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Songwriters Versus Publishers

Prepare for Bruising Battles Over Termination Rights Under the ’76 Copyright Act

BY BEN SHEPHERD

When copyright lawyers look to the future, all eyes are on 2013.

That’s the year when works authored in 1978—the first year the landmark 1976 Copyright Act went into effect—become subject to “termination.” The provisions allow songwriters and composers to take back copyrights from the corporations to which they signed them away decades earlier, in return for much of how much they would later be worth.

As has been well chronicled in Billboard and elsewhere, the big issue for the music business is access to songwriters’ potential termination of copyrights in sound recordings that they created under contracts with their record labels. Major acts including the Eagles, the Beach Boys, George Harrison, and Bob Dylan have begun to terminate the terminating notices, and litigation is likely as bands and their label battle over who is the “author” of a recording—the band or the record label?—and whether those recordings are actually “works for hire,” and thus exempt from termination.

The termination issue is affecting all the lower-profile artists and publishing industry as well, just in different ways. There’s no doubt that a general increase in songwriter and composer termination grants of their copyrights made after Jan. 1, 1978, pursuant to section 203 of the Copyright Act. Under that provision, copyright is subject to termination 35 years from the date of execution of the grant.

But if the grant covers the right of publication of the work, the period begins at the end of 35 years from the date of publication of the work under the grant, or at the end of 48 years from the date of execution of the grant, whichever term ends earlier.

That tangled morass of verbiage is already leading to disagreements between songwriters and publishers that may one day erupt into full-blown litigation. I’ve heard rumblings about at least two such scenarios that raise novel and untested scenarios. And I’m confident there are many more.

The first concerns songs that are written pursuant to exclusive songwriting agreements, under which songwriters agree to assign all songs they write during a set period of time to their publisher (in exchange for an advance, reasonable against royalties). Say a songwriter had such an agreement that lasted from 1982 to 1993 and wrote a big hit in 1984. He wishes to get that song back—and then

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Slowing The Slide

Album Sales Decline Slows In Q1, But Digital Tracks Suffer A Worrying Dip

The first quarter of 2010 brought a few surprising sales results to a battered music industry.

On the plus side, a robust release schedule contributed to a sharply slower decline in U.S. album sales during the first quarter. Sales of hit albums by chart-toppers like Lady Antebellum, Sade and the Black Eyed Peas helped avoid the double-digit drops that had become so common in recent quarters.

During the three months ended April 4, combined U.S. sales of albums and track-equivalent albums (or TEA, where tracks equal an album) totaled 113.2 million units, down 6.1% from 120.6 million during the corresponding period last year, when sales fell 7% year on year, according to Nielsen SoundScan.

Album sales minus TEA totaled 82 million, down 7.9% from 89 million a year earlier, marking a sharply slower rate of decline than the 13.5% drop recorded in the year-earlier period, according to SoundScan.

And for the first time, the nontraditional retail sector—which consists mostly of download sales at iTunes and CD sales at online vendors like Amazon—has emerged as the largest U.S. retail channel, displacing mass merchants like Walmart and Target.

On the downside, digital tracks recorded their first year-on-year quarterly sales decline, falling 9.0% to 312.4 million in the first quarter from 351.4 million in first-quarter 2009, when track sales climbed 13% year on year.

An important caveat to these numbers: Because the 2009 sales year included a $35 week, SoundScan dropped the first sales week of 2009 from all year-on-year sales comparisons with 2010 data to preserve a 13-week comparison for every quarter of this year.

If SoundScan hadn't made that adjustment and opted instead for a 14-week first-quarter comparison, digital track sales would still have registered their first quarterly decline—albeit a slightly more modest fall of 6.3% to 349.6 million for the period ended April 4, from 352.6 million for the period ended April 5, 2009.

Industry executives ascribe deteriorating track sales to several factors, including the implementation of variable pricing at iTunes. While consumers have demonstrated a willingness to buy hit songs for $1.29, catalog tracks priced at that level haven't been selling as well as they were at 99 cents (Billboard, March 20).

Country music enjoyed a remarkable first quarter, with album sales jumping 13.1% to 10.4 million units from 9.2 million in first-quarter 2009. Meanwhile, R&B/hip-hop, which had been the hardest hit genre during the prolonged decline in music sales, was one of the more resilient categories in the first quarter, with album sales declining 3.8% to 16.2 million from 16.8 million a year earlier.

Among other genres, Christian/gospel album sales also managed to hold up better than the broader market, slipping 3.5% from a year earlier to 6.1 million units. But Latin music sales were again hit hard, plunging 27.2% to 3.4 million, while rock fell 16.9% to 25.4 million.

Sales of current albums—those that are within the first 18 months of their release or older albums that stay in the top half of the Billboard 200 or are active at radio—showed signs of staging a comeback, declining only 4.1% to 46.1 million units in the first quarter from the 48.1 million units scanned in 2009’s first quarter. That compares to the 16.4% year-on-year decline the category suffered in first-quarter 2009.

Among current albums, two titles topped sales of 1 million units during the quarter: Lady Antebellum’s “Need You Now” moved nearly 1.6 million, and Sade’s “Soldier of Love” sold almost 1.1 million. By contrast, there weren’t any million-selling albums in first-quarter 2009, when the top-selling title was Taylor Swift’s “Fearless” with 865,000.

The top-selling digital songs of the first quarter were Train’s “Hey Soul Sister,” which racked up sales of 2 million; the Black Eyed Peas’ “Imma Be” at nearly 2 million, and K’$hit’s “10K Banger” at 1.9 million. The best-selling digital album was MTV’s “Hope for Haiti” with 370,000 units sold.

Among the largest record labels, Sony Music Entertainment and financially troubled EMI Music noticed market-share gains of nearly two percentage points in the first quarter (see chart, page 6). And continued strong sales of digital albums and tumbling sales of traditional retail albums helped lift the nontraditional sector to the quarter’s largest retail category, with album sales of 28.7 million, up 12.4% from a year earlier. Album sales at mass merchants declined 4.1% to 27.7 million from a year earlier.

Additional reporting by Glenn Peoples.
Q1 BY THE NUMBERS

The decline in U.S. album sales slowed, buoyed by a strong release schedule, as nontraditional retailers became the top quarterly sales channel for the first time, according to data from Nielsen SoundScan.

CD ALBUM SALES VS. DIGITAL ALBUM SALES
CD sales fell 14.6%, but digital album sales grew at a 16% clip. CDs accounted for 72.5% of album sales vs. 78.2% a year earlier, while digital albums accounted for 27.8%, up from 21.3%.

MARKET SHARE BY DISTRIBUTOR BASED ON ALBUM AND TEA (TRACK-EQUIVALENT ALBUM) SALES
Universal Music Group was easily the top distributor of album plus TEA. But the gap was far narrower for albums minus TEA, with Sony Music’s 28.7% share nearly matching UMG’s 29.1% share.

ALBUM SALES BY STORE TYPE
Chain sales plunged, due in part to SoundScan’s shift of some chains like Newbury Comics and Bull Moose to the indie category.

ALBUMS PLUS TEA SOLD BY DISTRIBUTOR
EMI led and Sony managed to eke out gains in U.S. album sales from first-quarter 2009. Blockbuster sales of Lady Antebellum’s “Need You Now” helped push beleaguered EMI over year-earlier sales, while Sony’s steady quarter helped it narrow the sales gap with U.S. market leader Universal.

NONTRADITIONAL BREAKDOWN
Digital album sales growth and growing CD sales at retailers like Amazon, QVC, and Starbucks established the sector as the top retail channel for the first time.

ALBUM SALES BY GENRE
Latin sales plunged 27.3%, hurt by shrinking floor space for music at mass merchants and traditional retailers. Rock tumbled 16.9%, more than double the pace of the 7.9% slide in total album sales.

DIGITAL ALBUM SALES BY GENRE
While rock has long been strong in digital album sales, its 7.2% increase in the quarter represented the smallest percentage gain among the other major genres, albeit off the largest base. Country surged 47%, while Christian/gospel was up 17%.

Think Local, Act Global

Third Annual Record Store Day Returns With Heightened Ambitions

When independent retailers first started talking about launching a national Record Store Day in 2007, they were backing a concept that would come to define the independent retail sector. Then, the 2008 and 2009 events turned out to be back-to-back home runs in terms of publicity and sales. So it’s no surprise that for this year’s Record Store Day (April 17), it’s a mad-dramatically higher expectations for an event that’s become a truly international initiative.

About 1,400 stores around the world are expected to participate in Record Store Day, including approximately 800 U.S. stores, as well as retailers in Canada, the United Kingdom, continental Europe, Japan, Hong Kong, Australia, New Zealand, Israel and Brazil.

“Record Store Day is reverberating around the world. It’s a cultural event now,” says Michael Kurtz, executive director of indie retail coalition Music Monitor Network and a co-founder of the event. “The inspired part of this story is that the U.S. is back to exporting its culture in a very positive way.

For the first time, all four major labels are among the official Record Store Day sponsors, along with NARM, Universal Music Group parent Vivendi, consumer electronics maker Crosley and vinyl pressing company Gotta Groove Records.

Record Store Day has also expanded in another key area. It’s inaugural year, labels supplied just 10 indie-only exclusive titles in U.S. stores. This year, there are nearly 175 exclusive titles in the States. They include an Ani DiFranco live CD of her performance during last year’s event at Portland, Maine, indie retailer Bull Moose; a limited-edition 19-inch vinyl single from Bruce Springsteen featuring “Wrecking Ball” and two live tracks; a 7-inch vinyl reproduction of Elvis Presley’s first Sun Records single, “That’s All Right,” with a B-side of “Blue Moon of Kentucky”; Jimi Hendrix’s “Live at Clark University” on 12-inch colored vinyl, Queens of the Stone Age’s “Fool Good Hit of the Summer” EP as a 10-inch picture disc; and Neko Case’s “Middle Cyclone” on 12-inch clear vinyl.

Record Store Day co-founder/Assn. of Independent Media Stores founder Eric Levin enthused about the expanded selection of exclusives in his weekly e-mail. “I’m having a difficult time figuring out how to buy all this awesome stuff!” Levin wrote, adding, “What a wonderful problem to have.”

This year’s event will also feature hundreds of in-store artist appearances and performances, including Alice in Chains at Gallery of Sound’s Mandy Street store in Wilkes-Barre, Pa., Drive-By Truckers at Harvest Records in Nashville, Yo La Tengo at Rhino Records in Claremont, Calif., and Frank Black and Exene Cervenka at CD World in Eugene, Ore. Phoenix-area chain Zia Records will once again operate a Record Store Day store at Geachella, which will have 63 bands doing in-store signings.

One of the most anticipated events will be a performance by the Smashing Pumpkins at Space 15 Twenty in Hollywood in support of nearby Amoeba Music. The show will only be open to the first 250 Amoeba customers to preorder the band’s K.P. Fanzig band Kaledoscope Vol. 1: Songs for a Sailor.

A number of U.S. retailers are planning to release their own Record Store Day specials. In St. Louis, Vintage Vinyl will sell an album compilation of local bands. Christmas’ Make It Records is releasing 77-inch singles by local acts. And Slowtrain in Salt Lake City is using Record Store Day to mark the launch of its own label, Slowtrain Records.

In the United Kingdom, Record Store Day promises to be its biggest yet. At press time, the number of participating U.K. stores had jumped from 78 last year to about 150, while retail exclusives have more than tripled from 31 to about 110 this year.

The day will be celebrated by rival parties in Australia. For the third year, a collection of small independents will celebrate Record Store Day—33 participants at last count. Meanwhile, the Australian Music Retailers Assn. will hold the second annual Record Store Day Australia. The trade group founded its own event last year after U.S. organizers refused to recognize their participation because its members include big chains like JB Hi-Fi and Sanity. About 400 stores are expected to participate in the Australian rally.

Record Store Day organizers aren’t taking their success for granted. At the upcoming NARM convention in Chicago, wholesalers Baker & Taylor is sponsoring a working lunch where participants will discuss what initiatives worked and what needs to be improved for next year’s celebration.

“From where Record Store Day started to now, it’s amazing,” NARM president Jim Donohue says. “This event continues to grow exponentially. It’s also a creative force with all the unique music product made explicitly for this event. It has created a think tank of what people can do to promote an event.”

Additional reporting by Lani Brandt and Richard Smith.

CAPITOL RADIO

Grammys On The Hill Lobbying Push To Focus On Performance Rights Act

The recording industry’s battle for terrestrial radio performance royalties will take center stage April 14-15 as the Recording Academy heads to Washington, D.C., for its Grammys on the Hill lobbying initiative.

It’s been quite a year since fall of 2007 that the academy had held what would be its annual event. After bypassing the 2008 gathering to focus on visits to the national Republican and Democratic party conventions, the academy decided to shift Grammys on the Hill from the fall to the spring, opting to hold its first spring event this year.

The spring session of Congress tends to be an active time for constituent groups to meet with and lobby legislators, academy VP of advocacy and government relations Daryl Friedman says. He adds that the passage of the mammuth health-care reform bill in March helped clear the decks for members of Congress to focus on other issues.

In the past, Grammys on the Hill had a broader mission: lobbying on issues surrounding intellectual property rights. This year, the agenda will mostly focus on drumming up support for the Performance Rights Act, which would require terrestrial radio stations to pay into a fund that would distribute performance royalties to artists and record labels and other master-right owners for the music they broadcast.

The legislation cleared the House and Senate judiciary committees in the fall. The National Assn. of Broadcasters has been working an aggressive lobbying effort to fight the bill. While NAB and RIAA officials continue to hold talks on a possible compromise, Friedman says he believes final passage of the bill is “so close, and with this visit we will try to move it over the finish line this year.”

About 350 academy members and executives, led by president/CEO Neil Portnow, will fan out April 15 to meet with legislators. Jimmy Jam, Sheila E. and O.A.R. singer/guitarist Marc Roberge will be among the artists who will participate. Also joining the effort will be officials from the RIAA, SoundExchange, the American Assn. of Independent Music, the Music Managers Forum, the Nashville Songwriters Assn., the American Federation of Television and Radio Artists and the American Federation of Musicians.

The trip to Capitol Hill comes at a time when the recording industry has been enjoying a heightened profile in Washington, given the recent debates about online intellectual property protections and congressional hearings about performance royalties for terrestrial radio, Webcasters and satellite radio companies. The music business was also a supporter of the Prioritizing Resources and Organization for Intellectual Property Act, which enhanced copyright enforcement and created a cabinet-level “copyright czar” position.

As part of its Grammy on the Hill program, the academy will hold on April 14 awards ceremony where it will honor Garth Brooks; Senate majority whip Dick Durbin, D-Ill.; and Rep. Dorell Issa, R-Calif., for their support of intellectual property issues and improving the environment for music creators. Durbin and Issa are both key supporters of the Performance Rights Act.

Academy honorees: GARTH BROOKS and U.S. Sen. DICK DURBIN (left)

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Off The Grid
SBS- Arbitron Face-Off Illustrates Continued PPM Worries

The Portable People Meter should be the saving grace of audience measurement, replacing the onerous and inaccurate hand-filled diaries that were the industry standard for years. But since Arbitron began rolling out the PPM in 2006, the process has triggered concerns among minority broadcasters, who contend that the PPM undercounts minorities.

In the latest chapter in the saga, a New York State Supreme Court judge in New York County lifted a temporary order issued in February requiring Spanish Broadcasting System to encode its radio broadcasts for the PPM, determining that Arbitron failed to prove that the loss of SBS would cause it "permanent and irreparable harm." As a result, SBS once again pulled its encoders, which means advertisers will no longer be able to get ratings information for the network’s radio stations.

"It’s about getting a more representative sample of our listenership," SBS chief revenue officer Frank Flores says, "because in the long run it will impact the way we do our business now and for years to come." Flores cited the example of a very popular SBS morning show in a major metropolitan area, which in its last diary ranking tied for No. 2 in average quarter-hour share of listeners 25-54. After Arbitron switched to the PPM in that market, the show’s AQH rank among the same group of listeners plunged to No. 13.

"In the same month, the same format, the same personalites," he says. "Nothing changed except the measurement system.

Arbitron VP of research Beth Webb says the company has implemented about 80 initiatives during the past two years to improve audience sample performance. They include increasing sample sizes, which will grow an average of 10% across all markets by year’s end; reporting a listener’s country of origin, which will be available beginning in the March report; and expanding the number of cell phone-only households that tracks to 15% of audience sample by the end of 2009. A figure it expects to rise to 20% by the end of this year. Webb says these changes are crucial in capturing an accurate snapshot of the Hispanic listener. Country of origin, for example, often defines listenership for specific formats, like regional Mexican, which targets listeners of Mexican and Central American origin. And Webb says about 27% of Hispanics from Spanish-dominant households are CPR users, versus 15% among all radio listeners.

But not even these adjustments are likely to restore the ratings to what they were before. That’s because Hispanics are the heaviest radio listeners in the United States, as measured by both paper diaries and the PPM. And when a listener tunes in, her eight hours per day, the PPM catches minor changes in listening habits that respondents may have glossed over in the diary system. As a result, ratings for their favorite stations typically decline.

While Flores acknowledges that Arbitron has made improvements to the PPM system, he says that SBS still doesn’t fully trust the data. He says average quarter-hour ratings have plunged between 30% and 50% at all of the network’s stations, even when the market ranking for some stations have risen.

For the time being, Flores says SBS will continue its talks with Arbitron and the Media Ratings Council, which to date has accredited the PPM in only three markets. Webb says Arbitron is “very committed” to seeking accreditation and, in the last six months in particular, has been consistently meeting its benchmark, with the MRC review expected in the coming months.

Regardless of what the PPM members say, “we believe our stations are very successful,” Flores says. “Why? Because we have very successful local business. We sell out concerts in New York and arenas in Miami and Los Angeles. People that go to the shows are visibly happy and it’s alive and it’s there...we just need to have ratings.”

