

Computer games & retail CD Roms



Introduction

The effective use of music in retail multimedia products is becoming ever more important and widespread. Music can add an extra dimension to an interactive game-playing environment, or provide depth and context to a CD Rom. Either way, it can enhance the attractiveness to prospective purchasers and thus increase sales potential. As the use of commercial music in a computer game or CD Rom requires prior approval from all of the relevant copyright owners, MCPS is an excellent first point of contact for producers. Our dedicated team of advisors and consultants can guide you through the music licensing process, and where the copyright owners prefer to deal with you directly, provide you with the appropriate contact details. It is important to remember however, that separate arrangements must also be made with sound recording copyright owners, although again, MCPS may be able to help you to identify these.

Information required

If MCPS are able to represent the copyright owner in this particular area of licensing, producers need to supply the following information well in advance of the proposed production date.

- Title of musical works required, including composer/artist information
- Product title and format(s)
- Description of the production
- Context of music use
- Proposed duration of music use
- Number of units to be manufactured (forecast and guaranteed)
- Territory(s) of manufacture and sale
- Release date
- Published dealer and retail price
- Number of promotional / demo copies required
- Name of developer / production company

The best way of providing this information is by completing an information supply form, a sample of which can be referred to overleaf. Please contact MCPS Licensing Services for a blank copy, which can be emailed, faxed or sent to you accordingly. **It should be noted however, that clearances handled by MCPS are subject to our members' approval at all times, and failure to provide full or correct details could result in your application being delayed or even refused.**

Licensing Procedure

Upon receipt of this information, MCPS will discuss the level of an appropriate fee with the copyright owner(s). It is important to be aware that rights owners give

careful consideration to proposals for the use of their music in computer games and retail CD Roms, so developers and producers must leave as much time as possible for clearance to be given and form realistic expectations regarding fees. Once a request has been approved by the copyright owner(s), MCPS will confirm to you as such, and inform you of the fee that has been requested. Once an agreement has been reached, MCPS will issue a conditional licence which comes into effect upon payment, which must be received within the period stated.

For general information on licensing procedures and on the licensing of production music you are referred to the general 'MCPS Guide To Media Licensing' or invited to ring a Licensing Services Advisor on 020 8378 7500.

Other useful information

Due to the inevitable variations between one multimedia product and another, each enquiry about the granting of a licence is dealt with on a case by case basis. Fees can therefore be dependent upon many factors including the number of units to be manufactured, the number of works required, the price of the product and the respective territories involved. Producers are therefore encouraged to use MCPS not only as an information resource to establish ownership details, but also as an initial support to the general licensing process.

In the event that fees are based on the number of units sold, a full and detailed statement will be required for each quarter, to be received by MCPS no later than 45 days after the end of each quarter. Further details of this procedure are available upon request.

For all non-retail CD-Roms that are predominantly for corporate use, please see the information sheet entitled 'Non-Broadcast Audio Visual Products (Corporate)', or contact a Licensing Services Advisor on 020 8378 7500.

Example of information required

Information supply form Retail multimedia products (Games and CD Roms)

Company applying for a licence:	Games 'R' Us
Contact name and phone number:	John Smith - 01111 222333
Song title(s) / Composer(s):	"Play It" (Brown)
Product title / description and format:	'Fantasy' – Futuristic role playing game on PC and Playstation 2
Context of music use:	Background music when characters are involved in fight scenes
Proposed duration of music use:	Whole track
No. of units (guaranteed and forecast):	200,000 guaranteed 1 million forecast
Territory of manufacture and sale:	UK manufacture, world-wide sale
Release date:	June 2001
No. of musical works on product:	3
Publisher dealer and retail price:	Dealer price £23.80 Retail price £34.99
Promo / Demo copies required:	1000
Licence Term:	2 years

MCPS Licensing Services
Mechanical-Copyright Protection Society Limited
Elgar House
41 Streatham High Road
London
SW16 1ER

Direct Tel: +44 (020) 8378 7500
Direct Fax: +44 (020) 8378 7501

This document is confidential. If you are not the intended recipient of this document please notify us immediately and do not copy or use it for any purpose nor disclose its contents to any other person

REMEMBER:

Step 1 – Identify Copyright Owners

Step 2 – Complete Information Supply Form

Step 3 – Await confirmation from MCPS as to whether or not approval has been granted

Step 4 – Ensure approval to use the sound recording and any other rights has also been given

Step 5 – MCPS will issue a conditional licence which comes into effect upon payment, which must be received within the period stated.

For further information, contact the Media Licensing Dept. on 020 8378 7500