Billboard

SIR LUCIOUS LEFT FOOT

Billboard
RELEASE of the WEEK

The Son Of Chico Dusty

WITH GUEST APPEARANCES FROM
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The Music App Summit
Oct 5, 2010 • San Francisco

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How Canada’s DIY Heroes Went From Playing Bars To Indie Stars

ARCADE FIRE

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24-hour room service from Riingo® and
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Odds of having 3 multi-platinum albums

1/1,650,000

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ON THE EDGE

The Killing Of Sergio ‘El Shaka’ Vega Underlines Mexico’s Risks

Regional Mexican quintet Los Pikadores de Caborca was booked to play a show in Mexico’s Jalisco state last year when the band’s manager, Jose Juan Segura, ran into an acquaintance.

“He said, ‘If I were you, I wouldn’t go,’ due to threats of violence at the event,” Segura recalls.

But just as he was about to call the show’s promoter to cancel, Segura says the promoter’s wife called to say her husband had been kidnapped by a drug-trafficking gang after he refused to pay them for the right to put on the show.

Shortly thereafter, the promoter was killed. “It makes me sad that there’s no control,” Segura says.

Mexico’s unrelenting wave of violence struck the music business again June 26, when regional Mexican star Sergio “El Shaka” Vega was gunned down as he drove to a concert in the western state of Sinaloa. Vega’s murder was followed two days later by the assassination of Rodolfo Torre Canuto, the leading candidate for governor in the border state of Tamaulipas, which sent shockwaves through the Mexican political establishment.

Vega’s death marked the highest-profile killing of a professional musician in Mexico since 2007, when K-Paz de la Sierra leader Sergio Gomez was kidnapped and strangled after a performance in Michoacan state.

While more than a dozen regional Mexican artists have been killed since the 2006 murder of banda icon Valentin Elizalde, most haven’t enjoyed the international success of Vega, who had scored five top 10 singles on Billboard’s regional Mexican airplay chart. His next album, “Millonario de Amor,” is due July 20 on Disa Records, an imprint of Universal Music Latin Entertainment.

Industry sources say artists have learned to steer clear of regions in Mexico that have been particularly plagued by violence. There are persistent rumors, for example, of artists being “sponsored” by drug lords who may commission a song in their honor, ask an artist to play at a private party or go as far as bankrolling entire marketing campaigns. Segura says he isn’t letting his clients play private parties for the time being because “you don’t know who can show up and start shooting.”

Such entanglements don’t seem to afflict international artists. Windish Agency president Tom Windish, who represents acts including Animal Collective and Crystal Castles, says he’s booked 55 shows in Mexico this year, including in Mexico City, Guadalajara, Tijuana and Playa del Carmen. Windish also had 12 artists at Monterey’s MyxMusic festival in March, despite reports of transportation problems and cancellations.

The show was organized by Brooklyn-based promoter Todd Patrick. “I think that would show that artists are not that afraid to go there,” Windish says.

Many of the casualties of Mexico’s war against the country’s drug cartels have been innocent victims with no ties to criminal elements. Vega’s manager, Ana Luisa Gomez, says her client wasn’t supported by any cartels. Were that the case, Gomez says, “we wouldn’t [have to] work as hard as we did.”

Similarly, the mainstream duranguense group Conjunto Atardecer say the March 2009 murders of its drummer Roberto Villa and four high school students in Durango weren’t due to drug ties but the tragic result of Villa and his friends having witnessed an “ugly incident.”

“We’re not even corrido singers,” Atardecer vocalist Mario Madrigal says, referring to songs about the drug trade. “We sing pasito duranguense and love songs.”

Still, the murder left the surviving members of the Durango-based group—which has placed 11 albums on Billboard’s Top Latin Albums chart—so rattled that they haven’t played in Mexico since, even though roughly half of their tour dates used to be booked there.

Despite the violence, some label executives, booking agents and promoters claim it’s business as usual for the artists, including Javier Rivera, president of Los Angeles management and booking agency Mexico Musical. Rivera, who survived the same 2007 kidnapping that resulted in the death of his client Sergio Gomez, insists that “if the date’s open, we do it gladly.”

But Atardecer is not the only act cautious about performing in Mexico. A label executive notes that a major artist he declines to identify canceled a performance in Monterrey last month. “The official version was it was due to health reasons, but the truth is, he received threats,” the executive says.

An artist manager, who asked to remain anonymous, says a leading regional Mexican artist he represents is playing more and more dates in the United States than in Mexico, despite increasing demand south of the border.

“Down there,” he says, “you don’t know who is hiring you.”

Additional reporting by Mitchell Peters.

Latin

BY LEILIA COBO and AVAYA BEN-YEHUDA

In cold blood: SERGIO ‘EL SHAKA’ VEGA, CONJUNTO ATARDECER (meet)

PUTTING YOU THERE

Ustream executive on monetizing live video

START YOUR ENGINES

Google, Bing eye entertainment content

GRAND OPENING

New digital retailers embrace downloads

MAP QUEST

Lollapalooza draws radius clause probe

PASSING JUDGMENT

Elena Kagan’s record on copyright law

www.billboard.biz
UPFRONT

Reading The Tea Leaves

Supreme Court Nominee Kagan’s Ambivalent Record On Copyright Protection

Supreme Court nominee Elena Kagan endured questioning at the end of June from the U.S. Senate Judiciary Committee about the weightiest legal issues of the day, Abortion. Separation of powers. The president’s authority in wartime. But even though committee chairman Patrick Leahy, D-Vt., is a champion of the recording industry and strong copyright protection for all creators, Kagan managed to avoid a grilling on her views about the proper scope of the Digital Millennium Copyright Act’s safe harbors or whether sound recordings properly qualify as works made for hire.

To get a sense of how she would rule on issues of interest to the entertainment industry, we are instead left to sour her record for tea leaves. Let’s take a look.

In 1987, while a law clerk for Supreme Court Justice Thurgood Marshall, Kagan wrote a memo recommending that the high court hear a copyright case in which the 2nd Circuit had ruled in favor of author J.D. Salinger, who had sued to stop publication of an unauthorized biography that had quoted extensively from his letters, rejecting the publisher’s fair use defense. Kagan’s memo strongly criticized the court’s opinion—which has become a favorite of copyright owners—as well as the Supreme Court’s 1984 decision in Harper & Row v. Nation, which established the important principle, now often cited in sampling cases, that a use need not physically excite anyone who hears it, much less arouse a shameful and morbid sexual response.” Kagan argued for the 11th Circuit Court of Appeals, helping to convince the appellate court that the raunch-fest didn’t meet the legal standard for obscenity.

In a 2008 speech, while dean at Harvard Law School, Kagan lavished praise on the university’s Berkman Center for Internet and Society, which was founded by Harvard law professor Charles Nesson, who unsuccessfully defended file sharer Joel Tenenbaum in a copyright infringement suit filed by the four majors. The Berkman Center has exhibited virtually unremitting hostility to the music industry, and Nesson’s arguments in the Tenenbaum case, had they succeeded, would’ve eviscerated copyright protection on the Internet.

And as solicitor general—the Department of Justice’s top appellate lawyer—Kagan signed a 2009 brief urging the Supreme Court not to hear a case brought by several major film and TV studios against Cablevision about its proposed “remote-storage DVR.” The appellate court’s decision narrowly construing copyright owners’ exclusive rights to reproduce and publicly perform their works alarmed major copyright owners, and the RIAA, the National Music Publishers’ Assn., ASCAP and BMI all weighed in supporting reversal. But Kagan’s brief asked the Supreme Court to stay out of the fight, leaving in place a decision that some fear could authorize cloud-based music services to operate without licenses from labels or publishers.

So what does all this add up to? It’s important to keep in mind that in each of the cited activities, Kagan was playing a specific role. Sometimes she was representing a client, so it’s not fair to equate the views she expressed as a litigator with her personal opinions.

Still, it’s reasonable to conclude that she likely takes a broad view of fair use—not necessarily a bad thing for labels, which have cited the fair use doctrine when defending themselves against sampling claims. And the industry can’t help but be concerned that, while at Harvard, she may have absorbed, at least through osmosis, the highly skeptical view of copyright that pervades academia.

In coming years, the Supreme Court will not be able to duck the many big issues facing the industry, including finalists for transfers under the 1976 Copyright Act and the continuing menace of Internet piracy. It’s impossible to predict from Kagan’s record how she’ll vote on any particular case. But despite the concerns that some aspects of her career may raise, there’s no denying that Kagan is smart, understands the issues and is a quick study. And entertainment industry lawyers say that’s exactly the kind of justice they would like to have on their cases.

Ben Sheffner is a copyright attorney who has represented movie studios, TV networks and record labels. Sheffner works as an attorney in the NBC Universal Televison Group, which is 20% owned by Vivendi, the parent of Universal Music Group. He is the author of the Copyrights & Campaigns blog (copyrightsandcampaigns.blogspot.com).

HOME FRONT

360 DEGREES OF BILLBOARD

JUDGES ANNOUNCED FOR INAUGURAL BILLBOARD MUSIC APP AWARDS

Billboard has assembled an expert panel of judges who will select the winners of its inaugural Music App Awards, taking place in conjunction with Billboard’s Mobile Entertainment Live: The Music App Summit in San Francisco.

The judges are MC Hammer, AppFund founder Daniel Klaus, GetJar VP of marketing Patrick Mork, Topspin CEO Ian Rogers, Mobillium Advisory Group CEO Ralph Simon and Wired staff writer Elliot Van Buskirk.

The panelists were chosen based on their expertise in the music, mobile and developer industries. Billboard is currently accepting applications from developers interested in being considered for any of the following categories: best artist-based app, best music streaming app, best music engagement app, best music creation app, best branded app and best touring app.

Billboard’s editorial team will select three finalists for each award category. The finalists will be featured in a preshow special section of Billboard magazine and will have the opportunity to demonstrate their apps at the summit, taking place in conjunction with the CTIA Enterprise & Applications Fall show at the Moscone Center in San Francisco.

For 24/7 legal news and analysis, see billboard.biz/legal. Let’s get it started: MC HAMMER

For 24/7 legal news and analysis, see billboard.biz/legal.

Judging the nominees. ELENA KAGAN testifies June 29 during her confirmation hearing before the U.S. Senate Judiciary Committee.

HULU DEBUTS SUBSCRIPTION SERVICE

Popular video hub Hulu launched a pay service for some of its content. Hulu Plus is the site’s new subscription service that charges users $9.99 per month for access to expanded content—in high definition—including previous seasons of prime-time series. A free version of Hulu is still available but offers only recent episodes of shows from ABC, NBC and Fox. Access to Hulu Plus is currently by invitation only.

LIVE NATION OPENS VEGAS OFFICE

Live Nation opened a new office in Las Vegas that will be headed up by industry veteran Bob Cayne, who has been appointed president of Live Nation Concerts Las Vegas. Cayne will oversee Live Nation’s operations in the city, which include concerts at such venues as House of Blues and the Pearl Theater at the Palms and other arenas. In recent years, Cayne worked with a number of producers in Las Vegas and negotiated international tours for Michael Flatley’s “Lord of the Dance” and David Copperfield, among others.

DICK CLARK PRODUCTIONS LAUNCHES LICENSING SITE

Historic TV footage from iconic programs including “American Bandstand” and “Dick Clark’s New Year’s Rockin’ Eve” will be part of a new online licensing website launched by Dick Clark Productions. More than 30 years of DCP’s vast library has been digitized and made available at dclicensing.com. Other DCP shows available on the site include past Golden Globe Awards telecasts and current series “So You Think You Can Dance.”

Big Boi Releases Solo Debut ‘Sir Lucious Left Foot: The Son of Chico Dusty’

Big Boi has faced his share of obstacles leading up to the release of his solo debut—from creative differences that led to a split with former label Jive Records to contractual issues that prevented OutKast partner Andre 3000 from guesting on his upcoming album. But after being signed to Def Jam Records recently, “Sir Lucious Left Foot: The Son of Chico Dusty” arrives July 6 through Big Boi’s new solo venture. “Working with Big Boi again is exciting and poignant for me on so many levels,” Island Def Jam Music Group chairman/CEO Antonio “L.A.” Reid says. “This is an artist I signed when he was just 17 years old. Not only has he gone on to Grammy-winning and diamond-selling success with OutKast—an accomplished career few artists can boast—but he has remained one of the most creative talents in hip-hop today. His incredible solo debut proves how vital his music is to this culture. I’m proud to be back together with Big Boi.” Here’s a look at the making and marketing of Big Boi’s solo bow.

ON THE PAGE
The third Monday of every January is observed as Martin Luther King Jr. Day. But for the past decade, it also marks the day that rapper Big Boi, born Antwan Andre Patton, begins working on his albums. “For the past three records, since ‘Stankonia’ and ‘Speakerboxxx,’ I’ve always started recording on Martin Luther King’s birthday, including my latest,” the Atlanta native says about his upcoming project, which was recorded almost entirely at his own Stankonia Studios. The MC is signed to Chrysalis Music. Publishing and BMI and managed by Marcus T. Grant.

Best Buy location in his hometown.

IN THE STUDIO
While Andre 3000 isn’t heard on the album, he’s one of the producers on “Sir Lucious,” alongside Organized Noize, Salaam Remi, Scott Storch, Lil Jon and Big Boi’s own production team, Boom Boom Room. And much like MLK’s birthday, Andre’s May 27 birthday is also significant in that “Sir Lucious” was mastered on that day, Big Boi says. Other guest artists include Sleepy Brown, T.I., Khia, Goodie, Jamie Foxx, Janelle Monae, George Clinton, Too Short, B.o.B and Gucci Mane.

ON THE AIR
A number of non-album buzz tracks preceded the release of “Sir Lucious,” including “Sumthin’s Gotta Give,” featuring Mary J. Blige, and “Royal Flush.” But the album’s official first single is the Storch-helmed “Shutterbugg,” which is No. 71 this week on Billboard’s Hot R&B/Hip-Hop Songs chart. Previously, as half of OutKast, Big Boi’s “The Way You Move,” off “Speakerboxxx/The Love Below,” peaked at No. 1 on the Billboard Hot 100.

AROUND THE WORLD
Following a promotional campaign in the United Kingdom and France in May, Big Boi will return to the United Kingdom the week of his album’s release, according to Island Def Jam seniorVP of marketing Christopher Atlas. The album will be available July 5 in the United Kingdom on Mercury Records and July 6 in the rest of Europe. “Shutterbugg” reached No. 31 on the U.K. singles chart on June 27. While Big Boi hasn’t yet visited Germany due to scheduling, according to Island Def Jam director of international marketing Darla Michelle, the territory is one of OutKast’s biggest markets based on the global sales of “Speakerboxxx/The Love Below” (7.5 million, according to Sony Music), as well as the United Kingdom, Canada, Australia and Japan.

IN THE STORES
On release date, Big Boi will appear on BET’s “106 & Park” and has two events taking place in New York. “We are also working on album-release events in Atlanta,” Atlas says, adding that there’s an in-store planned for a
Clause And Effect

Illinois Attorney General’s C3 Probe Puts Radius Pacts In Spotlight

Radius clauses have probably been around as long as performance contracts. But the situation in Chicago with Lollapalooza and promoter C3 Presents is drawing new attention to this standard concert business procedure.

Chicago-based blogger Jim DeRogatis was the first to report that Illinois Attorney General Lisa Madigan is investigating C3 due to antitrust concerns relating to radius clauses for artists performing at the annual festival (Billboard.biz, June 22).

Sources confirmed that partners at Austin-based C3, who declined to comment for this column, had been subpoenaed in the investigation and were gathering information to present at the AG’s office. Also subpoenaed was Marc Geiger, VP at William Morris Endeavor Entertainment, a partner with C3 in Lollapalooza.

Radius clauses for artists based on time and distance are common in performance contracts, not only for headlining one-off concerts, but also with fairs and festivals that invest millions of dollars in talent and production costs and seek to protect the market value of an act or collection of acts in a given market.

Radius clauses for Bonnaroo in Manchester, Tenn., range from 60 to 90 days before and after the event and extend for 30-300 miles. The radius clause for April’s Coachella fest was more specific, stipulating that artists “shall not advertise, perform, or publicize any performance: a) In Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura, or San Diego counties from December 1, 2009 until 30 days after the Festival; b) At any festival in the State of California, Nevada, or Arizona until 30 days after the Festival; c) Or announce any other U.S. festival prior to February 15, 2010.”

Triangle Talent CEO Dave Snowden, who books many of the biggest state fairs in the country, says radius clauses on his events vary. “The widest is the Iowa State Fair, which takes in a 200-mile radius, excluding Davenport,” Snowden says. “Most are 100-150 miles.”

At six months before the festival and three months after, and extending for 300 miles outside of Chicago, the C3 radius clause for Lollapalooza is indeed a stiff one. Local promoters and venues in Chicago and other cities with major festivals have long complained that restrictive radius clauses cut into the number of acts that other talent buyers can book in the market. Chicago-based promoter Jam Productions didn’t respond to a request for comment on the issue.

But such a knowledge of the Chicago/Lollapalooza situation says that as many as half the bands booked by C3 for Lollapalooza break the radius clause by playing Chicago within the confines of the radius without repercussions from C3, and as many as 90% play inside the 300 miles within the specified time frame. One insider says that C3 had, in fact, never enforced the radius clause.

At least one agent confirms that Lollapalooza’s radius clauses aren’t carved in stone. “The Lollapalooza clause is strict on paper, but not more so than those of other festivals of its size,” says Tom Windish, president of Chicago-based Windish Agency, which has booked many acts at the fest. “I have found the Lollapalooza organizers to be flexible in addressing specific instances of modifying their exclusivity.”

The radius clauses are primarily designed to keep the biggest, expensive acts “clean” in a given market, and such flexibility isn’t uncommon, particularly with the smaller acts. In fact, only a handful of acts on any major festival play large venues, so cutting slack on the exclusivity isn’t a make-or-break decision.

“I am pretty easy on OK’ing an event if it does not hurt my client,” says Snowden, who represents fairs and festivals. “Most of the fairs and other events leave it up to us to OK some of these dates that fall a bit into the radius.”

Many promoters take a relaxed attitude toward enforcement of radius clauses, but that doesn’t take into account all of the artists who avoid booking shows that would violate the required exclusivity. If promoters and venues can’t book certain acts due to exclusivity requirements—and surely there are cases when this happens—it’s easy to see why they cry futility.

But festivals represent a critical part of where the business is today, and acts want to play them. Bottom line, is there an antitrust issue with the Lollapalooza radius clause? While it may seem unfair to those affected, we’ve never had of legal intervention over a radius clause, nor has anyone we’ve contacted.

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For 24/7 tour news and analysis, see billboard.biz/touring.
Much of the buzz around digital music is currently focused on Spotify’s plans for the United States. Rdio’s new subscription service and what Apple’s anticipated cloud-based music service will look like.

But while streaming music services are capturing the most attention, other entrants in the digital music market are betting there’s still opportunity in selling digital downloads.

In May, new digital retailer Immergent flipped the switch on its public beta, boasting more than 8 million songs from the four major labels and independent labels. On June 8, music startup ScatterTunes.com released its latest round of multimedia “V-Album” releases, including editions of Taylor Swift’s “Fearless” and Reba McEntire’s “Keep On Loving You.” ScatterTunes also runs a download store with 3 million songs from all the majors and leading indies.

Back when HMV opened its first two stores in New York in 1990 or when Amoeba Music expanded beyond the Bay Area to Los Angeles in 2001, major labels welcomed the moves. Today, you would think labels would applaud the fact that someone is investing in selling music.

However, label executives have been largely indifferent, probably because so far no one has managed to lay a glove on iTunes. Walmart, the largest retailer in the world, is a digital no-talent: its download store commands a meager 0.17% share of the U.S. market, according to Billboard estimates. Amazon dialed “V-Alums” presence to mean to sell in selling digital album downloads, but it hasn’t exactly lit up the scoreboard, so far capturing a market share of 0.4% through iTunes. Amazon may be making its presence felt in selling indies. On June 1, music service ScatterTunes has flipped the switch on its public beta, boasting more than 8 million songs from the four major labels and independent labels. On June 8, music startup ScatterTunes.com released its latest round of multimedia “V-Album” releases, including editions of Taylor Swift’s “Fearless” and Reba McEntire’s “Keep On Loving You.” ScatterTunes also runs a download store with 3 million songs from all the majors and leading indies.

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Search And Discover

Google, Bing Turn To Music To Capitalize On Entertainment Queries

Internet search engines pride themselves as being neutral providers of information. But as competition mounts to own the connection between fans and online content, tech behemoths like Microsoft and Google increasingly are turning to their search engines to help drive their entertainment content strategies.

In June, Microsoft launched a new entertainment vertical to its Bing search engine, which among other things aggregates full-track streaming from Zune, details on upcoming tours and buy links within the results for any artist, album or song search.

Google put together a similar package last year and is now building a music download service of its own that would be tied to its search engine and Android mobile operating system.

Given the high volume of entertainment-related queries that the search engines handle, it was only a matter of time before they took bold steps into the space. According to Microsoft, 10% of all Internet search queries are entertainment-related, with music lyrics alone accounting for 70% of those searches.

