

Law 741.002* New Music Business Models

TENTATIVE SYLLABUS

(This syllabus will change.)

Can we improve musicians' opportunities to earn money from music? The amount of revenue generated by the music and recording industries is massive, and by most accounts, increasing. Musicians and composers receive only a tiny fraction of that money, and many of them complain that that share has been getting smaller. Students will explore possibilities for enabling working musicians and composers to earn more money from their music.

Class time will be spent reviewing background information, engaging in discussions, and hearing from outside experts. Students are also expected to spend additional time outside class performing research related to the problem. At the end of the term, students will present a proposal to an expert review panel.

Credits: 3.0

Meeting Time: Tuesdays 3:15-4:15pm (Lab); 4:30-6:30pm (Seminar)

Location: 1070 Jeffries Hall, Law School

Instructors:

Jessica Litman (Law School)
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Office Hours: Tuesday 10:00 to 11:30 a.m.

Jeremy Peters (School of Music, Theatre & Dance)
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* (Also ARTSADMIN 506-002, EAS 731-002, ECON 741-002, EDUC 717-002, PUBHLTH 741-002, PUBPOL 710-002, SI 605-002, and SW 741-002)

Deliverables:

The students, working in teams, will devise multiple proposals. The class will then select and develop a single proposal, and embody that proposal in a three part capstone presentation:

1. Outline of the class's proposal (short paper 3 to 4 pages)
2. Description of a pilot or proof of concept that could be launched in SE Michigan (short paper or powerpoint)
3. Oral presentation to a panel of experts describing the proposal and the pilot or proof of concept project.

Learning Outcomes:

1. You will learn about the economic environment for musicians and composers seeking to pursue careers in music, and explore some of the obstacles they face generally and locally.
2. You will gain problem solving skills. You will explore, define, and analyze a very complex problem. You will imagine, evaluate compare, and select among possible solutions. You will devise a detailed implementation of one of the proposals, and identify partners in the community who could help to launch it. Finally, you will present your proposal to a knowledgeable audience.
3. You will gain experience working in teams. Over the course of the semester you will collaborate in small groups with students from different disciplines. Together, you will explore how to communicate to team members with unfamiliar perspectives and how best to take advantage of the combination of your different training, expertise, and viewpoints.
4. You will synthesize information to support realistic solutions. You will gather and evaluate information from a wide range of fields and sources, both academic and non-academic. You will explore, with your teams, the best way to use these resources to support and defend your ideas and solutions.

Required Texts:

- DONALD S PASSMAN, [ALL YOU NEED TO KNOW ABOUT THE MUSIC BUSINESS](#) (9th Edition 2015)
- Materials distributed via Canvas or via links to this syllabus

Grading Rubric:

- Attendance and in-class participation --20%
- Team participation--25%
- Three 250-word “reflection memos” due February 8, March 1, and April 5 -- 15%
- Work on capstone deliverable or oral presentation – 30 %

- Self assessment – 10 %

Class Policies:

- We require you to attend every class.
- The University of Michigan is committed to providing equal opportunity for participation in all programs, services, and activities. Requests for accommodations by students with disabilities may be made by contacting the University's Services for Students with Disabilities ("SSD") Office located at G-664 Haven Hall, 505 South State Street. The SSD phone number is 734-763-3000. Once your eligibility for an accommodation has been determined, SSD will contact Dean Martí in the Law School's Office of Student Life (734-764-0516, bayrex@umich.edu) with a recommendation, and he will work with you and SSD to finalize and facilitate your accommodations. For more information about this process, please feel welcome to contact Dean Martí.

Tentative schedule

Friday 1/18/19: Problem Solving Initiative Bootcamp

1:00pm to 5:00 pm in 0225 Jeffries Hall, for all students taking any of the four PSI classes. [Andy Burnett](#), [Neeraja Aravamundan](#), and [Seanna Leath](#) will offer tools for creative problem solving, methods for gathering information from and working with stakeholders, and techniques for working in teams. The Bootcamp is optional. Some but not all students have found it a very useful start to the semester.

Week # 1: 1/22/19

3:15 – 4:15: Introduction
 4:15 – 4:30: *break*
 4:30 – 6:30: Introduction to music copyright law – JDL

Reading Assignment for January 22:

1. U.S. Copyright Office, *Circular 1: Copyright Basics* (excerpt)
2. Excerpts from the copyright statute
3. U.S. Copyright Office, *Circular 16A: How to Obtain Permission* (excerpt)
4. U.S. Copyright Office, *Circular 50: Copyright Registration for Musical Compositions* (excerpt)
5. U.S. Copyright Office, *Circular 56: Copyright Registration for Sound Recordings* (excerpt)
6. U.S. Copyright Office, *Circular 30: Works Made for Hire* (excerpt)
7. U.S. Copyright Office, *Copyright and the Music Marketplace: A Report of the Register of Copyrights* (2015) (excerpt)
 - (you will find these readings in a pdf document on Canvas)

Optional Additional Reading for January 22, 2018

1. KEITH AOKI, JAMES BOYLE, & JENNIFER JENKINS, *THEFT: A HISTORY OF MUSIC* (2017)
 - comic book available online to download at https://law.duke.edu/sites/default/files/centers/cspd/musiccomic/Theft_large.pdf a or to read online at <https://law.duke.edu/musiccomic/read/large/frontcover/> (another copy is on Canvas)
2. Lydia Pallas Loren, *Untangling the Web of Music Copyrights*, 53 Case Western L. Rev. 673 (2003)
 - law review article available online at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=424701 (another copy is on Canvas)

