

THE SONGLAB: MUSIC BUSINESS DEJARGONISED

THE SYNC BUSINESS



**Understanding the business behind audio
and visual synchronisation**

WHAT IS SYNC?

- “Sync” is an abbreviation of synchronisation and it relates to the business that is attached to the use of songs in tv, films, games, adverts or any other use of songs that aid a visual source in media.
- Songs can play a vital role in aiding visual content. This could be applicable to a romantic film scene that is curated around the chorus of a song, a TV advert that gets a marketing message across with the use of a song’s riff, or perhaps a whole song in a video game. The examples are varied and extensive.
- Understanding how a song aids a visual is a respected art form.
- It is critical for music creators to understand what kinds of visual their songs could be suitable for and this starts by understanding the essence of a song.
- For instance, what mood is created, what keywords associate themselves with the song’s central lyric and what vibe is attached to the spirit of the song? Once a music creator understands what role their song can play and they have full clearance on their master rights (see **WHAT ARE MASTER RIGHTS** doc), they are ready to pitch their song and do business in the world of “sync”.
- If you are in need of advice on how best your songs aids a visual and how to get started, book and advice clinic one to one with a Songlab director by emailing jonny@thesonglab.co.uk

THE BENEFITS OF SYNC

- There are a number of benefits attached to the sync world.
- Firstly, there is the financial benefit from license fees and back end royalties but more on that later.
- There is also the kudos and the marketing of your song being used, especially in the age of discovery apps such as Shazam where fans can listen to your song in a TV show or advert and easily locate your music and become an instant fan.
- If you own your own master rights (see **WHAT ARE MASTER RIGHTS** doc), the sync business can be even more lucrative.
- Let's take a look at an example. American indie pop duo Matt and Kim had their song used in a TV advert for Bacardi. Bacardi's mission was clear; to market themselves to a younger mainstream audience. Bacardi cleverly aligned themselves with the duo and Matt and Kim's upbeat anthem 'Daylight' and all parties benefitted. The duo themselves saw a huge rise in their stock and their fan base. The song then appeared in the video game NBA Live 10 and then the movie *The Simms 3: World Adventures*.
- Let's just think about the benefits for the duo. They had a huge rise in their fanbase which upscaled their touring plans from small clubs in one country to theatres and arenas in various countries. There is of course the financial benefit of this knock on effect but there is also the financial aspect of the copyrights. There would be substantial back end royalties from these types of sync deals. There would also be upfront license fees for the use of their master recordings. If they owned their own masters their financial gain would be significant.
- There are several facets to understand here. Firstly, branding alignment. Many brands like to partner with artists that help to sell their message. Many brands enjoy the kudos of "breaking an act". Many TV shows also like to relish in the same type of kudos. The hit TV show *Grey's Anatomy* for example put the building blocks in place for many independent artists.

HOW DO I PITCH FOR OPPORTUNITIES?

- Let's now explore the paths into this potentially lucrative sector.
- This starts by understanding who the gate keepers are. Music Supervisors are the people that scout, find and locate songs for many TV and film spots. They also need to clear them quickly. Film directors, typically have a great deal of “say so” when it comes to songs in films.
- As you can probably imagine getting responses directly from music supervisors is very difficult as they get hassled non stop by musicians, songwriters, producers, music publishers, music lawyers, record companies and managers.
- Music supervisors need rapid one stop clearance once they come across a song that is useful to them. How do they achieve this? By using companies that filter the process for them. This is where sync agents, licensing agents and music publishers come in. By working in partnership with these type of companies, it offers access to the music supervisors, directors, producers and key decision makers.
- There are also broker services that exist for the more DIY approach. Platforms such as Music Gateway, Songtradr and Syncr Music offer a subscription model for independent music creators to be able to pitch through them once they receive leads from music users which outline the specific details of what type of song or track is required for a specific need.
- If you are ever in need of third party advice on this subject you can book an online advice clinic session with a SongLab director by emailing jonny@thesonglab.co.uk

WHAT IS META DATA?

- Understanding how meta data functions is a crucial process to understand for any music creator who wishes to license their music for commercial use.
- Meta data describes and gives information on a song to a potential user without the song being listened to.
- Information such as tempo, mood, genre, writers, publishers, keywords, similar artists and key of the song are examples of such data.
- Typically, it would be the music creator that is responsible for knowing this type of data so that the sync agent or music publisher can process the administrative side of the song's visibility to music users. It could be argued that perhaps some music creators can hold the wrong interpretation of the mood or genre of their own music which is why it can be a very useful exercise to have others to help you with their opinions. The meta data needs to align perfectly with the song and so stating an inaccurate genre or mood to a song's meta data can reduce its potential.
- Typically meta data is imported onto a document type such as Excel and exported in CSV format so that it can be processed into a sync agent's website.
- The filters on the sync agent's database are then accessed by music users who are looking to license music for their projects. These filters match the meta data that has been submitted by the music creator. For instance, genre, mood, keywords, tempo, etc.

