

# SYNC 101: How to License Your Music in Film & TV

## I. Know Your Rights

Every recording has two copyrights: publishing rights and master rights.

- Publishing rights: rights over the underlying musical composition of a piece of music; the written music and lyrics.
- Master rights: rights over the recording of a musical performance that can be played back, or reproduced.

<b>PUBLISHING RIGHTS</b>	<b>MASTER RIGHTS</b>
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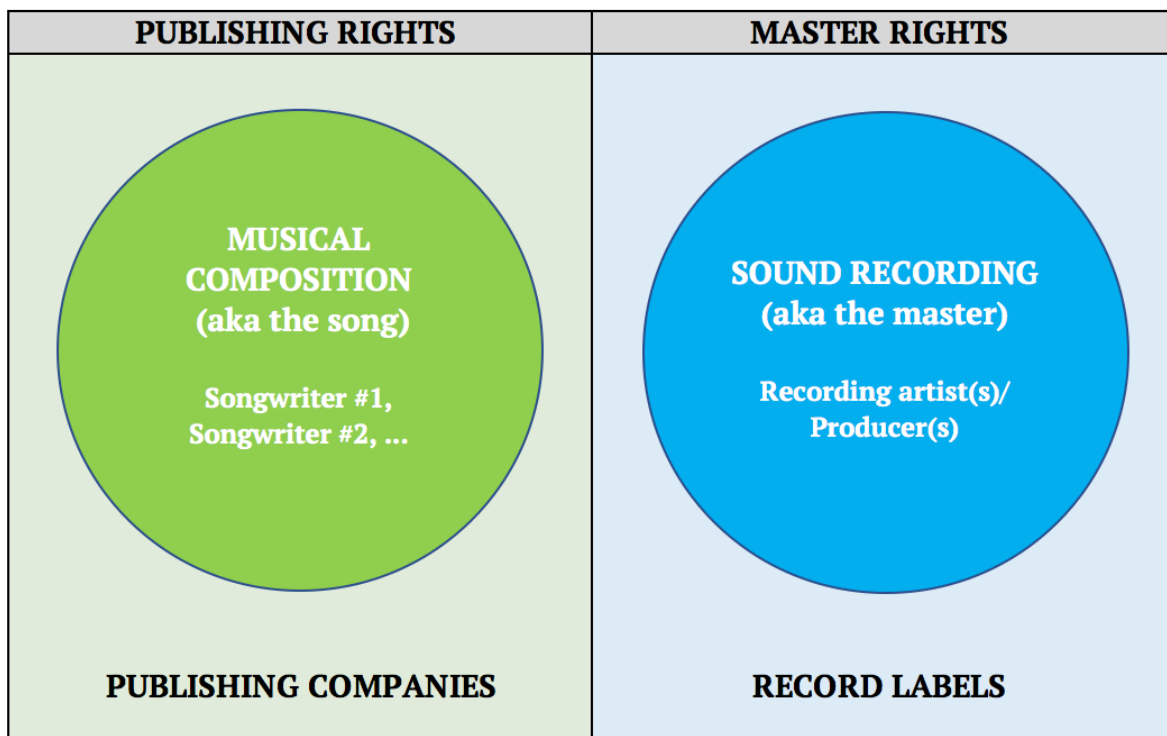
Some important things to note:

- The songwriter(s) can be a different from the recording artist(s).
- If you record a cover song, you own the sound recording but not the composition. If someone covers your song, they own the sound recording and you own the composition.
- Producers generally get a portion of the master rights as they are helping to finish the song, not write it.

## Publishers and Record Labels

- Publishing companies represent songwriters and own and/or control compositions.
  - Can claim your work, in exchange for promoting it.
  - Control several aspects such as performing acts rights, mechanical rights, and synchronization.
  - Try to monetize your musical compositions through sync placements, performances and covers by other musicians.
  - Connect with other composers and songwriters
- Record labels represent recording artists and own and/or control sound recordings.
  - Involved in the recording, production, pressing, releasing, distribution, marketing, and merchandising of your songs.
  - Connect artists to managers and talent bookers.
  - Give artists an advance that is repayable through music sales.

