



**Music Publishers' Association of the United States**

Minutes of the Officers & Board of Directors Meeting  
15 January, 2004 at ASCAP

Present

Jennifer Bilfield  
Beebe Bourne, President  
Arnold Broido, (via conference call)  
Tom Broido, 2<sup>nd</sup> Vice-President (via conference call)  
Aida Gurwicz  
Christopher Johnson  
James Kendrick Esq., Counsel  
Janna Mattson, Administrator  
Lynn Sengstack  
Charles Slater, Treasurer (via conference call)  
Robert Thompson, Secretary

Excused

Fred Anton, 1<sup>st</sup> Vice-President  
Gene Caprioglio  
Susan Feder  
Lauren Keiser  
Larry Morton  
David Murray  
Lee Paynter  
John Shorney

Housekeeping and Announcements

The meeting was called to order at 2:40pm. The minutes of the 12 December 2003 Meeting were approved as circulated.

Treasurer's Report: The financial statement for the fiscal year ending May 31, 2003 was recommended for approval by the Board at such time that a Quorum is present.

President Bourne reported that there had been a good response in dues memberships paid, with 68 publishers thus far submitting dues.

Old Business

Annual Meeting: Due to construction at the Metropolitan Hotel, the annual conference will take place at the New York Helmsley Hotel, and President Bourne asked that Janna Mattson visit the hotel next week and proceed with booking the space.

For the morning session, devoted to copyright/licensing issues, Richard Stumpf, Vice-President of Marketing & Licensing at Cherry Lane has been confirmed as a panelist as has Michael Simon, Senior Vice President of

Licensing and Chief of Strategic Development and Marketing, The Harry Fox Agency.

For the luncheon, Fred Koenigsberg, Esq. of White & Case and Steve Schnur of Electronic Arts have been confirmed as speakers.

For the afternoon session on marketing, Lauren Keiser confirmed through President Bourne that Ruth Stevens, ([www.ruthstevens.com](http://www.ruthstevens.com)) who is currently on the faculty of Columbia and New York Universities is available to speak.

President Bourne mentioned that nominations are needed for those members whose terms are expiring. Tom Broido mentioned that the current President should select the nominating committee, which must be approved by the Board.

Archives/University of Maryland: Jim Kendrick is awaiting a response from the attorneys at the University of Maryland. Lynn Sengstack reported that the archivist continues to update and catalog the collection.

Midwest Clinic: President Bourne received report from Lauren Keiser that the booth at Midwest was well attended, and that Dave Olsen's presentation on Copyright was well received.

Press/Publicity: Arnold Broido reported that the ASCAP advertisement was ready to be corrected. The MPA will receive permission from ASCAP to use the ad and have the MPA's name at the bottom. The question was raised in which journals and magazines the ad should be placed, to which Mr. Broido replied that state magazines were important, in addition to the normal educational trade journals. Mr. Broido requested that written permission is needed from the Board to proceed.

President Bourne mentioned that the RIAA might let the MPA use the RIAA's current Billboard Magazine Ads, "I download legally".

Synopsis: Abbreviated Copyright Guidelines: Jim Kendrick will telephone Lynn Sengstack and both will review the guidelines as to their adherence to copyright law and final wording.

Website Update: Bob Thompson agreed to monitor the website and work with Nancy S. Clarke as the contact for the MPA. President Bourne reported that the agreement with Nancy Clarke has been signed. Mr. Thompson will also review the current MPA Brochure, and suggest new wording that addresses recent technological developments.

Visit to Carnegie Hall: Charles Slater will need to know the number of MPA members who plan on visiting the Carnegie Hall Archives after the April 22, 2004 meeting at BMI. The tour is open to all MPA members.

#### New Business

Engraving Committee: Maggie Heskin of Peer Music reported to Bob Thompson that the Engraving Committee meeting would be scheduled sometime in February.

Legislative Update: Jim Kendrick reported on the Federal Appeals Court ruling on December 19, 2003 in Washington that overturned a decision in a federal district court that allowed the music industry to force the disclosure of individuals simply by submitting subpoenas to a court clerk without winning a judge's approval. The RIAA will now be required to seek a judge's approval to obtain the identity of illegal file sharers. The RIAA is determined to continue their lawsuits against illegal file sharers, and it appears that there had been a reduction in illegal file sharing.

Mr. Kendrick also mentioned a new law in the state of California that has gone into effect on January 1, 2004. The law requires that publishers provide digital versions of their printed materials, upon request, for students with disabilities. The requests are to be made by schools on behalf of students. Students must have a certifiable disability, must have purchased the original print version of the work in questions, and the work must be used in connection with a specific course curriculum. The request must be signed-off by the coordinator of disability services at the school and schools are required to copy-protect the digital version of the work. The new law does not purport to abrogate existing copyright laws. Publishers who do not comply are subject to penalties under Sec. 54.1. of the California Civil Code.

#### Committee Reports

ACDA: Christopher Johnson reported that discussions are underway with the ACDA Journal Editors and Board.

Annual Meeting-Local Arrangements: No Report

Annual Meeting-Program: No Report/Vacant

Archive Committee: No Report.

Paul Revere Awards: No Report

Copyright/Licensing: No Report.

Educational Contacts & Trade Relations:

Engraving:

Finance/Audit: No Report

International Contacts: Arnold Broido will be at the ICMP meeting on Sunday at the Noga Hilton in Cannes.

MPA/MLA/MOLA: Tom Broido will need the MPA Brochures to distribute at this convention.

Membership Committee: The application of LeDor Group, Inc. was approved.

Performance: No Report

Research/Development/New Technology: No Report

The meeting was adjourned at 3:42pm. The next meeting will take place on February 26, 2004, 10:00am at the Harry Fox Agency.

Note: Attached to the current minutes are the NMPA's Year in Review for 2003.

Prior to the meeting today, consultant Linda Golding of The Reservoir met with MPA Board members to discuss the mission of the MPA. Notes from this meeting will be distributed to MPA Board members separately.