nearly 10 years ago, we stopped [just] licensing music from America to sign groups for the world from the U.K.—music which culturally sat with the label, which we could send back out to the world.

At roughly the same time, he adds, the company began using leading London-based promotion company Anglo Plugging—which then represented Oasis, Fatboy Slim, Paul Weller and the Beautiful South—for some of its releases. "To get on a radio playlist, you need a company that regularly gets records at commercial radio and [public top 40 station] Radio 1." Bell says. "If you can't afford to have someone running your own departments, you need to outsource that."

Anglo national radio/TV plugger Dylan White gives credit to Franz Ferdinand, which signed with Domino in 2003, for "getting the records right, which made our job easier.

"But there was still work to be done to establish the band at mainstream radio."

And the band, he says, "has become a phenomenon, due to the label's determination to plan its exposure." Domino released the band's first album, the debut album, in the U.K. on June 18. Here are the key albums that dot the Domino story.

CLINIC, "CLINIC" (1999)
The signing of this country band's debut album, compiling its first three EPs, represented a watershed in Domino's A&R sensibilities. "Ultimately," Domino director John Dyer says, "a reason why Franz [Ferdinand] and Arctic Monkeys are on the label is because [label founder] Laurence [Bell] got involved with a band like Clinic."

FRANZ FERDINAND, "FRANZ FERDINAND" (2004)
With a slew of radio-friendly hits, the Scottish alternative rock band's debut was a spectacular international success, and U.K. critics awarded it the Mercury Music Prize. More than 1 million copies have been sold in the United States through Epic.

ARCTIC MONKEYS, "FAVOURITE WORST NIGHTMARE" (2007)
If the second Franz Ferdinand album stalled commercially, this was the record that showed Domino could strike twice. A dream start with first-day U.K. sales of 85,000 saw the "second-album syndrome" bypassed with a No. 1 bow. This time, America also tuned in. It opened at No. 7 on The Billboard 200, well up from its predecessor's No. 24 peak.

ARCTIC MONKEYS, "FAVOURITE WORST NIGHTMARE" (2007)
Rarely has a debut carried such expectations—and lived up to it. In the United Kingdom, the Official U.K. Charts Co. logged first-week sales of 363,735 copies, making it the fastest-selling debut in British chart history. BRIT, Ivor Novello and Mercury honors were added bonuses.

And now, the company is developing the film rights to the band's story. "We're considering three scenarios—those who get away with it, those who get murdered and those who get their comeuppance," Dyer says. "The last option is the one we're going with."

because our name hopefully makes people pay attention," White says. "We had Franz doing live events for stations that usually play Robbie Williams and who'd never had a Domino record in their lives before."

The Franz Ferdinand signing also saw the label change tactics at retail, HMV rock/pop buyer John Hirst says. "Their representatives actually came in and presented the album to retail on its own—pretty much the first time they'd done that for an individual Domino release," he says. "Prior to that, they'd tended to present key releases for the quarter. That put a huge focus on the album, which, combined with the buzz that was already building, helped to create real momentum in-store."

White recalls a conversation with Bell the night Franz Ferdinand won the Mercury Music Prize. "I said, 'Now's your chance—sign another act like this and you'll be the Creation Records of the '90s."

When Bell did sign that act, however, Anglo was not tasked with securing the same maximum exposure it had attained for Franz Ferdinand. "The Arctic Monkeys came under a lot of pressure to play the media game and if they'd been signed to a major label, [the major] might have tried to force their hand," White says. "But Laurence does things the way bands want them done, so he needed a well-respected and experienced plugging company who could say 'no' to things."

The media-shy Bell is reluctant to discuss Domino's business side, saying he gets "more excited talking about the groups and signings. And the label has several new signings for Bell to enthuse about: New York-based experimental rock act Animal Collective (see story, page 20), Lightspeed Champion (a spinoff from U.K. band Test Icicles), Leeds-based alternative rock/pop band Wild Beasts and veteran singer/songwriter Robert Wyatt.

After its recent windfall, the label is supplementing its London and New York offices by opening one in Singapore in March. "We wanted to be proactive in a region most people tend to ignore," Bell says. The Singapore operation, headed by marketing manager Nikki Mahmood Chee, handles sales, distribution and marketing on U.K.-sourced Domino releases in Singapore, Malaysia and Indonesia, and coordinates license deals elsewhere.

The New York office, headed by label director of A&R Kris Gillespie, coordinated April's North American release of Arctic Monkeys' sophomore album, 'Favourite Worst Nightmare.' Warner Bros. handled marketing/sales support, while the Alternative Distribution Alliance (United States) and Outside (Canada) distributed. The album debuted at No. 7 on The Billboard 200, sales stand at 100,000 units, according to Nielsen SoundScan.

Domino's North American licensing arrangement with Epic on Franz Ferdinand will continue beyond the band's third album. "We're very happy with that," Bell says. "They sold more than 1 million with the first record [in the United States] and [went] gold with the second. It's a good, healthy relationship which we aren't looking to undo."

According to data compiled by the Official U.K. Charts Co. for labels body the BPI, Domino had a 0.9% domestic market share in singles and albums volumes during 2006. Its share hadn't merited a mention in the BPI's annual statistical handbook until 2004, when it took 0.5% of both formats.

Martin Mills, chairman of leading London-based indie Beggars Group, identifies key elements that fueled Domino's success. "Firstly," he says, "building up a company based on great music over a period of 10 years. And then the huge risk of signing Franz Ferdinand, which I think Laurence mortgaged his house to do. Anyone who puts their neck on the block to take a bet on something they believe in deserves huge respect."

Bell wouldn't confirm the mortgage story but adds, "We would never sign something just because we thought they'd be successful. There's some sort of connection in signing a company with whom you can talk to the people who run it and own it. It's a lot more tangible."

Additional reporting by Mark Sutherland and Tom Ferguson in London.
Nacional Anthems
A Scrappy Latin Alternative Label Finds Its Own Way To Thrive

People tend to associate Latin alternative music with indie labels, but that wasn’t always the case. When the Latin Alternative Music Conference (LAMC)—taking place July 10-14 in New York—started eight years ago, a wealth of major Latin alternative releases was the basis for optimism on the sales and radio prospects for the genre. With the passage of time, those prospects haven’t materialized as expected. There is not a single commercial U.S. radio station devoted to Latin rock or alternative music, and major sales numbers have only come when those “alt” acts conquer radio with more mainstream sounds. Yet the Latin alternative scene has sustained itself in other, less traditional ways. Witness Nacional Records, the label created by LAMC founder Tomás Cookman.

The scrappy label has thrived, thanks to its reliance on alternative revenue streams and its independent way of doing business. Nacional is profitable, with plans to increase its staff from 10 to 20 by year’s end. Costs are kept down thanks to tight artist relationships and vertical integration: Nacional owns its own publishing and houses its own management (though being signed to either is not mandatory).

Cookman, who at one point was a drummer for a punk band, gained experience—and a familiarity with labels’ inner workings—while managing such acts as Los Fabulosos Cadillacs. “I felt a lot of acts really didn’t get the support,” Los Angeles-based Cookman says. “I also felt, ‘Why are the three to five labels that exist the only option? It’s really hard to be a pop label, a rap label, a tropical label all at once.’”

Cookman’s acts include Aterciopelados, Nortec Collective and Pacha Massive, a group he signed straight out of LAMC (it won the conference’s 2006 Battle of the Bands). Aside from record sales, synch licenses provide a primary revenue source, facilitated by publishing and management sharing space under one roof.

Likewise, Cookman works with his artists to keep costs down and budgets realistic. As a result, “our acts, if they sell 25,000 copies, they’ll make more money for us than on a big label selling 100,000,” he says.

Though record sales were already in decline when Nacional started operating, the rise of digital distribution and the Internet proved to be crucial to the label’s development and its targeting of specific audiences. For example, although Nacional is distributed by Warner’s Alternative Distribution Alliance, which ensures placement with indie retailers, retail itself has been “a challenge,” Cookman says. “You can pay all this money to be in a retail program, then go to a store and not find it there. With digital you don’t have those issues.”

Still, Nacional continues to grow. “Many of the greatest labels, like Atlantic, Def Jam or Roadrunner, all came from the same frame of mind. That’s where I see Nacional going,” Cookman says. “This is not meant to be a little boutique thing. And there should be other labels. This market screams for it.”

For 24/7 Latin news and analysis, see billboard.biz/latin.
Defining A Sector

As The Industry Shifts, So Does The Formula

W what constitutes an independent label? The answer depends on whom you ask. And it can change, depending on why or when you ask. And oh, yeah, even within the increased attention community all players agree on the answer.

In 1989 when I joined Billboard, the answer was a lot simpler. Nowadays, it's muddled.

Back then, according to Billboard, if a label—regardless of who owned it—was sold to retail accounts by one of the six major distribution companies, it was regarded as a major, and everything else was an independent. That designation was influenced by the philosophy that any label sold by major distribution company salesmen has an inherent advantage with accounts over those that independent distribution companies handled. That's because the major-label distribution companies are better-staffed and often provide most of the big-selling hits that drive store traffic as well as spending the most cooperative advertising dollars.

So when Chris Blackwell still owned Island Records, it was a major because it was distributed by WEA, and then PolyGram, which ultimately acquired the label. But Tommy Boy—then 50%-owned by Warner Music Group (WMG)—was independent because the label sold most of its titles directly to large accounts and used independent distribution for smaller accounts. But when it released the same formula as Island and WEA, those sales were counted as part of WEA's market share.

When Nielsen SoundScan launched in May 1991, it followed the same formula as Island and WEA, although that might have had more to do with bar codes than a philosophy. Within each bar code are certain numbers that identify a company, and in the early days of SoundScan, it was probably easy to identify each major's titles. SoundScan then designated every other label as the "other" category, which

the industry recognizes as "indie." That formula is still used today. This wouldn't be such an issue if the world hadn't changed since 1989, when the only times independent and majors interacted was when a major bought one.

But then Sony Music broke the mold when it acquired 50% of indie wholesaler Important in April 1991, which then became known by the name of its label. Relativity, its distribution company would become known as Relativity Entertainment Distribution—soon

confusing. In 1992 PolyGram started ILS, or Independent Label Sales, while EMI bought Virgin and inherited Caroline. The following year, WMG started the Alternative Distribution Alliance (ADA), and in 1994 BMG started BIG, or BMG Independent Group.

But that wasn't all. WMG bought 49% of Sub Pop, and Matador hooked up with Capitol and put some of its acts through the major with others still at indie distribution. Also, EMI's distribution company at the time, CEMA, did

influenced a lot simpler.

But when Michael Koch ran a private company, he was a true independent, neither like RED or ADA, each owned by a major; nor like Navarre. As a publicly traded company, Navarre has access to financial resources unavailable to Koch. When Koch was bought by a public company, his indie definition conveniently changed: His

company is still touted as the top independent in the country.

Of course, the definition can still change. When the American Assn. of Independent Music began, it touted ownership as the deciding factor. For example, big-label majors with "indie" labels like Wind-up, Roadrunner and Hollywood fall into the indie category even though a major distributes them. But now that WMG has bought a 72% stake in Roadrunner, newly appointed AAIM president Rich Bengloff says the indie definition should be based on who owns and controls the label's masters. In this instance Roadrunner founder and chairman Cees Wessels says, does, so Roadrunner is an independent.

Along the way, Nielsen SoundScan has learned there is more than one way to skin a cat, and its market-share numbers reflect that. So in addition to including ADA and its peers as part of "other" (i.e., indie) market share in one set of data (see chart B), in 1997 Nielsen also began providing an entirely separate set of data including those companies under their corporate majors (see chart A). To confuse matters even more, as of the week ending June 10, for the first time since SoundScan began, Caroline was excluded from the first set of data because its sales force has been let go and the EMI Music Marketing team is now selling Caroline's labels. But the sales that the Caroline sales force accumulated before June 10 will remain in the indie market share for the remainder of the year.

In the wake of that change, the accompanying pie charts show the two ways Nielsen SoundScan presents its market-share data: both by so-called "true" indie standards and by the definition Billboard uses. But even that's not the full story. So I'm also providing a third pie graph (see chart C), illustrating Bengloff's completely unrelated definition—and where indies actually wind up with a bigger slice than any of the majors.

For 24/7 retail news and analysis, see billboard.biz/retail.
What's In Store
Small Retailers Find Creative Ways To Weather The Storm

A WEB RETAILER GETS PHYSICAL
Dusty Groove America (Chicago)

While some worry that the Internet is pushing record stores out of business, Chicago's Dusty Groove America found the Web to have quite the opposite effect. The retailer went from Web portal to brick-and-mortar storefront during the course of five years.