For 24/7 Latin news and analysis, see billboarddata.biz.

Field Of Dreams
Vive Grupero Festival Snares Regional Mexican Artists For Free

Outside of charity events, convincing an established artist to play a festival gig for free would seem like a tall order.

And yet that’s exactly what dozens of regional Mexican artists have signed up to do at the Vive Grupero festival, set for May 16-18 at Mexico City’s Foro Sol.

The concert, produced by promotion giant/venue owner OCESA, celebrates the 25th anniversary of Fonovisa and the 40th anniversary of Disa, the genre’s two legendary labels. Both are now part of Universal Music Group.

The two-stage festival’s lineup reads like a who’s who of nortena, duranguense and banda sinfonica acts, including Los Tigres del Norte, Banda el Recodo, Conjunto Intocable, Los Tucanes de Tijuana and K-Paz de la Sierra. There are also up-and-comers like Los Pollos de Guanajuato and Los Primos de Dunargo, both booked by Grupo Serrano, who says the exposure of such high-profile event is worth forgetting the usual fee.

“lt’s an opportunity for our artists to be seen by an audience that doesn’t normally get to see them,” Serrano says.

The 50,000-seat Foro Sol is a baseball stadium that has hosted concerts by Madonna, Madonna, Metallica and the Jonas Brothers, as well as Vive Latino, the rock festival that’s drawn top acts from all over Latin America since 1999. “It’s a place where regional Mexican artists don’t normally play,” Fonovisa Mexico GM Antonio Silva says.

Regional Mexican dances “have a schedule that’s difficult for a child or a senior citizen,” Silva says, noting that they start in the evening and end at dawn. In contrast, Vive Grupero will start in the afternoon and end at midnight. “It’s a family-friendly schedule,” Silva adds.

Without artists’ fees, ticket prices are a relative bargain, including Ticketmaster service charges. Single- and two-day non-VIP passes are $31 each ($25 after April 14) and $38 (414), respectively. Sponsors include Banamex, Tecton and Fresca soda.

Ticket buyers are expected to come from abroad, but he doesn’t predict with any certainty that the event will be profitable.

“The idea for us is to host this project is to make it something that in the future could be a showcase for a new artist, and to consolidate others,” Silva says. Today, the vision isn’t necessarily economic profit, but an image profit and the impact we’ll have in the media.”

—Alyce Ben-Yehuda

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NEW POST FOR EX-EMI PRESIDENT
Former EMI/Televisa president Rodolfo Negrete, who left the company last year, has been named president of the Latin music division of Mexico's Council for Promotion of Tourism. He was an ex-officio with Hyatt Hotels before he transitioned to the music business in 1994 when he became president of BMI Mexico, rising to chairman of BMI U.S. Latin before joining EMI/Televisa. —Lola Cobo

EM BREVÉ

JENNI RIVERA ANNOUNCES TOUR
Jenni Rivera’s La Gran Señora tour will take the banda diva to large theaters and arena-theater setups; it’s the first regional Mexican tour promoted by AEG Live. The trek hits State Farm Arena in McAllen, Texas, May 13, followed by dates in San Antonio, Houston, Dallas and El Paso, Texas; Chicago; and Los Angeles. AEG will announce a date at the Denver Coliseum, and plans call for extending the tour to New York, Las Vegas, San Diego and Phoenix. —Alyce Ben-Yehuda
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UPFRONT

By Mark Sutherland and Juliana Koranteng

Going With The ‘Flow’

New U.K. Digital Music Service Pairs Social Networking With User Incentives

LONDON—A new U.K. digital service is betting that a mix of Twitter-style social networking and user incentives will convert free music streams into download sales.

Mfow will launch April 15 after six weeks of invited-only beta-testing. It expects to carry more than four million tracks by the end of April and has licensing deals in place with Universal Music Group, Sony Music Entertainment and independent labels and distributors including Bloggers Group and PIAS.

When users join mfow, they follow other users who recommend or ‘flow’ songs to them. Followers can listen to one full-track stream of each song for free, buy the download at prices similar to iTunes and send the track on to their own followers.

For each track purchased after their recommendation, followers earn a slice of the music producer’s price as a credit that they can use to buy tracks at mfow.

Although mfow’s user interface is reminiscent of lastad’s hit site like, mfow CFO Tony Byrne believes it will initially appeal to hardcore fans of more niche genres like alternative, dance and metal. “I don’t think we’re going to be seeing much Britney Spears [recommanded] on here,” Byrne says. “It will be for people who really love music and want to discover really good music.”

Labels earn money through a combination of ads, streaming royalties and download sales, although neither mfow nor labels would disclose the specific terms of their licensing deals. No label has any equity in the business.

The recommendation/award model relies on converting streams to download purchases. He declined to disclose the conversion rate among mfow’s 10,000 beta testers, but says the service is “more than breaking even at the gross margin level.” Sales will be chart-eligible upon the public launch.

“Any conversion from streamed users to buyers will be good news,” says Will Cooper, digital manager for PIAS U.K. “The conversion rate for [streaming services] Spotify and We7 is still pretty minimal.”

Mfow’s user-friendly interface features streaming as smooth as Spotify and track purchases that download as quickly as on iTunes. While the process of recommending and being recommended tracks could prove addictive for users, they may also be frustrated by mfow’s streaming restrictions and catalog gaps. The service says it’s holding licensing talks with Warner Music Group and EMI Music, although neither major would comment.

Executives at labels who are already on mfow say they’re impressed.

“It will work because it’s a recommendation system that doesn’t use technological algorithms,” says Nathan Hull, senior digital marketing manager for Universal Music U.K. “The human connection will make a difference.”

Mfow has signed media partnerships with music titles including NME and Q, while tastemaking DJs like BBC Radio 1’s Zane Lowe are also using the service.

The recommendation/award model has been tried before, most notably by now-defunct U.S. service Passion4Networks. Byrne says he isn’t familiar with Passion4 but Cooper claims that similar services in the past didn’t have “the same level of financial backing and quantity of good music as mfow.”

Byrne says he expects to see subscription and mobile services during 2010, adding that he plans a U.S. rollout “sooner rather than later.”

Steve Purdham, CEO of ed-supported streaming service We7, says he doesn’t view mfow as a threat, observing that “it is targeted at a niche of hardcore music fans; what we do is aimed at the mass market.”

Byrne doesn’t disagree that mfow will appeal to a different audience. “If you want to play a collection of music you already know, then you probably should go to Spotify,” he says. “If you want to discover new music, then come to us.”

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Global News Line

QUOTA QUARREL

Aussie Digital Radio Resists Local Music Requirement

BRISBANE, Australia—Australia’s commercial radio sector is at odds with government efforts to force them to stream domestic music quotas on digital stations.

While broadcasters insist a quota-free environment is essential to let them experiment with digital formats, independent labels in particular claim they would drive up local music talent’s valuable exposure.

Exempting new digital-only radio services would “erode the music industry’s ability to adapt,” says Australia’s Music Council Chief Executive Susan Prior.

Digital-only radio services would be exempt from quotas, Prior says. They “would use radio as a marketing vehicle for their ducks, but they would be allowed to use digital-only radio services.”

The station’s licence would be issued by ACMA and would ensure that the station was not “unduly constrained by the terms of its licence.”

The new digital-only radio stations would be required to “comply with the conditions of their licence, including any conditions that may be imposed by ACMA.”

ACMA would be required to publish a report on the licence holder’s compliance with its licence conditions and on any conditions imposed by ACMA, including any conditions that may be imposed by the station’s programme manager.”

For the future, ACMA would “consider whether the station’s licence should be renewed or varied.”

Reporting by Howell Lawton and Ando Palm.
GLOBAL BY WOLFGANG SPÄHR

STEADY ON

Digital Growth Buoys German Music Sales

HAMBURG—German labels group BVM1 says new revenue streams and robust digital sales are renewing confidence in the market after years of decline.

BVM1 managing director Stefan Michalk predicts "a turning point for the music market's growth." in 2011," provided "the boom in downloaded music and the development of new revenue streams [like live entertainment, merchandise and brand-marketing continues]."

Many industry insiders share Michalk's optimism. "This year we already feel the descendent's over—sales are slowly increasing," says Frank Uhle, GM of specialist rock label SPV in Hamburg. Uhle adds that it's "realistic to expect the negative trend to change in 2011."

The retail value of recorded music sales in Germany totaled €1.5 billion ($2.1 billion) in 2009, down 3.3% from €1.6 billion ($2.2 billion) in the prior year, when sales fell 4.6%, according to BVM1. Although CD revenue in 2009 continued. 4.8% to €1.2 billion ($1.7 billion), unit sales actually rose 1.5% to 1.473 million.

Executives say the resilience of overall music sales reflects the continued consumer appeal of CDs and a digital market that's finally coming of age. "The digital music market is driving growth in Germany," Sony Music Germany CEO Edgar Berger says.

According to BVM1, digital music sales rose 21.7% in 2009 to €188.3 million ($253.9 million). Digital sales accounted for 52% of those sales, compared with 46% for digital trucks, marking the first time that the former outsold the latter. CitiMusic accounted for most of the remaining sales.

Germany is traditionally a strong rock territory and, Uhle says, "in our market, the customer wants the whole album." Market research company GfK in Nuremberg predicts the number of German digital music buyers will triple to 15 million by 2013.

Meanwhile, Jupiter Research reports the percentage of German Internet users that regularly use file-sharing services is only 6%, far below the 15% European Union average.

Michalk suggests that number reflects BVM1's longstanding policy of prosecuting illegal file sharers, estimating that the trade group has pursued more than 100,000 court cases since 2004.

As is the case elsewhere in Europe, iTunes is the largest digital music retailer in Germany. But Michalk notes that "German consumers can select from over 40 other legal sources of music online," compared with two in 2000.

While retailers say 2009 offered a strong release schedule, particularly for German pop fans, classical music's increasing popularity (Billboard, Sept. 5, 2009) also helped, with classical album sales surging 16.7% to 14.7 million units.

Meanwhile, BVM1 says additional label revenue from such ancillary sources as live entertainment and merchandise totaled €222 million ($309 million) in 2009, up 11% from €199 million ($294 million) in the prior year.

"We're no longer pursuing just straightforward recorded music business but are exploring a large number of different marketing avenues," Universal Music Germany CEO Frank Knigge says. In 2009, he adds, Universal was particularly active with its clothing brands Rock & Rebellion and Amplified.

Sony Music Germany and Warner have both recently moved into live promotion, often partnering with local concert promoters. Sony has successfully begun promoting live comedy and Berger recalls that "30% of our revenues are now coming from outside traditional recorded music.

Michalk suggests that Germany is now vying with the United Kingdom to become the world's third-largest recorded music market behind the United States and Japan.

British Labels group the BPI won't publish value figures until mid-April, but the United Kingdom's Entertainment Retailers Assn, recently valued recorded music sales at £1.3 billion ($2 billion) in 2009, down 8.8% from 2008.

Although the ERA and BPI figures rarely coincide exactly, that would make Germany's market—excluding performance rights—marginally larger in dollar terms than Britain's for the first time since 1999.

"Provided the economy doesn't slump again," Berger says, "we're heading in the right direction."

Meanwhile, performing rights revenue totaled €150 million ($202 million) last year, unchanged from 2009.
Finders Keepers

Geolocation Services Emerge As A New Tool To Connect With Fans

A frozen dessert chain may have something to teach the music business about an emerging social marketing trend. Tasti D-Lite, a purveyor of low-calorie frozen treats, uses geolocation service provider FourSquare to alert would-be customers in the vicinity of its stores about special offers. Instead of getting a physical coupon in a customer's email, using FourSquare's mobile application can get a specially priced dessert doled out by showing that they used the geolocation service to ‘check in’ at the store.

“The numbers are very encouraging,” Tasti D-Lite sales and marketing officer B.J. Emerson says. “It’s driving traffic into the location that would not have been there before.”

Services like FourSquare, Gowalla, Loopt and BrightKite offer geolocation apps that allow consumers to use their GPS-enabled mobile phones to find nearby friends, broadcast their whereabouts to their social networks and “check in” to a location as large as an airport or as small as the Lincoln Inside Studio Bar-R-D-Q in Austin. FourSquare and Gowalla made a splash at this year’s South By Southwest conference, where they competed for design awards.

FourSquare head of business development Tristan Walker sees potential applications for the music business, particularly at concerts and festivals. “If in the crowd, I can find a friend that just checked in,” Walker says, “that becomes a really good engagement tool that we want to explore.”

Geolocation services can enable bands to alert fans when they’re about to perform and where. Brands could use them to promote festival events they’re sponsoring. And any party can create geolocation-based incentive programs to build fan loyalty.

Concert promoters like the Bowery Presents and C3 Present say they’re exploring ways to integrate geolocation services into their marketing initiatives. Although such services are still in their infancy, music companies need to begin considering how they fit into their social networking tool kits.

Facebook, MySpace and Twitter introduce geolocation apps provide an opportunity to create continuous direct relationships with consumers.

Businesses that become trusted FourSquare accounts can collect information on people who have checked in to their establishments. To encourage more check-ins, some businesses offer rewards. Square One Coffee in Lancaster, Pa., gives customers a free cup of coffee after their 10th check-in. Schuba’s Tavern in Chicago serves FourSquare “mayors” — the person with the most check-ins — a free second drink whenever he visits the venue.

Then there’s the experience of Tasti D-Lite. The Franklin, Tenn., frozen dessert chain has been an early adopter of FourSquare, having used it for about five months to offer special deals to people near its stores. Emerson says.

The company has also integrated other social networks into its loyalty program. Customers who connect their Twitter and Facebook accounts with their FourSquare account earn bonus points with each purchase that they can redeem for free desserts. When a clock swipe a customer’s loyalty program card at a Tasti D-Lite ice cream register, it generates a tweet: Facebook status update alerting the customer’s friends about their purchase.

Bands, promoters and concert venues could benefit in much the same way. Concertgoers using a geolocation service in conjunction with Twitter or Facebook would effectively promote a venue or concert by announcing their whereabouts to their social network.

Geolocation services can also provide a valuable source of data on customer behaviour. Venues could collect information on concert attendees even when they purchase a ticket in person. Festival promoters could harvest more precise information on what section of an event’s grounds fans are frequenting and which areas they’re avoiding.

FourSquare’s recent deals with Bravo TV and MTV Networks suggest ways that recording artists might use geolocation services to connect with fans. Under the first deal, Bravo will reward FourSquare users with badges and prizes when they visit places recommended by stars of Bravo shows. Under a deal with MTV and VH1, stars of their shows can opt to use FourSquare’s new Celebrity Mode, which enables them to more selectively share information about where they’re checking in.

Of course, geolocation apps add a layer of challenges, especially for a promoter that opts for proprietary apps over off-the-shelf services. For example, the quality of on-site mobile access, the battery-draining impact of a mobile phone’s GPS system and the use of incompatible handsets can limit the reach of a geolocation initiative. C3 Presents digital and interactive director Michael Ferro notes, “It’s not easy to do.”

And as FourSquare’s Celebrity Mode implies, privacy issues exist with services that let businesses track users. ForSquare’s Walker thinks the service’s value to users trumps such concerns. “We try to encourage people by saying, ‘This only helps the venue learn a little more about you, which can in turn get you freebies along the way.’” he says.

Most concerns about geolocation apps are likely to fade as businesses discover their usefulness. Tasti D-Lite’s Emerson says, “All technology that helps customers will have a social element,” he says.
The History of Rhapsody's corporate ownership provides a sobering account of the checkered promise of digital music subscriptions.

Nearly seven years ago, RealNetworks acquired Rhapsody as the core of its digital music strategy. But battered by digital rights management restrictions and the incompatibility with the market-leading Apple iPod, subscription services struggled to find an audience.

In August 2007, Rhapsody became the cornerstone of a joint venture between RealNetworks and Viacom’s MTV Networks that merged it with MTV's direct-to-consumer service. Amid Immersive Media and Entertainment's commercial success, Rhapsody's subscribers dropped to 675,000 in fourth quarter 2005, down 34% from 775,000 a year earlier.

This month, Rhapsody was spun off to begin its latest incarnation as an independent company (Billionaire.biz, April 6). That hardly makes it a scrappy underdog—RealNetworks and Viacom each retain a respective stake of about 47.5% and Universal Music Group has come aboard as an investor.

But without a majority shareholder, Rhapsody now has flexibility to confront the challenges posed by a new subscription service from MOG, the pending U.S. launch of European startup Spotify and Apple’s expected rollout of a cloud-based music service.

Taking the helm is Rhapsody president Jon Irwin. He joined the joint venture last year as COO/chief of staff and is credited with planning and overseeing the spinoff process. In an interview with Billboard, Irwin talked about how the company will compete.

How did you convince the labels to renegotiate their licensing fees to get to a $10-per-month subscription rate?

The genesis of it was watching the adoption of our iPhone app. A million-and-a-half or more customers downloaded that app and used it. The customers were asking for greater affordability. We were a matter of getting back to the labels and telling them what we believe we can do a strong business. A more affordable and more portable product will in the end generate a more stable and ongoing revenue stream for the labels.

What's the future of your partnership with Verizon Wireless?

We've developed a very solid technical integration to provide integrated billing. When you look down the road at our ability to deliver a music subscription service over the smartphone platform that are out there ... to be able to have an on-touch subscription option is extremely powerful.

Do you plan to stay on as president of MOG?

Absolutely. I have been focused on building subscription businesses. I spent eight years building the EarthLink network customer base from less than 100,000 to more than 5 million. It's what I like to do.

As we look at the market with Apple coming in and moving toward a cloud-based service, it in some way validates our model. We're in a great position to compete in that game.
Ways to Make Music More Green

In honor of Earth Day (April 22), Billboard, in conjunction with PlanetGreen.com, asked musicians, executives, experts and its readers to send along useful tips on how the music industry can help protect the environment. Happy planet saving!

