



Music Publishers' Association of the United States

Minutes of the Officers & Board of Directors Meeting
26 February, 2004 at Harry Fox Agency

Present

Jennifer Bilfield
Beebe Bourne, President
Arnold Broido
Tom Broido, 2nd Vice-President
Gene Caprioglio
Susan Feder
Lauren Keiser
James Kendrick Esq., Counsel (via conference call)
Janna Mattson, Administrator
David Murray
Charles Slater, Treasurer
Robert Thompson, Secretary

Absent

Fred Anton, 1st Vice-President
Aida Gurwicz
Christopher Johnson
Larry Morton
Lee Paynter
Lynn Sengstack
John Shorney

Call to Order: The meeting was called to order at 10:35am

Approval of Minutes: The minutes of the January 15, 2004 were approved as circulated

Treasurer's Report: Charles Slater reported that total assets on account are 197,254.36. The tax audit issue is still open, however the MPA has not heard from the IRS in three years. Treasurer Slater further reported that Dues are complete. The Treasurer's Report was approved as circulated.

Old Business

Annual Meeting: The annual meeting has been confirmed for June 4th, 2004 at the Helmsley Hotel on 42nd Street. President Bourne requests that all committee chairs provide reports for the annual meeting (Janna Mattson will coordinate).

Afternoon Session: Lauren Keiser reported on developments for the afternoon session, devoted to marketing. Ruth Stevens will do a presentation involving the audience which focuses on getting to know one's ultimate consumer. Douglas Bell, who has done ad work for Listerine, Arco, Comcast and Mapquest, will present how to frame an ad and key elements necessary to make advertisements successful and appealing.

It was agreed to offer attendance to non-MPA members to the afternoon session only, at a fee of \$20.00. The fee for the full day for members will remain \$75.00. A registration letter will be sent out by March 22nd with payment to be received no later than May 21st.

President Bourne asked MPA members to suggest names and organizations to be invited to the afternoon session.

Lauren Keiser will develop a brochure advertising the afternoon session. This brochure, along with the Paul Revere Awards application and the annual conference registration form will be posted on the Website as soon as they are available.

Paul Revere Awards: It was agreed that the Paul Revere Awards Applications are to be mailed out by March 15. This year's application will request that publishers submit a 72dpi JPEG image (3"x2") with their application to be posted on the MPA's website.

Annual Meeting Schedule: The schedule for the annual meeting is as follows:

09:00-10:00:	Registration, View Paul Revere Awards Nominees
10:00-11:00:	Bourne-Welcome Group, Introduce the Panel
11:00-12:00:	Panel Discussion on Copyright & Licensing: Richard Stumpf, Vice-President of Marketing & Licensing at Cherry Lane; Michael Simon, Senior Vice President of Licensing and Chief of Strategic Development and Marketing, The Harry Fox Agency; Peter Herb, Director of Copyright, G. Schirmer, Inc.
12:00-2:15:	Luncheon Introduction of Guests Paul Revere Awards Key Note Speakers (Steve Schnur of Electronic Arts and Fred Koenigsberg, Esq. of White & Case.
02:15-02:30:	Roll Call/Annual Meeting
02:30-04:00:	Getting to Know Your Consumer (Keiser)
04:00-04:30:	MPA Board of Directors Meeting (Board Members and Officers)

Susan Feder asked that Fred Koenigsberg give us talking points at the annual meeting so as to enable MPA members to better articulate our case against file sharing. President Bourne will follow up.

Archives/University of Maryland: There is still no progress on executing the agreement, and there has been no response from the University of Maryland's legal department. President Bourne will send a letter to the University's counsel requesting that the agreement move forward. Jim Kendrick will forward the letter to Mr. Bruce Wilson at the University of Maryland for his comments prior to.

Paul Revere Awards: The Paul Revere Awards Traveling Exhibit Schedule is as follows:

2/23-3/21:	Princeton University Mendel Music Library
3/29-4/25:	University of Missouri-Kansas City Miller Nichols Library
5/3-6/6:	Dallas Public Library
6/14-7/11:	University of Cincinnati Conservatory of Music Library

7/19-8/15: University of Illinois-Urbana-Champaign Music Library
8/23-9/12: Michigan State University Fine Arts/Music Library
9/20-10/17: City College of New York

Press/Publicity: Discussion ensued regarding Linda Golding's workshop with the Board prior to the January 15 meeting. President Bourne expressed her appreciation to Linda for organizing and presenting this workshop. Jenny Bilfield suggested that the Board consider requesting the various committees to set goals at the beginning of each year, and plan strategically to meet those goals by year end. President Bourne felt it important that a charge to each committee be given and that reports be duly filed for each meeting. She also requested that a Web Committee be organized, with Charles Slater and Bob Thompson as Co-Chairs.