Launched as an e-mail order destination in 1996 for fans of avant-jazz, underground hip-hop and world music, Dusty Groove was such a local hit that owner Rick Wojcik opened a walk-up window for pickups. Continued traffic at the window eventually forced Wojcik to open a full-fledged store in 2001, despite the fact that Dusty Groove still does more than 90% of its business online.

"We had that [window] because we knew that only be open two days per week," Wojcik says. "But we have people working through the middle of the night here, and decided to just keep the store open longer. That's essentially eliminated the need today for the take-out window."

Wojcik reports that of the 10% of customers who reside in Chicago, half of them walk in the door having already placed a hold on an item online. "So many of the brick-and-mortar purchases are informed by the Web site on a daily basis," Wojcik says. "If we put up a lot of product on a Tuesday night, the store will be really busy on Wednesday."

And the heavily curated store—Wojcik says Dusty Groove stocks about 10,000 titles at any given time—is now taking matters further into its own hands. Seeing major labels trim the staffs and output of reissue divisions, Dusty Groove launched its own label in conjunction with Universal. Wojcik says this summer, the jazz, funk and soul titles will be available nationally via Infinity Entertainment Group.

LESS IS MORE

Other Music (New York) When Other Music became one of the first brick-and-mortar indies to open an online MP3 digital download store, it decided to stay true to the premise of its logo instead of taking advantage of the Internet's virtual shelf space. "iTunes has a ton of stuff and eMusic is indie-focused," says Josh Madell, co-owner of New York-based Other Music, "but we are cherry-picking titles. Our online store is curated the way a local indie shop is." When Tower's lower Manhattan store opened across the street, the indie store excelled at carrying music that the supermarket didn't. So far, Other Music's site sells about 5,000 albums, letting it feature left-of-center titles that might not get coverage on the bigger sites.

A VINYL NICHE

Criminal Records (Atlanta) Many indie sellers are reporting an increase in a niche product that can't easily be uploaded. In Atlanta, Criminal Records owner Eric Levin goes one better. "Turntables used to be a nice item for us," he says, but now we are stocking turntables dozen at a time and we keep them upfront." So far this year, vinyl music sales have increased 20% at Criminal. It also sells other product lines, including magazines, comic books and coffee. "It's a very exciting time to be a niche retailer," Levin says. "Because there is a lot of money in the niche."

RETO REFURBISHING

Fingerprints (Long Beach, Calif.) If you want to spend $300-$500 on a decent new automatic turntable nowadays, be prepared for a shock. You can't, at least not easily. Most electronics superstores carry cheap automatic turntables for about $120, or non-auto DJ turntables. But Fingerprints has solved the dilemma. A former employee scavenges turntables from thrift stores and eBay and refurbishes them with abundantly available generic needles. "We can keep turntables priced for below $100 bucks, which is a good entry level for someone trying to get started in vinyl," Fingerprints owner Rand Foster says.

ALL AGES

Grimey's New & Preloved Music (Nashville) "There is no reason for kids to come to record stores anymore, so we try to give them compelling reasons to come," Grimey's co-owner Doyle Davis says. The store specializes in indie music and has a big vinyl presence. In fact, it has a vinyl store within-a-store. In-store performances are frequently scheduled in—and below—the space as well. In the building's basement, co-owner Mike Grimey runs a club heavy on Americana acts, many of which are carried up above. "The good thing is, if kids can't go to the club we do a lot of in-stores, so they can see bands live here," Davis says.

—EC
Independent labels have a new message for companies that have been streaming their music videos online free of charge: Pay up.

After years of supplying content to likes of AOL, Yahoo and MySpace gratis in the name of publicity, many independent labels are rethinking that strategy.

Indies are now becoming increasingly vocal that they want to share in the revenue generated by ad-supported digital media services.

"There is a lot of ad revenue being generated by these companies around our content," Epitaph Media to independent and charge:

"We're trying to figure out how to get ad-supported digital services that don't license and share revenue with them—including MySpace, Bolt and Grouper.

"Indie executives see a parallel between the current environment and the early days of MTV. Back then, the majors pressed the network into agreeing to lucrative licensing deals that continue to this day, but the indies never managed to ink similar accords. They were content to settle for the promotional value—a decision that has haunted them ever since. They want to avoid similar mistakes this time.

"But not long ago, such talk from the indies would have been unheard of. Historically, independent artists and labels have viewed the Web primarily as marketing and promotion platforms.

"These forms of distribution are more important to the indies than they are to the majors because they have shown to be affordable and effective alternatives to endcap promotions and buying your way into a clear channel playlist and buying your way onto MTV," Sinnreich says.

That's not the only benefit. Ad-supported media also provide value as a bandwidth provider to many indies that can't afford to stream content directly from their own sites. In fact, the rise of portals and social networks enabled many labels to cut back on the amount of content they were offering on their own pages.

But Indies say even with those inherent benefits, they can't afford to wait any longer in seeking participation in the ad-revenue of Web sites that stream their content.

With the shelf space increasingly squeezed at large chains and mass merchants and the number of independent retail outlets dwindling—sinking from some 7,000 in 1991 to roughly 2,000 today, according to AAIM estimates—finding new sources of revenue is important to the indie sector.

"These technologies are wonderful things for the independent community and independent artists. But we need to monetize that now. That is the next phase for us, which has to happen quickly for our financial health," Bengloff says.

So far the only places on the Web where indies collect money are through download and subscription retailers like iTunes, eMusic and Rhapsody (which operate on a wholesale model), and Internet radio services (which are subject to government-regulated noninteractive radio licenses).

Even there independent are becoming more aggressive in collecting. Some indie labels have become increasingly feisty in their negotiations with digital retailers like eMusic, griping over the pricing models of the bulk download retailer and privately threatening to pull content if they didn't see a better cut of revenue.

Meanwhile, in the contentious debate over Web radio rates, the AAIM has been quick to point out the importance and value of independent music content to webcasters, noting that indie music accounted for 37% of nonterrestrial radio play in 2006, according to data from SoundExchange.

By comparison, indie labels held a 13.1% overall, first-quarter U.S. music market share, according to Nielsen SoundScan. Add in independently owned labels distributed through major label distribution companies (see Retail Track, page 28) and that number is closer to 30% market share, AAIM estimates.

But that's a market share that comprises more than 1,800 labels, according to the AAIM. Establishing formal licensing
Payday

relationships between ad-supported services and that many labels is no small task.

"The issue for the indies is how do you get those deals done," Hansen says. "You are talking about a lot of small companies out there."

Some digital download retailers, most notably iTunes, have been willing to work directly with indies in establishing content licensing agreements. But not all companies are. The mobile sector to date has been less willing to do so, opting instead to require indies to have their distribution handled by an aggregator.

That's why groups like the AAIM, which represents 121 labels, are looking to flex their collective muscle with digital services by attempting to negotiate licenses with them on a mass level.

The group has made strides in that direction, recently inking a deal with Snocap that covers the sale of MP3 downloads through MySpace and other Snocap partners.

But it remains a work in progress.

The good news, Sinnreich says, is that the majors have done the important bushwhacking in establishing the industry norms.

"I don't think there is going to be a continuing silo separating majors from indies," he says. "All it takes is one class lawsuit to change that. And I don't think it will even come to that."

Hansen says that indies are just starting getting their arms around the issue now.

"If you talked to marketing people at major labels six months before they had all these deals they would have been giving music away for free too," he says. "People who were trying to develop and market artists were seeing a promotional value. But business affairs and corporate said, 'Stop doing that, this should be a revenue stream.' We're struggling with that internally, with the strategies and philosophies. There's a learning curve." — Brian Garrity

Independent artists and labels today have a variety of low-cost, low-commitment options for making their music available for sale online. Among the companies leading the trend is TuneCore, the new digital distribution service from spinART Records president Jeff Price. TuneCore users pay a one-time setup fee of 99 cents per track as well as 99 cents per store in addition to a $9.98 annual maintenance fee to get their music on the likes of iTunes, Rhapsody, eMusic, Napster, Yahoo Music Unlimited and Sony Connect. All profits from the sale of a song go back to the copyright owner. In slightly more than a year of operation TuneCore has facilitated more than $1.7 million in download transactions and the service counts Tapes 'N Tapes, Frank Black, Ricky Skaggs, Ziggy Marley, Secondhand Serenade, Izzy Stradlin and Mark Eitzel among its thousands of users. TuneCore's model has also attracted the attention of Guitar Center, which in December made a strategic investment in the company, the size of which was not disclosed. Billboard recently caught up with Price to discuss the future of digital distribution for indies.

Why partner with Guitar Center?
They have 300 stores and are responsible for somewhere between 40%-50% of all U S. domestic gear and equipment sales . . . And they have a reported active customer base of somewhere between 15 million-25 million customers. Every single one of those people is a potential TuneCore customer.

You've been a vocal critic of the traditional digital distributor/aggregator model. Why?
The aggregators say, "If you use us, you need to give us rights to the master recordings, exclusively for a set period of time and term in a digital format, and every time that music sells, we're going to take a percentage of that revenue." Why in the world should I be paying (an aggregator) an unlimited amount of money as a distribution fee when they don't have any of that overhead or service or functionality of a physical distributor? That makes absolutely no sense.

But for that they provide value through distribution and marketing support. Aggregators release as many as 3,000 albums per month. How in the world does one actively market and promote 3,000 albums in a month? Even if they could market and promote me, when I hire someone to market and promote, I pay them a flat fee.

But isn't TuneCore doing essentially the same thing? TuneCore is a service model. We're taking no rights . . . You get 100% of the revenue, and a nonexclusive agreement, and you can cancel at any time. And you get 24/7 access to the money that you've generated.

So do indie artists still need labels? The label's job is to try and get music into the pipelines where people will see it and hear it. That's what their marketing and promotion is. But if you could get into that pipeline yourself, what do you need them for? You now have vehicles that enable you to do that on a mass level: Pandora, Last fm, YouTube. And to those who say, "Yeah, but you need a label to do this," the response is an artist named Kelly . . .

He put up a video on YouTube for a song he wrote called "Shoes." And the thing virally took off. He probably spent a couple hundred bucks on making the video. He had over 30 million views. He used TuneCore to get his album into iTunes. I think he paid us $14 or $15. In three weeks he sold over 106,000 copies of the song. Three weeks. That's more than any spinArt record has sold in 18 years.

That's not a ringing endorsement of the label business, especially from someone who runs one.

That why I founded TuneCore . . . There was an album [spinArt] released, and we lost our shirts on it. And it really upset me, not only because we failed the artist and because it didn't work, but because everyone on the service side made money. It occurred to me that the poster place, the manufacturing place, even the publisher, the video production house, the post office on postage, the jiffy envelope place. They all made money off of us. And I was like, it didn't matter how well we did or didn't do, they still got paid for their service.
Modernizing Merch Selling Digital And Mobile Content At The Gig

Unsigned and indie artists for years have sold CDs and tapes from their merch table at live gigs to earn a little extra scratch while on the road. How '90s, right? Where's the digital download? How about a ringtone?

There is perhaps no more important moment for an unknown act to make an impact than at the point of initial discovery—which almost always means at a live gig. Until recently, the only way to capitalize on this digitally was for bands to announce their Myspace profile and hope fans would visit.

Not anymore. A handful of new companies now offer digital DIY resources to savvy artists interested in converting the live experience into an opportunity for profit and promotion.

One that's been commanding a decent degree of attention lately is DiscRevolt. The company provides artists with customized prepaid cards that fans can redeem for MP3 downloads on its Web site. Here's how it works: Artists buy in bulk a set of cards that they can design with their own custom artwork and text. Each card has a unique redemption code and holds 15 credits. Participating artists then upload their music in MP3 format to their profile on the DiscRevolt site, which can also accommodate a bio, contact info and artwork. Bands can either sell or give away these cards to fans, who use the redemption code to download individual tracks—one credit per track.

Where pressing CDs generally costs on average of $1 per disc—excluding cover art and booklets—DiscRevolt prices range from 100 cards for $99 (99 cents each) to 1,000 cards for $450 (45 cents each). Larger bulk orders can run as low as 25 cents per card.

There are no further per-track costs for tracks downloaded from the site. Artists pocket the cash they make by selling the cards individually—typically between $5 and $10. And even kids without a credit card can buy them.

With Myspace's Snocap-run MyStore, meanwhile, unsigned artists are charged 30 cents for a 99-cent song, a credit card is needed, and transactions have to wait until the fan returns home after the show.

"As the world moves to downloads, the artists who are making a living at live shows are getting lost," DiscRevolt VP of business development Joe Kirk says. "That is the moment a fan is most willing to give their money to an artist."

DiscRevolt is in beta mode, and counts some 2,000 acts as customers, including FictionPlane, fronted by Sting's son and currently the opening act on the Police's reunion tour.

