



MUIN 372: Business and Legal Aspects of the Music Industry

Units: 4

Fall 2022—Tuesday & Thursday — 2:00-3:50pm

Location: KDC 240

Instructor: Jane Davidson

Office: TMC 113

Office Hours: By Appointment

Contact Info: email - jhdavids@usc.edu

cell - (626) 487-6201

MUIN Dept. Office: TMC 118

All e-mail correspondence from me to the class will be sent via Blackboard, which defaults to using your USC e-mail account.

Blackboard / IT Help:

email: blackboard@usc.edu or phone: (213) 740-5555 press option 2

Website: studentblackboardhelp.usc.edu

Course Description:

Business and Legal Aspects of the Music Industry builds on a foundational understanding of established and emerging business models in the music industry by developing students' ability to identify and analyze business and legal issues and how they impact different facets of the music business. The course will focus on legal issues including copyright, contract law, trademark, litigation and enforcement of rights and agreements, and related financial considerations through the framework of a 21st century artist's business including recording, publishing, live performance, merchandising, branding, synch, streaming, licensing, social media, and team members such as managers, agents, business managers, and bandmates. Students will learn to ethically advocate for clients' legal and financial interests via writing, discussion, oral presentation, and negotiation.

Learning Objectives:

- Decode music industry contracts to spot both standard and industry-specific terms and scrutinize impact on parties.
- Analyze emerging business models and current topics through a lens of legal implications and monetization.
- Advocate for music industry clients through writing, discussion, oral presentation, and negotiation.
- Evaluate value of music industry assets and ways to protect them.

Prerequisite(s): MUIN 270 or 272

Course Notes:

Course materials, assignments, due dates, documentation and grades will be posted on Blackboard at <https://blackboard.usc.edu/webapps/login/>.

Communication:

Communication and collaboration are essential. Much of this course is discussion-based, and open, respectful communication with me and your classmates inside and outside of the classroom is encouraged. If you have questions or comments, please feel free to schedule an appointment with me via email. You can also email me jhdavids@usc.edu or call me at (626) 487-6201. I will respond to emails/voicemails within 24 hours Monday-Friday, and on the Monday following a weekend or holiday break.

Technological Proficiency and Hardware/Software Required:

All assignments must be submitted in either Microsoft Word or converted into a PDF document. Proficiency in either of these programs is required for this class. All assignments outside of class must be submitted on Blackboard to receive credit.

Technology Assistance Statement:

I realize attending classes in person, as well as sometimes performing coursework remotely requires access to technology that not all students may possess. If you need resources to successfully participate in your classes, such as a laptop, you may be eligible for the University's equipment rental program. To apply, reach out to ITS- <https://itservices.usc.edu/spaces/laptoploaner/>

Other USC Technology Support Links:

[Blackboard help for students](#)

[Software available to USC Campus](#)

Required Readings and Supplementary Materials:

Required: *All You Need to Know About the Music Business* (10th Ed., 2019), Donald S. Passman
ISBN-13: 978-1501122187.

Available: USC Bookstore, Amazon, Barnes & Noble.

Recommended/optional: *The Elements of Style* (4th Ed., 2019), Strunk and White
ISBN-13: 978-0205309023

Available: USC Bookstore, Amazon, Barnes & Noble.

You are also responsible for reviewing all readings posted to Blackboard prior to class.

Sharing of course materials outside of the learning environment

USC prohibits sharing of any synchronous and asynchronous course content outside of the learning environment. Please do not share or otherwise distribute class materials, music scores or recordings produced by me or any students in the conduct of this course without expressed permission.

SCampus Section 11.12(B)

Distribution or use of notes or recordings based on university classes or lectures without the express permission of the instructor for purposes other than individual or group study is a violation of the USC Student Conduct Code. This includes, but is not limited to, providing materials for distribution by services publishing class notes. This restriction on unauthorized use also applies to all information, which had been distributed to students or in any way had been displayed for use in relationship to the class, whether obtained in class, via email, on the Internet or via any other media. (See Section C.1 Class Notes Policy).