With the Bing upgrades, Microsoft is trying to position itself as a better entertainment discovery tool than Google. While both Google and Bing have links to stream full songs found in search results, Bing has the more complete package with additional details on tour dates, lyrics and buy links.

However, all that may change once Google gets its music act together. Sources confirm that later this year Google will launch a music download service that’s tied to its search engine. Currently, music searches on Google link to full-song streams provided by MySpace Music, as well as Twitter feeds and other information, which it launched late last year.

Exactly what Google has planned is unclear, but a hint was given during a developers conference for the company’s Android mobile platform in May. At the event, Google announced the acquisition of Simplify Media, a content-synching technology that the company demonstrated can be used to automatically synch and stream music purchased online to any Android phone containing the technology.

Whether this is an interim step toward an eventual streaming subscription service is unclear, and Billboard hasn’t confirmed any additional details on this point.

Potentially interfering with both plans is an increasingly agressive effort by the recording industry to have search engines remove links to infringing material. BPI, the trade group representing U.K. record labels, raised the stakes in June by issuing a takedown notice to Google, demanding it remove links to 17 songs from third-party websites it deems infringing, such as RapidShare and MegaUpload. Google hasn’t yet responded, but its next steps will be telling.

Should Google comply, it would set a precedent that will almost certainly result in a flood of additional takedown notices from every music label and publisher eager to eliminate pirate links on the world’s most popular search engine. If it refuses, there could be another court fight coming as big if not bigger than the $1 billion lawsuit Viacom brought against YouTube—which itself is heading to appeal after Google recently won a summary judgment to dismiss the case.

As for Bing, Microsoft senior VP of online services Yusuf Mehdi assures the music industry that it will comply with any take-down requests, but has no plans to alter the search algorithm that determines search results.

“We’re pretty true to the algorithmic ranking in the Web results,” Mehdi says. “We’re obviously not going to surface that kind of stuff in the Bing box, but the algorithm that determines relevancy of search results we’ll stick with.”

While Bing’s moves are interesting, it’s Google that has the market-moving leverage. According to the most recent data from information services firm Experian Hitwise, Google’s search engine in May led the pack with 72% U.S. market share, with Yahoo second (14.4%) and Bing third (9.2%).

But when it comes to music, all of them stand in the shadow of Apple, which still commands 70% of digital music download sales in the United States, according to NPD Group. While Apple has no presence in online search (yet), both Microsoft and Google are competing with Apple on the rapidly growing mobile platform—Google with Android and Microsoft with the new Windows Series 7.

Successfully tying together a cloud-based music service with an online search and discovery system and a path to mobile phones—not to mention advertising around it—all is the digital content battlefield of the immediate future.
Ustream is quickly becoming the music industry’s go-to platform for streaming live concerts. Hundreds of acts—such as Drake, Ciara and Owl City—have already used the service to webcast live sets, and others like the Jonas Brothers and Justin Bieber use it to host live Q-and-A sessions with their fans, taking questions through a text-chat feature and answering them live onscreen. Miley Cyrus was the first artist to integrate the live-streaming features into her new iPhone app, created with Ustream’s Mobilizer technology. When Slipknot bassist Paul Gray died in May, the surviving members of the band appeared on Ustream without their stage masks to pay tribute to him. And Ustream debuted its iPad app in April with a live stream of a Bon Jovi concert in Dallas.

And it’s not just artists taking advantage. Ustream aired live the red carpet arrivals at the American Music Awards and the Golden Globes, as well as President Barack Obama’s election night victory speech and inaugural address. The result: 50 million unique monthly visitors as of June, according to Quantcast, up from 20 million a year earlier.

Not bad for a company formed by West Point classmates John Ham and Brad Hunstable, who originally designed Ustream’s technology to enable military personnel serving abroad to chat live with friends and family back home.

In an interview with Billboard, Hunstable discussed how music became an early focus for Ustream, the revenue opportunities for participating artists and why the cost of streaming video online isn’t as expensive as one might think.

How did Ustream evolve from a service for armed forces personnel to streaming music performances?

It was gradual. We had this core capability that allowed you to broadcast live on the Web and have an interactive experience. [We] built an open platform so that anybody could do this. We started seeing where the adoption was and saw a lot of it around music. It started out with smaller bands, but as we grew we saw bigger and bigger bands.

Was the music industry the first sector to embrace Ustream?

I don’t know who’d call first, but certainly music was one of the early adopters. One of the things that always resonated with me personally revolved around music. My brother was in a band in Dallas, and they’d play venues like the Curtain Club. I remember thinking it would be cool if their fans could watch it live online. A lot of the early testing of Ustream was on my brother’s band. I’d sneak a camera and laptop into clubs and be literally standing in the middle of the mosh pit pointing the camera at the stage and broadcasting live and talking to our developers on the phone.

How much of the streamed content is music or music-related?

For our high-profile content, I’d say around 50% is related to music. We’re an open platform so there’s a wide variety. But in terms of our premium content where we spend most our resources, it’s mostly music.

What’s the business behind it?

Are you licensing music? When we do Web chats, there’s obviously no license. But when there’s music, there’s public performance rights and we get the necessary permissions to stream it. If there’s no revenue generated, it’s easier. But when it’s sponsored, we have to pay the appropriate parties. We have that down pretty well in the U.S., and worldwide we’re getting better, especially in countries where we’re getting a lot of adoption, like Japan and Germany.

What’s the outreach effort like to get artists onboard?

In the early days, it was us going out and pitching artists. Now, it’s probably the other way around. We’re like Twitter in that we’re open. Allstar Weekend jumped on today and I don’t think we even knew that was going to happen. We don’t know when Diddy is going to jump on from his studio or backstage at a concert. If we’re partnering with a label or management company and doing a big concert, we do. But letting artists use it whenever they want really helps scale it much better.

In what situations do you work directly with labels or managers?

A great example is what we just did with Hollywood Records and Miley Cyrus where we’re the official live broadcasters for Hollywood Records and we built Miley Cyrus’ iPhone app. The live stream is actually the hook to help drive downloads and help get her live content to her Facebook page. And we sell sponsorships against the content to help drive additional revenue streams for the artist. So the advantage of the deeper engagement is that we’re helping build products for the artist to help serve their needs.

You host both live performances and live chats. Which are more effective?

They’re two different things. There is something really special about watching Jimmy Buffett live and interacting with the community. You’re never going to get as good as being at the concert, but it’s the next best thing. But there’s always something special about getting this access with artists. We’ve done a Web chat series with the Jonas Brothers where they’ve had a million people tune in for an hour with a very low production budget and no marketing. When a million people tune in to a Web chat and you don’t spend hardly any money to pull it off, that’s something very unique.

Which is easier to sell advertising around?

The concerts, just because they’re typically a higher-quality production. That said, something like interviewing Paul McCartney, which we did a few weeks ago— he’s still a premium brand, so there’s an opportunity to sell against that.

Competition is increasing, with Vevo, MTV and maybe even YouTube entering the live-streaming business. How is that affecting your approach?

We certainly watch it. We’re the largest [company] doing this today. If Vevo streams a Bon Jovi concert, it doesn’t mean we can’t. We have a very targeted demographic that loves live content. We’ve partnered with MTV [to webcast the Video Music Awards], so we want to power those live broadcasts where we can. We are somewhat focused on building a platform around live experiences, and that’s our focus. Even if YouTube gets into it, they’re not focused on it. We are.

Where are you with charging for on-demand access to live events?

We think that’s going to grow. We have a few products rolling out in the next few months around that. Charging for content is normally easier in closed systems, like on the iPhone. On the Web it’s more difficult. What we learned from the first couple we’ve done is that there’s an opportunity around it. It probably won’t look like your traditional pay-per-view. You have to apply new ways of thinking around that’s more engaging to the customer.

Aren’t bandwidth and streaming costs prohibitively high?

Ten years ago that was certainly the case. The cost of bandwidth has dropped tremendously over the last few years. Our biggest cost is not bandwidth. It’s our employees. In fact, we believe very slightly the revenue side of the house will outweigh any of the costs.

What’s next for you?

If we’re not already on your radar, increasingly we’re going to need to be. Just like everybody needs to have a Facebook strategy or a Twitter strategy, having live Ustream is going to be a part of the tool kit.

We don’t know when Diddy is going to jump on from his studio or backstage at a concert. Letting artists use it whenever they want really helps scale it much better.
Achtung Maybe

German Labels, Publishers Eye Law Requiring ISP Anti-Piracy Measures

BERLIN—The German music business is gearing up for a fight with Internet service providers over online piracy.

Rights-holders’ hopes for new copyright legislation were raised after justice minister Sabine Leuthesser-Schäublin said during a June 14 speech in Berlin that ISPs “cannot avoid their responsibility” in the fight against piracy. Leuthesser-Schäublin specifically ruled out pursuing a French-style “three strikes” system—whereby repeated transgressions result in the suspension or termination of Internet access—and called for voluntary agreements between ISPs and rights-holders over tackling piracy.

But the justice minister also made it clear that ISPs must take measures to curb piracy. “ISPs should not allow their business models to be misused for illegal activity,” she said. “If this does not change, the call for greater regulation will grow.”

The music business now intends to press its case for such regulation at a series of private consulta- tions—hearings held by the ministry of justice that started June 28. The hearings will examine every aspect of copyright law ahead of possible new legislation. Although ISP responsibility isn’t specifically on the agenda, rights-holders are determined to make their point.

Copyrights “can only be protected effectively on the Internet with the assistance of ISPs, or a law that forces them to take responsibility by sending out warnings,” says Stefan Michalk, managing director of German labels group Bundesverband Musikindustrie (BVMi). “Most ISPs are not willing to take responsibility for action against copyright violations.”

Dagmar Sikorski, president of music publishers association Deutscher Musikver- leger-Verband, also calls for legislation, saying informal negotiations with ISPs have “stagnated.”

At the moment, German rights-holders have to pursue expensive civil or criminal cases against those that infringe copyrights (Billboard, April 25, 2009). While a strategy of mass prosecutions has reduced estimated ilegal downloads from 116 million in 2008 to 258 million in 2009, according to BVMi, the labels are tiring of the bad publicity associated with such cases. As an alternative to litigation, most favor an ISP-administered system whereby “pop-up” warnings automatically appear onscreen when Internet users attempt to download copyrighted material.

ISPs, however, remain bitterly opposed to any such system. “Instead of wasting money on complex and dubi- ous systems for monitoring Internet users, [rights- holders] should be developing new business models in tune with the Internet era,” says Oliver Surer, VP of Internet industry association ECO. “ISPs cannot become the sheriffs of the Internet.”

Judith Lammers, head of the copyright department at BITKOM, the Federal Assn. for Information Technology, Telecommunications and New Media, is more conciliatory, pledging to “continue the dialogue,” although she warns her members are “happy with the legal status quo.”

However, Mark Chung, president of indies group VUT, says he believes voluntary agreements are unlikely because “if one voluntarily supports copyright owners, they run the risk of losing customers to less cooperative rivals.”

Any new legislation wouldn’t take effect for at least two years, but Oke Gottlich, managing director of digital music store Finetunes, thinks the current debate could have an immediate impact, as “in countries that have warnings, or even discussions about them, download sales have gone up.”

IFPI credits new anti-piracy legislation in Sweden and South Korea with helping both countries’ recorded music businesses return to growth in 2009 (Billboard, June 5). Meanwhile, Germany’s recorded music sales fell 3% year on year to $1.5 billion, according to IFPI.

But whatever emerges from the consultations, BVMi’s Michalk insists German copyright infringers will have no place to hide. “We’d prefer to send out warnings via ISPs rather than take legal action,” he says. “But if we cannot agree with the ISPs, or do not get a law, we will have to continue our way.”

And justice for all: Promoter STUART GALBRAITH (inset) says new events like Sonisphere, have warnings, have warnings, or even discussions about them, download sales have gone up.

The promoter is likely to try and push any increase onto the [customer]—and in these eco- nomic times, that is suicide.” Stuart Galbraith, CEO of Sonisphere festival promoter Kilimanjaro, also came out against an increase. “As our ticket sales as an industry have increased, both in scale and in price,” he says, “[PRS]’ share has gone through the roof.”

Executives at Live Nation, AEG Live, Mama Group and Academy Music Group either declined to comment or couldn’t be immediately reached.

PRS revenue from live music climbed steadily from €14.7 million (then, $25.3 million) in 2005 to €22.3 million ($33.4 million) in 2009. The PRS consultation docu- ment also includes proposnals to cut rates in some areas, including rate reductions for events with less than 75% music content and reducing minimum fees for small ven- ues and events that charge less than £5 ($7.49) for admission. But the society’s review of whether its tariff should now be charged on more than just gross ticket receipts reflects the importance of ancillary revenue sources—including sponsorship and merchandising—to the live business.

PRS is keen to tap those revenue streams, PRS public perfor- mance commercial director Debbie Mullloy says, noting that “our members are very sepa- rated from that value chain.” A July 2009 PRS report esti- mated 2008 gross revenue from U.K. primary ticketing grew 13% to £905 million (then, $1.8 billion), while ancillary revenue grew 18% to £338 million ($494 million).

Paul Fenn, co-owner of Lon- don-based promoter/booking agency Asgard, wryly notes the “fortuitous timing” of the review, announced just as the busy U.K. summer festival peri- ood kicked in. Fenn is also an executive committee member of the Concert Promoters’ Assn., and while the official CPA position is still being for- mulated, he emphasizes that “the last thing anybody wants is an increase in costs.”

PRS says its mechanical royalty revenue fell 9.3% in 2009 to £128.5 million, but Mullloy declines to comment on what the society would do if it fails to increase revenue from other tariffs. PRS can’t change its rates without the approval of the Independent Tribunal.

“ideally, we’d like to make that application showing we had a good amount of agreement within the indus- try,” Mullloy says. “Then it’s up to the tribunal to decide how they want to take that forward.”

Reporting by Lars Brandle and Andre Paine.

GLOBAL NEWS LINE

www.billboard.biz/global

AUSSIE GYMS APPEAL ROYALTY RISE

The Association Fitness Australia has appealed the Copyright Tribunal’s recent decision to approve a new Australian neighboring rights group PPCA’s rate increase for using music in fitness classes. Currently, a gym’s PPCA license costs 96.8 cents Australian ($0.22 Australian). Beginning Nov. 1, the rate will rise to $1 Australian (83 cents) for each fitness class attendee or $1.15 Australian ($2.44) per class. No date has been given for the appeal to be heard in Australia’s Federal Court.

JACKSON LEADS U.K. ALBUM SALES

Michael Jackson sold 2.8 million albums and 1.5 million video tracks in the United Kingdom in the 12 months following his death on June 25, 2009, according to the Official Charts Co. The biggest-selling Jackson album during the period was the greatest-hits set “The Essential Michael Jackson” (Epic) with slightly more than 600,000 copies, followed by “This Is It” (Epic) with 500,000. Seven other albums sold more than 100,000 units each, making Jackson the best- selling album artist in the last 12 months, ahead of Michael Bublé with 2 million albums.

PRODUCERS SEEK META DATA CREDITS

U.K. trade group the Music Producers’ Guild has launched a campaign to establish a unified system of giving producer, engineer and session musician credits for sound recordings. MPG members are concerned that such data isn’t easily available to users of digital music services. It wants such credits accessible as metadata to all digital media users and is seeking industrywide debate on the subject. The MPG has invited interested parties to comment online (creditsdue-mpg.co.uk).

BY WOLFGANG SPARNR

GLOBAL

UPFRONT

LONDON—A review of live mu- sic royalty rates by U.K. authors group PRS for Music is raising temperatures in the concert business this summer.

On June 15, the collecting society launched a 12-week customer consultation on performance right tariffs for non-classical music events. While PRS hasn’t yet proposed an increase, it is inviting submis- sions to help “review whether both the percentage and the base [gross ticket receipts] represent a fair charge.”

The U.K. Copyright Tribunal set the tariff at 3% of gross ticket receipts in 1988. PRS claims that’s currently the low- est in Europe, where rates of 6%-10% are common. It says changes in the live sector in the past two decades justify a re- view, particularly in light of an increase in nonticketing in- come, which isn’t subject to the PRS tariff.

But live industry veteran Neil Warnock, CEO of booking agent the Agency Group, says PRS needs “to wake up and take a very large reality pill” if it concludes a tariff hike is warranted. “I abhor any attempt to in- crease their rates,” he adds.
How will your experience lobbying the European Commission affect your new role?

I see myself as a farmer if you will, as a lobbyist for the rest of the world. The type of issues we’ve had to deal with in Brussels are the issues the other regions have to deal with: fighting against piracy, developing legal services, working with other rights-holders, getting licenses out there. It will help me deal with the wider world.

After new anti-piracy legislation in France and the United Kingdom, what are the prospects for a similar Europe-wide law?

We met recently with [Michel] Barnier, the [European] commissioner for the internal market and services, and there were heads of the music companies to make that point: If you develop country by country in Europe, you’re going to have a very patchwork approach and it’s going to take a long time. Whereas if you establish a European framework within which national legislation can develop, then that will speed the process. There are possibilities—the commission’s coming forward next year with revisions to its [intellectual property rights] enforcement directive, and that’s when we would hope to introduce something.

And we don’t want to stop at Brussels. We want to make sure that we can get the help of [Internet service providers] to develop a win-win situation. It’s not a question of anyone being punished—ISPs should be able to do better out of this, we should be able to do better, and ultimately the consumer does better out of this because they get a wider range of music.

Realistically, can you ever defeat the piracy? You must believe that Pirate Bay is still operational more than a year after IFPI’s court victory. It doesn’t matter if you get annoyed. We have to use every means at our disposal to keep fighting piracy and create the space for legal services to develop. When you see the fallow in the industry in Spain, Italy or France, you can’t afford not to do something. In Germany, they’ve been bringing [anti-piracy] cases over the years and gradually they’ve seen a decline in file sharing [Billboard, April 25, 2009] because of the deterrent effect. So we have to keep going.

If you take France as an example, we don’t even have the law in operation yet, but in the last quarter of 2009 the fact that a new law was coming was enough to increase [music sales] by 7% [year on year].

It wasn’t so long ago that Terra Firma CEO Guy Hands was threatening to pull EMI out of IFPI (Billboard.biz, Jan., 8, 2008). What do you need to do to keep your label members happy?

They want us to be the voice of the industry. They want to get on with the business of selling music and want us to help create the right environment to sell music, open up new markets where possible, help them to exploit their rights as much as possible. In those areas, we’ve never been more relevant than we are today.

If IFPI recently issued takedown notices to Google over alleged links to unauthorized copyrighted material (Billboard.biz, June 23). Do you see search engines that provide such links as something IFPI needs to tackle?

I can’t comment on that [specific case]. But IFPI needs to tackle any area that is creating piracy that has an impact on the business of our members.

How important to your members is securing a performance right for terrestrial radio broadcasts in the United States?

It’s phenomenally important. It’s a right that nearly every developed country in the world has, so the fact that the U.S. doesn’t have it is a bit of an anomaly. But also, it’s very difficult to go to China and say we should have certain rights when they can point to the U.S. and say, “Well, that right doesn’t exist there.”

If IFPI is working to make sure that the new anti-piracy legislation in Europe is effective, will it be looking to influence the new anti-piracy legislation in the United States?

Yes, we’ve met with government officials and with [Sony Music Entertainment chairman] Sir Lucian Grainge. It’s an important issue for us. We’re looking at what’s happening in Europe and will look at other regions as we move forward.

Tom Ruffino, 1939-2010

Tom Ruffino, a longtime Warner Bros. Records executive, died June 25 in Thousand Oaks, Calif., due to complications from kidney disease. He was 70.

Ruffino, who was born in Buffalo, N.Y., and served in the U.S. Army during the early ’60s, worked at Warner Bros. for three decades, retiring in 1999. He joined the label’s international department in 1969, after stints with Columbia Records Productions, a disc manufacturer and Liberty Records. He eventually became senior VP of international at Warner Bros., leading the department until his retirement.

“I always regarded Tom as the dean of international music men, both within and outside the Warner Music Group,” Sire Records founder Seymour Stein said in an e-mail he sent to friends and former colleagues. “Believe me, I knew many—good and bad—but Tom Ruffino towered above all of them.”

Stein observed that Ruffino “was equally loved and respected by those in the Warner Music Group who he battled with for support as the artists who fought for; to them he was a passionate hero whether it was Madonna, the Ramones, k.d. lang, Ice-T, Talking Heads and numerous others.”

Ruffino is survived by his wife, Bunny; daughter, Michelle Zugbaum; son, Tony; and five grandchildren. A funeral service will be held at 11 a.m. July 2 at Pierce Brothers Valley Oaks Memorial Mortuary in Westlake, Calif. In lieu of flowers, the family has asked that donations be made to the PKD Foundation to benefit polycystic kidney disease research.

“Tom was always more than willing—in fact, happy to share his knowledge and experience with others,” Stein wrote. “But his charm, sincerity, determination and belief in artists was far more difficult to pass on.” — Ed Cristman
Across The Dial
Hot Latin Songs Panel Additions Will Improve New Music Tracking

Billboard’s addition of 10 reporting stations to its Hot Latin Songs panel effective with the July 17 chart week will be welcome news for labels and promoters in need of station reporters that play new music.

This is particularly true in the pop and tropical worlds, which are served by a smaller number of stations, many of which are unwilling to play untested fare.

