

Instructions for completing the Intellectual Property Rights / Replication Rights Form (IPR/RRF)

How will product be distributed?: How the resulting discs are going to consumers or users. If method is not listed for you to check, then indicate specific other method of distribution in box provided.

In which countries will product be distributed?: Where the discs will be distributed to consumers or users.

Do you own the Intellectual Property Rights (IPR) for the contents of the ENTIRE recording or project?

If you are the IPR owner for all the disc's contents, mark the answer YES

If you are NOT the IPR owner then you must obtain replication licensing permission from the actual IPR rights owner. For this circumstance, mark the answer to this question NO.

For AUDIO CONTENT, this question does NOT address the ownership or licensing of Song Publishing Rights. All music content has two different licenses: one license for the recorded performance, and another for the use of a published song. Notice that the question above indicates ownership of the RECORDING, not the use of a published song. For example, if you are a singer and perform/record a song written by a famous songwriter, you as the artist own the rights of the recorded track and can answer this question as YES. But the songwriter still owns the rights to the published music. Section 2 of this form is where you address song publishing rights.

1. CD-ROM / DVD-ROM content

Describe the disc contents. Indicate in the blank provided - or on the form's second page – all software, freeware, and shareware products included on the disc for which you are not the IPR owner.

If you license any of these products for inclusion on your disc, you must attach the **appropriate distribution licensing** documentation as specified by the software product vendor.

If the disc contains additional audio tracks (Enhanced CD) or Video (DVD), then the appropriate sections must also be completed on the form.

2. Audio (CD or DVD) Content (Including MP3 files)

Artist(s): Specify all of the recording artists on this disc

Content/Music Type: Specify the music genre or if it is spoken word

If this is a COMPILATION, then check HERE: If the disc is a compilation of various audio performances / recordings from various sources and/or artists, then indicate so on the form here.

Are you the owner of all song writing / publishing rights?

As mentioned earlier in this document, there are two different types of rights for audio:

1. Rights to a recorded performance
2. Rights for use of a published song

If you are an artist and record a song, you own the rights to the recorded track because it is a creative work that you have created.

If you sing a song that you wrote, you own the rights to the recorded track AND the written song because they are both creative works that you have created.

However, if you sing a song published by someone else, you do NOT own the rights to the published song even though you still own the rights to the recorded performance. In this case, you need to pursue securing either mechanical or compulsory rights for the published song.

If you are the song writing / publishing rights owner (in most cases, this is true if you are the actual songwriter) then specify YES.

If you are NOT the song writing / publishing rights owner for those songs included on the disc, specify NO.

*** If NO, have you secured or are you actively pursuing those song writing rights?**

If you indicated NO in the previous question (you do not own the song writing / publishing rights), then specify YES to this question if you have either:

- a. secured the rights for the published song's use in the recording, or
- b. not yet secured these rights but have initiated and are actively pursuing those rights. We reserve the right to request additional information for verifying your possession of the song writing / publishing rights or your efforts to obtain those rights.

If you have not take these NECESSARY steps, then indicate NO for this question.

For all audio content, you must

1. Either complete the form's second page or attach a track listing specifying each track title, artist, and the content owner of each recorded track. This is required even if you are the IPR owner of all recorded tracks.
2. If you are not the IPR owner of all recorded tracks, then you must provide enough documentation to illustrate chain of title to the recording artist and the granting of replication rights for each track specifically to you or your organization
3. If the disc contains sampling or mixing of other recorded tracks for which you are NOT the content owner, you must provide licensing for these tracks as well. Any length of another track for mixing purposes requires replication licensing and publishing rights from the content owner(s).

3. CD / DVD Video Content

If you are not the content owner of the video content, you must provide proof of replication licensing from the content owner.

If audio tracks are licensed separately for use in the video, then:

1. Complete section 2 (Audio Content) of this form
2. List the separately licensed tracks on page 2 of this form

3. Provide appropriate Videogram licensing (rights to use a recorded audio performance in a video)
4. Complete Section 2A and B of this form with respect to Synchronization Rights (rights to use a published song in a video)

Signature Box and Information

At the bottom of the form, PRINT the name and telephone number of the organization or individual that has placed the order and is the ultimate end-customer (from which the order ultimately originates). A broker or intermediate party in the transaction CANNOT complete and sign this form. The SIGNATURE and PRINTED name of the representative from this organization is REQUIRED. COMPLETING THIS SECTION OF THE FORM IN ITS ENTIRETY IS REQUIRED.