Description and Assessment of Assignments:

In-Class Group Discussion Assignments 10%

Each class will involve small and large group exercises. When announced, there will be a graded exercise included to assess this group work. There will be 12 graded exercises, and your lowest two exercises will be dropped. If you miss a class where a graded assignment is completed, that counts as one of your dropped assignments.

Practical Advocacy Skills Assessments - five (5)-- 15%

There will be five (5) practical advocacy skills assessments which will emphasize research and advocacy skills. Two will be 5 minute well-researched presentations on current topics with the second being on your term paper topic. Two will be written memos analyzing a contract and providing written advice to the client. One will be a live in-class deal negotiation which will require groups of 2 or 3.

Exams 45%

There will be one midterm exam (15%) and a cumulative final exam (30%). Exams are based on class lectures and discussions. Exams typically consist of short answer and essay questions (no multiple choice). Exam attendance is **NOT** voluntary. The exams must be taken during the scheduled times and may not be made up at a later date. Except in the case of a verifiable emergency (subject to instructor approval, documented proof, and applicable USC policies), failure to attend an exam will earn a zero.

Research / Term Paper 30%

This is a research paper addressing current issues/aspects/conflicts germane to business and legal aspects of the music industry. This will be a thesis paper, requiring you to take a position, and construct a persuasive argument in its advocacy. It is a requirement that you submit/discuss your topic to me in a timely manner (i.e. *before* you begin writing!), and that it is approved.

Factors such as following MLA style, grammar, spelling, proofreading, organization, depth of key details, argument support and quality of source material will all impact the grade.

Grading Breakdown:

Assignment	% of Grade
In-Class Group Assignments	10%
Practical Advocacy Skills Assessments	15%
Midterm Exam	15%
Final Exam	30%
Research /Term Paper	30%
TOTAL	100%

Grading Scale (final course grade):

A = 100-94; A- = 93-90

B+ = 89-87; B = 83-86; B- = 80-82

C+ = 79-77; C = 73-76; C- = 70-72

D+ = 69-67; D = 63-66; D- = 60-62

F = 59 or below

Assignment Submission Policy:

MLA Formatting: All in-class assignments and research / term paper will be submitted per MLA style guidelines, which shall include, but not be limited to, in-text parenthetical citations, page numbering, double-spacing, with one (1) inch margins and 12 pt. Times New Roman font, a title/cover page and a properly formatted works cited. The USC Libraries has created a valuable [MLA citation guide](#) to familiarize you with the MLA format.

Late Assignments: Due dates for every assignment are provided on the course syllabus, assignment description, and posted in Blackboard. Assignments are due by the stated due date and time, except in the case of a verifiable emergency (subject to instructor/department approval, documented proof, and applicable USC policies.) Personal plans, employment, minor illnesses, flights home, music festival attendance and vacation plans are not considered verifiable emergencies. **Take care when making your plans. Late postings for the research / term paper are accepted, though penalized 10 points per day* (24 hours after due date and time). After 5 days past the due date and time, the assignment score will become a zero (0).**

***The purpose of this allowance is to give you sufficient room and respect as an adult to manage the outcome of your own decisions, sick or not, without the need to notify me.**

All exams **must** be taken during the scheduled days and times and may not be made up at a later date. A zero (0) will be earned for each missed exam.

Grading Timeline:

I will endeavor to have all exams, homework and in-class assessments graded and returned within two weeks. Secondly, research term-papers will be returned within one-month of term paper submission.

Classroom Norms:

Actual positive participation in class is the goal.