→ Both publishers and record labels will generally take a portion of the rights to your music in exchange for their services !!!



→ Whether or not you should work with a publisher and/or label depends on your unique situation; make sure you understand the implications and what they can do for you in return.

	PROS	CONS
<b>Staying Independent</b>	<ul style="list-style-type: none"> <li>&gt;You retain 100% ownership &amp; control of your music</li> <li>&gt;You receive 100% of the royalties when your music is placed/performed</li> <li>&gt;Music supervisors will want to work with you :)</li> <li>&gt;Less restrictions, easier to make things happen with your music</li> <li>&gt;Free to work with a variety of people/companies</li> <li>&gt;Empowers you with knowledge of the music business</li> </ul>	<ul style="list-style-type: none"> <li>&gt;Significant time commitment to make connections, shop for opportunities, navigate contracts and lock-in good distribution</li> <li>&gt;Requires significant financial investment from the musician (might need a side hustle)</li> <li>&gt;Tough if you have no desire to learn about the business aspect of music</li> </ul>
<b>Working with a publisher and/or label</b>	<ul style="list-style-type: none"> <li>&gt;Staffed with a team of experts with experience</li> <li>&gt;Large network and connections to potentially increase opportunities to monetize your music</li> <li>&gt;Generally involve getting an up-front advance</li> <li>&gt;Recording/distribution/promotion costs covered</li> <li>&gt;Working w/ reputable companies is a good look for press, fans, and other media professionals</li> </ul>	<ul style="list-style-type: none"> <li>&gt;The smaller you are, the less priority you will be</li> <li>&gt;They have final say as to what your music is used for (approval rights)</li> <li>&gt;Requires you to put "all your eggs in one basket" relying solely on the one company to make things happen</li> <li>&gt;Contracts are generally exclusive and last X years and can be difficult to terminate early</li> <li>&gt;The bigger the label/publisher, the harder your music will be to license in film &amp; TV</li> <li>&gt;They receive royalties even on deals they did not obtain</li> </ul>

Some important things to note:

- One of the first questions you should ask when presented with any agreement is whether it's exclusive or non-exclusive. Be VERY cautious of lifetime exclusivity.
- Understand how long your music will be tied-up.
- Independent publishers and labels are generally easier to work with and prioritize their artists better, but they generally have less resources and connections than majors.
- You don't need an established publisher to publish your songs – you can be your own publisher. It's a relatively simple proposition to start your own publishing company through one of the performing rights organizations. A visit to the website of one of these organizations can get you started. Find a list of PROs by country [here](#).

## Tracking your music rights: split sheets

- Important when writing and recording music with others.
- Identifies the ownership percentage each producer and/or songwriter has in the song, along with affiliated publishers and labels.
- Tracks each person's specific contribution (songwriters, producers, etc).
- Serves as written evidence of copyright ownership, assuring any third parties such as PROs or a potential publisher that there is no dispute about royalty distribution.
- Depending on relationship, consider entering into a contract.

→ *If there's a split discrepancy, your royalties will be withheld until it's resolved!!!*

### Song Publishing Split Sheets

(each songwriter and composer/producer gets a copy of the fully completed sheet)

Song Title: \_\_\_\_\_

Date: \_\_\_\_\_ (list day song was composed and written, list each day if more than 1)

Recording Band/Artist: \_\_\_\_\_ Label (if any): \_\_\_\_\_

Studio Name: \_\_\_\_\_

Studio Address: \_\_\_\_\_

Studio Phone Number: \_\_\_\_\_

Samples: YES NO (Circle One) || Album & Artist Sampled: \_\_\_\_\_

WRITER #1: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Publishing Company (list any 3rd party publishing companies & their information, if it applies):

\_\_\_\_\_ Publishing %: \_\_\_\_\_

\_\_\_\_\_ Publishing %: \_\_\_\_\_

Affiliation: ASCAP BMI SESAC (Circle one)

