

You Can't Always Get Lyric Rights for a Song

by Joyce Miller

You may plan to use song lyrics in your book. That decision may be well founded if the lyrics communicate a message or powerfully convey an emotion or sensory experience.

Be forewarned, however, that song lyrics are copyrighted. Your use of even a line or two in your work may require you to obtain copyright permission. This can be a complicated, lengthy, and expensive process. One problem may be that multiple entities own percentages of the various copyrights associated with a song. A song may have ten or more writers, each having one or more administrators. Lyrics can be the collaboration of several people who share equally, or unequally, in any royalties. Percentages also may be owned or co-owned by a production company.

Moving through a maze of publishers, copyright request forms, and administrators who have bigger legal fish to fry than consideration of requests to print a few lines of lyrics in a book—requests from individuals on a limited or non-existent budget—can be daunting.

You may find yourself attempting to track down songs that have never been published in the U.S. or owners who have changed administrators several times. Finding the current owner of the rights to a non-current song can prove difficult and frustrating. If you do manage to locate the owner(s), you then must convince them to grant the rights to quote its lyrics in a book, perhaps an even greater challenge than tracking them down.

To wait a year for an answer is not uncommon, and the answer, when it finally comes, could be NO. Fees for use of a few lines of lyrics in your book may be high. I was told by one administrator that \$500 was the minimum fee for any grant by their clients of permission to reprint their lyrics.

Having described what often proves a difficult process, I hasten to add that sometimes a writer's

desire to use lyrics outweighs any trepidation about commitment of time, expense, and effort it will take to ensure no lawsuit follows. The song "Miss American Pie," for example, may illustrate perfectly the general disillusionment of the early '60s that an author wishes to convey, and she may be willing to do whatever it takes to allow that song to work its magic for her. I don't want to discourage those writers who feel their use of lyrics is worth the efforts that may be involved in acquisition from trying to obtain the rights they want. And occasionally, I must admit, administrators can be found and approached with minimal effort and rights obtained for reasonable fees. Sometimes an answer will be given overnight, sometimes within four to six weeks, and sometimes fees fall within the \$100 range or are even waived altogether.

If you do decide to pursue the permissions path, you should begin by visiting the websites of ASCAP (the American Society of Composers, Authors, and Publishers) and BMI (Broadcast Music Incorporated). Their song databases, available online at www.ascap.com and www.bmi.com, can be searched by titles, performers, and writers. Just remember that some administrators of a song may be listed on one site and some on another—and some may not be listed at all. Many times, these sites state that administrators exist for a specific song other than the ones listed with them. You need to secure rights from *all* owners of a song before you use its lyrics.

The most important thing to remember if you decide to use lyrics (or any copyrighted material for that matter) in your work is to begin the acquisition of rights process as soon as possible. Consider

See *Lyric Rights*, continued, page 11

Promotional *continued from page 1*

Interview Report) National Publicity Summit, Elizabeth Yarnell is a veteran of scores of television and radio appearances. She and her book have been featured in magazines and newspapers across the country.

The goal of both publishers and writers is to sell books. Publicity is key to book sales. Getting that publicity rests squarely on you—the writer. Learn the steps to getting noticed at this information-packed CIPA meeting!

Elizabeth’s energetic and inspiring talk will be followed by four ROUNDTABLES, giving you an opportunity to delve even deeper into promotion. Four roundtables of fifteen minutes each will be led by **Judith Briles**, “Marketing from Day One”; **Kemi Chavez**, “How to Choose a Publicist”; **Mike Daniels**, “Using CIPA Brigade and STAR Programs to Promote”; and **Pete Ritzer**, “Don’t Just Stand There! Selling at Book Signings.”

Promoting and publicizing your books starts JANUARY 19, 2007. Don’t miss this vital meeting!

Set Yourself Apart, *continued from page 4*

You may realize by now that you already know most of this information. You live and breathe it each day. But taking the time to consciously assess and analyze your world and identify its most distinguishing and relevant aspects allows you to articulate a special point of *difference* that resonates and connects with your readers. It provides you with the tools to create your own unique branding.

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Lyric Rights, *continued from page 6*

alternatives to using the material very early in development of your manuscript in case the wait for response is too long or the cost of the rights exceed your budget.

Joyce Miller is an editor with Integrated Writer Services. Nothing contained in this article is intended to be considered as legal advice for specific cases. The information herein is intended for educational and informational purposes only.

Peak publishing *continued from page 8*

annual auction to benefit ELF—The Educational Literacy Foundation. Our Friday night highlight is the EVVY Awards Banquet, where we honor those who have excelled in their publishing endeavors in 2007. And don’t forget food; it’s always special at CIPA College.

Mark your calendars today...and invite writing friends. They will thank you for helping their “approach” to improve. Check the College link on our Web site—cipabooks.com—for information on registering online or by mail, and register now to enjoy Early Bird savings. Opportunities to exhibit and advertise are also located at the site. We look forward to meeting you and walking with you to the summit.

Anne Fenske, CIPA College Dean—founder and publisher of Grace Acres Press, an Evangelical publishing company celebrating six titles during this first year of business—speaks to school and church groups about writing whenever she can squeak it in.

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