- Respect others' rights to hold opinions and beliefs that differ from your own. When you disagree, challenge or criticize the idea, not the person.
- Listen carefully to what others are saying even when you disagree with what is being said. Comments that you make (asking for clarification, sharing critiques, expanding on a point, etc.) should reflect that you have paid attention to the speaker's comments.
- Be courteous. Don't interrupt or engage in private conversations while others are speaking. Use attentive, courteous body language.
- Support your statements. Use evidence and provide a rationale for your points.
- Share responsibility for including all voices in the discussion. If you have much to say, try to hold back a bit; if you are hesitant to speak, look for opportunities to contribute to the discussion.
- Recognize that we are all still learning. Be willing to change your perspective, and make space for others to do the same.
- Cell phones may not be used during group discussion, a presentation by your classmate, interactive activities, or a guest speaker.

Learning Modality:

This course is being offered in an in-person modality. Please be attentive to the class attendance policy found in this syllabus. Online alternatives will not be considered unless I am presented with a directive from the offices of Student Health or Student Affairs. However, if on any day you are ill or need to miss class due to an emergency, please check in with me via email prior to the next class and obtain notes from the missed class from a classmate.

Course evaluation

Student feedback is essential to making this course the best it can be. Students will have an opportunity to submit comments on the USC course evaluation survey at the end of the semester.

Course Schedule: A Weekly Breakdown

Instructor reserves the right to revise these specific dates/topics at any time in order to meet the greater class priorities, as the course progresses. Please note that Blackboard Quizzes are NOT graded and are rather intended to introduce a new topic.

Topics Overview:

Unit 1 (Class 1-6) – Business Affairs Mindset: Adopting the Framework of a Legal & Business Thinker

Unit 2 (Class 7-12) – Owning the Music: Recording & Publishing Rights and Contracts

Unit 3 (Class 15-20) – Using the Music: Exploiting recorded material and creative video content

Unit 4 (Class 22-25) – Music Moneymakers: Other Sources of Revenue

Unit 5 (Class 26-27) – Dealing with Trouble: Cases to Know and Learn From

Class #	Day	Date	Topics	Reading / Homework Due
1	T	Aug. 23	Syllabus; Discussion., Class Overview	
2	Th	Aug. 25	Business & Legal Aspects of the Music Industry: Reps & Issue Spotting	Passman Ch. 3-6; Blackboard Quiz: Spot the Issue
3	T	Aug. 30	Copyright Overview: Framework for Protecting Creative Works	Ch 15, 19
4	Th	Sep. 1	Intro to Contract Law: How to make and break a contract; Introduce Memo I	Blackboard Quiz: Is it a contract?
5	T	Sep. 6	Follow the Money: Tracking where money comes from, who gets it, and what they can do with it	Ch. 19 pp. 320-28
6	Th	Sep. 8	Recording Contracts & Related Rights: Money	Ch. 7,8,9
7	T	Sep. 13	Recording Contracts & Related Rights: What's in a Deal?	Ch. 10,13
8	Th	Sep. 15	Recording Contracts & Related Rights: People	Ch. 11, 12 (ONLY 150-153 stop at Apps), Ch. 21
9	T	Sep. 20	Copyright: Master v. Composition Rights; Who owns what?	Memo I Due
10	Th	Sep. 22	Publishing Contracts & Related Rights	Ch. 16,17
11	T	Sep. 27	Publishing Contracts & Related Rights	Ch. 18
12	Th	Sep. 29	Copyright: Performance Rights & PROs	Blackboard Quiz: Whose Royalties?
13	T	Oct. 4	Midterm Review	Review Midterm Outline
14	Th	Oct. 6	Midterm (Units I & II)	
15	T	Oct. 11	Term Paper Overview + Guest Speaker TBA	
	Th	Oct. 13	Fall Break: No Class	

