

From: Mimi Fautley

Comment:

I was recently attempting to clear samples of music used in performance by the subjects of a documentary on Hip Hop music.

The experience was deeply frustrating. Some of the works were unregistered, many of the labels that had released the recordings were defunct and untraceable, and even when the works were registered I was often unable to find current contact information for the copyright holders - even ASCAP's listings were out of date.

A particular problem seemed to be tracing the ownership of masters for works on defunct labels. Even where the publishers of a given work were traceable, they almost never had any information about who owned the masters.

The problem is clearly compounded by the fact that the music industry is in a constant state of flux, where labels and publishers disappear or merge or split constantly. The large labels' insistence on using smaller imprints without any overt acknowledgement of their affiliation further obfuscates the situation. While the ASCAP and BMI databases are helpful, as are those maintained by larger labels and publishers, they tend to cover the same terrain. There's a lot of music that simply falls through the cracks.