Take the Miami market, for example. In the past few weeks, WAMR (Amor 107.5 FM), the area’s top Arbitron-rated Spanish-language station, has moved from already conservative programming to a nearly all-replaying format.

Likewise, competitor WRMA (Romance 106.7 FM), known for its more adventurous playlist and for often premiering new music by unknown acts, has opted for a more conservative approach, sources say, and for the time being will largely eliminate new music from its playlist in favor of hits from the ‘90s and ‘00s.

And there’s WMIB, which flipped in May from an R&B/hip-hop station (the Beat 103.5 FM) to Spanish-language Super 103.5. The station plays hits from the ‘80s and ‘90s and current songs that have already become hits. That translates to three major stations in a single market basically spinning the same songs, according to its playlists.

To get the most accurate reading of what’s happening in the marketplace and to drive hits from every direction, it’s best to have stations on the panel of every genre distributed nationwide, as opposed to clusters of stations competing for the same audience in the same market. The additions to Billboard’s Hot Latin Songs panel include four pop stations scattered across the country that play a sizable amount of current fare:

- KLG (Latino 97.9 FM) Sacramento, Calif.; KAMA-FM (Tu Musica 104.9 FM) Houston; WNUI (Mega 95.5 FM) Chicagoe; and KTZR (Regio 97.1 FM) Tucson, Ariz. KLG was also added to the pop subchart; the other three stations’ playlists registered slightly below the current new music threshold to be part of the subchart panel.

Regional Mexican gained four new stations for a total of 63 stations on its panel, all of which play a majority of new fare (in sharp contrast with the pop stations): KRQB (Que Buena 96.1 FM) Riverside, Calif.; KYIS (Super X 1250 AM) Kansas City, Kan.; WAZF (Radio Fiesta 92.1 FM) Fort Myers, Fla.; and WOLS (La Raza 106.1 FM) Charlotte, N.C. A fifth regional Mexican station, KQLQ (Que Buena 104.3 FM) Austin, will join the Hot Latin Songs panel.

Tropical gained one new station, WAMG (Mega 890 AM) Boston—which plays almost all new music—for a total of 18 stations on the panel. Despite its AM frequency, it’s a “powerful station that can break new acts,” according to Al Zamora, senior national director of promotion company Latin Hits Entertainment. “WAMG is very pro-new product. If the PD likes the song and feels it’s a hit, he has no qualms about adding it.”

Breaking new acts and new music is what drives record sales, but it’s always a struggle to get new records on the air, particularly at established, market-leading stations like Amor and Romance in Miami.

Gabriel Buitrago, senior national director of promotion for Universal Music Latin/Machete, says he welcomes the panel additions because when it comes to playing new music, “new stations tend to be a little more aggressive than the established.”

Looking for new music outlets: Universal’s Gabriel Buitrago

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MTV, SONY BEGIN CO-PRODUCING TELENOVELA

MTV Latin America and Sony Pictures Television have begun co-production on “Ninas Malas,” the network’s first original telenovela produced in the region. Shot in Colombia, the show will air on MTV Latin America in the third quarter in 70 hourlong episodes. “Ninas Malas,” which is also expected to air on Trs in the United States and on Vh1 in Brazil, is based on the 2007 Mexican film of the same name.

SI TV SECURES FINANCING

Latino lifestyle network SI TV says it has raised $24 million in debt financing and equity investments from its existing group of independent investors. The cash injection will allow the network, which targets Latinos 18-34, to create and acquire more programming. SI TV’s board includes Javier Sarelango, former president of Univision Online and former president of Univision’s cable network Galavision.

ME SALVE OFFERS MIGUELITO ALBUM/FRAGRANCE BUNDLE

Shoppers at Puerto Rican discount chain Me Salve can purchase kiddle reggaeton star Miguelito’s new album, “Todo el Mundo,” for $2.99 with the purchase of Miguelito’s new fragrance, Heir, for $14.99. The album regularly retails for $7.99, if purchased separately. Miguelito, who sells his Heir line exclusively at the retailer, released his new album on June 22 on W&D Records/CDA Group.

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THE BILLBOARD 4Q & A

Since Miami-based Latin music site Batanga.com launched in 1999, the site has expanded to include more than 30 online radio channels classified by genre and dozens classified by artist. It also features music videos and content channels focusing on celebrity news and local nightlife in eight U.S. cities.

According to comScore, Batanga had $77,000 unique visitors in May, a 68% increase from a year earlier, placing it between Spanish Broadcasting System’s LaMusica.com (177,000 unique visitors in May) and Telemundo.com ($819,000). Batanga’s ad network reaches 300 partner sites, where it places advertising seen by 15 million people, according to the company. CEO Rafael Urbina spoke to Billboard a few weeks after launching Batanga’s iPhone app.

Batanga.com recently launched an iPhone app. What are the results so far? The iPhone app has been live for maybe six weeks right now, and in that short period of time, we are getting 10-20% of our total listening time on the iPhone, which is really exciting. We will be launching on other mobile devices pretty soon, [as well as] on all Sony Internet-enabled TVs and Blu-ray players.

Do people tend to create their own playlists, or do they mostly just listen to the preprogrammed channels? In the past, it was a much more passive listening experience. We’ve seen a much bigger share of the audience migrate into to an active listening experience. They’re creating playlists, or we’re creating playlists for them, based on their favorite artists or favorite songs or prior listening history—what songs they’ve rated as good songs, what songs they’ve skipped, that sort of thing.

Have you added any new channels recently? We just added a [channel for] regional Mexican technico music like Nortec [Collective]. We also launched some seasonal channels. So for Christmas we’ll do that, or for Mother’s Day or Cinco de Mayo. We added Chicanito rap. At the end of the day, the beauty of online is you can easily address the long tail of the market.

We’re fortunate enough to be in a very fast-growing Hispanic advertising market. Our sell-through rates are very high, so as long as we can build an audience, we can monetize that audience very well in the U.S. Any time we’re launching a new radio station, every listener we add is a profitable listener for us. The incremental cost of launching an additional station is minimal.

You have a Dr Pepper-sponsored channel, Vida 23. Yeah, we do. We [also] just launched a comedy channel with Axe. We are always trying to work with our sponsors to come up with cool new channels.

Are there any channels you’ve discontinued? I can’t think of any one we’ve taken out, but what’s been interesting over the last two years is to see the growth in the Mexican genres, whether it’s regional Mexican or norteño. All those channels are growing extremely fast. We’re seeing the U.S. Hispanic online audience grow so much that it’s starting to mirror the overall Hispanic audience. In the past, when online penetration [among] Hispanics was lower, there were not as many Hispanics of Mexican origin online, and now that’s changing. We’re seeing it kind of normalize, and I think that’s good for the overall industry.

—Ayala Ben-Yehuda
When Reprise dropped Wilco in 2001 and MP3s of songs from its then-latest and unreleased album, “Yankee Hotel Foxtrot,” started appearing on file-sharing networks, the band made the entire album available for free streaming at its website. In 2005, alternative rock group Harvey Danger gave away free downloads of its third album, “Little by Little,” at its website and through BitTorrent.

These two bands were at the forefront of a new generation of acts that used inexpensive digital distribution to harness the Internet’s power for promotion. Harvey Danger had a hit with its 1998 song “Flagpole Sitta” but had fallen back into relative obscurity by 2005. For Harvey Danger, like so many other bands, obscurity had become more of a problem than piracy.
“Doing it was a great success for us,” says the band’s singer Sean Nelson, who has a solo album due out later this year on Absolutely Kosher Records. (Harvey Danger broke up last year.) By the time the free download was available, Nelson says, the band had invested $40,000 in the making of “Little by Little.” The goal was to recoup its investment in one year, but it only took nine months, thanks to physical sales of the album and fan contributions on its website. To date, “Little by Little” has been downloaded about 300,000 times, according to Nelson.

In the last dozen years, a dizzying array of tools and services—some created specifically for musicians, some not—has helped upset the industry’s status quo. Previously dominant gatekeepers have been marginalized, some bankrupted. Old supply chains have been permanently altered. The ways people discover and experience music are being continuously reinvented.

Often called the democratization of the music industry, the ability to reach out directly to consumers is the single most important aspect of the “new DIY.” There’s now a base level of online activity that anyone can achieve. A no-frills website, a YouTube account, a low-cost digital distributor, a few social network profiles and a basic e-mail service can achieve what was nearly impossible in 1999.

But this abundance of tools and low barriers to entry has created an inconvenient truth: More artists are chasing after less money. In 2005 60,000 new albums were released in the United States and by 2009 that number had risen to 98,000—a slight drop from 105,000 the year before, according to Nielsen SoundScan. Annual gains in the quantity of material released each year have been met with equally large annual declines in music sales. The trade value of recorded-music sales has fallen from about $7 billion in 2005 to $4.6 billion in 2009, according to IFPI. The downward spiral of recorded-music revenue has belied the incredible potential seen in the new DIY.

THE NEW SUPPLY CHAIN

Today, iTunes, the most successful music store in the country, is open to just about any musician in the world. In the United States, the store sells more than 9 million tracks. It represented about 27% of U.S. recorded-music trade revenue in 2009, according to Billboard estimates, and has a commanding share of all download sales. Artists and labels of any stature can sell to its millions of customers.

The progress has been remarkable. When CD Baby launched in 1998, founder Derek Sivers recalls, people would call and ask how he was able to open such a large market to independent artists for just $35 per album. Widespread distribution was difficult to obtain outside of record labels. “They’d be amazed that we paid them every week,” he says of musicians who were used to waiting upwards of a year to be compensated.

Now there are countless ways to post music online, encourage people to share it, e-mail fans and transact directly with them. To do these things from an artist’s website was possible five years ago but required far more time, technical know-how and patience to piece together various platforms and applications.

“Today, the tools are ahead of the expertise,” says Patrick Faucher, who co-founded direct-to-fan service Nimbit in 2002. Even by 2005, he says, tools were few and far between. What did exist required knowledge and patience to cobble together into a working system. And, as Faucher points out, social media didn’t exist when Nimbit launched.

Promotion and marketing have greatly benefited from DIY tools. E-mail alone has been an incredible equalizer, allowing artists to communicate with fans and reach out directly to bloggers, writers and other tastemakers. Facebook and Twitter are powerful promotion tools as well. Now everyone has a voice.

New tools and services have altered the traditional supply chain. Distribution is now open to everyone, which makes many retailers equally open. If TuneCore distributes to iTunes, for example, and anyone can sell through TuneCore, then anyone can sell through iTunes. As a result, many artists are reaching retail without the help of a label. In the past, numerous CD distributors—many now gone—fed local, regional and national retailers. Unlike many locally owned music retailers, however, they didn’t help small artists by taking CDs on consignment.

Even more radical is the ability of artists to completely remove the retailer from the supply chain. A new generation of direct-to-fan services now acts as a distributor of sorts by connecting artists directly with consumers. These services allow entire storefronts to be erected on artists’ websites and social network pages. Without the limitations inherent in selling at retail, artists are free to offer whatever product or bundle for whatever price they choose. Some sell limited-edition, numbered CDs and LPs. Others sell access to listening parties or rehearsals. It’s enough to make any artist feel that the sky’s the limit.

THE DARK SIDE

Less than 10 years after CD Baby launched, Sivers says, the company was getting different phone calls. People started to think $35 was too high and didn’t want to wait until the end of the week to get paid. These complaints, he says, showed the remarkable progress that artist tools have made since CD Baby began. “You’ve got to appreciate the big picture and say, ‘Wow, how cool that in just seven or eight years the world changed so much that what used to seem like the most amazing feeling you’ve ever heard became commonplace.’”

But the changed tone of CD Baby’s customers also showed the dark side the new DIY. Once empowered, some artists became embittered once they faced a challenging marketplace on their own. “We all like to blame something out of our control for our lack of success or happiness or ability to get things done,” Sivers says. “The tone of the grumbling from musicians has changed over the last 10 years because they can’t really blame external factors anymore.”

Live events are seen as a counterweight to recorded-music declines. But there’s growing competition for concert revenue, too, and it has become a winner-take-all market. While superstars have been able to raise their ticket prices as their music sales have softened, mid-tier and up-and-coming artists don’t always have that luxury. Artists who release music in order to tour—rather than tour to support new releases—can’t afford two loss leaders.

“Our dreams have arrived,” Sivers says. “It’s just the details are a little bit different than we thought.” People aspired to have their own TV show, and they can, he says, through YouTube. Musicians also dream of being on the radio and having worldwide distribution through a major label. But “if you let go of one or two details, they do have worldwide distribution

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**You’ve Come A Long Way, Baby**

FROM THE ERA OF PHOTOCOPYING ZINES TO MAKING THE MOST OF 140 CHARACTERS ON TWITTER, THE HISTORY OF DIY BLENDS BOTH ART AND SCIENCE

1902

Silkscreening: The technique was popularized by Andy Warhol and soon adopted by bands to imprint images on shirts bought in thrift stores.

Cassette tapes: Phillips invents the “compact cassette” for audio storage. Its portability is key to sales outside of traditional stores, particularly at concerts.

1962

Zines: Self-published fan zines like New York’s Punk and the United Kingdom’s Sniffin’ Glue begin to flourish thanks to cheap, easy photocopying.

Street teams: Word-of-mouth is boosted by word-of-pack, as street teams employ fans to promote bands in exchange for merch. The Kiss Army is founded by teenagers in Indiana.

1976

Audio CDs: Smaller and more durable than a vinyl LP, the CD ushers in the dawn of digital audio.

1980s

Bulletin board systems: As dial-up modem speeds increase, online communities develop to discuss myriad topics, including music. Street teams began promoting bands in these forums.
and they are on this radio called the Internet that everybody listens to.”

Unfortunately, young artists are bombarded with unreasonable expectations. The media is awash in stories of unsigned acts that were serendipitously discovered on YouTube or make a living through synch licensing money from the use of their songs discovered on YouTube or make a living through

The only reason anybody had heard our name is because it gives away its music. “We were in a strong position to benefit from the record being available for free more than a lot of bands,” Harvey Danger’s Nelson says. After all, by the time “Little by Little” was released, the band’s name was fairly well-known in the music world. “The only reason anybody had heard our name is because we had the hit song a few years before,” Nelson adds. As a result, the free album download was able to generate what Nelson considers a “fair amount” of news coverage.

BEHIND THE SCENES
Missing in this popular myth are many moving parts—the agents, managers and publishers—who work behind the scenes. A music career is a complex machine that requires care to operate efficiently—and the tools of the new DIY can make it easier to do it yourself. You just don’t have that skill set.”

In the early stages of a career, he says, artists can release songs and videos in an attempt to gain followers and book their first gigs. At some point they’ll reach a threshold where the business of promotion, e-commerce, sales and marketing will need to be done by professionals. At that point, Albright says, a musician will need to start focusing on being an artist. “You have to pick where you’re an expert.”

Today, the notion of DIY is crazy,” Nimbit’s Faucher says. The tools are easily accessible, but teamwork is vital. “Artists have to get people around them.” The beauty of the new DIY is that it helps artists to define success and reach it on their own terms. If the goals are to earn viral digital distribution means one goal can feed into

They’re also really different ways of looking at your work. “Those things are not mutually exclusive. You have to pick where you’re an expert,” Nimbit’s Faucher says. The tools of the new DIY also allow artists to think differently about their music by combining promotion with commerce. As Wilco showed nine years ago, free digital distribution means one goal can feed into the other. “Do you want people to hear what you’re doing, or do you want to make money off of what you’re doing?” Nelson asks. “Those things are not mutually exclusive. They’re also really different ways of looking at your work.”

Regardless of the goals—superstar or weekend warrior—or the size of the team, the tools are all there for everyone. They won’t make songs better and they can’t make up for lack of ambition, but they’ve become a cornerstone in today’s music business.

1995
CD-Rs: Hewlett-Packard and Phillips release the first sub-$1,000 device that can record music on blank CDs.

1997
Blogs: Online diary tools like Open Diary, LiveJournal and Blogger allow for easy publishing and invite reader commentary on musical tastes.

MP3.com: Modern speeds for both uploading and downloading allow for music distribution to be completely digitized. Unsigned musicians can distribute music and fans can access new artists without the imprimatur of a label.

2000
USB drives: USB flash drives make all-in-one music-and-merch devices possible.

2004
Facebook: DIY embraces peer-pressure tactics with the advent of Facebook, as bands compete to earn viral fans and the support of app developers like iLike.

2005
YouTube: Video may have killed the radio star, but the debut of YouTube goes on to give artists like Justin Bieber and Greyson Chance entry into the label system.

2006
Twitter: The lure of Twitter is its immediacy, giving artists the ability to talk about upcoming gigs, or inanities like what they ate for breakfast. Professional cellist Zoe Cello is one of the DIY champs, with 1.3 million followers.

1999
Napster: Shawn Fanning’s peer-to-peer network allows for easy, quick trading of digital song files in a matter of minutes.

CafePress.com: The online retailer accepts digital files, allowing for customization of DIY merch on a whim.

2003
iTunes Music Store: Apple debuts the reigning champion of music retail. Now, partners like TuneCore allow DIY bands to distribute through the service.

MySpace: Due to its ability to host and play multimedia files—and the chance to interact with and gain information about their fans—bands turn to MySpace for promotional efforts.

2004
Facebook: DIY embraces peer-pressure tactics with the advent of Facebook, as bands compete to earn viral fans and the support of app developers like iLike.

2006
Twitter: The lure of Twitter is its immediacy, giving artists the ability to talk about upcoming gigs, or inanities like what they ate for breakfast. Professional cellist Zoe Cello is one of the DIY champs, with 1.3 million followers.

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MP3.com: Modern speeds for both uploading and downloading allow for music distribution to be completely digitized. Unsigned musicians can distribute music and fans can access new artists without the imprimatur of a label.
WITH INCANDESCENT LIVE SHOWS AND A DIY BUSINESS PLAN, THE HEAT IS ON ARCADE FIRE

By David J. Prince
Photographs By Eric Kayne
Onstage, Arcade Fire has never been a modest band. It arrived on the scene in 2004 with stadium-ready anthems and a passion that literally dripped off its members in the clubs and bars of Montreal where it first found a fan base. Word didn’t take long to spread, and a frenzy of blog-fueled excitement propelled the group to prominence across North America and soon the entire world.

“It was such a blessing to really be able to achieve what we wanted to achieve and to be able to pay for it ourselves and do it ourselves,” frontman Win Butler says, as the rollout for the band’s third album, “The Suburbs,” begins in the wake of its Aug. 2 release in the United Kingdom and a day later in Canada and the United States. “It gave us such a control over our own future that we are very fortunate to have. I don’t judge anyone for wanting to take the money to be able to make the records you want to make. We had a very unusual situation.”

The seven members of Arcade Fire retain a tight grip on their destiny: They own their own recording studio, master recordings and publishing rights; license those rights to different labels across the globe, territory by territory; refuse corporate sponsorships, private-party gigs and most commercial placements; and call the shots for every major decision required of the band as it keeps growing its success.

“It’s an approach that serves Arcade Fire extremely well, giving it the ability to manage its affairs in a way that embodies the DIY ethos born in the hardcore punk scene of the early ’80s while writing anthemic, cathartic songs and performing them to arena audiences. Now, with “The Suburbs” about to land in cities and suburbs alike, the band’s “new DIY” tactics can serve as a road map for artists of all sizes and styles navigating the 21st-century music business.

“In some ways they are forced to operate differently than other bands,” says Mac McCaughan, co-founder of Merge Records, the North Carolina-based indie label that released Arcade Fire’s first two albums in North America. “When your first album is ‘Funeral’ and it does so well and is so well-loved by people and there’s such a level of fervor about the band from the outset, that creates a high level of expectation for everything they do from there on out. That’s something that no other band on Merge has had to deal with.”

“Funeral,” which was released in 2004, has sold 501,000 in the United States, according to Nielsen SoundScan; 2006 follow-up “Neon Bible” sold 92,000 its first week, debuting at No. 2 on the Billboard 200, with sales of 437,000 to date. McCaughan anticipates that “The Suburbs” will be the biggest-selling album in the label’s 20-plus-year history.

“They march to the beat of their own drum, and people really respond to that,” says C3 Presents promotor/talent buyer Huston Powell, who booked the band for the first Lollapalooza festival in Chicago in 2005 and will see it return as a headliner this summer. “I wish for the whole music industry there were 10 more Arcade Fires out there.”

**BURNING BRIGHT**

Two songs from “The Suburbs” were unveiled on NPR’s “All Songs Considered” while brothers and bandmates Win and Will Butler sat for a live chat, fielding questions submitted by fans through Twitter. Another track, “Ready to Start,” had its debut on alternative KNDY Seattle, while U.K. DJ Zane Lowe premiered “We Used to Wait.”

The album will once again come out in North America through Merge, which has an album-by-album licensing deal with the band that gives the group a 50/50 profit share. The album will be released with eight different covers (which will be distributed randomly and not to specific retailers; none will have bonus tracks), with a deluxe version for sale only through the band’s website.

“Win and Regine [Chassagne] and everyone in the band just do things on their own terms—it’s as much of a mind-set as it is a business consideration,” McCaughan says. “Their personalities, attention to detail and focus on their art [says], ‘We want this the way we want it to be. We’re not going to go halfway and then just let someone else decide how it’s going to be put out into the world. That is a product of their personalities, and the way that they would be no matter how many records they were selling.”