Monday 1/28/19: [Initial team assignments](#) distributed

Week # 2: 1/29/19

- 3:15 – 4:15: lab time - 1st team meeting
- 4:15 – 4:30: *break*
- 4:30 – 6:30: Introduction to the music business – JJP

Reading Assignment for January 29:

1. Donald S. Passman, 7. *Broad-Stroke Overview of the Record Business*; 9. *Real-Life Numbers*; 16. *Publishing Companies and Major Income Sources*; 23. *Personal Appearances – Touring*; and 27. *Overview of Motion Picture Music*, in *ALL YOU NEED TO KNOW ABOUT THE MUSIC BUSINESS*, 9th ed., pp. 65-85; 92-106; 235-264; 395-421; 445-447 (2015).
 - Not in PDF
2. Nancy Baym, *Book Excerpt: How Music Fans Built the Internet*, *Wired* (June 10, 2018)
 - Original version available via *Wired* at <https://www.wired.com/story/book-excerpt-playing-to-the-crowd/>
3. Future of Music Coalition, *Artist Revenue Streams*
 - Original and interactive version available via Future of Music Coalition at <http://money.futureofmusic.org/40-revenue-streams/>

Optional Additional Reading:

1. Holly Tessler, *Back in Black: Rethinking Core Competencies of the Recorded Music Industry*, in *Business Innovation and Disruption in the Music Industry* (ed. Patrick Wikström and Robert DeFillipi), pp. 33-52 (2016)
 - E-Book available via MGetIt at <https://mgetit.lib.umich.edu/go/3692918>
2. Music Industry Research Association, *Inaugural Music Industry Research Association (MIRA) Survey of Musicians: Executive Summary; Table 1: Sources and Shares of Music-Related Income; Table 2: Hours Spent on Music-Related Work; and Table 3: Favorite and Least Favorite Aspects About Being a Musician* (2018)
 - Available via MIRA at <https://themira.org/mira-survey-of-musicians>
3. IBISWorld, *IBISWorld Industry Report: Global Music Production and Distribution* (May 2018)
 - Available via MLibrary at <https://www.lib.umich.edu/database/link/9145>

Week # 3 2/5/19

3:15 – 4:15: lab time

4:15 – 4:30: *break*

4:30 – 6:30: How musicians do and don't earn money from music – [Peter DiCola](#), Professor of Law, Northwestern University

Reading Assignment: Peter DiCola, [Money from Music: Survey Evidence on Musicians' Revenue and Lessons About Copyright Incentives](#), 55 Ariz. L. Rev. 301 (2013) ([another copy](#))

Friday, February 8: 250-word reflection paper due

Week # 4: 2/12/19

3:15 – 5:15: the Detroit and Southeast Michigan music scene –

- Linda Ann Jordan, [Seraphine Collective](#)
- Stephanie Belcher, [Grove Studios](#)
- Seth Anderson, [Assemble Sound](#)
- Julian Wettlin, [Doner Advertising](#)

5:15 – 5:30: *break*

5:30 – 6:30: *lab time*

Week 5 2/19/19

3:15 – 4:00: *lab time* (teams finalize proposals)

4:00 – 5:00: Teams present their suggested proposals

- Each team will have ten minutes to present its proposal, followed by a 5-minute period for questions and answers

5:00 – 5:15: *break*

5:15 – 6:30: Discussion and selection of proposal

Week # 6: 2/26/19

3:15 – 4:15: Guest speaker: [Molly Neuman](#)

4:15 – 4:30: *break*

4:30 to 5:15: Teams present revised proposals

5:15 to 6:30: Vote, discussion, and next steps

Friday, March 1: [2d 250-word reflection paper due](#)

– Winter break March 2 - March 9 –

Week # 7: 3/12/19

3:15-3:30: lab time
3:30 – 4: 45: individual team member presentations
(every member of the class will have 5 minutes to report on their progress and answer questions)
4:45 – 5:00: break
5:00 – 6:30: lab time

Week # 8: 3/19/19

3:15 – 4:45: Guest speaker Danielle Wright, [Opera MODO](#)
4:45 – 5:00: *break*
5:00 – 6:30: lab time

Week # 9: 3/26/19

3:15 – 4:15: lab time
4:15 – 4:30: *break*
4:30 – 6:00: Midterm presentation of the proposal
6:00 – 6:30: discussion of next steps

Week # 10: 4/2/19

3:15 – 4:15:
4: 15 – 4:30: *break*
4:30 - 6:30: discuss possible pilots, divide into self-selected groups to explore possible pilots

Friday, April 5: [3d 250-word reflection paper due](#). Upload your paper to Canvas by 5:00 pm

Week # 11: 4/9/19 (time allocations are tentative)

3:15 – 4:00: Jeremy Peters
4:00 – 4:05: *break*
4:05 - 5:05: Group discussion
5:05 – 5:15: *break*
5:15 - 6:30: lab time

Reading Assignment for April 9:

JONATHAN TAPLIN, MOVE FAST AND BREAK THINGS (2017), Chapter 12 ([posted on Canvas](#))

Week # 12: 4/16/19

3:15 – 4:15: lab time
4:15 – 4:30: *break*
4:30 – 5:30: group discussion
5:30 – 6:30: lab time

Week # 13: 4/23/19

deliverables due

3:15 -- 4:15: final preparations

4:15 - 4:30: break

4:30 - 6:30: Capstone presentation

Wednesday 4/24/19: Self assessment essay due. Upload your essay to Canvas by 5:00 pm.