ILLUSTRATION BY JESSE LEFKOWITZ
1. **DO YOUR HOMEWORK**
Rich Goodstone, co-founder, Superfly Presents; co-producer, Bonnaroo

We believe in making the right decisions regarding greening, which can only be done by understanding how to mitigate your economic impact and what options are out there. We developed a sustainability purchasing policy and product database for staff, vendors and suppliers, including the purchasing of food from local and organic sources wherever possible. We also ask our sponsors, performers and fans to make the most sustainable choices they can while on site, emphasizing reduce, reuse and recycle. Bonnaroo recognizes that the market for sustainably produced products and energy is constantly evolving and that our choices as a festival have to keep up with those changes by constantly monitoring.

2. **CARPOOL TO SHOWS**
Meegan Jones, author of “Sustainable Event Management: A Practical Guide”

The transport of people going to gigs is by far the biggest impact of the music industry, so if everyone came by mass transit or filled up every seat in their car when going to a gig or festival, it would make an enormous difference.

3. **CONSULT WITH THE NRDC**
John Esposito, president/CEO, Warner Music Nashville

Natural Resources Defense Council experts provided us with enormous guidance and assistance to conduct an assessment of our paper-consumption practices. When that review found that many of our legacy practices were wasteful, the NRDC developed a cost-neutral program using recycled-content paper that could save millions of tons of paper every year. After some further investigation, we quickly learned that we could consolidate our supplies to, primarily, one PCC (Forest Stewardship Council) company that resulted in a savings of nearly $1 million in the first year alone.

The NRDC recently arranged an event at the home of one of our artists, Emmylou Harris, to raise awareness about the devastating practice of mountaintop-removal coal mining. MTR mining means the blowing up of mountaintops—typically using the equivalent each week of the force of an atomic bomb used in Hiroshima—to garner the coal exposed once the mountain is destroyed forever. This practice is destroying the Appalachian Mountain range at a frighteningly rapid pace. More than 500 mountains in West Virginia alone—mountains that have been destroyed in the name of “mining” coal, instead of employing the more environmentally friendly method of drilling coal shafts that has been a mainstay for more than a century.

The event was attended by socially conscious managers, conservationists and members of Congress and has helped the NRDC kick off a vital grass-roots lobbying and fund-raising effort. In fact, on May 19, Emmylou and Matthew Good were leading a benefit concert at the Ryman Auditorium in Nashville to help raise awareness and support efforts to stop MTR mining, with tickets to the event selling out in the first day.

4. **SET SHORT-TERM GOALS**
Lee Smith, chairman, Live Nation San Francisco

Tackling the first step can be daunting—but it’s easy to think you can’t do anything until you have all the answers, that your company will be criticized for anything less than full compliance. In actuality, anything you organ- ization does even in increments is better than from where they started—to get started. The first step was to audit ourselves, see what we were consuming and how much waste we generated. Then we formulated a plan to get from X to Y to Z. Then set up consistent monitoring. Once you start you will find that a good number of your employees will be excited and encouraged.

Create a team, and you are on your way to creating an internal culture that will probably sustain itself.

5. **GET INVOLVED IN THE COMMUNITIES WHERE YOU TOUR**
Jack Johnson, artist

During our last tour we had five to 10 non-profit groups [with booths] at each show, and we would donate some of the money from that night to those groups. We also would do matching grants so they could raise more through their membership. It was neat because a lot of the groups would tell us before the show that all their members were 35 and older, and after the show they had gained some 20-somethings who brought a lot of new life to their groups.

For a long time we got people who would play devil’s advocate and say, “Well, if you were trying to something green, they why would you just not tour? That would probably be the lowest impact.” And that’s true—but everybody needs music. The show’s worth doing even if it’s just for the music. It lifts spirits in the town. It always felt like it was worth doing. And it feels really nice to know that when we leave town, there will be these groups that have a bigger membership and are able to do more with the funds we raise.

6. **STOP USING PLASTIC WATER BOTTLES**
Dave Grohl, multi-Instrumentalist, Lady Antebellum

We’ve spent the last year-and-a-half trying to reduce water-bottle waste on the road by using biodegradable plastic water bottles. As our tour grows, it’s a really easy way to reduce our trash.

7. **USE RECYCLED MATERIALS FOR PAPER MERCH**
Craig Minowa, singer/songwriter, Cloud Cult

You could fill a landfill with the amount of music-based merchandise produced globally each day. Most of the fans are going to buy an album of an artist they love whether it’s made ecologically or not, so it’s up to the artists and labels to ensure their products are made in environmentally friendly ways.

It’s now almost as affordable to use 100% post-consumer recycled content in the CD packaging and posters. Vegetable-based inks are as ubiquitous as their toxic counterparts. PVC-free shrink-wrap is available from any CD manufacturer upon request, and organic cotton is not only widely available, it’s dura-trendy. So many people in the music industry are drum on eco, they’ve failed to recognize the power they have to lead by positive example. We’re musicians, we’re artists, and we’re dreamers by trade, so we have no excuse but to use those skills to envision a greener world and to bring that to reality.

8. **PARTNER WITH OTHER GREEN ARTISTS**
Adam Gardner, guitarist/vocalist, Duster; co-founder, 1% for the Planet

In the past five years there’s been a great momentum generated by artists going green on tour—from big efforts like coordinating biodiesel feelings in tour busses and hosting local environmental groups in a fan eco-village, to simple but important things like using reusable water bottles and offering eco-friendly merchandise. The next step is to bring those like-minded artists together with others in the music community to turn the tide with how the music industry does business.

My nonprofit, Reverb, recently launched a new project—Green Music Groups—with the aim of doing exactly that. GMM is a large-scale, high-profile environmental coalition of musicians, industry leaders and music fans coming together to bring about widespread environmental change within the music industry and around the globe.

In addition to establishing greening standards for various sectors of the music industry, we will activate millions of music fans and build an online community. From April to August, we’re hosting the first GMM Challenge, a series of calls-to-action featuring a video message from each founding artist, a nonprofit partner and cool prize incentives from VIP tickets to a Forex Insight hybrid car.

9. **GIVE FINANCIAL INCENTIVES**
Travis Alexander, director of artist relations, Daren Dang, manager-artist relations

Our artist, the Wiley One, wrote a song called “Go Green” and we partnered with a company called Zero Hero Events and created a scholarship fund for artists who want to tour with biodiesel, recycle and compost. We give 1% of all earnings from “Go Green” to the scholarship fund.

10. **USE BIODIESEL**
Willie Nelson, artist

More and more of us are using alternative fuels in our traveling vehicles. We use biodiesel and think a lot of the other guys are doing it, just out of necessity. A lot of us are going to be doing more things that will get us away from our dependence on foreign energy.

11. **REALIZE THE FINANCIAL BENEFITS OF GOING GREEN**
Katarzyna Sekocha, sustainability consultant for venues, including the Allstate Arena outside Chicago

Dispel the myth that recycling is too costly. Crunch the numbers, and your accountant will advocate your green initiative.

Venues can enjoy reduced disposal fees and electric efficiency incentives as they gain value in “greened” with artists and fans. Hold your industry partners accountable. Ask questions—don’t assume your plastics are being recycled because it said so on the rider, or was thrown in a green bin.

12. **ASK FOR HELP**
John Legend, artist

As an artist who spends a lot of time on the road, I decided that I needed to green my tours. Last year, my team and I worked with the folks at Reverb. We cut down on waste and recycled everything. We could. Backstage, my band and crew used biodegradable and compostable catering products and reusable water bottles. On the road, we used green cleaners for our busses. Our fans and co-entertainers are carpeted to concerts and promoted environmentally friendly volunteer activities. Over- all, we measured and neutralized the carbon footprint of the tour by purchasing renewable energy projects that resulted in more than 1.5 million pounds of carbon dioxide reduced or removed from the air. I’m proud of what we did and we’re going to continue to do our part.
13. DEVELOP DIGITAL SHEET MUSIC
Pat Noonan, reader-submitted
Create a music stand that is designed with screens to display digital sheet music. It would have an SD card reader so any sheet music/MIDI file could be transferred from the computer onto the card, and with the card inserted the sheet music would be displayed on the screen—not to mention instantly transposed into different keys at the press of a button. This would eliminate all the wasted paper used in countless music classrooms, saving schools money.

14. SPREAD A MESSAGE WITHOUT BEING TOO GRANOLA
Eric Ritz, executive director/founder, Global Inheritance
Present ideas that don’t fit the stereotypes associated with the mainstream environmental movement. [On new album “Plastic Beach”] Gorillaz introduced a place that sounds mystical but actually exists due to the excessive and wasteful habits of society. With quick jobs that bring to light the problem and solutions. Gorillaz don’t overdo the environmental message, which allows the album to cast a wider net over a larger audience. They scored major points in my book for offering a unique spin on an issue without sounding preachy or super-crunchy.

15. USE YOUR FAME
Kevin Wall, founder, Live Earth
Live Earth had the privilege of working with some of the best-known artists in the world on the concerts in 2007 and this year on our global water project. Through the commitment of artists, we are able to connect with a wider audience and mobilize the global community to take action on the most serious environmental issues of our day.

17. CREATE A BATTLE PLAN FOR SUSTAINABLE TOURING
Erin Potts, executive director, Air Traffic Control; co-founder, Tibetan Freedom Concert
It’s important to remember that there is no right or wrong way to do this. We are all learning how to incorporate sustainability into our work. To that end, ATC has compiled valuable “lessons learned” from a variety of artists, industry-leading experts and organizations that have been implementing sustainability into concerts, festivals and tours. Here’s a quick and prioritized list of the best ways to make tours more environmentally and socially sustainable:

- Book and play venues that are easily accessible by public transportation, and encourage fans to utilize that public transportation by posting information about it on artists’ websites and social networking platforms. Offering incentives to fans to use public transit (for example, hold a lottery for public transportation to win free downloads or backstage passes) will help to lessen the carbon output of each show.
- Book tours in the most efficient way possible by routing them within a few hours of each other and taking the shortest routes possible to avoid unnecessary mileage and eliminate backtracking.
- Encourage fans to carpool with friends or use such services as PickupPal.com that help fans find rides to shows with other fans.
- Keep flying to a minimum. When artists have to fly, do it during the day whenever possible, as studies have shown that night flights release more emissions. Also, try to fly airlines with environmentally sustainable policies and practices and with newer fleets.
- Consolidate the number of trucks and buses on tour as much as possible. Bandago is a van rental company that caters specifically to the music community and they are continually looking for ways to incorporate new technologies and greener policies into the services they provide.
Incorporate environmental requests for venues directly into a rider. This could include recycling, backstage and in-parking lot, allowing artists to bring their own bottles and asking caterers to use washable plates.

Request bike racks at venues.

Stay at hotels that promote sustainable practices. Green Hotels.com maintains a list of hotels that pledge to conserve resources and increase energy efficiency.

18. ADOPT DIGITAL SYSTEMS FOR PROMOTIONS
Ged Doherty, chairman/CEO, Sony Music Entertainment U.K.

Physical stock is expensive, difficult to store and environmentally unfriendly. The digital e-card system that we have developed and tested in house will provide all our partners across radio, TV, press and retail with the same sound quality you are used to, as well as artist images, press clippings and other content to give you a complete picture of each release.

19. JOIN THE ‘RESPONSIBLE ECONOMY’
Terry McBride, CEO, Nettwerk Music Group; co-founder, Litlth Pal

Corporate paradigms are shifting due to the growing conscious consumer. Because of this movement, we are able to build what I refer to as a responsible economy. A responsible economy is built on an infrastructure from the beginning where equal emphasis is placed on society, environment and profits. This allows us to be philanthropic while supporting for-profit social and environmental enterprises.

20. TEAM WITH MEDIA OUTLETS TO SPREAD THE GREEN MESSAGE
Dan Macca, head of Public Relations, Nettwerk Music Group

Everything began when we asked National Geographic España for some archive images to illustrate a video clip for our song “Mamá Tierra.” Not only did the TV station give us the images, but it incorporated the song into its soundtrack during Earth Week 2008. The success of the initiative encouraged us, one year later, to elevate the exchange: I would write a song, they would produce the resulting video. That’s how we conceived “Moving,” the first single from my last album, “Puerta Premente.” It was an unprecedented experience that has led National Geographic to consider the launch of a new platform, NatGeo Music.

21. ENCOURAGE FANS TO ADOPT GREEN LIVING
Chris Baumgartner, Effect Partners

It’s not enough to reduce the carbon footprint of music formats—like those made by made-for-TV concerts and Web streaming. We have to encourage and exemplify change in the way fans live.

The rule we’ve learned in working with business leaders in food, fashion and technology is that honesty is everything. You may not be the greenest guy, but if you’re honest with fans and ask for their help to make improvements, change happens and the relationship cements.

An example is GreenNotes, a Cliff Bar program developed by Effect Partners. GreenNotes built a community of 22 artists and their fans around a shared interest in protecting the places we play. GreenNotes gave environmentally conscious artists grants to fund the greening of their tours. Nonprofit partners—such as Sierra Club, Surfrider, Leave No Trace, the Nootka Climbing Asn. and the National Environmental Education Foundation—received funding and additional volunteers. The volunteers received unique incentives and concerts from their favorite bands, as well as connections to other artists with similar ideals.

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23. MAKE GREEN INSTRUMENTS
Billy Phillips, reader-submitted
Instrument manufacturers should offer instruments made from recycled products.

24. EMBRACE THE HIGHER COSTS OF GREEN TOURING
Melissa Etheridge, artist
Touring green is of the utmost importance to us. I know I have a big footprint wherever I go—bringing a whole tour into a city is a big undertaking. So when we tour not only are all of our buses and trucks filled with biodiesel—and sometimes we have to go out of our way to get the fuel, though it's getting better now—we try to recycle and really cut down on our plastic use and our trash. My tour manager (Steven Giron) puts a lot of thought into it. It does cost us more to tour green in the end, but it would cost me even more not being able to go to sleep at night. It makes me feel better knowing we're doing everything we can.

25. RESTORE THE RAINFORESTS
Michael Bishop, co-owner/managing director, A.S.S. Concert & Promotion
We started a climate-neutral concerts and tours project in 2007. Since then, we have sold more than 1 million carbon-neutral concert tickets. All carbon dioxide emissions produced at the concerts are neutralized by restoring rainforests in the Amazon that absorb that amount of carbon dioxide in the atmosphere. The additional costs for the consumers range between €0.20 and €0.50 (27-67 cents) per ticket, so audiences do not complain or comment on higher prices. We cannot just sit down and shrug our shoulders. I wish the big promoters with the big venues would join in.

26. INNOVATE WITH PACKAGING MATERIALS
Julia Richardson, singer; Music Read, drummer; Fifth Nation, reader-submitted
Fifth Nation invented a cheap, environmentally responsible method of enclosing the discs for our newly released EP, “It’s On.” We collected recycled paperboard from the cereal and soda boxes of our friends and fans. We then created a template, traced it onto our paperboard, sliced the piece out and glued the edges. We screen-printed the hand-crafted cases with original artwork and tied them with a pretty hemp bow. This project inspired our fans to be creative, innovative and cooperative, as well as environmentally responsible. Each disc also provides evidence of how passionately devoted we are to our craft and how much we care about our audience.

27. TEAM UP WITH WASTE MANAGEMENT AT VENUES
Kevin Lyman, founder, Vans Warped and Country Throwdown tours
A few years ago we were all hip to green. Now that times have a bit tougher it has really taken the dedicated artist to continue this movement. I was happy to see Waste Management become a sponsor of Live Nation venues this year, and I look forward to seeing what they will do. I have heard that part of the deal was to help the venues become more green.

28. WRITE SONGS ABOUT THE ENVIRONMENT
Tony Worwoth, chairman, BPL chairman, Julie’s bicycle
A songwriter can do a lot to prick the conscience of their fans. I’ve written an effective song that was a hit in Australia called “Rio Rio Woodchops” and another called “Goodbye Billy Bill” to save koalas.

29. MEASURE YOUR GREEN EFFORTS FOR ACCOUNTABILITY
Kristina Groene, reader-submitted
One of my favorite management mantras is “What gets measured gets done.” Never has it been truer than in the area of climate change. The one action for everyone—individual, small office, band and corporation alike—has to be measurement. Measure your carbon [usage and reduce it—simple and serious.

30. BYOB: BRING YOUR OWN BOTTLE
Emily Savis, organizer, Glastonbury Festival
CD packaging is one of the music industry’s largest sources of direct greenhouse gas emissions, accounting for a third of recording and publishing—and about 10% of the total emissions—from the U.K. music market. Reducing the impact of CD packaging would mean that the recording industry could reduce its packaging emissions by up to 95% by switching from the plastic jewel cases to the card wallets.

31. DITCH THE JEWEL CASE
Judith Snyder, director of marketing communications, Coca-Cola
The plastic, glass and aluminum in bottles and cans can all be reused again and again. Today Sprite and Coke cans already contain more than 40% recycled material and we’re aiming for 25% in our PET plastic bottles by 2015. Drake [who’s featured in Sprite ads] can be sure he is making a good environmental choice by having our products on his back stage rider.

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BILDBIARD | APRIL 17, 2010

www.journal-plaza.net & www.freedowns.net
33. SHOW PEARL JAM SOME LOVE Collin Dun, editor, PlanetGreen.com

There are more ways than ever to go green when it comes to music, but with the arrival of warm weather, it's time to figure out which ones have the most impact. With the big picture in mind, perhaps the most meaningful thing you can do is support musicians and bands that are really making a measurable green difference in the industry and in their lives. Bands like Pearl Jam, which offsets its entire tour last year, and artists like Jack Johnson, who's become very active in water issues, are working hard for a greener world. Tell them that sort of stuff matters to you as a fan — it'll encourage them to keep going green and will show others in the industry how important it is to you. To learn more about who you should support for a greener music industry, go to planetgreen.com/instrumental, our guide to socially responsible music news and more.

