



WE ALL GET RIPPED OFF - THATS SHOWBUSINESS !

By Paul Brett



Rip Offs by the Business side of the Music Industry on artistes is legendary throughout the time the two groups have been in association.

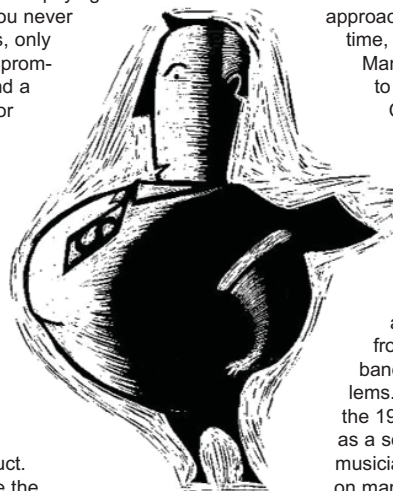
The Business relies on the artistes to create and record the product, the artistes rely on the Business to promote and sell the product to the Worldwide commercial markets. It is

an unholy alliance, borne out of the premise that one can't survive without the other, even though in the main, they hate each other. It is fair to say that the majority of singers, musicians and groups, never make any money out of their profession. Even if they do, it is usually whisked away in covert actions by a whole raft of parasites, including Managers, Agents, Publishers and of course the Record Companies themselves. Very few artistes really succeed in maintaining a comfortable living and those that do, usually indulge in substance abuse of some kind and take the early train to boothill.



Inherently, the business knows that young musicians are vulnerable to their own ambition and egos and so, like any predator, it uses these characteristics or flaws, for its own interest. Apart from the overbearing egos of

some that work for the record companies, (those who seek fame by association) the main aim of the business is to make lots of money for itself and avoid paying you your correct royalties. You never find any old suicide bombers, only young ones who have been promised paradise, martyrdom and a host of virgins as a reward for their terminal acts. The exploitation is the same, old heads, screwing with young minds. Experience over inexperience. All kids want to do is to play their music and make a name for themselves and at that age, are not the slightest bit interested in securing a decent contract for themselves just in case they may be one of the very few who actually succeed in selling vast amounts of product. Enter the Manager. They are the



universal go-betweens. The opinion that artistes can't represent themselves is what drives the need for Managers and how they play on this note. So you the artiste, get a Manager, who then, if you're very lucky, gets you a record deal. You may get an advance payment which will be taken back at a later date against your minor share of royalties from sales, less of course your recording costs, packaging, even less royalties from sales abroad and you will never know how many CD's are pressed and how many true sales you achieve across the world markets. The Manager will then charge you commission on everything you do, plus reasonable expenses for their valuable time and you are truly likely to join the multitude of artistes before you and either hastily engage lawyers, if you have any money, or work for Asda. Sounds depressing ? It damn well is. How do you think that Record and Publishing Companies make the money to inhabit large buildings and pay shareholders, not to mention generous staff salaries, bonuses and the expense accounts and company cars. They make it of course from your creative output. My Dad, bless him, created an imaginary instrument he called an Ox ometre. He said it was an instrument for measuring bullshit. This would have gained an hourly use in the Entertainment Industry, as more bullshit is spewed out by it's executives, than any other industry.

Going back to the 70s, I will use my then virginal self as an example. My band at the time, Paul Brett Sage, was signed to Pye Records. We got one and a half percent royalty and a £250 advance. Like all young acts, we were pleased to be signed to a major record label. We made an LP in PYE studios and it was duly released. We had some success with a single, 3 - D Mona Lisa in Italy and Portugal and did some promotional tours in those countries. Our debut album attracted quite a lot of media attention and we were approached by what was at the time, a large Management/Agency, to sign to them.

Over the following few years, we made two further LP's and played lots of gigs, festivals and tours. Despite working our butts off, the band eventually folded because finances were not either arriving from the gigs or from any royalties. Many bands had the same problems. Going back previously to the 1960's, I was always paid as a session guitarist, the going musicians union rate for playing on many other artistes records.