“They pay for everything themselves and deliver it to their licensees,” says Scott Rodger, the band’s manager. “That’s what I deal with, and run their business on their behalf. No label will ever commission anything that they do. Their videos, their artwork, their photographs—they pay for everything. They have complete control.”

Before they got married, Win Butler and Chassagne formed Arcade Fire in 2003 in Montreal. “We had the opportunity to make ‘Funeral’ with Howard Bilerman in a proper studio, and we were actually able to achieve what we set out to do,” Butler says. “We were very much a live band—it’s in our DNA to be a live band—so when we had a certain amount of local success from being a live band we were able to very slowly fund that album.”

By March 2005, however, the volume of requests—for interviews, licensing, show offers and the general day-to-day business of being in a band—had begun to take more time than rehearsing, touring and actually being in the band.

“They’ve learned over the years—through a lot of trial and error—what they can and can’t do while still remaining the band they intend to be,” says David “Boche” Vicciell, the band’s booking agent since its first headlining tour in 2004. “They are bonded emotionally in ways that most bands aren’t. They really operate like a family. There’s a lot of trust and respect there. They’re not careerists— they prioritize what they do and how they do it over where it gets them.”

At that point, the band realized it needed some help and began assembling the team that has advised and assisted it ever since. To help steer what had grown from a local to a global phenomenon in less than a year, the band brought on Rodger, Bjork’s long-time manager and a member of Paul McCartney’s inner circle of advisers.

“What immediately put them into a different league was the fact that they controlled their own rights from day one,” Rodger says. “They very cost-effectively made their first album, and then made some strategic deals that would bring in some money for them to buy their own recording studio and be able to self-sufficient and make their own recordings.”

The band also brought on Vicciell, a Chicago-based booking agent whose company, Billions, had earned a reputation for shrewd bookings and personal artist relationships with bands like Pavement.
“It makes such a difference when you understand where this stuff comes from and why they do it and for me—how incredibly sympathetic with how we do business here,” Viecelli says. “There’s a reason I’m not a fat cat William Morris agent.”

After the success of “Funeral,” the volume of offers to sign a major-label deal reached a deafening level. A&R people were dispatched to Montreal with unlimited expense accounts and free rein to offer the band whatever it would take to sign.

“We didn’t have any money, so we were like, ‘We’re not going to sign with you, but if you want to buy us hotel rooms, go for it, we’re not going to stop you.’ But we were very upfront with their prospects,” Butler says. “When anyone said, ‘Leave Merge and we’ll give you lots of money,’ that was never tempting. It got pretty silly at the very end.”

Later in August, the band headlines the main stage at the British Reading and Leeds festival, a slot it shares with Guns N’ Roses and Blink-182.

Lollapalooza promoter Powell, who along with C3 Presents partner Charles Attal is responsible for filling more than 130 slots on the festival’s grid each year, first saw Arcade Fire in 2004 at Austin’s 1,000-capacity club Emo’s Outdoors.

“We were completely blown away,” says Powell, who immediately booked the band for the rejuvenated Lollapalooza in Chicago the following summer and gave it a subheadlining slot right before the Killers on the main stage. “They probably stole the show of the whole festival,” he says. “We saw that performance and knew that they were a headline. They’re in that rarified group of bands that we talk to 365 days a year.”

“This band has always been ready,” Viecelli says. “From the start, we kept stepping things up, moving them to bigger and bigger rooms, bigger and bigger stages. Common sense told me that at some point they would hit a level that they couldn’t completely rule, that they would hit the limit of their abilities—their current experience and production-obstruction. They never did. They just never did.”

One result of the close-knit approach is the members’ ability to maintain an air of mystique and secrecy about their personal lives. You’re not going to find any of them discussing their daily routines on Twitter. Yet even though they’ve maintained a wall of privacy, the connection fans feel with them is personal and intense.

“I don’t know if I’m old-fashioned, but I feel like the fan relationship involves putting out records,” Butler says. “We’ve always really tried to connect with our audience when we play live—we don’t take it lightly to go onstage and play—it’s the DNA of what this band does and we couldn’t exist in the same way without that.”

SUMMER HEAT
This summer, Arcade Fire picks up in the live arena exactly where it left off after taking a two-year hiatus. The world tour for “Neon Bible” began in early 2007 with midnight runs at tiny churches in Montreal, London and New York and ended a year later having played 122 shows (including 33 festivals) in 75 cities in 15 countries. Until the three, small June warm-up gigs in Toronto and Montreal, the band’s only live appearances since the “Neon Bible” tour ended were four get-out-the-vote gigs for then-candidate Barack Obama’s campaign in Ohio and North Carolina, and on inauguration night Arcade Fire shared the stage with Jay-Z at the Obama for America Staff Ball at the Armory in Washington, D.C.

The “Suburbs” tour will find the band playing less frequently and in larger venues. “They know that an Arcade Fire show is a cathartic experience for the band and for the audience,” Viecelli says. “The band really is laying it out there emotionally onstage, investing a ton of energy and heart, and they realized that if they do that for too long or too much, they can’t maintain that genuine performance level.”

Shed shows in Boston, Philadelphia, Nashville, Atlanta and Columbia, Va., comprise most of the U.S. gigs on the books for 2010. In New York, an Aug. 4 show at Madison Square Garden sold out so quickly that a second show was added the next night. More North American shows are in the works for later this year, and in 2011 the band will do some more overseas touring, including Australia, New Zealand and Japan. But Viecelli expects there will be plenty of leftover demand for more Arcade Fire shows.

At Lollapalooza in Chicago’s Grant Park—to be held Aug. 6-8 this year with an expanded capacity of 80,000 people per day—Arcade Fire shares top-line billing with Lady Gaga, the Strokes, Phoenix and Green Day and will close the festival’s final night by going head to head with the reunited Soundgarden.

Live and thriving: ARCADE FIRE performing at the 2005 Lollapalooza festival in Chicago.
Session drummer Josh Freese, 37, took DIY marketing to a new level last year by selling premium packages that bundled his second solo CD with extras like lunch with him for $250 or hanging out all weekend for $20,000. Ian Rogers, 37, CEO of direct-to-fan music platform Topspin, provides the online tool kit that Freese and hundreds of other artists use to manage this new era of fan connection and commerce.

**PEDESTAL OR PEER?**

**Rogers:** There was definitely a change in music listening for me, from listening to AC/DC and Rush to Minor Threat and Black Flag. All of a sudden I wasn’t just a spectator, but a participant. Instead of putting these people on pedestals, it felt like I was listening to people I could be if I chose to be. So when I think of DIY, I think of whether the fans are participating or incredibly far from the people they’re looking up to.

**Freese:** I didn’t get into songwriting until I stopped listening to Eddie Van Halen playing guitar and started listening to Johnny Ramone playing guitar. And that’s where I got involved.

**WHAT’S THE PRODUCT?**

**Freese:** What it all comes down to is that major labels and record sales are plummeting. People are having to work a lot harder. They can’t just sit back and make a record and drive expensive sports cars and kick back by the pool. People have to work their asses off. I’m not listening to Devo right now. [Freese is the band’s drummer] You have to get a little creative and work a little harder. **Rogers:** Look at the Nine Inch Nails boxed set [for “Ghosts I-IV”]. It had something for free, but also something on the high end that was a really good package. So as a fan, you didn’t feel ripped off. It works for smaller bands too. A band like Yeasayer released a new record by giving away free tracks, but they were selling the single for $25 with a T-shirt and vinyl. People pay for value. That’s the same song you could steal for free from LimeWire. That kind of stuff doesn’t scale. It’s the ultimate DIY because if it doesn’t come from the artist, it wouldn’t have been nearly as valuable. You can’t fabricate that in a factory.

‘You don’t have to tweet what you had for breakfast. Tweet about the goat you just sacrificed, if that’s part of your mystique.’

—IAN ROGERS

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**BE COMMITTED**

**Freese:** I’m almost done with a five-song EP that is only about the guys who bought things off my website, where you [can] get a song written about you. And it’s not just something I shot out on an acoustic guitar and four-track. I spent months writing these songs and recording them in studios. I worked my ass off on these songs. And I didn’t just give them a CD to play for their buddies, but it’s a song that’s going to be on an actual release. I’m considering calling it “My New Friends.” And I’m making videos for them too. When it comes out, I don’t know if I’ll do the same sort of thing and go to the same lengths I did. Maybe I’ll let someone make my next album for me for $20,000.

**Rogers:** It has to be part of the artist’s creative process. The product is not separate from the marketing. A lot of artists would want to turn in a record and let the finding of an audience for that record fall to somebody else. The reality is that the way you present the record and present yourself as an artist is as much as how you find an audience as much as anyone else. What you do is what’s appropriate for what you are and what your fan base is. Rammstein did a deluxe package with dildos. That’s obviously not going to work with the Bob Dylan Christmas record. It’s got to be an extension of the creative process.

**ENGAGE THE FAN**

**Freese:** I fought the Twitter thing for a while. But I can’t anymore. I used to like that there was a mystique to rock’n’roll and I’m sometimes scared that there’s not anymore. But in the old days, you’d have a mailing list at your merch booth and you’re lucky if you get maybe a couple of hundred a night. And then you have to send out 4,000 mailers when a new record comes out? So it’s amazing to have it right there.

**Rogers:** Look at [singer/songwriter] Chuck Prophet’s newsletter. I know when I get the newsletter that it’s not just “Dude, buy my record.” He sits down and writes an e-mail to his fans that’s organized and coherent and passionate. All you want is to have more friends today than yesterday. And the way you keep those people is to give them something of value, whether it’s your music or your opinion.

You can still maintain the mystique. You don’t have to tweet what you had for breakfast. Tweet about the goat you just sacrificed, if that’s part of your mystique. Everything you put out there has to be something of value to your audience. The thing the audience has today they didn’t have in the past is choice. TV is noise. Radio is noise. If you hear something on Twitter, it’s because you wanted to hear it. When the audience has that much control, all you have to do is entertain them. Just take who you are and wrap it into this new medium.

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BEFORE BLOGS, THERE WERE ZINES. BEFORE USB DRIVES, THERE WERE CASSETTE TAPES OUT OF THE BACK OF TRUNKS. AND BEFORE TWITTER, THERE WERE MAILING LISTS. WHILE THE STRATEGIES OF DIY HAVE CHANGED, THE ETHOS HAS NOT. BILLBOARD ASKED SEVERAL ESTABLISHED AND UP-AND-COMING PRACTITIONERS OF DO-IT-YOURSELF STRATEGIES TO DISCUSS TIPS ON RETAINING AUTONOMY IN CHANGING TIMES
Daniel Glass & Dan Koplowitz
Twenty years ago, it wouldn’t have been hard to imagine Friendly Fire Records founder Dan Koplowitz, 29, following in 53-year-old Glassnote Records founder Daniel Glass’ footsteps—starting indies, building them up, then making it big when the majors came calling. But it’s a new world, and both Koplowitz and Glass say they have no desire to be absorbed into the major system, despite the fact that the new DIY trend hasn’t entirely leveled the playing field. Here, the two talk about the perks and drawbacks of doing it themselves.

MAJOR OR MINOR
Koplowitz: I can honestly say working at a major was never a goal for me. I started my first label at 14—it was a little 7-inch label called Sellout Records, and I sold money from mowing lawns to press up the records and had my dad drive me around to drop them off at local record shops to sell on consignment. I always got a thrill out of doing it myself. As I got older, I realized that I couldn’t do it entirely on my own and that I needed a team of hardworking people, but I never had any desire to be absorbed into the major-label system. I have nothing against the majors; I have friends who work there and they do put out some good albums. They’re still juggernauts, even if they are wounded juggernauts.
Glass: I didn’t start out wanting to work at a major, either. I got there as a result of sales of companies. I cut my teeth at Chrysalis Records in the ’80s and when it got sold to EMI, it was the saddest day of my life. Then I went to SBK, and then that got sold to EMI, and I became the head of EMI North America as a result of that. Then I went to Rising Tide, and that got converted into Universal Records [laughs], and I became president and CEO of Universal. I never looked for a job at a major label, ever, they just kept finding me. They make these offers you can’t refuse, and they are very sexy, but no one ever held a gun to my head and forced me to do it. I did well and it was fun, but it’s not when you build a little independent label and it becomes successful.
Koplowitz: Majors do still have a lot of resources. And of course, who wouldn’t want more money and more resources to be able to do the things you want to do? But that in and of itself, to me, is not a sufficient reason to team up with a major, especially when you are doing well on your own.

RADIO SILENCE
Glass: The place the majors still dominate, without a doubt, is radio. When I was coming up, independent radio promotion was very respected as an art form and as a profession, and [former New York Attorney General Eliot] Spitzer’s anti-payola settlement had a negative effect on the indies because independent promoters no longer have the same access. The result of this is that radio loses and fans lose.
Koplowitz: Some of the responsibility falls on the radio stations themselves. No one forces them to march in lock step with everyone else. I understand they need to be conservative because they don’t want to lose listeners and revenue, but it’s still unfortunate to see.

GENRE SHIFTS
Koplowitz: There are certain genres, pure top 40-style music, which benefits from the mechanisms and structures that the major labels have in place. That’s the music that is sold in Walmart and played on major stations and the artists go on mall tours and what have you. It’s a different world than indies run in.
Glass: Well, I’m going to Amarillo, Texas, next week to meet with Walmart and make the case for them to stock Mumford & Sons. But the point about the genres is interesting, because when I was coming up, all the dance and R&B labels were indies, and the major labels would wonder how they were doing it. In the days of disco, indies definitely ran the world. Now the rap labels, for example, are all part of Atlantic and Universal. Rock and alternative really benefits from the rise in indies.

WHY YOU? WHY NOW?
Koplowitz: Hypothetically, let’s say a band signs to a major. First off, let’s say that the A&R person who signed you is young and truly believes in your band, and let’s say after two months they get fired. Suddenly you’re at a label where none of the higher-ups know about you or particularly care about you, and your advocate is gone. That doesn’t happen at indies. We’re seeing a trend of bands going back to indies, like Interpol going back to Matador or Hot Hot Heat going to Dangerbird.
Glass: The whole need to convince someone, major vs. indie, makes me nauseous, to be honest. Instead of pleading with people, I tell them to look at our track record. What does the band want? Do they want “Saturday Night Live”? Do they want radio? Do they want magazine covers? We’ve done all that, we’ve had all that.
Koplowitz: The artist has to have the right ambition for us, too. If they want something different, I let them go and have their major-label fun. But if they are a good fit for us, we’ll be loyal to them. —Moderated by Cortney Harding

DIY PROS

‘Majors do still have a lot of resources. But that, to me, is not a sufficient reason to team up with a major, especially when you are doing well on your own.’ —DAN KOPLOWITZ
Kevin Lyman & Alan Brockman

Sixteen years ago, Kevin Lyman, 49, launched the Vans Warped tour because he felt punk rock fans would embrace a tour with a bunch of bands and other attractions at a value price. It worked, and Mayhem, Taste of Chaos and this year’s debut Country Throwdown tours followed. On a much smaller scale, Alan Brockman, 34, president of North Delta Ventures, is an investment banker-turned-home builder-turned-concert producer/documentarian who wants to do the same thing for Americana music this fall with the Southbound Showdown on football-centric college campuses in the South.

DEVELOPING A CONCEPT

Brockman: The concept is a touring variety show with a focus on southern American music, with an emphasis on Americana/roots music—but letting all things Southern come into it, whether it be country, alt-country, blues or New Orleans funk—take it on the road with a film crew and document the whole process. I’ve been building houses the past four years. I liquidated my inventory, moved to Nashville, and I’m betting the houses on it right now.

What I’m trying to do is build a brand, and I’ve locked in venues in [Southeastern Conference football] college markets for Thursday or Friday preceding big home-game weekends. The idea is to give the 80,000-100,000 people in town something to do. I locked in all the venues about two months ago and I’m trying to get four to six acts on five or six dates this fall and get two national acts that can sell 300-500 tickets in those venues.

Lyman: The financing of it is always the complicated task. It’s commendable that you’re saying, “I’ve raised the money and am willing to go out there and do this,” because normally people say, “I want to do this. I have no money.” You ask them if they have a sponsor or someone that wants to help back this thing. You ask them if they have talent, a proven ticket-seller, that believes in the concept and is willing to take a step back maybe financially upfront to help get this project off the ground. Those are usually my first questions.

GETTING BUY-IN FROM AGENTS

Brockman: That’s my problem. When I talk to these booking agencies, tell them I’m a home builder that’s moved to Nashville to chase this, I’ve got experience putting a concert on, I can show them this video clip—but they’re like, “We’ve never worked with you, and [with] their language—“Is it a one-off? A percentage of the door vs. the other?”—I’m kind of clueless. Ultimately, I’d like to have a relationship with these booking agents.

Lyman: The benefit is the relationship with the manager and convincing the manager that this is a good move for the artist. When the manager calls the agent and says, “We need to take a hard look at this,” the first thing the agent is going to say is, “That’s BS. You went around me and went to the manager.”

But that’s how you get someone to pay attention to you. And with a manager, maybe you could say, “We’re going to pay you a fee, but if this thing’s successful, we’re going to make you an equity partner on it. And by being part of this, if an AEG or Live Nation ever comes in and buys this tour from us, you will get paid on that down the road.” Then the manager has a little more vested interest.

There’s always a fine line between confidence and cockiness when you’re doing these things, because you have a vision and you want to get to that end game, so how do you convince other people? The first thing they’re going to say is, “Who else is playing on the bill?”

And the sponsors are going to ask, “Who else is sponsoring this thing?” It’s difficult to get the first person to jump into the pool.

GETTING PROMOTER PARTNERS

Brockman: For example, I’m going to Oxford, Miss., and I’m wanting to put the Drive-By Truckers on the bill, but the Truckers already have a relationship with [a local promoter], who’s been booking them in Oxford forever. That’s one of the dilemmas I’m facing.

Lyman: So you co-promote the show with them. And then his question is going to be, “Why would I bring you in as a co-promoter?” And hopefully you can say, “I have some sponsorship marketing dollars now with XM, and I have some dollars with Jack Daniel’s that we can put into marketing.” That’s why that guy would be willing to work with you. [Since this conversation was conducted, local promoter Scott Caradine is now a partner on the Oxford date.]

CAN BEING A MUSIC FAN GET IN THE WAY?

Lyman: Yes, it can. You have to embrace the music, love the music, but a lot of times someone is such a fan of the music that he overbooks the show and overestimates the rest of the world being as big a fan as he is. I’ve seen that happen many, many times. I started [this year’s] Warped tour, our 16th year. We just had our first three shows, and I probably have about 15 too many bands on there. But I think they’re really good. I can get away with it, because I pay some of these young bands $350-$400 to play the show, and I look at it as an investment in my overall project, because I believe these bands a few years down the road can turn into the Paramores that have been built in the past.

START BIG OR SMALL?

Brockman: My goal on the front end is to go to the college theaters of, say, 1,000 people, so if we’re putting acts that were making maybe $3,000-$3,500 as headliners and the supporting acts were $750-$1,000 per, my goal is to evolve this thing such that the band itself carries the identity of what’s coming to town and you could then just have a bunch of $750-$1,000 acts versus that $3,500 act.

Should I start with the ultimate vision of it, or should I front-load it with marketing dollars to try and bring people in there?

Lyman: That’s tough, because then you become headline-driven. If you started out smaller and underplay, and you’re turning people away with these $1,000 acts, then all of a sudden these bands are a hard ticket. It may take you a couple more years, but I believe you’ll end up with a better situation. I’ve got a 16-year-old brand in the Warped tour and my stages where I’m paying the bands $1,500-$2,500 right now are drawing the stages where I pay the bands $8,000-$10,000. It’s a shifting marketplace in music right now. For me it’s how you capture that band on the rise. That’s where your knowledge of music can come into play.

—Moderated by Ray Waddell

I’ve got a 16-year-old brand in the Warped tour, and my stages where I’m paying the bands $1,500 are outdrawing the stages where I pay the bands $8,000.’

—KEVIN LYMAN
For the first time, leaders of the Latin music industry are honored with a Billboard Power Players report that recognizes this vibrant and unique part of the music industry.

Now in its sixth year, the Power Players series highlights the achievements of executives who drive our business forward with their artistic and business vision.

As with previous Power Players reports, we began this project by inviting readers worldwide to submit nominations at Billboard.biz. We promoted the nomination process in print, online and through e-mail. Executives in all sectors of the Latin music industry were eligible. Scores responded.

A team of Billboard editors then reviewed the nominations, numerically ranking the nominees on their achievements in the past 12 months, the measure of those achievements and their leadership in the broader industry.

Certainly, many accomplished nominees didn’t make this list. But the selection of the 20 honorees featured here represents the collective ranking and judgment of Billboard’s editors.

Represented here are the leaders of multinational major record labels and the independent label sector, publishing companies and rights societies, live entertainment leaders and major Latin media companies, branding experts and more.

The executives profiled here reflect the strength of the Latin music industry amid challenging times. We congratulate them all as we present the first Billboard Latin Power Players report.