34. EXPLORE OPTIONS AT EVERY VENUE YOU USE
Howard Cusick, tour producer, Pretty Polly Productions

Keeping it green and clean at tour venues is not a matter of going the extra mile anymore. It’s more about taking the extra minute to understand that our final footprint can be left at each stop is both a first and last impression. Looking at each venue as a kind of mini-environment can localize and preserve a tradition for other tours to build upon.

35. USE ENVIRONMENTALLY SUSTAINABLE FABRICS FOR MERCH
Pharrell Williams, artist/producer

I invested in a company called Bionic Yarn, which makes environmentally sustainable fabric from bottles and works with universities for caps and gowns. Athletes for uniforms, cities for their sanitation workers, hospitals for their scrubs and artists for their canvases, as well as products like concert T-shirts, luggage, couches. We can change the world one bottle at a time.

36. MAKE SURE YOUR ENTIRE TEAM IS ONBOARD THE GREEN BANDWAGON
Dave Matthews, artist

I remember when we were switching the buses to biodiesel. The truck drivers — they love their machines. It’s their home. They’ve done things on their whole lives, and then we came along and said, “No, we’re going to change how you do things. Now you have to go out of your way to find a place that sells biodiesel.” Now you’re going to be required to clean your tires more often, because the biodiesel is going to create more muck for a while. Your maintenance habits are going to have to change.” They said, “We’re not going to do that.” Then we said, “Look, you do it — or you don’t and you go away.” We didn’t strong-arm anyone, but everyone wants to be on the road. The truth is that, from the truck drivers that I’ve spoken to, since that transition period has passed, a lot of them have been like, “Wow, my rig has been driving better than it ever has.”

37. DITCH PLASTIC CONCESSION ITEMS
Jeremy Stein, founder/producer, Rotenburg Festival/Madison House Presents

One of the largest and most visible contributors to event waste streams is found in such concessions-related items as silverware, plates and cups. Technology and price points have now merged to where it should be considered mandatory to use disposable products for all serving related items.

38. ADAPTS GIGS AROUND THE WORLD AND GREEN THEM
Bob Hallett, president of international touring, AEG Live

I was disappointed when they did Live Earth because while it created awareness, it also created a large carbon footprint that wouldn’t have existed without the show. So, I’ve been working with U.K. music environmental consultancy Julie’s Bicycle on an idea to adopt every concert that we can find happening around the world on a certain day. It’s basically a propaganda campaign about sustainability. We’re working on identifying a day when there’s a lot of major shows and there’s some significant global warming significance, so we can increase awareness and make people think about how they traveled to that gig, make the artist think about what lighting systems they’re using — are they carbon efficient? Not just the major names. I’m talking about the guy in the pub with his acoustic, or the new band playing the 250-cap gig right up to stadiums. It’s a way to do it in the summer, using my premier friends around the world. I’m hoping to find a sponsor or funder who’ll do a significant above-the-line marketing campaign. I’ve been talking to a couple of people. We’d have ads in major newspapers globally, literature at all the concerts, and we’d e-mail all the ticket holders in the lead-up to the concert, saying, “Hey, this is International Green Day, think twice about how you’re going to the gigs.”

39. GO SOLAR
Aaron Lazarinsky-Olivera, reader-submitted electronics artist, producers and DJs can purchase a “solar laptop charger bag” and promote it at gigs.

40. HIT THE SWITCH
Fabulous, artist

I’m touring with Trey Songz as part of the R&B Seen Being Green college music tour. As I continue to learn about living a greener life, I am going to keep in mind things like minimizing electricity and using energy efficient bulbs. I’ll be more mindful about unplugging everything after recording sessions. It may seem like a small thing, but everything counts, and hopefully others will follow in my footsteps.

41. USE COMMON SENSE
Tommy Lee, drummer, Motley Crue; vocalist/guitarist, Methods of Mayhem

Take care of the Earth and she will take care of you.

David Simon’s New HBO Series ‘Treme’ Moves To A Crescent City Beat

By Larry Blumenfeld

At a pizza joint in the Lower Mid-City neighborhood of New Orleans, David Simon is talking about his newest TV series, ‘Treme’, which premieres on HBO April 11. “On one level,” he says, “it’s a celebration of American music.” He interrupts himself, pausing in appreciation of a J. Geils Band blues cover playing on the radio, wondering about the song’s source. “Is that Jimmy Reed?”

Simon is a music lover, pure and simple, his ear grabbed by whatever moves him, his mind moved to explore its history and context. That’s no secret to fans of Simon’s critically acclaimed HBO series “The Wire”. During its five-year run, the show employed five different versions of Tom Waits’ “Down in the Hole” as themes, yielded two nonesuch compilation CDs (one drawn exclusively from artists based in the show’s setting, Baltimore) and nearly always positioned music more as just a soundtrack bursting forth from a car speaker or jukebox.

With “Treme” (pronounced “truu-may”), Simon ups the ante, moving music to the foreground. Set in New Orleans, “Treme” picks up three months after the floods that resulted from the levee failures in the wake of Hurricane Katrina. Culture—which in New Orleans means a tight braid of music, cuisine, dance, visual art and street life—is the primary focus of the series, as indeed it was and is the defining element of the city’s identity and its recovery.

Familiar faces from Simon’s troupe of actors show up as fictional cultural fixtures: Wendell Pierce (detective Bunk Moreland on “The Wire”) plays Antoine Batiste, a trombonist we first encounter subbing with the real-life Rebirth Brass Band. Clarke Peters (detective Lester Freamon on “The Wire”) plays the Mardi Gras Indian Chief Albert Lambreaux, chanting some of his best lines while beating a tambourine.

The true-life heroes of New Orleans music figure prominently too: in addition to Rebirth, the list of musicians making cameo appearances, often in performance, includes trombonist Kermit Ruffins, pianist/singer Mac “Dr. John” Rebennack, saxophonist Donald Harrison and Troy “Trombone Shorty” Andrews.

If Simon’s new show is a fictional depiction of what truly drives life in New Orleans, as he explains, it’s also a loving expression of what captured his attention decades ago and kept him coming back to the city through the years.

When do you recall falling under the spell of New Orleans music?

Actually, the first truly New Orleans album I think I heard was Professor Longhair’s side released on Atlantic. I never saw him play. He died before I ever got to New Orleans. But through him, I started hearing about the Mardi Gras Indians, probably to explain the lyrics to “Big Chief.” And at that point, someone played the Wild Tchoupitoulas album for me. That was in college. Later, in my mid-20s, a cousin of mine started throwing a lot of New Orleans stuff at me: later Nevilles, but also Dr. John, and through Dr. John I found all the Cosimo Matassa-produced R&B. It was due to that second wave of music that I finally resolved to go to NOLA for the first time, which was for Jazzfest the New Orleans Jazz & Heritage Festival in the late 1980s.

How did Jazzfest affect your musical immersion in New Orleans?

When I first went to Jazzfest, I’d check out the national acts, the ones I knew. But then I started to make one discovery after another—the guys I didn’t know, should have known, wanted to know better. I heard Eddie Bo play by himself at a Piano Night at Tipitina’s. Funky, soulful. I didn’t know much about him, but I went over to Louisiana Music Factory the next day and copied some CDs. That’s always the way it works, right? I discovered how much I loved Smokey and Troy by walking into a club and hearing him taking requests and just killing everything. Human junket, indeed.

One thing listeners can’t really get from recordings is the second-line parade. It’s one thing to listen to a Rebirth Brass Band CD; it’s another to follow the band through the streets for four hours. When were you introduced to all that?

I remember stumbling into my first second line. It was the Treme Brass Band. They went up Orleans Avenue to Claiborne Avenue. They stopped under the 1-10 bridge and the echo was great, it was exhilarating, and I later tried to explain it to someone in Baltimore: “It’s not a parade like you think. It’s participatory—you’re in it. Where you’re in it determines where you’re going. And it’s powerful—you love yourself.” And I sounded like an idiot. Some of this stuff can’t be conveyed just by language. That was the first time I thought there’s power in that that I don’t understand.

Did you get to know a lot of musicians through the years?

Not really. I’d always been a polite civilian standing at the edges of things. When I decided we were going to try and do this show, once I got the green light to at least write a pilot script. I started calling people who I thought could give me insight into various aspects of the culture and who’d allow me to bounce ideas off them. I cold-called Kermit Ruffins, whose music I knew. Kermit gives you the brass history of the brass band revival, and he’s the best example of a jazz musician as entertainer. I cold-called Donald Harrison, not just for his knowledge of jazz but also Indian culture, in which he was raised. I bought Davis Rogan’s album (“The One and Future D”) (Sousaphone Records) and I cold-called him. Davis [who inspired a character played by Steve Zahn] is the kind of guy who can reference piano riffs, tell you things like which innovation is Fats Domino’s and which is Dr. John’s.

Did you really provide a “soundtrack” to HBO executives to accompany scripts when you were sealing the deal for “Treme”? I burned stuff off my iTunes library and sent it to [HBO executives] Mike Lombardo, Richard Plepler and Sue Naegle to encourage them to greenlight the show.
I felt that a script that relied so heavily on the interaction between music and ordinary life ought to be accompanied by musical examples. The tracks included were those that would be playing—either in performance or in background—in the pilot episode. So it began with Rebirth Brass Band playing “Funking It Up,” then went to the “Treme Song” by [John] Boutté as the title sequence, then back to “It’s All Over Now”—though I probably burned the Dirty Dozen version—and so forth. I don’t know if they listened to it when they read the script. I know Sue did because she told me she really enjoyed the CD and could visualize certain scenes in light of the songs.

Are you planning any CD releases in connection with the show, or will there be any related marketing for existing recordings?

We are planning CD releases for each season, and we are talking to iTunes about offering full musical performance videos on their site. Perhaps one per episode. Nothing’s sealed yet, though.

Would people be right or wrong to call “Treme” a “music show”?

It can’t just be about music. But it has to be musical. On one level it should be rooted in American roots music and the creation and performance thereof. But it has to say something more. Dramas told in long-form structure need to have themes beyond the obvious or they won’t resonate for very long. So the idea of the American city—why it matters, the idea of community—you get that on top of the music and now you’re getting something worth trying for.

Come what Treme (clockwise from opposite page): Show creator DAVID SIMON; cast members JOHN GOODMAN, MICHEL HUISMAN (at keyboard) and LUCIA MICARELLI; CLAIRE PETERS, RHAND ALEXANDER; and WENDELL PIERCE in stills from the show.

LISTENING TO TREME

David Simon’s Eight Must-Hear New Orleans Recordings


Various artists, “Doc tor, Professors, Kings & Queens: The Big O! Of the Big O!” (Vesuvius Records): Simon gave this four-CD boxed set to actor Clarke Peters as a primer.

Leigh “LL” Queenie Harris, “My Darlin’ New Orleans” (Decca Records): “Treme” music supervisor Blake Leyh calls this song, which ends the pilot episode, “the poetry that you can dance to.”

The Dirty Dozen Brass Band, “Blackened Special” (Grammys As: Lehighs Plus): “The first track from the first record of the modern brass band movement.” A lab,”

John Boutté, “Jambalaya” (EB/Boo): At a club called d.b.a., along a boisterous strip of Frenchman Street, Boutté regularly

Aidy  silences Saturday night conversations. If he’s not the best singer in New Orleans, we’ll be to meet his better. This CD contains “Treme Song,” the theme for the show.


Donald Harrison, “Quantum Leap” (Tone Poet, available April 15): A leader of the pack when he moved north to New York in the 90s, the alto saxophonist returned to New Orleans in the 90s. On his latest CD, he further refines his rhythmic style and his distinct take on modern jazz.

Kenneth Ruffins, “Liveb Wire” (Bass Streets): The trumpeter honors the neighborhood he discovered in his teens—the theater for jazz tradition that Simon calls “more than a place—a state of mind.”
WHAT CAN APPS DO FOR YOU?
BY ANTONY BRUNO
When avid technophile Mike Shinoda was approached backstage last year with an idea for developing a Linkin Park iPhone game, the band’s co-frontman knew he wanted it to be more than just another run-of-the-mill artist app. “It was important to us to do something creative and fun,” he says.

“We didn’t want to throw a bunch of songs at the game, slap our name on it and cash the checks,” he says. “It’s 8-Bit Rebellion,” a soon-to-be-released iPhone game with an iPad version on the way. Whereas most most artist-branded games tend to be rhythm-based, “8-Bit Rebellion” is an action game that has users fighting enemies alongside members of the band. The sound track features several Linkin Park hits in both standard and 8-bit fidelity, plus an exclusive track, “Blackbirds,” for fans who complete the game.

But according to Maryanna Donaldson, creative director of the game’s developer, Artificial Life, the real innovation was the degree to which Linkin Park was involved. Each band member helped design a different “district” in which the game takes place, personalized to his individual interests. Shinoda himself designed the members’ avatars and edited every line of dialogue. The process wound up taking the better part of a year, but Donaldson says the result sets a new bar for artist-branded apps.

For it to be top quality and appealing to the fan, the artist should be very involved," she says.

Meanwhile, the band’s label, Warner Bros. Records, is supporting the app’s launch with a movie-style trailer that will run in the IGN gaming community as well as virally through Linkin Park’s YouTube channel. There will also be a Web site where fans can create and post 8-bit avatars of themselves.

“We’re treating this like the release of a Linkin Park album or song,” Warner Bros. Records senior VP of new media Jeremy Weit says.

For critics of the music industry’s approach to the app market, this is the kind of thing they’ve been waiting for. Labels that just six months ago said they were still evaluating the mobile app opportunity are today pointing to a cohesive strategy around the app and mobile market with a focus on revenue-generating products. Much of that relies on artists who—inspired by the break- through success of Sound’s "APP My Tunes" app (more than 1 million downloads)—are now approaching mobile apps as a canvas of creative expression instead of simply promotion and distribution.

And Apple is upping the stakes for all with the newly introduced iPad, which sports not only new features but also opens up an entirely new class of apps, based on ways developers believe the device will be used. According to a recent comScore survey, music ranks third among the potential uses of the iPad, behind Web browsing and e-mail.

Selling the labels’ newfound strategy is a simple breakdown of cost vs. revenue. Spending up to $50,000 or more to create a what amounts to little more than a mobile expression of an artist’s Web site and then giving that away for free isn’t a sustainable model. So major labels are instead turning their attention to optimizing their artists’ Web sites for mobile browsers and skipping free apps altogether.

"The development costs of launching what are essentially Web content/marketing apps for multiple open-market app platforms are very, very high," Sony Music VP of global account management Sean Rosen- berg says. "There are different ways of utilizing the mobile Web to meet our goals."

Instead, the focus is now on paid apps, preferably ones that offer something novel and entertaining. At the music group level, that means creating games and other apps that can tap a label’s entire catalog, such as the "Six String" app recently released by Uni- versal Music Group, which in addition to the six songs included as a sale also lets fans buy and download additional tracks over time for 99 cents each. The app costs $5.

At the label level, it’s all about the individ- ual artist app. Warner Bros. Records sen- ior VP of digital music Jack LeBuhn says artist apps to be a significant revenue gen- erator for the acts involved, more so than simply licensing music to multi-artist apps like “Tap Tap Revenge” or even from the mobile extensions of streaming radio services.

“When we get to 2011 and 2012, the biggest opportunities are going to be having real hits with artist-specific apps,” he says.

Research firm Gartner predicts mobile app revenue will increase worldwide from more than $6 billion this year to almost $20 billion by 2013, with the number of apps downloaded jumping from 4.5 billion to more than 21 billion in the same time frame. But not every artist will have that opportunity. Labels are being very strategic about which acts from their rosters will get the app treatment. Inaqui says the key is to select acts that have a proven track record of digital sales, a digital-savvy fan base and are engaged in creating the app itself. And developers hoping to capitalize on this interest should be prepared to shoulder much of the upfront risk, as labels are no longer interested in paying flat-fee development costs.

“We want developers to feel like they’re being treated fairly, but to us this isn’t like making albums and taking those types of risks,” Inaqui says. "We’re really open- minded, and we’ve done some deals where we’ve financed the front end, but that’s rare. More often we do a 50-50 and the risk is taken by the developer, but in turn we’re making very tangible commitments to what our marketing and promotion will be for the app.”

The advent of the iPad, meanwhile, opens a whole new market for apps and music services to the music industry. Although any iPhone app will work with the iPad, de- veloping iPad-specific versions takes better advantage of the device’s more advanced features, such as larger screen size, processing power and high-resolution visuals.

Getting in on the iPad early is significant. While iPhone app stores have more than 150,000 apps, other apps to compete with for attention, the iPad launched with slightly more than...
16000 available, and Apple said more than 1 million apps were downloaded to the device during the first weekend it was on sale. Many are music-related—such as the Shazam music ID service, Pandora's customized Internet radio and new music games like "TAP TAP Radiation" from Tapulous and Smule's "Magic Piano."

What kinds of apps are designed for the iPad going forward depends on how the iPad is used, something no one is certain of given that it's a new device category. Apps monitoring firm Flurry says more than 40% of the apps in development for the iPad are games, so there's likely to be more "8-Bit Rebellion"-type games from artists who want to target iPad users. Yet while some critics have called the iPad an overcrowded iPod Touch, there are several important differences between the devices that may lead to other uses. Its larger size has many expecting it to be a less portable device, meaning it will likely be used mostly in the home in areas where consumers don't use their laptop or desktop computers. It also features a larger screen with better resolution for photos and videos, a more sensitive touch screen and longer battery life, so users are likely to interact with content on the iPad longer and in more diverse ways than on the iPhone.

