

Copyright Infringement and Anti-Piracy Guide Book

Included in this guidebook:

Overview _____ Page 2

Intellectual Property Rights Form – Audio _____ Page 4

This form to be filled out with every audio project along with support documentation

Intellectual Property Rights Form– Video _____ Page 5

This form to be filled out with every video project along with support documentation. IPR – Audio form may be required in case of accompanying soundtrack(s).

Intellectual Property Rights Form– Software _____ Page 6

This form to be filled with every software project along with support documentation.

(Include license information for all non-owned software, freeware or shareware products.

Audio Manufacturing Agreement (Mechanical Agreement) __ Page 7

This form to be filled with every audio project where a contractor written license has not been supplied.

Grant of Rights _____ Page 8

This form to be filled out when logos, registered trademarks, sales marks or copyrights are included in the CD/DVD content or as part of the CD/DVD or packaging artwork

Copyright Infringement and Anti-Piracy

Piracy has been a big issue for the music recording industry for the last few years. In an effort to stop illegal copyright infringement the RIAA had been involved in many multi million dollar lawsuits against those participating in illegal piracy, such as CD replicators and CD duplicators.

The (RIAA) Recording Industry Association of America is the trade group that represents the U.S. recording industry. Its mission is to foster a business and legal climate that supports and promotes our members' creative and financial vitality. Its members are the record companies that comprise the most vibrant national music industry in the world. RIAA members create, manufacture and/or distribute approximately 90% of all legitimate sound recordings produced and sold in the United States.

In support of this mission, Acutrack and the RIAA work to protect intellectual property rights worldwide and the First Amendment rights of artists; conduct consumer industry and technical research; and monitor and review - - state and federal laws, regulations and policies.

Before you begin the replication process for music, software, videos/film, you must demonstrate that you are the rightful owner of all of the materials. This applies to the work that you have created in addition to sampling, previously recorded recordings, cover songs, soundtracks and software applications.

MUSIC PROJECTS

You must submit a completed Intellectual Property Rights form (IPR) with your order to demonstrate that you either own the rights or have permission to use the music. If the songs on this recording belong to a third party (including mixes and samplings), you must also supply a completed AUDIO MANUFACTURING AGREEMENT.

COVER VERSIONS

When you perform someone else's song, you need to get a mechanical license certifying that you may reproduce their composition. By calling ASCAP, BMI or SESAC, you can find out who owns the title, you can then call the title owner yourself and negotiate a rate from them, or, you can call the Harry Fox Agency who is authorized to issue mechanical licenses at the current statutory rates. Currently, these rates are 0.08 per song (per disc/cassette) up to five minutes in length. Any song over five minutes is \$1.55 per minute per song per CD/Cassette produced. Applications for less than 2500 pieces can be made online at www.songfile.com The original owners should also receive a credit on your liner notes or other artwork.

ORIGINAL WORKS on your album

If you are using songs owned and recorded by someone else, you need to contact the owner of the master to use those performances. THIS INCLUDES SAMPLINGS and BRIEF SOUND CLIPS. You will need to contact and get a Sound Master or Master Use License. The owner will want specifics as to the title you want to use, the nature of its use, how many pieces you are replicating and where you will be distributing your product. You can contact ASCAP, BMI or SESAC to get information about the rights holder.

PROTECTING YOURSELF

Any song or compilation of songs that you write is your property. To ensure that your rights are not infringed upon, we strongly recommend that you copyright your material with the United States Copyright Office.

Visit www.copyright.gov for more information about how to file the forms and protect yourself.

BROKERS, AGENTS, RECORDING STUDIOS

If the content belongs to a third party, you must also submit a complete AUDIO MANUFACTURING FORM or a contract between you and the content owner. This form and a complete Intellectual Property Rights Form must be submitted.

LOGOS, TRADEMARKS, SALES MARKS, REGISTER MARKS.

An organization's logo, trade, sales, register mark or other types of corporate or companies identity may not be duplicated without the owner's express written consent. We have included a copy of a "Grant of Rights" that may be adapted by your organization and supplied back to Acutrack, Inc.