—Leila Cobo
Jesus Lopez
Chairman/CEO, Universal Music Latin America & Iberian Peninsula

Jesus Lopez is not your typical music company chairman. As head of the world’s largest Latin music company, he’s a hands-on chief who’s intricately involved in all aspects of his companies’ operation, from the overriding vision to repertoire selection. Lopez, a native of Spain, oversees Universal’s label operations in Spain, Portugal, Latin America and the U.S. Latin market, where Universal Music Latin Entertainment is the Latin market-share leader, with its labels accounting for half of all Latin album sales and topping three out of four subgenre radio and sales charts, according to Billboard data. Lopez also oversees UMLE’s Latin music publishing in the United States and Mexico, as well as Global Talent Services, a management service division. In the past year, Lopez says, the company’s new structure “has allowed us to provide more services to artists and managers and to diversify my labels’ income, leading this to become an entertainment company, where music is an intrinsic income generator, but not the only one.” With a roster that includes Juanes, Enrique Iglesias, Marco Antonio Solís, Wisin & Yandel and Los Tigres del Norte, Lopez also aims to push beyond the Latin realm. The results can be seen on the creative front (collaborations with David Bisbal and Miley Cyrus, Iglesias’ joint releases on Republic and Universal Music Latino) and business levels. In the past year, Lopez cut global digital deals with brands like American Express and Hewlett-Packard; most recently, he launched a Spanish-language mobile music platform with Mozes Connect.

Gustavo Lopez
President, Disa/Fonovisa

Gustavo Lopez heads the country’s largest regional Mexican music operation; Fonovisa or Disa top all of Billboard’s regional Mexican radio and sales charts and jointly account for nearly 80% of all regional Mexican music sales. The key to maintaining that chart status was Lopez’s ability to renegotiate contracts with acts like Los Tigres del Norte while developing new names like Larry Hernandez (who had the No. 2-selling regional Mexican album of the year) and Espinoza Paz (who had two albums among the top 10 of 2009). Lopez has aggressively moved this most traditional of genres into the digital and mobile arena, landing the top-selling mobile tone of the year with Banda el Recodo’s “Te Presumo.” Beyond sales figures, Lopez is enthusiastic about the transformation of his companies as they enter other arenas like touring—where he ventured successfully with the Invasion del Corrido live show and concerts by Pedro Fernandez—and licensing. “All our new artist signings come with more rights, above and beyond typical record rights,” he says, citing new deals with Voz de Mando, a newcomer to the charts. “I like that we’re achieving it our way,” he says of such deals, “and with the artists who want to do it.”
“Las canciones tienen alas propias. ASCAP es un cielo inmenso en donde pueden volar y alcanzar las estrellas más altas.”
- Gabriel Flores

“Los Song Camps de ASCAP, me han dado la oportunidad de hacer grandes colaboraciones, crear contactos importantes y presentar mi música en los géneros en los que nunca había tenido exposición y donde ya tengo éxitos. Es un orgullo para mí ser parte de ASCAP.”
- Yoel Henriquez

“Gracias, ASCAP! La música es mi vida y seguiremos echándole ganas.”
- Sergio Sánchez Ayón

“Estar en ASCAP con compañeros compositores tan talentosos, es un orgullo y un gran incentivo.”
- El Chapo

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Don Browne
President, Telemundo

Don Browne oversees the strategy and content of the second-most-viewed Spanish-language TV network in the country, according to Nielsen. He also oversees its fully owned bilingual music and lifestyle channel, mun2. Under Browne, Telemundo has emerged as a major producer of original content and has also created alliances with major and independent labels to incorporate artist and musical exposure in some of those productions, including “La Reina del Sur.” Other successes include the launch of singer/songwriter/actor Jencarlos Canela. In addition, the network’s premier music property, the Billboard Latin Music Awards, this year reached more than 5 million U.S. viewers for a third consecutive year, according to Nielsen. mun2, headed by senior VP of programming and production Flavio Morales, has been at the vanguard of bilingual, youth-driven programming, becoming a crucial promotional vehicle for labels and artists. The channel now reaches 34 million U.S. homes, up from 20 million last year, Nielsen reports. Browne’s primary achievement, however, has been developing original programming, for which music is a key component. In the past year, he says, that vision “came of age in all areas and platforms.”

Ruben Leyva
President, Sony Music U.S. Latin

Although Ruben Leyva has been running Sony’s U.S. Latin company as managing director for the last three years, he was officially named president in January, quickly making such high-profile moves as a licensing deal with reggaetón star Daddy Yankee. But Leyva’s achievements precede that move. “We’ve reinvented our company,” he says. “We’re transforming it into a current, streamlined company. And since last year, our market share has been slowly increasing.” For the year ending May 1, Sony Music Latin was the top-charting tropical songs and tropical albums label with 43 and 42 charting titles, respectively. Sony was also the No. 1 Latin pop songs imprint, with 31 charting titles. A key driver, Leyva says, has been breaking new talent, including Camila, Kany García and Reik, who are all on their second albums. Sony also brought back artists like Thalía and Chayanne with their most successful albums in years. “What we’re most proud of is our ability to develop new talent,” Leyva says. “To me that encapsulates what a record company should be: We are a creative, A&R-driven company and the artists come first.”

Iñigo Zabala
President, Warner Music Latin America

For Warner Music Latin America, whose pop-dominated roster features heavyweights Maná and Alejandro Sanz as well as up-and-comers Alexander Acha and Jesse & Joy, “our main task continues to be to transform our business, putting the music and artists always in the center, and continuing to invest in new talent,” label president Iñigo Zabala says. To that end, in October 2009 Warner established a Mexico branch of Get In, the artist services company it acquired in Spain in 2008. The Mexico branch provides concert booking services in Latin America to such Warner artists as Carlos Baute and Beto Cuevas. At press time, Get In’s Mexico office had booked 81 concerts, according to Zabala. Get In “works a little independently from the label, but in a coordinated way,” Zabala says. “The business we’re in is trying to be the best label, have the best artists and share an integrated strategy with them.” Part of that strategy involves artist websites, through which the company now offers exclusive content and products directly to consumers, as it did with Sanz’s “Paraiso Express” album.

Kate Ramos
Senior VP of tour alliances, Live Nation

Kate Ramos’ efforts in the past 12 months have focused on Shakira, with whom Live Nation has a multimights deal. The singer’s tour, which begins in the United States this fall, will take her to more markets in the Middle East and Asia than her previous outing. “She’s one of the few that’s definitely a global artist,” Ramos says. Other high-profile projects this year include Chayanne’s 2010 No Hay Imposibles tour and the nine-city Los Tres trek with Alejandro Fernandez, Marco Antonio Solis and Joan Sebastian. Similar in concept to Marc Anthony’s multigenre Juntos en Concierto triple bill of years past, this year’s outing specifically focuses on regional Mexican acts. “You get the three artists together conversing and creating the vibe onstage,” Ramos says, adding that a 2011 edition is definitely on the books. When you get an artist creatively into the idea, you’ve got to run with it.” With Shakira, Vicente Fernandez and Alejandro Sanz still touring this year, Ramos says paid attendance on the national Latin tours she oversees will be up 110% over 2009.

Rebeca Leon
VP of Latin talent, AEG Live/Goldenvoice

The total revenue generated from AEG Live’s Latin shows grew 500% in 2009, according to Rebeca Leon, who has almost single-handedly built the company into the Latin touring powerhouse. “In the last 12 months we’ve really established ourselves as a true artist development company,” says Leon, who has worked with Wisin & Yandel, Pitbull, Espinoza Paz, Jenni Rivera and Camila on growing their business on the road. To move artists into bigger rooms and new markets, “it’s great to hold hands with the record labels and management and agents,” Leon says of her approach, which has included the creation of a Latin urban tour this fall in conjunction with Universal label Machete Music. At AEG’s entertainment complex L.A. Live—which includes the Staples Center, the Nokia Theatre and Club Nokia—more than 50% of shows in the first quarter were Latin, according to Leon. Calibash, a radio festival for Spanish Broadcasting System’s KXOL Los Angeles, broke an attendance record at Staples with more than 19,000 people, according to the promoter.
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FROM YOUR ENTIRE UNIVISION FAMILY
Latin Chart-Toppers

Billboard’s charts department prepared an exclusive recap of key Latin charts for the 12 months ending May 1, the same period covered by the nominations for our Latin Power Players report. Here are highlights of those chart recaps.

Top Latin Album Labels
Pos. LABEL (No. Charted Titles)
1 UNIVERSAL MUSIC LATIN ENTERTAINMENT (209)
2 SONY MUSIC LATIN (76)
3 WARNER LATINA (70)
4 CAPITOL LATIN (57)
5 IM (29)
6 BALBOA (8)
7 TOP STOP (7)
8 BULLSEYE (1)
9 CONCORD (1)
10 PLATINO (9)

Top Latin Album Imprints
Pos. IMPRINT (No. Charted Titles)
1 UNIVERSAL MUSIC LATIN (209)
2 SONY MUSIC LATIN (76)
3 WARNER LATINA (70)
4 CAPITOL LATIN (57)
5 IM (29)
6 BALBOA (8)
7 TOP STOP (7)
8 BULLSEYE (1)
9 CONCORD (1)
10 PLATINO (9)

Top Latin Songs Labels
Pos. LABEL (No. Charted Titles)
1 UNIVERSAL MUSIC LATIN (209)
2 SONY MUSIC LATIN (76)
3 WARNER LATINA (70)
4 CAPITOL LATIN (57)
5 IM (29)
6 BALBOA (8)
7 TOP STOP (7)
8 BULLSEYE (1)
9 CONCORD (1)
10 PLATINO (9)

Top Latin Pop Labels
Pos. LABEL (No. Charted Titles)
1 SONY MUSIC LATIN (33)
2 UNIVERSAL MUSIC LATIN (33)
3 WARNER LATINA (33)
4 PREMIUM LATIN (33)
5 INTERSCOPE (33)

Top Latin Pop Songs Labels
Pos. LABEL (No. Charted Titles)
1 UNIVERSAL MUSIC LATIN (33)
2 SONY MUSIC LATIN (33)
3 WARNER LATINA (33)
4 PREMIUM LATIN (33)
5 INTERSCOPE (33)
6 WARNER LATINA (33)
7 WARNER LATINA (33)
8 WARNER LATINA (33)
9 WARNER LATINA (33)
10 WARNER LATINA (33)

Top Regional Mexican Album Labels
Pos. LABEL (No. Charted Titles)
1 UNIVERSAL MUSIC LATIN ENTERTAINMENT (32)
2 SONY MUSIC LATIN (32)
3 CONCORD (1)
4 BALBOA (5)
5 PLATINO (3)
6 CATAPULT (2)
7 CAPITOL LATIN (2)
8 A.R.C. (1)
9 VINA (1)
10 WARNER LATINA (1)

Top Tropical Album Labels
Pos. LABEL (No. Charted Titles)
1 SONY MUSIC LATIN (42)
2 UNIVERSAL MUSIC LATIN ENTERTAINMENT (42)
3 TOP STOP (1)
4 VINA (1)

Top Latin Rhythm Album Labels
Pos. LABEL (No. Charted Titles)
1 SONY MUSIC LATIN (32)
2 UNIVERSAL MUSIC LATIN ENTERTAINMENT (32)
3 SONY MUSIC LATIN (32)
4 BALBOA (5)
5 PLATINO (3)
6 CATAPULT (2)
7 CAPITOL LATIN (2)
8 A.R.C. (1)
9 VINA (1)
10 WARNER LATINA (1)

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Nestor Casono  
Regional managing director for Latin America, EMI Music Publishing  

The last 12 months have been busy for Nestor Casono, with new signings that include superproducer Armando Avila, pop star Belinda, singer/songwriter Juliete Venegas, Soda Stereo’s catalog and Argentine TV production company RGB Entertainment. Along with his existing roster, Casono’s efforts have focused on recovering monies owed to the publisher—whether it’s from performing rights societies for unidentified works or from labels in Brazil with whom a recently resolved lawsuit over mechanical royalties released $15 million from escrow. “What we’ve done is grow in all areas that represent revenue for the company,” says Casono, whose efforts led to a 23.2% increase in earnings before interest, taxes, depreciation and amortization; a 13.3% rise in external revenue; and a 12% increase in performance income, according to the company. Key income generators have included the development of registration systems and tracking of songs on TV cue sheets, progress in individual countries in collecting digital royalties established on a regional level in 2008 and what Casono says is a record-setting sync license in Brazil for John Lennon’s “Imagine,” used in a campaign for Banco Itau.

Francisco “Cisco” Suarez  
Producer/VP of special events, Univision Network  

Cuban-born Cisco Suarez holds the keys to mass exposure on Univision’s three top-rated music specials: Premios Lo Nuestro, Premios Juventud and the Latin Grammy Awards, which had their highest ratings in 2009, according to Nielsen. Suarez is responsible for conveying the distinct personality of each show and deciding which artists perform. He guides the tenor, direction and production of those performances, which can catapult careers, launch albums or present new material to millions of viewers across the country and beyond. (The average viewership for Lo Nuestro is 6.1 million and 4.8 million for Premios Juventud, according to Nielsen.) Suarez also produces the fashion reality show “Nuestra Belleza Latina,” which featured more than 24 live musical performances in its 12-week run through May 23 and has become a coveted artist showcase. “Our biggest challenge is to produce a show that will entertain this melting pot of nationalities,” Suarez says. Perhaps more importantly, Suarez is regarded as a key driver in talent development, as his stage often provides the first showcase on Univision’s three top Latin music charts, according to Nielsen. Suarez is responsible for conveying the distinct personality of each show and deciding which artists perform. He guides the tenor, direction and production of those performances, which can catapult careers, launch albums or present new material to millions of viewers across the country and beyond. (The average viewership for Lo Nuestro is 6.1 million and 4.8 million for Premios Juventud, according to Nielsen.) Suarez also produces the fashion reality show “Nuestra Belleza Latina,” which featured more than 24 live musical performances in its 12-week run through May 23 and has become a coveted artist showcase. “Our biggest challenge is to produce a show that will entertain this melting pot of nationalities,” Suarez says. Perhaps more importantly, Suarez is regarded as a key driver in talent development, as his stage often provides the first showcase for emerging artists. In 2009, Suarez also produced “Viva el Sueño,” Univision’s first music reality show, helping launch the career of winner Ana Isabelle, who debuted at No. 3 on Billboard’s Top Latin Albums chart earlier this year.

Alexandra Lioutikoff  
Senior VP of Latin membership, ASCAP  

Alexandra Lioutikoff’s guiding dictum in the past year has been “language is not a barrier.” With that mindset, she has focused on integrating ASCAP’s Latin writers and repertoire into all of the society’s mainstream activities, from its ASCAP Expo to its songwriter camps. (This year’s Nashville writing camp marked the first time a cross-genre group of ASCAP writers participated.) Lioutikoff also leads the annual Premios ASCAP and the multiple annual Latin music showcases. This has raised the profile of ASCAP’s Latin writers—which include Anthony Santos, Joan Sebastian, Juan Gabriel and Marco Antonio Solis—along with their distribution; according to ASCAP numbers, radio distribution for Latin repertoire has increased 5% in the past year alone, and the society claims a 60% Latin market share of Billboard’s Hot Latin Songs chart through 2009. Lioutikoff—whose signings this past year include El Chapo de Sinaloa, Gabriel Flores and Julieta Venegas—also strove to create closer ties with collecting societies in Latin America and Spain. “Instead of seeing them as competition,” she says, “we look at them as collaborators. It has created a sense of comfort for authors in other countries and for U.S. Latin writers who have hits abroad.”

Delia Orjuela  
VP of writer/publisher relations for Latin music, BMI  

BMI’s market share of Billboard’s Hot Latin Songs chart was consistently more than 50% for the year through May 22, according to the rights society. Under Delia Orjuela’s tenure, its annual market share of that chart grew by 7% to constitute more than 43% for 2009. Orjuela says such recent signings as Chayanne, Pitbull and Chino & Nacho—as well as regional Mexican publisher Arpa Musical’s songwriters Espinoza Paz and Horacio Palencia—are part of BMI’s goal of maintaining and growing the company’s roster of hitmakers in all genres, including Latin. Other recent signings include Voz de Mando leader Miguel Gazola, whose “Comandos del M.P.” hit No. 5 on Billboard’s Hot Regional Mexican Songs chart. With regional Mexican, “we’ve definitely been at the forefront of supporting the genre and believing in the genre, and we’ve seen the results,” she says. Orjuela’s strategy comes down to “building strong relationships with key players in the industry, because from that you’ll get other recommendations” from attorneys, managers and publishers. From the artist’s perspective, she adds that it’s important “for them to see that you are out there listening to their music and going to shows.”
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LATIN ENTERTAINMENT
J.J. Cheng
Associate VP, SESAC Latina

SESAC Latina added several hitmakers to its roster in the last 12 months, including regional Mexican heartthrob German Montero, Bibi Marín from pop trio Reik, new du-ranguense artist Jazmín López, pop quartet Playa Limbo and TV songwriter Alonzo Mercado. Associate VP J.J. Cheng’s approach is to get the society’s affiliates to collaborate, such as when she put together powerhouse writer Claudia Brant with Playa Limbo. Other priorities including pitching her writers’ demos to important artists to get them recorded and placing songs in TV shows and ad campaigns. Those duties “are not standard for performance rights societies,” says Cheng, who previously worked at EMI Latin. “It comes from my A&R background and experience. I strive to go the extra mile and go where no other society has ever been before.” Cheng says radio performance of SESAC Latina-represented songs has grown nearly 50% in the last 12 months. The roster of the society, which she has headed since 2002, includes Noel Schajris, Erika Ender and Samo from Mexican pop band Camila.

Jose Tillan
GM/executive VP, Tr3s: MTV, Musica y Mas

Jose Tillan has focused on MTV’s bilingual U.S. entertainment channel Tr3s since May 2009, after his previous stint as senior VP of creative content and music for MTV and VH1 Latin America. His role covers “the whole scope, from the sales side to the content side to the strategy side,” says Tillan, who calls himself “the cheerleader, the firefighter and the psychologist for the channel.” Tillan has focused on sponsor integrations, as with T-Mobile, which came in for what Tr3s says is the largest brand investment in its history; the carrier was prominently featured in celebrity soccer tournament “Rock N’ Go!,” which premiered June 3. The channel says it saw double-digit ad revenue gains in December 2009 compared with December 2008. Programming coup included the introduction of a telenovela, “Isa T.K.M.,” and a new summer lineup intended to encourage parent-youth co-viewing. The goal with Tr3s, which was rebranded under its expanded new moniker in May, is to “amplify it to the point where it’s not just music,” Tillan says.

Tomas Cookman
President, Cookman International, Nacional Records

Known for his independent Latin alternative label and a management roster that includes Los Fabulosos Cadillacs and Aterciopelados, Tomas Cookman hired four people at his Los Angeles headquarters in 2010, bringing his staff to 16. “Which is more than some major labels,” he says half-jokingly. Recent key accomplishments include the Cadillacs’ 2008-10 comeback tour in the United States and Latin America, which he says sold 1 million-plus tickets, as well as the addition of Ozomatli manager Amy Blackman to the Cookman team. Management revenue is up more than 60%, thanks to clients including Nortec Collective Presents: Bostich + Fussible. Videogame licenses are up 70% and sync placements are up 55% in the past 12 months, including many mainstream TV shows. “Are we a music company? Yeah, but this is entertainment at the end of the day,” says Cookman, whose company curated a Latin tent featuring its artists at the 2010 Bonnaroo festival. The firm also produces a TV show, “Sesiones,” that airs on Sony Entertainment TV in Latin America.

Gabriel Abaroa
President/CEO, the Latin Recording Academy

Ten years in, under the leadership of Gabriel Abaroa, the Latin Grammy Awards keep reaching new milestones. The awards show’s 2009 broadcast from Las Vegas’ Mandalay Bay Events Center pulled in 12.8 million total viewers, including non-Hispanics—a record for Univision—according to the network. Viewership was up 10% over 2008 among adults 18-49 and adults 18-34. The Latin Grammy street parties, which showcased nominees in free concerts in six cities during the weeks leading up to the telecast, hit 1 million-attendee mark this year, Abaroa says. Those figures, and a steady global viewership of 80 million people in more than 100 countries, reflect “a combination of building trust in the brand and positioning the brand as a platform for new and upcoming acts,” as well as a prestigious award “recognized by already established acts,” Abaroa says. The industry veteran touts a ramped-up outreach throughout the year, with a more robust Latin Grammy in the Schools program and the establishment of Latin songwriter showcases in Los Angeles and Miami. Those showcases will likely travel to Spain, Argentina and Mexico in the coming months.

Henry Cardenas
President/CEO, Cardenas Marketing Network

Cardenas Marketing Network, the promotion company that Henry Cardenas co-founded in 2003, had its best year in 2009 with $34 million in revenue, according to Cardenas. With Chayanne’s No Hay Imposibles tour, as well as a fall tour from Marc Anthony and dates with Aventura and Vicente Fernandez, Cardenas predicts 30% revenue growth in 2010. The Colombia-born entrepreneur, who previously spent 18 years building live entertainment powerhouse Cardenas/Fernandez & Associates, says fans “are still going for [A-list] talent. But the B and the C talents are suffering a lot.” Cardenas is handling media buys for Shakira’s upcoming outing and, beyond the big tours, CMN produced the first Billboard en Concierto series in 2010, which presented finalists for the Billboard Latin Music Awards. Other milestones this year included the opening of a Los Angeles office to keep up with demand for experiential marketing activations and a run of the Celia Cruz musical, “Celia,” at Chicago’s Athenaeum Theatre. In February, CMN announced a deal with the Argentine Football Assn. to organize matches and manage commercial and sponsorship rights for the team until June 2014.