% Ownership: Lyrics: \_\_\_\_\_ Music: \_\_\_\_\_ (List % ownership in each instance)

Writer/Composer Signature \_\_\_\_\_

CAE/Social Security # \_\_\_\_\_ Birthdate \_\_\_\_\_

WRITER #2: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Publishing Company (list any 3rd party publishing companies & their information, if it applies):

\_\_\_\_\_ Publishing %: \_\_\_\_\_

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% Ownership: Lyrics: \_\_\_\_\_ Music: \_\_\_\_\_ (List % ownership in each instance)

Writer/Composer Signature \_\_\_\_\_

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## II. Connecting the Dots

Now that you have some music, how do you get it in film & TV?

Music is placed in media by means of a *synchronization license and master use license*, which are agreements between a music user (i.e. film production company) and the publishing and master rights holders of a song, that grants permission to the music user to use/synchronize the composition and specific recording with their visual media within agreed upon terms. It is very common for these licenses to be combined in an *all-in synchronization license*.

*→ In these uncertain times, music licensing is an incredibly important revenue stream for musicians, publishers and labels to understand and pursue.*

*→ Aside from the additional income, placements can expose your music to new and wider international audiences.*

How to get synchronization licenses:

- Music supervisors
  - Qualified professionals who oversees all music related aspects of film, television, advertising, video games and other existing or emerging visual media platforms as required.
  - Work with the director to determine where music should be used
  - Find music, negotiate usage fees, obtain permission from copyright holders (i.e. clearing the rights)
  - Hired directly by the director/filmmaker/producer
  - They keep their own database of music artists have sent them
- Sync agents and music libraries
  - Intermediaries between artists/publisher/labels and media clients
  - Can work with authentic music or custom made “library” music
  - Pre-clear artists music by researching right holders upfront and entering into an agreement
  - Receive briefs from clients and then will pitch pre-cleared music from their catalogue
  - Handle license administration and payout of sync fee, but not back-end performance royalties
- Publishers
  - Refer to description above

- Will search for opportunities your music would be a good fit for
- Handle license administration and payout of sync fee, as well as collection of back-end performance royalties
- Work directly with filmmakers, directors and producers
  - They will find your music themselves and reach out to you
  - You already have some contacts and they want to work with you
  - Network and build relationships with them so they keep you in mind for future projects

	Music Supervisors	Sync Agents/Music Libraries	Publishers
<b>Your music rights</b>	>Do not take any ownership	>Do not take any ownership	>Will take a % ownership
<b>Exclusivity</b>	>No	>Depends (some only operate exclusively, some offer non-exclusive agreements)	>Yes
<b>Scope of Opportunities</b>	>Limited to the specific project(s) they are working on	>Anyone who accesses their site as well as the network of clients they pitch to	>Their network and contacts
<b>Music they are looking for</b>	>Anything relevant to their project, so research before pitching your music to them	>All genres, styles and time periods of music that has sync potential	>Will search for opportunities that your music would fit
<b>Synchronization fee &amp; royalty payouts</b>	>100% of both sync fee and royalties are paid to rights holders; music supervisors are paid by film producers/studios >You are responsible for following up on royalties	>Will take a % of the upfront synchronization fee then distribute remainder to rightsholders >Generally won't take a % of back-end performance royalties, but depends on agreement >Generally you are responsible for following up on royalties	>Will take a % of both the upfront sync fee and the back-end performance royalties (generally 50% of each) >They will track down and pay out royalties for you
<b>Execution of licenses</b>	>Depends on the size of the project, but generally yes	>Yes	>Yes

→ Music supervisors are fans of sync agents and libraries because they know the music is already pre-cleared so will be easy to license (i.e. one-stop). Working directly with artists requires the additional steps of researching the rightsholders and clearing the rights.

Know your target!