RESOURCES:

ASCAP
(800)95-ASCAP
www.ascap.com

BMI
(212)586-3450
www.sesac.com

SESAC
(212)586-3450
www.sesac.com

Harry Fox Agency
(212)370-5330
www.nmpa.org/hfa.html

RIAA (Recording Industry Assoc of America)
1-800-223-2328
www.riaa.com



INTELLECTUAL PROPERTY RIGHTS (IPR) FORM - Audio

Letters of Indemnity are not adequate.

LICENSED content requires proof of licensing for replication.

OWNED content indicates the individual/organization completing this form is the IPR owner.

Must be completed by the organization soliciting replication and not a broker or intermediary.

To protect the intellectual property of the rightful owners, Acutrack supports the International Recording Media Association's Piracy Compliance Program. This program benefits you by protecting copyright owners from unauthorized reproduction of their property. Please fill out this form in its entirety and submit it with your order. **ORDERS WITHOUT THIS FORM CANNOT BE PROCESSED.**

1. Provide us with your complete contact information and job number. You can get this job number from your Acutrack Sales Rep or Project Manager or from the Acutrack Website (if you have placed your own order).
2. The title of your project and name of artist. If this is a compilation with multiple artists (including sampling), check yes and fill in the various artists' names in Section 3 below. Also include your project's release number (if applicable).
3. If the whole album is by one artist, put this information in the first line only. If there are multiple artists on the recording, fill out the artists name for each track.
4. Provide the full song title for each track.
5. Include the time of each track(if possible)
6. Provide information about who owns the rights to the master. If you recorded the song, put your name or "client" in this field. If anyone else owns this title, you must attach a copy of your contract or AUDIO MANUFACTURING AGREEMENT authorizing you to record this song. If the song is a cover or a sampling, you must include a copy of a mechanical license or an AUDIO MANUFACTURING AGREEMENT. Once you have authority or legal approval to record music owned by a third party, you can enter "client" or your own name in item #6

1. Your Account Information Acutrack project number: _____

Customer Name _____

Contact Person (if different than above) _____

Company/Band _____

Daytime Phone _____ Fax: _____ email _____

2. Album/Project Information Compilation Yes No

Album/Project Title: _____

Artist Name: _____

Release Number _____

t s i t r A	. 3 e l t i T g	n o s m (optional)	64 Property Rights Owner

initials



INTELLECTUAL PROPERTY RIGHTS (IPR) FORM - Video

Letters of Indemnity are not adequate.

LICENSED content requires proof of licensing for replication.

OWNED content indicates the individual/organization completing this form is the IPR owner.

Must be completed by the organization soliciting replication and not a broker or intermediary.

To protect the intellectual property of the rightful owners, Acutrack supports the International Recording Media Association's Piracy Compliance Program. This program benefits you by protecting copyright owners from unauthorized reproduction of their property. Please fill out this form in its entirety and submit it with your order. ORDERS WITHOUT THIS FORM CANNOT BE PROCESSED.

1. Your Account Information Acutrack project number: _____

Customer Name _____

Contact Person (if different than above) _____

Daytime Phone _____ Fax: _____ email _____

2. DVD-Video/Project Information Music Sound Track Yes No

If Music Sound Track is included in this project, an Intellectual Property Form for Audio MUST BE ATTACHED.

Project Title: _____

Intellectual Property Owner: _____

If Owner is different than the Customer, a contract or agreement must be included.

Release Number _____

Attach all relevant copyright information:

I affirm that all information provided herein is true and that all disc contents indicated as being "licensed" are properly licensed for replication under the terms of the original rights holder(s) with proof of such licensing and/or trademark authorization attached. I affirm that I am the intellectual property rights owner for all contents indicated as being "owned" and approve of replication. I agree to abide by the current version of the Anti-Piracy Compliance Program procedures and standards of the International Recording Media Association (available at www.recordingmedia.org). Acutrack reserves the right to refuse the processing of any order not complying with the Anti-Piracy Compliance Program guidelines.

I declare that the above information is correct, that I have the right to reproduce this product and that I agree to Acutrack's Terms and Conditions of Sale

PRINT NAME _____ SIGNATURE _____ DATE _____



INTELLECTUAL PROPERTY RIGHTS (IPR) FORM - Software

Letters of Indemnity are not adequate.

LICENSED content requires proof of licensing for replication.

