**MUSIC COPYRIGHT LICENSING INFORMATION**

It is important to remember that under U.S. copyright law, your team or school can be sued or fined up to $150,000 by the copyright owner per song occurrence if using music for which you do not have rights.

As a reminder, when you buy or download a piece of music, it is only for personal use and does not allow you to use it for any public use, even at school.

Coaches need to be aware of the guidelines so that any music used in any routine you are a part of is in compliance. Under U.S. copyright laws, you cannot mix, edit with another song or publicly perform music for which you do not have a valid license from the applicable copyright owners or administrators.

Your team will need to use music that meets the music guidelines, which is based on U.S. copyright laws. Your team can also create/compose your own music, or work with a group that creates and composes original music meaning that such group would own the recording, composition and all related rights for that piece of work. If you choose either of those options, the group who created/composed the music must license or assign to you all necessary rights and provide you with documentation that can be shared with the event producer. You can also buy songs from individual musicians who compose original content and assign you the rights to use.

**RECOMMENDATIONS**

1. Take down **ALL SOCIAL MEDIA VIDEOS**, INCLUDING YouTube, where your team is performing to music. This would include Homecoming routines, pep rallies, and all performances at games, at the mall, and all competitions, etc. The governing body has been giving fines retroactively and without warning (up to $150,000 per song for copy right infringement, plus royalty fees). This means, as a coach you need to contact cheerleaders who have graduated to ask them to take down their videos as well. There is not a limit to the number of years that they will go back to check for violations.
2. Regular season performances: It is the school’s responsibility to secure blanket music performance rights for their school. This would include all music played during athletic warm-ups, practices, and performances.
3. There are 3 kinds of licensing. It is important to remember that more than one of the below licenses might apply to what you want to accomplish with the music. Some vendors may allow bundling of licensing.

A. Buying the Right to Arrange (altering or mixing - making a mash up of the

music).

B. Buying the Right to Distribute - known as a mechanical license for duplication

of audio recordings. (Buying the music and distributing it to your team. This is just for a PRACTICE situation, NOT performance).

C. Buying the Right to Perform – a license to perform the music in a public

setting.

1. Do not use mash-ups, either created by you or sold by music providers using music without proper licensing.
2. Do not download songs from sites that do not have properly licensed music.
3. Do not copy or distribute to others a recording you have legally purchased unless a Right to Distribute has also been purchased.
4. Licenses/Permissions must be in writing (or via e-mail) and must be from all copyright owners.
5. If you request a license and you get no response, this does NOT mean you have permission.
6. Coaches/teams may ONLY edit their music (or use an editor to edit) if they licensed music from a preferred provider that included the right to remix, or if the coach/team otherwise obtained written permission to edit the music from all applicable copyright owners.
7. Teams and editors should only incorporate sound effects and voiceovers that they create on their own or are properly licensed.

**Preferred Music Providers**

The ICCA suggests that all coaches and choreographers use one of the preferred music providers listed on this website: <http://usacheer.net/presssafety/preferred-providers>.

Coaches and choreographers may not assume, however, that buying music from a vendor on this site will still allow your team to perform in public legally. Questions that should be asked of vendors before purchasing music:

1. Has the proper licensing been secured to create this music/mashup/mix?
2. By purchasing this music, will this allow for performance in the public setting?
3. Do I have the right to distribute this music to my team or others? If so, is there a limitation to distribution numbers?
4. Does purchasing this music include the right for me to remix it, including adding sound effects?

For more information go to: http://usacheer.net/presssafety/music

\*This information is meant to provide further insight on our new music guidelines, which are based on U.S. copyright law. However, this information and our music guidelines should not be construed as legal advice. If you have specific questions or concerns related to copyright laws, we encourage you to speak with a music or copyright attorney.