Lauren Keiser proposed that the MPA consider creating an annual award to be given to a person who has contributed significantly on our behalf to achieve the goals of the MPA.

Further discussion centered on Board members who have not attended three consecutive meetings. It was decided that, under the bylaws of the MPA, any Board member who has more than three consecutive absences will have their status referred to the Board for consideration.

Synopsis: Abbreviated Copyright Guidelines: It appears that the guidelines are complete, and will be posted on the website as soon as they are available.

Website Update: Bob Thompson will meet with Nancy Clarke of Embury Consulting to develop a plan and budget for the MPA Website to be presented at the April 22nd meeting. The Board passed a resolution expressing their thanks to Charles Slater for his work in making the MPA Website a reality.

Visit to Carnegie Hall Archives: The visit (after the April 22nd meeting) will be limited to fifteen people, due to space limitations. Janna Mattson will coordinate the names and number of attendees.

New Business

Nominating Committee: A motion was approved to nominate Lauren Keiser, Charles Slater and Fred Anton to the nominating committee.

Jenny Bilfield reported that Caroline Kallett of Boosey & Hawkes will retire at the end of March. Her successor is Mark Ostrow, formerly of BMI. A motion was approved thanking Caroline Kallett for her years of service to Boosey and to the MPA.

Committee Reports

ACDA: No Report

Annual Meeting-Local Arrangements: (covered)

Annual Meeting Program: (covered)

Archive: No Report

Copyright/Licensing: No Report

Educations Contacts & Trade Relations: Lauren Keiser informed the Board that Mid-West has asked if the MPA would like to present another

copyright session at its next conference. The Board's answer is affirmative.

Engraving: Bob Thompson reported that Maggie Heskin at Peer Classical is organizing an Engraving Committee meeting and will inform the Board shortly of its date and time.

Finance/Audit: No Report

International Contacts: Arnold Broido reported on the ICMP meeting in Cannes in January. As a result of a 40% drop in sales in the record industry, The German National Group of IFPI (International Federation of the Phonographic Industry) has filed a petition with the Arbitration Board of the German Patent and Trademark Office for the reduction of the current royalty rate for licensing audio carriers from 9.009 % of the Published Price for Dealers (PPD) to 5.6 %. Further, until the matter is resolved through the Arbitration Board, the leading organizations of the German and International IFPI are intending to pay (via GEMA) only half of the current remuneration, while the other half is deposited with the court until such time as the court reaches a final decision, which could take years and years. In financial terms, this escrow agreement is meant to immediately force the authors and their publishers to their knees.

The MPA UK has asked Arnold Broido to meet with the UK Minister of State for the Arts at the UK Consulate in New York to discuss copyright awareness and other publishing issues.

Broido further mentioned that MENC's "Creativity in the Classroom" Website will be launched at the MENC conference.

MLA/MOLA/MPA: No Report. Tom Broido did mention that he will explore ways in which the MPA might work with the RPMDA to promote copyright awareness.

Membership: No Report

Paul Revere Awards: (covered)

Performance: Jenny Bilfield reported on a meeting with Diana Hossick of Opera America in an effort to provide a more inclusive approach for publishers attending. The result is a proposed lunch-time "Opera-on-Film" event that would be a 90-minute slot, 12:30-2 PM on Thursday or Friday of the conference. The event would cost approximately \$500-600 per publisher.

Press/Publicity/Public Relations: (covered)

Research/Development/New Technology: No Report

Website: (covered)

Legislative Update: Jim Kendrick reported on the 9th Circuit Federal Court in Pasadena, California in which oral arguments in the MGM v. Grokster case were heard by a three-judge panel. The judges focused much of their questioning on whether a 1984 U.S. Supreme Court decision in a copyright infringement case against Sony over its Betamax videocassette recorder can be interpreted to protect the file-sharing firms from liability. That decision held that Sony was not liable for copyright infringement when people used its Betamax videocassette recorders to copy movies illegally because the technology had significant uses that did not violate copyrights. Russ Frackman, attorney for the recording industry, stated that in the Sony case, Sony made money by selling the Betamax and could not control how consumers used it. But Grokster and StreamCast could filter the copyright content from their systems, like they do with computer viruses, but refuse to

do so, because the free songs and movies are what draw their users and ultimately generate ad profits.

Mr. Kendrick further reported that, in this election year, there is the unlikelihood that pending legislations will move forward.

The meeting was adjourned at 1:00pm. The next meeting will take place on April 22nd at BMI.