This has developers creating apps for the iPad that are more immersive, or "lean-in," and designed to be used for hours, which is much different from the apps created for the iPhone that are meant to be used for only a few minutes. The driving theory is that the iPad will prove the missing link needed to bring digital entertainment to the living room.

**THE BILLBOARD POLL: APPS**

We surveyed a dozen top app developers on their plans for the iPad and the music biz's steep learning curve.

1. Did you have an app for the iPad available for sale at launch?
   - **60%** No
   - **40%** Yes

2. If not, are you developing or planning to develop apps for the iPad?
   - **100%** Yes

3. Will the iPad be more or less of a music platform than the iPhone?
   - **40%** Same
   - **30%** Less
   - **30%** More

4. Where will iPad users interact with the device most?
   - **50%** At home
   - **50%** Away from home

5. Which of the following iPad features are you excited about?
   - **100%** Screen size
   - **60%** Touch screen
   - **60%** Internet
   - **50%** Precision touch
   - **30%** Multi-touch multitasking

6. How does your 2010 revenue compare with your 2009 revenue?
   - **80%** Much higher
   - **10%** Same
   - **10%** No reply

7. Does the traditional music business "get" the app business?
   - **90%** No
   - **10%** Yes

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*April 17, 2010*
"The iPad is going to broadly redefine home entertainment," says Jeff Smith, CEO of Smule, which raised around $3 million in revenue last year and in December scored another $8 million in third-round funding. "What we’re seeing is the impact of two trends—gaming and social. So the opportunity as it relates to music is to have a shift in thinking in how you interact with music. What Guitar Hero started will accelerate with the iPad."

Labels also hope the iPad will spark a return to the album format, specifically for the iTunes LP format.

"It’s going to be interesting to see if it can bring that space to life," Sony’s Rosenberg says. "Now that they have a device that’s better suited for the experience, there’s a renewed focus on it. It’s been a big part of conversation for major artist releases. It’s definitely on the agenda now."

How aggressively that agenda is pursued depends on sales. Apple said the iPad sold more than 100,000 units its opening weekend, which exceeded initial sales of the iPhone. Morgan Stanley analyst Katy Huberty in a recent research note predicted 8 million to 10 million iPad shipments this year with sales of 6 million. More than 2 million of those sales should occur in the first three months. Piper Jaffray analyst Gene Munster predicted sales of 4.3 million for the year after analyzing first-weekend results.

What’s not yet fully clear is how digital music services will approach the device. While Napster and Rhapsody allow on-demand streaming via the Web, that functionality won’t work on the iPad because it doesn’t support the Flash technology from Adobe to do so. Rhapsody’s iPhone app will work on the device, but the company is waiting for Apple to add the ability to run apps in the background before developing an iPad-specific version. Napster won’t release a mobile app version of its service until it can reach a better deal with the labels for mobile access to its service. MGP, meanwhile, which recently released a mobile app of its own, says it’s working on an iPad app, but details on a timeline aren’t yet available.

Should the iPad indeed be the in-home digital entertainment solution so many are seeking, it stands to reason that all music services will want to have a presence on the device. But looming over all these plans is Apple’s much-vaunted cloud-based music service, which sources say is developing with help from the executive team behind Lala, which it purchased last year.

One thing is certain—the music industry is no longer holding back. Whereas it took the better part of a year for the industry to warm up to music apps, the lessons of the last 18 months are already being applied for the iPad.

"We’re going to carefully watch for changes in the app marketplace in three or six months from now, but we already think it’s a business we need to be in," Warner’s Tashjian says. "It’s impossible for us to imagine that anything we see and learn is going to push us away. We’re committed to the app marketplace."

Billboard is now collecting entries for its first Mobile Music App Awards, honoring the best music-related mobile apps created for today’s mobile phones. Submissions will be accepted through Aug. 1, with the winners announced at Billboard’s Mobile Entertainment Live conference, taking place Oct. 5-6 in San Francisco as part of the CTIA Wireless IT & Entertainment event. For more information on how to submit apps for consideration, contact taylor@mobileentertainmentlive.com.
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SPEAKERS INCLUDE:

AND MANY MORE!
Beyond price: Service is as important or cost when choosing a tour company, My Morning Jacket tour manager ERIC MAYER says. Gathered at New York's Radio City Music Hall are (from left) manager JAMIE SAMPSON, Mayer and the band's PATRICK HALLAHAN, BO KUSTER, JIM JAMES, CARL BROEMEL and TON BLANKENSHIP.

Tour buses get the band and the crew to the show, making the entertainment coach company as important to a tour as the sound, lighting and staging vendors. Here we drill down with tour managers and entertainment coach companies to look at the most important issues and challenges facing this vital sector of the concert business.

**CUTTING A DEAL**
When something is for sale or lease, price is always an issue. With tour managers trying to squeeze budgets and bands trying to improve their profit margins, bus companies ride a fine line between pricing competitively and delivering quality buses and service.

Tour manager Eric Mayer (My Morning Jacket, the Decemberists) says going with a coach company simply based on price can lead to regret down the road.

"Service is so important, especially when there are problems," Mayer says. "Mechanical or personnel issues that can be rectified quickly and effectively go a long way to getting the comfort that you pay so dearly for back on track. You may get a new coach, but with continued headaches, the price stops being worth it with stressed band members or a pissed-off crew."

**Companies Face Tough Challenges Moving Artists And Crews**
**BY RAY WADDELL**

Tour manager Steve Lopez (Widespread Panic) says you get what you pay for. "You get a bus driver that works with you, that cares about the band and the safety of everyone in the touring party," he says. "Along with a good bus driver, you get a good bus. And this means that you might have to pay a little more than what another company might offer."

Hemphill Brothers Coach president/CEO Trent Hemphill says pricing pressure has been a big challenge this year. "The cost of new bus purchases, maintenance, labor and vehicle operational costs are all continuing to rise, but pricing pressure has also increased from bands looking to save on their transportation services while still expecting the same quality of vehicle and service," he says.

Like any other business, the laws of supply and demand come into play. In fact, balancing supply and demand can be the biggest challenge of all, as a bus that's on the road costs the coach company money.

"We don't want to be short on buses and we don't want to have too many buses sitting here," Pioneer Coach GM Doug Oliver says. "So it's about balancing seasonality and balancing our supply of buses and our customers' demands. Right now, demand is strong, but it changes from time to time."

Mayer says he doesn't try to hammer the coach company to get a better rate. "I try to be direct with what my bottom line is and see who can get there," he says. "I am not interested in beating up a vendor to the point that it is not worth it to them just to get the gig. Service and attitude suffer."

Senators Coach VP of leasing John Allen notes that keeping prices low is a challenge. "Rates have been stagnant for 10 years, while costs have doubled," he says.

**GETTING CREDIT WHERE IT'S DUE**
An entertainment coach company striving to expand its business must invest hundreds of thousands of dollars in new equipment, making the flow of credit critical. And the past year has seen lenders become more cautious than ever.

"The credit markets have definitely tightened," Oliver says. "We still have funding in place for all the buses we need, but there are fewer coaches coming into the marketplace because of tighter credit markets. It's an advantage for us having an in-house shop (where the company builds its own coaches), and it's definitely an advantage continued on >>28"
from page 27

having your funding in place.”

Instead of having an impact on business development, Hemphill says credit difficulties affect his business when he tries to sell used vehicles to return over his fleet.

“What we have experienced is potential buyers that are struggling to get financing in this market, making it harder to sell our used equipment than in years past,” he says.

THE COSTS OF GOING GREEN

Many bands still have a deep desire to tour in an environmentally conscious manner. “This has always been a subject of talk with our guys,” Lopez says, adding that Widepread Panic has tried to tour green.

“Our goal was to make our [carbon] footprint smaller,” Lopez says. “We can cut some issues, such as insurance and warranty problems with the new engines. The fall/winter tour sometimes would cause problems, since we can’t have our fuel freeze. The price of biodiesel is higher in certain places, simply because we would have to have it delivered. We have looked away from biodiesel only because of the engine compatibility.”

There are still requests from artists to tour green. Mayers says, “although for the size tours I have been doing, it has not penciled out.”

Oliver says Pioneer is seeing fewer requests for green tour buses running biodiesel fuel. “They’re asking for it less,” he says. “It’s related to costs. Everybody wants to be green, but if you have to pay a strong premium, they’re not going to want to.”

According to Hemphill, current laws allow tours to be greener by default. “There were laws put into place that required all 2007 buses and newer to be more fuel-efficient and have lower emissions,” he says. “The 2010 regulations are even stiffer, and the emissions that come out of a new 2010 engine are as clean as the air you breathe.”

Senators Aiken says requests for green coaches aren’t nearly as high as two years ago. “When the economy tanked, the demand for biodiesel touring dropped substantially,” he says. “We expect it to rebound with the economy.”

HOW TO LOSE A TOUR

It seems that the secret to a happy touring home starts in the driver’s seat. “Sending rookie drivers who have never been to the venues is going to cost the bus company the tour,” Mayers says. “It really is all about the drivers.”

Matching the right guy(s) to the tour is crucial to the smooth operation.

Of course, the importance of good drivers—and overall safety—is well-known to coach companies. “The worst thing a coach company can ever do is to send an unsafe and/or under-insured bus on the road,” Hemphill says. “This includes not maintaining a strong control over driver safety.”

Other than safety, personality is hugely important when it comes to drivers.

“If I get a driver that clashes with us, I ask for them to be replaced, but if it continues to happen more than two times, I start to look elsewhere,” Lopez says. “I know that we are not the biggest-name touring act, nor do we use a large amount of buses, but I can guarantee you that we will be touring spring, summer, fall year after year. I will be bringing you business. If you can’t send me good drivers, or keep a familiar one in a new bus, then it’s time to go elsewhere.”

Mayers says “bad accounting” and underequipped equipment-wise are also big problems, and Hemphill agrees. “The thing that would cost a tour would be to misrepresent the level of equipment and service that a band is going to get,” he says. “You cannot promise one thing and deliver something less.”

The biggest mistake?

“Taking shortcuts,” according to Oliver. “You can’t try to save costs by not closely monitoring equipment and drivers.”

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Touring Equipment Movers Ride Through Economic Downturn

BY MITCHELL PETERS

Most concert gear transportation company executives agree that the challenging economy hasn’t significantly affected their business in the past year. But some are beginning to see notable trends resulting from tour budget cutbacks.

Roadshow Services president David Kiley says that many tours are driving harder bargains, which has raised the level of competition among transportation companies. “They’re not only trying to get a better tracking rate, but they’re shopping the deals harder,” Kiley says. “That makes it very competitive.”

To stay ahead of the competition, Kiley has taken a page from the hotel industry playbook by offering client upgrades. “You give them newer equipment, a more senior driver or help getting in and out of rehearsal or the studio,” he says.

Others in the transportation industry say that some acts that previously trucked their equipment are finding newer ways to be cost-effective. “Some are cutting back by putting a trailer behind each tour bus just to have a little bit of something extra on site,” says Junco Tracking marketing and sales director Christopher Durkin says. “Not just their band gear, but a little bit of sound or a special effect light to at least make their show more unique—and they’re using basic stuff locally (in) each city.”

Internationally, some transportation companies find it increasingly more difficult to move production equipment through traditional channels—whether by air, land or sea—because carriers are reducing the number of airplanes and ships they offer, reflecting current economic conditions.

“We have less money to spend on vessels, there’s more space on vessels,” says Justin Carbone, VP at Sound Movers, which is currently working on the massive U2 trek. “So what we do is remove a vessel to cut their costs.”

One way to deal with the cutbacks, Carbone says, is by paying higher premiums for the space or planning in advance to secure the space before another company pays higher premiums “negatively affects the touring industry because it’s more costly,” he says, but “any kind of advanced planning is extremely helpful. That way we can plan with specific carriers when to move stuff.”

Rock It Cargo CEO David Bernstein has noticed another trend in the international touring world: Some groups are duplicating their band gear to reduce logistics costs.

“That means they can ocean freight one set to South America and the other one to Europe and not have the need to fly the band gear between those two points,” says Bernstein, whose company is working on 2010 tours for the Black Eyed Peas, Lady Gaga and Ron Jovi, among others. Despite the struggling economy, Rock It Cargo has found business opportunities in new international territories, including cities in Libya, Ethiopia, Azerbaijan and India. But Bernstein notes that moving into new markets comes with a set of challenges.

“You have to learn the new territory and all the government regulations and best available transportation options,” he says. “But the number of territories that are willing to consider is continually growing.”

Meanwhile, many transportation companies—especially in the trucking world—have focused heavily in the past several years on becoming more environmentally friendly. Roadshow Services’ Kiley says his company’s trucks are equipped with auxiliary power units, which reduce engine idling and cost about $10,000 per unit.

“When we’re at the venue or inside the venue, all we have to do is plug in, and therefore we don’t have to run the motor at all,” he says. “It’s a hard expense in a down economy, but we believe it’s the right thing to do for the integrity of our company.”

Stage Call owner Aaron Hau says his company is one of the few out there that does not drives its vehicles. He notes that the request for biofuel typically comes from an artist who cares about the environment. “We have worked with our drivers and our equipment to make sure that biodiesel is feasible, and it definitely is.”

Last year, Sound Movers helped transport gear internationally for environmentally friendly rock act Radiohead. “We used only ocean line shipping wherever available,” Carbone says. “And it was an extremely small amount of air freight, which was a very green way of doing a tour.”

For booking information contact Jay Roberts, General Manager at (412) 642-1893 or jroberts@mellonarena.com

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| $4,987,852 | METALLICA, SEPULTURA | 84,475 | 2010 Era | Technician
| $3,264,500 | COLDPLAY, BAND OF HORSES | 33,100 | T-Mobile Park | Technician
| $3,081,575 | GUNS N’ ROSES | 11,700 | The O2 Arena, London, England | Technician
| $2,970,400 | COLDPLAY, BAND OF HORSES | 10,500 | The O2 Arena, London, England | Technician
| $2,000,321 | TAYLOR SWIFT, KELLY PICKLER, GLORIAH A | 10,500 | The O2 Arena, London, England | Technician
| $1,982,970 | METALLICA, HIBRIA | 11,200 | The O2 Arena, London, England | Technician
| $1,800,650 | GUNS N’ ROSES | 9,400 | The O2 Arena, London, England | Technician
| $1,718,250 | TAYLOR SWIFT, KELLY PICKLER, GLORIAH A | 9,400 | The O2 Arena, London, England | Technician
| $1,498,060 | THE FACTOR LIVE | 9,400 | The O2 Arena, London, England | Technician
| $1,434,780 | GUNS N’ ROSES | 9,400 | The O2 Arena, London, England | Technician
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| $1,744,480 | THE FACTOR LIVE | 9,400 | The O2 Arena, London, England | Technician
| $1,065,690 | DEMAHI MOON | 9,400 | The O2 Arena, London, England | Technician
| $569,914 | GUNS N’ ROSES | 9,400 | The O2 Arena, London, England | Technician
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| $728,195 | MICHAEL BUBLÉ | 9,400 | The O2 Arena, London, England | Technician
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| $64,305 | TAYLOR SWIFT, KELLY PICKLER, GLORIAH A | 9,400 | The O2 Arena, London, England | Technician
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| $587,076 | DAVE MATTHEWS BAND | 9,400 | The O2 Arena, London, England | Technician
| $1,756,460 | RASCAL FLATTS, DARIUS RUCKER | 9,400 | The O2 Arena, London, England | Technician
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| $123,263 | JOHN HAYES, MATTIA FRANZI & SPEARHEAD | 9,400 | The O2 Arena, London, England | Technician
| $131,916 | A-HA | 9,400 | The O2 Arena, London, England | Technician
| $550,531 | CHELSEA HENDLER, HEATHER MCDONALD | 9,400 | The O2 Arena, London, England | Technician
| $230,164 | DREAM THEATER | 9,400 | The O2 Arena, London, England | Technician
| $28,802 | RASCAL FLATTS, DARIUS RUCKER | 9,400 | The O2 Arena, London, England | Technician
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GREEN ARENAS
LEED Certification Is Complex Process

When it comes to an arena’s ability to tout itself as a green venue, nothing carries more weight than meeting the requirements of the U.S. Green Building Council’s (USGBC) Leadership in Energy and Environmental Design certification. But no one says being LEED-certified is easy.

“Since the process is not too much different, it is complex,” says Steve Miller, GM of the SMG-managed Lucas County Arena in Toledo, Ohio, which opened last October and is awaiting final confirmation on LEED certification.

“Difficult,” he says. “It comes in two parts: collecting and verifying the necessary documentation required for submission to substantiate the sustainable design objectives to the USGBC.” Several items require field-collected proof that the energy-efficient devices are operating as intended.

There are several fees and costs associated with obtaining certification of any building, including a registration fee that ranges from $500 to $1,200. For new building projects, Miller says the fee for the design team to track, collect and verify the USGBC varies by building size and ranges from 3.5% to 5.5% of the total construction cost of $85 million.

Miller points out that beyond the sustainability aspect and “bragging rights,” it is a tangible cost savings in operation. The payback period ranges from five to 10 years depending on energy and water costs in the region.

The new $160 million Arby’s Center arena project in Toledo, Ohio, which opened last October, was required to meet USGBC requirements. According to Robert Rayborn, LEED-accredited construction executive for Turner Construction, the use of recycled materials during construction and the use of recycled materials during construction and the use of recycled materials during construction and the use of recycled materials during construction and the use of recycled materials during construction and the use of recycled materials during construction.

At the arena, Miller maintains that the LEED-certified building achieved certification without capital expenditures for new equipment, but rather through the original design and construction. That’s not to say the process was inexpensive.