But what about mobile phones? While cards are great to bring home and redeem for downloads, mobile devices with Internet connectivity allow for an even more immediate interaction. Imagine an unsigned artist announcing a shortcode from the stage so fans could send a message for more information about the band—or for free and paid musical content.

That's a platform, though, largely out of reach for the unsigned and indie act. Carrier-run music download services like those from Sprint and Verizon Wireless don't deal with individual indie labels, let alone unsigned artists, for either full song downloads or ringtones.

Artists can bypass the operator, but it's expensive. Registering a shortcode that will work with all U.S. wireless operators costs $500 per month, and that doesn't even take into account negotiating the billing relationship and facilitating the hosting and delivery of content.

But other options are available. The MyxerTone service from mVisible provides online tools for artists to create their own ringtones and wallpaper applications for mobile phones. It also hosts the content for artists on its site, and provides a shortcode service called MyxerCodes.

All artists in the program share the same shortcode (69937, or "myxer") but each ringtone or wallpaper they're selling (or giving away) has its unique code. The services do not support full-song downloads or mobile phones.

Though all Myxer services are free to artists, the company keeps 70% of each sale, whether from a mobile phone or downloaded from its Web site. Myxer then sends participating acts monthly payments (the remaining 30%) and a full report on all traffic and activity.

Artists who want to sell their content must be members of the company's MyxerIndie program, which verifies that artists own the rights to the content, and also offers such services as a short message service contact list tool.

Neither DiscRevolt nor MyxerTone are alone in offering these kinds of services (see sidebar). But undiscovered artists seeking a digital strategy should remain wary of which services they give their money. Companies—digital or otherwise—seeking to prey on the hopes of unknown artists desperate for a shot at fame and fortune have never been scarce. Still, as the digital transition continues, selling CDs out of the van just isn't going to cut it.

DiscRevolt provides artists with customized prepaid download cards that fans can redeem for MP3s on its Web site.

Get A Load Of This

Memorex has begun distributing new MP3 players preloaded with indie music. Through a deal with the Independent Online Distribution Alliance, IRIS and Magnatune, the devices feature songs from such acts as Dressy Bessy, Honeycut and Electric Frankenstein that users can integrate into their existing collections.

Music discovery is a key element of the Memorex player, which also includes software from Musici@ that creates dynamic playlists based on users' moods. Simply pick the mood and the MyDJ mode will build a playlist from the songs stored on the device.

The 4 GB model costs $120 and is available today.

—AB
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Artists And Indie Labels Need Broader Definitions

A rein indie label executive called me recently frustrated with the effect that contracts between major publishers and artists have on his company. The contracts essentially prevented some acts from signing with the label because the artists, as songwriters, wouldn’t be paid a publishing advance unless their albums were released through a major. After exploring the issue with publishers and lawyers, it seems that the solution may lie with artists’ lawyers.

Koch Records president Bob Frank tried to sign some artists who no longer have major label deals but are still under contract to major publishers. Koch holds about 0.63% of the U.S. market share, according to Nielsen SoundScan, and is the largest indie distributed by an indie. This roughly equals more than $50 million in annual sales—nearly as much as many of the individual labels at the major record groups, he adds.

But major publishers only pay artist/songwriters their advances when a certain number of their songs are released on qualified albums, i.e., albums that fall within the definitions set out in the contract. Qualified albums are typically defined, in part, as those albums released by a qualified label, which is normally defined as a major label. And therein lies the problem: the definition of a major label. Although major publishers don’t publicly discuss their contract terms, the reasons for these provisions are well-known in the legal community. A major publisher needs to recoup advances. It has a better chance to recoup advances, goes conventional wisdom, when the artist’s album is released through a major label because a major has a strong distribution, sales, promotion and marketing network, as well as funds to break a record and pay royalties to the publisher.

“Just because a label is distributed by a major doesn’t mean that they’re necessarily going to have the wherewithal to do that,” Frank says. “There’s basically a line drawn in the sand in many of these agreements, which is not working for us or for any big independents.”

The contract terms vary from publisher to publisher, contract to contract. Legal sources provided some examples.

One publishing contract requires the songs to be on an album released by “a major U.S. label owned” by one of the big four (Universal, Sony BMG, Warner Music, EMI) and distributed by one of those companies’ major distribution networks. Under this deal, Mandelbaum says, an artist wouldn’t receive an advance for records distributed through RED, the Alternative Distribution Alliance, Fontana or Caroline since they aren’t the groups’ “major distribution networks.”

Another deal defines a major label as one that is wholly owned and distributed by one of the major distributors or “any other record company deemed major” by the publisher. This definition at least allows the artist’s lawyer to argue that a particular label should be considered acceptable.

Frank argues that the contract could define a major by market share as verified by Nielsen SoundScan. He suggests a minimum market share of 0.25%. Another contract requires the album to be released by any label distributed by one of the four major groups and that the label sold at least 500,000 units through normal U.S. retail channels within one year prior to the artist’s expected release. Mandelbaum says he typically negotiates a lower sales-based definition of 250,000 units.

Frank argues that album units shouldn’t be the only benchmark; digital downloads and master ringtone sales should also be counted.

Koch artist Undk has sold more than 200,000 records. Frank says, “The marketplace has shifted. We’ll end up selling a few million ringtones and a few million downloads. The product mix of what we sell has changed dramatically, especially with hip-hop and novelty songs.”

Tim Mandelbaum of Selverne, Mandelbaum & Mintz in New York says that these contract provisions are negotiable. So does this mean that artists’ lawyers are fine with how publishers define major labels?

“We all used to be,” he says. “But now [this position] has moved seismically in the past three years because the major labels aren’t always where the action is. There are a variety of smaller labels, like Koch and TVT, that have become viable as entities that know how to market product in this new [digital] business model.”

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Nurture multiple impressions:

Rock band Point One—whose new album “Unlucky Star” entered May 22 via Wind Hopper/Adrenaline Music Group—has partnered with JVC Mobile for a multimedia campaign. The group’s CD cover has a starring role on Broadway where it is featured on JVC’s eight-foot, 3-D billboard in New York’s Times Square. As part of the deal, the billboard is accompanied by a print and online campaign. JVC Mobile GM of marketing Chad Vogelsong puts the online and print media buy at a couple of million dollars. The Times Square billboard has a higher value, he says, due to the millions of people who see it on a daily basis. The group’s music is also featured on JVC’s Web site. “Whether it’s online, mobile or experimental components, multi-platform is key,” says Ryan Schimman, founder of entertainment marketing company Platinum Rye Entertainment.

“Let real life work in your favor.”


“If the show blows up, then hopefully the band blows up, and we sell music and concert tickets,” says Sanctuary Management’s Blain Clausen, who oversees the band’s career. But be careful, Schimman warns: “While reality TV offers great exposure, very rarely does the artist have final say or creative control.”

Don’t be greedy. Sure, music has a value and needs to be treated as such. But as Vogelsong says, “Not every company has a $100 million marketing budget.” So, he looks for bands that are hungry, and then puts together a package that is to everyone’s benefit. “It’s not about binging the corporate brand or ad agency with one deal,” Schimman says, “but about building a good relationship that goes a long way.”
REVENGE OF THE INDIE

Save for hip-hop and the assorted compilation, there was a time when independently distributed titles rarely reached the top 10 of The Billboard 200. It wasn't too long ago, in fact, that Jimmy Buffet was the independent community's sole representative at the top of the big tally. Those days appear long gone. Last year, six indie-distributed titles reached the top 10, and six have already scored big in 2007.

Indie Titles Debuting In The Top 10 Of The Billboard 200 (2000-2007)

2000
Snoop Dogg & Tha Eastsidaz, “Snoop Dogg Presents Tha Eastsidaz”
De La Soul, “Art Official Intelligence: Mosaic Thump”
Three 6 Mafia, “When the Smoke Clears—Sixty 6, Sixty 1”

2001
Kurupt, “Space Boogie: Smoke Oddyssey”
Snoop Dogg & Tha Eastsidaz, “Duces ‘N Trayz—The Old Fashioned Way”

2002
Jimmy Buffett, “Far Side of the World”

2003
Dashboard Confessional, “A Mark, a Mission, a Brand, a Scar”

2004
Various Artists, “Vans Warped Tour 2004 Compilation”
Taking Back Sunday, “Where You Want to Be”

2005
Bright Eyes, “I’m Wide Awake, It’s Morning”
Ying Yang Twins, “U.S.A.: United State of Atlanta”
Dane Cook, “Relatilization”
Jim Jones, “Harlem: Diary of a Summer”

2006
Hawthorne Heights, “If Only You Were Lonely”
Atreyu, “A Death Grip on Yesterday”
Thom Yorke, “The Eraser”
Iron Maiden, “A Matter of Life and Death”
Jim Jones, “Hustler’s P.O.M.E. (Product of My Environment)”

2007
The Shins, “Wincing the Night Away”
Arcade Fire, “Neon Bible”
Elliott Yamin, “Elliott Yamin”
Bright Eyes, “Cassadaga”
Jacob Aldean, “Relentless”
DJ Khalid, “We the Best”

Top-Selling Indie Releases (1994-2006)

YEAR - ARTIST - TITLE - LABEL - SALES THAT YEAR
1994
Soundtrack, “The Lion King” (Walt Disney) 4.9 million
1995
Bone Thugs-N-Harmony, “E. 1999 Eternal” (Ruthless/Relativity) 2 million
1996
Bone Thugs-N-Harmony, “E. 1999 Eternal” (Ruthless/Relativity) 2.5 million
1997
Bone Thugs-N-Harmony, “The Art of War” (Ruthless/Relativity) 1.4 million
1998
Various Artists, “Jock Jams 4” (Tommy Boy) 813,000
1999
Everlast, “Whitey Ford Sings the Blues” (Tommy Boy) 2 million
2000
Baha Men, “Who Let The Dogs Out” (S-Curve/Artemis) 2.4 million
2001
Mannheim Steamroller, “Christmas Extraordinary” (American Gramaphone) 1.37 million
2002
Default, “Fallout” (TVT) 711,000
2003
Lil Jon & the East Side Boyz, “Kings of Crunk” (BME/TVT) 1.37 million
2004
Lil Jon & the East Side Boyz, “Crunk Juice” (BME/TVT) 1.42 million
2005
Lil Jon & the East Side Boyz, “Crunk Juice” (BME/TVT) 946,000
2006
Little Big Town, “The Road to Here” (Equity) 674,000

DIY Data: The Top 10 Isn’t Just For Major-Label Acts Anymore. Here, A Look At How Indie Acts Have Asserted Their Chart Dominance by Keith Caulfield and Todd Martens

118K
Mannheim Steamroller has failed to finish with one of the top 10-selling indie titles of the year only three times in the past decade—1999, 2000 and 2006. But the act’s “Christmas Extraordinary,” finished in the year-end top five from 2001 to 2003. And, last year’s absence should be short-lived—a new Mannheim Steamroller set is due this fall.

3
So far this year, three indie titles have sold more than 250,000 units. The Shins and Arcade Fire hold the top two spots, with Elliott Yamin a fast-rising third. His self-titled album spent three weeks in a row at No. 1 on the indie chart. The most consecutive weeks of any indie title this year.

7 of 8
Independent market share has increased in seven of the last eight years.
Market share in 1999: 16.05%
Year to date 2007: 20.57%
"SUCCESS IS WHEN PREPARATION MEETS OPPORTUNITY"

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NU SOUTH MUSIC GROUP
SPECIAL FEATURE

BRYAN MICHAEL COX

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BRYAN-MICHAEL COX IS UNSTOPPABLE
AS A HIT SONGWRITER, PRODUCER—
AND NOW A RECORD EXEC

A RELENTLESS
CREATIVE DRIVE

BY JIM BESSMAN

It's looking like another banner year for hitmaking songwriter/producer Bryan-Michael Cox. Cox, who ranked as Billboard's No. 1 R&B/hip-hop producer of 2006 on the strength of nine charting hits, returned from this year's Grammy Awards with honors for best R&B song as co-writer of Mary J. Blige's "Be Without You." He shared the songwriting award with Blige, Jason Perry and Johnna Austin. That marked his third Grammy in as many years, following his recognition last year for co-producing Mariah Carey's "The Emancipation of Mimi," the Grammy winner for best contemporary R&B album, and in 2005 for co-producing Usher's "Confessions," also a Grammy winner as best contemporary R&B album.