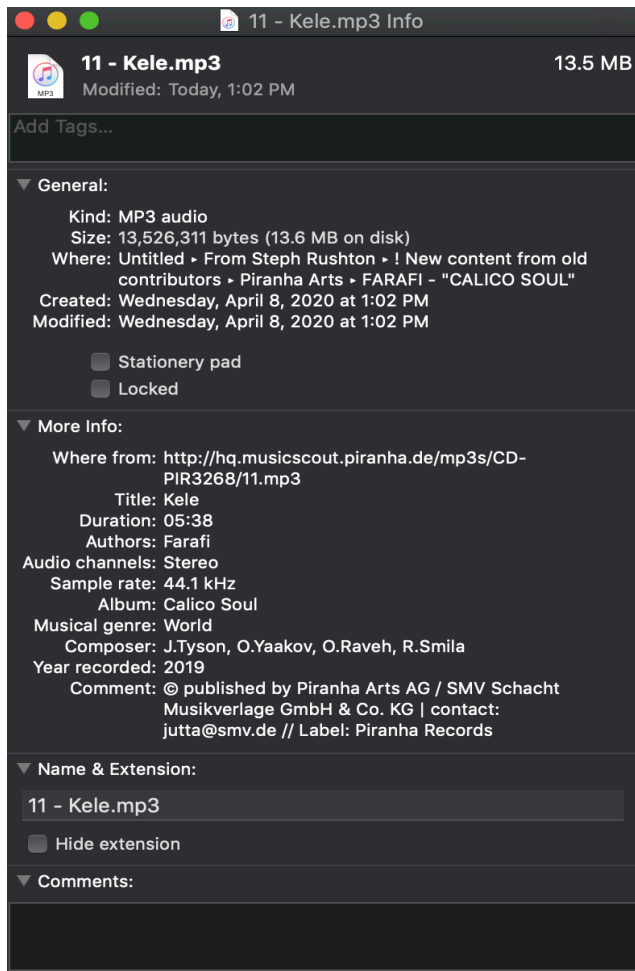
- Different TV shows or movies tend to use particular styles of music depending on the plot and vibe of the production, so don't pitch your music if it doesn't fit.
  - [Tunefind](#) – what music has been placed in what film & TV shows
  - [YouTube](#) - almost every video lists the songs used

- Find out who is doing the music supervision for projects that your music is a good fit for.
- New music supervisors for new shows and films will be more likely to consider your music than well-established ones.
  - [IMDb](#) and [IMDb PRO](#) – who is working on what project
  - [The Sync Report](#) – project listing and music supervisor contacts
  - [The Film & Television Music Guide](#) - extensive listing of music libraries and music supervisors
  - [Music Library Report](#) – lists hundreds of music libraries and submission guidelines
- Tip sheets and pitch services list companies seeking music; the kinds of music they're looking for; and information about how to contact them and how to submit your work.
  - [Cue Sheet](#) - focuses exclusively on TV and film music
  - [Taxi](#) and [Broadjam](#) - provide listings of television and film music pitching opportunities to their members.