So whilst I had carved out a bit of a name for myself, I had only ever worked for fees or a salary if I played lead guitar in someone else's group. The Sage gig was in fact, my first experience of actually making it work as my own group. I had to pay the band, which in the end, I couldn't do. So, I left Pye and the Management Company and moved on. My second deal was with Bradley's records, a concept label formed by ATV Music Publishers. I learned quickly from my last deal and negotiated both the recording deal and publishing deal myself, as a solo artiste. In other words, no manager and the record deal was on a production basis. Which meant that Bradley's paid me a lump sum advance, to deliver a ready made LP. I did this kind of deal for the rest of the 1970's with RCA after Bradleys. It was only recently that I discovered my original Paul Brett Sage LP's had been released in 24 countries then was sold on down the years to various other companies and I hadn't received any royalty statements or publishing ones in regard to those albums, since the 1970's, despite tracks being used on CD compilations etc. Upon questioning the company that purported to hold these recordings, it transpired that Pye Records, after my contract had ended with both them and The Manager, Pye signed an agreement with my ex Manager, to pay to him any royalties due in perpetuity on the Paul Brett Sage recordings. This was a totally illegal act on behalf of the Record Company and the ex Manager. Strangely enough, I had a phone call last year from Ray Dorset of Mungo Jerry, who wrote the classic song "In the Summertime" trying to trace where his royalties had gone, as he said the same Manager had conjured the copyrights away to a company in Switzerland. Same happend in the 1960's with my Gold and Silver LP's for a major TV Record Marketing Company. Having spent a year on the road promoting the damn things, getting National Chart status and selling 100,000 and 60,000 LP's and cassettes, they sent me a royalty cheque for £17.68p. A couple of weeks prior to that, my Manager at the time had fixed up a National Tour with an Orchestra for me. He said he had done a deal with Mills & Boon Books to do a Rose of Romance Tour with me fronting an Orchestra, playing classical guitar to capitalise on the LP success. Problem was, I was the only one who wasn't going to be paid. Expenses only he said. F**k Off I said. I had absolutely no money, had two LP's in the charts. So I signed on the dole for the first time in my life. I will always be grateful to the band leader Jack Dorsey, whom I met years before at Pye Studios. He put me onto Nigel Angel, now one of the top music business lawyers. Nigel took my case against the Record Company on a legal aid basis. It took a further nine months before the Record Company made an out of court settlement and gave me Gold and Silver discs in recognition of sales. I also



got the master tapes which they had paid for. The irony of this was, that Nigel also represented that labels biggest selling artiste, who had sold millions of LP's for them. In investigating my case, it was discovered that the record company was upto illegal practices with his product on a large scale and another case was brought against them. Not long after that, they ceased trading in the UK.

There have been some classic rip offs over the years, none more so than the Bay City Rollers saga. They are possibly owed, by the latest estimates, around £50 million in unpaid royalties! Last yea , they brought a lawsuit in the States against Arista records for failing to pay millions of dollars in royalties accrued over the last 25 years. This is possibly the most extreme contested case of it's kind. One thing's for sure, the band didn't get the cash! I saw a great example of a US bands record and tour budget breakdown in an excellent piece by Steve Albini, who produced Nivvana's "In Utero". Note how much each band member got by comparison to everyone else! This is a brilliant insight into the way the American Music Business operates and the UK is not much different. <http://www.negativland.com/albini.html> (see list at the end of article)

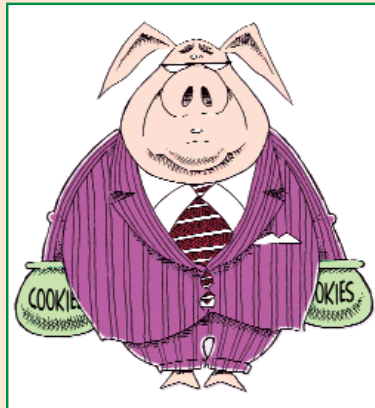
With the advent of DVD and Internet sales, the rip offs will evolve and continue at a great pace and young bands will follow the same path as the rest of us who went before. If you're not interested in rubbing shoulders with glitzy arsholes who will undoubtedly suck you dry and spit you out in the end. Then make your own DVD's and CD's and sell them on the net. You may not get in the charts, but every unit you sell, will be money in your pocket, not going to support some guano mouthed dipstick's lifestyle who needs my Dad's Ox ometer to measure his brain pattern.