But with a work ethic that leaves his peers weststruck, the prolific Cox is hardly resting on his laurels.
Cox is now developing the label Beaiactory with longtime associate Christopher Hicks. Among the acts affiliated with Beaiactory are hip-hop artist Q, Amer, female trio Bella, male group Dirty Rose and former Destiny's Child member LeToya Luckett.
Cox is also busy with his new film company World on Lock, which is involved in Chris Brown's forthcoming holiday film "This Christmas," and a joint venture with Warner/Chappell enabling Cox to sign new songwriters.
He's also set to produce the grown-up boy band featured on the new VH1 reality series "Man Band," while serving as a cast member in the next installment of MTV's "Making the Band."
And then there are his latest songwriting and production endeavors (some for his own Black Baby production company), now including activities on behalf of such artists as Brown, Austin, Whitney Houston, Gwen Stefani, O'ation, Mya, Avant, Amerie, Musiq, City High's Claudette Ortiz, Jessica Simpson, Marques Houston, Toni Braxton and the Pussycat Dolls' Nicole Scherzinger.
"He's very in tune to what's now," says Jermaine Dupri, who helped Cox gain recognition with Jagged Edge and Usher projects for Dupri's So So Def label. "It's just that simple, because a lot of producers today aren't."

Recently taking time to cram a phone interview into his fully booked work and travel schedule, Cox says, "I just wrote a song for Celine Dion and Natasha Ramos"—in one week. "But I really don't know any other way," he says of his pace.
"Once you start—and once your dream comes true—you don't want to lose it. So it's work, work, work."

Then again, as SESAC/New York writer/publisher relations VP Trevor Gale says, "Music is his life."
"He's done it since he was a little kid," Gale says of Cox, who regularly sweeps the performing rights organization's major awards. "And he's not like other people who made it just by using drum machines and samples." Gale adds, "Here's a guy who's classically trained and can play piano like a master. He can sit down and play Beethoven for you, and he really understands the art of composition and the structure of songs."

Cox has a superior understanding of melody and harmony. —TREVOR GALE, SESAC

Gale says the song "Circles," recorded by Marques Houston, is a good example of Cox's style.
"As soon as you hear it you have to stop what you're doing and listen because of the keyboards and the melody and harmony and the way the song moves and grows and develops. It's really well-done, as opposed to just being a drone and best and groove, and that approach is what makes him so successful and why people come and say, 'I want one of those, too'—especially if they're a singer."

Then there's...
Bryan Michael Cox
Musician Songwriter Producer

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When you write, people sing.
When you produce, people listen.
The people have spoken.
Thank you for the music.

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Cox's relentless drive.

"He just keeps working," Gale says. "I sometimes tell him, 'Pace yourself.' But his drive, along with that talent and expertise as a musician, is what has helped him be as successful as he is—and will continue to be for many, many years to come."

Cox has wanted to be a producer, even, he says, "before I knew what production meant."

Born to a "very musical family" in Miami and raised in Houston, Cox says, "I was always one of the kids ripping open the album and cassette tapes to read the credits and see who wrote and played what." Cox says he had "albums and things before I had food. Music was always the remedy for what wasn't positive in our lives at the time."

Cox grew up as an only child, though he did have step-siblings after his mother remarried.

"She worked in the oil industry in Houston, but her dream was to play the flute," he says. "She was a phenomenal flautist, but she got pregnant with me and put all her energy into raising her son—and everything else on the back burner. But her love and passion for music seeped down on me."

Cox recalls he was always attracted to the piano and started playing at age 5. "My grandmother put me in lessons early," he says. "She had one in her house, and I'd hang on it for hours and hours. She said she'd turn this noise into some music."

But Michael Jackson's "Thriller" album gave him another music avenue.

"It really attracted me to production early," he says. "Everybody was so entranced with Michael Jackson, and I was, too. I looked on the back of the album and realized that two names were credited: one name on the front, Michael, and on the back on the bottom before the Epic logo and the other stuff, 'Produced by Quincy Jones for Quincy Jones Productions.'"

"And then I started paying attention. 'This guy must be just as important or more important than the artist because they singled him out,' and my little brain put it together that he was the one who orchestrated it."

Cox then observed similar relationships between Earth, Wind & Fire and Maurice White, and Guy and Teddy Riley.

"That's what made me—Guy's first album and the whole New Jack Swing movement," Cox says. "I was young, in fourth or fifth grade, but I recall that movement and me wanting to be a producer. I didn't know what it encompassed, but I realized that's what I wanted to do."

Cox was barely a teenager when he met Houston studio owner/producer Preston Middleton, who was working with the girl group that would eventually become Destiny's Child.

"He showed me around the studio, and I got my feet wet playing on tracks—then I met [producer/songwriter] Greg Curtis," Cox says. "He wrote 'Just a Prayer Away' for Yolanda Adams and 'Love' for Keyshia Cole last year and opened his home to me and taught me everything about making music—all the equipment to make records and the basics of pop song structure."

"I was in 12th grade and took that information and did a demo for Destiny's Child—they were just called Destiny then—and it hit me like a ton of bricks. I'd had little groups and wanted to be an artist, then we went in the studio with Beyoncé and Kelly [Rowland]; and it opened up my whole view and made me realize I wanted to produce records for a living."

Those first Destiny's Child demos went unreleased, and after graduating high school and enrolling at the University of Houston, Cox says his personal life went "haywire." When Curtis moved to Los Angeles, Cox went to study music in Atlanta, where "a lot of black music was popping."

"I was walking on campus [at Clark Atlanta University], it was raining like crazy, and I was broke and had no umbrella and was getting drenched," he says. "I looked at a dry spot under a tree and saw a flyer that said, 'If you're looking for hangin' beats, call the Noontime hit men.' It had all the [Noontime Music] producers—Teddy Bishop, Jazze Pha, J-Dubb, etc.—and I started calli-

'Just give me the key to the studio so I can learn. You don't have to pay me.'

—BRYAN-MICHAEL COX, AGE 19

We send our love and respect to someone who can do it all!

Here's to you Bryan-Michael!

Clive Davis, Barry Weiss
And all your friends at the RCA Music Group and Zomba Label Group

'
From left, BRYAN-MICHAEL COX, MARIAH CAREY and JERMAINE DUPRI party it up in 2005 at Monroe's Bar in West Hollywood.

ing the number like crazy and finally [Noontime partner] Chris Hicks called back and we had a meeting.

From that meeting evolved an unpaid internship. "I'm 19 now, telling Trevor [Gale] I moved to Atlanta to make something happen and that I'm interning at Noontime," Cox says. "He put me in contact with his friend, a shaker and mover, Jaha Johnson, who happened to be in Atlanta for three weeks with L.A. Reid at LaFace."

They set up a meeting. "but I'd never been outside the diameter of the school," says Cox. "I knew where Peachtree was but didn't know it was the longest street in Atlanta. It took me three-and-a-half hours to walk there."

Now Cox's manager and VP of A&R at J Records, Johnson was close with Noontime partner Henry "Noontie" Lee. "He called Noonie and said I was a hard worker and developing fast," Cox says. "I had told Noonie, just give me the key to the studio so I can learn. You don't have to pay me." Jazze Pha and J-Dubb gave me pointers, and I developed myself as a producer, and when Jaha called Noonie it was like a validation for Noonie, who then wanted to sign me with a production deal. It gave me a little money—and my real quest started.

"Chris Hicks connected me with [R&B band] Jagged Edge, which was down at Noontime, and we sat down and started writing songs," Cox says.

Hicks recalls, "He came on [for the album from R&B act] Ideal and produced 'Get Gone.' " The song became Cox's first hit as a songwriter and producer. Hicks says it "was clearly an indicator of what was to come with Jagged Edge's 'J.E. Heartbreak' album and its hit 'He Can't Love U.' " Jagged Edge was signed to Dupri's So So Def label.

"When they were making demos for their second album, I would listen and say, 'Who did the track?' " Dupri says. "They'd say, 'This lil guy at Noontime that nobody knows yet—you should get to know him.' So we hooked up and hit it off, and I think him being around So So Def really gave him a front-row seat of what writing hits feels like."

"Working with Jermaine and with Noontime accelerated me real fast," Cox says. "With Jermaine I was able to learn simplicity. Before I would try to put everything I had into a track, all kinds of different sounds. That was the way I learned. Jermaine taught me that it's not really about all the junk you can put in a track but about the song, the melody. If people can sing along to it, that's what makes a great pop record. That was the best teaching I could get, working with Jermaine Dupri."

Now younger artists speak of Cox with the same reverence.

"My experience with Bryan has been one of my favorite working environments thus far," says Chris Brown, for whom Cox co-wrote the hit "Say Goodbye" and helped produce the self-titled debut album from which it came.

"I's one of the most down-to-earth and coolest writers/producers to work with, someone you can vibe with in the studio who's open to all your ideas and not creatively stubborn," Cox's special talent, according to Jaha Johnson, is both "a blessing and a curse."

"A lot of other talented producers do party and club records that get immediate attention," Johnson says, "but it's the ballads that Bryan does that actually tip the scale and sell the albums—and stay there and not go away."

"He works as hard now as he did 10 years ago and puts the same care about his craft and the state of the music industry into his work as when he first got started," Hicks says. "That's really impressive when he's had as much success as he's had. I'm not getting out of business with him, that's for sure."

That business, big as it is, is only growing.

"Every year I try to do something new," Cox says. "It's just different-sounding stuff, and I think it's a natural evolution. I work every day and pray to God to continue to be creative and surround myself with creative people, and that's what keeps me creative."
When Bryan-Michael Cox took home his third Grammy Award this year as co-writer of Mary J. Blige’s hit, it was just one more confirmation that he is one of the top songwriter/producers in the music industry today. Cox recently reflected on his career and craft with Billboard.

**What has been your biggest challenge in your career so far?**
The biggest challenge, especially back when I started, is breaking through when you’re not proven, but you have some good stuff. A lot of A&Rs don’t take chances. They go to the Billboard charts and look at the top 10 and they want whoever produced those 10 spots—they want them to work on their projects. That was a big challenge early on for me in my career, to fight through the A&R game.

**And from the creative standpoint?**
Just trying to make sure every day that the songs are right. If you’re writing with someone or just producing, making sure that the music is right so people see your vision—making them see it is a smash if you believe it.

**Speaking of collaborating, what kind of experiences have you had dealing with artists?**
I’ve come to find that with veteran artists that I’ve dealt with in the past that you’d think would be more diva-like, they’re actually very, very humble about coming into the studio and finishing a song. I’ve actually had more issues with new artists than veteran artists because labels are hot on them right now, and they think they’re big shit.

**What about working with the labels?**
A lot of times it’s a good experience—it’s always good when you get paid. But I’ve had experiences where it gets frustrating. I’m working on a particular project at a particular label, and there are issues in making the president see what I see and get behind it. And to have to keep going back and changing a record when we’re already at the peak—that part of the game is frustrating when you’re trying to get your artist out.

**How did you get your songs heard by the right people?**
Through Noontime (Music), Chris Hicks and Noemie (Henry “Noose” Lee) and Ryan Glover and Terry Ross being out there aggressively shopping our songs. They went out and did what they did, and with Jermaine Dupri hanging out, that upped the ante, working with him. And he took me everywhere with him. So, it happened organically. I didn’t have to beat the pavement in that respect.

**What are your views on the state of pop songwriting today, in the context of new copyright opportunities and perils?**
There are so many ways I could answer. Music went through a slump, with companies merging and the industry shrinking. So that’s one thing. Another is the quality of music. In the late ’90s, the music industry got raped. All those over-the-top production deals that never came through—the $20 million, $30 million deals with no product put out—pimped the music industry.

As a result of that, the music industry started shrinking. Now [the record companies] got a stronghold on how much money we can really make in the music business. So being a songwriter/producer is definitely where you have to go if you want to make money.

But because of the shrinking there are fewer labels to work with, and that means fewer artists come out.

continued on >>p46
Dear Bryan,

It is difficult for me, even as a writer, to express the respect and appreciation I have for the wonderful talent that lies inside of you. I feel especially privileged to have worked side by side with you for all of these years. You have come a long way and if your present hints to your future, then the industry will toast to you for many years to come. Above all of this, it is my extreme pleasure to call you...friend.

Your friend forever,

Johnta

“When I die, I want to come back as me.”

Johnny Austin

Ocean Drive Coming Soon
from >>p44

So, it's become slim picking out there. That's one aspect. The other is that if you are successful as an artist/producer, you can become a target for random people putting claims on your records.

Anybody can put a claim on your record and hold up your money. I put a record out, and a guy in Nebraska can put a claim on it. It stops your paper, and that happens a lot.

I don't steal music. Most songwriters don't steal. But people out there put claims out, and you have to settle out of court because it costs more to fight it. So, it's another red flag we have to be careful about: people who come after you regardless.

In your opinion, what is the best thing about the music business today?

Music is one big circle. The best thing about it today is the creativity that people are exuding to change things. Timbaland and what he did with Justin Timberlake was a great moment, and the resurgence that Mary J. Blige had. And the young producers coming up, like my man Baby Butter producing Rich Boy's new single. Polow Da Don making a mark. Young producers are coming in making their mark and changing the game.