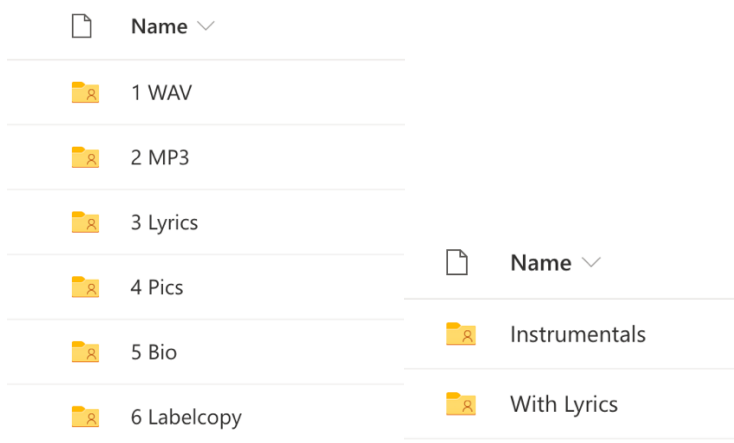
Organization is KEY ☺

- Have your songs metadata tagged correctly – especially song title, artist name and your contact info!
  - If you don't know what to include, you can download a free guide [here](#)
- It's worth the money to have your songs professionally mastered
- Always have instrumental versions available (get them at the same time you get the original master)
- If your music has explicit lyrics, have clean versions available as well
- Keep the stems
- Organize all your music files (WAV/Mp3, lyrics, instrumentals) in Dropbox, Google Drive, Box.com, etc., so you have a “database” of all your sync-able music
  - Specifically state in the song file name if a song is a cover song (these can still be pitched)
  - Don't include songs with uncleared samples
- Register with a [Performing Rights Organization \(PRO\)](#) so when your music generates income, you will collect the performance royalties ☺
- Have your split sheets ready so the rights to your music can be verified

## Example of great metadata:



## Example of great folder organization:





## The perfect pitch.

- Interesting subject line
- Why you want to work with this person and why your music would be a good fit
- A brief description of yourself, the type of music you make and any notable musical achievements

→ *Note, music supervisors don't care if you've had any previous syncs or how many followers or plays you have; as long as they like your music, it will actually excite them that you are a lesser-known artist.*

- Send them the link to a sub-folder in your music folder including your best songs specifically targeted to them, so they can decide what they like, then download it. DON'T send links to Spotify!

→ *Do NOT send your music piecemeal in multiple emails or with links that expire!! Music supervisors can't stand this as it means they need to spend their time following up. Make it as easy as possible for them to listen to your music when it's convenient for them!*

- Include the link to your website or any informational page, if available
- Thank them for their time and consideration
- BE PATIENT – music supervisors and media creators are very busy people and are contacted daily

## What to expect.

- Landing a placement takes time, hard work, & luck – right place right time
- Two income components from synchronization licenses
  - Upfront synchronization fee: paid upon execution of the license
  - Back-end performance royalties: paid-out when the media your music is used in is aired, streamed or broadcast or when a soundtrack including your song is released for the project (mechanical royalties)
- Receiving compensation could take up to six-months after the project has aired
- There are a number of variables that will determine the sync fee you will earn
  - Project size and budget (Hollywood vs foreign independent vs trailer)
  - How it will be aired (film festivals, cinema, online streaming platforms)
  - Where it will be aired (specific geographic regions vs worldwide)
  - How long it will be aired (1-year, 10-years, in perpetuity)
  - If you have international notoriety or not (Beyoncé vs your dad's side band)
  - Where in the film/show the song will be used (opening/ending credits or in the middle)

### III. Filmmaker Perspective

→ *Not every song or genre works for licensing. It's very common to have really amazing music that just does not work for sync.*

Trends in sync licensing:

- Upbeat, feel-good, hopeful, energetic songs consistently get pitched more
- Mournful, slow ballads are actually the hardest songs to place
- Trying to make “cinematic” sounding music for films is a dangerous game; best to be authentic.
- Songs that are independent but similar vibe to current hits or classic songs
- Covers of famous songs (clients are usually happy to pay to clear the publishing)
- Lyrics matter; explicit language generally makes songs harder to place
  - Common lyric subject matter: “let’s get started,” “it’s a new beginning,” “I’m gonna make it,” “things are gonna be great,” “feels so good,” and “enjoying life.”
  - Universally relatable lyrics have more placement opportunities
- Although some genres are more commonly requested than others, there is a need for all genres of music in media
- Vintage music is very difficult to license, so music that sounds like it’s from various older decades is very popular
- Increased demand for music in all languages
- Watch movies and TV shows from a variety of platforms to get an idea of what type of music is being placed ☺

→ *For custom compositions, the filmmaker/director/producer will generally already have a composer in mind who they want to use. As such, the best way to get your foot in the door if you are not BFFs with one of these people, is to try and place your pre-recorded music.*

**Thank you ☺ Feel free to reach out to us if you have any questions!**

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