16	T	Oct. 18	Distribution and Streaming: Laws & Practical Matters	Term Paper Proposal Due
17	Th	Oct. 20	Distribution and Streaming: Show Me The Money	Ch. 12 (138-150)
18	T	Oct. 25	Music & Pictures: Synch Licensing	Ch. 27, 31-33
19	Th	Oct. 27	Music & Pictures: Video Content from Music Videos to Tik Toks	Blackboard Quiz: Whose Social Money?
20	T	Nov. 1	Marketing Music and Music in Marketing	Memo II Due
21	Th	Nov. 3	In-Class Live Negotiation	
22	T	Nov. 8	Live Performance Agreements	Ch. 23
23	Th	Nov. 10	Business & Legal Aspects of Touring, Festivals, and Live Shows	Submit Blackboard Discussion Response (re: future)
24	T	Nov. 15	Merchandising Agreements & Trademark Protection	Ch. 22, 24, 25; Blackboard Quiz: What's a trademark?
25	Th	Nov. 17	Developing & Future Business Models	Read Classmates' Discussion Posts
	T	Nov. 22	No Class: Term Paper Due at 5:00 PM	TERM PAPER DUE
	Th	Nov. 24	No Class: Thanksgiving	
26	T	Nov. 29	Litigation: Copyright Infringement	Infringement Case Studies (Blackboard)
27	Th	Dec. 1	Litigation: Breach of Contract	Breach Case Studies (Blackboard)
	T	Dec. 6	Optional Final Exam Review Session	Review Final Outline
	Th	Dec. 8	FINAL EXAM	2-4 pm

*The final exam date/time is my best estimate for now. Final exam scheduling is strictly subject to both USC and Thornton School of Music/Music Operations' official exam schedule, location instructions and policies.

Statement on Academic Conduct and Support Systems

Academic Conduct:

Plagiarism – presenting someone else's ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in SCampus in Part B, Section 11, "Behavior Violating University Standards" policy.usc.edu/scampus-part-b. Other forms of academic dishonesty are equally unacceptable. See additional information in SCampus and university policies on scientific misconduct, policy.usc.edu/research-and-scholarship-misconduct.

Support Systems:

Counseling and Mental Health - (213) 740-9355 – 24/7 on call
studenthealth.usc.edu/counseling

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

National Suicide Prevention Lifeline - 1 (800) 273-8255 – 24/7 on call

suicidepreventionlifeline.org

Free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week.

Relationship and Sexual Violence Prevention Services (RSVP) - (213) 740-9355(WELL), press “0” after hours

– 24/7 on call | studenthealth.usc.edu/sexual-assault

Free and confidential therapy services, workshops, and training for situations related to gender-based harm.

Office of Equity, Equal Opportunity and Title IX - (213) 740-5086 | Title IX – (213) 821-8298

eetix.usc.edu

Information about how to get help or help someone affected by harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants.

Reporting Incidents of Bias or Harassment - (213) 740-5086 or (213) 821-8298

usc-advocate.symplicity.com/care_report

Avenue to report incidents of bias, hate crimes, and microaggressions to the Office of Equity and Diversity | Title IX for appropriate investigation, supportive measures, and response.

The Office of Student Accessibility Services - (213) 740-0776 | osas.usc.edu

Support and accommodations for students with disabilities. Services include assistance in providing readers/notetakers/interpreters, special accommodations for test taking needs, assistance with architectural barriers, assistive technology, and support for individual needs.

USC Campus Support and Intervention - (213) 821-4710 | campussupport.usc.edu

Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

Diversity at USC - (213) 740-2101 | diversity.usc.edu

Information on events, programs and training, the Provost’s Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

USC Emergency - UPC: (213) 740-4321, **HSC:** (323) 442-1000 – 24/7 on call

dps.usc.edu, emergency.usc.edu

Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

[LiveSafe Mobile Safety App](#)

[TrojansAlert Emergency Notification System](#)

USC Department of Public Safety - UPC: (213) 740-6000, HSC: (323) 442-1200 – 24/7 on call

dps.usc.edu

Non-emergency assistance or information.

Thornton Emergency Services

Thornton Emergency Response Team: If evacuation or other actions are needed, members of the Thornton Emergency Response Team will provide verbal instructions.

Thornton Business Continuity Team: Multi-channel messages will be sent to your phone, text, and email providing next steps in the case of an emergency or significant unexpected disruption to facilities or operations.