I'm still young myself, but I've been in the business since I was a teenager. The youth are coming up and taking note and understanding the history. At one point people didn't give a damn about the history, but now kids are wanting to go back to it, to making quality music—and that's the most exciting thing about the business now.

In the midst of the industry shrinking, the good shit is outweighing the bullshit.

And the worst thing about the music business?

The fact that it's shrinking. No. 1. Then underdeveloped artists are putting things out there, but it's only one hit record, and they can't do an album. They have an easily digestible, catchy hook on one record, but the album's not selling because [the rest of it] is terrible. We got to get back to the business of developing artists.

What do you know now that you wish you knew when you started out?

Man, there are so many things. I wish I'd known that I should have broken an artist first. Look at Rich Harrison, who broke Amerie before he had a huge hit with other people. A different kind of respect comes with breaking an artist. Producing like me or Rodney Jerkins make one or two hits for a lot of people, but now I'm aggressively pursuing breaking an artist.

I'm just finalizing my deal with LeToya [Luckett] to take her to new heights, and I'm working with Caudlette Ortiz and Dirty Rose and rap artist Doughboy and girl group Bella.

And I produced nine songs for Chris Brown's album and hopefully shaped what it's going to be. So now I'm in the business where I shape an artist as opposed to write hit records—and I learned that watching Jermaine Dupri, too, because he broke Kris Kross.

What advice do you have for young songwriters?

No. 1, quality over quantity. A lot of people say, "I write 10 songs a week," but one good song over 10 wack songs could be the difference of your life changing. So know where you are. Don't tell me you're the hottest producer/songwriter ever and build yourself so high, and I play your CD and it's not that good. Whereas if you have potential versus someone just humping me up and then it was wack. Keep your feet to the pavement, man.

I work all day—the work never stops. Some people—I don't—live and die by a record. I'm worried about what the next one is. Sure, I produced this and that, but what's the next one? I can't live and die by these records.

I love being on the charts somewhere three, four, five times—opening up the Billboard. I've been on the charts six years straight almost. What do I do to keep that momentum? That's what motivates me every day.

—Jim Bessman
Greatness is achieved when one masters beyond the level of exceptional. We become legendary when we encourage others to become great.

Thank you Bryan for your encouragement!

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Hosted by Danielle Flora

Bryan, congratulations on your outstanding achievement in music! You've been like a little brother to me and I hope musically, I've contributed to your growth as you have influenced me. Your impeccable talent for songwriting has brought you unparalleled success in such a short time and should serve as a testament of your impending longevity in this business!

I wish you continued success in every endeavor of your life.

All the best,

Teddy Bishop
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BIG OPPORTUNITIES

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FINDING A VOICE

The Click Five Aims To Click Again, With A New Singer

If the Click Five had sold more copies of its debut album, the band might be in an even trickier position than it is now. Modest sales, Atlantic Records head of A&R Andy Karp says, are precisely what enabled the Click Five to survive the departure of original lead singer Eric Dill, who left the Boston-based power-pop act last year during preproduction for the follow-up to 2005’s “Greetings From Imrie House.”

“The band had achieved a good deal of success,” Karp says, pointing to “Imrie House” sales of 333,000 copies, according to Nielsen SoundScan. “But they hadn’t really become a household name” by the time Dill exited to pursue a solo career (see sidebar). “That allowed us to make the change in a little bit of a vacuum. We weren’t at an ‘N Sync level, where if Justin Timberlake leaves, you don’t know what to do.”

Bassist Ethan Mentzer says the Click Five knew exactly what to do. “Find a new frontman. ‘We either had to deal with this or lose what we’d established,’” he says. “And the four of us—Mentzer, guitarist Joe Guese, keyboardist Ben Romans and drummer Joey Zehr—really wanted to keep making music together.”

Their talent search (and ended) where the band was born, at Boston’s Berklee College of Music. “The guys are pretty connected to the Berklee scene,” Click Five manager Wayne Sharp says. “So many talented kids go to school there that it seemed like the logical place to start looking.” After a few rounds of auditions, Berklee music-business professor Jeff Downenfeld, an old pal of Sharp’s, recommended the group take a look at 20-year-old Kyle Patrick.

“They checked my stuff out on MySpace and gave me a call,” Patrick recalls. “We got together and jammed on some Tom Petty tunes and all got along really well.”

“The rest of the band loved him,” Karp says. “So I flew up to Boston and went to a rehearsal and thought he was great.” He stood out.

New lineup intact, the group set about finishing what’s become “Modern Minds and Pastimes,” the Click Five’s sophomore disc, set for release June 26. During the two years since “Imrie House,” Mentzer says, he and his bandmates had written upwards of 70 tunes. “Of them, ‘I Live for the Day’—a Desmond Child co-write—ended up on Lindsay Lohan’s ‘A Little More Personal (Raw’).” Though it still adheres to the Click Five formula—rocking guitars, soul synth parts, catchy melodies and big harmonies,” according to Patrick—“Modern Minds” is a bit moody than the debut. Lead single “Jenny” and opener “Flipside” recall the post-grunge fuzz-rock of Weezer circa “Pinkerton,” while “Happy Birthday” features loads of pop-metal guitar squall.

“It’s not as much about having fun and being young,” Sharp says. “But they’re two years older now. They’ve been around the world and had relationships and been through a lot.” Patrick’s lower, raspier voice has also altered the band’s sound. “I’m not here to mimic anyone,” the singer says. “I’m here to do my own thing and make the songs new and fresh.”

Karp and Sharp agree that introducing Patrick to the band’s audience has been and will continue to be a crucial part of promoting “Modern Minds.” “Any attempt to sneak in a new singer would blow up in our faces,” the manager says. In May, the group premiered a popular documentary series, “The Band Behind the Band,” on YouTube, while a small-venue “fan appreciation” tour last month afforded opportunities to meet fans face to face.

“From the feedback we’re getting, people are happy to see us again,” Mentzer says. “And they’re happy to see us happy on stage. We’ve spent a lot of time talking to fans, and some of them have said they think the chemistry is actually better now than it was before.”

THE CLICK FIVE

Eric Dill’s Next Step

Eric Dill may have left the Click Five, but he hasn’t left his old label home. Atlantic head of A&R Andy Karp is at work with Dill—who has relocated to Los Angeles and is also acting—on a solo album Karp expects to hit stores in early 2008. “Eric’s looking to go in a harder, more alternative-sounding direction,” says Karp, who compares the material to fellow singer/actor Jared Leto’s band 30 Seconds To Mars. So far, Dill’s written with Kara DioGuardi and Dave Hoopes (formerly of Evanscence), and Karp says he hopes to get Dill in the studio later this summer. As for whether the label will market Dill as a former member of the Click Five, Karp says it plans to let the music determine the approach. “Our goal is to see if it’s as authentic as possible.”

—MW
**MUSIC**

**LATEST BUZZ**

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**IF WE CAN BE BLUNT...**

James Blunt, who came out of nowhere to score multimillion-dollar success with his 2005 debut album "Back to Bedlam," has set a Sept. 18 release date for its follow-up. The Custard/Atlantic set "All the Lost Souls" will be preceded July 23 by the single "1973." A number of the tracks have been part of Blunt's set for months, including "I Really Want You," "Same Mistake" and "Annie."

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**WITH 'BELLS' ON**

U.K. electronica duo Underworld is eyeing an October release for its next studio album, "Oblivion With Bells." A track list has yet to be announced, nor has a label; the group parted ways with longtime label V2 after the release of the 2003 best-of "1992-2002." In the midst of a world tour, Underworld will play three U.S. shows in September.

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**CASH SURPRISE**


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**BOB KNOWS BEST**

Robert Pollard has launched the Happy Jack Rock Records Single Series in conjunction with two new albums that will be released Oct. 9 via Merge. The 7-inch vinyl singles will be issued every month for a year, beginning June 22 with "Shadows and the Trucks" b/w "Along You Bird." Each A-side will be a song from either upcoming albums "Standard Gag/Decisions" or "Coast to Coast Carpet of Love," while the B-side will be a non-album cut.

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**HIP-HOP** BY MARIEL CONCEPCION

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**Life Beyond ‘Lip Gloss’**

Pint-Sized MC Lil Mama Has A Big Future Planned

When Lil Mama was 13 years old, the pint-sized rapper had a chance meeting with R&B/hip-hop WQHT (Hot 97) New York's DJ Enuff and uninhibitedly insisted he play one of her records on his show. She was pressing me to play her record. Picture that—a 13-year-old putting pressure on me," the DJ says. He told her she should return when she was a little older, and Mama, born Niana Kirkland, did just that.

Three years later at age 16, Mama asked her father, who managed her and run an indie label (out of their Brooklyn, N.Y., neighborhood (she was also raised in Harlem), to take her to meet the influential DJ again. "We met up, and she played some joints for me," Enuff says. "One of the tracks was called 'Lip Gloss.' The record was poppy, but I knew it had crossover appeal. It was straight fire, so I played it."

Fast forward to today, and the 5-foot-2-inch MC, now 17, has not only landed herself a major record deal with Jive Records, but she's also wrapping up her debut album, "Voice of the Young People," which is set to arrive in September. (An official date has not been confirmed at press time.) She signed with Joe in January, after "Lip Gloss"—originally released on the Familiar Faces label, run by her father, who goes by the name True—was already picking up radio spins in the Northeast. The catchy single has been steadily climbing the Billboard charts ever since: This week, it's No. 19 on The Billboard Hot 100, and has sold 176,000 digital copies, according to Nielsen Soundscan.

Mama's unrelenting approach not only led her to get "Lip Gloss" onto the airwaves, but also to record an unofficial version on an instrumental to Avril Lavigne's hit track "Girlfriend." After sending the recording to Lavigne's offices, which the rocker chick loved at first listen, Lavigne decided to make it the official "Girlfriend" remix. The partnership marked the first time Lavigne has collaborated with another artist on a video.

Ask Mama what prompted her to drop rhymes over the track, and she'll say matter-of-factly, "I just liked the song, so I got up on it." According to Jive Records president of black music Mark Pitts, the young MC's brazenness is exactly part of her charm. "Mama has such a presence it just makes you believe in her. She's an entertainer, and she has no fears, no shyness. You can't be mad at that."

Starting this month, Mama will embark on a mall and college/high school tour, as well as make TV and radio appearances. Meanwhile, Mama's marketing team will focus its efforts on online strategies that target younger consumers, print ads, branded promotional merchandising and aggressive publicity campaigns.

The rest of the album features production from Swizz Beatz, Cool & Dre and Green Lantern, and covers topics ranging from family life and teen pregnancy to "everything else that people go through, no matter what age," Mama says.

So far the album doesn't feature any artist collaborations. "I just want the world to get a chance to understand who I am before anything," Mama says. "But the album is not wrapped up as of yet, so if I work with anyone it'll be someone that complements where I'm going with it."

The next single, "Put It Down (Make It Hot)," is a "midtempo club banger" that Mama feels will further confirm her rap skills. "I know hip-hop, and I know 'Lip Gloss' is a hot song," Mama says, but "I also know 'Lip Gloss' is nothing like the rest of my songs, the way I just take and spit about life. You can't really judge an artist until their second single."

Enuff says, "Mama is young but she spits. 'Lip Gloss' was all young spirited and candy-coated, but once people hear the rest of her album, they will be able to see her true talents.

---

**NEW KIDS IN TOWN**

First The Single, Now The Album

Lil Mama is not the only developing urban artist who will try to convert success on the singles charts into album sales in coming months. Here are other budding artists who hope to build on their initial splash:

---

**Huey**

"When you think of a dance record today," Jive Records president of black music Mark Pitts says, Huey's "Pop, Lock and Drop It" is "the first song that comes to mind." The St. Louis rapper's debut single is No. 16 on the Hot R&B/Hip-Hop Songs chart after 31 weeks and has sold 716,000 digital copies. Follow-up single "When I Hustle" enters the chart this week at No. 85. His debut album, "Notebook Paper," was released June 19. Along with Lil Mama, Huey is one of the new artists for whom Jive launched its Next Generation program earlier this year. The initiative focuses on securing ad campaigns, specifically those targeting a younger fan base, and on branded promotional products. Next Generation will also include a mall/college/high school tour, interactive and user-friendly online competitions, and TV appearances.

---

**Cupid**

The 24-year-old Lafayette, La.-bred artist has been climbing the charts with his two-step-friendly regional hit, "Cupid Shuffle," which entered the Hot R&B/Hip-Hop Songs chart five weeks ago and has worked its way to No. 34. The track has also sold 28,000 digital copies. Atlantic Records A&R executive Aaron Bay Schuck, who was responsible for signing Cupid, says an essential part of promoting the artist and his debut album on Asylum, "Time for a Change" (an official release date has not been set yet), is to create songs that cost-effectively work pop and urban formats.