OWNED content indicates the individual/organization completing this form is the IPR owner.

Must be completed by the organization soliciting replication and not a broker or intermediary.

To protect the intellectual property of the rightful owners, Acutrack supports the International Recording Media Association's Piracy Compliance Program. This program benefits you by protecting copyright owners from unauthorized reproduction of their property. Please fill out this form in its entirety and submit it with your order. ORDERS WITHOUT THIS FORM CANNOT BE PROCESSED.

1. Your Account Information Acutrack project number: _____

Customer Name _____

Contact Person (if different than above) _____

Daytime Phone _____ Fax: _____ email _____

2. Software Project Information – Diskette or CD/DVD ROM

If not IPR owner, list all included non-owned software, freeware and shareware products. Attach necessary distribution licensing documentation from the IPR owner.

Some shareware and freeware products require that you have a distribution license. Consult the software vendor for what is necessary

Project Title: _____

Intellectual Property Owner(s): _____

If Owner is different than the Customer, a contract or agreement must be included.

Attach all relevant copyright information:

I affirm that all information provided herein is true and that all disc contents indicated as being "licensed" are properly licensed for replication under the terms of the original rights holder(s) with proof of such licensing and/or trademark authorization attached. I affirm that I am the intellectual property rights owner for all contents indicated as being "owned" and approve of replication. I agree to abide by the current version of the Anti-Piracy Compliance Program procedures and standards of the International Recording Media Association (available at www.recordingmedia.org). Acutrack reserves the right to refuse the processing of any order not complying with the Anti-Piracy Compliance Program guidelines.

I declare that the above information is correct, that I have the right to reproduce this product and that I agree to Acutrack's Terms and Conditions of Sale

PRINT NAME _____ SIGNATURE _____ DATE _____



AUDIO MANUFACTURING AGREEMENT
(This form must be filled out in addition to the Intellectual Rights Form)

DATE: _____

This letter is a statement to Acutrack, Inc that (producer/artist/band name)

_____ (known as artist) authorizes (broker/recording studio/record label/representative/licensee):

_____ (known to agent) to reproduce the following materials:

ENTIRE ALBUM

Album Title: _____
Artist Name: _____
Selection Number(s): _____

and/or

SONG(S) OF COMPILATION

Song title: _____
Artist Name: _____
Compilation release
Number: _____
Name of album/project that song(s) will be in: _____
-- use additional forms for additional songs

The right to reproduce the above materials is granted specifically to:

Agent Company Name: _____
Agent Contact Name: _____
Address: _____
City, State, Zip: _____
a m l i - E

Limitations: (Quantity, area(s) of distribution, etc.) _____

Producer/Artist warrants that it is the sole intellectual property rights owner of the above mentioned musical work, and that it will hold Acutrack, Inc. and its assigns, agents or representatives harmless in case of a dispute with Agent, or in the case of any copyright claims by third parties. Producer/Artist recognize that Acutrack, Inc. cannot provide information about the manufacturing of the above mentioned musical works without the express written permission from Agent, who is responsible to Acutrack, Inc. for all costs of production.

Producer/Artist Signature: _____

Producer/Artist/Band Name: _____

Artist Representative, if different than above: _____

Address: _____

City, State, Zip: _____

n o: B P
: l i a m - e

This form should be on the copyright owner's letterhead
GRANT OF RIGHTS

<Date>

TO: <<Broker/Designer Persons Name>>
<<Broker/Designer Company Name>>
<<Address>>
<<City, State, Zip>>

Re: Grant of Rights

This letter is to warrant that <<copyright/intellectual property owner's name>> is the owner of all necessary legal rights to grant duplication rights associated with the following title:

<<Name of CD or DVD>>

<<copyright/intellectual property owner's name>> hereunder known as the Grantor, hereby grants <<Broker/Designer Company Name>> hereunder known as the grantee, the rights to have the above listed title duplicated as specified by the Grantor:

<<insert any detailed quantity, application, geographic or other limitations here>>

Signed: _____
<<copyright/intellectual property owner's name>>

Printed Name _____

Title _____ Date _____

If a PO number is included in this letter, then a new letter will need to accompany each successive PO. If an expiration date is given, a new letter will be needed after that date.