Profiles written by Ayala Ben-Yehuda and Leila Cobo.
Telemundo congratulates 
Don Browne
on being named a Latin Power Player
and salutes his vision and leadership
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- **STUMP MAHONEY**
  Music & Audio Producer
  Draftfcb Chicago

- **JEREMY PETERS**
  Director of Creative & Business Affairs
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When Steve Bursky started managing Adam Young at the end of 2008, the mastermind behind synth-pop act Owl City played him a handful of acoustic songs from his hard drive. He told Bursky that he hoped the unrefined tracks, which were recorded in the summer of 2007 before he began making music as Owl City, would someday be released.

“The feel was different than Owl City,” Bursky says. “It was the same voice and aesthetic, but the songs were very stripped-down and more vulnerable.”

In fact, Young felt so strongly about the songs that he insisted they be released under a different name, Sky Sailing.

“It was clear early on that it needed to be separate from Owl City,” Young says. “Overall, this piece is disconnected enough to be its own thing.” The album, “An Airplane Carried Me to Bed,” will be released July 13 on Universal Republic.

And while many might balk at giving up the cachet of the Owl City name, including a No. 1 single “Fireflies” and a top 2 album “Ocean Eyes,” Bursky says the new moniker will make things clearer for fans. He notes that the Sky Sailing name allows a prolific artist like Young to experiment with multiple genres and avoid misleading his Owl City fans. In addition to “Airplane,” Young is working on an album of trance music that may come out later this year.

“If one artist puts out five different CDs with five totally different sounds under one name, it would be utterly confusing to people,” Bursky says. “We want to open people’s eyes to Adam as an artist instead of Adam as Owl City.”

After deciding to return to the material late last year, Young began polishing the tracks on his laptop in between Owl City shows last spring.

“It’s ironic, because these songs took a back seat to Owl City, but then a little lull in recording as Owl City gave me the opportunity to come back to them,” Young says.

Because the singer/songwriter’s knowledge of production techniques grew while recording “Ocean Eyes,” Young says he’s excited about how the 12 tracks have improved since their inception.

Young describes the sound of “Airplane,” including the wistful “I Live Alone” and pop-leaning “Steady As She Goes,” as “more organic and even a little darker in places.”

A MySpace page for Sky Sailing was set up in May, and to ensure that Owl City fans are aware of the release of “Airplane,” Young has posted a letter online explaining his involvement with the project. The gentle ballad “Brielle” will be serviced to triple A and hot AC radio formats, and a preorder campaign for the album launched June 29.

Universal Republic also plans on partnering with iTunes for the release of “Airplane.” The store will exclusively sell the album for its first two weeks of release before physical copies are available July 27.

“Itunes has been a very important partner to Owl City,” says Universal Republic Records co-president Avery Lipman, who points out that “Fireflies” was chosen as iTunes’ Single of the Week last July before becoming a smash success. “The idea was to do a lot of direct-to-consumer marketing to reach Adam’s dedicated online fans.”

Young won’t be able to promote “Airplane” due to other commitments. First, he’s recording a new Owl City album through the summer and early fall. And second, as Owl City, he will support Maroon 5 on tour beginning Aug. 4 and John Mayer beginning Aug. 18. While there aren’t any plans for Young to tour behind the music of “Airplane,” Lipman says he might perform some of the material on the upcoming tours.

Despite the lack of the artist’s involvement in publicity for Sky Sailing, Lipman views the project as a perfect stopgap between “Ocean Eyes” and the next Owl City record, which the label hopes to issue by the end of the year. Lipman also believes “Airplane” will go a long way toward establishing Young’s longevity.

“This reinforces the idea that Adam Young won’t just have one song and go away.”

— AVERY LIPMAN, UNIVERSAL REPUBLIC
Mother Issues

Tracy Bonham Makes A Fresh Start

Tracy Bonham views her music career as a constant process of returning to square one. In the time since her 1996 single “Mother Mother” topped Billboard’s Alternative Songs chart, the singer/songwriter has weathered a label dispute, fallen in love, considered leaving the music industry and finally come full circle and started on her own path to motherhood.

“It’s impossible to get away from what I’ve done before,” Bonham says of the long shadow of her early mainstream achievements. “I know my true fans trust me, and for once in my writing career, I’m not worried.”

With her fourth album, “Masts of Manhatta,” due July 13 on Engine Room Recordings, Bonham uses her career to reflect the sweeping changes of her personal life. While her first full-length in five years was inspired by her recent marriage and a move to a cottage in Woodstock, N.Y., the promotion of “Manhatta” has been partly shaped by Bonham’s plan to adopt a child this fall.

“In a way, the idea was to get the album out now and do whatever I can for it,” Bonham says. “I basically put my blinders on and my management and label have been so supportive.”

Bonham believes that something fell apart in the time between the success of her Grammy Award-nominated 1996 debut, “The Burdens of Being Born,” and the release of sophomore set “Down Here.” As Universal was merging with Island Records parent PolyGram in the late ‘90s, her follow-up record was endlessly delayed and arrived to quieter fanfare in 2000.

“I was constantly meeting new CEOs who wouldn’t buy into the plan and tell me they’d have to push back my record or what kind of record I needed to make,” Bonham says. “In hindsight, I wish I had just gone off and done my own thing.”

Following the release of “Down,” Bonham toured with Blue Man Group and issued an independent EP, “Bee,” exclusively at the shows. After the release of 2000’s “Blink the Brightest,” Bonham moved away from music and earned her yoga instruction certificate while living in both Brooklyn and Woodstock with her new husband.

Although Bonham considered giving up music altogether, she says she refused to “listen to that voice that wants to throw in the towel” and began writing new songs. Recorded last year in Brooklyn before being overdubbed in Woodstock, “Manhatta” captures Bonham’s newfound tranquility on tracks like “Big Red Heart” and “We Moved Our City to the Country.”

For its first album with Bonham, Engine Room will combine standard and unique marketing strategies. While Bonham’s MySpace and Facebook sites have been reworked, the label will also hold a contest in which Bonham will write an original song for the winner.

Meanwhile, Engine Room is helping Bonham find a publishing deal and talking to different companies about placement opportunities. “Right now we’re pitching the masters and seeing who’s down and will take the album.” Engine Room chief strategist Darren Paltrowitz says.

Bonham has a string of East Coast dates booked for August and will likely perform on the West Coast soon after. Although her adoption plans hinder wide-scale touring opportunities, Bonham’s label is looking at the situation positively.

“Who knows,” Paltrowitz says. “Maybe it will inspire more material and we’ll have a new album in the next few years.”

LATEST BUZZ

PLAYBOY SUES DRAKE

Playboy Enterprises has sued Drake over the sampling of a track on the rapper’s hit single “Best I Ever Had.” According to the lawsuit filed in U.S. District Court in Los Angeles, Playboy accuses Drake, Cash Money Records, Universal Music Group and Universal Music Group Distribution of copyright infringement. The lawsuit claims that “Best I Ever Had” makes unauthorized use of “Fallin’ in Love,” a sound recording owned by Playboy Enterprises.

NEW KANYE ALBUM IN SEPTEMBER

Kanye West’s fifth album, tentatively titled “Good Ass Job,” is expected to be released Sept. 14, according to rapper Big Sean’s Twitter feed. Big Sean, an artist on West’s G.O.O.D. Music imprint, tweeted in April that West’s album would be released during the week of June 26-27, but during the weekend of June 26-27, he tweeted that the album will be out Sept. 14, when Big Sean and Kid Cudi are also to release albums. A representative at Island Def Jam, which will distribute West’s album, declined to comment.

KEYS AND MINAJ WIN BIG, BROWN RETURNS AT BET AWARDS

Alicia Keys and newcomer Nicki Minaj were the big winners at the 10th annual BET Awards, both taking home two statueettes during the ceremony held June 27 at the Shrine Auditorium in Los Angeles. However, the evening’s buzz surrounded several captivating performances/comedic comebacks, most notably Chris Brown’s island Def Jam, which at the BET stage in an emotional dance tribute marking the one-year anniversary of Michael Jackson’s death.

Reporting by Mariel Concepcion, Gail Mitchell and Billboard staff.

STEPPING UP HIS GAME

Singer/Songwriter Kem Gets Intimate On First Album In Five Years

In line with the theme of his forthcoming album, “Intimacy—Album III,” Kem opened himself up to something he’d never done before: collaborating with another producer.

“One of the things intimacy means is being able to share and make yourself vulnerable,” Kem says of working with producer Rex Rideout (Lediti, Luther Vandross). “I never set out to be a producer and didn’t go to producer school; I was just making my records. But working with a bona fide producer validated what I’d done over the years and added another dimension to the project I wouldn’t have gotten to on my own.”

That dimension is showcased on lead single “Why Would You Stay?” The ballad about infidelity and remorse is accentuated by the Detroit Symphony Orchestra’s 16-string piece set arrangement, created by late Motown legend David J. Van De Pite (Marvin Gaye’s “What’s Going On”). “Why” is No. 4 on Billboard’s Adult R&B chart and No. 22 on Hot R&B/Hip-Hop Songs.

“This is a risky song for him, more pop-leaning,” Rideout says. “There’s still a lot of vintage Kem on the album, but he and I also wanted to show how his sound has progressed.”

Kem first rose to prominence in 2003 with “Okoye” and the top 30 single “Love Calls.” After the album peaked at No. 14 on Top R&B/Hip-Hop Albums and No. 90 on the Billboard 200, Kem cemented his album with 2003’s gold-certified “Album II”—which debuted at No. 1 on Top R&B/Hip-Hop Albums and No. 5 on the Billboard 200—and its hit single, “I Can’t Stop Loving You.” Both albums have sold 802,000 and 867,000, respectively, according to Nielsen SoundScan.

GLOBAL PULSE

SPICE BOYS

The Canadian Tenors’ manager has a marketing-friendly acronym for the classical crossover act’s appeal. It’s PEPAH, Toronto-based Jeffery Latimer says, and stands for “powerful, enduring, playful, accessible and hot.”

The act’s domestic success is certainly nothing to be sneezed at. Nielsen SoundScan reports sales of 55,000 copies for its self-titled Universal Music Canada debut—released in November 2008—which mixes classical crossover and pop material, from Tomaso Albiacani’s “Adagio” to Leonard Cohen’s “Hallelujah.”

Meanwhile, Engine Room is helping Bonham find a publishing deal and talking to different companies about placement opportunities. “Right now we’re pitching the masters and seeing who’s down and will take the album.” Engine Room chief strategist Darren Paltrowitz says.

Bonham has a string of East Coast dates booked for August and will likely perform on the West Coast soon after. Although her adoption plans hinder wide-scale touring opportunities, Bonham’s label is looking at the situation positively.

“Who knows,” Paltrowitz says. “Maybe it will inspire more material and we’ll have a new album in the next few years.”
Bret Michaels has always lived on the edge, from his wild days fronting Poison to his dalliances with busty women on VH1’s “Rock of Love.” But his latest move might lead some to question whether his appetite for destruction is getting too big. Despite recently suffering a series of life-threatening health issues, including an emergency appendectomy, a brain hemorrhage, a mild stroke and the discovery of a hole in his heart, Michaels is touring with Lynyrd Skynyrd and .38 Special before a series of solo dates in July. In addition, he’s preparing to release a solo album, “Custom Built,” July 6, and autobiography “Roses and Thorns: The Reality of My Rock n Roll Fantasy” is due this fall. He’s also considering opening a restaurant chain that will bear his name.

1) How is your health? Should you be on the road?

I have taken every single precaution I can take, and I feel really good. Obviously I’m not 100% there yet, and I’m taking insulin and Lovenox injections every day. But it’s either sit there and worry about what’s going to happen to me or just go out and do it. If I’m going to live, I want to do the Lynyrd Skynyrd tour, you know? I don’t want my legacy to be a brain hemorrhage. I want my legacy to be that I made some good music.

2) When you launched the Poor Boy Records label in the mid-90s, you were ahead of the curve in terms of artist-owned ventures. How do you handle marketing and distribution?

I just hire all the same people that every record label hires. I finance everything myself and then I go to Target, Best Buy, Walmart and K-Mart—anyone who will take the record. They hire a complete staff: people to work it at radio, people to work it online and publicists. Distribution is done through Mailboat, which is Jimmy Buffet’s label. I used them before and they do a great job of making sure it’s in every single store, and they are very accountable for the money.

3) What was the recording process for “Custom Built”? I did a lot of recording while traveling. The title represents what the music is about; I’m covering a wide range of music, from rock to country, and I even cover a Sublime song, “What I Got.”

4) The first single is “Notin’ to Lose” with Miley Cyrus. What’s next?

“Notin’ to Lose” did really well at hot AC and then I got sick, so unfortunately I wasn’t on the ground for two months and couldn’t continue to work the song. Now I’m going to rock radio with [second single] “What I Got.”

5) Has it been difficult to adapt to changes in the music industry after being part of it for so long?

Some things are still the same. Now artists use MySpace to get discovered; back in the day we used a slot at the Paradise Bar and Grill. There are great opportunities, but here’s the downside—in the new digital age, people are not as loyal and they forget more quickly. When we started, people really dove into knowing the band. In the digital world, it pops up and an hour later there’s another video on YouTube and they forget about the last video they were watching. It’s a little more easy come, easy go. I always tell new bands, “Don’t fear going out and being personable with your fans.” It’s a great new world we live in to be exposed, but it’s also scary because you can easily be disposed.

6) How is your new VH1 show, “Bret Michaels: Life As I Know It,” different from “Rock of Love”?

VH1 was getting a lot of requests for a show about my life at home, so we decided to move forward and do that. It features my daughters, Jojo and Raine, and I think the girls are having a good time. We’re a fun family and I think people get to see that.
ROCK

AGAINST ME!
White Crosses
Producer: Butch Vig
Sire Records
Release Date: June 8

Majorly known for delivering folk-punk anthems, Against Me! delivers a no-fuss rock collection with its latest release, “White Crosses.” The single “I Was a Teenage Anarchist!” drives the final nail into the group’s punk-rock coffin—the chorus is suited for an arena singalong and the lyric “The revolution was a lie!” contradicts singer Tom Gabel’s previous cry of “Baby, I’m an Anarchist!” from the band’s 2002 album, “Reinventing Axl Rose.” The track “Ache With Me” relies on acoustic guitar, but it lacks the raw energy that Against Me! displayed during its early years of playing acoustic basement shows. And standouts “Spanish Moss” and “Rapid Decompression” are clear-cut rock anthems. The former combines full bass, dynamic guitar riffs and lyrics about making a better life, while the latter rips through gang vocals and the occasional rockabilly-influenced lick. As further proof that Gabel has learned to manage his former-anarchist anger, album closer “Bamboo Bones” finds Against Me polishing its sound and the singer at his most insightful (“What God doesn’t give to you/You have to go and get for yourself.”).—LF

NADA SURF
If I Had a Hi-Fi
Producers: Louie Lina, Nada Surf
Marvdav Records
Release Date: June 8

Perhaps since it has more than enough original material under its belt for the time being, New York rock act Nada Surf recorded a collection of covers for its latest release, “If I Had a Hi-Fi.” The group’s poppy guitars and thick, layered vocal harmonies occasionally improve upon some selections of the vastly diverse material, featuring reinterpretations from artists ranging from Kate Bush to Dwight Twilley. Depeche Mode’s “Enjoy the Silence” is transformed from a moody new wave jam into a cheerfully dance-ready, guitar-heavy ditty, and Bush’s “Love and Anger” has been chills to become a tender ballad. Later, the Moody Blues’ “Question” is reworked as a raucous, distortion-heavy headbanger. This fresh touch could’ve been applied to the Go-Betweens’ “Love Goes On,” which sounds too much like the original. But the low-key version of Spanish band Mercremonia’s “Evolution” redeems the group. The simplicity of the cut’s instrumentals is a welcome change for Nada Surf.—EC

TRAVIE MCCOY
Lazarus
Producers: various
Decaydance/Fueled by Ramen
Release Date: June 8

The pop side than she did on m007’s untitled album in favor of a punchier, more direct approach this time out. Frontman Jonathan Davis, who started Korn III as a concept album before shifting gears, is still a ball of rage—“This is the time for truth and pain” he declares on the track “Holding All These Lies.” And the rest of Korn pushes that fury on such densely textured fusillades as “The Past,” “Let the Guilt Go,” “Are You Ready to Live?” and opener “Oildale (Leave Me Alone).”—GG

KORN
Korn III—Remember Who You Are
Producer: Ross Robinson
Partisan Records
Release Date: July 13

A subtitle like “Remember Who You Are” implies a blast back to the past. That may be just what Korn intended by bringing back Ross Robinson, who produced the heavy rockers’ first two albums. But “Korn III” (a reference to this lineup as the third incarnation of the band) moves forward more than it reterches, referencing some stylistic trademarks while introducing some fresh dynamic sensibilities. It’s the likely result of adding touring drummer Ray Luzier as a permanent member as well as stripping away the experimental excursions of 2007’s untitled album in favor of a punchier and more direct approach this time out. Frontman Jonathan Davis, who started Korn III as a concept album before shifting gears, is still a ball of rage—“This is the time for truth and pain” he declares on the track “Holding All These Lies.” And the rest of Korn pushes that fury on such densely textured fusillades as “The Past,” “Let the Guilt Go,” “Are You Ready to Live?” and opener “Oildale (Leave Me Alone).”—GG

DEER TICK
The Black Dirt Sessions
Producers: Deer Tick, Jason Meagher
Partisan Records
Release Date: June 8

Ragged roots-rock collective Deer Tick wrangled an eclectic indie following with pub-ready musings on life, love and loss on 2007 debut “War Elephant”—CM

ALBUMS

JEWEL
Sweet and Wild
Producer: Jewel
Valory Music
Release Date: June 8

Two years after she got her twang on, Jewel is still a country girl on her latest album, “Sweet and Wild.” But the artist stirs up a touch closer to the pop side than she did on 2008 set “Perfectly Clear.” Fiddle, pedal steel and the occasional banjo flavor rather than define the 11 songs here, and the bare-bones acoustic versions on a second disc included in the album’s deluxe version put Jewel right back into coffeehouse (or perhaps campfire) mode. The song “Summer Home in Your Arms” recalls her 1995 breakthrough hit, “You Were Meant for Me” (and, in fact, dates back to the same period), while “No More Heartaches” slyly but defiantly kisses off a man who’s done her wrong. And the lushly drawn “Fading” mixes a moody ambience with a quiet sense of desperation. The set is more sweet than it is wild, but it finds an effective middle ground between the multiplaitum troubadour and the modern country songstress.—GG

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Partisan Records
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CHRISTINA AGUILERA
Bionic
Producers: various
RCA
Release Date: June 8

We may have love affairs with all different kinds of gimmicky divas, but it takes Christina Aguilera to remind us that singing really matters. That’s not to say the pop star’s latest release, “Bionic,” is all about her voice, a muscular acrobat that’s become more elegant with age. Combine it with the inventive work of a diverse cast of producers and you’ve got the best mainstream pop album of the year thus far. Sure, “Bionic” was made for a post-Lady Gaga world, where the comparisons are inevitable and the sales stakes are high. But from the-fiend intro of the dub-tastic opening title track (produced by Santigold collaborators John Hill & Switch) to punk-brat driving song “My Girls” (produced by Le Tigre, with a guest rap from Peaches) to Aguilera’s gloriously restrained delivery on “All I Need” (Sia Furler co-produced the vocals), the 18-song set shows an artist confident enough to take direct cues from her tuned-in creative team. Because she’s bold enough to do it her way, Aguilera maintains her reign.—KM

WORLD

SALIF KEITA
La Difference
Producers: Patrice Renson, Joe Henry
Decca
Release Date: June 8

One of the most alluring aspects of Afro-pop singer Salif Keita’s sublime new album, “La Difference,” is its intimate feel. The arrangements—at once richly textured and gracefully understated—truly give the listener a sense of
**SINGLES**

**HIP-HOP**

**Kid Cudi**

*Rev of Ev (3:03)*

**Producers:** Plain Pat

**Writers:** S. Mescudi, P. Raymonds

**Publisher:** Elsie’s Baby Boy (ASCAP)


**NEW & NOTEWORTHY**

**JOHN MELLENCAMP**

*On the Rural Route 7609*

**Producers:** John Mellencamp, Mike Wanchic

**Mercury/Island/UME**

**Release Date:** June 15

A box set isn’t meant to show off how many hits John Mellencamp has. There’s no “Small Town” or “Hurt So Good”—most of the big ones aren’t here. Instead, this hand-somedly packaged four-disc, 54-track collection (complete with song-by-song annotation and full lyrics) documents the Indiana rocker’s career as ambitious songwriter, insightful societal observer, sharp-tongued sociopolitical commentator and, occasionally, raconteur who’s done far more than just R-O-C-K in the USA. Dotted with 14 unreleased tracks (including readings of “Jim Crow” by Cornel West and “The Real Life” by Joanne Woodward), it allows listeners to rediscover such laudable fare as “Jackie Brown,” “The Full Catastrophe,” “Theo and Weird Henry” and “Rural Route,” as well as appreciate Mellencamp’s music in fresh contexts. Particularly illuminating is a triptet of the abandoned “Jenny at 16,” a precursor of “Jack and Diane,” which follows in both demo and finished versions. “On the Rural Route 7609” is a deserving and serious-minded overview for one of America’s underappreciated titans of song.