"We saw what Cupid was able to do with no budget, so we didn't go to a Timbaland. Instead, we found a great resource in his longtime producer Mr. Phat," Schuck says. "Now, with major-label support, there shouldn't be a reason why we can't do what Cupid did on his own and more."

---

**Hurricane Chris**

The 18-year-old rapper's catchy and repetitive single, "A Bay Bay," inspired by a DJ named Hollywood Bay from his native Shreveport, La., hood, is No. 14 on the Hot R&B/Hip-Hop Songs chart after eight weeks. To market the self-proclaimed leader of the "ratchet" dance movement and his as-yet-untitled debut album (a release date hasn't been set), Polo Ground Records president Bryan Leach says the label plans on taking a more economical marketing route. "We wanted to develop him from the ground up, starting with the streets," Leach says. "So instead of renting a tour bus we cut a deal with an RV company for a year, wrapped it with Hurricane posters on both sides and hit the road. They also shot nine webisodes, which are also available on Hurricane's MySpace page, and have started on a national school tour.

---

www.americanradiohistory.com
ALBUMS

ROCK

GRAND NATIONAL
A Drink and a Quick Decision
Recent
Producer: Grand National
Release Date: June 19
This U.K. duo barely blinked the radar three
years ago, the J. Geils Band proclaimed “Love Stinks.” But differ
ent stories have emerged from the same source. Now, frontman
Bick Birdsong and the Bee Gees’ knack for melody. “A Drink
and a Quick Decision” is more diverse, touching on the
homespun sounds of “Tusk”-era Fleetwood Mac on loveeun-
iaments like “Joker and the Clown” and conjuring intriguing disco/rock
 hybrids like “Like a Virgin” and “Space to Throw” (complete with chicken
scratch guitar and synths) and opening “Reasons To Hide” which sounds like an indie
rocker’s idea of “Saturday Night Fever.”—JC

THE CLICK FIVE
Modern Minds and Pastimes
Producer: Mike Dennon
Release Date: June 26

BEASTIE BOYS
The Mix-Up
Producers: Beastie Boys
Release Date: June 26
Since 1992’s “Check Your Head,” the Beasty Boys have made
a habit of sneaking little instrumental nuggets into their hip-hop
records and given the Boys’ genetic inability to stay in one
place for too long, it was a matter of time before they
indulged those proclivities on a full album of new material.
Composed of low-end-heavy jams that reference the Meters,
tropicalia, ‘70s funk and porn music (sometimes all at once)
and zero words, “The Mix-Up” is thematically sound and feels like a
comprehensive piece instead of a self-indulgent schmooze.
There are moments of thick, bone fade
sound fresh, as on “Pens in
a Cuesta Arriba,” a bitersweet
standout, and single “Un
Juego.” After two years of tour-
ing in support of 2004’s
“Broke,” bluegrass tradition-al act King Wilkie found re-
novated inspiration listening to
country rock and the sounds
of Nick Drake, Nico and
Leonard Cohen. The Virginia
saxophonist hasn’t abandoned its roots, as evidenced by the
straight-up bluegrass of “Wrecking Ball,” but it has em-
braced a more sophisticated and introspective approach
with “Low Country Suite.”
Songwriters Red Burgess, John McDonald and Ted Pith-
ney explore their dark sides
on lovely, melancholy tracks
like “Oh My Love” and “The Raising of the Patriots.”
While “Broke” bursts with the
raw energy of banjo and man-
odlin, the material here unfurls
more deliberately. Relaxed
changers “Angeline” and “Captive” demonstrate how adeptly King Wilkie
has fused elements of country
rock, pop and folk to achieve
a sound a wider audience can
appreciate.—AC

BLUE RASPBERRY
KING WILKIE
Love You Right
Producer: Scott Zee/Rounder
Release Date: June 26

CHRISTIAN
DANIEL KIRKLEY
Let Love Win
Producers: Matt Bronleeve
Release Date: May 21

BAD BRAINS
Build a Nation
Producer: Adam Yauch
Megaforce
Release Date: June 26
As one of the pioneering bands
of the post-punk scene, Bad
Brains built their reputation
on fusing angsty-ridden punk with reggae. With their original lineup back in order and Beastie Boy
Adam Yauch in the producer’s chair, the group gives
it a go again after a long studio hiatus on “Build a
Nation.” Singer H.R.'s off-kilter vocal track on “Give
Thanks and Praise!” paired with Dr. Know’s raw,
thrashing riffs, and there’s a sense of urgency
that explodes over songs such as the 56-second
“Pure Love” and the raucous “Send You No More
Flowers.” Alongside the aggression and fury are
chilled-out dubs, with H.R. touting peace on “Natty
Drums,” “Hate the Man” and “Peace Be Unto Thee.” A welcome return from a band that still
doesn’t sound quite like anybody else.—JM
from >>p51

At a time when some Christian music insiders have been complaining about the dearth of new male solo artists, along comes a guy who is grabbing the industry by the ears. Daniel Kirkley’s voice is a powerful instrument that is drawing comparisons to Jack Johnson. This South Carolina native double-majored in pre-med and classical voice, and that vocal training has obviously given him superb command of his instrument. First single “My New Dawn” is a gorgeous ballad to which Kirkley brings just the right amount of panache without going over the top. Penned by Nichole Nordeman, the title track is a hopeful prayer for a better world.

SACRED MOMENT

A beautiful love song from a Christian perspective that is among the album’s many highlights. When he abandoned medicine for music, the world may have lost a great doctor, but Christian music gained its next major star.

NEW & NOTEWORTHY

PEGI YOUNG

Pegi Young
Producer: Eliot Mazer
Warner Bros.

Release Date: June 26
Pegi Young has been harmonizing in husband Neil’s band for decades, but this self-titled release, which takes its cues from the gentler, more countrified corners of his oeuvre, marks the first of her career. These 12 songs (six of which are originals) all travel in well-trod love and heartache territory, but only really get moving when she ditches cliched rhymes (“dance”/“romance” on the bloooze boogie “I Like the Party Life”). The best moments employ either Ben Keith’s steel guitar or a deceptively loping rock-ish shuffle (with a little help by Will Jennings and Joe Sample) to lift Young’s light, clear voice. And as you may have guessed, Neil’s guitar is present throughout, which is never a bad thing. —ct

VITAL REISSUES

LOVE
The Blue Thumb Recordings
Producer: Arthur Lee
Hip-O Select

Release Date: June 26
An unexpect treat for fans of Arthur Lee and Love in the form of a 3-CD limited-edition set. Love’s third albums for Elektra (“Love,” “Da Capo” and “Forever Changes”) made Lee’s multiracial Los Angeles group the ’60s most overlooked master Disc one of this package, “Out Here” was originally a Blue Thumb two-LP set culled from the Elektra-exit set “Four-Sail” sessions, and its 17 tracks show Lee and his new Love band continuing to prove new fronts in rock, from the concise, melodious rockers “I’ll Pray for You” and the Hendrix-Sly Stone-influenced “Stand Out” to two unfettered 12-minute jams. Disc two, “False Start,” is tighter, 10 first-rate songs, highlighted by the gospel-tinged “Keep On Shining” and Lee/Hendrix collaboration “The Everlasting First.” Disc three, all previously unreleased live performances from a 1970 tour of England, features a funkified “My Little Red Book” and lengthy versions of unenhanced “Four Sail” tunes like “Singing Cowboy” and “August.” An essential package. —wr

KATHARINE McPhee

Love Story (3:08)
Producer: Danja
Writers: N. Hills, K. DiOGuardi, C. Ellis
Publishers: various

RCA

2006 “American Idol” runner-up Katharine McPhee projected a big brassy voice on TV and yet debut “Over It” reached a tepid No. 29 on The Billboard Hot 100. Follow-up “Love Story” again digs at the root of the dilemma: a mega-talented vocalist aligned with ill-fitting material. Both tracks are generic, overwrought and clever, but pushing popper McPhee toward R&B/ rhythmic is far from the big-ballad brand that prompted millions of votes on the show. Warning label: 2007 winner Jordin Sparks won with the same label chief, Joe McPhee. Will the label also transition the latter from what comes naturally, alienating the fan base? Now is the time for lessons to be learned. Meanwhile, we’re still waiting for McPhee to release a song befitting her talent that will connect fans who put faith in a voice we have yet to hear on record. —ct

R&B

YUNG BEAR FEATURING JUAN

Sexy Lady (3:48)
Producer: R. Holliday
Writers: various
Publishers: Drow First/I Want Mine/EMI Unart

Yung Boss/Koch/Epic

Yung Berg, aka the Prince of Chi, experienced woe in his early musical career. Originally signed by the dark man DMX, Berg’s parents sent him to boot camp, blowing his advance money and leaving him to find a new label base. Epic has opened its doors, adding Berg to its new, talented urban lineash, alongside Sean Kingston and Kat Deluna, and the result is the club-friendly, Diamonds Are Forever-sampling “Sexy Lady.” The hook is catchy, although singer Junior sounds like one of your buddies after a couple of rounds at the bar, as Berg rhymes smooth on Young Bosses’ production. Berg’s lyric is hardly profound and content is rather typical, describing how he likes a woman’s diva style, unmentionables in the bedroom and drunkard shoes. Regardless, “Sexy Lady” is an appealing track and a refreshing attempt to build upon hip-hop’s current party-free stance, instead of sad, staid, violent content. (R.I.P. Stack Bundles) That certainly works in Berg’s favor. —cp

COUNTRY

BROOKS & DUNN

Proud of the House We Built (3:07)
Producers: Tony Brown, Ronnie Dunn
Kix Brooks
Writers: R. Dunn, M. Green
T. McBride
Publishers: various

Arista Nashville

Brooks & Dunn persistently deliver well-written songs that speak to the heart of the American experience. Whether the topic is faith, fun or family, they create songs their audience can see themselves in. In the beautiful uptempo “Proud of the House We Built,” the duo celebrates love triumphing over life’s daily struggles. Ronnie Dunn offers a passionate vocal performance, bringing to life this heartfelt lyric about a man who endured storms but is proud of the life he’s forged with family. Such poignant sentiments are usually reserved for ballads, but “House” intertwines an inspiring lyric with soaring guitars and a soaring melody. It’s the first single from Brooks & Dunn’s forthcoming Arista set, the guys again lead with a winner. —dep
Over the Counter

GEORGE MAYFIELD gmayfield@billboard.com

Keith’s ‘Big Dog’ Tames Charts; We’re Fab. Again

As Toby Keith surveys his latest chart accomplishments, he let’s sign off on some sage wisdom I heard in my yo-angle- and skinner days. “Any man worth his salt has been fired at least once” were encouraging words I heard from a usually gruff college professor. Keith might buy into that as he earns his fifth No. 1 on Top Country Albums and his third No. 1 on The Billboard 200. All of those triumphs I’ve occurred since 1999, when he got dangled by his original label, Mercury.

Keith found new career momentum with his 2000 Dream Walks debut, “How Do You Like Me Now?” A string of multiplatinum albums put him on camera in TV ads with baseball All-Star Mike Piazza as he sold out concerts and grabbed the spotlight on “60 Minutes II.”

His new “Big Dog Daddy” neis 204,000 copies in its first week as it becomes the first chart-topping set for Keith’s own Show Dog label. Keith’s first Show Dog album almost rang the bell on the country list and the big chart last year but was the victim of bad timing. “White Trash With Money” started with an even larger week than his new set — 130,000 copies — but it arrived in stores the same day as Rascal Flatts “Me and My Gang,” which rang up the biggest Nielsen SoundScan week of 2006 with 722,000 units.

Consequently “White Trash” had to settle for No. 2 on The Billboard 200 and Top Country Albums. The album charted again with the soundtrack to Keith’s film debut, “Broken Bridges.” “Big Dog” becomes top dog in the same week the album’s second single, “Love Me If You Can,” emerges as Keith’s 41st top 40 entry on Hot Country Songs. Of those, 33 reached the top 10, with 15 going all the way to No. 1. All but three of those 15 chart-toppers happened after Keith left Mercury.

He made release-week stops on “The Tonight Show With Jay Leno” and “Jimmy Kimmel Live.” To truly appreciate the celebrity he has accomplished since 2001, when “Pull My Chain” became Keith’s first No. 1 country album, check out his eclectic TV slate for his new set’s second week in stores: “The View,” “The Early Show” and “The Colbert Report.”

YEAH, YEAH, YEAH: If you feel like trying on a nebuchadnezzar of music with the classic coat in your closet, that case of ’60s nostalgia may have something to do with the fact that there are three Beatles-related titles in the top 15 of this issue’s Billboard 200.