THE CONTRACTUAL SIDE

- There are two types of contracts that are most commonly associated with the sync market and it is important that music creators understand both.
- A sync license covers the use of the composition.
- A master recording license covers the use of the recording of that song.
- It is of extreme importance that music creators keep clear, open and transparent lines of communication with all parties that are connected to the intellectual property of a song and its recorded version. For the sync license, it is imperative that all cowriters and their publishers are aware of any activity or contractual partnership as their approval will be needed.
- This is also true with the master recording license. In order for sync agents to be able to offer instant clearance on a song to music supervisors they need to ensure the clearance themselves. For example, perhaps someone played guitar on the recording? Or perhaps someone recorded backing vocals? These performers need to sign a performance release. Very often, singers and musicians may offer to provide their services for free for a friend for example. This is a troublesome and common issue. It is always advisable to pay a performer to be on your recording so that they then receive a fee for their work and they sign off on their performance so that you are able to do business with the ownership to the masters. Another common problem for sync agents is with studio releases. It could be for example that a studio engineer or producer was hired and paid but they still feel that are entitled to a portion of the master rights. It is much easier to get that engineer or producer to sign a master release when they are actually being paid rather than further down the line when they sense some success brewing. Clearance is a big issue in sync and needs to be thought through carefully in order to provide a clear path to success.
- If you are in need of advice on any of these issues and you would like template contracts email jonny@thesonglab.co.uk to book a one to one advice clinic.

BLANKET LICENSING

- In many countries TV broadcasters have a system commonly referred to as blanket licenses with their local collection societies.
- In the UK for instance, Sky, BBC, ITV and other networks have agreements with both PRS (for the sync license) and PPL (for the master sync license) whereby they pay an annual fee for the use of pre-cleared songs. This speeds up the clearance process for the production teams that are licensing the music with a visual source.
- However, blanket licenses do not cover everything.
- It is always worth checking on every occasion. For example, if you are a PRS and PPL member you have given those organisations the right to issue licenses on your behalf but only to certain partners in certain territories. This is blanket licensing but it does not apply to every opportunity in TV.
- It is much more common in the USA for instance, for the networks to have to clear every song without a blanket approach. In these cases, it is very important to understand your value of a rights holder and know your worth.

WHAT SHOULD I QUOTE?

- “What should I quote?” is probably one of the most common questions we hear and it can be a difficult question to answer so lets dig a little deeper into this subject.
- Firstly, understand what you are quoting on. There are sync fees which cover the sync license (this money goes to the songwriters and music publishers) and there is the sync master license (this money goes to the master rights holder). Therefore it is important to understand the difference.
- Most commonly, the “sync fee” covers the use of the master recording and therefore knowing what to quote can be an awkward and difficult question to answer. In some cases there’s a budget for the use of the song (not just the recording) which would mean that the songwriters and music publishers could also benefit from an upfront fee for the use of a song.
- In most cases back end royalties can be collected for the copyright of the composition although that varies between territory to territory.
- When it comes to quoting, it is important to understand the market size of the opportunity. Generally speaking, the more people that are tuning to watch the tv show, the more money it will generate and therefore the higher the upfront fee.
- For example, a song in an advert that runs at half time in the Super Bowl could be paid upfront in the region of around £100,000.00 for the master license. By contrast, the master license fee for a song being used on a small cable TV show may only generate £100.00 as up upfront fee. It is therefore important to understand the context of the use in order to understand its price point.
- In many cases, there is a budget in place which provides a fixed point on the fee for which the supervisor has to work with. Therefore, many leads that run through sync agents and music publishers may say something along the lines of “Fashion Show needs uptempo but chilled tropical house songs. Full songs with vocals. £300 upfront master fee but should generate good back end royalties.” This lead was very typically worded. We can see that there is not a huge amount of money upfront but if the show is broadcasted in many countries it could generate substantial income on the back end through the collections societies.

SUMMARY

- **The sync market is a big part of the global music industry and it appears to be growing exponentially year on year.**
- **It can provide a welcome income stream to music creators.**
- **It can also provide a valuable path to marketing songs to new fans.**
- **It is important to understand how to gain clearance for your songs and your master rights so that you can put yourself in a position to benefit.**
- **It is also important to know what you are selling. What role does your song play? What kind of visuals does it aid? What kind of products could your song align itself with? If you can answer those questions you are already half way there.**