“Our hard and soft investment was just about $126 million, which included a $15 million filing fee and approximately $105 million for environmental services for technical assistance and improvements in upgrading our energy performance, water consumption, indoor air quality and waste stream management,” he says. Added to those fees was the $50 million investment in the project to utilize the facilities’ potential.

In Louisville, the BBVA Compass Bank is considered one of the few LEED-certified banks in the country. The bank, which opened in late 2009, was designed to meet LEED standards for energy efficiency.

The bank was designed to meet LEED standards for energy efficiency.

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QUINCY JONES  LUDACRIS (INTERVIEWER)
“I CREATE MUSIC” INTERVIEW

CONFIRMED PANELISTS TO DATE:

ESSE AXELROD, ANTONIA ARMATI, BILLY AUSTIN, WILL GILMER, ANTONIO BARRIOS, JAY HASSAN, EDDIE SULLIVAN, STEPHEN BONIN, AMANDA BELMAN, ROGER BORMEL, LOUIS BRISSACCHI, RICK K. STEPHEN BISHOP, KERRY WUSCHIL, ROLAND KROTOSHEWSKY, KENNETH RUBINSTEIN, KENNY BURKLE, DAVIN CAMERON, LISA CHERKAS, MICHELLE CROSSESON, WRIGHT LEWIS, VIVICA BROOKS, STEVE BORCHERER, AMIR BANISTER, LEON BROWN, JAY DUBROW, LACHAN CRAN, VIVEK ELIHU, JADDA ELWIN, BILLIE ELIAS, PATRICK FALCONE, JOHN FAVRE, TROY GADO, JUSTIN GAIZA, ASHLEY GORDON, LEE HAYS, DAVE JONES, STEVE JONES, ERIC KRAUS, JEFF KREISS, LLOYD KURZ, DON LOMAX, JAMES LYNNE, JIM MYERS, GEORGE McCUTCHEON, ERIC MCNEEL, JONATHAN MCCORMICK, WENDEY MEADOWS, MATTHEW MESTON, RAH MIRAD, JESSE MORRISON, JASON MURF, ROBERT O'NEILL, peter OTTE, RYAN PEACOCK, CARL PEEL, LINDA PERRY, PAT PHREESTONE, JOHN RHODES, ROBBIE SAMPLER, JAMIE SCHULZ, EDDIE SEABRA, SCOTT SCHREIBER, JAMIE, A. WARD, KEVIN PELLEGRINI, ALLEN SHAPIRO, ERWIN SECECA, DOUG J. SEGAL, JOSHDUB, JESSE SHAW, BILLY STEINBERG, CHUCK CREDO, JASON GOUDL AND ERIC FRENCH, ROBBY THOMAS, JAMES TYLER, KUBBELI WHIE, PETER VASSEK, CHRISS WILSON, LONDON WARD, WOODWARD, N. ATI, WADE, GORD WATTS, SARAH WETTIN, GREG WILLIAMS, PAUL WILLIAMS AND MANY MORE!

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“I’ve laid down my burden, the one where I have something I should prove,” Melissa Etheridge says. Etheridge, whose recent album “Fearless Love” has charted at number 27, says that her journey to her rock roots has been a personal one. She’s recorded her new album “Beast of Burden,” which she says is a return to her rock roots. The album features songs that she says are “about breaking down that burden of having something to prove.”

Etheridge says that the new album is a return to her rock roots, and that it’s a way for her to explore the music that she loves. She says that the album is about breaking down the barriers that she’s had to overcome in the past. She says that the album is about breaking down the barriers that she’s had to overcome in the past.

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I Sing The Bowery Electric

Downtown Renaissance
Man Jesse Malin

"While I was out on tour, all my friends got domesticated. I came back and I was living on my sister’s couch on the Upper East Side and I knew I needed a break."

Jesse Malin

**PASS THE AMMUNITION**

Bullet For My Valentine Loads Up For Comeback

Success and satisfaction aren’t necessarily the same thing, as Welsh metal band Bullet for My Valentine discovered on its last album. While 2006’s “Scream Aim Fire” catapulted the band into rock’s big leagues as a surprise top-five hit on the Billboard 200 and the U.K. album chart, Bullet’s singer/guitarist Matt Tuck says the band was too concerned with what other people thought to enjoy the achievement.

“We were too concerned with capturing the same vibe as [2006’s second album] ‘The Poison.’” Tuck says. “We wanted to get back to what made us ‘us’ in the first place.”

Bullet’s latest album has been self-titled. It is the band’s fourth album, “Fever,” arriving April 26 in the United Kingdom on Columbia (Columbia) and a day later in the United States on Zomba—finds the band in a more positive state of mind, both mentally and musically.

Whereas “Scream Aim Fire” was a straightforward, high-energy record—a reaction to criticism in the rock press and from metal fans online that the band’s melodies were too pretty to be “true” metal—with the frontman’s screams notably toned down. “Fever” contains towering melodies with churning riffs and a sharp, theatrical performance from Tuck.

“We wanted to capture the same vibe as [2006’s second album] ‘The Poison,’” Tuck says. “We wanted to get back to what made us ‘us’ in the first place.”

Bullet’s fan base has grown steadily since its 2005 debut mini-album, which was self-titled in the United Kingdom but released as “Hand of Blood” (Roadrunner) in the United States. “Scream Aim Fire” sold 355,000 U.S. copies, according to Nielsen SoundScan, and 101,000 in the United Kingdom, according to the Official

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**GLOBAL PULSE**

Edited by Tom Ferguson

***SO FAR, SOHO***

In February 2009, before the Aussie record biz even knew of a tiny rock-and-roll band, the existence of the band was confirmed by Universal’s distributed Ecstatic Peace, the label helmed by the band’s hero, Sunny Youths’ Thurston Moore.

Another of the group’s idols, Gil Norton (Pixies, Echo & the Bunnymen, Foo Fighters) produced its self-titled debut album, released March 9 in North America. The single “Jesus Stoix My Girlfriend” hit No. 38 on Billboard’s Rock Songs chart March 27 and climbed to No. 2 in the Modern Rock tally April 3.

Violent Soho laid a foundation for its stateside break-through on a separate U.S. tour, which began at Dinosaur Jr. and built to Spill in the latter part of 2009—and it has solidified its U.S. fan base. The band’s lead singer, bassist, and guitarist Benji Styles, “was impressed by the reaction to our last album,” which he says was a “key promotional piece in Europe and the United Kingdom. We’ll put it on YouTube... but it’s better suited for these places where they still put videos on TV.”

Sib adds that the promotion will center on defining Malin as an artist. “There are no guests on this album, he really wanted to stand on his own this time around.”

She also had a club, Camby Island High, that closed in the early part of the decade; the result of an anti-dancing ordinance passed by then-Mayor Rode Giuliani. More recently, he’s opened another bar, Bowery Electric, and a cafe, Cabin Down Below.

But he couldn’t stay away from music for too long and started work on his new album. “I started rereading J.D. Salinger and it hit a nerve,” he says. “I was inspired to start writing again and booked up with a new band.”

The result of that inspiration might come as a shock to those who know Malin as just a downtown scenester and nightride impresario. "Love It to Life" is a smart, heartfelt rock album that recalls Neil Young, Bruce Springsteen and former collaborator Adam Jones. Songs like first single "Fighting the Bowery" have an anthemic charge and driving drums, while "The Anchor" is a slow, soft ode to lost love.

"Fighting the Bowery" is at the center of a campaign to promote the album, according to Saladino’s manager Joe Sib. "We had a great week of adds at Triple A Radio for the track," he says, noting that it was added at influential alternative WRXP New York and eight others. Sib says Malin will also make videos for the track, which he says will serve as a keystone promotional piece in Europe and the United Kingdom: "We’ll put it on YouTube... but it’s better suited for places overseas where they still put video on TV."
Charts Co. Executives say regarding fan loyalty is a key element to the campaign. The band—which includes bassist Jason James, guitarist Michael Patet and drummer Michael Thomas—released a Valentine’s Day download, “Hitting for Meets,” available free to fans who posted updates on their social networking pages with a link to the track. "If you come off like wildfire as soon as we put it up," five Label Group senior director of marketing Dan Mackay says, "around the world there’s pull for this band, and people can’t wait to get their hands on this album." While the first U.K. single will be the poppy, upbeat "The Last Fight," in the States the lead track is the notably heavier "Your Betrayal," which impacted active rock, alternative and rock formats March 9. So far, it’s peaked at No. 18 on Active Rock, No. 23 on Mainstream Rock and No. 36 on Alternative Rock. The band’s U.S. tour, booked by Pinnacle Entertainment, starts April 28 at the Palladium in Worcester, Mass., before it headlines the Download Festival’s second stage June 11. At retail, Hot Topic will carry an exclusive special edition of the album featuring a contest and access to unique digital content. Mackay is confident sales can match those of "Scrambled" and "The Poison," which has scanned 56,000,000 U.S. copies. "Even though the market has deteriorated, interest in Bullet has not waned," says Mackay, who adds that the band has the potential to be as big as its hero Foo Fighters. "They have grown to be a band that could really thrive on that larger stage." ——

Music supervisor Joel C. High’s professional relationship with Tyler Perry dates back to the writer/director/producer’s first film, 2005’s "Diary of a Mad Black Woman." Their ninth film partnership is "For Colored Girls," which Perry directed, and "Get the Horse," which Mackey was booked on. Perry released the film to the public April 3 ($20.3 million). Featuring "Nothing," a new single by the film’s co-star Janet Jackson, the So So Def/Malaco soundtrack is available digitally on Amazon and will be released physically April 27. High, founder of the Los Angeles-based company Creative Control, recently finished work on two upcoming films: "Black, White and Blues" and "Fort McCoy." 

1 How does Tyler Perry view the relationship between music and film? He told me early on that as long as it’s a TV or film project, he wants to entertain generations—the kids, their parents and grandparents. He wants songs that are going to help him tell the story and help the audience feel the story as he’s表演. He isn’t somebody who cares about the next big thing or flash-in-the-pan potential. And he doesn’t want to get into soundtrack deals where somebody is telling him what to do. So I try to pick the best songs that will help him do all that: something not too distracting or too recognizable but also a good mix. We also love doing music that’s unique to film. In the case of "Married Too?"...we were lucky to have Janet involved, especially at a time when she was going through a lot. We were basically finished with the picture when she told Tyler she wanted to write something. It’s a strong love song that plays three times in the movie and is our big end-title finish.

2 What other songs are on the "Married Too?" soundtrack? There’s another original song, Ziggy Marley’s "Love You Too." It’s a little title song and will also be on his new album, Christelle Aloe, a new artist from Norway, contributes the sparse, heart-breaking song "Still." Because Tyler has an affinity for the Kahama, where the film was shot, he wanted to give something back. So two veteran Bahamian acts also appear on the soundtrack: Ronnie Butler and the Bahamas.

3 How has music supervision changed in the last few years? Radio used to be the way to break records. Now if you put something to good use in a big movie picture, more people are going hear who sang it if it’s played on a few stations in some sort of rotation. And those people will then go to a Web site to find music, thanks to the rise of the Internet. Because of that, music supervisors have really come into their own in terms of being tastemakers. When I started doing this, it was a very niche thing to do. And now music supervisors are one of the most important ways to help break records. The good news is that there are more avids for what music supervisors can do, including television, cable and videogames. But like every other industry, the entertainment industry dollar is being spread thinner. So music supervision has also become more client side, record companies and lawyers now have jobs and more people enter the marketplace. Everybody thinks they can be music supervisors. From a lawyer’s viewpoint, it’s a job that can be as good or as bad as you want it to be. You can do a lot of the business affairs, making sure the chosen artists are being paid and sharing in on time, hiring a composer who can work with the budget and the director. Picking music is just part of the process.

4 What other skills should a music supervisor possess? Besides the ability to juggle various issues, you must pay attention to your work relationships. The music supervisor has to be able to guide the director and producer to what they want creatively when it may not be exactly what they said. Filmakers know songs and what they want, but you may not be able to afford a particular song or perhaps the rights holders don’t want that song used in the film. You have to make sure the filmakers know that your wishes and creativity are going to be heard. They have to trust that the music supervisor will take their creative desires and make them happen.

5 It’s been reported that Janet Jackson and Mariiah Carey will join Tyler for his next film, "For Colored Girls." Can you give any more details? At this point I can say that singers Janet, Mariah, Mary J. Blige and Journta O’Brien will be among the film’s cast. We’re already prepping some things for the shoot, which is supposed to start in May.

6 And is a Madsen reunion in your near future? Oh, I’m sure you’ve heard the last of Madsen.

World Journal Plaza: www.freedowns.net
JAZZ

MOSE ALLISON
The Way of the World
Producer: Joe Henry
Anti-Records
Release Date: March 25
Although the sound of Mose Allison has existed for more than a decade, "The Way of the World," has been slightly updated for the occasion (thanks to production by chamber-roots specialist Joe Henry), the 82-year-old singer/pianist's mordant wit retains its vintage charm. In fact, Allison probably could have sung any of these new tunes about anything as creditably 50 years ago. That even goes for the excellent opener, "My Brain," on which he chases the low degradation of his noodle over a boogie-woogie groove that starts out punky but keeps thickening bit by bit. Fans of Randy Newman's 2008 album, "Harps and Angels," will appreciate the cheekily profound "Modest Proposal" ("Let's give God a vacation! He must be tired of it all") and a cheeky reworking of take on "Everybody Thinks You're an Angel," a wry jazz-country tune by Allison's daughter, Amy. "I'm not the first, I'm not the last, of this town I am not the toast," he sings with an audible shrug in "Ask Me Nice." Happily, "The Way of the World" provides some evidence to the contrary.—MW

POPP

JUSTIN BIEBER
My World 2.0
Producers: various
Atlantic/Island/Universal
Release Date: March 23
Mammouth-sized expectations. A fast-tracked recording process. Lounging authority. What could have contributed to a drab and insipid sophomore slump when all worked in Justin Bieber's favor on his latest album. "My World 2.0." The 16-year-old's follow-up to last November's "My World" shrewdly elevates him from a fleeting teen phenom into an evolving pop artist. The songs "Somebody to Love" and "Eenie Meenie" are hard-wired for top 40, while the breezy groove of "Runway Love" recalls both Janet Jackson's "Runaway" and Justin Timberlake's "Rock Your Body." And with a Motown vibe, "U Smile" should appeal to some older listeners. It's all very sweet until "That Should Be Me," an orchestral ballad where Bieber plows the escorted soil. (No songs over 3:45 tools, "Did you forget all the plans that you made with me?"") The promise couldn't be further from the truth, but giving his fans the power remains Bieber's greatest weapon.—MH

SLASH

Slash
Producer: Eric Valentine
Epic Records
Release Date: April 6
He may not be Axl Rose's favorite person these days, but Slash still has plenty of friends—and he's consulted an impressive group of them on the 14 tracks of his third solo effort. Filling the gap as he prepares for Velvet Revolver's (presumed) return, the guitarist kicks out some heavy jams with the Cult's Ian Astbury ("Ghost"), Motley Crue's Tommy Lilicrize ("Doc Turner"). Iggy Pop ("We're All Gonna Die"), Ozzy Osbourne on the god-flavored "Crucify the Dead" and M. Shadows of Avenged Sevenfold for the screaming horror rockers "Nothing to Say." And longtime colleagues Duff McKagan and Dave Grohl join Slash for the juggled-groove instrumental "Watch This." But the top-hat-wearing guitarist bristles in other stylistic directions, exploring an American-flavored terrain with Kid Rock ("I Hold On"), melodic pop (albeit with a blue-eyed soul) with Maroon 5's Adam Levine ("Gotten") and a snippy "Beautiful Dangerous" that gives us Fergie as we've never heard her before. "Slash" shows a little too wide for its own good, but the album showcases the guitar hero we've always known and as the songwriter he probably hasn't appreciated enough.—GO

OZOMATLI

Fire Away
Producer: Tony Berg
Download/Mercury
Release Date: April 20
On its fifth studio album, "Fire Away," Ozomatli shows a remarkable ability to innovate with its most expansive and energetic set in years. While the opening track, "Are You Ready?" recalls the brass-infused Latin dance party that drew fans to the band's debut, the new set is full of moments that conjure up an image of a group in the studio getting excited about trying new sounds. These musical debuts are what keep "Fire Away" so interesting; just when you think you've got a song—or Ozomatli—figured out, the band hits you with something new.—ABY

JASON DERULO

Jason Derulo
Producer: J.R. Rotem
Bakas Hoogstra/Maverick
Release Date: March 2
Jason Derulo's self-titled debut finds the 20-year-old singer/songwriter/dancer crooning about what most young adults at his age ponder: love, layoffs and other fantasies. Having already achieved acclaim for penning songs for rappers Pitbull and Birdman, Derulo's solo career took a new direction last November when his single "Whatcha Say?" topped the Billboard Hot 100. But the nine-song album's softer ballads—like the piano-drive "What If?"—distect from Derulo's powerhouse vocals. His talent is somewhat misused on the tune, blanketed beneath equal parts Auto-Tune and lyrical vagueness. However, the inclusion of club bangers like "The Sky's the Limit" and "Love Hangover" boost the set's energy. The latter track's synthy-driven pulse, combined with Derulo's energetic falsetto on the narrative chorus, "And all I remember is me saying, 'Give it to me! Then you came in,'" provide a dancefloor excursion.—MF

JULIETA VENEGAS

Olto Coso
Producers: Cachorro Lopez, Julieta Venegas
Sony Music Latin
Release Date: March 16
Julieta Venegas has a talent for using both simple language and harmonics to capture profoundly emotional moments in time. She employs the less-is-more aesthetic to great effect on her new album, "Olto Coso," where she again walks a tightrope between accessible pop and quirky alternative. Venegas is at her best with happy-sounding sad songs ("Ya Conocen") and ones where she revels in the present ("El Reno)."