With a modest second-week decline of 31.6%, Paul McCartney holds at No. 3 with “Memory Almost Full.” The late George Harrison is represented by a new Traveling Wilburys compilation that enters at No. 9, while John Lennon is remembered at No. 15 by the charitable album “Instant Karma: The Amnesty International Campaign to Save Darfur.”

The Lennon tribute owns two different slots on Top Digital Albums (Nos. 4 and 14). The better seller is the version found at iTunes. With 11 additional songs, that account-specific edition is tracked separately (10,000 copies); sales of a special edition may only be merged with the’re original if no more than six songs are added.

If sales from those two versions could be combined, “Instant Karma” would be No. 1 on Top Digital Albums. On The Billboard 200, those additional sales would have placed “Instant Karma” at No. 12, rather than No. 13.

So, where’s Ringo? He has a hits album due Aug. 18.

HOUSEKEEPING: Starting with last week’s issue, Billboard lists Interscope-Geffen-A&M/Octone as distributing label for all the imprints in the house that Jimmy Iovine built. Previously, we simply credited Interscope in that field. On our sales charts, the entity is abbreviated as IGA.

Last week also saw Nielsen SoundScan move market share for Caroline-distributed albums to EMI Music Marketing. Consequently, by long-standing Billboard and SoundScan definitions, titles from Caroline are no longer considered to be independently distributed and thus no longer qualify for Top Independent Albums.

Market Watch

A Weekly National Music Sales Report

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<thead>
<tr>
<th>WEEKLY ALBUM SALES</th>
<th>(Million Units)</th>
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</thead>
<tbody>
<tr>
<td>2006</td>
<td>2007</td>
</tr>
<tr>
<td>3.5</td>
<td>3.9</td>
</tr>
<tr>
<td>7,9</td>
<td>7,4</td>
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Weekly Album Sales

<table>
<thead>
<tr>
<th>WEEKLY ALBUM SALES (Million Units)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
</tr>
<tr>
<td>3.5</td>
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Weekly National Music Sales Report

<table>
<thead>
<tr>
<th>OVERALL UNIT SALES</th>
<th>2006</th>
<th>2007</th>
<th>CHANGE</th>
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<tbody>
<tr>
<td>Albums</td>
<td>251,624,000</td>
<td>212,111,000</td>
<td>-16.7%</td>
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<tr>
<td>Digital Tracks</td>
<td>258,724,000</td>
<td>365,910,000</td>
<td>+49.1%</td>
</tr>
<tr>
<td>Single Sales</td>
<td>1,753,000</td>
<td>935,000</td>
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<tr>
<td>Total</td>
<td>512,081,000</td>
<td>598,860,000</td>
<td>16.9%</td>
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<tr>
<td>Albums w/EAS</td>
<td>277,496,400</td>
<td>250,692,000</td>
<td>-9.7%</td>
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sales reports compiled and edited by NIELSEN SOUNDSCAN.

Sales by Album Format

<table>
<thead>
<tr>
<th>FORMAT</th>
<th>2006</th>
<th>2007</th>
<th>CHANGE</th>
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<tbody>
<tr>
<td>CD</td>
<td>237,027,000</td>
<td>189,956,000</td>
<td>-19.9%</td>
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<tr>
<td>Digital</td>
<td>13,509,000</td>
<td>21,332,000</td>
<td>59.4%</td>
</tr>
<tr>
<td>Cassette</td>
<td>657,000</td>
<td>168,000</td>
<td>-74.4%</td>
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<tr>
<td>Other</td>
<td>431,000</td>
<td>455,000</td>
<td>5.6%</td>
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Billboard

February 18, 2007
Table: Billboard 200 Chart

<table>
<thead>
<tr>
<th>Position</th>
<th>Artist</th>
<th>Title</th>
<th>Sales Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Toby Keith</td>
<td>Big Dog Daddy</td>
<td>130,000</td>
</tr>
<tr>
<td>2</td>
<td>Jason Aldean</td>
<td>My Kinda Party</td>
<td>40,000</td>
</tr>
<tr>
<td>3</td>
<td>Lady Gaga</td>
<td>Paparazzi</td>
<td>28,000</td>
</tr>
<tr>
<td>4</td>
<td>Taylor Swift</td>
<td>Love Story</td>
<td>19,000</td>
</tr>
<tr>
<td>5</td>
<td>Adele</td>
<td>21</td>
<td>17,000</td>
</tr>
</tbody>
</table>

**Artists and Sales Notes**

- **Toby Keith** with his album "Big Dog Daddy" sold 130,000 copies.
- **Jason Aldean** with "My Kinda Party" sold 40,000 copies.
- **Lady Gaga** with "Paparazzi" sold 28,000 copies.
- **Taylor Swift** with "Love Story" sold 19,000 copies.
- **Adele** with "21" sold 17,000 copies.

**Additional Information**

- The Billboard 200 chart ranks the top 200 songs in the United States based on sales, streaming, and radio airplay data.
- This chart is published weekly by Billboard magazine and is widely recognized as a measure of music popularity in the United States.
### R&B/HIP-HOP Airplay

<table>
<thead>
<tr>
<th>Title</th>
<th>Artist</th>
<th>Label</th>
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<tbody>
<tr>
<td><strong>1</strong></td>
<td>BUY A DRINK (SHAWTY SNAPPIN')</td>
<td>Don't Don't Go/Def Jam</td>
</tr>
<tr>
<td><strong>2</strong></td>
<td>DO IT</td>
<td>Akon</td>
</tr>
<tr>
<td><strong>3</strong></td>
<td>SHAWTY SNAPPIN' (FEAT. OLDBUSINESS)</td>
<td>Def Jam</td>
</tr>
<tr>
<td><strong>4</strong></td>
<td>PARTY LIKE A ROCKSTAR (TRIPLE BEAM)</td>
<td>Usher</td>
</tr>
<tr>
<td><strong>5</strong></td>
<td>LET'S GET IT BACK (FEAT. DMX)</td>
<td>T-Pain</td>
</tr>
<tr>
<td><strong>6</strong></td>
<td>2 STEP</td>
<td>Timbaland</td>
</tr>
<tr>
<td><strong>7</strong></td>
<td>BECAUSE OF YOU</td>
<td>John Legend (G.O.O.D. Music)</td>
</tr>
<tr>
<td><strong>8</strong></td>
<td>TATTOO</td>
<td>Shaggy</td>
</tr>
<tr>
<td><strong>9</strong></td>
<td>CUPID SHUFFLE</td>
<td>Hot Boys/Atlantic</td>
</tr>
<tr>
<td><strong>10</strong></td>
<td>DJ DON'T</td>
<td>Yo Gotti</td>
</tr>
<tr>
<td><strong>11</strong></td>
<td>BIG THINGS POPPIN' (DO IT)</td>
<td>T-Pain</td>
</tr>
<tr>
<td><strong>12</strong></td>
<td>WHAT'S MY NAME</td>
<td>Akon</td>
</tr>
<tr>
<td><strong>13</strong></td>
<td>I'M A BOY</td>
<td>Chris Brown (Jive/Zomba)</td>
</tr>
<tr>
<td><strong>14</strong></td>
<td>MAKE IT FEEL BEAUTIFUL</td>
<td>Robin Thicke (SILVER SOUND/Atlantic)</td>
</tr>
<tr>
<td><strong>15</strong></td>
<td>HOO HOO</td>
<td>Mary J. Blige (Matric</td>
</tr>
</tbody>
</table>
HOT COUNTRY SONGS

1. TICKS
   - Artist: Brad Paisley
   - Chart: #1

2. FIND OUT WHO YOUR FRIENDS ARE
   - Artist: Tracy Lawrence
   - Chart: #2

3. LUCKY MAN
   - Artist: Montgomery Gentry
   - Chart: #3

4. MOMENTS
   - Artist: Emerson Drive
   - Chart: #4

5. LOST IN THIS MOMENT
   - Artist: Big & Rich
   - Chart: #5

6. GOOD DIRECTIONS
   - Artist: Billy Currington
   - Chart: #6

7. I TOLD YOU SO
   - Artist: Keith Urban
   - Chart: #7

8. A WOMAN’S LOVE
   - Artist: Alan Jackson
   - Chart: #8

9. STARTIN’ WITH ME
   - Artist: Jake Owen
   - Chart: #9

10. TEARDROPs ON MY GUITAR
    - Artist: Clay Walker
    - Chart: #10

11. WOULD I LIE TO YOU
    - Artist: Joe Nichols
    - Chart: #11

12. DREAMS
    - Artist: Kenny Chesney
    - Chart: #12

13. I NEED YOU
    - Artist: Tim McGraw
    - Chart: #13

14. THESE ARE MY PEOPLE
    - Artist: Rodney Atkins
    - Chart: #14

15. A DIFFERENT WORLD
    - Artist: Bucky Covington
    - Chart: #15

16. I WONDER
    - Artist: Kellie Pickler
    - Chart: #16

17. GUYS LIKE ME
    - Artist: Eric Church
    - Chart: #17

18. HOW I FEEL
    - Artist: Martina McBride
    - Chart: #18

19. ALL MY FRIENDS SAY
    - Artist: Luke Bryan
    - Chart: #19

20. EVERYDAY AMERICA
    - Artist: Sugarland
    - Chart: #20

21. LIVIN’ OUR LOVE SONG
    - Artist: Jason Michael Carroll
    - Chart: #21

22. I GOT MORE
    - Artist: Colt Ford & The Lonesome Trio
    - Chart: #22

23. I WANNA FEEL SOMETHING
    - Artist: Trace Adkins
    - Chart: #23

24. IF YOU’RE READING THIS
    - Artist: Tim McGraw
    - Chart: #24

25. THE HOUSE WE BUILT
    - Artist: Brooks & Dunn
    - Chart: #25

26. ANOTHER SIDE OF YOU
    - Artist: Joe Nichols
    - Chart: #26

27. DIRTY GIRL
    - Artist: Terri Clark
    - Chart: #27

28. YOU NEVER TAKE ME DANCING
    - Artist: LeAnn Rimes
    - Chart: #28

29. HOT CHARTS: 2007
   - Artist: Various
   - Chart: #29

30. THOSE NIGHTS
    - Artist: Kenny Chesney
    - Chart: #30


BETWEEN THE BULLETS

Brad Paisley crowns Hot Country Songs for the eighth time as "TICKS" collects 32.5 million audience impressions at ad slots 3-10. The clever lyric and Paisley’s deepsar, devery helped make this his second fastest sprint to No. 1 (16 weeks). He reached No. 1 in 15 weeks with his first chart-topper "He Didn’t Have to Be." In 1999, the new track is Paisley’s fourth consecutive No. 1 hit, topping the first four, extending a streak last achieved by Tim McGraw from October 2003 through December 2004.

“TICKS” introduces Paisley’s sixth studio album, “5th Gear,” which should arrive at No. 1 next issue on Top Country Albums. His 2006 holiday release, “3bad Paisley Christmas," produced five chart entries that peaked between Nos. 41 and 55.

His No. 1 single tops Arista Nashville’s lead as the label with the most weeks atop the chart so far this year (seven), followed by Curb (five) and Mercury (four).

—Wade Johnson
### HOT LATIN SONGS

<table>
<thead>
<tr>
<th>TITLE</th>
<th>Artist</th>
<th>Top 10 Chart Data</th>
<th>Peak Position</th>
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### LATIN ALBUMS

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*Data for week of June 30, 2007 | CHARTS LEGEND on Page 68*
### LATIN AIRPLAY

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## Billboard: Weekly Chart Data - JUNE 30, 2007

### EURO CHARTS

**SINGLE SALES**

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<td>CHAD TAYLOR</td>
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| SOUL/SPARK | 13 | V 

### ALBUMS

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<td>...Like Clockwork</td>
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<td>LO OS IDEAS</td>
<td>Sony</td>
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<td>MIKA</td>
<td>LIFE IS A CARPET METON</td>
<td>CANSTAR/ELK/LI</td>
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<td>MICHAEL BUBLE</td>
<td>CALL ME INCREDIBLE</td>
<td>Capitol</td>
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<td>BRUCE SPRINGSTEEN</td>
<td>WITH THE SESSION BAND</td>
<td>SDG/LA</td>
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<td>4AD/LA</td>
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<td>WINGS ALBUM</td>
<td>NEMS/DEEJAY</td>
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<td>BMG</td>
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<td>GIVE IT TO ME</td>
<td>SAY IT RIGHT</td>
<td>RED ROOM</td>
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</tbody>
</table>
| WHAT GOES AROUND | COMES AROUND | ST |}

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Data for week of JUNE 30, 2007 | For chart reprints call 646.654.4633

Go to www.billboard.biz for complete chart data | 37
Sales data compiled from a comprehensive pool of U.S. music markets by Nielsen SoundScan. Sales data for Billboard 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.
- Indicates album entered top 100 of The Billboard 200 and had been removed from Heatseekers chart.
- Where included, this award indicates the title with the chart's biggest percentage growth.
- PRICING/CONFIGURATIONS
  - CD/CD Duplication prices are suggested list or equivalent prices, which are projected from wholesale prices. Pricing after price indicates only available on DuDiscs, CD/CDVU after price indicates CDVU/combo available. Pricing after price indicates CD/CDVU combo available. "indicates vinyl LP is available. Pricing and vinyl LP availability are not on all charts.