**LEGEND & CREDITS**

**EDITED BY MITCHELL PETERS (ALBUMS) AND MONICA HERRERA (SINGLES)**

**CONTRIBUTORS:** Ayala Ben-Yehuda, Melanie Bartold, Erin Clendaniel, Lindsay Fortier, Melanie Fried, Gary Graft, Monica Herrera, Jason Lipshutz, Kerri Mason, Connor McKnight, Deborah Evans Price, Philip Van Vleck, Alex Vitolis

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**LATIN**

**ALEX CUBA**

*Alex Cuba*

**Producers:** Jobby Baker, Alex Cuba

**Cardac Records**

**Release Date:** June 8

Alex Cuba—the Cuban-Canadian singer/songwriter most recently known for co-writing Nelly Furtado’s 2009 Spanish-language debut album, “Mi Plan”—lets his versatility shine on this follow-up to the psychedelic folk-rock of his 2009 album, “Agua del Pozo.” Cuba ventures into acoustic disco (“If You Give Me Love”), bluesy rock (“Que Pasa Lola?”) and a pop anthem—“Solo Tu”—that should be the envy of every commercial Latin artist that Cuba will likely write for. The artist is adept at filling his music with colors, textures and temperatures of the different worlds he thrives in by using funky horns, tender acoustic guitars and thoughtful lyrics. “I was born of a divine being,” he sings in the prayerful track “Contradicciones.” “It’s what you are and I am your shadow, don’t hide from me when you shine your light.”—ABY

**NEW POLITICS**

*Yeah Yeah Yeah (3:03)*

**Producers:** Dave Sandy

**Writers:** D. Boyd, S. Hansen

**Publishers:** Psycho Killers/SONY/ATV Songs/RCA

Punk-pop trio New Politics wages war against the current political milieu on its first single, “Yeah Yeah Yeah,” from its self-titled debut album out July 13. Drawing from the Hives and early records by Chronic Future, the Brooklyn band employs a catchy chorus, angst-ridden shouts and aggressive power chords as its principal strategies. Lead singer David Boyd borderline-raps a call to arms over background snare lines, shouting, “These banking corporates fake and whine. They make you live the life they define. Don’t you even know what’s going on?” While President Barack Obama says, “Yes, we can,” New Politics offers a classic punk response to that optimism with a crusade of urgency and plaintive vocals: “What you want from me? You’re just fucking killin’ me!”—MF

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**ZAC BROWN BAND**

*Free (3:20)*

**Producers:** Keith Stegall, Zac Brown

**Writer:** Z. Brown

**Publisher:** Weineheraud Music (BMI)

**Home Grown/Big Picture/Atlantic**

The fifth single from the Zac Brown Band’s break-through album, “The Foundation,” sounds like a sure bet to maintain the group’s winning streak at country radio. The song is a light, breezy ballad ballad in gentle guitar and a warm, understated vocal performance from the Georgia band’s talented frontman. The lyric taps into a universal desire to enjoy life and love unencumbered by convention. “We’ll live in our old van, travel all across this land/Me and you.” Brown sings. Earlier this year, the Zac Brown Band became only the fifth country act to win the coveted Grammy Award for best new artist. Brown and his bandmates keep building on that recognition with a strong presence at radio and an impressive live show. This lovely single should help continue their momentum.—DEP

**JUSTIN BIEBER**

*Somebody to Love (3:28)*

**Producers:** Stereotypes

**Writers:** various

**Publishers:** various

**SchoolBoy/Raymond Braun/Island/IDMG**

After cracking the charts with ballads meant to set young hearts aflutter, Justin Bieber is ready to broaden his base. “Somebody to Love” cranks up the tempo to full throttle as pleading verses spill into a euphoric sugar rush of a chorus. The singer’s vocals mature considerably here, too. Bieber pleads, “Is she out there?”—a line that no doubt produces the desired response to that optimism with a crusade of urgency and plaintive vocals: “What you want from me? You’re just fucking killin’ me!”—MF

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**SECONDHAND SERENADE**

*Something More (3:25)*

**Producers:** John Vesly, Tom Brayfogle

**Writer:** J. Vesly

**Publishers:** John Vesly Publishing/SONY/ATV Songs (BMI)

Glasseowh "Something More," Secondhand Serenade’s John Vesly has penned some of his most honest, relatable and mature lyrics yet. The hypnotic ballad opens with an ominous piano chord as Vesly reflects on learning how to forgive and move on from a shattered relationship. “There must be something more/Do we know what we’re fighting for?” Vesly belts on the chorus, which blends the electronic pop of Owl City with the sweeping melancholy of OneRepublic. “Breathe in, breathe out, breathe in, breathe out/With all these masks we wore/We never knew what we had in store.” As Vesly sings of the internal strife that a breakup can cause, he powerfully conveys the very human message that everyone makes mistakes. A no-brainer for top 40 and hot AC radio formats. “Something More” is sure to saturate the summer airwaves.—AV

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**REVIEWS**

**THE BILLBOARD**

**JULY 10, 2010 | www.billboard.biz | 45**
Jaron Lowenstein Makes Chart Comeback

Using social networks to engage fans and make them part of the A&R process has proved to be a valuable tool for Jaron & the Long Road to Love. The act’s debut set, “Getting Dressed in the Dark,” bows at No. 2 on Billboard’s Top Country Albums chart this week. Released June 22 on Jaronwood/Universal Republic Records in association with Big Machine Records, the album is fueled by the act’s hit single, “Pray for You,” which is No. 2 on Country Digital Songs and No. 14 on Hot Country Songs. The single has already gone gold, selling more than 500,000 copies, according to Nielsen SoundScan, and has spent four consecutive weeks at No. 1 on the Heatseekers chart.

“We took the guesswork out of selling a record by bringing fans into the exposure process,” Lowenstein says. “I believe in having fans pick my singles,” Lowenstein says. “We were able to get instant feedback, seeing there was something happening with ‘Pray for You.’ We put the song up for sale and it started to sell. With virtually no spins, it was selling a thousand singles a week. Then when stations started playing it, we saw sales spike through the roof.”

The song, a tongue-in-cheek anthem about wishing bad things would happen to an ex-lover, is accompanied by a video that has racked up more than four million views on YouTube. Love, or the lack of it, is a pervasive theme on “Getting Dressed in the Dark.” It’s a concept album about a 30-something guy trying to figure out love.

Despite his use of a group-sounding moniker, Lowenstein is a solo artist who either wrote or co-wrote every song on the album. “It’s not a band name, it’s my journey,” he says. “And the album is about my accounts of what’s happened and where I got it wrong.”

Music fans will recall that Lowenstein previously performed with his twin brother as Evan & Jaron. The duo scored a top 15 pop hit in 2000 with “Crazy for This Girl.” While his brother exited the music business to start a new venture and spend more time with his family, Lowenstein opted to pursue his music career.

He launched Jaronwood Records and used Facebook and MySpace to expose new music, letting fans pick the first single. “I believe in having fans pick my singles,” Lowenstein says. “We were able to get instant feedback, seeing there was something happening with ‘Pray for You.’ We put the song up for sale and it started to sell. With virtually no spins, it was selling a thousand singles a week. Then when stations started playing it, we saw sales spike through the roof.”

The song, a tongue-in-cheek anthem about wishing bad things would happen to an ex-lover, is accompanied by a video that has racked up more than four million views on YouTube. Love, or the lack of it, is a pervasive theme on “Getting Dressed in the Dark.” It’s a concept album about a 30-something guy trying to figure out love.

Despite his use of a group-sounding moniker, Lowenstein is a solo artist who either wrote or co-wrote every song on the album. “It’s not a band name, it’s my journey,” he says. “And the album is about my accounts of what’s happened and where I got it wrong.”

During street week, Lowenstein promoted the album by doing interviews with 110 radio stations as well as making TV appearances on “Extra,” GAC and CMT. “We did as much media as possible,” he says. “We spent four to six weeks in advance promoting the album as much as we could online, in print and on television, and we intend to keep that up. The long-term goal for the album is to be selling more per week in six months than we are now.”

To help fulfill that sales goal, Lowenstein is allowing fans to stream five album tracks on his MySpace page.

“I’m a music fan myself,” he says. “I’m tired of buying albums for one song and finding out the other nine are not what I wanted them to be. The buying audience has become a little gun-shy. But I’m willing to share half of the album. That should give them enough to decide if they want to buy it. I’m not interested in trapping somebody into buying an album they don’t want. I’m interested in building a long-term relationship.”

Four on the (Dance) Floor

With Erika Jayne’s ascension to No. 1 on Billboard’s Hot Dance Club Songs chart two weeks ago with “Pretty Mess,” the singer scored the uncommon feat of sending her first four entries to the top of the chart. Her streak began with “Rollercoaster” in 2007, and she followed with a chart-topper in each successive year: “Stars,” “Give You Everything” and now “Pretty Mess.” Since the chart launched in 1976 as a national weekly survey of the most-played tunes as reported by club DJs, only 13 acts have taken at least their first four hits to No. 1. Kristine W has sent her first nine charting singles to the top, Rihanna her first seven and the Pussycat Dolls their first six.

—Keith Caulfield

Famous Firsts

Acts that saw at least their first four Hot Dance Club Songs chart entries reach No. 1.

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<td>Kristine W</td>
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*Greek text*
**Family Reunion**

Legendary Native Tongues Act Returns With New Single

When rapper Dres' phone started ringing nonstop in late May, the main man behind Black Sheep figured it was to congratulate him on his just-released single, "Birds of a Feather," a reunion of the legendary Native Tongues posse—Q-Tip from A Tribe Called Quest and Jungle Brother Mike G.

"But now they are combining call-and-response with an image," he recalls. Six who grew up in Ohio, with an image since its gold-selling Mercury/Polystar debut, "A Wolf in Sheep's Clothing," the group's biggest single from that album, 1992's "The Choice Is Yours," was back on the airwaves as the centerpiece of an eye-popping car commercial featuring a trio of rapping rodents.

"I'm still up in the air on how I feel about the commercial," Dres says. "Because I found out about it at the same time as everyone else. But the timing . . . I couldn't have been asked, but at the end of the day I hope I'd have been shrewd enough to say 'yes.'"

Black Sheep—originally the duo of Andres "Dres" Titus and William "Mista Lawne" McLean—came out of Queens with "Wolf" in 1991. It was one in a series of major-label signings from a collective of rap groups called the Native Tongues, known as much for their clever, Afro-centric lyrics as for their jazz-and-funk beats and off-center samples. "We would be in each other's sessions, everybody vibing and being pretty selfless, having a good time and making dope music," Dres remembers of the P ions for Blks, whose Mercenary Management company shares office space with Appleton. The video sold Blks, who have contributed to the project, currently only tracks produced by No I.D. and Cole are set to make the cut.

Propelling the buzz about the hip-hop freshman is first single "Who Dat." To further whet fans' appetite for his album's debut, Cole plans to release songs that don't make the final cut every few weeks leading up to street date.

Fans can expect the same lyrical skills that garnered hip-hop pioneer Jay-Z's attention. Roc Nation partner Jay Brown recalls that the rapper insisted Brown check out Cole because "he was different," refreshing—something Cole's growing fan base already knew from his two mixtapes, "The Come Up" and "The Warm Up." Both tell an autobiographical story. The first is about a boy from North Carolina who dreams of success; the latter is about his trying to make the high school basketball team.

"This album is a continuation of that story," says Cole, who has drawn comparisons to Nas. "I made a new goal." One of those goals: winning a BET Award. Cole recently performed his verse from mentor Jay-Z's "A Star is Born" during the recent BET Awards (June 27) as part of the network's Music Matters emerging artist campaign. "Next year, guaranteed, I'll be performing on the big stage," Cole says, "and accepting an award."

—Gabriella Landman

**Black Veil Brides**

Black Veil Brides' first album, "We Stitch These Wounds," doesn't arrive until July 20 on Standby/Victory Records. But long before the debut of the metalcore/glam/goth outfit's record, the act has racked up millions of YouTube views, moved plenty of Hot Topic merch and scored sponsorships with such companies as Mehron Makeup.

Singer Andy Six—a strikingly mature 19-year-old whose career vision rivals that of peers twice his age—contented that his band is on the verge of a mainstream breakthrough just five years after he created it. "I wanted to make the next Mötley Crüe or Kiss. I had a very specific vision of what I wanted to do with an image," he recalls. Six, who grew up in Ohio, points out that those acts steered their careers to becoming legendary rock gods. "I didn't want to just be them—I wanted to be even better!" His own followers are also attracted to the Brides' costumes and even dress like them. "We're doing something more than a lot of people can offer, which is a larger-than-life image, theatrical presentation."

Things began to click for the band in 2009 when, following several changes, its lineup solidified. "Wounds" was written about three months later. The Brides landed management after its booking agent Ash Avildsen with the Pantheon Agency played the video for the song "Knives and Pens" from its self-titled release: "Just a couple of months after the single was written and recorded, the video was being shown at college and university shows," Dres says. "It really solidified the idea for us."

Black Veil Brides' first album, "We Stitch These Wounds," is due out on July 20 via Standby/Victory Records. But the timing of the band's rise has been anything but serendipitous. "We were geared up to re-lease Black Sheep's strongest material right after we finished 'Suckers.' I made it to the finish line."

**Crossing the finish line: Black Sheep**

"You come into a major-label deal at 19, you don't really have any idea of what's going on," he says. "With the downfall of records and CDs and the rise of the Internet, now it's a level playing field. I know what good music is, and I can play. I can get to the finish line." ...
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For print and online contact Jeff Serrette: 800-223-7524 or jserrette@billboard.com
Eminem’s “Recovery” debuts at No. 1 on the Billboard 200 with a massive 741,000 copies sold in its first week, according to Nielsen SoundScan. It’s the biggest sales week for a single album since October 2008, when AC/DC’s “Black Ice” started with 784,000 in its first week.

The new album’s start was enhanced, to a degree, by its arrival on Monday, June 21—a day earlier than planned. Thus, it starts with a full seven days of sales instead of the normal six for a new release.

The set’s entrance also exceeds the bow of 2004’s “Encore” and 2002’s “The Eminem Show,” but with a very large asterisk next to the achievement. “Encore” debuted at No. 1 with 711,000 after its debut was pushed forward to an off-cycle Friday release to combat leaks. It sold at No. 1 the following week with 870,000 after a full week of sales.

The same scenario played out with “The Eminem Show,” as it started at No. 1 after its street date was pushed up twice, ultimately arriving in stores during the Memorial Day weekend. With a very short week, it still started with 285,000 at No. 1, remaining there after its first full week with 1.3 million.

“Recovery” also wears digitally, as downloads made up 255,000 of its first week. That’s the second-biggest digital week for an album in history. Only Coldplay’s “Viva La Vida or Death and All His Friends” notched a larger frame, when it debuted with 288,000 downloads in the summer of 2008.

It’s likely that “Recovery” will hold at No. 1 for at least another week—if not two—as this week’s slate of new releases isn’t likely to pose a threat to the album’s No. 1 reign.

SHE’S JUST BEING MILEY: Miley Cyrus’ new “Can’t Be Tamed” album starts at No. 3 on the Billboard 200 with a tepid (for her) 102,000 sold in its first week. The Disney diva’s last full-length studio set, “Breakout,” bulldozed in at No. 1 in 2008 with 371,000. Last year, her “Time of Our Lives” EP entered at No. 3 after three days of sales with 62,000 before shifting 153,000 at No. 2 in its first full week.

Cyrus’ new Hollywood set was preceded by its title track—a stumpy, defiant, “I’m-not-a-kid-anymore electronic pop single that is No. 1 on Billboard’s Mainstream Top 40 radio airplay chart. The song’s stylized music video furthers the “grown up” Cyrus idea. In the clip, she’s literally a sexy young bird that’s breaking out of a cage.

Cyrus’ morphing into an “adult” pop star is reminiscent of when Hilary Duff—a former Disney queen—turned to electro dance beats in 2007 for her “Dignity” album (also on Hollywood). The set arrived at retail coupled with the single “With Love” and its requisite hot video—Duff, clad in a trench coat, works her mojo on Kellan Lutz in an elevator.

Duff’s “Dignity” started with 140,000 at No. 3. Its predecessor, her 2004 self-titled set, entered at No. 1 with 192,000.

FOREVER KING: This week’s chart reflects the first anniversary of Michael Jackson’s death (June 25) and, unsurprisingly, a number of his albums see gains on the Billboard 200.

“Number Ones” rises from No. 100 to No. 42 (10,000, up 86%). “Essential” climbs from No. 157 to No. 53 (8,000, up 116%). “Thriller” re-enters at No. 80 (6,000, up 71%). “This Is It” does at No. 97 (5,000, up 64%).

Jackson’s overall album sales (including sets with the Jackson 5 and the Jacksons) gained 74% (47,000 sold) while his digital song sales were up 92% (to 140,000).

For weekly data, go to www.billboard.biz for complete chart data.

Go to www.billboard.com for complete chart data.
<table>
<thead>
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<th>#</th>
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| 105 | The Four-song Release Features Acoustic Versions Of Four Tunes From The Arista/Latino Label's Debut Album, The New Life Of A Legend, Including, "We Do It Again", "I Can't Stand It" And "Start Over"
| 106 | Shinedown | The Sound Of Madness | Single |
| 107 | Adam Lambert | For Your Entertainment | Single |
| 108 | Marvin Sapp | Here I Am | Single |
| 109 | Daughtry | Leave This Town | Single |
| 111 | Various Artists | Heat It Up: Cool Tunes For Hot Days | Compilation |
| 112 | Casting Crowns | This Is Not My Heart | Single |
| 113 | Paul Thorn | Area Code 81 | Single |
| 114 | Keane | Temporary | Single |
| 115 | Diana Krall | Live In Rio | Concert |
| 116 | Everclear | Perfect | Single |
| 117 | The Raconteurs | Consolers Of The Lonely | Album |
| 118 | Def Leppard | Go! | Single |
| 119 | Akon | Fire | Single |
| 120 | Various Artists | This Is Happening | Compilation |
| 121 | Paul W. Smith | A Night To Remember | Live |
| 122 | Snow Patrol | In The Forest | Single |
| 123 | The Black Keys | Brothers | Album |
| 124 | The Kings Of Leon | Only By The Night | Album |
| 125 | Daughtry | If I Had That Night Back | Single |
| 126 | Black Rebel Motorcycle Club | Nursery Rhymes | Album |
| 127 | The Fray | How To Save A Life | Single |
| 128 | Local H | Stars | Single |
| 129 | Matt Nathanson | Love Is A Four Letter Word | Single |
| 130 | The Decemberists | The Crane Wife | Album |
| 131 | The Decemberists | Collingwood | Single |
| 132 | The Decemberists | The Crane Wife II | Album |
| 133 | The Decemberists | Hazards Of Love | Album |
| 134 | The Decemberists | The Crane Wife III | Album |
| 135 | The Decemberists | The Crane Wife IV | Album |
| 136 | The Decemberists | The Crane Wife V | Album |
| 137 | The Decemberists | The Crane Wife VI | Album |
| 138 | The Decemberists | The Crane Wife VII | Album |
| 139 | The Decemberists | The Crane Wife VIII | Album |
| 140 | The Decemberists | The Crane Wife IX | Album |
| 141 | The Decemberists | The Crane Wife X | Album |
| 142 | The Decemberists | The Crane Wife XI | Album |
| 143 | The Decemberists | The Crane Wife XII | Album |
| 144 | The Decemberists | The Crane Wife XIII | Album |
| 145 | The Decemberists | The Crane Wife XIV | Album |
| 146 | The Decemberists | The Crane Wife XV | Album |
| 147 | The Decemberists | The Crane Wife XVI | Album |
| 148 | The Decemberists | The Crane Wife XVII | Album |
| 149 | The Decemberists | The Crane Wife XVIII | Album |
| 150 | The Decemberists | The Crane Wife XIX | Album |

**Data for week of JULY 10, 2010**

**Go to www.billboard.biz for complete chart data**
The Billboard charts are a weekly snapshot of the most popular music releases in the United States. The charts are compiled by Nielsen SoundScan, a data collection service, and reflect sales, streaming, and radio airplay data from leading music retailers and streaming services.