GRETCHEN WILSON

I Got Your Country Right Here
Producers: Blake Chancey, A&M Rich, Gretchen Wilson
Redneck Records
Release Date: March 30
Gretchen Wilson's fourth studio album, "I Got Your Country Right Here," doesn't plow any new ground compared with previous efforts, but it's difficult to dismiss it as a sold album. Her new cut covers familiar 'working-class territory' with lead single "Work Hard, Play Harder," on which she sings, "I'm the first to click in, but the last to pass out." And the more-redneck-than-thou themes are accentuated by the jingoistic "Blue Collar Done Turn Red," where she unconvincingly jousts at windmills with lines like "Still think about the way it was when you could still speak your mind," which reemphasizes the loss of that basic American freedom. As with many of Wilson's young female country counterparts, the hotter the tempo, the less clearly she emancipates the lyrics. So the standout tracks here are the two ballads—"I'm Only Human" sends a clear message that even ass-kicking redneck girls show weakness, and "I'll Love to Be Your Last" is a study in great classic country singing and songwriting. Borebad and diffi-

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On the song “One in a Lifetime,” over violin strings, she praises her lover: “The love you’ve given me is equal to 10.” Monica flips the script on “Stay or Go,” giving her partner an ultimatum atop a simple piano arrangement and drums, while letting her man on the side know that she’s available if he wants her (“If you need to lose somebody, baby let me be that body”) over a bluesy guitar riff on the Ester Dean–penned “Here I Am.” Still, while the album is fluid lyrically and musically, it’s missing one thing: Monica’s punk and sass (think “So Gone” and “Knock Knock”). Let’s hope she’ll bring her swagger back on the next one.—HC

ROCK

FLOBOTS

Survival Story

Producer: Mario Cabotero Jr.
Universal Republic

Release Date: March 16

On its latest album, “Survival Story,” Denver-based rap/rock band Flobots continue to mix multiple genres (imagine a jam session involving P.O.D., Atmosphere and the Red Hot Chili Peppers) to send a political message. While the group’s new set features a heavier rock sound than previous efforts, the rap/rock band has purposeful and overtly political. The track “Cocks in the Surface” presents an attack on the core of “Survival Story”: the portrayal of a world spinning under the weight of war and corruption. In it, robs, with a dance beat and funky baseline, “Whips and Chains’ beschicts corporations, bands, governments and everything else that’s wrong with society. Rise Against guitarist Tim McIlrath joins the group on “White Flag Warrior,” a brilliant protest song with high-energy vocals that proclaims, “War is child abuse.” But at times the MCs try too hard to deliver a raucous message and forget about their flow.—IS

TITUS ANDRONICUS

The Monitor

Producer: Kevin McHugh
V Records

Release Date: March 9

It’s not every day that a folk/punk band uses the Civil War as an extended metaphor for a young man’s migration from New Jersey to Boston. But on its second album, “The Monitor,” New Jersey–based Titus Andronicus has done just that. On a Dinosaur Jr.–like guitar riff, the band opens the song “A More Perfect Union” with a quote from Abraham Lincoln before quickly transiting to a reference of the Garden State Parkway. But the album’s hero apparently has yet to find greener pastures in this city. Alongside a twangy country fiddle on “Theme From Cheers,” lead singer Patrick Stickles muses: “I need a timeout/I need an escape from reality.” An oddly moving bagpipe melody closes the nearly 15-minute “The Battle of Hampton Roads,” on which the protagonist ad¬mits defeat and returns home. The Monitor probably could’ve borrowed more firepower from the ironclad wheel for which it’s named, but the album nevertheless meshes old-fashioned themes with a modern twist.—EC

ELECTRONIC

NEON INDIAN

Sleep Paralysis (4:31)

Producers: Alan Palomo, Snoop Dogg

Writer: A. Palomo

Publisher: Alan Palomo (BMI)

Orchestral “Love is Dead” Neon Indian makes good on the “iron” part of its name on “Sleep Paralysis,” as frontman Alan Palomo crafts a track that’s 80s-infused. It’s the best thing to happen in the “Back to the Future” De—

ROCK

THE NATIONAL

Bloombugg Ohio (4:36)

Producer: The National

Writer: M. Berninger

Publisher: 4AD, Josie Music (ASCAP)

I was carried to Ohio in a swarm of bees.” Matt Berninger sings on “Bloombugg Ohio,” the National’s lead single from its first studio album in three years, “High Violet.” The insects may have drawn Berninger and his bandmates to the Buckeye State, but it’s the band’s pristine, atmospheric indie-rock sound that has made it an alternative hit from 2000’s turn-of-the-century album “Alligator” to 2002’s widely acclaimed “Boxer.” Here, backed by Bryan Devendorf’s steady drumbeat and a pair of swirling synths, Berninger’s trademark banjo tones tell a haunting story of money, suffering romance and how “Ohio don’t remember me . . . the floors are falling out from everybody I know.” Let’s hope Berninger and his mates are not too attached to local pastures, because all signs point to another big year for the National that will undoubtedly keep it away from home.—EL

PLIES

She Got It Made (3:27)

Producer: Clinton Sparks, Kamau Georges

Writer: various

Publisher: various

Big Gats/Top-N-Side/Arista

On his latest single, Florida rapper Plies continues to display his insatiable appetite and keen appreciation for women (“Think Bitch Baby Pimp 3”), this time looking for a female he can turn into “a spoiled brat.” “I can get your own chauffeur, I can put you on a plane; . . . Buy stocks, buy you bonds, I can put them in your name,” he raps over an upbeat, piano-based production. The self-professed Booty’s generally knows no bounds, as he goes on to offer his lucky lady a pink, Gucci and Prada “big crisp, nice whips” and a vacation with “your girls and your mommas,” with the option of staying “as long as you wanna.” At the end of it all, Plies is a fair man—you give him some “Becky” (Google it), he’ll buy you expensive gifts and take you on lavish trips, among other treats.—HC
‘Bionic’ Woman

Radio Embraces Christina Aguilera’s New Single ‘Not Myself Tonight’

Against the tribal house-inspired rhythms percolating throughout “Not Myself Tonight,” Christina Aguilera issues a sexy proclamation: “I’m doing things that I normally wouldn’t do. The old me’s gone. I feel brand new.” But gauging by radio’s reaction to the lead single from “Bionic” (RCA Records, June 29 — Aguilera’s first studio set in four years — the singer’s hitmaking instincts are still intact.

“Not Myself Tonight” is the No. 1 most-added song at mainstream top 40 and rhythmic radio this week. According to Nielsen BDS, the song posted 73 adds at top 40 and 99 adds at rhythmic. Receiving 886 plays in six days at top 40 and reaching a Billboard Hot 100 audience of 11.8 million after seven days of airplay (including other non-top 40 formats), the song is poised to debut high next week on the Mainstream Top 40 chart.

By comparison, “Ain’t No Other Man,” the lead single from Aguilera’s 2006 studio album “Back to Basics,” received 279 plays in four days at top 40 and reached a Hot 100 audience of 16.5 million after six days of airplay in its first week. It debuted at No. 21 its second week and peaked at No. 8 on Mainstream Top 40. “Keeps Gettin’ Better,” the single from the singer’s 2008 greatest-hits set “Keeps Gettin’ Better: A Decade of Hits,” debuted on that chart at No. 37 and peaked at No. 11. After only seven days of airplay, “Not Myself Tonight” is the No. 1 requested song at WHITZ (WHTZ) New York.

PD Sharon Duster says it bears the No. 2 requested song by more than triple the requests.

“The audience was anxiously waiting to see what the new single would be like,” Duster adds, “and Christina definitely delivered on that high expectation. It’s well-produced, offering the tempo and energy that top 40 needs heading into spring, not to mention a commanding vocal.”

Polow Da Don co-wrote the single with Zedd (int) / A

songwriting protégé Estett Dean. Polow—who’s production credits include Keri Hila

son, usher and Fugie—also produced the track. “This song was just me and Estett free-styling one day as another friend of mine was jumping and dancing around the studio,” he says. “Christina’s people reached out and asked if I had anything hot for her. I sent this, which happened to fit the fresh, different angle Christina told me she wanted to play people with on this album.”

As Aguilera notes in a message to fans on her Web site, “Bionic” was put together to represent those different parts of myself. I chose to collaborate with a variety of artists and producers across different musical genres. I was able to explore and create a fresh, sexy feel using both electronic and organic elements.

“Bionic” also features the Grammy Award-winning songwriting collaboration with Stu, Christopher “Sticky” Stewart, Ta’ Tyme, Hill & Switch and Ty. And she reunites with songwriter Linda Perry, who contributed the ballad “Left Me Up” (Perry wrote the singles “Hurt” and “Candyman” from “Back to Basics” and Aguilera’s 2002 hit “Beautiful.”) “Back to Basics” has sold 1.7 million copies, according to Nielsen SoundScan. “Keeps Gettin’ Better: A Decade of Hits” has sold 330,000.

“You don’t get the number of adds we’ve gotten based on faith,” RCA Music Group executive vp of promotion Richard Palmese says of the early reaction to “Not Myself Tonight.” “It’s apparent that programmers share our belief that it’s a slamming track. But more important than us are the listeners, who are clearly excited. I think we’re into a big one.”

The video for “Not Myself Tonight” is being shot at the end of this week. The single will be at all digital providers April 13. In the midst of finishing up “Bionic,” Aguilera recently completed her first film role in the musical drama “Burlesque,” which co-stars Cher. The movie is set to premiere this fall.

Additional reporting by Keith Caulfield, Monica Ferrara and Silvia Pietrasanta.

‘LIFE’ BEGINS

Joan Armatrading returns with “This Charming Life” (SLG), which bows at No. 4 on Billboard’s Folk Albums chart (viewable at billboard.biz/charts). The set’s start marks Armatrading’s second-highest rank on a Billboard survey. Singer-songwriter last charted in 2007, when “Into the Blues” crowned Top Blues Albums. “LIFE” arrives with sales of 2,000, upping Armatrading’s total to 731,000 albums sold in the United States since Nielsen SoundScan began tracking sales in 1991. The West Indian-born, Birmingham, England-raised artist has placed 12 titles on the Billboard 200, peaking as high as No. 28 with “Me Myself I” in 1980. She made one appearance on the Billboard Hot 100, reaching No. 78 in a six-week chart run with “Drop the Pilot” in 1983. After touring Europe through early June, Armatrading is set to play 15 dates in the United States and Canada in July and August.

—Gary Trust

CHARM OFFENSIVE

Veteran Joan Armatrading is preparing for a North American Tour to support “This Charming Life.”

—Gary Trust

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Scouting For Hits

London Trio Scores First U.K. No. 1 Single

U.K. pop-rock band Scouting For Girls' campaign for its second album is off to a flying start, thanks to a No. 1 debut on the Official Chart Co.'s April 4 singles listing for "This Ain't a Love Song." The debut also marks the group's highest single entry on home turf.

The piano-led ballad's memorable hook features singer Roy Stride declaring, "I'm a little bit lost without you, and I'm a bloody big mess inside."

Meanwhile, the track has become a bloody big hit for the trio, selling 72,698 copies in its first week, according to the OCC. It's the first track to be lifted from the group's album "Everybody Wants to Be on TV" (Epic/Sony Music Entertainment), which will be released April 12 in the United Kingdom.

"It's an honest lyric and I think people can see that," says Stride, who formed the group in 2004 with Greg Churchouse and Peter Ellard. "We had reasonably high hopes but thought, 'We're going to top 10, that would be amazing.' This is nuts."

Getting radio airplay early was key to the track's breakout success. Epic U.K. managing director Nick Raphael tells Billboard that the song was serviced to national top 40 network BBC Radio 1 weeks ahead of release. A March 24 live performance on prime-time TV show "Comedy Rocks With Jason Manford" also provided a boost.

Released in September 2007, Scouting For Girls' self-titled debut studio album has sold 835,000 units in the United Kingdom, according to the OCC. Raphael is confident "Everybody" will retain the band's platinum status at home, as well as help the act make its first inroads internationally.

"We were so busy last time trying to break in the U.K., there wasn't a big international pickup. But this album is a complete contrast," Raphael says, citing strong interest from U.S. Sony labels and early radio support for "This Ain't a Love Song" in Germany, where the album will be released April 30 on Epic Music/Sony. Negotiations are under way with Sony partner labels in other territories.

If "Focene and Snow" failed to do well in America, I don't see any reason why Scouting For Girls can't do well," Raphael adds, suggesting modern rock as an ideal format for the trio.

"We're looking forward to seeing what Sony wants to do internationally," says Stride, who wants the band to maintain its U.K. strategy of breaking into new territories through consistent touring. "That's how people connect with us," he adds. "We'll start doing smaller clubs and build up."

Scouting for Girls—published by EMI Music Publishing—embarks on a 23-date U.K. tour that begins April 19 and wraps May 24. Booked by Creative Artists Agency, the trio will then perform at various European summer festivals.

BUILDING A CAREER

After sharing the stage with Daughtry on a U.S. tour last fall, St. Louis rock band Cavo has rejoined the band and special guest Lifehouse on a spring tour. The North American run coincides with the growing radio momentum behind Cavo's "Let It Go," which is No. 28 on Billboard's Adult Contemporary chart. The song is the third single from the group's second album, "Bright Nights Dark Days."

Since the release of "Bright Nights" on Warner Bros. Reprise Records last August, Cavo has watched its single "Champagne" top the Mainstream Rock chart and its fan base grow with each arena performance. "We do a meet-and-greet after every show, and the line has gotten longer every night," vocalist Casee Walker says. "People come up to us and say, 'I've never heard of you guys, but you blew me away.'"

Success has been slow coming for Cavo, which originally formed in March 2001. After bassist Brian Smith joined the Walker, guitarist Chris Hobbs and drummer Chad Laroy in 2004, the band self-released its debut album, "The Painful Art of Letting Go," that same year and opened for Staind in 2007. Although multiple labels courted Cavo, Reprise's long-term vision for the band resulted in a deal in October 2008. "Other labels were talking about 'Champagne' and having crazy hit singles, but Warner Bros. was the first label to sit us down and say, 'We want to make a career for you guys," Walker says.

Recorded from winter 2008 to spring 2009 and produced by David Bendeth (Breaking Benjamin, Paramore), "Bright Nights" features emphatic alt-pop tunes like second single "Crash" and midtempo rockers like "Let It Go," which was featured on the soundtrack to "Transformers: Revenge of the Fallen." Cavo showcased the songs while opening for Motley Crue and Godsmack on last summer's Crue Fest 2 tour.

Reprise's marketing strategy for the band has been primarily radio-driven, with "Champagne" and "Crash" being pushed to rock stations before "Let It Go" expanded the band's reach to hot AC. Cavo has also spent the past year developing its stage show, which Warner Bros. senior VP of marketing Rob Gordon believes is a rare quality. "They came in as this little group from St. Louis," Gordon says, "and they've blossomed into this complete rock band."

After the Daughtry tour wraps in June, Cavo will continue writing new songs while considering its touring options, including a possible string of solo dates.

—Jason Lipshutz,

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ON FIRE

It's been a banner year for Tito "El Bambino." The Puerto Rican artist (born Efnail Fines Navares) is the leading candidate for this year's Billboard Latin Music Awards with nods in 16 categories including Latin artist, hot Latin song, in Latin songs artist, Latin album and Latin albums artist of the year.

Those came courtesy of his single "El Amor," which went to No.1 on the Hot Latin Songs chart last year and was remixed and played by a variety of radio formats as well as his album, "El Perdon." Also a songwriter/producer who licenses his material to Sienta Music/Universal through his On Fire Music label, Tito is a multiple threat on the Latin Charts this week. His last single, "Mi Cama Huele A Ti," featuring reggaeton duo Jion and Lemnoz, hit No. 6 on Hot Latin Songs last fall and is now No. 16 on the tropical airplay tally. New single "Te Pido Perdon" is No. 7 on Hot Latin Songs, while "El Perdon" is No. 9 on Top Latin Albums.

Key to the success of "El Amor" is its crossover appeal. Alternative versions of the pop-friendly midtempo track with salsa artist Carlos and regional Mexican singer Jenni Rivera fared Tito to radio formats beyond his urban base, including pop, tropical and regional Mexican. In keeping with Tito's vision that "each remix needed its own identity," videos were shot for each remix and promoted by the label almost as singles on their own.

After the Billboard Latin Music Awards, senior April 29 in Puerto Rico, Tito will head to Mexico for his first tour of that country. He has already toured behind "El Perdon" in Latin America with concerts promoted by Venevision, the Latin television company associated with the Vinci music label—while with Universal has a joint venture in Sienta Music.

-Ayaika Ben-Yehuda

Tito "El Bambino" will speak on the "Rising Above: The Evolution of the Latin Urban Movement" panel April 21 at the Billboard Latin Music Conference. For more, go to billboardlatinconference.com.

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Usher’s Third No. 1; Bieber’s Second-Week Spike

Usher scores his third straight No. 1 album on the Billboard 200 as “Raymond v. Raymond” bumps Justin Bieber’s “My World 2.0,” out of the top slot, selling 130,000 downloads and concurrently making a splash on the Billboard Hot 100, entering at No. 14.

And wasn’t Usher great on “Hold” as a mentor to the contestants? He came across as genuine, warm and had some great feedback for the participants.

Now, the folks in the peanut gallery (read: mostly anonymous people on the Web) would like to believe that Usher’s career is in the dumps. They’ve been crowing about how he’s been in free-fall since “Here I Stand,” undermined the masses.

The story continues as to how his family and management have distracted his audience and affected his ability to generate hits and sell records. They say fans can’t see how the divorced father of two will be able to get his swagger back.

Seriously? Oh, and Bieber’s “My World 2.0” dips to No. 2 on the Billboard 200 with 291,000 copies, though it’s up 3% in sales. There’s no word on how that Easter basket shopping helped its second-week sales, as the holiday fell on Sunday, April 4, the final day of the sales tracking week.