Singles Charts

RADIO AIRPLAY SINGLES CHARTS

Composed from a national sample of data supplied by Nielsen Broadcast Data Systems. Charts are ranked by number of gross audience impressions, compiled by cross-referencing exact times of airing with Arbitron listener data. The exceptions are the Rhythmic Airplay, Adult for 40, Adult Contemporary, Modern Rock and Adult R&B charts.

Songs showing an increase in audience (or detections) over the previous week, regardless of chart movement.

RECURRENT RULE

Songs are removed from The Billboard Hot 100 and Hot 100 Airplay charts simultaneously if they have been on The Billboard Hot 100 for more than 20 weeks and rank below No. 50. Songs are removed from the Hot R&B/Hip-Hop Songs chart and Hot R&B/Hip-Hop Airplay charts simultaneously if they have been on the Hot R&B/Hip-Hop Songs chart for more than 20 weeks and rank below No. 50. Songs are removed from the Pop 100 and Pop 100 Airplay charts simultaneously if they have been on the Pop 100 for more than 30 weeks and rank below No. 50. Titles are removed from Hot Country Songs if they have been on the chart for more than 26 weeks and rank below No. 15, if they have been on the chart for more than 20 weeks and rank below No. 15, if they have been on the chart for more than 20 weeks and rank below No. 20. Songs on Latin Airplay charts are removed after 20 weeks if they rank below No. 20 in both audience and detections. Descending songs are removed from Adult Contemporary if they have been on the chart for more than 20 weeks and rank below No. 15, if they have been on the chart for more than 26 weeks and rank below No. 15, if they have been on the chart for more than 20 weeks and rank below No. 20. Songs are removed from the Hot Pop Core charts if they have been on the chart for more than 20 weeks and rank below No. 15. Songs are removed from the Hot R&B/Hip-Hop charts if they have been on the chart for more than 20 weeks and rank below No. 15. Songs are removed from the Hot Country charts if they have been on the chart for more than 10 weeks and rank below No. 15.

SINGLES SALES CHARTS

The top selling singles compiled from a national sample of retail stores, mass merchant, and internet stores reported, compiled, and provided by Nielsen SoundScan. For R&B/Hip-Hop Sales, sales data is compiled from a national subset panel of core R&B/Hip-Hop retail stores.

Single with the greatest sales gain.

CONGRUENCES

- CD single available.
- Digital DualDisc available.

All data reflected on all singles charts.

HIT PREDICTOR

The hit prediction status in that particular format based on research data provided by Promocut. Tracks are listed online by Promocut using multiple lists, and a national tracking of carefully profiled music consumers. Songs are rated on a 5-star scale: final results are based on weighted positives. Songs with a score of at least 4.5 are considered for inclusion on the Billboard Hot 100, although that benchmark number can fluctuate based on the strength of available music. Songs can be compiled on a weekly basis and/or at the discretion of Billboard Hot 100 editorial.

DANCE CLUB PLAY

Compiled from a national sample of reports from club DJs.

Titles with the greatest club play increase over the previous week.

AWARD CRYSTALS

ALBUM CHARTS

- Certification for Net Sales: Certification for net shipment of 500,000 units (Gold). Certification for net shipment of 1 million units (Platinum). Certification for net shipment of 10 million units (Diamond). Certification for net shipment of 100 million units (Diamond). Certification is not on all singles charts.

SINGLES CHARTS

- RIAA certification for 500,000 paid downloads (Gold). RIAA certification for 1 million paid downloads (Platinum). Numerical within platinum symbol indicates single’s multi-platinum level: 2× for 2 million units, 3× for 3 million units, etc.

MUSIC VIDEO SINGLES CHARTS

- RIAA gold certification for net shipment of 15,000 units for video singles. RIAA gold certification for net shipment of 50,000 units for shortform music videos. RIAA platinum certification for net shipment of 500,000 units for video singles. RIAA platinum certification for net shipment of 100,000 units for theatrical releases.

DVD SALES/VIDEOSALES/VIDEO RENTALS

- RIAA gold certification for net shipment of 50,000 units or $1 million in sales at suggested rental price. RIAA gold certification for net shipment of 150,000 units or $3 million in sales at suggested retail price. RIAA gold certification for a minimum sale of 250,000 units, or a dollar volume of $5 million at retail for theatrical-released programs, or at least 25,000 units and $1 million at suggested rental retail.
- RIAA gold certification for a minimum sale of 50,000 units, or a dollar volume of $1 million at retail for theatrical-released programs, or at least 50,000 units and $2 million at suggested rental retail for non-theatrical titles.
- RIAA platinum certification for net shipment of 500,000 units or $1 million at retail for theatrical-released programs, or at least 500,000 units and $2 million at suggested rental retail for non-theatrical titles.
**SINGLES & TRACKS**

**SONG INDEX**

*Chart Notes: CS (Hot Country Songs) WBB (Hot 100 Songs) LL (Hot Latin Songs) POP (Hot 100 Songs and BMI Hot Multi-Format Songs)*

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*Data for week of JUNE 30, 2007*

**CHARTS LEGEND on Page 68**

Go to www.billboard.biz for complete chart data
**HELP WANTED**

**Billboard Global Correspondents Wanted**

The world's No. 1 magazine for the music industry is looking to boost its team of freelance global correspondents to enhance our world-renowned coverage of the international music business.

To apply, you should be based outside of the United States of America, and be an experienced journalist with an expert knowledge of the music business in your territory. You should be a self-starter, passionate about music, able to turn around news stories at short notice and be bursting with ideas for coverage on all of Billboard's platforms. A good command of written English is essential.

To apply, please send your CV/resume, a cover letter, two examples of your published work and three ideas for 600-word stories in Billboard's Global Section to:

Mark Sutherland
London Bureau Chief, Billboard
5th Floor, Endeavour House, 189 Shaftesbury Avenue
London WC2H 8JT

or e-mail msutherland@cc.billboard.com. No calls please.

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**INVESTORS WANTED**

Investor's wanted for marketing campaign of Coffee Novelties Song "Java Jitter."
Outrageously funny music/reality video ready for release via Youtube, and iTunes distribution of song in place. The artist performed the song on Fox Five News a few months ago. Need $15,000 for prominent NY/FM internet marketing/PR firm. This is a chance to be involved in one of the most original projects around today. Repayment from sale of t-shirts and itunes. Please contact 917-626-3060 for info.

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**NOTICES/ANNOUNCEMENTS**

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The Hollywood Reporter, Mediaweek, Brandweek, ADWEEK, Editor & Publisher and Billboard seeking to hire that ideal candidate to fill a recently vacated position. If you’re still NOT happy with the responses, please consider the use of Billboard PRINT to reach all serious music professionals directly! I’ll knock 50% OFF whatever size ad you select to run on the Billboard pages.

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RECORD COMPANIES: Universal Music Group promotes David Ring to executive VP of business development and business affairs for EMI and Patty Cohen to VP of ad sales for global digital initiatives. Ring was senior VP, and Cohen was director of ad sales at EMI TV.

Concord Music Group promotes Luis O. Toledo to VP of royalties, He was director.

Def Jam Music Group in New York elevates Trina Schaefers to senior director of promotion. She was associate director of regional promotion.

Rock Ridge Music in Newark, N.J., names Jason Spiewak president. He was VP.

Warner Bros. Nashville names Tree Paine VP of publicity. She was director of marketing and promotions at the Academy of Country Music.

TOURING: Madison Square Garden in New York appoints Peter Van Raalte to the newly created position of senior VP of merchandising and licensing. He was senior VP of business development at Joester-Loria Group.

Colorado's Broomfield Event Center taps Gene Felling as executive VP/GM. He was GM of the Forum in Inglewood, Calif.

DIGITAL: Sonos in Santa Barbara, Calif., names Phil Abram president/COO. He was VP/senior GM in the TV products division at Sony.

MANAGEMENT: Core Entertainment names Brian Frank managing partner. He was founder and owner of BFrank Management.

RELATED FIELDS: Universal Studios Home Entertainment in Universal City, Calif., promotes Tom Emrey to executive VP/COO. He was CFO.

The Recording Academy in Santa Monica, Calif., has announced its newly elected board of trustees. Jimmy Jam becomes chairman; Neil Tesser becomes vice chairman; Richard Perna is re-elected secretary/treasurer; and Terry Luckona becomes chair emeritus.

Yahoo Music promotes Wendy Gealter to senior music director. She was director.

—Edited by Mitchell Peters

GOOD WORKS

(RED) ARTISTS, CONVERSE EMPOWER PEOPLE
Hip-hop artist Common is the spokesperson for Converse's first national print campaign to support its partnership with (PRODUCT)RED. The Weapon of Change campaign features the (PRODUCT)RED Weapon sneaker, which retails for $75. Come August, Converse will offer RED-branded snacks from the Ramones and Kaiser Chiefs. A percentage of proceeds from these sneaker sales go to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

DOLLS LET LOVE IN FOR GRIFFITH PARK
Nederlander Concerts has tapped the Goo Goo Dolls to kick off a series of benefit concerts at Los Angeles' Greek Theatre for the Griffith Park Recovery Fund. A percentage of ticket sales from the Sept. 6 show will be donated to the GPRF, which supports recovery efforts in Griffith Park following the devastating fires that scorched more than 800 acres.

INSIDE TRACK

If the June 19 artist showcase on the rooftop of BMI's New York offices was any indication, Virgin Records has high hopes for newcomer A Fine Frenzy. When introducing AFF—the alias of singer/songwriter Alison Sudol—Capitol Music Group chairman/CEO Jason Flom offered one superlative after another in the process, he gave Clive Davis a rare for the money in the "artist introduction" category. To be sure, Flom is a huge AFF fan. The same is true of the many tastemakers on the roof that night.

On more than one occasion during her seven-song set, Sudol expressed amazement at the size of the crowd. "I was expecting 20 people," a happy beyond-words Sudol said. "I can't believe how many people are here.

Track could. AFF's debut album, "One Cell in the Sea," arrives July 17 and already the advance buzz is deafening. By the end of AFF's set, the buzz became that much louder. Album tracks like "Come On, Come Cutie."

"You Picked Me."

"Whisper" and the divine "Almost Lover" became immediate favorites. And while comparisons to Tori Amos and Coldplay will surely be made, AFF remains its own entity.

Flom is surely aware of this, Which might explain the wide grin on his face during the performance. Tepping 5 feet and bobbing his head throughout, Flom was the epitome of a fine frenzy.
INSIDE TRACK

KIM'S NYC LIVING ROOM

Kim Richey is not one to rush into things. Her new studio album "Chinese Boxes"—due next month via Vanguard Records—arrives five years after her last studio effort, "Rise." To mark the artist’s "return," public radio WFUV New York hosted Richey’s first NYC live show in eons. The sold-out June 19 concert, at the Living Room on the Lower East Side, spotlighted a singer/songwriter who is at the top of her game. Richey delivered several songs from the new album, including lead single "Jack and Jill" and the glorious title track. Midway through her 60-minute set, a guitar string broke. While waiting for it to be replaced, Richey asked for song requests from the audience. An overeager fan immediately yelled, "I know." Looking surprised, Richey smiled and said, "I haven’t done that in a while. I don’t know if I know ‘Jack and Jill’ enough to do it tonight." Instead, she delivered such classics as "Just My Luck" and "A Place Called Home." Smiles were everywhere.
Congratulations
TO
Mickey “MempHiTz” Wright
AND
T-Pain
on the No. 1 debut of
T-Pain’s album, Epiphany
We know there will be
many more!
Glenn Delgado & Hitz Committee

Huey’s *Notebook Paper*
on Hitz Committee/Jive Records
in stores June 19th

Asia’s *Who is Asia Cruz*
on Hitz Committee/Jive Records
coming soon

“With No Vision There’s No Success”
THISDAY would like to thank all of the amazing artists who have entertained Nigerian audiences over the past 18 months. A special thanks to all of the managers, agents and crews who continue to make and preserve music history in Nigeria and beyond.

More exciting THISDAY shows to come...

Inquires please contact Jason Miller 323.650.3380
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