**Top Independent Charts**

- **ARTIST**: KEITH SWEAT
  - **Title**: REDY 4 Luv

- **ARTIST**: CYNDI LAUPER
  - **Title**: TRICKLETOWN

- **ARTIST**: DANZIG
  - **Title**: GHOSTS OF AMETHYST

- **ARTIST**: NO. 1 ON BILLBOARD.COM
  - **Title**: TOP 10 OF THE WEEK

**Top Digital Charts**

- **ARTIST**: EMINEM
  - **Title**: RECOVERY

- **ARTIST**: DRAKE
  - **Title**: THANK ME LATER

- **ARTIST**: BILL CUS
  - **Title**: CAN'T BE TAMED

- **ARTIST**: JAY-Z
  - **Title**: I'M NOT HOT

**Top Internet Charts**

- **ARTIST**: CAROLE KING & JAMES TAYLOR
  - **Title**: LIVE AT THE Troubadour

- **ARTIST**: TOM PETTY AND THE HEARTBREAKERS
  - **Title**: LET ME BREATHE

- **ARTIST**: OZZY OSBOURNE
  - **Title**: Zakk

- **ARTIST**: PAUL THORN
  - **Title**: ANGELS OF LUXURY

**Top New Releases**

- **ARTIST**: THE DREK TRUCKS BAND
  - **Title**: UNDERWATER

**Top Singles**

- **ARTIST**: SOUL CRY (OH, OH OH)
  - **Title**: WE FLY

Data for week of July 10, 2010.
**HEATSEEKERS ALBUMS**

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**HEATSEEKERS SONGS**

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**REGIONAL HEATSEEKERS "1 ALBUMS"**

- **PACIFIC**
  - Selfish Machines: Pierce The Veil
  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

- **MOUNTAIN**
  - Selfish Machines: Pierce The Veil
  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

- **EAST NORTH CENTRAL**
  - Selfish Machines: Pierce The Veil
  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

- **NORTHEAST**
  - Selfish Machines: Pierce The Veil
  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

- **SOUTHERN**
  - Selfish Machines: Pierce The Veil
  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

- **SOUTHWEST**
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  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

- **SOUTH ATLANTIC**
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  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

- **MID-ATLANTIC**
  - Selfish Machines: Pierce The Veil
  - Stories Of Survival: Authority Zero
  - Selfish Machines: Pierce The Veil

**NEW ON THE CHARTS**

**Days Difference, "Speakers"**
The pop/rock band, comprised of two pairs of brothers, makes its Billboard chart debut with "Speakers," which enters at No. 40 on the Adult Top 40 tally (viewable at billboard.biz/charts). The act will be on tour with Jordin Sparks through July.
HOT 100 MAKES ‘WAY’ FOR EMINEM

As his ‘Recovery’ rules the Billboard 200 with sales of 741,000, according to Nielsen SoundScan, Eminem likewise storm the Bill- board Hot 100 with seven tracks from the set. “Love the Way You Lie,” featuring Rihanna, ranks highest, debuting at No. 2 on the Hot 100 and No. 1 on Hot Digital Songs (138,000 downloads sold). On Hot 100 Airplay, the song bounds 66-34 (1.7 million impressions, up 84%). The album’s seven songs on the Hot 100 sold a combined 701,000 downloads. —Gary Trust
### Mainstream Top 40

1. **Calvin Harris Feat. Dua Lipa** - “One Kiss” (Atlantic)
2. **Post Malone** - “Rockstar” ( Republic)
4. **The Chainsmokers Feat. Coldplay** - “Something Just Like This” (Capitol)

### Adult Contemporary

1. **Chris Tomlin** - “How Great Thou Art” (Epic/Sony)
2. **Kirk Franklin** - “God’s Not Dead (Part 2)” (LightSource)
3. **Oprah Winfrey** - “A New Day Has Come” (Sparrow)
4. **Kirk Franklin** - “God’s Not Dead” (LightSource)

### Rock Songs

1. **Imagine Dragons** - “Believer” (D막C)
2. ** Panic! At The Disco** - “High Hopes” (AndTheEra)
3. **Green Day** - “Looking For Someone” (D막C)
4. **Imagine Dragons** - “ Whatever We Came For” (D막C)

### Active Rock

1. **Incubus** - “ göz On Me” (Atlantic)
2. **The Killers** - “ Outsider” (D막C)
3. **Muse** - “ Giving The Game Away” (D막C)
4. **Imagine Dragons** - “ Believer” (D막C)

### Heritage Rock

1. **Rolling Stones** - “ Bitch” (Virgin/Legacy)
2. **AC/DC** - “ Thunderstruck” (Capitol)
3. **Metallica** - “ Enter Sandman” (RCA)
4. **Led Zeppelin** - “ Stairway To Heaven” (Rhino)

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**The Dirty Heads** - “Hey Me Down”

The Dirty Heads, featuring Rome, has for most weeks atop Alternative (now Billboard’s “Rock” chart). The band’s independently released song, which the Executives Music Group cut a week after No. 1. The track matches the rings of California’s “What’s Up” (Sonny Bono) in 1965–66.

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**The Weeknd** - “Save Your Tears”

The Weeknd’s “Save Your Tears” is the No. 1 song on Billboard’s Hot 100 for the second week of its 17-week chart run. The song, which features Ariana Grande, is the first No. 1 single from the Weeknd’s album “After Hours.” It has also hit No. 1 on the Hot Dance/Electronic Songs chart and is currently No. 3 on the Adults Contemporary chart.

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**Billboard** - “The 2019 Year-End Chart Revealed”

Billboard has released its annual year-end chart, which ranks the most popular songs of the year based on data from the Billboard chart. The song “Old Town Road” by Lil Nas X featuring Billy Ray Cyrus is the No. 1 song of the year, followed by “Dance Monkey” by Tones and I and “What Makes You Beautiful” by One Direction.

---

**Spotify** - “Global Chart”

Spotify has released its global chart for the week, which ranks the most popular songs in the world. The top song is “Old Town Road” by Lil Nas X featuring Billy Ray Cyrus, followed by “Dance Monkey” by Tones and I and “What Makes You Beautiful” by One Direction.

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**Billboard** - “2019 Year-End”

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**HOT COUNTRY SONGS**

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**TOP COUNTRY ALBUMS**

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**BETWEEN THE BULLETS**

Brad Paisley completes his 15th chart to the Hot Country Songs summit as “Water” improves 1.7 million audience impressions (29%) and crosses the finish line with a 3-1 hip. Since Paisley’s first week at No. 1—which happened when “He Didn’t Have to Be” topped the Dec. 11, 1999, chart—his total is outpaced by only Toby Keith’s 16 chart-toppers. All but three of Kenny Chesney’s 17 leaders were inked during that same span, placing him third since Paisley’s first week at No. 1. Paisley stacked 10 consecutive leaders between March 2006 and June 2009—when he last led the list with “Then.” —Wade Jenkins
**HOT R&B/HIP-HOP SONGS**

**ARTIST/PRODUCER**

**TITLE**

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| 1    | "I-. THINK (I'M READY)
there's a way..." (J.U.S.T. IN SEEM) |
| 2    | Usher Featuring Yo Gotti and Rick Ross |
| 3    | "LOVE." (TANNARA JAMES/WEYETTE) |
| 4    | "ONE LESS" (TANNARA JAMES/WEYETTE) |
| 5    | "TEACH ME HOW TO DOUGIE" (RIHANNA) |
| 6    | "FIND YOUR LOVE" (TAYLOR SWIFT) |
| 7    | "SHUT UP" (CHRIS BROWN) |
| 8    | "OVER" (B.O.B.) |
| 9    | "DON'T LET ME BE UNDERESTIMATED" (B.C.G.) |
| 10   | "LOVE YOU" (B.C.G.) |

**AIRPLAY**

**AIRPLAY**

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<td>&quot;HELLO GOOD MORNING&quot; (TIDZ)</td>
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<td>&quot;LIFY DADDY'S HOME&quot; (Usher)</td>
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<td>&quot;CHAMPIONSHIP LIFE&quot; (B.O.B.)</td>
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<td>&quot;ALWAYS LOVE ME&quot; (J.M.J. BIPA)</td>
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**SALES DATA**

**SPEAK TO THE HANDS** (E.T. GIBSON/SONGBOOK/ATLANTIC)

**PRODUCER (SONGWRITERX IMPRINT / PROMOTION LABEL**

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**BETWEEN THE BULLETINS**

**ROWLAND RETURNS WITH 'GROWN'**

Kelly Rowland collects her first debut in three years on Hot R&B/Hip-Hop Songs as "Grown Woman" enters at No. 87. With 1 million in audience, the single is Rowland's first appearance since the No. 7 peak "Like This" in 2007. However, Rowland didn't fall completely off the Billboard radar after her last top 10. Since 2008 she has earned three top 10s on Hot Dance Club Songs, including two No. 1s. Currently, "Commander," featuring David Guetta, climbs 2-7 and follows her guest turn on Guetta's No. 1 "When Love Takes Over" in June 2009. Rowland's third album, including "Grown" and Commander, is due in September.

—Raphael George
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Evangelist Juanella Byrum’s “Most Popular” chart, which includes the top 50 Top Christian Gospel Albums for an eight-track week (No. 10), while single new “Sad Cry (Oh, Oh, Oh)” opens at No. 2 with 4,000 copies on Hot Singles Sales (see page 32).
**HOT LATIN SONGS**

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**TOP LATIN AIRPLAY**

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Title “El Bambino” debuts latest single "Te Conmigo Conmigo" at No. 10 on Latin Rhythm Airplay with 5.1 million listener impressions, according to Nielsen BDS, the track is his 12th top 10 and the chart’s first top 10 bow since David Bisbal’s “Esclavo de San Pablo” opened at No. 10 in Oct. 14, 2010.

**BETWEEN THE BULLETS**

Aliados arrives with third top 10

Aliados de la Sierra returns to the top 10 of Regional Mexican Albums with latest set “Loquendo Y Pitemando”, moving more than 1,000 copies to open at No. 7. The act’s last two albums—2007’s “Con los Ojos Cerrados” and last year’s “Solo Por Ti”—both started at No. 2 with bigger debut weeks, likely owed to each having singles percolating at radio at the time of their release. A single from “Loquendo” has yet to chart, but a new track will be serviced to radio next week.

—Raúl Ramirez
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<td>1. <strong>KATY PERRY FT. SNOOP DOGG</strong></td>
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**SINGLES & RACKS SONG INDEX**

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| A-Love | Love | 2009-07-29 | Interscope Records | 89995
| Leona Lewis | Better | 2009-07-28 | Epic Records | 88697
| The Game ft. Kanye West & Akon | Reebok | 2009-07-21 | Interscope Records | 89424
| Nelly ft. Missy Elliott | Indoctrinate | 2009-07-14 | Interscope Records | 89512
| T-Pain | Welcome to My Mind | 2009-07-13 | Interscope Records | 89520
| Cascada | Too Much | 2009-07-07 | Sony Music UK | 88698
| Lil Wayne | I Am Not A Human Being | 2009-07-03 | Cash Money Records | 88700
| Jay-Z ft. Lil Wayne | Young Forever | 2009-06-29 | Roc Nation | 88730
| Dr. Dre ft. T.I. | Letter Perfect | 2009-06-22 | Aftermath Records | 88742
| Snoop Dogg ft. H-E-B & Snoop Dogg | Electrify | 2009-06-22 | Interscope Records | 88744
| Timbaland ft. Tag Team | Better Days | 2009-06-15 | Timbaland | 88750
| Chris Brown | Over | 2009-06-08 | RCA Records | 88760
| Ludacris ft. Trey Songz | Get Up - Jim Jones | 2009-06-08 | Def Jam Recordings | 88764
| Sean Kingston | Give It To Me | 2009-06-08 | Epic Records | 88770
| Plies | I Love You | 2009-06-01 | Atlantic Records | 88780
| The Game | We一贯 | 2009-05-25 | Interscope Records | 88790
| Ace Hood | Ridin’ Solo | 2009-05-25 | Cash Money Records | 88792
| T-Pain ft. Caucasians | Rude | 2009-05-18 | Interscope Records | 88800
| T-Pain | Let My Love Shine | 2009-05-18 | Interscope Records | 88802
| Lil Wayne | So Sorry | 2009-05-11 | Cash Money Records | 88810
| T-Pain ft. B.o.B | Almost Over | 2009-05-11 | Interscope Records | 88812
| Timbaland | Let’s Get Loud | 2009-05-04 | Timbaland | 88820
| Joe | Missing You | 2009-05-04 | Interscope Records | 88824
| Timbaland | I'm A Man | 2009-05-04 | Timbaland | 88826
| Timbaland | ZaZa | 2009-05-04 | Timbaland | 88828
| Yung Joc | It's All About the Bitch | 2009-05-04 | Interscope Records | 88830

**Data for week of JULY 10, 2010**
Staind’s Lewis Aims to Save Daughter’s School

Staind frontman Aaron Lewis recently finished recording a country-tinged solo album, and in the coming months he’ll meet with his bandmates to write the group’s next album. But for now he has one main focus: to reopen his daughter’s elementary school in Worthington, Mass., which recently closed due to budget cutbacks.

To help accomplish this, Lewis and his wife, Vanessa, have started It Takes a Community Foundation (facebook.com/ittakesacommunity), a nonprofit designed to financially assist rural community groups throughout greater New England. For now Lewis is using his own money to reopen the RH Conwell Community Education Center this fall. He estimates it’ll cost up to $100,000 per year to keep it open.

“When I reopen it we’re going to do preschool through sixth grade and we’re not turning anybody away,” Lewis says. “This town depends on the school. We have no commerce . . . We have a stoplight with a country store, and that’s literally it. It’s a town of 2,000 people and the only thing we have is the elementary school.”

To help raise awareness of the foundation, Lewis is hosting a benefit concert on Aug. 14 at the Pines Theater at Look Park in Northampton, Mass. In addition to Lewis, the event will feature acoustic performances by Brad Arnold and Chris Henderson of 3 Doors Down, Brendan Kelly and Lo Pro. Tickets are available at Ticketmaster.com. Lewis is also giving the foundation his earnings from a handful of solo acoustic performances in July.

In addition to helping reopen the school, the funds will be given to New England rural areas that don’t have “the tax dollars . . . to do things for the community that bring it closer together,” Lewis says. —Mitchell Peters

EXECUTIVE TURNTABLE

Send submissions to: exec@billboard.com

RECORD COMPANIES: Universal Music Group International in London appoints Costa Pilavachi senior VP of classical A&R. He was artistic advisor to conductor Seiji Ozawa and previously served as president of EMI Classics. Sony Music Nashville names Scott McDaniel VP of creative services. He was senior director.

PUBLISHING: The Harry Fox Agency appoints Elizabeth Perri VP of marketing and communications. She was VP of product marketing at phone service company Vonage.

TOURING: Live Nation names Mike Evans president of arenas. He was executive VP of sports and entertainment at facility management company SMG.

DISTRIBUTION: Fat Beats Distribution names Ed Franke VP of sales. He was VP of sales at Asylum.

DIGITAL: MySpace Music names Dmitry Shapiro chief technology officer. He was founder/CEO of Veoh Networks.

RELATED FIELDS: The Recording Academy’s New York Chapter Board elects new officers: Jennifer Blakeman (president), Ruby Marchand (VP) and Linda LorencenCritelli (returning as secretary). Blakeman is a senior VP at Universal Music Publishing Group, Marchand is head of A&R for Ryko, and LorencenCritelli is VP of writer/publisher relations at SESAC.

—Edited by Mitchell Peters

GOOD WORKS

U.K. Music Biz Bids Farewell to Lucian Grainge

U.K. music executives and artists gathered to say goodbye to Universal Music Group International chairman/CEO Lucian Grainge June 16 at a party at the Mandarin Oriental hotel in West London. Grainge is moving to New York to become Universal Music Group CEO. Photos: Tony Ateca

ABOVE: Amy Winehouse, chatting here with Lucian Grainge, came to see him off.

ABOVE RIGHT: Lucian Grainge (center) catches up with longtime friends, including former Queen manager Jim Beach (left) and Queen guitarist Brian May.


BELOW RIGHT: Bob Geldof (center) with Ben Langmaid (left) and Elly Jackson of La Roux.

UK MUSIC BIZ BIDS FAREWELL TO LUCIAN GRAINGE

SESAC honored its roster of film and TV composers June 16 during its annual SESAC Television & Film Composers Awards Dinner at Chaya in Beverly Hills, Calif. The event celebrated the composers of music featured in 2009’s biggest films, prime-time TV shows and cable programs, metro tel miss.

ABOVE LEFT: SESAC VP of West Coast operations Ashley Miller with Jason Derlatka, whose work on the TV shows “House” and “Life” was honored at the event.

ABOVE RIGHT: Christophe Beck was honored for his work on feature films “The Hangover,” “The Pink Panther 2” and “All About Steve.” From left: SESAC senior VP of writer/publisher relations Trevor Gale and executive VP Dennis Lord. Back, SESAC VP of West Coast operations Ashley Miller and senior VP of strategic development/distribution and research operations Hunter Williams.

LEFT: Danny Lux (left), whose work on “Boston Legal” was recognized with SESAC honors, poses with SESAC VP of West Coast operations Ashley Miller and senior VP of strategic development/distribution and research operations Hunter Williams.

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TO LUCIAN GRAINGE
ASCAP FILM & TV AWARDS

ASCAP honored the composers of the top box-office film music and the most-performed TV music of 2009 at its 25th annual Film and Television Music Awards, held June 24 at the Beverly Hilton Hotel in Los Angeles. Among the winners were

LEFT: Australian singer/actress Delta Goodrem performed “I See You,” the theme from “Avatar,” to honor the song’s composer, Academy Award and Golden Globe Award nominee James Horner. Goodrem is pictured with Jeff Jerisel, ASCAP membership representative for film and TV.

ABOVE: From left: ASCAP CEO John LoFurno joins ASCAP president/chairman Paul Williams in honoring Bruce Broughton, who received the Henry Mancini Award, and Michael Giacchino, who won an Oscar, an Emmy and a Golden Globe, as well as a British Academy of Film and Television Award and multiple Grammys, for his musical contributions to “Up.”

RIGHT: The Golden Note Award was bestowed upon Dennis McCarthy, whose motion picture credits include “Letters From a Killer” and “Michaela’s Navy.” He stops here for a photo with ASCAP special consultant for film and TV Nancy Knudson.

ASCAP RHYTHM & SOUL AWARDS

ASCAP hosted its 23rd annual Rhythm & Soul Music Awards June 25 at the Beverly Hilton Hotel in Los Angeles. The event honored Dr. Dre and Janelle Monae, along with the songwriters and publishers of the most-performed ASCAP songs on the 2009 R&B/hip-hop, rap and gospel charts. PHOTOS: FRANK MICHELLETTA

ABOVE LEFT: Dr. Dre (second from left) was honored with the Founders Award in recognition of his influential achievements as a producer, performer and businessman. He’s pictured with (from left) ASCAP president/chairman Paul Williams, VP of membership/rhythm and soul Nicole George and CEO John LoFurno.

ABOVE RIGHT: From left, ASCAP songwriter of the year honoree C. “Tricky” Stewart, T.I., and songwriter of the year honoree The-Dream pose with ASCAP VP of membership/rhythm and soul Nicole George and senior director of newspapers/creative affairs for membership/rhythm and soul Alonzo Robinson.

LEFT: Eminem surprised Dr. Dre when he co-presented Dre’s Founders Award with ASCAP president/chairman Paul Williams.

BELOW LEFT: The Vanguard Award, which recognizes the impact of musical genres that shape the future of American music, was presented to Janelle Monae (center). She’s pictured with (from left) ASCAP director of creative affairs for membership/rhythm and soul Tremayne Anchrum, senior director of creative affairs for membership/rhythm and soul Jay Sloan, VP of membership/rhythm and soul Nicole George and senior director of newspapers/creative affairs for membership/rhythm and soul Alonzo Robinson.

BELOW RIGHT: Jimmy Jam presented ASCAP’s songwriter of the year award to Ne-Yo and songwriter/prodution duo C. “Tricky” Stewart and The-Dream, who tied for the honor with six award-winning songs each. Here, Ne-Yo poses with his award and Jam.

INSIDE TRACK

NICK DRAKE DOC TAKES SHAPE

After a pair of well-received documentary projects—“The White Stripes Under Great White Northern Lights” and “180 South”—Emmett Malloy’s next target is paying tribute to the late British folk-rocker Nick Drake.

The Brushfire Records co-founder has already started work on the as-yet-untitled Drake project, which he says will be “a nice, multilayered piece” including an album, “a little film” and a book. He’s targeted “a variety pack of artists”—so far including Jack Johnson, Andrew Bird and Matt Costa, with more to be added. “I know that with that [Drake] name, we’ll get some great ones,” Malloy says. “I’m just fighting my way through to get the artists I feel will do it justice. I’m excited to get going on it [because] there’s so many great songs.”

Drake’s estate—particularly his sister, Gabrielle—has sanctioned the project, and Malloy says he’s taking pains to ensure it’s a credible endeavor. “Tribute projects, they’re dime a dozen,” he says. “I’m sure there’s been 50 at attempts to emulate at this, from every angle. It’s so complicated to get them started and to let people know it’s the real one.”

“I’m just fighting my way through to get the artists I feel will do it justice. I’m excited to get going on it [because] there’s so many great songs.”

Drake died in 1974 at the age of 26, after releasing three albums. Previous tribute albums include 1992’s “Brittle Days” and pianist Christopher O’Riley’s “Second Grace.”

“Letters From a Killer” and “Michaela’s Navy.” He stops here for a photo with ASCAP special consultant for film and TV Nancy Knudson.

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