

Intellectual Property and the Making and Marketing of Music in the Digital Age

April 23-24, 2010

Co-hosted by the
*Center for Arts and Cultural Policy Studies, the Department of Music
and the Center for Information Technology Policy*

Over the past three decades, we have seen several developments that have challenged traditional notions of intellectual copyright in music.

- First, the popularity of musics that are sampled, improvised, or handed down orally has called for re-conceptualizations of copyright in the absence of written scores.
- Second, digital technologies, particularly web-based resources, have enabled independent artists to take control of their production and distribution, but they have also made the enforcement of traditional copyright difficult.
- Third, the development of alternatives to copyright has helped to foster a free-art subculture, thus becoming not only a means of maintaining artistic control but also a matter of identity.

By inviting the participation of artists, academics, and media and policy experts, we aim to stimulate conversation that will aid in the formation of public policies and private strategies, helping artists, companies, and institutions adapt to contemporary musical practices

Schedule of Events

Please visit [Bios](#) and [Abstracts](#) for more information about the participants and presentations.

Friday, April 23
101 McCormick Hall (*Open to the Public*)

3:30–5:20pm: Symposium

Walking on the Other Side of the Law: Sampling, Intellectual Property, and Commerce

From *Collage #1* (James Tenney) in the 1960s, to "The Payoff Mix" (Double Dee and Steinski) and *Plunderphonics* (John Oswald) in the 1980s, to the widespread use of sampling today, the making of music *from* music is known almost as much by the controversy it generates as for the music itself. From mash-ups to sampling, the musical practice and style is perpetually questioned. As a consequence, the aesthetics of the music produced is inextricably tied to debates of politics, identity, and the institutional structures that house and promote the artists and their music. Debates over financial concerns, artistic ethics, legitimacy — is it even *really* music — and the social and cultural implications of sample-based music color and shape the public perceptions of the artists and the music they create. This opening symposium, featuring both artists and academics, will discuss the diverse points of view held by different players. **Moderator:** *Paul DiMaggio*, CACPS, Woodrow Wilson School, A. Barton Hepburn Professor of Sociology and Public Affairs

- **Alan Stanbridge**, University of Toronto, Associate Professor of Visual and Performing Arts
- **Mattin**, Independent Basque-based Artist and Editor
- **Imani Perry**, Princeton University, Professor of African American Studies
- **Marc Perlman**, Brown University, Associate Professor of Music
- **Steinski**, Independent soundtrack and cut and paste artist Steve Stein

5:30–6:30pm: Reception
McCormick Hall

8:30–10:00pm: Concert
Princeton University Art Museum
Performances by Mattin and by Zeena Parkins
Additional cosponsors are the Princeton University Art Museum and FFMUP (Free Form Mash Up)

Saturday, April 24
Friend Center Convocation Room

Saturday's events are by invitation only.
If you are interested in attending, please contact mindyw@princeton.edu.

8:00–9:00am: Breakfast

9:00–10:45am: Panel I

The Nature of the Work: Sampling, Improvisation, Oral Traditions, and the "Score"

The question of what constitutes a musical work has become an increasingly inescapable point of discussion in musical practice today. Without a musical score, musicians have faced hurdles in obtaining rights such as publishing, recording, performance, or collaboration; they have faced debates as to whether their compositions should even be considered music. This panel will explore the conception of intellectual property in musical works that are sampled, improvised, or otherwise not notated. **Moderator:** *Stephen Schultze*, CITP, Associate Director, Woodrow Wilson School

- **Seth Cluett**, Princeton University, Ph.D. candidate in Music; Composer and Sound Artist
- **Peter Manuel**, City University of New York (Graduate Center, John Jay College), Professor of Ethnomusicology
- **Zeena Parkins**, Multi-instrumentalist, Composer and Improviser
- **Eric Lewis**, Professor of Philosophy at McGill University (Respondent)

11:00–12:45pm: Panel II

Distribution, Promotion, and Consumption in the Media Age

The rise of the Internet has fundamentally changed the way the public finds and consumes music; in particular, web-based resources have given independent artists new opportunities to distribute their work. The resulting aesthetics of a do-it-yourself culture are evident in not only the consumption and distribution of music but also the type of music produced. This panel will explore how the changes in the way music is distributed and consumed are affecting what music is heard, what type of music is made, and which musicians get paid.

Moderator: *Noriko Manabe*, Department of Music, Assistant Professor

- **Priscilla J. ("Sally") Mattison**, Bernard M. Resnick, Esq., P.C., Counsel
- **Wayne Marshall**, Massachusetts Institute of Technology, Mellon Post-Doctoral Fellow
- **Brian Brandt**, MODE Records, Founder and President
- **Kembrew McLeod**, University of Iowa, Associate Professor of Media Studies; Documentary Filmmaker
- **Richard Stumpf**, Cherry Lane Music, Senior Vice President, Creative Services & Marketing (Respondent)

12:45–2:00pm: Lunch

2:00–3:45pm: Panel III (*Moderator: Charity Chan, Music Department*)

The Purpose of Copyright: Evolution and Expression in the Commons

The development and establishment of copyright alternatives, such as copyleft and creative commons, articulate more than just a desire to present options outside of the copyright norm. They have fostered interaction among artists, generating a sub-culture ethos with an aesthetic of "free art"; organizations have also sprung up that are dedicated to promoting copy-free arts and the benefit of the public domain. This panel will examine how alternative copyright licenses have become not only a means to maintain artistic control but also a matter of identity. **Moderator:** *Charity Chan*, Department of Music, Ph.D. student

- **Anthony Falzone**, Stanford Law School, Executive Director of the Fair Use Project; Lecturer of Law
- **Mark Hosler**, Negativland, Artist (Rock and Experimental)
- **Tina Piper**, McGill University, Professor of Law
- **Elizabeth Stark**, Yale University, Visiting Fellow at the Yale Information Society Project, and Lecturer in Computer Science

4:00–5:00pm: Discussion

Moderator: *Stan Katz*, CACPS, Lecturer with the rank of Professor in Public and International Affairs, Woodrow Wilson School