



## Nebraska School Activities Association

### When you need music licenses...

#### When you need a Master Use license:

A master use license grants permission to use someone else's recording in your video.

- *Example:* A color guard team wants to make a video of their performance, in which they performed to a recording of a Coldplay song.

#### When you need a Mechanical License:

A mechanical license grants the rights to reproduce and distribute copyrighted musical compositions (songs) on CDs, records, tapes, ringtones, permanent digital downloads, interactive streams and other digital configurations supporting various business models, including locker-based music services and bundled music offerings. If you want to record and distribute a song that you don't own or control, or if your business requires the distribution of music that was written by others, you need to obtain a mechanical license. A mechanical license doesn't include the use of a song in a video. That use requires a synchronization license which you will need to obtain by contacting publisher(s) directly.

#### When you need a Custom Arrangement License:

1. **Altering Music:** Whenever music is altered from its original form, it becomes a derivative work. Creating a derivative work requires the permission of the publisher via a Custom Arrangement License.
  - *Example:* "Yesterday" (McCartney / Lennon) was written for guitar and vocals. If you wanted to make a marching band arrangement of this work, you would add your marching band instrumentation and create the parts for that instrumentation. Making these additions qualifies as creating a derivative work, and requires the publisher's permission.
2. **Creating A Medley:** A medley is defined as a collection of songs or other musical items performed as a continuous piece. Using music in a medley requires the publisher's permission via a Custom Arrangement License, even if you're not making any changes to the music itself.

- *Example:* If you wanted to have your marching band play two original marching band compositions without pausing between them (i.e., play them continuously), you would need the permission of each composition's publishers. Even if one of the two compositions is in the Public Domain, you would need the permission of the other composition's publishers to play it continuously with the Public Domain composition.
  - *Example:* If you wanted to perform Pentatonix's Daft Punk mash up, you would need to get permission of each original Daft Punk composition's publishers.
3. **Using Small Snippets:** Similar to number 2 above, using a small snippet of a composition within a medley (i.e., 'less than 20 seconds', 'less than eight bars') still requires permission from that composition's publishers, even if you're using an unchanged snippet from a published stock arrangement. There's no minimum threshold where licensing kicks in – any recognizable snippet triggers the need for a Custom Arrangement License.
    - *Example:* If you wanted to borrow the first 12 notes from the opening of "Layla" (Clapton) and insert it into your medley, you would need the permission of this song's publisher.
  4. **Re-voicing:** Changing the voicing of a published choral arrangement requires the permission of the publishers.
    - *Example:* If you had purchased a choral arrangement that is published as an SSA arrangement, and wanted to re-voice it as a TTBB arrangement, you would need the publisher's permission.
  5. **Lyric Changes:** Lyric changes of any kind require the publisher's permission via a Custom Arrangement License.
  6. **Re-typing / Transcribing:** If you are re-typing arrangements into Finale (etc.), and then handing out these re-typed arrangements to your ensemble, you will need a Custom Arrangement License as this constitutes a duplication of copyrighted material.
    - This includes taking another ensemble's licensed custom arrangement and using it with your ensemble. Likewise, if you lend another ensemble your custom arrangement, that ensemble will need to acquire a separate custom arrangement license to use it.
    - This also includes making and distributing a photocopy of the sheet music, even if the original sheet music is licensed properly.
  7. **Re-combing Stock Arrangements:** Similar to some of the points above, using pieces of stock arrangements that are combined (i.e. cut out and pasted selections of stock sheet music) constitutes the need for a Custom Arrangement License for all of the compositions used.