That second-week gain (from a No. 1 debut of 283,000) is rare. While there have been instances of No. 1 debuting albums aching sales increases to their second week, they almost always happen because the set was issued on an off-cycle release date.

The last No. 1 debut to post a sales increase in its second week was Michael Bublé’s “Crazy Love” last October. It landed a 55% gain in week two, but only after its abbreviated first week. It was released on Friday, Oct. 9, so its first week was actually three full days of sales. Thus, it was natural for the set to make a jump in its second, full-week frame.

But Bieber’s “My World” 2.0” was released on a Tuesday, so a second week jump is very notable. It marks the first time a No. 1 debut—issued on a traditional Tuesday release schedule—has posted an increase in its second week since 2002. In the week ending March 31—during which Easter also fell—the “Now” compilation dipped from No. 1 to No. 2 but with an 11% gain (moving from 419,000 to 463,000).

The last time an artist’s ex-group album that was released on a Tuesday had a second-week increase from a No. 1 debut was even earlier—during Thanksgiving week of 2000. The Beatles’ hits set “1” claimed a 14% increase in its second frame, moving from No. 1 the previous week (955,000) to No. 2 that week (662,000).

I can imagine Bieber’s fans are holding their breath at the mention of the Beatles in the same sentence as the 16-year-old pop star. Wait, Bieber’s fans know who the Beatles are, right?...
## THE BILLBOARD 200

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**114** | **55** | **3** | **DARK EMIS** | **Journey's Greatest Hits** |
| 115 | 30 | 2 | 1001 NIGHTS | Waiting For You |
| 116 | 25 | 1 | CHART ATTACK | The Lost Boys: O.E.D. (O.S.T.) |
| 117 | 20 | 1 | VARIOUS ARTISTS | Wolfgang Amadeus Phoenix |
| 118 | 15 | 1 | SOUNDBOARD | Disney: Fantasia And Fantasia 2000 |
| 119 | 10 | 1 | VARIOUS ARTISTS | 1001 NIGHTS (The Original Soundtrack) & (Soundtrack) |
| 120 | 5 | 1 | WOODLAND SCHOLARSHIP | Under Great White Northern Lights (Soundtrack) |
| 121 | 1 | 1 | KOREAN POP | Balloons |
| 122 | 2 | 1 | PERSIAN | Daryle County |
| 123 | 3 | 1 | SOUTHERN ROCK | Disturbed |
| 124 | 4 | 1 | ALICE IN CHAINS | Black & Blue (EP) |
| 125 | 5 | 1 | KENNY CHESTNUT | Greatest Hits Vol. II |
| 126 | 6 | 1 | TIM MCGRAW | Southern Voice |
| 127 | 7 | 1 | MICHAEL JACKSON | The Essential Michael Jackson: 30th Anniversary Edition |
| 128 | 8 | 1 | JONI MITCHELL | Live At The BBC (Vol. II) |
| 129 | 9 | 1 | VARIOUS ARTISTS | Now That's What I Call Country Vol. 2 |
| 130 | 10 | 1 | JULIAN ARENA | Life Starts Now |
| 131 | 11 | 1 | FLUX | Moment Man |
| 132 | 12 | 1 | MELINDA DIME | It's Time |
| 133 | 13 | 1 | MICHAEL BOLTON | Keep On Loving You |
| 134 | 14 | 1 | VARIOUS ARTISTS | Greatest Hits |
| 135 | 15 | 1 | GUNS N' ROSES | Now That's What I Call Music! 120 |
| 136 | 16 | 1 | MAXWELL | Blacksummer Night |
| 137 | 17 | 1 | CORINE BAILEY RAE | The Sea |
| 138 | 18 | 1 | RASCAL FLATTS | Unstoppable |
| 139 | 19 | 1 | SHERYL CROW | Everything But The Girl (Remixed & Remastered) (Re-Issue) |
| 140 | 20 | 1 | VARIOUS ARTISTS | Greatest Hits |
| 141 | 21 | 1 | MICHAEL BOLTON | Ciao Bella Inconscipic |
| 142 | 22 | 1 | JIMMY JOHNSON | Backspace |
| 143 | 23 | 1 | BEATLES | XX |
| 144 | 24 | 1 | COLIN CAISETT | The Princess And The Frog |
| 145 | 25 | 1 | NICK JONAS & THE ADMINISTRATION | Who's A Fan |
| 146 | 26 | 1 | SOUTHERN ROCK | Greatest Hits |
| 147 | 27 | 1 | VARIOUS ARTISTS | Now That's What I Call Faith |
| 148 | 28 | 1 | SHO BIDO | Livin & Livin |
| 149 | 29 | 1 | SOUTHERN ROCK | Greatest Hits |

**150** | **47** | **4** | **HOLLYWOOD UNDEAD | **Am I The Only One** |
| 151 | 32 | 3 | 1001 NIGHTS | Songs From The Heart |
| 152 | 27 | 3 | A BRUCE SPRINGSTEEN | Before The Flood (Live From Giants Stadium) |
| 153 | 22 | 3 | DJ KOO | The Future |
| 154 | 17 | 3 | VARIOUS ARTISTS | NOW 282010 |
| 155 | 12 | 3 | VARIOUS ARTISTS | Hannah Montana: The Movie |
| 156 | 7 | 3 | SOUNDBOARD | Man On The Moon: The End Of Day |
| 157 | 2 | 3 | VARIOUS ARTISTS | The Bridge |
| 158 | 1 | 3 | SOUNDBOARD | I Am...Sasha Fierce |
| 159 | 2 | 3 | VARIOUS ARTISTS | Paper Tongues |
| 160 | 3 | 3 | VARIOUS ARTISTS | Brand New Eyes |
| 161 | 4 | 3 | SOUNDBOARD | The Bridge (Live) |
| 162 | 5 | 3 | VARIOUS ARTISTS | King I The Kid (Live) |

**163** | **164** | **2** | **EL TINCO DE MEXICO | **Qué Rica Decida Que Soy Tu Amo** |
| 164 | 151 | 1 | LIL WAYNE | Uninvited (Video) |
| 165 | 134 | 1 | MICROPHONE JACKSON | Billboard Special Edition: (Video) |
| 166 | 112 | 1 | JUNIOR | The Circle |
| 167 | 99 | 1 | VARIOUS ARTISTS | Scar's & Souvenirs |
| 168 | 86 | 1 | VARIOUS ARTISTS | The Last Starfighter (Original Motion Picture Soundtrack) |
| 169 | 79 | 1 | VARIOUS ARTISTS | Them Crooked Vultures (Deluxe Edition) |
| 170 | 66 | 1 | VARIOUS ARTISTS | Black Thorn |
| 171 | 58 | 1 | VARIOUS ARTISTS | Justin Moore |
| 172 | 51 | 1 | VARIOUS ARTISTS | Little Bit Of Everything |
| 173 | 44 | 1 | VARIOUS ARTISTS | Don't Want A Heartache (Video) |
| 174 | 37 | 1 | VARIOUS ARTISTS | Amusement Saturday Night |
| 175 | 31 | 1 | VARIOUS ARTISTS | Chordsong |
| 176 | 25 | 1 | VARIOUS ARTISTS | Michael Buble |
| 177 | 19 | 1 | VARIOUS ARTISTS | No F Reserve (Video) |
| 178 | 13 | 1 | VARIOUS ARTISTS | All Hope Is Gone |
| 179 | 9 | 1 | VARIOUS ARTISTS | Reality Delux 2 |
| 180 | 4 | 1 | VARIOUS ARTISTS | Passion: Awakening |
| 181 | 1 | 1 | VARIOUS ARTISTS | What In The World |
| 182 | 2 | 1 | VARIOUS ARTISTS | The Angels Are Dancing |
| 183 | 3 | 1 | VARIOUS ARTISTS | My Paper Heart |
| 184 | 4 | 1 | VARIOUS ARTISTS | American Saturday Night |
| 185 | 5 | 1 | VARIOUS ARTISTS | Chordsong |
| 186 | 6 | 1 | VARIOUS ARTISTS | Michael Buble |
| 187 | 7 | 1 | VARIOUS ARTISTS | No F Reserve (Video) |
| 188 | 8 | 1 | VARIOUS ARTISTS | All Hope Is Gone |
| 189 | 9 | 1 | VARIOUS ARTISTS | Reality Delux 2 |
| 190 | 10 | 1 | VARIOUS ARTISTS | Passion: Awakening |
| 191 | 11 | 1 | VARIOUS ARTISTS | What In The World |
| 192 | 12 | 1 | VARIOUS ARTISTS | The Angels Are Dancing |
| 193 | 13 | 1 | VARIOUS ARTISTS | My Paper Heart |
| 194 | 14 | 1 | VARIOUS ARTISTS | American Saturday Night |

Data for week of APRIL 17, 2010 | For chart reprints call 646-654-4633
Go to www.billboard.biz for complete chart data

www.journal-plaza.net & www.freedowns.net
### The Billboard Hot 100

**Week of April 17, 2010**

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**Between the Bullet**

Rihanna's "Rude Boy" notches a seventh straight week as the Greatest Gainer/Play by listeners on the Billboard Hot 100—the longest streak in almost three years—as it holds at No. 1 for a fourth frame. "Rude" is the first track to post such a lengthy consecutive run as the airplay garner since "Baby I'm A Star" by T-Pain featuring Young Jeezy did so for seven weeks in April/May 2009. During the time as the Hot 100's reigning champ, "Rude" has progressed from 20.2 million listener impressions to 118.6 million, improving by 138.4 million this week.

—Eiko Petreloski
### MAINSTREAM TOP 40

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<td>Pato</td>
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<td>The One</td>
<td>Bruno Mars</td>
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### ADULT CONTEMPORARY

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<td>Between the Lines</td>
<td>Sam Hunt</td>
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<tr>
<td>Your Decision</td>
<td>Usher</td>
</tr>
<tr>
<td>Savor</td>
<td>Jay-Z</td>
</tr>
<tr>
<td>Letter From a Thief</td>
<td>Janelle Monae</td>
</tr>
<tr>
<td>Love You Back</td>
<td>Jason Derulo</td>
</tr>
<tr>
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<td>Kacey Musgraves</td>
</tr>
<tr>
<td>Come Save Me</td>
<td>Daniel Caesar</td>
</tr>
<tr>
<td>One More Time</td>
<td>Maroon 5</td>
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<tr>
<td>Scream With Me</td>
<td>Katy Perry</td>
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### ROCK SONGS

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### HERITAGE ROCK

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<td>It’s Not Over</td>
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<td>The Others</td>
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<td>You Can’t Do That</td>
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<tr>
<td>The Right Moves</td>
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<td>Whataya Want From Me</td>
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<td>Superman Tonight</td>
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<td>All I Ever Wanted</td>
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<td>tube &amp; Nothing Else</td>
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<td>Sympathy</td>
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<td>This Afternoon</td>
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<td>Just Say Yes</td>
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<td>You Run Away</td>
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<td>Today Was a Fairytale</td>
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In the 17th week of Mainstream Top 40, the Script’s "Resurrection" returns to the top 10 (No. 8). The song marks the longest epic in the top 10 for a group with its debut single since "Same My Head/Island Can‘t" by Michael Jackson. The Top 40 chart is based on data from Billboard’s The Official Charts Company in the UK. Billboard’s "The Script" chart is released Aug. 8, 2009, chart.
### Top R&B/Hip-Hop Albums

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<td>Jazmine Sullivan</td>
<td>tattoo</td>
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<tr>
<td>10</td>
<td>Fantasia</td>
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### Mainstream R&B/Hip-Hop

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<td>3</td>
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<td>Let Me Know</td>
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<tr>
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<td>Country Love</td>
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<td>16</td>
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### Rhythm & Blues

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### Adult R&B

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<td>What You Done</td>
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### Hot Rap Songs

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### Between the Bullets

**BADU'S BACK, E-40'S TRIPLE FEAT**

Erykah Badu's "New Amerykah, Part 2: Return of the Arch" earns the Hot Shot Debut at No. 2 on Top R&B/Hip-Hop Albums with 110,000 units, according to Nielsen SoundScan. The title is Badu's sixth studio album to chart, and fifth to top 10 on the Billboard 200. The set is carried by lead single "Window Seat," which peaks at No. 26 on Hot R&B/Hip-Hop Songs and bows at No. 95 on Billboard Hot 100.

E-40 scores simultaneous debuts with three versions of "Revenge Retreat" on Top R&B/Hip-Hop Albums (Nov. 15, 17 and 30) and the Billboard 200 (Nov. 47, 49 and 130). He's the first artist to post triple debuts with new albums on either chart twice since Prince bowed with "The Hits 1," "The Hits 2" and "The Hits (The B-Side)" on Oct. 2, 1993.

—Raphael George
<table>
<thead>
<tr>
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**HOT DANCE CLUB SONGS**

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**TOP TRADITIONAL JAZZ ALBUMS**

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**TOP CONTEMPORARY JAZZ ALBUMS**

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**TOP CLASSICAL CROSSOVER ALBUMS**

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**TOP ELECTRONIC/ACAPPELLA**

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**TOP WORLD ALBUMS**

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EXECUTIVE TURNTABLE

Send submissions to: execEqualboard.com

RECORD COMPANIES: Razor & Tie Entertainment names Jason Consoli senior director of media and artist relations. He was director of publicity at marketing firm the MuleBox.

EMI Records Nashville appoints Chuck Swaney director of promotion for the Midwest and Southwest. Todd Daniel director of marketing for the Southeast and Ron Bradley director of promotion for the West Coast. Swaney was promotion executive at Bigg Picture Entertainment.

DigiTAL: The Orchard appoints Peshant Bahadur GM, Josh Builder VP of product development operations and Jaclyn Ranere VP of digital marketing. Bahadur was VP of retail marketing, Builder was senior director of operations, and Ranere was director of digital marketing and communications.

MANAGEMENT: Rich Cohen becomes the third partner at Foundations Artist Management. He was founder/owner of Team 8 Management.

RELATIVE FIELDS: The Country Music Hall of Fame and Museum in Nashville names Ramona Johnson VP of development. She was director of university marketing/special initiatives at Nashville’s Belmont University.

Prelan Recording Studios, a division of BMI Music & Media Solutions, names David Debow managing director. He served in the role at Signet Studios (formerly Mo-town Hitsville West).

COMEDIAN CHANDRA PIERCE celebrated the release of her CD "Laugh Your Head Out Loud!" by delivering jokes in her "Pierce's Nasty Noise Office" in March. L-R: "Laugh Your Head Out Loud!" artist, Nick Allain, Todd Daniel, Chuck Swaney and Pascual Marketing VP Rick Allard. Includes: Laundromat for donated clothing, Larry Smith; and VP of business affairs, Scott Knight; Pascual, President's sides and marketing, VP Randy Davis and senior director of talent relations Bob Rush and Pascual Marketing VP Kent Sonner.

PUBLISHERS: ASCAP's newly opened regional office in Nashville names LeAna Phelan senior creative director. She was a writer/producer/manager at EMI Entertainment.

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—Edited by Mitchell Peters

STING, JOHN LEGEND TAPPED FOR EARTH DAY RALLY

The Earth Day Network has tapped Sting, John Legend, the Roots, Bob Weir, Mavis Staples, Fall Out Boy’s Patrick Stump, Passion Pit, T-Pain, Booker T. and others to perform at an upcoming rally in Washington, D.C., that will call on Congress to pass environmentally friendly bills in 2010.

The April 25 Climate Rally on the National Mall will also include appearances by the Rev. Jesse Jackson, film director James Cameron, Olympic gold medalist Bode Miller and author Margaret Atwood. In addition to live music, the day will feature speeches and eco-village exhibits.

Earth Day Network president Kathleen Rogers says the artists who’ve been chosen to perform at the rally have all demonstrated a commitment to promoting environmental causes. “They all may have their own angle, but they’re all on the right page … when it comes to climate change and what we have to do to solve it,” she says.

The music aspect of the rally is being produced in association with the Green Apple Festival, which is led by executive producer Peter Shapiro. The rally will commemorate the 40th anniversary of Earth Day and could draw up to 300,000 people, according to Rogers.

More info about the rally and events leading up to it can be found at EarthDay.org.

—Mitchell Peters

GOOD WORKS

INSIDE TRACK

SIXX:A.M. CUES UP SECOND ALBUM

Although fans may prefer Nikki Sixx to work with Motley Crue more than any other musical outlet, they certainly took a shine to Sixx:A.M, his band with James Michael and D.J. Ashba. Sixx’s compilation album to Sixx’s 2007 memoir, “The Heroin Diaries,” sold more than 300,000 copies, according to Nielsen SoundScan, and the song “Life Is Beautiful” was a rock radio hit.

And Sixx promises there’s more where that came from.

“We’ve got all kinds of songs,” Sixx says, “and we’re in the final home stretch of bottling all those songs up. It’s definitely going to be this year—or in a perfect world, it will be this year. I don’t want to jinx it.”

The new album will be another concept piece, but Sixx isn’t reviewing the storyline yet: “As a lyricist, I’m really trying to raise my level of quality,” Sixx says. “Being able to say something lyrically to say something that will do more than just be words, it’s really hard. It’s easy to do when you’re writing a chapter of a book or writing poetry, but it’s really hard to do when you’re confined to a melody line.”

Sixx—who’s also working on another book and just started a syndicated radio show called “SixX Sense”—knows that his first album, “Saints of Los Angeles,” got a bit of pressure on Sixx:A.M., but he’s doing his best to put it aside.

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Chairman/CEO
Universal Music Latin America/Iberian Peninsula

SPECIAL APPEARANCES BY:

MARC ANTHONY
AVENTURA
VÍCTOR MANUELLE
TITO EL BAMBINO
A.B. QUINTANILLA
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