

Chinese-American Businesses Need to Pay Royalties for Their Use of Chinese Music

By Mr Qiu Chen of The China Press

Reported on July 31, from Los Angeles by Mr. Qiu Chen:

Chinese-American businesses that broadcast or play the Chinese music will be receiving a letter explaining that the business owner must pay a royalty and copyright license for use or broadcast of Chinese music, and a related invoice for \$495, which is the licensing fee for one year. Mr. Frank Mayor, the CEO of China Entertainment & Media Group, who has partnered with the China Record Company and the Music Copyright Society of China, said during an interview that many business don't know there is a licensing right on behalf of composers who own the copyright to music being performed. Any company that broadcasts or plays Chinese music has to sign the license agreement and pay the fee.

Currently, Mayor and his employees are requesting businesses that broadcast or play Chinese music to pay the licensing fee, and as long as a commercial establishment broadcasts or plays Chinese music on their premises even through just use of television and radio, it is obligated to pay the licensing fee. Mayor also mentioned that background music within the company or inside elevators, and even music played as background for clients on hold when they call the establishment all need to be paid for. The rate and standard fee varies by the size and nature of business. For a normal business, the basic fee is \$495. As for the radio or TV stations, the owners not only need to purchase the music works, they also have to pay the licensing fee for broadcasting and playing the music. However, the amount they must pay is much more than what the ordinary business pays for the same kind of item.

Some of the employees in Mr. Mayor's company often go to the local community in order to collect information on the use of music and if they find out any business broadcasting Chinese music without authorization they will send a letter to this company requesting them to pay the fees. According to Mayor, whoever refuses to do so will be punished according to the US Copyright Law, and since China is one of the contracting states to the Universal Copyright Convention, copyrights of Chinese composers and authors are protected under US copyright law.

The authorization obtained from Chinese government by Chinese Music Publishing Inc. covers the areas of North and South America, and his mandate includes protecting Chinese composers' interests and enhancing the development of Chinese music. Mayor states that he wishes that business owners continue to use Chinese music but must pay relevant fees, since the composers themselves also need to be compensated. Mr. Mayor is representing MCSC in the US to collect the licensing fees, which shall be eventually transferred to the composers.

In order to confirm the relationship between Mr. Mayor and MCSC, our reporter contacted MCSC and got a reply from Ms. Mable Meng of the International Dept. of MCSC, who responded: "We confirm that we have a partnership with China Music Publishing Inc. in order to obtain information on the usage of Chinese music by local businesses as well as to assist us to collect royalties and fees and authorize licenses from those companies and facilitate our work with performance rights organizations such as ASCAP and BMI."