Remember, organisations like the Musicians Union, Performing Rights Society and MCPS, issue guide lines and advice regarding what to look for when signing contracts. Better to have a look at these before you sign your talent away. You might not think it important when you are young, but you certainly will as you get older.



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THE BUSINESS

ADVANCE:	\$ 250,000
Manager's cut:.....	\$ 37,500
Legal fees:.....	\$ 10,000
Recording Budget:.....	\$ 150,000
Producer's advance:.....	\$ 50,000
Studio fee:.....	\$ 52,500
Drum Amp, Mic and Phase "Doctors":	\$ 3,000
Recording tape:.....	\$ 8,000
Equipment rental:.....	\$ 5,000
Cartage and Transportation:.....	\$ 5,000
Lodgings while in studio:.....	\$ 10,000
Catering:.....	\$ 3,000
Mastering:.....	\$ 10,000
Tape copies, reference CDs, shipping tapes, misc. expenses:.....	\$ 2,000
Video budget:.....	\$ 30,000
Cameras:.....	\$ 8,000
Crew:.....	\$ 5,000
rocessing and transfers:.....	\$ 3,000
Off-line:.....	\$ 2,000
On-line editing:.....	\$ 3,000
Catering:.....	\$ 1,000
Stage and construction:.....	\$ 3,000
Copies, couriers, transportation".....	\$ 2,000
Director's fee:.....	\$ 3,000
Album Artwork:.....	\$ 5,000
Promotional photo shoot and duplication:.....	\$ 2,000
Band fund:.....	\$ 15,000
New fancy professional drum kit:....	\$ 5,000
New fancy professional guitars [2]:	\$ 3,000
New fancy professional guitar amp rigs [2]:	\$ 4,000
New fancy potato-shaped bass guitar:.....	\$ 1,000
New fancy rack of lights bass amp:..	\$ 1,000
Rehearsal space rental:.....	\$ 500
Big blowout party for their friends:..	\$ 500
Tour expense [5 weeks]:.....	\$ 50,875
Bus:.....	\$ 25,000
Crew [3]:.....	\$ 7,500
Food and per diems:.....	\$ 7,875
Fuel:.....	\$ 3,000
Consumable supplies:.....	\$ 3,500
Wardrobe:.....	\$ 1,000
Promotion:.....	\$ 3,000
TOUR GROSS INCOME:	\$ 50,000
Agent's cut:.....	\$ 7,500
Manager's cut:.....	\$ 7,500

MERCHANDISING ADVANCE	\$ 20,000
Manager's cut:.....	\$ 3,000
Lawyer's fee:.....	\$ 1,000

PUBLISHING ADVANCE:	\$ 20,000
Manager's cut:.....	\$ 3,000
Lawyer's fee:	\$ 1,000
Record sales:..... 250,000 @ \$12 =	\$3,000,000
Gross retail revenue Royalty: [13% of 90% of retail]:.....	\$ 351,000
Less advance:.....	\$ 250,000
Producer's points:[3% less \$50,000 advance]:	\$ 40,000
Promotional budget:	\$ 25,000
Recoupable buyout from previous label:	\$ 50,000
NET ROYALTY:	\$ -14,000

RECORD COMPANY INCOME:

Record wholesale price:.\$6.50 x 250,000 =	\$1,625,000 gross income
Artist Royalties:	\$ 351,000
Deficit from royalties:.....	\$ 14,000
Manufacturing, packaging and distribution: @ \$2.20 per record:.....	\$ 550,000
Gross profit:.....	\$ 710,000

THE BALANCE SHEET

This is how much each party got paid at the end of the game.

Record company:	\$ 710,000
Producer:.....	\$ 90,000
Manager:.....	\$ 51,000
Studio:.....	\$ 52,500
Previous label:.....	\$ 50,000
Agent:.....	\$ 7,500
Lawyer:.....	\$ 12,000

BAND MEMBER NET INCOME EACH \$ 4,031.25 !!!!!!!!!!!